

Officer Report

Case Reference: PL/2026/0276
Location: 198 HEREFORD WAY, MIDDLETON, MANCHESTER, M24 2NJ
Proposal: Application for a certificate of lawfulness for the proposed conversion of existing garage to additional living accommodate including alterations to front elevation
Recommendation: Approve
Officer: Luke Rigby

SITE

The application site consists of a two-storey dwelling located to the northeast of Hereford Way in a predominantly residential area of Middleton. The existing dwelling is constructed of facing brick with a pitched roof and benefits from a single storey garage.

PROPOSAL

The application seeks to ascertain whether the proposed developments, namely the alterations to the roof and front elevation are lawful development under the conditions of the General Permitted Development (England) Order 2015 (as amended).

Neighbours notified: In accordance with the Council's adopted Code of Practice for this type of application, no neighbours were notified.

Number of representations received: N/A

ASSESSMENT

The proposed development includes the replacement of the existing roof with a roof constructed of GRP or rubber and the removal of the garage door and insertion of entrance door and window.

The proposal therefore falls to be considered under Classes A and C to Part 1 of Schedule 2 of the GPDO. Whilst the flat roof would have a marginally higher height than the existing, it would remain a flat roof and no substantial volume would be created; it is therefore not considered appropriate to assess the proposed roof alterations under Class B.

Class A

Class A of Part 1 of Schedule 2 of the GPDO allows for the enlargement, improvement or other alteration of a house 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

(b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

Complies – the development pertains to the existing structure and does not result in the creation of new built form.

(c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Complies

(d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Complies

(e) The enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Complies

(f) Subject to Paragraph (g), the enlarged part of the dwellinghouse would have a single storey and extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or exceed 4 metres in height.

Complies

(g) For a dwellinghouse not on article 2(3) land or a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height.

Complies

(h) The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.

Not applicable

(i) 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.

Complies

(j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would exceed 4 metres in height, have more than a single storey or have a width greater than half the width of the original dwellinghouse; or

Complies

(ja) (any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

Complies

(k) it would consist of or include

(i) the construction or provision of a veranda, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse

Complies

(A.2) In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –

(a) it would consist of or include the cladding of any part of the exterior of

the dwellinghouse with stone, artificial stone, pebble dash, render,

timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall

forming a side elevation of the original dwellinghouse;

(c) the enlarged part of the dwellinghouse would have more than a single

storey and extend beyond the rear wall of the original dwellinghouse;

or

(ca) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c)

Not applicable – dwelling is not sited on Article 2(3) land.

Conditions

Paragraph A.3 of the above order stipulates that development is permitted by Class A subject to the following conditions-

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

Complies - submitted plans and application form indicate that this is to be the case.

(b) Any upper-floor window located in 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; and

Not Applicable - single storey only.

(c) Where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not Applicable - single storey only

Class C

Class C of Part 1 of Schedule 2 of the GPDO allows for other alterations to the roof of a dwellinghouse where the development would not constitute an addition.

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development Not Permitted

Development is not permitted by Class C if–

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use

Complies

(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

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

Complies – The garage is attached to the existing dwelling. Therefore the original roof refers to the roof of the main dwellinghouse. The roof would not exceed the highest part of this roof, being single storey, therefore the development would 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;
or

Complies

(e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)

Complies

Conditions

C.2 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 which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Not Applicable – no windows on a roof slope forming a side elevation of the roof, which would be flat.

RECOMMENDATION: GRANT UNCONDITIONALLY

Recommendation: Approve

Approval Reason(s) (1)

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

Informatives (1)

For the avoidance of doubt, this decision relates to the following plans/documents:

- 1
 - Proposed Site Plan
 - Location Plan
 - DWG No. 3690-01 (Existing and Proposed Floor and Elevation Plans)