

Application Number:	23/00560/CPL
Location:	221 Albert Royds Street, Rochdale, OL16 2TJ
Proposal:	Certificate of lawfulness for a proposed rear dormer
Applicant:	Mr Manawar Khan
Case Officer:	Sam Yuen
Recommendation:	Grant

CHECKED AND SIGNED OFF BY:

DATE:

Location

The application relates to no. 221 Albert Royds Street, a two-storey semi-detached dwelling located in Belfield. The dwelling is adjoined by no. 219 Albert Royds Street to the north-west and faces the highway to the south-west. The side and rear boundary of the curtilage borders an access road.

Description of Proposal

Certificate of lawfulness is sought for a flat roof dormer on the rear roof slope of the host dwelling which measures approx. 5.66m in length, approx. 1.84m in height, and approx. 3.38m in depth.

The application also proposes a roof light to the front roof slope of the host dwelling.

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

23/00009/HOUS - Part single ground and first floor rear extension with rear dormer and 1no window to front elevation and alteration to rear fenestration – Refuse

Officer's Comment:

1. By virtue of its elevated siting, scale, bulky massing and design, which sees the hipped roof of the first floor extension adjoin its rear elevation, the proposed rear dormer would constitute a disproportionate and incongruous addition to the host dwelling roof slope which would not be well-designed and would be out of keeping with the character and appearance of the host dwelling. Given the arrangement of dwellings to the rear and the existence of a shared alleyway, the dormer would sit in a prominent location and would cause significant visual harm to the character and appearance of the surrounding area. The proposed development would not be well-designed and therefore fails to accord with policies DM1 and P3 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.

2. The proposals would result in undue amenity harm to the occupants of the host dwelling by means of an inadequate provision of natural light and outlook to the first-floor rear bedroom and the front-facing attic bedroom. The proposed development would therefore be contrary to policies DM1 of the adopted Rochdale Core Strategy, the Council's adopted Supplementary Planning Document 'Guidelines and Standards for Residential Development' and the National Planning Policy Framework.

Permitted Development Rights removed?	Cannot locate original permission.
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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**

(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)	1.84
Depth (m)	3.38
Length (m)	5.66
Total (m³)	17.60

(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**

Assessment (Class C)

Class C of Part 1 of Schedule 2 of the GPDO allows for any other alteration to the roof of the 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 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**

- (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 shall be -

- (a) obscure-glazed; and
- (b) 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 comprise of any window to the roof slope forming a 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:-

- Location Plan
- Existing Site Plan, Floor Plan and Elevations – Drawing No. B1977/1
- Proposed Site Plan and Floor Plans – Drawing No. B1977/2
- Proposed Elevations – Drawing No. B1977/3 received 04/08/2023

	Date	Officer
Report Completed	04/08/2023	Signed: SY
Authorisation	10/08/2023	Signed: RK

Report Author Sam Yuen