

Planning

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Date: 16 November 2023

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.: 138256/PDE/2023

Description: Prior notification of proposed larger home extension projecting 6m to the rear, with a maximum height of 3m and a height at eaves of 3m

Location: 6 Heyscroft Road, Manchester, M20 4XL

The above application was submitted to us on 5 October 2023.

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.

In the interpretation section of the Order the word "original" is stated to mean - (a) in relation to a building existing on 1 July 1948, as existing on that date; (b) in relation to a building built on or after 1st July 1948, as so built.

It is clear from aerial photos and a review of Ordnance Survey data held from 1958, that the rear of the property originally incorporated a small rearward projection; this is common to other dwellings of the same design in the area. However, by June 2009 this original outrigger had been demolished and a full-width single storey rear extension had been built, which extends by approximately 3.5m from the rear elevation of the original dwellinghouse. A Building Regulations application was submitted to the Council for this single storey rear extension on 5 March 2008 (our ref: FP/08/69057).

The submitted plans appear to show that the single storey rear extension is to be demolished before the construction of two proposed rear extensions: Extension "A" to the rear of the original outrigger, which no longer exists, and Extension "B" to the main rear wall of the rear elevation. Each extension is to have a flat roof and a height of 3m.

In sub-paragraph (g) development is not permitted where the enlarged part of the dwellinghouse "would have a single storey...and extend beyond the rear wall of the original dwellinghouse by more than...6 metres in the case of any other dwellinghouse..." (i.e. any dwellinghouse that isn't detached).

Having taken account of examples in the local area, it is considered likely that the original rear outrigger would have been less than 3m at its highest point where the mono-pitched

roof met the rear elevation of the main house. With a height of 3m, part of Extension "A" will project from the rear elevation of the main dwellinghouse, above the highest part of the original outrigger, which means that its total projection will exceed 6m. Extension "A" will therefore fail to meet the limitations in sub-paragraph (g).

In sub-paragraph (j) 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".

Extension "B" will not be adjoined to Extension "A" and is to be constructed with a gap to the side wall of the original outrigger. Page 24 of the 'Permitted development rights for householders - Technical Guidance (September 2009)', sets out that the gap between walls should be taken into account when calculating the length of an extension from the wall. In this instance, whilst there is a gap between the side wall of Extension "B" and the side wall of the original outrigger, Extension "B" will still extend beyond a side wall. The width of Extension "A" is more than half the width of the original dwellinghouse and will therefore fail to meet the limitations in sub-paragraph (j).

Given the above, the proposed extensions do not satisfy all of the conditions and limitations and are 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 requisite fee, which is currently £206.

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

Yours faithfully,

Julie Roscoe
Director of Planning, Building Control & Licensing