

Application Number:	23/00414/CPL
Location:	113 Edenfield Road Rochdale OL11 5AE
Proposal:	Certificate of lawfulness for a proposed rear dormer extension and roof windows
Applicant:	Ms Carla Grimshaw
Case Officer:	Chelsea Petrillo
Recommendation:	Grant

Location

113 Edenfield Road is two-storey end terrace property located in the Spotland and Falinge ward of Rochdale and sited next to a small alleyway which separates the row of terraces hosting the application property to the immediate adjacent row of terraces to the east. The rear of the property features a two-storey outrigger together with a single storey rear extension.

Description of Proposal

A certificate of lawfulness is proposed for a flat roof dormer extension to the existing rear roof slope (see dormer calculations for measurements). The application was submitted only with reference to the dormer, but as the submitted plans also show the addition of two rooflights to the front of the roof, the description of development and the following assessment have been amended to include these.

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

None Applicable

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 (September 2019)

Assessment (Class B) – rear dormer

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)	1.6m
Depth (m)	4.2m
Length (m)	4.8m
Total (m³)	16.13m³

- (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) – roof lights

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes 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

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 must 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 B and Class 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:-

- (02)001 LOCATION PLAN
- (02)003 PROPOSED PLANS AND ELEVATIONS

	Date	Officer
Report Completed	02.05.2023	Signed: CPetrillo
Authorisation	21.06.2023	Signed: TH

Report Author Chelsea Petrillo