

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133903/LP/2022

Date registered valid: 26 May 2022

Proposal: Enlargement of the dwellinghouse by the addition of a rear dormer roof extension

Address: 4A Slade Grove, Manchester, M13 0QF

Ward(s): Longsight Ward

Applicant: Mr Junaid Muzammal 4 A Slade Grove, Manchester, M13 0QF

Agent (if any): Dr Kanadi Jagafa Mason and Marlowe Ltd Colony, 5 Piccadilly Place, Manchester, M1 3BR

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 July 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit:

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:

Tree Preservation Order:

This application relates to 4a Slade Grove, one of a pair of two-storey properties, attached to a commercial building, at the end of a street that otherwise consists of two-storey terraced properties. At the rear the property has a two-storey outrigger, with a roof that links into the roof of the main house

The application is for a lawful development certificate for a proposed rear dormer extension. The proposed dormer would have a height of approximately 1.9 metres and would be approximately 3 metres long x 5.7 metres wide. This would give a volume of approximately 16.3 cubic metres. The dormer, however, straddles the existing outrigger, so would therefore incorporate part of the outrigger roof therefore giving the proposed dormer a volume of approximately 13 cubic metres (16.3 cubic metres - 3 cubic metres). The dormer would line up with the roof edges, and at its base, would be over 20 centimetres from the eaves.

Materials would similar in appearance to the existing house .

Consultations & Notification Responses

None

Issues

The certificate of lawful development that has been applied for because the applicant wishes to gain confirmation that a proposed rear dormer extension, at the house, constitutes permitted development. The proposal therefore needs to be assessed with regards to the Town and Country Planning (General Permitted Development) (England) Order 2015. This sets out the rules concerning what extensions, improvements and alterations a householder may make to their house and the area around it without the need for an application for planning permission. Such works are known as 'permitted development'.

Class B of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to additions to the roof of a dwellinghouse

B.1 States that development is not permitted by Class B if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;
- (e) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform, or
 - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (f) the dwellinghouse is on article 2(3) land.

The legislation also states:

B.2 Development is permitted by Class B subject to conditions including:

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) the enlargement must be constructed so that—
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;

The dormer extension meets this criteria, in terms of volume, distanced from eaves and position on the roof.

In addition, the applicant has confirmed that the dormer would be constructed in materials which would be similar in appearance to the existing house .

Planning permission is not therefore required for the proposed dormer.

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

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

1) Grant on the basis that works detailed on the following drawings and documents constitutes permitted development in accordance with Part 1, Schedule 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Drawings and Documents:

Site location plan dated 12 May 2022 and labelled 'Sheet A4'

Drawing dated 5 July 2022 and labelled 'Sheet A3', and showing proposed elevations

Design and Access Statement dated 23 May 2022

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH