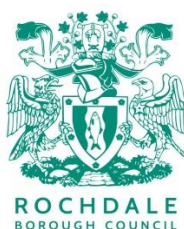


Report to Planning and Licensing Committee



Date of Meeting	1 <sup>st</sup> October 2020
Portfolio	Councillor Carol Wardle, Cabinet Member for Planning, Development & Housing
Report Author	Ryan Killeen
Public/Private Document	Public

<b>Application:</b> 20/00129/CPL	<b>Township:</b> Rochdale	<b>Ward:</b> Milnrow and Newhey
<b>Appeal Reference:</b> APP/P4225/D/20/3254547		<b>Decision level:</b> Delegated
<b>Site Address:</b> 12 Whitfield Crescent, Newhey, OL16 4NA		
<b>Proposal:</b> Application for a certificate of lawfulness for a proposed single storey rear extension		
<b>Applicant:</b> Mr David Lomax		<b>Agent:</b>
<b>Planning Inspectorate Decision:</b> Appeal Dismissed – 02 September 2020		
<ul style="list-style-type: none"> <li>– The Council refused to grant a Certificate of Lawfulness as the proposals included a set of steps with a landing that would adjoin to an existing raised patio. The view was taken that landing area would have exceeded the limitations of Criterion (k)(i) of Class A of Part 1 of Schedule 2 of the GPDO, thereby requiring planning permission.</li> <li>– The Inspector stated that the definition of “<i>raised,</i>” in relation to a platform as stated in the GPDO would be any platform with a height greater than 0.3m.</li> <li>– The Inspector noted that the current steps led directly onto the existing raised terrace, whereas the new development would include a landing platform which would adjoin to the existing platform and extension.</li> <li>– The Inspector stated that although the area of the platform would be small, the Government’s Technical Guidance on Permitted Development Rights for Households states that a raised platform is any platform with a height greater than 0.3m and therefore, the size is irrelevant.</li> <li>– The proposed development was considered to include the construction of a raised platform by the Inspector, and as such, they concluded that the Council’s decision to refuse to grant a Certificate of Lawful Use to be well founded and that the appeal should fail.</li> </ul>		