

Application for Certificate of Lawful Development

HOLLINGWORTH HEIGHTS, PEANOCK LANE, LITTLEBOROUGH, OL15 0AD

Supporting Statement

THIS PAGE INTENTIONALLY BLANK

Reference: 6593-CAU-XX-XX-RP-T-0300.A0-C1

**Supporting Statement in respect of an application for a Certificate of Lawful Development
at Hollingworth Heights, Peanock Lane, Littleborough, OL15 0AD**

Prepared on behalf of

Ms. Olivia McKee

© Caulmert 2025

Issue	Date	Author	Comment
DV	20/03/25	STC	
SV	25/03/25	STC	

CONTENTS

1	INTRODUCTION	1
2	SITE AND SURROUNDING AREA	2
2.1	The Site	2
3	CONTEXT FOR THE DEVELOPMENT	3
3.1	Relevant Planning History	3
4	PROPOSED DEVELOPMENT	4
5	CLASS A - ENLARGEMENT, IMPROVEMENT OR OTHER ALTERATION OF A DWELLINGHOUSE	5
5.1	Compliance with Class A	5
6	CLASS C - OTHER ALTERATIONS TO THE ROOF	10
6.2	Compliance with Class C	10
7	CLASS E – BUILDINGS ETC INCIDENTAL TO THE ENJOYMENT OF A DWELLINGHOUSE	12
7.2	Compliance with Class E.....	12
8	CONCLUSION	14

1 INTRODUCTION

- 1.1.1 This Statement has been prepared by Crowley Associates on behalf of Ms. Olivia Mckee (the “Applicant”) and relates to an application for a Certificate of Lawful Development for a proposed development in accordance with Section 192 of the Town and Country Planning Act 1990.
- 1.1.2 The application seeks to establish that proposed additions and alterations to the existing dwelling at Hollingworth Heights (the “Site”) together with new buildings within its curtilage constitute Permitted Development as defined by Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – (the “Order”). The Site is located within the administrative boundary of Rochdale Borough Council (the “LPA”).
- 1.1.3 The Statement appraises the development proposed against the relevant provisions of the Order.
- 1.1.4 The Statement has been prepared solely for the use of the Applicant in support of the application and for no other purpose.



Figure 1 Site Location Plan © Kimble Roden Architects (NTS)

- 1.1.5 The proposed development is fully described in the following sections and the application is supported by a set of scaled drawings prepared by Kimble Roden Architects Ltd. A list of the drawings is provided in Table 1.

Table 1 *List of Drawings Submitted with Application*

Drawing No.	Drawing Title	Date of Drawing
P03	Site Plan and Location Plan	March 2025
P01	Existing Plans and Elevations	March 2025
P02	Proposed Plans and Elevations	March 2025
P04	Proposed Outbuildings	March 2025

2 SITE AND SURROUNDING AREA

2.1 The Site

- 2.1.1 The Site, (extending to circa 0.5ha in area) is situated to the southwest of Hollingworth Lake Country Park (the “Lake”), situated within approximately 50m of the lake’s edge. Land within the Site slopes away (northwards) from the rear of the dwelling; and levels shift, east west, across the front of the dwelling. The Site is accessed off Peanock Lane which leads west/northwest to Wildhouse Lane and is serviced by an ample private drive laid to hardstanding accommodating parking and turning areas. The Site is otherwise cultivated; laid to lawn with mature trees and planting beds dispersed within it. Boundaries to the site are marked to the west and southwest by mature trees whilst to the north/northeast views across the Lake are maintained.
- 2.1.2 The Site currently accommodates a four-bedroomed dwelling. The property dates from the latter half of the 20th Century and has previously been subjected to alteration and extension and development within its curtilage.

- 2.1.3 Directly adjoining to the south east is what appears to be an operational agricultural unit, served by a farmhouse together with a range of outbuildings of varying sizes and ages. Access to the Site is taken through the 'yard' to this unit.
- 2.1.4 Otherwise, to the northwest lies a large detached dwelling situated in expansive landscaped grounds; and to the south there is also located a detached dwelling set in a medium sized plot.
- 2.1.5 The Site is within the Green Belt and the Lake is allocated as a Recreational Management Area. The Site does not lie within a Conservation Area, Area of Outstanding Natural Beauty, National Park or World Heritage Site and therefore does not constitute Article 2(3) or Article 2(4) Land.

3 CONTEXT FOR THE DEVELOPMENT

3.1 Relevant Planning History

- 3.1.1 The planning history for the Site is limited to two publicly accessible records outlined in **Table 2**.

