

Officer Report

Case Reference: PL/2026/0498
Location: 1 CLAY LANE, ROCHDALE, OL11 5SJ
Proposal: Application for a certificate of lawfulness for a proposed side dormer extension, installation of roof lights, and 1No. window to front elevation
Recommendation: Permitted Development
Officer: Luke Rigby

SITE

The application site consists of a two-storey detached residential dwelling located to the south of Clay Lane in a predominantly residential area of Norden. The existing dwelling is constructed of facing brick with a pitched roof.

PROPOSAL

The application seeks a lawful development certificate for the construction of a side dormer, installation of 1No. roof light into the roof of the existing side extension, and insertion of 1No. window to the front elevation of the dwelling.

Neighbours notified

In accordance with the Council's adopted Code of Practice for this type of applications, no notification or publicity was issued.

ASSESSMENT

The application proposes the construction of a side dormer, installation of 1No. roof light, and insertion of 1No. window to the front elevation; it must therefore be assessed against Classes A, B, and C of Schedule 2 to Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class A – enlargement, improvement or other alteration of a dwellinghouse

Class A of Part 1 of the Schedule allows for the enlargement, improvement, or other addition to a residential dwellinghouse subject to it not being contrary to any of the following:

A.1 Development is not permitted by Class A if–

a) permission to use the dwellinghouse as a dwellinghouse has been granted by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use);

Complies

b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

Complies – insertion of window only for the purposes of Class A

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Complies

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Complies

e) the enlarged part of the dwellinghouse would extend beyond a wall which–

i) forms the principal elevation of the original dwellinghouse; or

ii) fronts a highway and forms a side elevation of the original dwellinghouse

Complies

f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and–

i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

ii) exceed 4 metres in height

Not applicable – installation of window only

g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and–

i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

ii) exceed 4 metres in height

Not applicable – installation of window only, no enlargement under Class A

- h) the enlarged part of the dwellinghouse would have more than a single storey and–
- i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres or;
- ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse

Not applicable – installation of window only, no enlargement under Class A.

- i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Not applicable – installation of window only, no enlargement under Class A.

- j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would–
 - i) exceed 4 metres in height,
 - ii) have more than a single storey, or
 - iii) have a width greater than half the width of the original dwellinghouse

Not applicable – installation of window only, no enlargement under Class A.

- ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

Complies

- k) it would consist of or include–
 - i) the construction or provision of a veranda, balcony or raised platform
 - ii) the installation, alteration or replacement of a microwave antenna
 - iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - iv) an alteration to any part of the roof of the dwellinghouse

Complies

- l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Complies

Conditions

A.3. Development is permitted by Class A subject to the following conditions—

a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Applicants responsibility – submitted plans indicate this to be the case

b) any upper-floor window located in 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

Not applicable – window to front elevation of dwelling. Roof light shown on plans subject to an assessment under Class C.

c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse

Not applicable – enlargement not sought

Class B – additions etc to the roof of a dwellinghouse

Class B of Part 1 of the Schedule 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:

B.1) Development is not permitted by Class B if—

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

Complies

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

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

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 – approximately 22.95 cubic metres

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

Complies

f) the dwellinghouse is on article 2(3) land

Complies - the dwellinghouse is not on article 2(3) land

g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Complies

h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)

Complies

Conditions

B.2) Development is permitted by Class B subject to the following conditions—

a) the materials used in any exterior work must be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse

Complies - applicant's responsibility, however the submitted plans indicate this to be the case.

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 practical, not less than 0.2m 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

c) any window inserted into 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 1.7m above the floor of the room in which the window is installed

Complies - no windows to be inserted into any side elevation

Class C

Class C of Part 1 of the Schedule allows for the other alterations to the roof of a dwellinghouse subject to it not being contrary to any of the following:

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)

Complies – dwellinghouse not built under any of the respective classes.

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

c) it would result in the highest part of the alteration being higher than the highest part of the original roof

Complies

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 or replacement of solar photovoltaics or solar thermal equipment

Complies – neither proposed

e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Complies – dwelling not constructed under Part 20.

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 open are more than 1.7 metres above the floor of the room in which the window is installed

Complies – window to rear roof slope of existing side extension

RECOMMENDATION

Recommendation: Permitted Development

Approval Reason(s) (1)

- 1 The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Classes A, B, and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informatives (1)

- 1 For the avoidance of doubt, this decision relates to the following plans/documents:
 - DWG No. 03/25/30A 1 of 2 (Existing and Proposed Elevations)
 - DWG No. 03/25/30A 2 of 2 (Site and Location Plans)
 - Application Form