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|----------------------------|------------------------------------------------------------------------|
| <b>Application Number:</b> | <b>23/00913/CPL</b>                                                    |
| <b>Location:</b>           | 9 Cairn Drive<br>Rochdale<br>OL11 5PG                                  |
| <b>Proposal:</b>           | Application for a certificate of lawfulness for a proposed rear dormer |
| <b>Applicant:</b>          | Darren and Claire Bayman                                               |
| <b>Case Officer:</b>       | Chelsea Petrillo                                                       |
| <b>Recommendation:</b>     | <b>Refuse</b>                                                          |

### **Location**

9 Cairn Drive is a detached bungalow dwelling located in the Bamford ward of Rochdale. The property hosts a driveway to the front of the property with an attached garage and the rear garden features a variation of ground levels.

### **Description of Proposal**

Permission is sought for a flat roof rear dormer to the rear roof slope (See dormer calculations below)

|                                                                          |     |
|--------------------------------------------------------------------------|-----|
| <b>Is the proposal wholly within the curtilage of the dwellinghouse?</b> | Yes |
|--------------------------------------------------------------------------|-----|

### **Relevant History:**

16/00714/HOUS Demolition of existing conservatory and erection of single storey extension  
**Granted** Aug2016

|                                              |                                   |
|----------------------------------------------|-----------------------------------|
| <b>Permitted Development Rights removed?</b> | Cannot locate original permission |
|----------------------------------------------|-----------------------------------|

### **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)**

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**

|                              |                           |
|------------------------------|---------------------------|
| <b>Height (m)</b>            | <b>2.78m</b>              |
| <b>Depth (m)</b>             | <b>4.79m</b>              |
| <b>Length (m)</b>            | <b>10.18m</b>             |
| <b>Total (m<sup>3</sup>)</b> | <b>67.78m<sup>2</sup></b> |

- (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 G)**

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G 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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

☒ **Complies**

☐ Does Not Comply

(c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

- (i) fronts a highway, and
- (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

☒ Complies

☐ Does Not Comply

**Recommendation: Refuse**

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (d) and Conditions (a) of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate that the volume of the dormer would exceed the permitted volume for detached dwellings under PD and the external materials would not give a similar appearance to that on the existing roof.

**Notes for applicant:**

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan
- 23.3157.4 Existing and Proposed Block Plans
- 23.3157.SC4.2A Scheme 4 Proposed Elevations
- 23.3157.SC4.1 Scheme 4 Proposed First Floor Plan

|                  | Date       | Officer    |
|------------------|------------|------------|
| Report Completed | 20.09.2023 | Signed: CP |
| Authorisation    | 13.10.2023 | Signed: TH |

Report Author Chelsea Petrillo