Table 2 Overview of Relevant Planning Applications

Planning Application Reference	Description	Decision	Decision Date	Was the permission implemented?
00/D37441	Conservatory extension	Approved	April 2000	Yes
98/D35581	Single Storey rear extension	Approved	Sept 1998	Yes

4 PROPOSED DEVELOPMENT

- 4.1.1 The proposals comprise 'Development within the curtilage of a dwellinghouse', in accordance with Part 1 of Schedule 2 of the Order.
- 4.1.2 The Applicant intends to remove an existing conservatory and existing side extension (both with a volume of less than 50cum) and is proposing a number of physical additions to the existing dwelling, as follows:
- A new two storey rear extension to the north elevation
 - A new single storey side extension to the east elevation; and
 - A new single storey side extension to the west elevation.
-
- Alterations to the existing dwelling, as follows:
 - Reconfiguration of the fenestration to the front dormer
 - Reconfiguration of the opening to the rhs of the main entrance
 - Reconfiguration of the openings to the upper storey on the upper west elevation
 - New front door to the front elevation; and
 - Repairs to the existing tiled roof.

 - New buildings, as follows:
 - An outbuilding to house:
 - Home office
 - Cinema Room; and
 - WC.

 - An outbuilding to house:
 - Home gym
 - Yoga studio
 - Sauna
 - Steam room
 - Shower; and
 - Store

4.1.3 For the purposes of the Order, the following 'Classes' are of direct relevance to this application:

- Class A (enlargement, improvement or alteration of a dwellinghouse)
- Class C (other alterations to the roof of a dwellinghouse); and
- Class E (buildings etc incidental to the enjoyment of a dwellinghouse)

4.1.4 Those Classes within Schedule 2 Part 1 of the Order which are not considered relevant to this application are Class B (additions etc to the roof of a dwellinghouse), Class D (porches), Class F (hard surfaces incidental to the enjoyment of a dwellinghouse), Class G (chimney, flues etc on a dwellinghouse) and Class H (microwave antenna on a dwellinghouse).

5 CLASS A - ENLARGEMENT, IMPROVEMENT OR OTHER ALTERATION OF A DWELLINGHOUSE

5.1 Compliance with Class A

5.1.1 Class A (a) of the Order states that the enlargement, improvement or other alteration of a dwellinghouse constitutes permitted development unless:

(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 (changes of use)

The dwelling has not been granted permission by means of the above.

5.1.2 Class A(b) states that:

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

As a result of the works, the amount of ground covered by buildings within the curtilage of the dwellinghouse will amount to approximately 9% of the total area of the curtilage.

5.1.3 According to Class A(c):

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

The existing tiled roof of the dwellinghouse is to be retained and repaired. No part of the dwellinghouse enlarged, as a result of the works, will exceed the highest point of the roof of the existing dwellinghouse.

5.1.4 In line with Class A(d):

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse

No part of the dwellinghouse enlarged, improved or altered will exceed the height of the eaves of the existing dwellinghouse. The first-floor extension on the north elevation of the dwellinghouse will have an eaves height that aligns with the existing eaves height.

5.1.5 Class A(e) requires that where:

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse

No part of the dwellinghouse, as a result of the works, would extend beyond the principal elevation of the existing dwellinghouse.

5.1.6 Class A(f) expects that:

(f) subject to paragraph (g), 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 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height

The dwellinghouse is not situated on article 2(3) land, therefore the above does not apply.

5.1.7 Class A(g) stipulates that:

(g) 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

The enlarged part of the dwellinghouse to the rear elevation has more than one storey.

5.1.8 Class A(h) requires that where:

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse

The new rear extension extends beyond the rear wall of the original dwellinghouse by 3 metres. It is positioned more than 20 metres from the boundary opposite the rear wall of the original dwellinghouse.

5.1.9 In accordance with Class A(i):

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

No part of the enlargement to the dwellinghouse is within 2 metres of a boundary of the curtilage.

5.1.10 Class A(j) does not grant express consent for development where:

(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 a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse

The enlarged parts of the dwellinghouse that extend beyond a wall forming a side elevation do not exceed 3 metres in height, are single storey and at their widest measure 6.5 metres. Neither extension exceeds more than 50% of the width of the original dwellinghouse (which measures 13 metres).

5.1.11 According to Class A(k) development will not be granted express consent where:

(k) it would consist of or include—

(i) the construction or provision of a verandah, 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

(iv) an alteration to any part of the roof of the dwellinghouse.

The proposed alterations and extensions do not include any of the above, aside from alterations to part of the roof (comprising the reconfiguration of fenestration within an existing dormer), which are covered under Class C of the Order, both of which are assessed later in the Statement.

5.1.12 Under Class A(l) express consent does not apply if:

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

The dwellinghouse was not built under Part 20 of 'this Schedule'.

5.1.13 As the dwelling is not situated on article 2(3) land, subsection A.2 of Class A is not relevant to the determination of this application.

5.1.14 Class A of the Order continues by stating that 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) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in 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; and

(c) 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

5.1.15 All materials used in any exterior work will be of a similar appearance to those found on the existing dwelling. Reference to materials can be found annotated on the proposed elevations - Drawing No. P02).

