APPLICATION NUMBER: 19/00462/CPL

Application Number:	19/00462/CPL
Location:	32 Field View Lane Rochdale OL12 7TS
Proposal:	Application for a certificate of lawfulness for a proposed single storey rear extension
Applicant:	Mr P Coldman
Case Officer:	Neil Harkin
Recommendation:	**Grant**

Officer dealing with planning matters / Councillor app?	NO	**Representations?**	NO
Decision maker management interest in site?	NO	**Call up request?**	NO

Location

- The application relates to 32 Field View Lane, a detached dwelling in Norden.
- The site is neighboured by 34 Field View Lane to the west with no dwellings to the east.
- The front elevation of the dwelling faces out towards 28 and 30 Field View Lane with the rear boundary of the site backing on to 38 Field View Lane.

Description of Proposal

The application seeks a lawful development certificate for a single storey rear extension with a maximum height of 3.4m and a rearward projection of 2.6m.

Relevant History

15/00397/FUL – Full planning application for the construction of 42 residential units (Use Class C3), with parking, new pedestrian and vehicular access, highways works (from 942/944 Edenfield Road to where access road to former Rainshore Mill merges on Over Town Lane, and including access road up to former Mill site), weir and drainage infrastructure works, ground and landscape works, boundary treatments, public open space and servicing. – Grant STC – July 2015

Note – No Permitted Development Rights have been removed by a condition of this permission.

Legislation and Guidance

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

Permitted development rights for householders – Technical Guidance (April 2017)

Assessment

Class A of Part 1 of the Schedule to 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 or Q of Part 3 of the GPDO

Complies

(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

(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

(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

(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

(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 3 metres in the case of any other dwellinghouse, or exceed 4 metres in height.

Complies

(g) For a dwellinghouse not on article 2(3) land nor 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.

Note – This application does not propose a larger home extension and paragraph (g) is therefore not applicable.

Complies

(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.

Note – This application does not propose an extension with more than a single storey and paragraph (h) is therefore not applicable.

Complies

(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

(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

(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 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

The dwellinghouse is not on article 2(3) land and therefore paragraph A.2 of Schedule 2, Part 1 of the GPDO does not apply.

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;
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
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.

The proposed materials for construction would be similar in appearance to the exterior of the existing dwellinghouse as the stonework and roof tiles would match those as used on the main dwelling. The proposal consists of a single storey rear extension; therefore conditions (b) and (c) do not apply.

In addition, there are no conditions on the original permissions removing permitted development right for extensions to the property. As such, the proposal comprises permitted development.

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements set out in 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:-

- Existing Plans – C379-001-A
- Proposed Plans – C379-002-A

	Date	**Officer**
Report Completed	11/06/19	Signed: NH
Authorisation	01/07/19	Signed: AT

Report Author Neil Harkin