

Application Number:	25/01073/CPL
Location:	22 Edmunds Fold, Littleborough, OL15 9LS
Proposal:	Certificate of lawfulness for a proposed single storey rear extension
Applicant:	Paul Whatmough
Case Officer:	Bob Melling
Recommendation:	Refuse

Location

The application relates to no. 22 Edmunds Fold, a two storey, detached dwellinghouse located at the turning head of a cul-de-sac on a residential estate to the northwest of Littleborough town centre. The application property is adjacent to nos. 20 (south) and 24 (west). The application property has an existing first floor side extension to which the extension proposed under the current application would be joined (application reference 03/D41689).

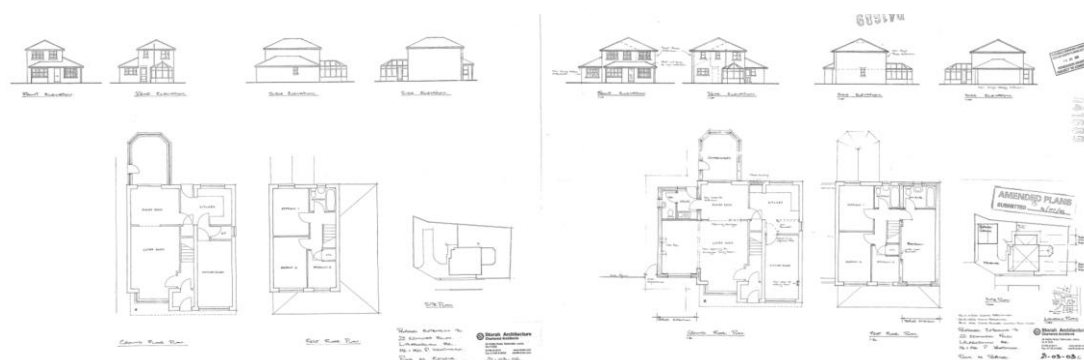


Figure 1 - Existing (left) and Proposed (right) Plans for Previous Extensions

Description of Proposal

A certificate of lawfulness is sought for a single storey rear extension. The extension would measure approximately 3.7m from the existing rear elevation with a maximum height of approximately 3.5m and a height to eaves of approximately 2.5m. The proposals also include the installation a single door within the south-facing side elevation.

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

Relevant History:

03/D41689 - First Floor And Single Storey Side Extensions And Erection Of Detached Garage. Granted subject to conditions (July 2003)

94/D30251 - Residential Development - 33 Dwellings. Granted subject to conditions (May 1994)

Permitted Development Rights removed?	No (see application reference 94/D30251)
--	--

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 (September 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: The proposed development would be joined to a previous first floor extension. On this basis, the total enlargement would exceed 4 metres in height.

- (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: The proposed development would be joined to a previous first floor extension. On this basis, the total enlargement would exceed 4 metres in height.

- (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: The proposed development would be joined to a previous first floor extension. On this basis, the total enlargement would extend beyond the rear wall of the original dwellinghouse by more than 3 metres and would be within 7 metres of the boundary of the curtilage that is opposite the rear wall.

- (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**

NOTE: The proposed development would be joined to a previous first floor extension. On this basis, the total enlargement would be within 2 metres of the boundary of curtilage and the height of the eaves would exceed 3 metres.

- (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**

NOTE: The proposal would be joined to an existing enlargement and would exceed the limits set out in sub-paragraphs (f), (g), (h) and (i).

(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**

NOTE: The proposed development would require the alteration or replacement of the existing soil and vent pipe on the rear elevation.

(A.2) In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or
- (ca) 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 (b) and (c)

☒ **Complies**

☐ **Does Not Comply**

Conditions

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**

Recommendation:

Refusal

The proposal does not constitute permitted development by virtue of non-compliance with the requirements of Criterion (f), (g), (h), (i), (ja) 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 proposed development would be joined to an existing extension that exceeds 4 metres in height and is within 2 metres of the boundary of curtilage with a height to eaves in excess 3 metres. Moreover, the total enlargement would extend beyond the rear wall of the original dwellinghouse by more than 3 metres and would be within 7 metres of the boundary of the curtilage that is opposite the rear wall. Lastly, the proposed extension would require the alteration or replacement of the existing soil and vent pipe.

Notes for applicant:

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

- Site Location Plan
- Existing Details. Dwg no. 25.3679.1
- Existing & Proposed Block Plans. Dwg no. 25.3679.2
- Scheme 4 Proposed Details. Dwg no. 25.3679.SC4.1

	Date	Officer
Report Completed	30/10/2025	Signed: BM
Authorisation	03/11/2025	Signed: RK

Report Author Bob Melling