

Application Number:	24/00303/CPL
Location:	15 Newhouse Close, Wardle, Rochdale, OL12 9LW
Proposal:	Application for a certificate of lawfulness for a proposed detached garage within rear garden
Applicant:	Alan Crossley
Case Officer:	Sam Yuen
Recommendation:	Grant

CHECKED AND SIGNED OFF BY: RK DATE: 28/05/2024

Location

The application relates to no. 15 Newhouse Close, a two-storey end terrace dwelling located in Wardle. The dwelling is adjoined by no. 13 Newhouse Close to the east, adjacent to no. 17 Newhouse Close to the west, and faces the highway to the north. An unadopted road runs from the west of the property from Newhouse Close to serve the rear of the adjoining row of properties.

Description of Proposal

Planning permission is sought for a detached garage outbuilding in the rear curtilage of the host property. It is characterised by a flat roof form and measures 6.38m in length, 6.5m in depth, and a maximum 2.5m in height. The proposal would be constructed in redbrick.

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

77/D05228 - Concrete Garage (Private) - Grant

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 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—
- (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 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
 - (iii) 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: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class E 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 – received 26/03/2024
- Existing and Proposed Site Plan – Drawing No. 22.2977.2 received 26/03/2024
- Existing Elevations – Drawing No. 22.2977.1 received 26/03/2024
- Proposed Floor Plan and Elevations – Drawing No. 22.2977.SC1.1A received 26/03/2024

	Date	Officer
Report Completed	10/05/2024	Signed: SY
Authorisation	28/05/2024	Signed: RK

Report Author Sam Yuen