

APPLICATION NUMBER	2021/0476	DECISION LEVEL	Delegated
		CASE OFFICER	Nick Brookman
PROPOSAL	Proposed Lawful Development Certificate: Removal of existing defective roof tiles and to fit new timber battens, felt and re-roof with Marley Dark Slate.	DATE FOR DECISION	6 th October 2021
LOCATION	35 Hall Fold Whitworth Rochdale Lancashire OL12 8TT	REPORT WRITTEN	27 th August 2021

1. SITE

The site comprises a terraced property constructed of stone under a stone pitched roof. The property is located within urban boundary of Whitworth.

2. RELEVANT PLANNING HISTORY

None.

3. PROPOSAL

The applicant seeks a certificate of lawfulness for the proposed development consisting of the removal of the existing stone roof and replacement with grey Marley roof tiles under Section 192 of the Town and Country Planning Act.

4. RELEVANT PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

National Planning Practice Guidance – Lawful Development Certificates
DCLG – Permitted development rights for householders Technical Guidance

5. ASSESSMENT

The first test is to establish if the proposed works are within the curtilage of a dwellinghouse, as required by Part 1. Owing to the submitted application

documents, Officers are satisfied that the proposed development is within the curtilage of the host dwelling. The proposed development will be assessed against Class C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended which permits 'other alterations to the roof of a dwellinghouse'.

There is no evidence before the case officer to suggest that permitted development rights have been removed from the property.

Development is permitted under this Class for any alteration to the roof of a dwellinghouse that is not restricted by the conditions or limitations outlined below:

C.1 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 0.15m 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 development would not result in a development that would protrude more than 0.15m beyond the plane of the slope 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:

The proposed development would not result in the highest part of the alteration being 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.*

It would not consist of either of the above.

RECOMMENDATION

Approval of Lawful Development Certificate (Proposed)

REASON

The proposed works subject to this application as shown on the submitted forms and documentation would be lawful in accordance with Section 192 of the Town and Country Planning Act 1990 for the reason that it constitutes permitted development under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

INFORMATIVE

This certificate is granted in strict accordance with:

- Application form
- Location Plan
- Submitted photographic evidence/documents titled 'example tile'

CASE OFFICER: Nick Brookman

DATE: 27th August 2021

SENIOR PLANNING OFFICER: James Dalgleish

DATE: 27th August 2021