APPLICATION NUMBER: 22/00761/CPL

Application Number:	**22/00761/CPL**
Location:	25 Lincoln Road, Middleton, Rochdale, M24 1RH
Proposal:	Certificate of lawfulness for a proposed rear dormer with juliet balcony (Re-submission 22/00427/CPL)
Applicant:	Mr Chevreau
Case Officer:	Nicole Helliwell
Recommendation:	**Grant**

Location

The application relates to no.25 Lincoln Road, a two storey mid-terrace property located in a residential area in East Middleton. The dwelling faces north-west onto the highway, adjoining to no.27 Lincoln Road to the south-west and no.23 Lincoln Road to the north-east. The rear boundary of curtilage borders the rear gardens of no.32 and no.34 York Road East. The property benefits from off road parking sited to the front of the dwelling and a large rear garden.

Description of Proposal

The application seeks a certificate of lawfulness for a proposed rear dormer extension including a Juliet balcony. The proposed dormer would have a length of approx. 5.93m, a height of approx. 2.51m, a depth of approx. 3.28m and an overall volume of approx. 24.41m^3.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes

Relevant History:

22/00427/CPL: Certificate of lawfulness for a prosed rear dormer with juliet balcony **–** Refused

Reason: The proposal does not constitute permitted development by virtue of non-compliance with Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate that the dormer extension would not be wholly within the curtilage of the dwellinghouse.

15/00376/HH42: Single storey rear extension measuring 5m beyond the rear wall of the original dwelling (with a maximum height of 3.775m and a height to the eaves of 2.55m) – Prior Approval Not Required

Permitted Development Rights removed?	Cannot locate original permission

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 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)	**2.51**
Depth (m)	**3.28**
Length (m)	**5.93**
Total (m^3)	**24.41**

(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 application includes the provision of a Juliet balcony. A Juliet balcony is not defined as a 'balcony' under the General Permitted Development Order.

(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**

Note: The plans confirm that the dormer extension would be constructed in composite cladding, however, no details have been provided in relation to the colour.

(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**

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class B 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 and Proposed Rear Elevations, Attic and Floor Plans. Drg no. 110 Rev. A

	Date	**Officer**
Report Completed	21/06/2022	Signed: NH
Authorisation	03/08/2022	Signed: RK

Report Author Nicole Helliwell