

Class A – Larger Homes Extension

Application Number:	23/00395/HH42
Location:	22 Higher Cleggswood Avenue, Littleborough, Rochdale, OL15 0DJ
Proposal:	Prior approval for a proposed single storey rear extension measuring 5m from the original dwelling (with a maximum height of 4m and height to eaves to 3.24m)
Applicant:	Mr & Mrs Genty
Case Officer:	Sam Yuen
Recommendation:	REFUSE

CHECKED AND SIGNED OFF BY:

RK

DATE: 01/06/2023

Site Description

The application relates to no. 22 Higher Cleggswood Avenue, a semi-detached bungalow located in the suburb of Smithy Bridge. The dwelling is adjoined by no. 20 Higher Cleggswood Avenue to the east, adjacent to no. 24 Higher Cleggswood Avenue to the south-west, and faces the highway to the south. The rear boundary of the curtilage borders the rear curtilage of no. 31 Heald Close.

Publicity	Neighbour letters expired?	Yes	Responses received?	No

Neighbours Notified:

20 Higher Cleggswood Avenue, Littleborough, OL15 0DJ
 24 Higher Cleggswood Avenue, Littleborough, OL15 0DJ
 31 Heald Close, Littleborough, OL15 0DL

Relevant History:

N/A

Permitted Development Rights removed?	Cannot locate original permission.
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Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1 (Class A.1).

Description of Proposed Development

The Host Dwelling is: Detached ☐ Other ☒

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally:

What will be the maximum height of the proposed extension measured externally from the natural ground level:

Is the proposal wholly within the curtilage of the dwellinghouse?

Yes

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 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) 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 of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;

☒ **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 –
- a. 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**
 - b. exceed 4 metres in height;

☐ **Complies**

☒ **Does Not Comply**

The host dwelling is a semi-detached property and therefore eligible for a 6m extension. The plans indicate a projection of 5m.

In measuring the height of the enlarged part of the dwellinghouse, the *Permitted Development – Technical Guidance for Householders* sets out “when calculating the height of the enlarged part of the house, this measurement should be at the highest part of the enlargement and may include any protrusions above the roof such as parapet walls”. The height of eaves should be measured externally and parapet walls should not be included in any calculation of eaves height (as per the calculation for criterion (d) above.

Taking this into account, the maximum height of the enlarged part of the dwellinghouse is to be taken from the highest external ground level to the top of the pitched roof, which equals 4.37m and the development does not therefore not comply.

- h) the enlarged part of the dwellinghouse would have more than one storey and—
- i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - ii. 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:

- i. Exceed 4 metres in height;
- ii. Have more than a single storey, or
- iii. Have a width greater than half the width of the original dwellinghouse

☒ **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**

The proposal would not be joined to an existing enlargement.

- 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 microwave antenna
- iii) The installation, alteration or replacement of a chimney, flue, soil and vent pipe
- iv) An alteration to any part of the roof of a dwellinghouse

☐ **Complies**

☒ **Does Not Comply**

- ☐ **The plans include a balcony or raised platform that would exceed 0.3m from ground level**
- ☐ **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.**

Note: It is noted the alterations of a raised platform or to any part of the roof of the dwelling may fall under Class E and Class C of permitted development rights respectively. However, applications under Prior Approval are subject to the criteria under development permitted by Class A, therefore the application cannot be assessed under any other Classes of permitted development rights. The submitted plans indicate the alterations to a raised platform and the roof of the dwelling and the development therefore does not comply.

- ☐ Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☒ **Complies**

☐ **Does Not Comply**

- ☐ A.3 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;

- ☐ The development has begun on site prior to -

- a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
- b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or
- c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

☒ **Complies**

☐ **Does Not Comply**

Decision: Refuse

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (g) and (k) of Class A, 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 enlarged part of the dwellinghouse would have a single storey and would exceed 4 metres in height. The plans also indicate alterations to a raised platform and to part of the roof of the dwelling.

Informative:

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

- Location Plan and Existing Site Plan – Drawing No. 22HIGHER - L01
- Proposed Site Plan – Drawing No. 22HIGHER - L02
- Existing Floor Plans and Elevations – Drawing No. 22HIGHER – 01
- Proposed Floor Plans and Elevations – Drawing No. 22HIGHER – 02

Report Author Sam Yuen