

Application Number:	22/01501/CPL
Location:	43 Berwick Street, Rochdale, Rochdale, OL16 5DT
Proposal:	Application for a certificate of lawfulness for proposed rear dormer including alteration of roof from hip to gable
Applicant:	Mr Mohammed Kurban
Case Officer:	Sam Yuen
Recommendation:	Grant

CHECKED AND SIGNED OFF BY:

DATE:

Location

The application relates to no. 43 Berwick Street, an end-terrace dwelling located in Rochdale. The dwelling is adjoined by no. 41 Berwick Street and faces Berwick Street to the south-west and Bilberry Street to the south-east. The rear boundary of the curtilage borders an alleyway which runs between the host property and no. 21 Berwick Street and no. 16 Stamford Street.

Description of Proposal

Certificate of lawfulness is sought for a dormer to the rear roof slope of the host dwelling, measuring approx. 4.45m in length, approx. 1.97m in height, and approx. 3.77m in depth.

The application also proposes an alteration of the hipped roof into a gable roof.

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

88/D22749 - Change Of Use Of Dwellinghouse Use Toc.B.A.Aarea - Grant
Permission subject to condition

20/00962/HOUS - Enlargement of roof from hip to gable to incorporate new dormer extension to rear, single storey rear extension, installation of rooflight on front elevation and new window opening on existing rear extension at ground floor –
Refuse

Officer's Comment:

- ☐ The proposed hip to gable end roof extension would constitute an incongruous addition to the property that would be out of keeping with the uniform hipped roof design of the terrace and those adjacent terraces. Furthermore, the proposed rear dormer would occupy a disproportionate amount of roof space that would lead to a cluttered roof design. The proposal would therefore have a detrimental impact on the character and appearance

of the surrounding area, contrary to Policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.

21/00433/HOUS - Enlargement of roof from hip to gable to incorporate new dormer extension to rear, single storey rear extension, installation of rooflight on front elevation and new window opening on existing rear extension at ground floor - resubmission of 20/00962/HOUS – Refuse

Officer's Comment:

- ☐ The proposed hip to gable end roof extension would constitute an incongruous addition to the host property that would be out of keeping with the uniform hipped roof design of the terrace and those adjacent terraces. Furthermore, the introduction of the proposed rear dormer above the existing two-storey extension would lead to a cluttered roof design. The proposal therefore constitutes poor design and would have a detrimental impact on the character and appearance of the street scene, contrary to policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.

Permitted Development Rights removed?	Property has not had permitted development rights removed.
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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

Note: The principal elevation of the application property is considered to be the elevation facing Berwick Street to the south-west. The proposed plans comprise of a rooflight to the front elevation roof, which is considered under Class C of permitted development rights.

- (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)	1.97
Depth (m)	3.77
Length (m)	4.45
Total (m ³)	16.52

Hip to Gable Volume Calculation

Gable End Height (m)	2.39
Gable End Width (m)	7.92
Depth (m)	3.97
Total (m ³)	12.52

The host dwelling comprises of a two-storey rear extension which is not considered to be part of the original dwelling. As such, the roof volume of the rear extension is included in the total resulting roof space.

Hip to Gable Volume (Two-storey Rear Extension) Calculation

Gable End Height (m)	1
Gable End Width (m)	2.71
Depth (m)	2.98
Total (m³)	1.35

Total Proposed Roof Volume: $16.52\text{m}^3 + 12.52\text{m}^3 + 1.35\text{m}^3 = 30.39\text{m}^3$

(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**

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

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**

Notes – The proposed roof window protrudes approx. 0.08m beyond the plane of the slope of the original roof to the front elevation.

- (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:-

- Existing and Proposed Site Plan, Existing and Proposed Floor Plans, Existing and Proposed Elevations, and Proposed Roof Plan – Drawing No. MK251122 Revised 21/01/2023

	Date	Officer
Report Completed	23/01/2023	Signed: SY
Authorisation	26/01/2023	Signed: RK

Report Author Sam Yuen