

DELEGATED DECISION REPORT

HPK/2025/0160
Valid 15/04/2025

COTHERSTONE HIGH LEA
ROAD
NEW MILLS

CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED LOFT
CONVERSION BY THE
ADDITION OF A DORMER TO
THE ORIGINAL REAR ROOF
PITCH USING MATERIAL OF A
SIMILAR APPEARANCE TO
THE EXISTING DWELLING

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

Whether the proposed development complies with the relevant parameters under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

DESCRIPTION OF SITE

The site is situated on the north of High Lea Road and comprises a detached two storey property. The site is just within the built up area boundary, land to the south and the rear of the property is countryside and designated green belt. The site is set in an elevated position above High Lea Road and the garden rises steeply to the rear. It has a double garage directly on the frontage of High Lea Road. The site is not in conservation area and is flood zone 1.

PROPOSAL

The application seeks a Certificate of lawful development for the conversion of roof space to habitable use to include a rear dormer. Information given by the applicant on the application form and submitted drawings suggest that the proposed development complies with all parameters set out under Schedule 2, Part 1, Class B of the General Permitted Development Order (GPDO).

OFFICER COMMENTS

The property benefits from permitted development rights. As such, in the event that the proposed development complies with Schedule 2, Part 1, Class B of the General Permitted Development Order (GPDO), a Certificate can be granted.

CLASS B - Proposed Roof Alterations

(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)

The property was not built under any above the above cited permitted development change of use classes.

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

No - as demonstrated in plan 4121_00_24

(b) 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

The dormer is located on the rear roof slope which faces onto the rear garden of the property.

(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

(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

Rear Dormer Calculation $3.9 \times 2.8 \times 6.2 / 2 = 33.8\text{m}^3$

Measurements taken from submitted drawings

4121_00_24 Rev A

4121_00_22 Rev A

4121_00_23 Rev A

Under allowance of 50m^3

(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

The dormer would not include any of the mentioned elements in (i) or (ii)

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

The site does not sit on article 2(3) land.

(g) The dwellinghouse was not built under Part 20 of the Schedule.

(h) The dwellinghouse has not been enlarged on any permission granted by Class AA.

Conditions

B.2 (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

Yes, confirmed on the application form.

(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

(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 development does not include a hip to gable conversion. The dormer would meet the criteria mentioned in (aa), (bb), (ii) as demonstrated in the proposal elevations.

(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

The dormer would feature one non opening/obscure-glazed side window. Complies.

CONCLUSION / PLANNING BALANCE

In conclusion, the proposed development is considered to be in accord with Schedule 2, Part 1, Class B of the GDPO and as such it is recommended that a Certificate be granted.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Agatha Dutton

Recommendation Date: 19/08/2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council