

Application Number:	23/01343/CPL
Location:	48 Kingsland Road, Rochdale, OL11 3HQ
Proposal:	Certificate of lawfulness for rear dormer extension and alterations to rear, first floor window opening
Applicant:	SAMENA AKHTAR
Case Officer:	Bob Melling
Recommendation:	Grant

Location

This application refers to no.48 Kingsland Road, a two-storey terraced dwelling located in Castleton.

Description of Proposal

The application seeks a certificate of lawfulness for a proposed rear dormer extension and alterations to the existing soil and vent pipe and the rear fenestration.

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 A)

Class A of Part 1 of the Schedule to the GPDO allows for general alterations such as new windows and doors.

The proposed alterations to the existing rear bedroom window at first floor level would be completed in brickwork to match existing and would comply with the criteria and conditions of Class A.

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 Dormer Volume Calculation:

Height (m)	1.94
Depth (m)	4.30
Length (m)	4.18
Total (m³)	<u>17.43m³</u>

- (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 development would result in the removal of a chimney, but this is not restricted by e) (ii).

The development would result in the alteration of a soil and vent pipe. This is assessed under Class G.

- (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 dormer would be constructed using materials 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 0.28m 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**

Assessment (Class G)

Class G Class A of Part 1 of Schedule 2 of the GPDO allows for the installation of a 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 A, B and 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:-

- Site Location Plan
- Existing Details. Drg no. 23.3223.1
- Existing & Proposed Block Plans. Drg no. 23.3223.2
- Proposed Details. Drg no. 23.3223.SC1.1B

	Date	Officer
Report Completed	19/01/2024	Signed: BM
Authorisation	29/01/2024	Signed: RC

Report Author Bob Melling