

Application Number:	25/00308/CPL
Location:	Hollingworth Heights, Peanock Lane, Littleborough, Rochdale, OL15 0AD
Proposal:	Application for a certificate of lawfulness for the proposed erection of a two storey rear extension, 2 single storey side extensions, external alterations to existing dwelling and 2 new outbuildings, following demolition of an existing conservatory and side extension
Applicant:	Ms Olivia McKee
Case Officer:	Sam Yuen
Recommendation:	Part Grant Part Refuse

CHECKED AND SIGNED OFF BY: RK**DATE: 20/05/2025****Location**

The application relates to Hollingworth Heights, a two-storey detached dwelling located in Smithy Bridge. The property is sited within extensive grounds and faces Hollingworth Lake to the north. To the west, the property is adjacent to Queens Cottage.

Description of Proposal

Certificate of lawfulness is sought for a number of enlargements and alterations to the host dwelling, including:

- ☐ A two-storey rear extension which projects 3m from the rear elevation of the dwelling;
- ☐ Two single-storey side extensions projecting 6.5m from either side elevations of the dwelling following the demolition of the existing side extension;
- ☐ Enlargement of the existing rear flat roof dormer;
- ☐ Alteration of fenestration to the ground floor front elevation and side elevation, existing front dormer;
- ☐ Repairs to existing tiled roof; and
- ☐ Two outbuildings to the rear curtilage, one measuring 15.71m by 8.49m by 4m, and the other measuring 14.74m by 8.48m by 4m.

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

00/D37441 - Conservatory Extension To Front Of Dwelling - Grant subject to conditions

98/D35581 - Single Storey Rear Extension To Dwelling - Grant subject to conditions

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 (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**

Note – This application proposes a two storey rear extension and paragraph (f) is therefore 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**

Note – This application proposes a two storey rear 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**

- (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**

Note: The proposed east-facing side extension is located on sloping ground. For the purposes of this assessment, the height of the extension is taken in

relation to the directly facing land to the north. The height of the extension from this point measures 4m and therefore complies with criterion (j).

(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 include the alteration to part of the roof of the dwellinghouse, however, it is noted such works are may be permitted under Class B and C. Consideration of the works under Class B and C are assessed in the following sections.**

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**

Assessment (Class B)

Class B of Part 1 of the Schedule to the GPDO allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof 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) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

☒ **Complies**

☐ **Does Not Comply**

- (c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and front a highway;

☒ **Complies**

☐ **Does Not Comply**

- (d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-
- (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;

☐ **Complies**

☒ **Does Not Comply**

Note: The *Technical Guidance* states “resulting roof space” takes into account any existing and proposed enlargements to the original roof space. The dwelling comprises two flat roof dormers to the front and rear roof slope and an existing conservatory extension. The proposal seeks to construct two two-storey rear extensions which projects from the original roof and enlarge the existing rear dormer. Therefore, for the purposes of this assessment, the consideration of Criterion (d) would cover all the aforementioned enlargements.

Volume of enlarged rear dormer

Height (m)	2.68
Depth (m)	2.95
Length (m)	3.85
Total (m ³)	15.22

Height (m)	2.68
Depth (m)	2.95
Length (m)	1.89
Total (m ³)	7.47

Height (m)	2.68
Depth (m)	2.95
Length (m)	2.05
Total (m ³)	8.10

$$\text{Volume} = 15.22\text{m}^3 + (7.47\text{m}^3 / 2) + (8.10\text{m}^3 / 2) = 23.01\text{m}^3$$

Volume of existing front dormer

Height (m)	3.07
Depth (m)	2.95
Length (m)	5.05
Total (m ³)	22.87

Volume of the proposed two-storey extension gables

$$\text{Volume of triangular prism} = \frac{1}{2} \times 4.89\text{m} \times 3.01\text{m} \times 3.26\text{m} = 23.99\text{m}^3$$

$$\text{Volume of triangular pyramid} = \frac{1}{3} \times 7.36\text{m}^2 \times 3.29\text{m} = 8.07\text{m}^3$$

$$\text{Volume of gable} = 23.99\text{m}^3 + 8.07\text{m}^3 = 32.06\text{m}^3$$

$$\text{Volume of two gables} = 32.06\text{m}^3 \times 2 = 64.12\text{m}^3$$

$$\text{Total volume} = 23.01\text{m}^3 + 22.87\text{m}^3 + 64.12\text{m}^3 = \underline{110\text{m}^3}$$

As evident in the volume calculation, the resulting roof space, excluding the conservatory roof, is far in excess of the 50m³ allowance. Therefore the proposed additions to the original roof fails to comply with Criterion (d).

