APPLICATION NUMBER: 21/00291/CPL

Application Number:	**21/00291/CPL**
Location:	16 Arundel Street, Rochdale, OL11 1QN
Proposal:	Application for a certificate of lawfulness for a front porch
Applicant:	Mr Muhammad Waseem
Case Officer:	Mr M Farooq
Recommendation:	**Refuse**

Location

The application refers to no.16 Arundel Street, a two storey mid-terrace dwelling located on a row of architecturally similar dwellings in the Milkstone and Deeplish ward. The dwelling faces north-west on to the highway and faces the junction with Hardwicke Street. It is adjacent to no.18 to the north-east and no.14 to the south-west. The rear boundary of curtilage borders the rear of the properties on Prospect Street.

Description of Proposal

The proposed development refers to an application for a certificate of lawfulness for a front porch. This will be constructed with a pitched roof, with a maximum height of 2.9m. The proposed porch will project 1m from the front wall of the host dwelling with a width of 1.65m.

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

Relevant History:

16/00712/HOUS – Single storey rear extension including demolition of existing rear extension
Withdrawn

16/00844/HH42 – Prior notification for a single storey extension measuring 5.3m from the rear of the original dwelling (with a maximum height 4.0m and height to eaves to 2.47m)
Refused

16/01097/HH42 – Prior approval for a single storey extension measuring 5.3m from the rear of the dwelling (with a maximum height of 4.0m and height to eaves to 2.49m)
Withdrawn

16/01280/HH42 – Prior notification for a single storey rear extension measuring 5.3m from the rear of original dwelling (with a maximum height of 3.92m and height to eaves 2.59m)
Withdrawn

16/01506/HOUS – Erection of a single storey rear extension including demolition of existing rear extension – Resubmission

Refused

17/00690/CPL – Application for a certificate of lawfulness for a proposed single storey rear extension
Refused

18/00906/HOUS – Erection of a single storey rear extension following demolition of existing rear extension
Granted Subject to Conditions

20/01228/HOUS – Single storey front extension
Refused

21/00049/CPL – Application for a certificate of lawfulness for a front porch
Withdrawn

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 (April 2017)

Assessment (Class D)

Class D of Part 1 of the Schedule to the GDPO allows for the erection or construction of a porch outside any external door of a dwellinghouse 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, PA or Q of Part 3 of this Schedule (change of use)

☑ **Complies**

☐ **Does Not Comply**

b) The ground area (measured externally) of the structure would exceed 3 square metres

☑ **Complies**

☐ **Does Not Comply**

The proposed new porch extension will be 1.65 square metres.

c) Any part of the structure would be more than 3 metres above ground level

☑ **Complies**

☐ **Does Not Comply**

The proposed new porch extension will be 2.9m above ground level.

d) Any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway

☐ **Complies**

☑ **Does Not Comply**

The proposed development will be approximately 1.85m from the highway on the south-west side of the proposed development, as displayed on Site Plan (Proposed) – drawing 1654/2 A.

Recommendation: Refuse

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (d) of Class D, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate that the proposed development will be within 2 metres of the front boundary of the curtilage of the dwellinghouse with a highway.

Notes for applicant:

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

- Location Plan
- 1654/1 A
- 1654/2 A

	Date	**Officer**
Report Completed	16/03/2021	Signed: ES
Authorisation	18/03/2021	Signed: EH

Report Author Emily Sykes