

Application Number:	25/00317/CPL
Location:	3 Kingsway, Middleton, M24 1LR
Proposal:	Certificate of lawfulness for a hip to gable roof conversion, a rear dormer and alterations to fenestration
Applicant:	Mr Chris Daly
Case Officer:	Bob Melling
Recommendation:	Grant

Location

The application relates to no. 3 Kingsway, a two-storey, semi-detached dwelling located in Middleton. The property adjoins no. 5 Kingsway to the east and is adjacent to no. 1 Kingsway to the west. The rear boundary of the curtilage borders the rear garden of no. 31 Alkington Green.

Description of Proposal

A certificate of lawfulness is sought for a rear dormer extension, a hip to gable roof conversion, the installation of a new rear elevation window and three roof lights. The works also include the removal of an existing chimney and the blocking up of an existing window on the west-facing side elevation.

Is the proposal wholly within the curtilage of the dwellinghouse?	Yes
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Relevant History:

N/A

Permitted Development Rights removed?	No
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Representations

In accordance with the Council's code for publicity for this type of application, no letters of notification have been issued.

Legislation and Guidance

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Permitted development rights for householders – Technical Guidance (September 2019)

Assessment (Class A)

Class A of Part 1 of the Schedule to the GPDO allows for general alterations such as new windows and doors.

The proposed installation of a new rear elevation window and the blocking up of the existing window to the side elevation would use materials to match the existing dwelling and would comply with the criteria and conditions of Class A.

Assessment (Class B)

Class B of Part 1 of the Schedule to the GPDO allows for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof subject to it not being contrary to any of the following criteria:

- (a) Permission to use the dwellinghouse as a dwelling has not been granted only by virtue of Class M,N,P, PA or Q of Part 3 of the GPDO

☒ **Complies**

☐ **Does Not Comply**

- (b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

☒ **Complies**

☐ **Does Not Comply**

- (c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

☒ **Complies**

☐ **Does Not Comply**

- (d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-
- (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;

☒ **Complies**

☐ **Does Not Comply**

Officer's calculations

Dormer Volume Calculation

Height (m)	2.53
Depth (m)	3.86
Length (m)	6.09
Total (m ³)	29.74

Hip to Gable Volume Calculation

Gable End Height (m)	3.21
Gable End Width (m)	8.47
Depth (m)	4.39
Total (m ³)	19.89

= **49.63m³**

(e) It would consist of or include –

- (i) The construction or provision of a veranda, balcony or raised platform, or
- (ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

☒ **Complies**

☐ **Does Not Comply**

(f) The dwellinghouse is on article 2(3) land.

☒ **Complies**

☐ **Does Not Comply**

Conditions (Class B)

Development is permitted by Class B subject to the following conditions –

- (a) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

☒ **Complies**

☐ **Does Not Comply**

☐ **Details not provided**

The submitted plans indicate that the hip to gable conversion would be finished in render to match the host dwelling, the dormer walls hung in tiles to match the existing roof tiles and the window frames in uPVC to match existing.

(b) The enlargement must be constructed so that –

- (i) Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension

- (aa) The eaves of the original roof are maintained or reinstated; and
- (bb) The edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
- (ii) Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

☒ **Complies**

☐ **Does Not Comply**

☐ **Details not provided**

- (c) Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –
 - (i) Obscure-glazed, and
 - (ii) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

☒ **Complies**

☐ **Does Not Comply**

☐ **Details not provided**

Assessment (Class C)

Class C of Part 1 of the Schedule to the GPDO allows for any other alteration to the roof of a dwellinghouse subject to it not being contrary to any of the following criteria:

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of the GDPO

☒ **Complies**

☐ **Does Not Comply**

- (b) The alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

☒ **Complies**

☐ **Does Not Comply**

- (c) It would result in the highest part of the alteration being higher than the highest part of the original roof; or

☒ **Complies**

☐ **Does Not Comply**

(d) It would consist of or include –

- (i) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (ii) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment

☒ **Complies**

☐ **Does Not Comply**

Conditions (Class C)

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be –

- (a) Obscure-glazed; and
- (b) Non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

☒ **Complies**

☐ **Does Not Comply**

☐ **Details Not Provided**

Recommendation: Grant

The proposal constitutes permitted development by virtue of compliance with the requirements of Schedule 2, Part 1, Class A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Notes for applicant:

For the avoidance of doubt, the decision relates to the following drawings:-

- Location Plan dated 25/03/2025
- Existing First Floor Plan. Dwg no. 916-03
- Existing Loft Floor Plan. Dwg no. 916-04
- Existing Roof Plan. Dwg no. 916-05
- Existing Elevations. Dwg no. 916-06
- Existing Site, Block And Location Plan. Dwg no. 916-07
- Proposed Loft Floor Plan. Dwg no. 916-10
- Proposed Roof Plan. Dwg no. 916-11
- Proposed First Floor Plan. Dwg no. 916-14
- Proposed Hip To Gable Dormer Elevations. Dwg no. 916-15

	Date	Officer
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Report Completed	27/03/2025	Signed: BM
Authorisation	11/04/2025	Signed: RK

Report Author Bob Melling