

APPLICATION NUMBER: 23/01207/CPL

Application Number:	23/01207/CPL
Location:	33 Alpine Drive, Wardle, Rochdale, OL12 9NY
Proposal:	Certificate of lawfulness for a rear dormer
Applicant:	Lisa Laws
Case Officer:	Sam Yuen
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: RK

DATE: 03/01/2024

Location

The application relates to no. 33 Alpine Drive, a semi-detached bungalow located in Wardle. The dwelling is adjoined by no. 35 Alpine Drive to the north-west, adjacent to no. 31 Alpine Drive to the south-east, and faces the highway to the north-east. The rear boundary of the curtilage borders Knowl Syke Brook to the south-west.

Description of Proposal

Certificate of lawfulness is sought for a dormer of a lean-to roof form on the rear roof slope of the host dwelling which measures 7.98m in length, 2.46m in height, and 3.63m in depth. The proposal would be constructed in matching brickwork.

The proposed plans also indicate alterations to the existing chimney.

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

Relevant History:

23/01208/HOUS - First floor front dormer extension with pitched roof and alterations to fenestration on the first floor side elevation – To be determined at the time of writing.

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).

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**

Note: The host dwelling comprises a flat roof front dormer that is shared with adjoined no. 35, the scale and design of which is consistent with other bungalows within estate. As such, for the purposes of this assessment, this feature is taken to form part of the original roof space of the ‘original dwelling’, as defined in the *“Technical guidance for permitted development rights.”* The following volume calculation only relates to the proposed rear dormer.

Proposed Rear Dormer Volume Calculation

Area of side elevation of dormer = 4.36m²

Volume of dormer = $4.36\text{m}^2 \times 7.98\text{m} = \underline{34.79\text{m}^3}$

(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**

Note: The proposed plans indicate the alteration of an existing chimney, however, it is noted the alteration of a chimney may fall under Class G of permitted development rights.

(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 Permitted Development Rights for Householders: Technical Guidance sets out that the materials used for facing a dormer should appear to be of a similar colour and design to the materials used in the main roof of the house when viewed from ground level. The proposals show the use of which would not comply.

(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 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: Refuse

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of 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 materials used in the exterior of the proposed rear dormer would not be of a similar appearance to those used in the roof of the host dwelling.

Notes for applicant:

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan – received 02/11/2023
- Existing and Proposed Site Plan – Drawing No. 23.3224.SC2.3 dated 10/2023
- Existing Floor Plans and Section Plan – Drawing No. 23.3224.1 dated 09/2023
- Existing Elevations – Drawing No. 23.3224.2 dated 09/2023
- Proposed Floor Plans – Drawing No. 23.3224.SC2.1 dated 09/2023
- Proposed Elevations - Drawing No. 23.3224.SC2.2 dated 09/2023

	Date	Officer
Report Completed	22/11/2023	Signed: SY
Authorisation	03/01/2024	Signed: RK

Report Author Sam Yuen