

Officer Report

Case Reference: PL/2026/0238
Location: 135 YORK ROAD WEST, MIDDLETON, MANCHESTER, M24 1RE
Proposal: Certificate of lawfulness for a proposed rear dormer loft conversion and installation of rooflight on front elevation
Recommendation: Approve
Officer: Aimee Bovaird

Site

The site is located at 135 York Road West, this is a two storey terraced dwelling within the Defined Urban Area. The area is highly residential.

Proposal

The application seeks permission for a certificate of lawfulness for a rear dormer loft conversion and the installation of a rooflight on the front elevation.

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: None

Assessment (Class B)

Class B of Part 1 of Schedule 2 of the GPDO allows for additions and other alterations to the roof of a dwellinghouse subject to a number of conditions:

Permitted Development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B 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) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Complies

(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

(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

Complies 26m3

(ii) 50 cubic metres in any other case;

Not Applicable – dwelling is a mid-terrace

(e) it would consist of or include—

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

Complies

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

Complies

(f) the dwellinghouse is on article 2(3) land

Complies – dwelling not on article 2(3) land

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

Complies

(h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Complies

B.2 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 – applicants responsibility

(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—

Complies

(aa) the eaves of the original roof are maintained or reinstated; and

Complies

(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

Complies

(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

(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.

Not Applicable

Assessment (Class C)

C.1 Development is not permitted by Class C

(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 this Schedule (change 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; or

Complies

(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

C.2 Development is permitted by Class C subject to the following conditions–

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

shall be -

- (a) obscure glazed
- (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

Complies

Conclusion

The development comprises permitted development by virtue of compliance with the criteria set out in Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would therefore not require Planning Permission.

Recommendation: Approve

Approval Reason(s) (1)

- 1 The development comprises permitted development by virtue of compliance with the criteria set out in Classes B and C of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and would therefore not require Planning Permission.

Informatives (1)

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

- 1
 - Site, Block and Location Plan 1076-01
 - Cross Sections 1076-12
 - Proposed Elevations 1076-11A
 - Proposed Roof Plan 1076-10
 - Proposed First Floor Plan 1076-08
 - Proposed Loft Floor Plan 1076-09

