

DELEGATED DECISION REPORT

HPK/2023/0145
Valid 13/04/2023

17, JUBILEE STREET, NEW
MILLS, DERBYSHIRE, SK22
4NX

LAWFUL DEVELOPMENT
CERTIFICATE FOR A
PROPOSED REAR DORMER
EXTENSION

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

Is the proposed dormer permitted development?

PROPOSAL

Application for Certificate of Proposed Lawful Development to convert loft and erect dormer to rear.

OFFICER ASSESSMENT

Volume of dormer extension is 21 cubic metres.

In terms of assessment in meeting the requirement for it to be classed as Permitted Development, the proposal falls to be assessed against Part 1, Class B of the General Permitted Development (England) Order 2015 and therefore each part of that class requires testing against:-

B.1(a) Has the dwelling been permitted under Class M, N, P or Q of Part 3

No - thus acceptable

B.1(b) Does any part of the dwellinghouse as a result of the works, exceed the highest part of the original roof

No - thus acceptable.

B.1(c) Does any part of the dwellinghouse 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;

No – thus acceptable

Note: The site does back onto a private service ginnel that leads to a dead end, this is not a public footpath, public road or bridleway

B.1(d) Does the cubic content of the resulting roofspace exceed the cubic content of the original roofspace by more than 40 cubic metres in the case of a terraced property

No – it is 21 cubic metres, thus acceptable

B1.(e) do the works consist of or include –

i. The construction or provision of a verandah, balcony or raised platform, or

ii. the installation, alteration or replacement of a chimney, flue or soil and vent pipe
No – thus acceptable

B1.(f) **Not applicable** – dwellinghouse is not on article 2(3) land

B1 (g) **Not applicable** - dwellinghouse not built under Part 20 of this Schedule

B1 (h) **Not applicable** - dwellinghouse has not been enlarged under Class AA

Conditions

B.2 (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 - **the submitted plan indicates the use of slate that will match that of the main roof slope**

B.2 (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; - **Drawing shows the dormer being no higher than the original ridge height of the roof**

(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 - **Drawing shows the dormer being set back a distance of +0.2m from the eaves of the property**

(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 - **The submitted drawing shows no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse**

(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.

Not relevant – no side window in the dormer

Further Assessment:

Technical guidance states that “To be permitted development any additional roof space created must not increase the volume of the original roof space of the house by more than 40 cubic metres for terraced houses and 50 cubic metres for semi-detached and detached houses. Any previous enlargement to the original roof space in any part of the house must be included in this volume allowance

1. In this particular instance, the property does not benefit from any other extensions.

CONCLUSION / PLANNING BALANCE

Development is considered to be permitted development for the following reason—
The volume of additional roofspace that will be created by the dormer extension does not exceed 40 cubic metres - therefore it is considered to be Permitted Development as it complies with the guidance set out in Class B Part 1(d) of the Town and Country Planning - General Permitted Development (England) Order 2015.

OFFICER RECOMMENDATION: **Issue a POSITIVE Certificate**

Case Officer: Pet Twigg

Recommendation Date: 5.06.2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council