

Application Number:	24/00629/CPL
Location:	2 Castle Avenue, Rochdale, OL11 4JJ
Proposal:	Application for a certificate of lawfulness for a proposed rear dormer extension with gable wall and single-storey rear extension
Applicant:	Mr Usman Fiaz
Case Officer:	Hamish Rigg
Recommendation:	Grant

Location

The application relates to 2 Castle Avenue, a two-storey end of terraced property in the inner-suburbs of Rochdale. Castle Avenue comprises a short row of early 20th Century terraced houses which are typical for the immediate vicinity. The wider area is a mix of housing, industrial and retail warehouses, open green space, and major transport links.

No. 2 faces south, fronting the pavement and overlooking the public highway, and is adjoined by no. 4 to the west. The eastern elevation overlooks a service road and the rear garden off 156 Manchester Road, whilst the rear boundary of the curtilage faces north, bordering an alley way adjacent to 5 Sparth Bottoms Road.

Description of Proposal

Permission is sought for a single-storey rear extension, a hip-to-gable roof extension, and a flat roof rear dormer.

The single-storey rear extension would join the existing outrigger and infill the remaining space on the rear elevation. It would include a pitched roof with a skylight, and a set of double doors. Materials include red brick, grey slate roof tiles, and UPVC fenestration. The rear extension would measure 2.7m in width, 2.6m in depth, 2.7m in height to eaves, and 3.8m in maximum height.

The rear dormer would include a flat roof, a single window, and a double window. Materials include hung slate tiles and UPVC fenestration. The dormer would measure 5.3m in width, 4.3m in depth, and 1.8m in height.

The hip-to-gable roof extension would include a skylight and be constructed from matching grey slate roof tiles. It would increase the width of the ridge by 4.7m, and increase the gable height to 2.7m.

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

Permitted Development Rights removed?	Original permission not located
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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 (September 2019)

Assessment (Class A)

Class A of Part 1 of Schedule 2 of the GPDO allows for the enlargement, improvement or other alteration of a house 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) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

☒ **Complies**

☐ **Does Not Comply**

- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which -
- (i) Forms the principal elevation or
 - (ii) Fronts a highway and forms a side elevation of the original dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

- (f) Subject to Paragraph (g), the enlarged part of the dwellinghouse would have a single storey and extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or exceed 4 metres in height.

☒ **Complies**

☐ **Does Not Comply**

- (g) For a dwellinghouse not on article 2(3) land or a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –
- (I) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (II) exceed 4 metres in height.

☒ **Complies**

☐ **Does Not Comply**

- (h) The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

- (i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

☒ **Complies**

☐ **Does Not Comply**

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would exceed 4 metres in height, have more than a single storey or have a width greater than half the width of the original dwellinghouse; or

☒ **Complies**

☐ **Does Not Comply**

(ja) (any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

☒ **Complies**

☐ **Does Not Comply**

(k) it would consist of or include

- (i) the construction or provision of a veranda, balcony or raised platform,
- (ii) the installation, alteration or replacement of a microwave antenna,
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) an alteration to any part of the roof of the dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

- ☐ **The plans do / do not include a balcony or raised platform**
- ☐ **The plans do / do not include the alteration of a microwave antenna**
- ☐ **The plans do / do not include the alteration of a soil and vent pipe**
- ☐ **The plans do / do not include the addition to part of the roof of the dwellinghouse**

(A.2) In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or
- (ca) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c)

☒ **Complies**

☐ **Does Not Comply**

Conditions

Paragraph A.3 of the above order stipulates that development is permitted by Class A subject to the following conditions-

- a. The materials used in any exterior work (other than materials used in the construction of a conservatory) 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. Any upper-floor window located in 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; and

- ☒ **Complies**
- ☐ **Does Not Comply**
- ☐ **Details not provided**

- c. Where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

- ☒ **Complies**
- ☐ **Does Not Comply**
- ☐ **Details not provided**

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:

- (l) 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

(m) 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

(n) 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

(o) 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)	1.77
Depth (m)	4.26
Length (m)	5.28
Total (m ³)	19.91

Hip to Gable Volume Calculation

Gable End Height (m)	2.67
Gable End Width (m)	9.46
Depth (m)	4.71
Total (m ³)	19.83

(p) 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**

(q) 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 A and 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:-

- Proposed elevations and site plan: A 2168/3
- Proposed floor plans: A 2168/2
- Cross section: A 2168/4
- Location plan

	Date	Officer
Report Completed	02/09/2024	Signed: Hamish Rigg
Authorisation	09/09/2024	Signed: Ryan Killeen

Report Author Hamish Rigg