

Application Number:	23/00706/CPL
Location:	18 Mossway, Middleton, M24 1NS
Proposal:	Certificate of lawfulness for proposed side dormer extensions, insertion of a roof light and alterations to the side/rear fenestration
Applicant:	Mr N Donnellan
Case Officer:	Bob Melling
Recommendation:	Grant

Location

This application refers to no.18 Mossway, a detached bungalow located in a residential area in Middleton.

Description of Proposal

The application seeks a certificate of lawfulness for proposed side dormer extensions, insertion of a roof light and alterations to the side/rear fenestration.

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

23/00407/CPL

Certificate of lawfulness for a proposed dormer to the side elevation and alterations to the side fenestration

Decision: Grant

02/D39982

Construction Of Replacement Roof To Dwelling And Erection Of Porch And Pitched Roof To Existing Bay Windows To Front Of Dwelling

Decision: Grant subject to conditions

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.

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 the Schedule to the GPDO allows for general alterations such as new windows and doors.

The proposed removal of the existing upper floor rear window and the ground floor side window, which would be infilled and rendered in materials to match existing, and formation of a new opening on the side elevation to install a new window would comply with the criteria and conditions of Class A.

Assessment (Class B)

Class B of Part 1 of the Schedule 2 of 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)	1.7
Depth (m)	3.2
Length (m)	13.5
Total (m³)	36.72

Height (m)	1.7
Depth (m)	3.2
Length (m)	4.3
Total (m ³)	11.70

= 48.42 m³

(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**

The dormer is to be constructed using concrete tiles in a colour to match the existing roof tiles and window frames to match existing. It is considered that these materials would be of a similar visual appearance to the existing dwelling and are acceptable.

(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**

There is a 0.44m gap from eaves to edge of the enlargement.

- (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 the Schedule 2 of the GPDO allows for any other alteration to the roof of 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 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)

- C.2 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

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class A, 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
- Proposed Site Plan
- Existing Floor Plans and Elevations. Drg no. 3252-01
- Proposed Floor Plans and Elevations. Drg no. 3252-02. Rev B. Submitted via email on 27/07/2023

	Date	Officer
Report Completed	28/07/2023	Signed: BM
Authorisation	09/08/2023	Signed: RC

