

Officers Report

Case Reference: PL/2025/1337
Location: 25 HILLSTONE AVENUE, ROCHDALE, OL12 6DX
Proposal: Application for a certificate of lawfulness for a proposed rear extension
Recommendation: Permitted Development
Officer:

SITE DESCRIPTION AND CONTEXT

The application refers to no. 25 Hillstone Avenue, a detached bungalow located in Healey, Rochdale. The dwelling is adjacent to nos. 23 (southeast) and 27 (northwest) and faces the highway to the northeast. The side and rear boundaries of the curtilage border nos. 14 and 16 The Windrush.

PROPOSAL

Certificate of lawfulness is sought for a single-storey rear extension which projects 2.93m from the rear elevation of the host dwelling. It is characterised by a hipped roof form and has a ridge height of 3.99m and a height to eaves of 2.58m.

RELEVANT PLANNING AND ENFORCEMENT HISTORY

N/A

PD RIGHTS REMOVED?

No

LEGISLATION AND GUIDANCE

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

Permitted development rights for householders – Technical Guidance (Sept 2019)

PUBLICITY

In accordance with the Council's code for publicity for this type of application, no letters of notification have been issued.

Assessment (Class A)

Class A of Part 1 of Schedule 2 of the GPDO allows for the enlargement, improvement or other alteration of a house subject to it not being contrary to any of the following criteria:

(a) Permission to use the dwellinghouse as a dwelling has not been granted only by virtue of Class M,N,P, PA or Q of Part 3 of the GPDO

Complies

(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).

Complies

(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.

Complies

(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.

Complies

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

(i) Forms the principal elevation or

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

Complies

(f) Subject to Paragraph (g), the enlarged part of the dwellinghouse would have a single storey and 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 exceed 4 metres in height.

Complies

The host dwelling is a detached property and therefore eligible for a 4m extension. The plans indicate a projection of 2.93m.

(g) For a dwellinghouse not on article 2(3) land or 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.

Complies

Note – This application does not propose a larger home extension and paragraph (g) is therefore not applicable.

(h) The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.

Complies

Note – This application does not propose an extension with more than a single storey and paragraph (h) is therefore not applicable.

(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.

Complies

The height to eaves is 2.58m.

(j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would exceed 4 metres in height, have more than a single storey or have a width greater than half the width of the original dwellinghouse; or

Complies

(ja) (any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

Complies

(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

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

Complies

- *The plans do not include a balcony or raised platform*
- *The plans do not include the alteration of a microwave antenna*
- *The plans include the relocation of the 'rwp & wg' which is a rainwater downpipe and rainwater gully. The plans do not include the alteration or installation of a soil and vent pipe.*
- *The plans include the alteration to part of the roof of the dwellinghouse. However, it is noted the alteration or addition to the original roof may fall under Class B of permitted development rights.*

Finally, paragraph A.3 of the above order stipulates 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;

Complies

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

Complies

c. Where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Complies

Assessment (Class B)

Class B of Part 1 of the Schedule to the GPDO allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof subject to it not being contrary to any of the following criteria:

(l) Permission to use the dwellinghouse as a dwelling has not been granted only by virtue of Class M,N,P, PA or Q of Part 3 of the GPDO

Complies

(m) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Complies

(n) 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 front a highway;

Complies

(o) 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;

Complies

(p) It would consist of or include –

(i) The construction or provision of a veranda, balcony or raised platform, or

(ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe;
or

Complies

(q) The dwellinghouse is on article 2(3) land.

Complies

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;

Complies

(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

Complies

(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

RECOMMENDATION

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: Permitted Development

Approval Reason(s) (1)

- 1 The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informatives (1)

For the avoidance of doubt, the decision relates to the following drawings:-

- Site Location Plan
- Existing Details. Dwg no. 25.3709.1
- Proposed Details. Dwg no. 25.3709.2
- Existing & Proposed Block Plans. Dwg no. 25.3709.3