

DELEGATED REPORT

Report by Mark Kilby	Date of report: 31/05/2022	Ref: 68313/LDCP
Registration: 07/04/2022	LDFC:	Expiry Date: 02/06/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: OTHS

Proposal: Lawful development certificate for proposed loft conversion with rear dormer

Location: 27 Quakers Field, Tottington, Bury, BL8 4AZ

Description

An application for a lawful development certificate for a proposed rear roof slope dormer extension to an end (corner) terrace two storey stone and slate dwellinghouse.

Relevant Planning History

None.

Publicity

Not applicable.

Statutory/Non-Statutory Consultations - None.

Pre-start Conditions - None.

Unitary Development Plan and Policies

Issues and Analysis

The issue here is to consider whether the roof slope that is proposed to be extended with a dormer is the roof slope forming the rear or principle elevation of the dwelling.

Part 1, Class B, B.1(c) of The Town and Country (General Permitted Development)(England) Order 2015 (as amended) states development is not permitted if 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 Governments Permitted Development Rights for Householders - Technical Guidance published in September 2019 states:

“Principal elevation” – in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.

There will only be one principal elevation on a house. Where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation.

DELEGATED REPORT

The north elevation of the dwelling faces Quakers Field and has a secondary entrance via a rear yard as does the rest of the terrace. This entrance gives direct access to the kitchen then dining area. The south elevation has the main entrance via a front garden area which faces an open field. It does not front a highway. This entrance leads directly into the hallway and then the lounge area which are considered to be the main living areas normally contained at the front of the dwelling. Although the north elevation faces Quakers Field from which the postal address is taken, the small rear yards, out riggers and out buildings denote that this elevation is not the principle elevation.

Therefore it is considered the proposed dormer would extend the plane of the roof which forms the principle elevation but which would not front a highway and therefore benefits from the permitted development right under Part 1, Class B of the General Permitted Development order.

There have been no extensions to the main roof of this dwellinghouse or other extensions. As such there is a full volume allowance of 50m³.

The dwelling is not Listed nor is it in a Conservation Area.

There is no enforcement and the proposed development would be on land wholly owned or controlled by the applicant.

Permitted Development rights have not been removed.

The proposal would not take up more than 50% of the area of the curtilage, not including the area of the dwelling.

There have been no previous roof extensions and development would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

The proposed roof extensions would not be higher than the highest part of the original roof.

The volume of the proposed rear dormer extension would be 17.71m³ (cubic metres).

The proposed dormer extension would be set back from the eaves by not less than 200mm.

There are no side windows proposed in any part of the roof extensions.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal, described in the First Schedule, is deemed to be 'Permitted Development' having regard to Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in that it falls within the limitations Part 1 Class B.
- 2 The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse as required by condition B.2(a) of The Town and Country Planning (General Permitted

DELEGATED REPORT

Development) (England) Order 2015 (as amended).

- 3 Other than in a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 200mm from the eaves of the original roof. As required by condition B.2(b) of Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Mark Kilby	31/05/2022		