

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127978/LP/2020

Date registered valid: 14 September 2020

Proposal: Certificate of Lawful Proposed Development - Erection of a single storey rear extension together with the installation of rear dormer

Address: 20 Crofton Street, Manchester, M14 4DX

Ward(s): Moss Side Ward

Applicant: Mr. Paul Reeves, Parc Housing Ltd 20, Crofton Street, Manchester, M14 4DX

Agent (if any): Mr John Albutt, PZvi Architects & Designers Ltd, 47A Park Lane, Poynton, Stockport, SK12 1RD

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 2 November 2020

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey mid-terrace dwellinghouse of red brick, clay tiles and white uPVC, which is currently used as a 4 bed HMO. The property features a bay window, tiled porch canopy and small walled garden to the front and a two storey outrigger, external store and walled garden to the rear.

Description of area

Crofton Street is a residential street of red brick terraces within the Moss Side ward, sited between Great Western Street and the Al Furqan Mosque. The area benefits from its proximity to major bus routes, Whitworth Park and Rusholme District Centre.

Description of development

The applicant rents this property out as a 4 bed HMO and wishes to build a single storey side/rear infill extension to enlarge the kitchen and install an L shaped dormer to provide another two rooms (5th bedroom and large bathroom) in the loft.

Consultations & Notification Responses

None required for this type of application

Policy

The Town and Country Planning (General Permitted Development) Order (2015) - Schedule 2, Part 1, Classes A and B.

Assessment

The proposed dormer and extension would both be sited at the rear, not visible from the public highway, and the property is not located within a conservation area. The dormer would form an L shape and would measure 4.83m in width, 7.75m in depth and 2.38m in height as a maximum. There would be a setdown from the ridge and a setback from the eaves of 0.25m. The dormer would be clad in uPVC or hung tiles to match existing. The overall additional roof space created would have a volume of approximately 32.47 cubic metres, which is below the threshold for terraced houses (of 40 cubic metres). This aspect of the proposal would accord with the GPDO.

However, the proposed side/rear extension would project beyond an original rear wall by 4.76m, which exceeds the limit for attached houses by 1.76m. It would also exceed the limit for the height at eaves for extensions sited within 2m of a boundary, at 3.12m, and features a raised platform across the full width of the rear elevation at 0.47m in height. Hence the proposal does not accord with Schedule 2, Part 1, Class A: A.1.(f), A.1(i) and A.2(k) of the General Permitted Development Order (2015) and is therefore not deemed permitted development. The applicant should submit a householder application for these works.

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: Refuse

Condition(s) to be attached to decision for approval

1) Refuse on the basis that the proposed single storey side/rear extension shown on the drawings numbered: NR744-PL-202, NR744-PL-203, NR744-PL-204, NR744-PL-205, NR744-PL-206, NR744-PL-207 and NR744-PL-208, stamped as received by the City Council as Local Planning Authority with the application on 14th September 2020, does not constitute permitted

development in accordance with Schedule 2, Part 1, Class A: A.1.(f), A.1(i) and A.2(k) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed rear wall of the extension would project 4.76m beyond an original rear wall of the dwellinghouse, the height of eaves exceeds 3m within 2m of a boundary and the development includes a raised platform, hence a certificate of lawful proposed development cannot be granted for these works and a householder application should be submitted instead.

Appendix 1 – List of consultees & neighbours notified

None required

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

Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Moss Side)

Area Team Boundary - Name: SOUTH