

PLANNING STATEMENT

DATE	19 January 2024
APPLICANT	MR J. DERBY
APPLICANT ADDRESS	878 BURNLEY ROAD BURY, LANCASHIRE, BL9 5JY.
PROPOSAL	APPLICATION FOR A 'LAWFUL DEVELOPMENT CERTIFICATE' RELATING TO THE PROPOSED LOFT CONVERSION TO A DETACHED BUNGALOW, INCLUDING INTERNAL ALTERATIONS, MODIFICATIONS TO EXISTING ELEVATIONS AND INSTALLATION OF ROOFLIGHTS
DEVELOPMENT ADDRESS	878 BURNLEY ROAD BURY, LANCASHIRE, BL9 5JY.

LEGISLATIVE CONTEXT

THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 – PART 1

SCHEDULE 2 - Permitted development rights.

PART 1 - Development within the curtilage of a dwellinghouse.

Class A – enlargement, improvement or alteration of a dwellinghouse

Class AA – enlargement of a dwellinghouse by construction of additional storeys

Class B – additions etc. to the roof of a dwellinghouse

Class C – other alterations to the roof of a dwellinghouse

PERMITTED DEVELOPMENT

AA – the enlargement of a dwellinghouse consisting of the construction of –
(b) one additional storey, where the dwellinghouse consists of one storey,
immediately above the topmost storey of the dwellinghouse, together with any
engineering operations reasonably necessary for the purpose of that construction.

C1 – Other alterations to the roof of a house.
Such alterations will not involve the enlargement of the house,
but would cover the installation of roof lights/windows.

DESCRIPTION

The property is a detached bungalow within residential street with similar style, albeit two-storey, semi-detached properties. It has a small garden to the front and a driveway to the side leading to a garage and rear garden. There is adequate off-street parking. To the rear the site borders the rear gardens of numbers 815 and 817 Walmersley Road. Properties on the opposite side of Burnley Road are approximately 34 metres away.

A lawful development certificate is sought for a loft conversion, wholly-contained within the existing roofspace, incorporating rooflights to the front and rear. The development would accommodate two bedrooms, bathroom and store in the loft area. The proposal would be constructed with matching materials.

ISSUES AND ANALYSIS

Use class that relates to the existing or last use – **C3** Dwellinghouses

Use class that relates to the proposed use – **C3** Dwellinghouses

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.

The proposal [including previous extensions and other buildings] would not take up more than 50% of the total area of land around the original house. **A1(b)**

The materials used in any exterior work will be of similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
A3(a) and **B2(a)**

The roof lights/windows and their frames would not protrude more than 0.15 metres beyond the roof plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof. **C1(b)**

The cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres.
N.B. - there will be no proposed increase in cubic content. **B1(d)(ii)**

There will be no extension beyond the plane of the existing roof slope of the principal elevation that fronts a highway. **B1(c)**

The loft conversion will not extend higher than the highest part of the existing roof.
A1(c), **B1(b)** and **C1(c)**

The enlarged part of the dwellinghouse would not 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.
A1(e)(i) and **(ii)**

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Any upper floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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. **A3(b), B2(c) and C2(a) and (b)**

The properties directly to the front of the site are more than 20 metres from the front of the application property. Therefore, the front rooflights would have no detrimental impact on residential amenity.

The proposal will result in one additional bedroom, however, there will be no changes to site access or parking. The driveway in its current condition meets the maximum parking requirements.

The existing outdoor private amenity space would be unaffected by the proposal.

PROPOSED DEVELOPMENT – SUBSTANTIVE EVIDENCE

a] full and precise description of the **current** use and operations – detached bungalow in continuous residential/domestic use since originally constructed.

Relevant information concerning Council Tax and Electoral Records are available from Bury Council should these be required.

Relevant invoices/bills or receipts for services such as water, electricity, gas or telecom are available from the statutory undertakers should these be required.

b] full and precise description of the **proposed** use and operations – detached bungalow for continued residential/domestic use.

CONCLUSION

Having regard to the above, the proposed development is considered lawful as it falls within the limitations of the Town and Country Planning (General Permitted Development) (England) Order 2015 (s192)

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, street scene or neighbouring properties and would therefore comply with UDP Policy H2/3 and SPD 6.

The proposal development falls within permitted development guidelines.

CONDITIONS AND REASONS

In order to constitute 'permitted development', a proposal must meet all the limitations and conditions under each Class relevant to the proposal. Any proposed household development must be considered in the context of the permitted development rules as a whole in order to determine whether it benefits from permitted development rights and therefore does not require an application for planning permission.