

Officer Report

Case Reference: PL/2026/0322
Location: 69 MAINWAY, MIDDLETON, MANCHESTER, M24 1LL
Proposal: Application for a certificate of lawfulness for proposed hipped to gable roof extension with rear dormer loft conversion
Recommendation: Permitted Development
Officer: Luke Rigby

SITE

The application site consists of a two-storey detached residential dwelling located to the North of Mainway in a predominantly residential area of Middleton. The existing dwelling is constructed of facing brick with a hipped roof. An existing conservatory is found to the rear elevation and a single storey side extension.

As far as can practically be ascertained, Permitted Development rights are intact for this dwelling. The dwelling is not on article 2(3) land and not within an Article 4 Directive.

PROPOSAL

The application seeks to ascertain whether the proposed hip-to-gable loft conversion and construction of a dormer window with Juliet Balcony would be lawful under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Neighbours notified

In accordance with the Council's adopted Code of Practice for this type of applications, no notification or publicity was issued.

Assessment

Class B - additions etc to the roof of a dwellinghouse

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

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

ii) 50 cubic metres in any other case

Complies - the dwelling is a detached dwelling and therefore has a maximum allowance of 50 cubic metres. The cumulative increase of the dormer and the hip-to-gable would equate to some 47.2 cubic metres.

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

Complies – the dormer would include a Juliet Balcony. This is not prohibited by B.1(e) and the Government's Technical Guidance for Homeowners notes that Juliet Balconies fall to be lawful under the provisions of the GPDO.

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

Complies - the dwellinghouse is not on article 2(3) land

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

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

Conditions

B.2) Development is permitted by Class B subject to the following conditions—

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

Complies - Applicant's responsibility, however submitted plan 3577 - 02 indicates this to be the case. The balustrade to the Juliet Balcony would match the glass fenestrations and therefore satisfies this condition.

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 practical, not less than 0.2m from the eaves, measured along the roof slope from the outside edge of the eaves; and

Not Applicable – hip-to-gable conversion therefore this condition does not apply.

ii) other than in the case of an enlargement which joins the original roof to the roof 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 into 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 1.7m above the floor of the room in which the window is installed

Complies - no windows to be inserted into any side elevation

RECOMMENDATION: GRANT

Recommendation: Permitted Development

Approval Reason(s) (1)

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

Informatives (1)

- 1 For the avoidance of doubt, this decision relates to the following plans/documents:-
 - Proposed Site Plan
 - DWG No. 3577-02 (Proposed Elevations and Floor Plans)
 - Location Plan
 - Loft Area Calculation