

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126997/LP/2020

Date registered valid: 26 May 2020

Proposal: Certificate of lawful proposed development for the erection of a single storey extension, hip to gable extension and installation of a rear dormer

Address: 66 Brooklawn Drive, Manchester, M20 3GZ

Ward(s): Didsbury East Ward

Applicant: Mr Andrew Bradley, 66 Brooklawn Drive, Manchester, M20 3GZ

Agent (if any): Mr Barry Binns, Adamson Construction, Adamson House, Outram Road, Dukinfield, SK16 4XE

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

Recommendation: Refuse

Date of recommendation: 20 July 2020

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Notifications

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 semi-detached brick dwellinghouse with a hipped roof featuring a dormer to the side and rear. The property also features a single storey side extension with internal garage and a conservatory to the rear. The plot includes a front garden with driveway and a rear garden.

Description of area

Brooklawn Drive is residential in nature, characterised by similar two storey semi-detached family dwellinghouses, many of which have been extended or altered. It is located within the Didsbury East ward and benefits from its proximity to Fog Lane Park and various transport links into the city.

Description of development

The applicant wishes to remove the existing conservatory in order to build a single storey rear extension to match the side extension and remove the dormers in order to construct a hip to gable extension with new rear box dormer, to provide an additional two bedrooms, a bathroom and larger kitchen/diner.

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 rear dormer would not be visible from the public highway and the property is not within a conservation area. It would measure 5.9m in width, 1.89m in height and 2.5m in depth, creating an additional 13.94 cubic metres of roof space. There would be a setback from the ridge of 1.4m and a setback from the eaves of 1.2m. The hip to gable roof alteration would extend the ridge by 4.47m, with a height of 3.45 metres and a gable width of 9 metres, creating an additional 23.13 cubic metres of roof space. The new gable would be built of brick to match existing, with roof tiles to also match. The overall additional roof space created would have an area of 37 cubic metres, which is below the threshold for non-terraced houses (50 cubic metres). This aspect of the proposal would accord with the GPDO if the gable window were to be obscure glazed.

However, the proposed 3m rear extension would adjoin the existing side extension, creating a wraparound which must be assessed as the 'total enlargement'. As this would become a side and rear extension its width must not exceed half the width of the original dwellinghouse (6.2m). In this case, the total width far exceeds this, at 9.3m, hence the proposal does not accord with Schedule 2, Part 1, Class A.(j)(iii) 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

Reasons for recommendation to refuse

1) Refuse on the basis that the proposed single storey rear extension shown on the drawing numbered '7779', stamped as received by the City Council as Local Planning Authority with the

application on 26th May 2020, does not constitute permitted development in accordance with Schedule 2, Part 1, Class A - A.1.(j)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

This is due to the proposed rear extension adjoining an existing extension which projects from an original side wall of the dwellinghouse, giving the total enlargement a width greater than half the width of the original dwellinghouse. Hence, a full householder application would be required for this proposal.

Appendix 1 – List of consultees & neighbours notified

None

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH