

**Application Reference:** 2026/0212

**Site Address:** 42 Crossways Bolton Upon Dearne

**Introduction:**

This application seeks approval for a Certificate of Lawful Development for a proposed hipped-to-gable roof extension to the existing dwelling, together with a rear dormer to create additional usable roof-space

**Relevant Site Characteristics**

The dwelling is red-brick semi-detached house with a hipped roof, located in an established residential area of Bolton on Dearne.

**Relevant Site History**

There is no site history for this address.

**Detailed description of Proposed Works**

The proposal is for hip to gable roof extension, along with the addition of a flat roofed dormer extension on the rear elevation.

**Relevant Legislation**

Section 192(1) of The Town and Country Planning Act 1990 provides that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question. Section 192(4) then provides that if, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case shall refuse the application.

For a lawful development certificate to be issued for the enlargement, improvement or other alteration of a dwellinghouse, it must meet the criteria set out in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 1, Class A, as detailed below.

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The Town and Country Planning (General Permitted Development) (England) Order 2015  
(as amended) - Schedule 2, Part 1, Class B

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);

- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing 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;
- (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;
- (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;
- (f) the dwellinghouse is on article 2(3) land
- (g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)] or
- (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).

## 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;
- (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
  - (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
- (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.

### **Interpretation of Class B**

B.3 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.

B.4 For the purposes of paragraph B.2(b)(ii)—

(a) roof tiles, guttering, fascias, barge boards and other minor roof details overhanging the external wall of the original dwellinghouse are not to be considered part of the enlargement; and

(b) “rear or side extension” includes an original part of, or a subsequent extension of, the dwellinghouse that extends from the rear or side of the principal part of the original dwellinghouse.

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### **Consultations**

Consultations were not required for this application.

### **Supporting Information**

In addition to the application form, the following plans were submitted in support of this application: Existing Plan Drawing Number 1; Proposed Location Plan 100047474; Existing Location Plan 100047474; Proposed Plan Number 4.

#### Principle

The site falls within Urban Fabric. General Permitted Development Rights were not removed from the dwelling through any conditions of the recorded planning applications relating to the address, which all correspond to the approval of the whole development. Therefore, the application address benefits from the provision of the general permitted development rights, as detailed above.

#### Assessment:

The proposal is for a hip to gable roof extension which would convert the unattached side elevation of the roof from a hipped design to a gable style. This is allowed through Class B of the GPDO, subject to the conditions outlined above. Additionally a flat roof dormer is proposed to be installed on the rear elevation of the dwelling. Again this would be allowed through Class B of the GPDO, subject to the conditions outlined above.

The total volume of the dormer window and roof extension would be approximately 35 cubic meters (as shown below), which is below the maximum 50 cubic meters allowed through GPDO. All other aspects of the proposal, including use of materials of a similar appearance to those used within the original dwelling, as confirmed by the applicant’s representative meet the requirements of the GPDO.

Hip to Gable Roof	Ridge Height (R) - 3.39m Roof Height (H) – 3.10m Roof Depth (D) - 6.49m Volume (V) – 11.37 <sup>3</sup>	$V = R \times H \times D / 6$  $3.39 \times 3.10 \times 6.49 / 6 = 11.37$ cubic metres
Rear Dormer	Depth (D) - 2.73m Height (H) - 2.39m Width (D) – 7.18m Volume (V) – 23.42 <sup>3</sup>	$V = D \times H/2 \times W$  $2.73 \times 2.39/2 \times 7.18 = 23.42$ cubic meters

### Conclusion

In reviewing this application, it was assessed against the criteria outlined in Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 1, and found to be compliant. Therefore a Certificate of Lawfulness may be issued.

### **RECOMMENDATION: Approve with Conditions**

#### **Justification**

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

As there were no details of materials listed on the plans, confirmation that materials of a similar appearance would be used was sought, and an email confirming they would be was received.

### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**