APPLICATION NUMBER: 21/00239/CPL

Application Number:	**21/00239/CPL**
Location:	7 Worcester Road, Middleton, M24 1PA
Proposal:	Application for a certificate of lawfulness for a single storey side extension
Applicant:	Mr Dane Stubbs
Case Officer:	Emily Sykes
Recommendation:	**Grant**

Location

The application refers to no.7 Worcester Road, a two storey semi-detached dwelling located on an architecturally similar road in South Middleton. The south-west facing dwelling is situated adjoining to no.5 to the north-west and adjacent to no.9 to the south-east. The rear boundary of curtilage borders the rear garden of no.1 Malvern Road. The dwelling benefits from off road parking to the front of the dwelling, a sufficiently sized rear garden and two bay windows on the rear elevation of the property.

Description of Proposal

The proposal refers to an application for a certificate of lawfulness for a single storey side extension. It has a width of 1.7m and a length of approximately 4.3m. It will be set back 3.45m from the front principal wall of the host dwelling.

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

Relevant History: None Applicable

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 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 is a single storey side extension and therefore does not project past the rear wall of the host dwelling.

(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**

The height to eaves is 2.35m

(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 development has a maximum height of 3m, is single storey and has a limited width of 1.7m.

(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 existing soil pipe on the side elevation of the host dwelling will be boxed in internally.**
- **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;

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

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.

The proposed materials for construction would be similar in appearance to the exterior of the existing dwellinghouse and consists of a single storey extension.

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Notes for applicant:

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

- Location plan
- Existing site plan
- Proposed site plan
- 2836 - 01
- 2836 - 02

	Date	**Officer**
Report Completed	05/03/2021	Signed: ES
Authorisation	09/03/2021	Signed: EH

Report Author Emily Sykes