

Application Number:	23/00003/CPL
Location:	37 Craiglunds, Rochdale, OL16 4RD
Proposal:	Application for a certificate of lawfulness for the proposed conversion of a garage to additional living accommodation and alteration to fenestration on front and rear elevations
Applicant:	Mr Imran Rafique
Case Officer:	Chelsea Petrillo
Recommendation:	Grant

Location

37 Craiglunds is a two storey semi-detached property located in the Balderstone and Kirkholt ward of Rochdale. The property benefits from generous front and rear garden space as well as an attached garage along the western elevation with a driveway to the front. The property adjoins to 39 Craiglunds and sits adjacent to 35 Craiglunds.

Description of Proposal

Permission is sought for the conversion of the existing attached garage into habitable living space to be used as extended space to the original dwelling and alteration to the existing front and rear elevations including converting the existing garage door to a window. The submitted plans also indicate the repositioning of vent pipes at the side elevation.

The submitted plans originally included the replacement of the garage door with a projecting bay window, but as this would have formed a front extension contrary to the limitations of Class A, the plans were amended in order to be compliant.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Relevant History:

<u>83/D15768</u>	Single storey extension to side of dwelling house Grant November 1983
<u>21/00268/CPL</u>	Application for a certificate of lawfulness for proposed alterations to from hip to gable Grant March 2021
<u>21/00488/HOUS</u>	First floor side and rear extension, hip to gable roof conversion, rear dormer extension, installation of 2no rooflights to front, single storey front extension, and alterations to fenestration on rear ground floor elevation Refuse June 2021
<u>21/01537/HOUS</u>	First floor side extension to garage conversion – Resubmission of 21/00488 Grant December 2021
<u>21/01791/HOUS</u>	First floor side extension with garage conversion, hip to gable roof conversion and alteration to ground floor front and rear fenestrations Refuse June 2022

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**

- (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**

- (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**

- (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 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 do / do not include a balcony or raised platform
- ☐ The plans do / do not include the alteration of a microwave antenna
- ☐ **The plans do include the alteration of a soil and vent pipe**
- ☐ The plans do / do not include the addition to part of the roof of the dwellinghouse

(A.2) In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or
- (ca) 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 (b) and (c)

☒ **Complies**

☐ **Does Not Comply**

Conditions

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

- 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

Assessment (Class G)

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G if—

- (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);

☒ Complies

☐ Does Not Comply

- (b) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or

☒ Complies

☐ Does Not Comply

- (c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

- (i) fronts a highway, and
- (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

☒ Complies

☐ Does Not Comply

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
- CR37 92A Proposed Site Plan
- CR37 91A Proposed Elevations and Floor Plans

	Date	Officer
Report Completed	21.09.2023	Signed: CP
Authorisation	18.10.2023	Signed: TH

Report Author Chelsea Petrillo