DELEGATED DECISION REPORT

HPK/2023/0466 **Valid 01/11/2023**	**32, NEW MILLS ROAD, HAYFIELD, DERBYSHIRE, SK22 2EU**	**APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED LOFT CONVERSION** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES
Whether the proposed development comprises permitted development under Schedule 2, Part 1, Class B & C of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

DESCRIPTION OF SITE
The application site comprises a two-storey, end terraced dwellinghouse constructed of stone and slate materials. The property has not been previously extended.

The application site is located in Hayfield, within a residential area.

PROPOSAL
The application seeks a Lawful Development Certificate for the proposed Loft Conversion and rooflight on the roof at the rear elevation.

SITE HISTORY
None.

OFFICER COMMENTS
In conformity with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is necessary to assess whether the proposed extension to the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Classes B & C of the GPDO, to determine whether the householder development is permitted.

Class B: additions etc to the roof

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 M, N, P, PA or Q of Part 3 of this Schedule (change of use) **N/A**

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof **N/A**

(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 **N/A**

(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

No additional cubic content added to the existing roof space

(iii) For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not

(e) it would 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
N/A

(f) the dwellinghouse is on article 2(3) land **N/A**

Conditions
B.2 Development is permitted by Class B subject to the following conditions:

(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse **N/A**

(b) the enlargement shall 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 shall, so far as practicable, be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
N/A

(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
N/A

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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 as no windows on side elevation proposed

Class C – installation of rooflights on front elevation roof
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, PA or Q of Part 3 of this Schedule (change of use) **N/A**

(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.

The agent has confirmed that the roof light/window and its frame will not protrude beyond the plane of the slope of the original roof by more than 0.15m.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or **N/A**

(d) it would consist of or include:

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, **N/A** or
Guidance on these limits is covered under Class B above and will also apply to development under Class C. Note, however, that in the case of Class C, measurement of height is made against the original roof and not as in Class B where it is the existing roof. **N/A**

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment **N/A**, **not proposed here.**

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 shall be:

(a) obscure-glazed, **N/A not on side elevation**; 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
N/A not on side elevation

The proposed roof light will comply with Class C, Part 1, Schedule 2 of the GPDO.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed single storey rear extension and roof lights to front elevation conform with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - adhering to the criteria stated by Schedule 2, Part 1, Class B & C of the GPDO - the householder development is permitted.

OFFICER RECOMMENDATION: **Issue a POSITIVE Certificate**

Case Officer: Pet Twigg
Recommendation Date: 15.12.2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of High Peak Borough Council