



Mr Muthahar Khan  
Studio Tashkeel Architecture  
1-3 Ashton Road  
Sale  
Manchester  
M33 6WT

Date: 30 October 2024

Dear Sir or Madam,

**Class A, Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)**

**Application No.:** 141093/PDE/2024

**Description:** Prior notification of proposed larger home extension projecting 5m to the rear, with a maximum height of 3m and a height at eaves of 3m.

**Location:** 136 Middleton Road, Manchester, M8 4LB

The above application was submitted to us on 24 September 2024.

When assessing the criteria of the larger homes extensions under Schedule 2, Part 1, Class A of the above Order, the proposal must comply with all of the requirements to be permitted development; this includes all conditions, limitations or restrictions.

Paragraph A.1(ja) of the order sets out that development is not permitted where "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)".

In paragraph A.1(j) of the Order, development is not permitted where "the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse..." and "... (iii) have a width greater than half the width of the original dwellinghouse". In the interpretation section of the Order the word 'original' is stated to mean - (a) in relation to a building, other than a building which is Crown land, existing on 1 July 1948, as existing on that date; (b) in relation to a building, other than a building which is Crown land, built on or after 1st July 1948, as so built...'

Condition A.3(a) of the order states that "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".

It is clear from aerial photos and a review of Ordnance Survey data held from 1967, that the property originally incorporated a rearward projection. Accordingly, this rearward projection can therefore be said to have formed part of the "original" dwellinghouse for the purposes of the Order. In addition, there are two smaller rearward projections to the rear

that create two inward-facing side walls. Subsequently, a conservatory was erected to the rear of the property.

The drawings show that the proposed the proposed enlargement will attach to the conservatory extension and extend the full-width of the dwellinghouse. The total enlargement will therefore encompass the small rearward projections and extend beyond walls that form original side elevations.; a width greater than half the width of the original dwellinghouse will therefore result and the proposal would fail to meet the limitations of sub-paragraph (j). In addition, the total enlargement of the property will encompass the non-original conservatory extension and the materials used in the exterior work will not be of a similar appearance to those used in the construction of the existing dwellinghouse, which fails to comply with condition A.3(a).

Accordingly, the proposal does not satisfy all of the conditions and limitations and is therefore not permitted under the Order and an application for planning permission is required.

This letter is to be treated as a refusal of this application, in accordance with paragraph A.4(3) of the Order, and as such you have the right of appeal under Section 78 of the Town & Country Planning Act 1990 (as amended). Any such appeal must be submitted using the Planning Inspectorate's website at <https://acp.planninginspectorate.gov.uk/> within 12 weeks of the date of this letter.

Alternatively, if you wish to proceed with the proposed extension, you would need to submit an application using the 'Householder Application for Planning Permission for works or extension to a dwelling' forms and pay the required fee.

Should you wish to discuss this matter any further please contact Angelina Ward.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe  
Director of Planning, Building Control & Licensing