



Talat Zeria
HSH Engineering Design Service
428 Cheetham Hill Road
Manchester
M8 9LE

Date: 5 May 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.: 136716/PDE/2023

Description: Prior notification of proposed larger home extension projecting 6m to the rear, with a maximum height of 3.4m and a height at eaves of 3.19m

Location: 163 Smedley Road, Manchester, M8 0RU

The above application was submitted to us on 28 March 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 paragraph A.1(i) of the Order, development is not permitted where "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".

It is noted that the proposed enlargement has a flat roof. The 'Permitted Development rights for householders - Technical Guidance' (September 2019), sets out that the eaves height for a flat roof "...is measured from the ground level at the base of the outside wall to the point where that wall would meet the upper surface of the flat roof - the overhang and the parapet wall should be ignored for the purposes of measurement." In this case, the height of the eaves will be 3.1m. Accordingly, the proposal would not meet the criteria of sub-paragraph (i).

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"; a wall forming a side elevation is any wall that cannot be identified as being a front wall or a rear wall. In the interpretation section of the Order "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 the submitted plans and enquiries of aerial photos that the property has an original single-storey rearward projection, the same example of which can be seen at

adjacent properties, all appearing with the same rearward projection on Ordnance Survey mapping in 1950. Accordingly, the original rearward projection can therefore be said to form part of the "original" dwellinghouse for the purposes of the Order.

As a result, the proposed enlargement will extend beyond the wall that forms the side elevation of this original rearward projection and then also extend beyond its rear wall; 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).

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 requisite fee, which is currently £206.

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', with a stylized flourish at the end.

Julie Roscoe
Director of Planning, Building Control & Licensing