5.1.16 Whilst two existing upper floor windows (on the west elevation) are to be reconfigured; there are no new upper-floor windows to be installed in a wall or roof slope forming the side elevation of the dwellinghouse, so this condition is not relevant.

5.1.17 The roof pitch to the rear extension, which has more than a single storey, is commensurate with the roof of the original dwellinghouse.

6 CLASS C - OTHER ALTERATIONS TO THE ROOF

- 6.1.1 Class C of the Order stipulates the nature of *other* alterations to the roof which constitute permitted development.
- 6.1.2 The works needing to be assessed under Class C of the Order comprise the reconfiguration of fenestration within an existing rear dormer.
- 6.1.3 To note, in addition to having to comply with Class A of the Order; the first-floor rear extension must meet the requirements of Class C in order to constitute permitted development¹.

6.2 Compliance with Class C

- 6.2.1 Class C (a) of the Order states that alterations to the roof constitute permitted development unless:

(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 (changes of use)

The dwelling has not been granted permission by means of the above.

(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

- 6.2.2 Subsection (b) of Class C does not apply as the fenestration sits within the plane of the elevation of the existing dormer.

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

¹Guidance found within Permitted Development Rights for Householders Technical Guidance, updated September 2019, Page 9

6.2.3 Subsection (c) of Class C does not apply as the fenestration sitting within the north facing elevation of the existing dormer would not sit higher than the highest part of the original roof.

6.2.4 Subsection (d) of Class C does not support 'other' alterations to the roof where:

(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

The proposed alterations and extensions do not include any of the above.

6.2.5 Subsection (e) of Class C does not grant express consent for alterations to a dwelling where:

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

The dwellinghouse was not built under Part 20 of this Schedule.

6.2.6 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.

There are no new upper-floor windows to be installed in a roof slope forming the side elevation of the dwellinghouse, so this condition is not relevant to the determination of this application.

7 CLASS E – BUILDINGS ETC INCIDENTAL TO THE ENJOYMENT OF A DWELLINGHOUSE

7.1.1 Class E of the Order sets out the conditions for erecting buildings (incidental to the enjoyment of a dwellinghouse) so that they benefit from the express consent of the Order.

7.1.2 The proposed development includes two new buildings. A combined home office with cinema room, and wc; and a yoga studio with home gym, sauna, shower/wc and store.

7.2 Compliance with Class E

7.2.1 Class E of the Order states that buildings, etc *incidental to the enjoyment of a dwellinghouse* constitute permitted development unless:

(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 (changes of use)

The dwelling has not been granted permission by means of the above.

7.2.2 Class E(b) does not grant express consent for development where:

(b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)

As a result of the works proposed, the ground covered by buildings within the curtilage of the dwellinghouse will amount to approximately 9% of the total area of the curtilage.

7.2.3 Class E(c) states that express consent does not extend to development where:

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse

Neither of the new buildings are situated beyond nor extend beyond a wall forming the principal elevation of the original dwellinghouse.

7.2.4 Class E(d) does not grant express consent for development where:

(d) the building would have more than a single storey

Both new buildings will be single storey structures.

7.2.5 Class E(e) does not grant express consent for development where:

(e) the height of the building, enclosure or container would exceed—

(i) 4 metres in the case of a building with a dual-pitched roof,

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or

(iii) 3 metres in any other case

Both new buildings will have a dual pitched roof and not exceed 4 metres in height.

7.2.6 Class E(f) does not support development where:

(f) the height of the eaves of the building would exceed 2.5 metres

Neither new building will have eaves that exceed 2.5 metres.

7.2.7 Class E(g) does not grant express consent for development where:

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

The new buildings will not be situated within the curtilage of a listed building.

7.2.8 According to Class E(h) there is no express consent for development where:

(h) it would include the construction or provision of a verandah, balcony or raised platform

Neither new building will include the construction or provision of the above.

7.2.9 According to Class E(i) the express consent of the Order does not extend to development where:

(i) it relates to a dwelling or a microwave antenna

The new buildings will not be a separate dwelling nor relate to a microwave antenna.

7.2.10 According to Class E(j):

(j) the capacity of the container would exceed 3,500 litres

The new buildings do not relate to a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

7.2.11 Finally, according to Class E(k) the express consent does not extend to development where:

(k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

The dwellinghouse was not built under Part 20 of this Schedule.

8 CONCLUSION

8.1.1 This Statement is submitted in support of an application for a Certificate of Lawful Development for the proposed additions and alterations to the existing dwelling at Hollingworth Heights, Peanock Lane, Littleborough, OL15 0AD.

8.1.2 It assesses the proposed additions and alterations against the provisions of Part 1 Schedule 2 of the Order and has established that the proposed works constitute Permitted Development.

8.1.3 In view of the above, the Applicants look forward to receiving a Certificate of Lawful Development.