

Application Number:	25/00147/CPL
Location:	19 Buersil Avenue, Rochdale, OL16 4TP
Proposal:	Certificate of Lawfulness for proposed rear dormer extension and hip to gable extension
Applicant:	Mr Waqar Hussain
Case Officer:	Sam Yuen
Recommendation:	Grant

CHECKED AND SIGNED OFF BY: RC

DATE: 13/03/25

Location

The application relates to no. 19 Buersil Avenue, a two-storey semi-detached dwelling located in Kingsway. The dwelling is adjoined by no. 21 Buersil Avenue to the north-east, adjacent to no. 17 Buersil Avenue to the south-west, and faces the highway to the south-east. The rear curtilage boundary backs onto nos. 10 and 12 Sedgley Avenue to the north-west.

Description of Proposal

Certificate of lawfulness is sought for the enlargement of the dwelling by way of a hip to gable extension and a flat roof dormer which measures 5.65m in length, 2m in height and 3.14m in depth.

The submitted plans also indicate the addition of one roof light to the front roof slope,

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).

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
Depth (m)	3.14
Length (m)	5.65
Total (m³)	17.74

Hip to Gable Volume Calculation

Gable End Height (m)	3.11
Gable End Width (m)	8.35
Depth (m)	4.37
Total (m ³)	18.91

Total volume = 17.74m³ + 18.91m³ = 36.65m³

(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**

Note: The proposed plans indicate the alteration of a soil and vent pipe. However, it is noted the alteration of a soil and vent pipe may be considered under Class G of permitted development rights, the assessment of which is set out in this report.

(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**

Note: The proposed development does not comprise of any window to the roof slope forming a side elevation of the host dwelling.

Assessment (Class G)

Class G of Part 1 of Schedule 2 of the GPDO allows for the installation, alteration or replacement of a chimney, flue or soil and vent pipe on 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 this Schedule (change of use)

☒ **Complies**

☐ **Does Not Comply**

b. the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

☒ **Complies**

☐ **Does Not Comply**

c. in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-

i. fronts a highway, and

ii. forms either the principal elevation or a side elevation of the dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class B, Class C and Class G 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 – received 12/02/2025
- Existing Site Plan, Floor Plans and Elevations – Drawing no. 2255/1 received 12/02/2025
- Proposed Floor Plans – Drawing no. 2255/2 received 12/02/2025
- Proposed Site Plan, Elevations and Section Plan – Drawing no. 2255/3 received 12/02/2025

	Date	Officer
Report Completed	04/03/2025	Signed: SY
Authorisation	13/03/2025	Signed: RC

Report Author Sam Yuen