APPLICATION NUMBER: 21/00385/CPL

Application Number:	**21/00385/CPL**
Location:	15 Park Road, Rochdale, OL12 9BJ
Proposal:	Application for a certificate of lawfulness for a rear dormer extension including velux window to front elevation
Applicant:	Mr Tahir Mahmood
Case Officer:	James Bridgman
Recommendation:	**Grant**

CHECKED AND SIGNED OFF BY: AT DATE: 20.05.2021

Location

The application relates to a two storey mid terraced property in a residential area in Rochdale. To the west of the rear elevation of the property is an open field.

Description of Proposal

A lawful development certificate is sought for a rear dormer extension and a velux window to the existing front elevation.

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

Relevant History: 13/00115/HOUS – Single storey rear extension including demolition of existing conservatory. Decision: Grant subject to conditions.

Permitted Development Rights removed?	N/A

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 (April 2017)

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)	**2.05**
Depth (m)	**3.95**
Length (m)	**4.5**
Total (m^3)	**18.22**

(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;

(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

(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

This condition is not applicable as there are no side elevation windows proposed.

Assessment (Class C)

Class C of Part 1 of the Schedule to 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 the GDPO (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**

Notes – The proposed roof window protrudes <0.1 metres beyond the plane of the slope of the original roof to the front elevation.

(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 must be –
(a) Obscure-glazed; and
(b) Non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

This condition is not relevant as there are no side windows proposed as part of this development.
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:-

Existing Site Plan: 1719/1
Proposed Site Plan and Elevations: 1719/2
Proposed Elevations: 1719/3
Location Plan

	Date	**Officer**
Report Completed	20/05/2021	Signed: JB
Authorisation	20/05/2021	Signed: AT

Report Author James Bridgman