



13th June 2024

Statement of Case :

Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations, at : Sawmills off Spring Street, Ramsbottom, Bury, BL0 9JQ

Our current planning consent, reference 68578 was granted during July 2023, based on drawings prepared for an identical scheme during 2011, reference 54544, which was never started and left to lapse.

Since the dwellings were designed in 2011, increases in building standards have been implemented, specifically to Part L of the Building Regulations requiring an increased standard of thermal insulation in new dwellings.

This uplift has meant an increase in the thickness of cavity walls, and therefore a reduction in floor space of approved schemes.

As the widths of the living accommodation as originally designed were already minimal, we decided to apply for a Non-material Amendment following a Grant of Planning Permission to rectify.

Explaining on the form the purpose of the application as ‘joining the two pairs of semi-detached houses to create 4 no. terraced houses; removal of the proposed dormers and increasing the height by 865mm, to be replaced by attic trusses with roof lights.’

We stated why we wished to make this amendment as follows:

‘The recent change of building regulations Part L has increased thermal requirements, resulting in a thickening of external wall construction. So rather than narrowing each house, we would like to utilise the space between the approved semi-detached houses. The use of attic trusses will allow greater head room, whilst not increasing the ridge height.’

Our application was not accepted for consideration as a Non-material Amendment, and instead we were asked to submit a full application for a change of house type.

This was submitted as requested.

Our scheme illustrated the site plan with the proposed houses on the same footprint and ridge height as previously approved, albeit with the gap between semi-detached houses omitted and utilised as internal floor space.

Amending the house type to be a row of terraces echoes the character of the surrounding properties, which we thought to be beneficial to the conservation area.

Although the eaves height was drawn at an increased height, this enabled the removal of the dormers, which are not a feature of the conservation area, and which again we perceive as beneficial to the character of the conservation area.

One consultee, the Conservation Officer wrote that although the design would be top heavy, the impact on the conservation area would be neutral.

Without any dialogue between ourselves and the Local Planning Authority, our application was refused for the following reason:

‘The proposed development would, by reason of its design, be a prominent and intrusive feature in the street scene and would therefore be seriously detrimental to the visual amenities of the area.’

Our opinion is that the revised design is no more prominent or intrusive than that previously approved, with any differences being minimal.

In providing their statement in accordance with Article 35(2), Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015, the local authority state that the proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

We consider that our revised design embraces the uplift of building regulations standards, improving environmental conditions as required by regulation, and improving the social aspect by enhancing personal space standards.

Amendments to the revised scheme could have been applied in the detailed elevational design to reduce the apparent top heavy appearance, which we would still endeavour to modify.

We are convinced that our revised proposals both benefit the social and environmental conditions, and also enhance further the character of the conservation area.

We therefore respectfully request our appeal be upheld.

Yours sincerely,

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