

Application Number:	24/00729/CPL
Location:	11 Evesham Road, Middleton, Rochdale M24 1PS
Proposal:	Certificate of lawfulness for a proposed dormer loft conversion to rear of dwelling, new Velux rooflights to front of roof and new obscured glazed windows to side gable elevations.
Applicant:	Mr and Mrs Yasmin Bukera
Case Officer:	Aimee Bovaird
Recommendation:	Approve

CHECKED AND SIGNED OFF BY: TH

DATE: 18.09.2024

Location

The application relates to 11 Evesham Road, Middleton. This dwelling is a detached bungalow within the Defined Urban Area. Opposite the site is St. Thomas More Primary School, the site has off street parking and a rear garden.

Description of Proposal

Certificate of lawfulness is sought for a proposed dormer loft conversion to rear of dwelling, new Velux rooflights to front of roof and new obscured glazed windows to side gable elevations.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
--	-----

Relevant History:

N/A

Permitted Development Rights removed?	No
--	----

Representations

In accordance with the Council's code for publicity for this type of application, no letters of notification have been issued.

Legislation and Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Permitted development rights for householders – Technical Guidance (Sept 2019)

Assessment

Class A – new side windows

The proposed first-floor side windows in both gables would comprise an alteration to the dwellinghouse as permitted by Class A, and would comply with the limitations set out in paragraph A1, as far as they are relevant.

Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

- (i) obscure-glazed, and
(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

☒ **Complies**

☐ **Does Not Comply**

- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

Class B - rear dormer

Class B of Part 1 of the Schedule to the GPDO allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof subject to it not being contrary to any of the following criteria:

- (a) Permission to use the dwellinghouse as a dwelling has not been granted only by virtue of Class M,N,P, PA or Q of Part 3 of the GPDO

☒ **Complies**

☐ **Does Not Comply**

- (b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

☒ **Complies**

☐ **Does Not Comply**

- (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;

☒ **Complies**

☐ **Does Not Comply**

- (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;

☒ **Complies**

☐ **Does Not Comply**

Dormer Volume Calculation

Height (m)	2.6
Depth (m)	4.2
Length (m)	9
Total (m³)	49.14

- (e) It would consist of or include –
- (i) The construction or provision of a veranda, balcony or raised platform, or
 - (ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

☒ **Complies**

☐ **Does Not Comply**

- (f) The dwellinghouse is on article 2(3) land.

☒ **Complies**

☐ **Does Not Comply**

B.2 Development is permitted by Class B subject to the following conditions—

- (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;

☒ **Complies**

☐ **Does Not Comply**

- (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
- (iii) 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; and

☒ **Complies**

☐ **Does Not Comply**

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

☒ **Complies**

☐ **Does Not Comply**

Class C – roof lights

Development is not permitted by Class C if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

☒ **Complies**

☐ **Does Not Comply**

- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

☒ **Complies**

☐ **Does Not Comply**

- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

☒ **Complies**

☐ **Does Not Comply**

(d) it would consist of or include—

- (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (ii) (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.; or

☒ **Complies**

☐ **Does Not Comply**

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

☒ **Complies**

☐ **Does Not Comply**

Recommendation: Approve

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2 Part 1 Class A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Notes for applicant:

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan
- Proposed Site and Block Plan 873-06
- Proposed Ground Floor Plan 873-07A
- Proposed Loft Floor Plan 873-08A
- Proposed Roof Plan 873-09
- Proposed Elevations 873-10

	Date	Officer
Report Completed	29/08/24	Signed: AB
Authorisation	18/09/24	Signed: TH

Report Author Aimee Bovaird