

Class A – Larger Homes Extension

Application Number:	23/01096/HH42
Location:	5 Birch Hey Close, Rochdale, OL12 9UN
Proposal:	Prior approval for a proposed single storey rear extension measuring 4.5m from the original dwelling (with a maximum height of 2.95m and height to eaves to 2.95m)
Applicant:	Mr Ghulam Mustafa
Case Officer:	Sam Yuen
Recommendation:	Prior Approval Not Required

CHECKED AND SIGNED OFF BY: RG

DATE: 16 November 2023

Site Description

The application relates to no. 5 Birch Hey Close, a two-storey terraced dwelling located in Smallbridge. The dwelling is adjoined by no. 3 Birch Hey Close to the south-east, adjoined by no. 7 Birch Hey Close to the north-west, and faces its associated highway to the north-east. To the south-west, the property fronts an unnamed footpath and Oakcliffe Road which forms part of the adopted highway.

Publicity	Neighbour letters expired?	Yes	Responses received?	No

Neighbours Notified:

3 Birch Hey Close, Rochdale, OL12 9UN
7 Birch Hey Close, Rochdale, OL12 9UN

Relevant History:

N/A

Permitted Development Rights removed?	No
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Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1 (Class A.1).

Description of Proposed Development

The Host Dwelling is: Detached ☐ Other ☒

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally:

What will be the maximum height of the proposed extension measured externally from the natural ground level:

3.4m

Is the proposal wholly within the curtilage of the dwellinghouse?

Yes

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 dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

☒ X

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).

☒ X

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;

☒ X

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;

☒ X

Complies

☐ Does Not Comply

- 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;

☒ Complies

☐ Does Not Comply

The host property directly faces the highway on all elevations. As stated in the *Technical Guidance for permitted development rights*, there can only be one principal elevation, therefore a view must be taken as to which elevation forms the principal elevation of the host dwelling.

The north-east facing elevation of the dwelling directly faces Birch Hey Close (which sets the postcode for the host property) and comprises a hardstanding which serves as the vehicular access to the property, a layout consistent with the north-east curtilages of adjoining nos. 3 and 7. The north-east elevation of the host dwelling does not have any distinguishable architectural features and consists of a set of French doors on the ground floor which leads into the kitchen/dining area.

On the other hand, the south-west facing elevation directly faces Oakcliffe Road and an unnamed adopted footpath. Whilst these highways do not serve the host property, this elevation comprises the front entrance door, which is the only notable physical attribute indicating the principal ingress to the dwelling. The entrance door also directly leads into the internal staircase and lounge area, an arrangement which would suggest the south-west elevation as the intended principal means of access.

The assessment of the principal elevation of the dwelling is a matter of fact and degree; taking into account of the above assessment, the south-west elevation is taken to be the principal elevation of the dwelling due to its physical and functional attributes. The proposed extension extends beyond north-east elevation wall which is not considered as the principal elevation. The proposed development therefore complies with Criterion (e).

- 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 –
- a. 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**
 - b. exceed 4 metres in height;

☒ Complies

☐ Does Not Comply

The host dwelling is a terraced property and therefore eligible for a 6m extension. The plans indicate a projection of 4.5m and a maximum height of 3.4m.

- h) the enlarged part of the dwellinghouse would have more than one 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 opposite the rear wall of the dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

- 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**

- 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

☒ **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**

The proposal would not be joined to an existing enlargement.

- 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 microwave antenna

- iii) The installation, alteration or replacement of a chimney, flue, soil and vent pipe
- iv) An alteration to any part of the roof of a dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

- ☒ **The plans do not include a balcony or raised platform that would exceed 0.3m from ground level**
 - ☒ **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**
- ☒ Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☒ **Complies**

☐ **Does Not Comply**

- ☒ A.3 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;
- ☒ The development has begun on site prior to -
 - a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
 - b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
 - c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

☒ **Complies**

☐ **Does Not Comply**

Decision: Prior Approval Not Required

Informative:

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

- Location Plan – received 05/10/2023

- Existing Site Plan – received 05/10/2023
- Proposed Site Plan – received 05/10/2023
- Existing Floor Plans and Elevations – Drawing No. 1 dated 09/2023
- Proposed Floor Plans, Elevations and Section Plan – Drawing No. 2 dated 09/2023