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2021/1532

Mr P Fletcher

Lawful development certificate for proposed development of hip to gable roof extension and the provision of a flat roof dormer to rear (Lawful development certificate for a proposed form of development)

86 Regent Crescent, Athersley South, Barnsley, S71 3TS

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### **Site Description**

The red brick and pebble dash render property forms the end dwelling in a row of 4 attached dwellings and is located in a predominantly residential area characterised by similar residential properties.

### **Proposed Development**

The applicant has submitted an application for a Lawful Development Certificate for the proposed installation of a hip-to-gable extension and the installation of a flat roof rear dormer window at 86 Regent Crescent, Athersley South, Barnsley.

Under Section 192 of the Town and Country Planning Act 1990. Section 192 (1) 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.

The applicant proposes a hip to gable extension and the inclusion of a flat roof dormer to the rear roof plane to the rear elevation of the dwelling. The dormer window is to be tile hung in materials which match the original roof.

The applicant has submitted plans; within the application form the agent states that the proposed extension falls under permitted development within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Part 1, Class B, and they correctly set out the operative provisions of this part. Please find the provisions within Part 1 Class B below.

PART 1 - Development within the curtilage of a dwellinghouse  
Class B – additions etc to the roof of a dwellinghouse

### **Permitted Development**

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

#### **Development is not permitted if:**

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class 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 meters in the case of a terrace house or
  - (ii) 50 cubic meters 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).

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

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.

### **Consultations**

None

### **Representations**

None

### **Assessment**

Class B permits extensions to domestic dwellings where certain criteria are met. The dwelling is a semi-detached dwelling, and as such, PD rights allow homeowners to install a hip to gable extension and a flat roof rear dormer window.

$$1/3((A \times B)/2) \times C$$

A – depth of property 7.57m

B – height to ridge as proposed 2.83m

C – width of ridge extension (existing ridge to extent of new gable wall)

Hip-to-gable extension

$$\text{Volume} = 1/3((7.57 \times 2.83)/2) \times 4 = 14.28\text{m}^3$$

$$\text{Rear Dormer} = (4.56 \times 3.55 \times 2.3)/2 = 18.6\text{m}^3$$

$$\text{Total } 14.23 + 18.6 = 32.88\text{m}^3$$

Within volume limitations of 50m<sup>3</sup>

Having checked these specifications, as well as other supplementary specifications of the plans within Class B of the GPDO, the roof alterations would comply with this legislation and it would

meet permitted development rights and therefore the Certificate of Lawful Development should be granted.

**Recommendation: Grant**