

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139015/FH/2024
Date registered valid: 15 January 2024
Proposal: Installation of rear roof dormer
Address: 129 College Road, Manchester, M16 0AA
Ward(s): Whalley Range Ward

Applicant: Mr Sheetal Nandi
Agent (if any): Mr Jason Mckay Designaloftcom Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **7 March 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 February 2024

Standard consultations:

Printed: 18 January 2024 Expired: 8 February 2024

Neighbour notifications

Printed: 18 January 2024 Expired: 8 February 2024

Site notice

Posted: 1 February 2024 Expired: 22 February 2024

Press advert

Published: 23 January 2024 Expired: 6 February 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: No

Description of area

The application site relates to 129 College Road within the south Manchester ward of Whalley Range. The application site relates to a semi-detached, two storey, red brick Victorian dwellinghouse characterised by large bay windows, gable end and intricate detailing to the ridge of the roof. Amenity space to the front of the property takes the form of an off street paved driveway and soft landscaping and amenity to the rear of the property takes the form of a paved and garden area. The property benefits from a small outrigger off the rear elevation of the property with access steps leading to the basement of the property.

The property is located within Whalley Range Conservation Area.

Description of development

The submitted application seeks planning permission for the installation of rear roof dormer. The rear roof dormer would have approximate dimensions of Height: 2.9 x Length: 6.2 x Width: 4.6 metres and thus have a volume of 41.4 cubic metres. The proposal would create a toy room, two bedrooms and a bathroom, and involve the insertion of two windows within the rear elevation of the proposal. The dormer would be set above the eaves height of the host property by 0.5 metres.

Two velux skylights would be inserted within the primary elevation of the host property, however this element of works does not require consent and therefore is not assessed within this proposal.

Materials to be used throughout the proposal would match that of the host property.

Planning History

134767/TCA/2022- Works to trees - proposed pruning works to a Hawthorn tree in the front garden and a Lime tree in the rear garden.
No objection- 14 September 2022.

115269/TCA/2017- Works to tree - proposed felling of a Hawthorn tree in front garden.
No objection- 5 July 2017.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Whalley Range Conservation Area Group

Whalley Range Conservation Area Group were consulted and no responses were received.

Whalley Range Forum

Whalley Range Forum were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed

development:

- i. Chapter 8. Promoting healthy and safe communities
- ii. Chapter 12. Achieving well-designed and beautiful places
- iii. Chapter 16. Conserving and enhancing the historic environment

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN3 (Heritage)

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the installation of rear roof dormer. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and Whalley Range Conservation Area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

The dormer would sit on the existing hipped roof and would encompass much of the existing roof. The dormer due to their nature would not give rise to any overbearing or loss of light implications.

Two windows would be inserted within the rear elevation of the dormer and would look onto the rear of properties along Park Mews. However, given the dormer would be sited 27 metres from the rear building lines of the neighbouring properties, any opportunity for overlooking would be minimal. No windows are to be inserted in the side elevation of the proposal and as such, no adverse privacy implications would occur as a result of the proposal to the immediate neighbours. A condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental and overpowering feature and would not be visible from the streetscene.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Permitted Development rights allow rear dormers to be obtained through the route of Permitted Development, however as the property sits within the Whalley Range Conservation Area this is not possible. The proposed dormer has a cubic volume of 41.14 and as such, the proposal would comply with the volume restriction set under permitted development.

Although the dormer is considered large covering the entirety of the existing roof, the dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

The materials to be used would match the host property and therefore be considered sympathetic to the host property. This is considered necessary given the property sits within a Conservation Area and using materials to match would ensure the proposal maintains the character of the area through the use of materials. A materials condition to this effect would be attached to any approval granted.

Whalley Range Conservation Area

The property sits within the Whalley Range conservation area. The application site relates to a semi-detached, two storey, red brick Victorian dwellinghouse characterised by large bay windows, gable end and intricate detailing to the ridge of the roof. The property sits on the southern side of the applicant street which relates to Victorian properties with similar appearances. However, properties to the northern side of College Road relate to newer built properties.

Designation of the conservation area is aimed at stopping the demolition of historically important buildings and actively encouraging refurbishment of what is left of the fine quality original housing stock. Owners of property in the area are encouraged to retain the original character and detail of their houses or premises.

Policy EN3 of Manchester's Core Strategy requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

The proposed rear dormer would have a limited impact on the neighbouring properties due to its siting at height and given the dormer is considered to be of a size that retains the original character of the roof- the ridge height of the dormer is no higher than the existing and given the dormer does not project further than the roof plane. The proposal seeks to keep and mirror the architectural qualities within the Conservation Area by retaining the decorative fins on the ridge tiles of the host property and by replicating the glazing pattern of the two proposed rear windows as seen within the existing property. The materials have been listed to match the host property and this is considered necessary to retain the original character of the roof of the host property and the wider Conservation Area and ensures a sympathetic addition to College Road.

In addition, the rear dormer would not be easily seen from the vantage points within the Conservation Area.

Further, there is a precedent of rear roof dormer extensions within the Whalley Range Conservation Area. This includes no.155 College Road which has a similar form to the current application although was approved with contrasting materials. In addition, to the north east of the applicant site, no.13 Green Walk also had a dormer approved under planning reference 130797/FH/2021. These examples highlight the acceptability of rear roof dormers as new additions to the Conservation Area if carefully considered by the LPA.

Therefore, it is not considered that the development would undermine the residential character of the Whalley Range Conservation Area due to the changes to complement the conservation area. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

In line with paragraph 202 of the NPPF, where less than substantial harm occurs, public benefits are required to mitigate against that harm. The character of this part of the conservation area contains recent and more modern additions and interventions. On reflection, the current proposal being assessed is considered small in nature and would not drastically alter the character of the Conservation Area. The design of the proposal seeks to maintain some of the original and decorative features within the roof of the host property and the wider Conservation Area.

Bin Storage

Bin storage would be unaffected by the proposal.

Car Parking

Off- street car parking would be unaffected by the proposal.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity. The design, size, position, and appearance are in keeping with the character of the property and local area. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN3 and Saved Policy DC1 and DC18 of the Unitary Development Plan.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have

worked with the applicant in a positive and proactive manner. Appropriate conditions have been attached to the approval granted.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Application Form, stamped as received by the City Council as Local Planning Authority on 15 January 2024.

-Drawing- Proposed- Elevation, stamped as received by the City Council as Local Planning Authority on 15 January 2024.

-Drawing- Proposed- Floor Plan, stamped as received by the City Council as Local Planning Authority on 15 January 2024.

-Drawing- Proposed- Section, stamped as received by the City Council as Local Planning Authority on 15 January 2024.

-Drawing- Site Plan, stamped as received by the City Council as Local Planning Authority on 15 January 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Conservation Area Group
Whalley Range Forum

131 College Road, Manchester, M16 0AA
127 College Road, Manchester, M16 0AA
Park Mews, Park Drive, Manchester, M16 0FD
10 Park Mews, Park Drive, Manchester, M16 0FD
9 Park Mews, Park Drive, Manchester, M16 0FD
8 Park Mews, Park Drive, Manchester, M16 0FD
7 Park Mews, Park Drive, Manchester, M16 0FD
6 Park Mews, Park Drive, Manchester, M16 0FD
5 Park Mews, Park Drive, Manchester, M16 0FD
4 Park Mews, Park Drive, Manchester, M16 0FD
3 Park Mews, Park Drive, Manchester, M16 0FD
2 Park Mews, Park Drive, Manchester, M16 0FD
1 Park Mews, Park Drive, Manchester, M16 0FD
202 College Road, Manchester, M16 0AA

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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA