



Mr Hasnaat Saeed
1 Bank Street
Accrington
BB5 4HH

Date: 25 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.: 137028/PDE/2023

Description: Prior notification of proposed larger home extension projecting 5m to the rear, with a maximum height of 2.9m and a height at eaves of 2.5m

Location: 4 Chelt Walk, Manchester, M22 1UF

The above application was submitted to us on 16 May 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(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 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 the submitted plans, aerial photos and a review of Ordnance Survey data held from 1960, that the rear of the property incorporates a rearward projection; this is common to other dwellings of the same design in the area. This rearward projection forms part of the "original" dwellinghouse for the purposes of the Order and must be taken into account when assessing the development; it matters not that it is to be demolished to facilitate the proposed extension.

As a result, the proposed enlargement will extend beyond the wall that formed the side elevation of this original rearward projection and then extend beyond what was its rear wall and encompass it; 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', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing