

APPLICATION NUMBER: 25/00894/CPL

Application Number:	25/00894/CPL
Location:	Egerton Hall, Chapel Lane, Heywood, OL11 5NU
Proposal:	Certificate of lawfulness for a proposed side extension
Applicant:	Mr G Powell
Case Officer:	Claire Ringwood
Recommendation:	GRANT

CHECKED AND SIGNED OFF BY: RK

DATE: 23/10/2025

SITE

The application relates to Egerton Hall which is a two storey, 'L' shaped detached house with an attached single storey side garage. The property is situated to the front of Chapel Lane with its principal elevation facing to the south (rear) of the site. The property was originally the car park of a Public House which was granted planning permission in 2006 (application ref: 06/D46799/FUL) for the change of use and conversion of the Public House to one dwelling and the erection of one dwelling. The property is at the end of a small row of detached buildings including St James Church and the converted Public House now known as The Chapel House.

The site is located within the Green Belt and The Chapel House and St James Church are Grade II Listed Buildings.

PROPOSAL

A Certificate of Lawfulness is sought for a proposed single-storey side extension which measures 4m in width at the front (facing Chapel Lane) and 3.4m in width at the rear (facing into the garden). The proposed extension would measure 8.6m in length and would have a mono-pitched roof measuring 2.4m to eaves level and 3.3m at its highest point.

The materials will comprise natural stone to match the existing property, aluminium framed bi-fold doors with a natural stone surround and a natural slate roof. The roof would consist of 4 rooflights and the side elevation would be fully glazed.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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RELEVANT HISTORY

Egerton Arms

85/D17855/LBC - Demolition Of Dilapidated Outbuildings And Erection Of Two Storey Kitchen And Restaurant Extensions. Approved 27/06/1985.

85/D17856/FUL - Two Storey Kitchen And Restaurant Extensions. Approved 23/05/1985.

89/D23774/FUL - Two Storey Extension To Provide Additional Living Accommodation And Office And Storage Area And Installation Of Septic Tank. Approved 22/03/1990.

89/D23775/LBC - Alterations And Two Storey Extension To Public House (Grade II Listed). Approved 22/03/1990.

98/D35054/FUL - Single Storey Extension To Form Additional Dining Kitchen And Toilet Facilities. Refused 16/04/1998.

98/D35055/LBC - Single Storey Extension To Form Additional Dining Kitchen And Toilet Facilities. Refused 16/04/1998.

98/D36043/FUL - Single Storey Extension To Restaurant And Public House To Provide Functions Suite. Refused 12/02/1999.

98/D36046/LBC - Single Storey Extension To Listed Building To Provide Function Suite. Refused 12/02/1999.

00/D37920/FUL - Installation Of New Windows And Formation Of Storage Area Including Installation Of Steel Container. Approved 15/09/2000.

00/D37921/LBC - Installation Of New Windows And Fascia Sign. Approved 15/09/2000.

02/D40389/FUL - Erection Of Boundary To The Front Courtyard Of Public House. Approved 17/12/2002.

02/D40390/LBC - Erection Of Boundary To The Front Courtyard Of Listed Building. Approved 17/12/2002.

05/D46016/FUL - Change Of Use And Conversion Of Public House To Form One Dwelling And Erection Of 3 Town Houses. Withdrawn 21/02/2006.

06/D46799/FUL - Change Of Use And Conversion Of Public House To One Dwelling And Erection Of One Dwelling. Approved 25/08/2006.

06/D47453/LBC - Alterations And Removal Of Additions To Listed Building. Approved 12/12/2008.

Permitted Development Rights removed?	The decision notice for application 06/D46799/FUL does not indicate that PD rights have been removed.
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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 (Sept 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**

☒ **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**

☒ **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**

☒ **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 2.4m.

- (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**
- ☒ **Not Applicable**

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**

- 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**
- ☒ **Not Applicable**

- 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**
- ☒ **Not Applicable**

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:-

- Drawing No: P249-01 – Existing
- Drawing No: P249-02 – Proposals
- Supporting Planning Statement

Received on 28th August 2025

	Date	Officer
Report Completed	22/10/2025	Signed: CR
Authorisation	23/10/2025	Signed: RK

Report Author Claire Ringwood