

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129550/LP/2021

Date registered valid: 1 March 2021

Proposal: Certificate of Lawful Development for proposed rear dormer and insertion of windows to gable and roof lights to front elevation associated with loft conversion

Address: 8 College Drive, Manchester, M16 0AE

Ward(s): Whalley Range Ward

Applicant: Niall & Becky Alcock, 8 College Drive, Manchester, M16 0AE

Agent (if any): Mrs Magdalena Haener, Pride Road Manchester South, 110 Great Stone Road, Manchester, M16 0HD

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 April 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: None for LP Certificate

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is a red brick, 2-storey semi-detached Edwardian dwelling situated on the western side of College Drive in the Whalley Range ward.

The property has a front feature gable, bay windows and gardens at the front and rear. The gable roof is covered in slate.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site lies in a mainly residential area at the northern end of College Drive close to the junction with Park Drive and just outside the Whalley Range conservation area.

Manley Park and Primary School are located a short distance to the west whilst the British Muslim Heritage Centre is short distance to the south east on College Road.

Description of development

Certificate of Lawful Development for proposed rear dormer and insertion of windows to gable and roof lights to front elevation associated with loft conversion.

Consultations & Notification Responses

None for Lawful Development Certificate

The application is submitted under the Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Class B

Within this legislation, Schedule 2, Part 1, Class B allows for the enlargement of a dwelling house consisting of an addition or alteration to its roof. The conditions and limitations which apply in this class specify that:

Materials must be similar in appearance to the existing house.

The volume of enlargement (including any previous enlargement) must not exceed the original roof space by more than:

40 cubic metres for terraced houses; or

50 cubic metres otherwise.

Must not exceed the height of the existing roof.

On the principal elevation of the house (where it fronts a highway), must not extend beyond the existing roof slope, and,

Must not include:

Verandas, balconies* or raised platforms; or

Installation, alteration or replacement of any chimney, flue, or 'soil and vent pipe'.

Side-facing windows must be obscure-glazed; and, if opening, to be 1.7 metres above the floor of the room in which they are installed.

Construction must ensure that:

The eaves of the original roof are maintained (or reinstated)

Any enlargement is set back, so far as practicable, at least 20cm from the original eaves

The roof enlargement does not overhang the outer face of the wall of the original house

Class C

Class C is concerned with any other alteration to the roof of a dwellinghouse which covers additions such as roof lights within Schedule 2, Part 1, Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The conditions and limitations which apply in this class specify that development:

Must not project more than 150 millimetres from the plane of the existing roof slope.

Must not exceed the height of the existing roof.

Side-facing windows must be obscure-glazed; and, if opening, to be 1.7 metres above the floor of the room in which they are installed.

Assessment

The proposal meets the criteria for Permitted Development under Classes B and C of the above legislation.

The additional roof volume amounts to 30.71m³ based on the following calculations:

Dormer

$$H - 2.394\text{m} \times W - 6.310\text{m} \times D - 4.067\text{m} = 61.43\text{m}^3 / 2 = 30.71\text{m}^3$$

Total volume increase = 30.71m³

The additional volume is within the 50 cubic metre threshold permitted for non-terraced houses.

The dormer does not exceed the height of the original roof ridge and is set in by 337mm off the eaves at the rear with hanging slate or tile materials colour and size-matched to the original roof.

The description of the proposal on the application form indicates that a non-openable obscure glazed window is proposed on the extended gable end.

Roof lights

The insertion of roof lights is classed as Permitted Development under Schedule 2, Part 1, Class C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to the following limits and conditions:

Must not project more than 150 millimetres from the plane of the existing roof slope.

Must not exceed the height of the existing roof.

Side-facing windows must be obscure-glazed; and, if opening, to be 1.7 metres above the floor of the room in which they are installed.

On the front elevation, 4no. Velux windows are proposed (1 x PK04 - 98x94, 2 x PK10 - 160x94 and 1 x MK10 160x78mm), all of which sit within the plane of the roof with an upstand below 150mm.

Based on the above, the application meets the criteria within Class B and Class C of the above regulatory framework and is development that is permitted by this Order.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration**Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

Approve on the basis that the proposed rear dormer shown on drawings numbered 3 Rev A and 4 Rev A received by the City Council as Local Planning Authority on the 1st March 2021, constitutes permitted development in accordance with Schedule 2, Part 1, Class B and Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH