APPLICATION NUMBER: 20/01403/CPL

Application Number:	**20/01403/CPL**
Location:	1 Verdant Way Rochdale OL16 4QY
Proposal:	Certificate of lawfulness for proposed single storey rear extensions and conversion of existing garage to additional living accommodation
Applicant:	MR & MRS ANTHONY & REBECCA O'NEILL
Case Officer:	Majid
Recommendation:	**Grant**

Officer dealing with planning matters / Councillor app?	NO	**Representations?**	NO
Decision maker management interest in site?	NO	**Call up request?**	NO

Location

The application relates to 1 Verdant Way, a two storey detached dwelling in Rochdale. The property faces south on to the highway and is located on a corner plot, on the junction between Verdant Way and Broad Lane. To the rear the property shares a boundary with no. 250 Broad Lane, and to the east the property shares a boundary with no. 3 Verdant Way.

Description of Proposal

Application seeks a certificate of lawfulness for proposed single storey extensions to the rear and conversion of the existing garage to form additional living accommodation. The proposed extensions to the rear will be set on either side of the rear elevation of the host dwelling. The proposed extensions will project out by 4m from the rear elevation of the host dwelling.

The proposed single storey extension to the rear of the existing single storey garage will be on the eastern side of the host dwelling. The proposed extension will have a gable roof that will join on to the existing roof of the existing garage. The ridge height of the proposed extension will be 3.5m and the ridge height will be 2.45m. The proposed extension will be 4m wide.

The proposed single storey rear extension to the western side of the host dwelling will have a mono pitch roof that will be 5.45m wide. The ridge height of the proposed extension will be 3.6m and the ridge height will be 2.45m high.

The conversion of the proposed garage will consist of 2 windows to the front elevation along with the proposed single storey extension to the rear.

Relevant History

Not applicable.

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) - single storey rear extensions and conversion of existing garage to additional living accommodation

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 (all)**

☐ **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 (all)**

☐ **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 (all)**

☐ **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 (all)**

☐ **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(all)**

☐ **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 (all)**

[ ] **Does Not Comply**

The host dwelling is a detached property and therefore eligible for a 4m extension. The plans indicate a projection of 4m on both extensions.

Garage conversion - The proposal does not constitute an enlargement of the existing property.

(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 (all)**

[ ] **Does Not Comply**

Note – This application does not propose a larger home extension and paragraph (g) is therefore not applicable.

Garage conversion - The proposal does not constitute an enlargement of the existing property.

(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.

[Y] **Complies (all)**

[ ] **Does Not Comply**

Note – This application does not propose an extension with more than a single storey and paragraph (h) is therefore not applicable.

Garage conversion - The proposal does not constitute an enlargement of the existing property.

(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 (all)**

[ ] **Does Not Comply**

The height to eaves is 2.45m on both extensions.

Garage conversion - The proposal does not constitute an enlargement of the existing property.

(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 (all)**

☐ **Does Not Comply**

Note: The proposal does not include a side extension and therefore paragraph (j) is not applicable.

(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 (all)**

☐ **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** **(extension on eastern side and to the rear of existing garage)**

- 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 any part of the roof of the dwellinghouse**

The single storey rear extension to the western side of the dwellinghouse and the conversion of existing garage to additional living accommodation comply with the assessment. The proposed single storey rear extension to the eastern side of the dwellinghouse and to rear of the garage will see alterations made to the roof of the dwellinghouse. An assessment against class C is to be made.

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.

Assessment (Class C) – single storey rear extension to the eastern side of the dwellinghouse and to the rear of the existing garage

Class C of Part 1 of the Schedule to the GPDO allows for any other alteration to the roof of a 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 the GDPO (changes 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 must be –

(a) Obscure-glazed; and
(b) Non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class A and Class C 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 details and proposed elevations (existing ground floor plan, existing elevations and proposed elevations). Drawing no: 20.2354.1A
- Proposed details (proposed ground floor plan, proposed eaves detail, proposed section 1-1, proposed section 2-2, and proposed thermal upgrade detail 1). Drawing no: 20.2354.2

	Date	**Officer**
Report Completed	05/01/21	Signed: MM
Authorisation	6/01/21	Signed: KN

Report Author Majid Mir