(e) It would consist of or include –

- (i) The construction or provision of a veranda, balcony or raised platform, or
- (ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

☒ **Complies**

☐ **Does Not Comply**

(f) The dwellinghouse is on article 2(3) land.

☒ **Complies**

☐ **Does Not Comply**

Conditions (Class B)

Development is permitted by Class B subject to the following conditions –

- (a) The materials used in any exterior work 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) The enlargement must be constructed so that –

- (i) Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension
 - (aa) The eaves of the original roof are maintained or reinstated; and
 - (bb) The edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
- (ii) Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

☒ **Complies**

☐ **Does Not Comply**

☐ **Details Not Provided**

- (c) Any window inserted on 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

☒ **Complies**

☐ **Does Not Comply**

☐ **Details Not Provided**

Assessment (Class C)

Class C of Part 1 of Schedule 2 of the GPDO allows for any other alteration to the roof of the 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 alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof

☒ **Complies**

☐ **Does Not Comply**

- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

☒ **Complies**

☐ **Does Not Comply**

- (d) it would consist of or include-
- i.the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - ii.the installation, alteration or replacement of solar photovoltaics or solar thermal equipment

☒ **Complies**

☐ **Does Not Comply**

Conditions (Class C)

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be -

- a. obscure-glazed; and
- b. 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

☒ **Complies**

☐ **Does Not Comply**

☐ **Details Not Provided**

Note: The proposed development does not comprise of any window to the roof slope forming a side elevation of the host dwelling.

Assessment (Class E)

Class E of Part 1 of Schedule 2 of the GPDO allows for:

- a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;

or;

- b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

- (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**

☐ **Does Not Comply**

- (b) the total area of ground covered by buildings, enclosures and containers within the curtilage (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) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.

☒ **Complies**

☐ **Does Not Comply**

(d) the building would have more than a single storey.

☒ **Complies**

☐ **Does Not Comply**

(e) the height of the building, enclosure or container would exceed—

- a. 4 metres in the case of a building with a dual-pitched roof,
- b. 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
- c. 3 metres in any other case.

☒ **Complies**

☐ **Does Not Comply**

(f) the height of the eaves of the building would exceed 2.5 metres;

☒ **Complies**

☐ **Does Not Comply**

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

☒ **Complies**

☐ **Does Not Comply**

(h) it would include the construction or provision of a verandah, balcony or raised platform

☒ **Complies**

☐ **Does Not Comply**

(i) it relates to a dwelling or a microwave antenna.

☒ **Complies**

☐ **Does Not Comply**

(j) the capacity of the container would exceed 3,500 litres

☒ **Complies**

☐ **Does Not Comply**

Paragraph **E.2** of the above order stipulates that development is permitted by Class E would not be permitted if any part of the curtilage of the dwellinghouse is within –

- (a) an area of outstanding natural beauty;
- (b) the Broads;
- (c) a National Park; or
- (d) a World Heritage Site

the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

☒ **Complies**

☐ **Does Not Comply**

Paragraph **E.3** further states In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse

☒ **Complies**

☐ **Does Not Comply**

Recommendation: Part Grant Part Refuse

The proposed single-storey side extension, alterations to fenestrations, repairs to roof tiles and proposed outbuildings constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class A, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposed two-storey rear extensions and propose rear dormer extension do not constitute permitted development by virtue of non-compliance with the requirements of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the plans indicate resulting roof space would exceed the cubic content of the original roof space by over 50 cubic metres.

Notes for applicant:

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

- Location Plan and Proposed Site Plan – drawing no. P03 received 25/03/2025
- Existing Floor Plans and Elevations – drawing no. P01 received 25/03/2025
- Proposed Floor Plans and Elevations – drawing no. P02 received 25/03/2025
- Proposed Outbuildings Floor Plans and Elevations – drawing no. P04 received 25/03/2025

	Date	Officer
Report Completed	15/05/2025	Signed: SY
Authorisation		Signed:

Report Author Sam Yuen