Class A – Larger Home Extension

Application Number:	**21/00412/HH42**
Location:	4 Tangmere Avenue, Heywood, OL10 2WA
Proposal:	Prior Notification for a single Storey Rear Extension measuring 4.5m from the rear of the original dwelling (with a maximum height of 3.9m and height to eaves of 2.2m).
Applicant:	Mrs Jackie Fran
Case Officer:	Emily Sykes
Recommendation:	**Refuse**

CHECKED AND SIGNED OFF BY: DR **DATE: 27/04/2021**

Site Description

The application refers to no.4 Tangmere Avenue, a two storey detached dwelling located on an architecturally similar estate in Hopwood Hall. The dwelling faces east on to the highway, adjacent to no.6 to the north and no.2 to the south-east. The dwellings are well spaced apart and all positioned at an angle to the highway. The dwellinghouse has an unusually shaped curtilage, with the rear garden located to the south side of the dwellinghouse. The rear boundary of curtilage borders the dwellings located on Hornchurch Court. The dwelling also benefits from a detached garage and off road parking to the front of the property.

Neighbours Notified:

- 2 Tangmere Avenue, Heywood, OL10 2WA
- 6 Tangmere Avenue, Heywood, OL10 2WA
- 1 Hornchurch Court, Heywood, OL10 2WL
- 3 Hornchurch Court, Heywood, OL10 2WL
- 5 Hornchurch Court, Heywood, OL10 2WL

Is the proposed development wholly within the curtilage of the dwellinghouse?	Yes

History - Permitted Development Rights removed?	No

Publicity	**Neighbour letters expired?**	**Y**	**Responses received?**	**N**

Prior Notification of a Proposed Larger Home Extension – Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 1 (Class A.1).
Description of Proposed Development

The Host Dwelling is: Detached ✓ Other ☐

How far will the proposed extension extend beyond the rear wall of the original dwelling house measured externally: 4.5m from south side wall of house

What will be the maximum height of the proposed extension measured externally from the natural ground level: 3.9m

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 dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

☑ **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 of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

[✓] **Complies**

[ ] **Does Not Comply**

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 –

a. 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**

b. exceed 4 metres in height;

[ ] **Complies**

[✓] **Does Not Comply**

Does not comply - Whilst the proposed development has a projection of 4.5m, it is considered that the extension is not to the rear of the dwelling. Although the garden is located to the side of the property, the applicant dwelling has front, side and rear walls. Page 17 in the Permitted development rights for householders Technical Guidance states that "the rear wall or walls of a house will be those which are directly opposite the front of the house." As a result, it is considered that the proposed development projects from the side of the property and not the rear, therefore not complying

h) the enlarged part of the dwellinghouse would have more than one storey and—

i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

[✓] **Complies**

[ ] **Does Not Comply**

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**

j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would:

i. Exceed 4 metres in height;
ii. Have more than a single storey, or
iii. Have a width greater than half the width of the original dwellinghouse

☑ **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**

The proposal would not be joined to an existing enlargement.

k) It would consist of or include-

i) The construction or provision of a verandah, balcony or raised platform
ii) The installation, alteration or replacement or microwave antenna
iii) The installation, alteration or replacement or a chimney, flue, soil and vent pipe
iv) An alteration to any part of the roof of a dwellinghouse

☑ **Complies**

☐ **Does Not Comply**

- **The plans do not include a balcony or raised platform that would exceed 0.3m from ground level**
- **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 do not include the alteration to any part of the roof of the dwellinghouse**

- Is the dwellinghouse on Article 2(3) land or on a Site of Special Scientific Interest?

☑ **Complies**

☐ **Does Not Comply**

- A.3 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;

- The development has begun on site prior to -

  a) the receipt by the developer from the local planning authority of a written notice that their prior approval is not required;

  b) the receipt by the developer from the local planning authority of a written notice giving their prior approval; or

  c) the expiry of 42 days following the date on which the information referred to in paragraph (2) was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

  [✓] **Complies**

  [ ] **Does Not Comply**

Decision: **Refuse**

The proposal does not constitute permitted development as the proposed extension would project from the side wall of the dwellinghouse contrary to Criterion (g) of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

- Sketch Elevation and Floor Plan
- Existing and Proposed: Site Plan
- Proposed: Location Plan
- Existing and Proposed: Larger Scale Site Plan
- Existing: Ground Floor Plan

Report Author Emily Sykes