

Application Number:	24/00114/CPL
Location:	51 Penrhyn Avenue, Middleton, M24 1FP
Proposal:	Application for a certificate of lawfulness for a rear dormer extension including alteration of roof from hip to gable and insertion of three roof lights
Applicant:	Mr Dale Callaghan
Case Officer:	Bob Melling
Recommendation:	Grant

Location

The application relates to no. 51 Penrhyn Avenue, a semi-detached dwelling located in Middleton. The dwelling is adjoined by no. 53 Penrhyn Avenue to the east and no. 49 Penrhyn Avenue to the west. The rear boundary of the curtilage borders a parcel of green space.

Description of Proposal

The application seeks a certificate of lawfulness for a proposed rear dormer extension and a hip to gable roof conversion including three roof lights.

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 (September 2019)

Assessment (Class B)

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 front 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**

Officer's calculations

Dormer Volume Calculation

Height (m)	2.48
Depth (m)	4.19
Length (m)	5.50
Total (m³)	28.58

Hip to Gable Volume Calculation

Gable End Height (m)	3.04
-----------------------------	-------------

Gable End Width (m)	8.97
Depth (m)	4.49
Total (m³)	20.41

= 48.97m³

It is acknowledged that the subject property is physically attached to the neighbouring properties as a result of link garages. However, the garage walls are not the main walls of habitable accommodation and therefore would not satisfy the GPDO definition of a terrace house.

(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**

Conditions (Class B)

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**

☐ **Details not provided**

The submitted plans indicate that the hip to gable conversion would be constructed in brickwork to match the host dwelling, the dormer walls hung in tiles to match the existing roof tiles and the window frames in white uPVC to match existing.

(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; and

- ☒ **Complies**
- ☐ **Does Not Comply**
- ☐ **Details not provided**

There is a 0.41m gap from eaves to edge of the enlargement.

- (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**
- ☐ **Details not provided**

Assessment (Class C)

Class C of Part 1 of the Schedule to the GPDO allows for any other alteration to the roof of a dwellinghouse subject to it not being contrary to any of the following criteria:

- (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 the GDPO

- ☒ **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) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment

☒ **Complies**

☐ **Does Not Comply**

Conditions (Class C)

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be –

- (a) Obscure-glazed; and
- (b) Non-opening unless the parts of the window that 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**

☐ **Details Not Provided**

Note: The proposed development does not include any windows to the side elevation of the host dwelling.

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class 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. Dated 03/02/2024
- Existing Site And Block Plan. Drg no. 785-01
- Existing Loft Floor Plan. Drg no. 785-04
- Existing Roof Plan. Drg no. 785-05
- Existing Elevations. Drg no. 785-06

- Proposed Loft Floor Plan. Drg no. 785-10
- Proposed Roof Plan. Drg no. 785-11
- Proposed Dormer Elevations. Drg no. 785-14
- Proposed Site And Block Plan. Drg no. 785-15

	Date	Officer
Report Completed	20/02/2024	Signed: BM
Authorisation	03/04/2024	Signed: RC

Report Author Bob Melling