

APPLICATION NUMBER: 25/00884/CPL

Application Number:	25/00884/CPL
Location:	323 Milnrow Road, Rochdale, OL16 5BU
Proposal:	Certificate of lawfulness for proposed hip to gable roof conversion, rear dormer and front facing rooflights
Applicant:	Mr F Kahn And Mr S Kahn
Case Officer:	Bob Melling
Recommendation:	Grant

CHECKED AND SIGNED OFF BY: RK**DATE: 22/10/2025****Location**

The application relates to no. 323 Milnrow Road, a two-storey semi-detached dwelling located in Newbold. The dwelling is adjoined by no. 325 Milnrow Road to the east, adjacent to no. 323A Milnrow Road to the west, and faces the highway to the south.

Description of Proposal

A certificate of lawfulness is sought for a rear dormer, a hip-to-gable roof conversion and two rooflights.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Relevant History:**25/00328/HOUS – approved:**

First floor rear extension.

24/00761/HH42 – prior approval not required:

Prior approval for a proposed single storey rear extension measuring 4m from the original dwelling (with a maximum height of 3.2m and height to eaves to 2.8m)

23/01316/HH42 – refused:

Prior approval for a single storey rear extension measuring 5m from the original dwelling (with a maximum height of 3.30m and height to eaves to 2.80m)

22/01542/HOUS – refused:

Part two storey, part single storey rear extension, two storey side extension including hip to gable roof extension.

21/00053/FUL – approved:

Erection of single dwelling with associated gardens and access arrangements, following demolition of existing domestic garage.

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)	1.93
Depth (m)	3.45
Length (m)	6.26
Total (m³)	20.84

Hip to Gable Volume Calculation

Gable End Height (m)	2.37
Gable End Width (m)	7.33
Depth (m)	3.65
Total (m³)	10.57

Total proposed volume: 31.41m³

(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**

(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**

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
- Existing Floor Plans, Elevations and Site Plan. Dwg no. 2175 B/1
- Proposed Floor Plans, Elevations and Site Plan. Dwg no. 2175 B/2

	Date	Officer
Report Completed	22/10/2025	Signed: BM
Authorisation	22/10/2025	Signed: RK

Report Author Bob Melling