

DELEGATED REPORT

Report by Tom Beirne	Date of report: 24/11/2025	Ref: 72476/LDCP
Registration: 17/10/2025	LDFC: 25/11/2025	Expiry Date: 12/12/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed hip to gable roof extension and rear dormer

Location: 8 Conway Avenue, Whitefield, Manchester, M45 7AZ

Description

Lawful development certificate for proposed hip to gable and rear roof extensions to a semi-detached two storey dwelling

It is noted that the property has been extended in the past under reference 57427.

Incorporating the previous roof extension, the current proposal would add a total of 21.64cubic metres to the original roof.

Relevant Planning History

57427 - Two storey side extension - Approve with Conditions 27/05/2014

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Development Plan and Policies

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

The property has been extended, including part of the roof. Incorporating the previous roof extension, the current proposal would add a total of 21.64cubic metres to the original roof. As such the proposed roof extensions are less than the permitted volume allowance of 50m³.

The dwelling is not listed nor is it in a Conservation Area.

There is no enforcement and the proposed development would be on land wholly owned or controlled by the applicant.

Permitted Development rights have not been removed.

Development would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

The proposed roof extensions would not be higher than the highest part of the original roof.

Incorporating the previous roof extension, the current proposal would add a total of 21.64cubic metres to the original roof.

The proposed dormer extension would be set back from the eaves by not less than 200mm.

There are no side windows proposed as part of the application

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 1 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal as described in the First Schedule, is deemed to be 'Permitted Development' having regard Article 3, Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2 The materials used in any exterior work shall be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse as required by condition B.2(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015.

<u>Case Officer</u> TB 24/11/25	<u>Date</u>	<u>Sign off Officer</u> DM 24/11/25	<u>Date</u>
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