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PROPOSED HIP TO GABLE, REAR DORMER AND 2no. ROOF WINDOWS TO FRONT at 10 CHATBURN PARK DRIVE, CLITHEROE

This statement details the relevant classes which relate to the proposal in order to support the Lawful Development Certificate application to RVBC and in order to validate the submission to allow the case officer to assess all the facts. The following should be read in association with the application drawings.

Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (“the GPDO”) sets out where development within the curtilage of a dwellinghouse would benefit from permitted development rights.

Class B of Part 1 of Schedule 2 of the GPDO addresses additions etc to the roof of a dwellinghouse. Page 8 of MHCLG’s technical guidance entitled ‘Permitted development rights for Householders’ (“the technical guidance”) explains that this covers additions or alterations to roofs which enlarge the house such as loft conversions involving dormer windows.

Class C of Part 1 of Schedule 2 of the GPDO addresses other alterations to the roof of a dwellinghouse. Page 8 of the technical guidance explains that this covers the installation of roof lights/windows.

Taking each relevant sub-section of Class B in turn, the following establishes that the proposed works would be permitted development.

CLASS A – ENLARGEMENT, IMPROVEMENT OR ALTERATION

A.1 Development is not permitted by Class A if –

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Permission for use as a dwellinghouse was not granted by virtue of class M, N, P or Q of Part 3.

(b) as a result of the works the total area of ground covered by buildings within the curtilage of the dwelling house (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);

The works relate to the roof only

(c) the height of the part of the dwelling house enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwelling house;

The height of the proposed rear dormer will not exceed the height of the existing ridge.

(d) the height of the eaves of the part of the dwelling house enlarged or improved or altered would exceed the height of the existing dwelling house;

N/A

(e) the enlarged part of the dwelling house would extend beyond a wall which

- (i) fronts a highway; and
- (ii) forms either the principal elevation or a side elevation of the original dwelling house;

N/A

(f) subject to paragraph (g), the enlarged part of the dwelling house would have a single storey and –

- (i) extend beyond the rear wall of the original dwelling house by more than 4 metres in the case of a detached dwelling house or 3 metres in the case of any other dwelling house, or
- (ii) exceed 4 metres in height;

N/A

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or(ii) exceed 4 metres in height;”

N/A

h) the enlarged part of the dwelling house would have more than one storey and –

- (i) extend beyond the rear wall of the original dwelling house by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwelling house opposite the rear wall of the dwelling house;

N/A

(i) the enlarged part of the dwelling house would be within 2 metres of the boundary of the curtilage of the dwelling house, and the height of the eaves of the enlarged part would exceed 3 metres;

N/A

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –

- (i) exceed 4 metres in height,
- (ii) have more than one storey, or
- (i) have a width greater than half the width of the original dwellinghouse; or
- (k) it would consist of or include—
 - (i) the construction or provision of a veranda, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (ii) an alteration to any part of the roof of the dwellinghouse.

N/A

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The application site is not sited on article 2(3) land.

A.3 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

The exterior materiality will blend with the grey tiles of the existing with grey zinc cladding and grey upvc window frames

- 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

- b) 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

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)

Permission for use as a dwellinghouse was not granted by virtue of class M, N, P or Q of Part 3.

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

The roof height of the proposed hip to gable and rear dormer is not higher than the highest part of the existing house 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

Neither the proposed hip to gable and rear dormer would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse.

(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

The roof as extended is 47 m³ (the house is semi detached)

(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

The dwellinghouse is not on Article 2(3) land.

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

Page 35 of the technical guidance states:

“This condition is intended to ensure that any addition or alteration to a roof for a loft conversion results in an appearance that minimises visual impact and is sympathetic to the existing house. This means that the materials used should be of similar visual appearance to those in the existing house, but does not mean that they need to be the same materials or match exactly.”

Condition B.2 (a) does not require an exact match but refers to ‘similar appearance’ and it refers to the dwellinghouse rather than the roof specifically. This suggests that visibility and the effect on the overall appearance are key considerations. In this case the dormer is not readily visible from public viewpoints and other dormers in the locality are constructed from various materials. The materials used are sympathetic to the existing house and achieve visual compatibility with the predominant external finish of the rear elevation of the host dwelling. The roof addition accords visually with the dwelling and does not appear at odds with the appearance of the main roof as the rear elevation is not visible from the street scene.

In relation to the proposed works, the rear dormer will be finished with grey zinc cladding and grey upvc window frames to blend with the grey tiles and grey upvc windows of the existing dwelling. The window in the gable elevation will also comprise a grey upvc frame. The materials are therefore of a similar appearance to the existing house, in accordance with the considerations set out in the technical guidance and appeal decision.

- (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

(i)(aa) the eaves below the front and rear roof slope of the existing dwellinghouse will be maintained;

(i)(bb) the proposed dormer is not less than 0.2 metres from the eaves of the rear roof slope.

(ii) neither the proposed hip to gable or rear dormer 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 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 window in the newly formed gable will be obscurely glazed and non-opening.

CLASS C – ALTERATIONS TO THE ROOF

C Any other alteration to the roof of a dwellinghouse

The proposed windows to front roof slope fall within Class C as set out this statement.

C1. 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 or Q of Part 3 of this Schedule (changes 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 proposed roof windows would not 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.

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

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

(d) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

N/A

Conditions

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 must be—

(a) obscure-glazed; 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

Conclusion

Based on the above and drawing no. A1.4, the proposed works are therefore permitted development.

Supporting information includes :-

- Application form
- Existing plans
- Existing elevations
- Proposed plans
- Proposed elevations
- Location plan
- Bat survey

