

Officer Report

Case Reference: PL/2026/0434
Location: 1 NEWBOLD HALL DRIVE, ROCHDALE, OL16 3AG
Proposal: Application for a certificate of lawfulness for a proposed single storey detached outbuilding
Recommendation: Approve
Officer: Rosalind Gralton

SITE

The application site consists of a two storey detached property located on the corner of Newbold Hall Drive and Belfield Lane. The site benefits from an existing single storey conservatory and a shed to the side of the property.

PROPOSAL

The application seeks to ascertain whether the proposed development, namely the construction of a detached outbuilding is lawful development under the conditions of the General Permitted Development (England) Order 2015 (as amended).

Neighbours notified: In accordance with the Council's adopted Code of Practice for this type of application, no neighbours were notified.

Number of representations received: N/A

Class E

Class E of Part 1 of Schedule 2 of the GPDO allows for the construction of a building or similar structure within the application site for use incidental to that of the dwellinghouse subject to the following:

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

(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.

Development Not Permitted

E.1 Development is not permitted by Class E if –

(a) permission to use the dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3 of this schedule (changes of use)

Complies

(b) the total area of ground covered by buildings, enclosures, or 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: NB - There is an existing single storey conservatory on the property and a shed, however the combination of these structures and the proposed outbuilding would still not exceed 50%.

(c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principle elevation of the original dwellinghouse

Complies

(d) the building would have more than a single storey

Complies

(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 – outbuilding within 2m of the boundary with a height of 2.3m

(f) the height of the eaves of the building would exceed 2.5m

Complies

(g) the building, enclosure, pool or container would be situated within the curtilage of a listed building

Complies

(h) it would include the construction or provision of a verandah, balcony or raised platform;

Complies

- (i) it relates to a dwelling or a microwave antenna

Complies

- (j) the capacity of the container would exceed 3,500 litres

Not Applicable

- (k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Complies

E.2 in the case of any land within the curtilage of the dwellinghouse which is within–

- (a) an area of outstanding natural beauty
- (b) the Broads;
- (c) a National Park; or
- (d) a World Heritage Site

development is not permitted by Class E if 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

Not Applicable

E.3 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.

Not Applicable

Interpretation of Class E

E.4. For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Complies – application form indicates that the outbuilding would be used as a office/store room for the occupants of the dwellinghouse. Such purpose falls as being incidental to the enjoyment of the dwellinghouse.

Recommendation: Approve

Approval Reason(s) (1)

- 2 The proposals comprise permitted development by virtue of compliance with Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore would not require planning permission.

Informatives (1)

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

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- Site Location Plan
- 2429 (1)(2) - Proposed floor plans, elevations and site plan