

Application Number:	25/00880/CPL
Location:	7 Bowland Grove, Milnrow, OL16 4EX
Proposal:	Certificate of lawfulness for rear dormer
Applicant:	Mr Michael Shaw
Case Officer:	Bob Melling
Recommendation:	Grant

Location

This application relates to no. 7 Bowland Grove, a semi-detached bungalow located in a residential area of Milnrow. The application property adjoins no. 5 Bowland Grove to the northwest and is adjacent to no. 9 Bowland Grove to the southeast. The rear boundary of the curtilage backs onto the rear gardens of nos. 33 and 35 Beechfield Road.

Description of Proposal

The application seeks a certificate of lawfulness for a proposed rear dormer.

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

25/00879/HOUS: Proposed front dormer and single storey rear extension. **Pending determination.**

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.

Notwithstanding, several objections have been received. However, it is important to note that this application is seeking to determine whether the development meets the legal tests set out in the GPDO. Therefore, it is a legal decision rather than a planning judgement and the concerns raised by the objectors are not relevant to the consideration of the current application.

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 fronts 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 calculations - Dormer Volume Calculation

Height (m)	2.25
Depth (m)	3.45
Length (m)	7.67
Total (m³)	29.77

- (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

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:-

- Site Location Plan
- Scheme 2 - Existing Details. Dwg no. 25.3646.SC2.1
- Scheme 2 Proposed Scheme Details. Dwg no. 25.3646.SC2.2
- Scheme 2 Existing & Proposed Block Plans. Dwg no. 25.3646.SC2.3

	Date	Officer
Report Completed	02/10/2025	Signed: BM
Authorisation	14/10/2025	Signed: RK

Report Author Bob Melling