

Application Number:	23/00102/CPL
Location:	Ashdene Edenfield Road, Rochdale OL12 7TR
Proposal:	Certificate of lawfulness for a proposed single storey side extension
Applicant:	Mr and Mrs Jonathan Hardwick
Case Officer:	Chelsea Petrillo
Recommendation:	GRANT

Location

The application relates to Ashdene, a traditional detached residential property located in the Norden ward of Rochdale and in an area designated as greenbelt land. The property is sited to the rear access to a row of cottages separated by a retaining wall to which a detached rear garage is partially adjoined to. The site benefits from sufficient yard space and borders open pastoral land to the south of the dwelling.

Description of Proposal

A certificate of lawfulness is proposed for a single storey side extension within the site curtilage.

It is noted a previous householder application submitted prior to the submission of the CPL was refused on the basis of its design and siting which determined the extension disproportionately wide and not in keeping with the traditional style of the host dwelling.

The new plans are of a similar scheme however with a reduced overall width from 6.3m to 5.5m in order to not exceed half the width of the original dwelling. A raised platform original proposed on the plans submitted under this application has been reduced in width from 5.3m to form a 1.3m flight of steps.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Relevant History: **04/D44125**

DEMOLITION OF EXISTING GARAGE AND ERECTION OF DOUBLE GARAGE WITH SINGLE STOREY LINK EXTENSION TO EXISTING DWELLING
GRANTED WITH CONDITIONS 07.10.2004

16/01459/HOUS

DEMOLITION OF EXISTING GARAGE AND ERECTION OF NEW DETACHED DOUBLE GARAGE WITH ASSOCIATED GROUND WORKS
GRANTED WITH CONDITIONS 13.06.2017

22/01370/HOUS

SINGLE STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING CONSERVATORY AND PORCH
REFUSED 12.01.2023

Permitted Development Rights removed?	Cannot locate original permission
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Representations

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

Legislation and Guidance

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

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

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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

Officer Note: The application proposes a side extension therefore paragraph (f) is not applicable.

- (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**

☐ **Does Not Comply**

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**

☐ **Does Not Comply**

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**

☐ **Does Not Comply**

The height to eaves is 3m

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- (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**

☐ **Does Not Comply**

- ☐ **The plans (as amended) do not include a balcony or raised platform**
- ☐ **The plans do not include the alteration of a microwave antenna**
- ☐ **The plans do not include the alteration or installation of a soil and vent pipe**
- ☐ **The plans do not include the alteration to any part of the roof of the dwellinghouse**

Conditions

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**

☐ **Does Not Comply**

☐ **Details not provided**

Officer Note: Fenestration on the existing build consists of painted timber bay windows to the ground floor and painted timber window arches with window surrounds to the first floor. The extension proposed UPVC (or powdered aluminium) bi-folding doors. Whilst it is acknowledged the fenestration proportions are not an exact match to that on the original, the proposed fenestration is considered to satisfy the requirement in this regard.

- 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**

☐ **Does Not Comply**

☐ **Details not provided**

- 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**

☐ **Does Not Comply**

☐ **Details not provided**

Recommendation: Grant

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

Notes for applicant:

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

- LOCATION PLAN
- PROPOSED SITE PLAN
- 2302.02 REV B EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS

	Date	Officer
Report Completed	19.04.2023	Signed: CP
Authorisation	24.04.2023	Signed: TH

Report Author Chelsea Petrillo