**APPLICATION NUMBER: 22/00479/CPL**

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| **Application Number:** | 22/00479/CPL |
| **Location:** | 9 Birch Road Wardle OL12 9QQ |
| **Proposal:** | Application for certificate of lawfulness to raise the height of a single storey rear extension |
| **Applicant:** | Mr Frank Langham |
| **Case Officer:** | India Taylor |
| **Recommendation:** | **Grant** |

## Location

The application refers to no.9 Birch Road, a two-storey semi-detached dwelling situated in the Smallbridge and Firgrove ward of Rochdale. The dwelling faces north-east onto the highway, adjoined to no.7 to the south-east and no.11 to the north-west. The rear boundary of curtilage borders sheltered housing accommodation. The property benefits from off-road parking and a detached garage.

## Description of Proposal

The proposal is for an application for certificate of lawfulness to raise the height of a single-storey rear extension. The roof design is proposed to change from a lean to roof to a flat roof.

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| **Is the proposal wholly within the curtilage of the dwellinghouse?** | Yes |

## Relevant History:N/A

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| **Permitted Development Rights removed?** | No |

## 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

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

[X] **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.

[X] **Complies**

[ ] **Does Not Comply**

**The proposed development is for a change in roof height and therefore paragraph(f) would not be 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.

[X] **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.

[X] **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.

[X] **Complies**

[ ] **Does Not Comply**

**The height to eaves is 2.68m**

(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

[X] **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);

[X] **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

[X] **Complies**

[ ] **Does Not Comply**

- **The plans 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;

[X] **Complies**

[ ] **Does Not Comply**

[ ] **Details not provided**

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

[X] **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.

[X] **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 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
- Existing block plan
- Proposed block plan
- Proposed front elevation
- Existing rear elevation
- Existing side elevation
- Existing front elevation
- Proposed section
- Proposed rear elevation
- Proposed side elevation
- Proposed ground floor plans
- Existing ground floor plans

| | **Date** | **Officer** |
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| **Report Completed** | 28.04.2022 | Signed: ITaylor |
| **Authorisation** | 29.04.2022 | Signed: EHeron |

Report Author India Taylor