

DELEGATED DECISION REPORT

HPK/2025/0453
Valid 19/11/2025

12 PEAKNAZE CLOSE
SIMMONDLEY
GLOSSOP

CERTIFICATE OF
LAWFULNESS FOR A
PROPOSED GARAGE
CONVERSION AND FLAT
ROOF TO PITCHED ROOF

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site comprises a 1960/70's brick built detached property located on Peaknaze Close within the defined settlement boundary of Glossop.

The surrounding area predominantly comprises detached dwellinghouses which are similar in scale and form to the application site.

PROPOSAL

The application seeks a Section 192 Certificate of Lawfulness to determine whether the proposed development constitutes lawful development.

The proposed development seeks a garage conversion and the removal of the existing flat roof and its replacement with a new lean to roof. The new proposed roof would retain the eaves height at 2.5m in height, the maximum height of the proposed roof would be 3.8m in height.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS – N/A

CONSULTATIONS – N/A

OFFICER COMMENTS

There are no restrictive conditions relating to this application which relate to the conversion of garages. Works affecting the interior of a building are not classified as development under Section 55 of the Town and Country Planning Act 1990.

The proposals also include the replacement of the existing flat roof with a new lean-to roof. Schedule 2, Part 1, Class B of the GPDO states that alterations can be classed as permitted development subject to the criteria below.

Permitted Development

1. The enlargement, improvement or other alteration of a dwellinghouse.
The Town and Country Planning (general Permitted Development) (England) Order 2015 (GPDO) Class A relates to the enlargement, improvement and alteration of a dwellinghouse.

The proposed development refers to the enlargement, improvement or other alteration of a dwellinghouse.

A.3 Conditions

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) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse **(Complies as shown on the revised plans)**
- b) any upper-floor window located in 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 **(N/A)**
- 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 **(N/A)**

Class B – additions etc to the roof of a dwellinghouse

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

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 (changes 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; **(Complies - The highest part of the proposed roof would be 3.5m below the height of the existing highest point of the roof.)**
- (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 – The works would not extend beyond the existing roof plane of any existing roof slope.)**
- (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, **(N/A)** or
 - (ii) 50 cubic metres in any other case; **(Complies – The proposals would increase the cubic volume of the original roof space by no more than 23m³)**
- (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;
- (Complies the revised plans do not show any of these features)**
- (f) the dwellinghouse is on article 2(3) land.; **(N/A)** or
- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).; or **(N/A)**
- (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). **(N/A)**

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 a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; **Complies**
- (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 **(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; and **(N/A)**

(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

(N/A – No windows proposed to the side elevation)

CONCLUSION

There are no restrictive conditions on the existing dwelling and the proposed development would comply with the criteria of permitted development as defined under Schedule 2, Part 1, Class A and Class B of the GPDO. It is therefore recommended that a Lawful Development Certificate for the proposed development is granted.

OFFICER RECOMMENDATION : Approve

Case Officer: Stuart Talbot

Recommendation Date: 13/01/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council