

APPLICATION NUMBER: 25/00829/CPL

Application Number:	25/00829/CPL
Location:	5 Broadbent Street, Castleton, Rochdale, OL11 3DD
Proposal:	Certificate of lawfulness for proposed conversion of integral garage to a habitable room
Applicant:	Mr N.W. Griffiths
Case Officer:	Sam Yuen
Recommendation:	Refuse

CHECKED AND SIGNED OFF BY: RK**DATE: 10/10/2025****Location**

The application relates to no. 5 Broadbent Street, a two-storey detached dwelling located in Castleton. The dwelling is sited at a corner plot at the junction with Spindles Drive and is adjacent to no. 7 Broadbent Street to the southeast, adjacent to no. 14 Spindles Drive to the north, and faces the highway to the southwest.

Description of Proposal

Certificate of lawfulness is sought for the conversion of the existing attached garage to form a living room. The exterior works required comprises the partial infill and alteration of the existing front ground-floor garage window.

The submitted plans indicate a proposed single-storey rear extension which is the subject of a separate application (ref: 25/00830/HH42).

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

25/00830/HH42 - Prior approval for a proposed single storey rear extension measuring 5.74m from the original dwelling (with a maximum height of 3.64m and height to eaves to 2.23m) – To be determined at the time of writing

18/01399/FUL - Erection of 201 dwellings and a block of 24 apartments including the demolition of existing structures together with associated ground works to the north of the site, public open space, landscaping and vehicular access from Royle Road - Grant subject to conditions

20/01401/AM - Application for minor material amendments to planning permission 20/01383/ANM to vary Conditions 2 (approved plans), 3 (materials), 4 (boundary treatments) and 18 (affordable housing) and to remove condition 17 (scheme of tenancy) – Granted STC

Condition 15 reads:

Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D, E of the Town and Country Planning (General Permitted Development) Order 2015 (as

amended), or any equivalent Order following the revocation and re-enactment thereof, no development shall take place under Schedule 2, Article 3, Part 1, in respect of enlargements, improvements or other alterations including extensions, additions and alterations to roofs, porches, and curtilage buildings except with the prior written approval of the Local Planning Authority.

Reason: To protect amenities of occupiers of the adjacent properties, in accordance with Core Strategy Policy P3, and the National Planning Policy Framework.

Permitted Development Rights removed?	Yes
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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**

- (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**

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.

☒ **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.

☒ **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 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**

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**

- 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**

Note: The proposed materials for construction would be similar in appearance to the exterior of the existing dwellinghouse.

Recommendation: Refuse

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the proposal would constitute development within the meaning of Section 55 of the Town and Country Planning Act 1990 and therefore, without the prior written approval of the Local Planning Authority, would comprise a breach of Condition 15 of planning permission 18/01399/FUL and thus would not be lawful.

Notes for applicant:

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

- Location Plan – drawing no. G309 sk-06 received 12/08/2025
- Existing Site Plan – drawing no. G309 sk-07 received 12/08/2025
- Proposed Site Plan – drawing no. G309 sk-08 received 18/08/2025
- Existing Ground Floor Plan and Elevations – drawing no. G309-01 rev. A received 12/08/2025
- Proposed Ground Floor Plan and Elevations – drawing no. G309-02 rev. A received 12/08/2025

	Date	Officer
Report Completed	10/10/2025	Signed: SY
Authorisation	10/10/2025	Signed: RK

