

DELEGATED REPORT

Report by Mo Warsame	Date of report: 17/04/2025	Ref: 71627/FUL
Registration: 20/02/2025	LDfC: 19/03/2025	Expiry Date: 17/04/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Hip to gable loft conversion with rear dormer

Location: 45 Ennerdale Drive, Bury, BL9 8HY

Description

The property is detached dwelling that is situated on Ennerdale Drive. The premises has a drive to the front and garden to the rear. The adjacent properties on either side are No.43 and No.47 Ennerdale Drive.

Planning permission is sought for Hip to gable roof extension with loft conversion and rear dormer. The proposal would accommodate a principle-bedroom with ensuite bathroom. The rear dormer would have a flat roof and would be constructed using matching materials.

Relevant Planning History

64899 - Two storey extension at side and rear - Approve with Conditions 23/12/2019

65070 - Single storey extension at side and rear - Approve with Conditions 11/02/2020

Publicity

Neighbour letters sent on 26/02/2025. One objection received.

There are concerns of privacy and outlook implications that could be raised from the proposed development according to the objecting party. They say
The house is on higher ground and the proposed extension will affect privacy as the occupants will be able to see everything into bedrooms and downstairs living areas more so than already.

The extension will block sunlight into the house which will affect the plants and natural vitamin D for the occupants as well as keeping damp/mould at bay.

If the proposal were to go through, it would affect our quality of life, particularly as we work from home and spend a substantial amount of time at home.

The proposed works would have an impact on the habitat of wildlife in the gardens which are frequented with various birds, rabbits, cats, foxes and so forth. It would be out of keeping with surrounding area.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

This proposal relates to the hip to gable roof extension, loft conversion and rear dormer

extension. The immediate street scene is depicted by a mix of semi-detached and detached properties the majority of which have no rear dormers, however there are some gable roof details and rear dormers visible.

Situated to the rear, the development would not be visible from the street scene. The dormer would be a simple and unobtrusive design, which would not detract from the character of the dwelling or over dominate. The proposed dormer would not extend beyond the footprint or the ridge height of the main roof. The proposal would be constructed with materials to match the existing dwelling. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties.

In terms of overlooking and privacy to the rear; there is a sufficient distance to the rear boundary being circa 9.3m just 100mm short of the SPD6 requirements. It is noted that there's a slight elevated position of the host property, but this elevated position is not to the extent of an additional storey as set out in the SPD.

The proposed dormer extension would be built entirely on the existing footprint of the property and would not have any proposed windows to the sides. Furthermore, the adjacent neighbours have not objected.

The development would be built no higher than the existing ridge of the house and all development would be within the roof area. As such, the proposals would not add to any shadowing or sunlight impact to houses to the north or east than the existing dwelling does.

Therefore, the proposed rear dormer extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Highways

The proposal will result in one additional bedroom and there will be no changes to the parking layout. Therefore, the driveway at its current condition would meet the maximum parking requirements.

Response to Objection

The report has addressed the main concerns highlighted by the objecting party. There would not be any significant detrimental impact on the neighbouring properties. As the proposals are in the roofspace and within the grounds of a modest dwelling, the proposals are not considered to have any detrimental impact upon wildlife. Moreover, the works apart from the hip to gable could be undertaken without the need for planning permission as permitted development.

Overall, the above assessment above has highlighted that there would not be adverse impacts and addressed all the concerns of the objecting party.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

DELEGATED REPORT

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to the drawings received on 20/02/2025 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	17/4/25	DM	17/4/25