APPLICATION NUMBER: 19/00480/CPL

Application Number:	**19/00480/CPL**
Location:	27 Buckley Hill Lane, Milnrow, OL16 4BU
Proposal:	Application for a certificate of lawfulness for proposed single storey rear extension
Applicant:	Mr & Mrs Mcintosh
Case Officer:	John Van Eker
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 no. 27 Buckley Hill Lane, a detached property located in the Milnrow area of Rochdale.

The property demonstrates a relatively contemporary design when compared against other older, red brick properties along this section of Buckley Hill Lane.

The adjacent property to the north, no. 2 Bramhall Close, occupies a corner plot which fronts Bramhall Close. Owing to the orientation and placement of this property no. 2 Bramhall Close has a rear elevation featuring fenestration which looks to the side and rear elevation of the application property. To the south the property is adjacent to a property named Hillcrest, an older semi-detached red brick property which is set away from the common boundary adjacent to no. 27 by approximately 5m.

The rear boundary of the site is shared with no. 4 Bramhall Close.

Description of Proposal

The application seeks a lawful development certificate for the erection of a single storey rear extension to the property.

Relevant History

19/00056/HOUS
Proposed permeable driveway and single storey front and side extension
Approved subject to conditions 02/05/2019

Township/Member comments

N/A

Consultee responses

N/A

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 of Rear Extension

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 or Q of Part 3 of the GPDO

Complies

(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

(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

(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

(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

(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 3 metres in the case of any other dwellinghouse, or exceed 4 metres in height.

Complies

(g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor 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.

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

Complies

(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.

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

Complies

(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

(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

(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

The dwellinghouse is not on article 2(3) land and therefore paragraph A.2 of Schedule 2, Part 1 of the GPDO does not apply.

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 as the brickwork and roof would match those as used on the main dwelling. The proposal consists of a single storey rear extension; therefore conditions (b) and (c) do not apply.

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements set out in Schedule 2, Part 1, Classes 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:-

- Existing Details (Plans & Elevations) with drawing number 18.1893.1
- Proposed Details (Plans, Elevations & Sections) with drawing number 18.1893.2B
- Existing & Proposed Block Plans with drawing number 18.1893.3

	Date	**Officer**
Report Completed	28/06/2019	Signed: JVE
Authorisation	09/07/2019	Signed: AT

Report Author John Van Eker