APPLICATION NUMBER: 19/00021/CPL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
19/00021/CPL	Osian Perks	27 February 2019

Address: 166 Bury Old Road Heywood OL10 3LN

Proposal: Proposed rear dormer extension

PUBLICITY	**Call up expired?**	n/a	**Site notice expired?**	n/a
	Neighbour letters expired?	n/a	**Press Notice expired?**	n/a

INTERESTS	**Officer dealing with planning matters / Councillor app?**	n	**Ten or more objections and recommendation to grant?**	n
	Decision maker management interest in site?	n	**Called up?**	n

COMMUTED SUMS / S106	**Commuted Sum paid / S106 completed?**	n
	Confirm if commuted sum / S106 for POS – copy of calculation spreadsheet on file?	n

HUMAN RIGHTS ACT	**Account has been taken of the Act's provisions.**
ENFORCEMENT?	**n**

EIA	**Has a screening opinion been completed and saved to Onbase?**	n

RECOMMENDATION	**REFUSE**

CHECKED AND SIGNED OFF BY: AT **DATE: 01.03.2019**

SITE

This application relates to a two storey, semi-detached, residential property sited within the Heywood Township.

PROPOSAL

The proposal constitutes the erection of a flat roofed, dormer window in the rear roof slope of the application property. It would be clad in white UPVC.

Legislation and Guidance

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

Permitted development rights for householders – Technical Guidance (April 2017)

RELEVANT SITE HISTORY

10/D52976- Two/Single Storey Side Extension And Single Storey Rear Extension. Approved.

CONSULTATION RESPONSES

- Not applicable.

REPRESENTATIONS

n/a

ANALYSIS

To benefit from permitted development under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended) the proposed dormer window within the rear roof slope, should accord with both parts B.1 and B.2. This is assessed below:

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, PA or Q of Part 3 of this Schedule (changes of use);

Permission has not been granted for use as a dwellinghouse by virtue of any of the named Classes of the schedule and the proposal therefore accords with criterion (a).

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

The height of the highest part of the existing roof would not be exceeded by the proposed dormers and therefore complies with criterion (b).

(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;

The proposed dormer would be sited within the rear roof slope only and as such would accord with criterion (c)

(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;

The proposed dormer window would have a cubic content of approximately 6m^3. There are no either enlargements of the existing roof space. Therefore the proposal would accord with the criterion (d).

(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 proposal does not include a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe. The dwellinghouse is not located on article 2(3) land. The proposal therefore complies with criteria (e) and (f).

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;

Page 36 of the DCLG PD Technical Guidance (April 2017) provides clarity in regards to criterion (a), indicating that the faces and sides of a dormer window should be finished using materials that give a similar visual appearance to the existing house. So the materials used for facing a dormer should appear to be of similar colour and design to the materials used in the main roof of the house when viewed from ground level.

It is considered that the proposed white UPVC cladding would not appear to be of similar appearance to the existing roof tiles. As such, it would not accord with criterion (a).

(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 proposed dormer windows would be positioned approximately 1.4 metres from the eaves. The eaves of the host property would not be altered and no part of the dormer windows extend beyond a wall the outside face of any external wall of the original dwelling house. The proposal therefore accords with (b).

(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

No windows inserted on a wall or roof slope forming a side elevation of the dwellinghouse have been proposed.

RECOMMENDATION

Refuse for the following reason:

1. The drawings submitted indicate that the exterior of the proposed dormer window would be clad in white UPVC which is not of similar appearance to the existing roofing tiles. Therefore the proposal fails to accord with criterion B1 (a) of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended).

Notes for Applicant:

For the avoidance of doubt, this application relates to the following plans:

- Proposed rear elevation (2018 11 06-08)
- Proposed side elevation (2018 11 06-07)
- Existing side elevation (2018 11 06-03)
- Existing rear elevation (2018 11 06-04)
- Existing and proposed site plan (2018 11 06-01)
- Proposed floor plans (2018 11 06-06)
- Existing floor plans (2018 11 06-02)

Report Author Osian Perks