

Application Number:	25/00111/CPL
Location:	45 York Road East, Middleton, M24 1RJ
Proposal:	Certificate of lawfulness for proposed rear dormer, porch extension to front elevation including two roof lights to front roof slope
Applicant:	Mrs Jodie Ferrari
Case Officer:	Bob Melling
Recommendation:	Grant

CHECKED AND SIGNED OFF BY: RK

DATE: 04/03/2025

Location

The application relates to no. 45 York Road East, a two-storey, semi-detached dwelling located in a residential area of Middleton. The application property faces west towards the highway, is adjoined by no. 47 York Road East to the south and adjacent to no. 43 York Road East to the north. The rear boundary of the curtilage borders a linear parcel of woodland.

Description of Proposal

A certificate of lawfulness is sought for a rear dormer, a front porch and two roof lights.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Relevant History:

N/A

Permitted Development Rights removed?	No
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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 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**

Dormer Volume Calculation

Height (m)	2.36
Depth (m)	3.12
Length (m)	6.23
Total (m³)	22.94

- (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**

- ☐ The plans include the alteration of a soil and vent pipe. However, it is noted that this alteration may fall under Class G of permitted development rights.

(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**

- (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**

- (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 Schedule 2 of the GPDO allows for any other alteration to the roof of the 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 this Schedule (change 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) 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 shall be -

- (a) obscure-glazed; and
- (b) 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 D)

Class C of Part 1 of Schedule 2 of the GPDO allows for a porch 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 this Schedule (change of use)

☒ **Complies**

☐ **Does Not Comply**

- b) the ground area (measured externally) of the structure would exceed 3 square metres

☒ **Complies**

☐ **Does Not Comply**

- c) any part of the structure would be more than 3 metres above ground level or

☒ **Complies**

☐ **Does Not Comply**

- d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway

☒ **Complies**

☐ **Does Not Comply**

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Classes B, C and D 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 03/02/2025
- Existing Site, Block And Location Plan. Dwg no. 930-01
- Existing Ground Floor Plan. Dwg no. 930-02
- Existing First Floor Plan. Dwg no. 930-03
- Existing Loft Floor Plan. Dwg no. 930-04
- Existing Roof Plan. Dwg no. 930-05
- Existing Elevations. Dwg no. 930-06
- Proposed Site, Block And Location Plan. Dwg no. 930-07
- Proposed Ground Floor Plan. Dwg no. 930-08
- Proposed First Floor Plan. Dwg no. 930-09
- Proposed Loft Floor Plan. Dwg no. 930-10
- Proposed Roof Plan. Dwg no. 930-11
- Proposed Elevations. Dwg no. 930-12

	Date	Officer
Report Completed	13/02/2025	Signed: BM
Authorisation	04/03/2025	Signed: RK

Report Author Bob Melling