

DELEGATED REPORT

Report by Amanda Uhunmwagho	Date of report: 09/12/2025	Ref: 72200/FUL
Registration: 30/10/2025	LDfC: 25/11/2025	Expiry Date: 25/12/2025
Site Visit: 26/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 1	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with dormers at front and rear

Location: 29 Hawthorn Avenue, Ramsbottom, Bury, BL0 9UZ

Description

The application relates to a semi-detached bungalow on Hawthorn Avenue, Ramsbottom. At the front there is a small garden area with a short brick wall along the front boundary and parking for one vehicle. Access to the rear of the site is via a gate to the side of the dwelling. At the rear there is a single storey extension. The area is partially paved with a raised lawned area. There are fences to all boundaries.

The proposal is to erect dormers to the front and rear of the existing dwelling providing a new bedroom, en-suite shower room and an office. At the rear the dormer would be built up from the rear wall and it would extend across the whole of the rear of the roof. The dormer to the front would be smaller and set back from the front elevation. The roofs would be flat.

Relevant Planning History

66072 - Prior Approval for proposed single storey rear extension - Prior Approval Not Required - Extension 19/11/2020.

Publicity

We wish to object to the proposal for a loft conversion with dormer.

- The proposal is not in accordance with planning permission requirements for a dormer at the REAR. The proposal is in fact a full first floor extension at the REAR and is NOT a dormer (reference document 1 attached).
- The proposed REAR "dormer" will directly and significantly OVERLOOK our home and our outdoor garden seating area.
- There will be a severe and complete LOSS OF PRIVACY at both the rear and side of our home.
- A modification to the proposal is presented below with supporting information.

-A modification to the proposal is presented below with supporting information and attached documentation.

The proposed REAR "dormer" is NOT a dormer. It is an additional full 1st floor at the REAR rather than a dormer. This is not in accordance with the Bury planning application proposal title "Loft conversion with dormers".

In addition, the proposal is not set back a minimum of 1m from the rear wall of the main

original property. To support this, it is clear that the proposal at the rear is NOT a dormer and is approximately 1/3 bigger than the dormer at the front elevation (reference document 1 attached).

The rear dormer will have a view into our home including our dining room table and bedrooms at the rear of our house. In addition, the proposed dormer will directly overlook our garden seating area at both the rear and side of our home. The whole garden deck will be in full view from the proposed rear dormer.

Loss of privacy will also occur because external doors at the rear of our home and also the external side door to our house and the garage side door will be DIRECTLY overlooked. We will not be able to enter or leave a rear door or side door of our home without being fully overlooked by the proposed dormer at all times.

The height of the proposed dormer is HIGHER than the existing skyline of the applicants house. The proposal will change the roofline to be higher than existing. This is not in accordance with standard planning permission.

As a compromise, we have no objection to the following design modification.

- REAR elevation to have roof line windows at the same slope/pitch of the existing roof (ie Velux type windows) and maintain the original roof slope and appearance of the applicants house as viewed from the rear, and as viewed from our home. To be clear a loft project with dormer at the front elevation has no objection.

- To support this. The above REAR elevation modification should be in accordance with the EXISTING rear loft/Velux window arrangement and layout at the ADJACENT neighbouring property 31 Hawthorne Avenue. (Reference document 2 attached).

Photos of the drawings with notes added have been included with the objection.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
PfE	Places for Everyone

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 main considerations of this application are the impact of the proposal on visual and residential amenity.

Visual Amenity -

SPD 6 and UDP Policy H2/3 seek to achieve a high standard of design that compliments the original building, and does not have a detrimental impact on the character and appearance of neighbouring properties and the general street scene.

The proposed finished materials to the dormers would be considered acceptable in this location, as would smaller front and rear dormers. It is noted that front and rear dormers which would be set down from the existing ridge may be acceptable at this location, however, the proposed dormers would be constructed in such a way that the roofs would be around 150mm higher than the existing ridge at the property. This clearly contravenes the requirements as set out in SPD 6 where it advises in Para 6.1 that;

'dormers with pitched roofs should not project above the original ridge line. In all other cases the roof of the dormer should be 0.5 metres or more below the main ridge line;'

If built as proposed it would result in the building appearing incongruous on the pair of semis and in the wider streetscape, and it would therefore be unacceptable in terms of visual amenity and contrary to UDP Policy H2/3 and guidance in SPD6.

The proposed development would, by reason of the new ridge height being higher than the

original ridge on the application dwelling and the attached property, be a prominent and intrusive feature in the street scene and neither appropriate to, nor sympathetic with the existing structure, or the attached property and therefore, would be significantly detrimental to the visual amenities of the area. The proposed development therefore conflicts with the following policy of the Bury Unitary Development Plan: H2/3 – Alterations and Extensions and associated Supplementary Planning Document 6: Alterations and Extensions to Residential Properties, and Places for Everyone Joint Development Plan listed.

Residential Amenity -

- The distance from the front dormer windows to the front boundary and neighbouring properties on the opposite side of Hawthorn Avenue would be acceptable in terms of SPD 6.
- Playing fields at Holcombe Brook Primary School are directly to the rear of the site.
- There are no residential properties directly to the rear of the site. No.14 Oak Avenue is located to the northwest of the site, but there would be no direct views over this property. The introduction of the dormer may increase some views over properties on Oak Avenue to the northwest of the site but it would not be sufficient enough to warrant refusal of the application, particularly as a rear dormer could be erected as permitted development.
- The distance from the rear dormer to the rear boundary would be acceptable in terms of SPD 6.
- The position of both the front and rear dormers would not have any significant detrimental effect on residential amenity at either of the adjacent properties.
- The drawings show that all of the development would be within the residential curtilage. As the extensions would be to the roof only there would be no detrimental impact on existing parking arrangements within the site.

Taking the above into account the proposal conforms to UDP Policy H2/3 - Extensions and Alterations and the requirements of Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties.

Existing development to neighbouring properties -

The agent has stated on the application form that the proposed dormer would be similar to others along Hawthorn Avenue. This is correct. Numbers 20 and 33 Hawthorn Avenue both have roof extensions similar to what is proposed. However, upon investigation no planning history was found for these properties, which means they have either been constructed without the appropriate planning permission, or they were built a long time ago, prior to the current policies and SPD 6 being adopted.

Even though the neighbouring properties have been extended with dormers that rise above the original ridges, there is no planning history for either property and the design would not be considered acceptable in terms of current policy and adopted guidelines. As such those properties cannot be used as precedent to support an approval at the application property.

Parking -

The proposal would increase the number of bedrooms from 2 to 3 and SPD6 requires parking spaces as set out in SPD 11 Parking Standards to be considered. This can then require the proposal to provide a maximum of 2 parking spaces. Parking would be as existing to the front drive which would be unaffected by the development and there is space for one vehicle. There may be potential for further on site parking if the applicant should require it. The area has on street parking and there is public transport available nearby. In this instance then the parking arrangements are considered sufficient.

Response to neighbour objection -

The neighbour's objections have been addressed in the visual and residential amenity sections of the report above.

In terms of loss of privacy at the objector's property, the site does not directly overlook the

property concerned. Direct views to the rear of the site would be over the grounds/playing field at Holcombe Brook Primary School. There are no residential properties directly to the rear of the site.

Although the introduction of a dormer to the rear of the application property may increase the resident's ability to view towards the objector's home and garden it would not be classed as direct overlooking and as such would not be a reason to refuse the proposal. It is also noted that the applicant could build a rear dormer, of a similar size as Permitted Development. The only reason the proposal is being refused is due to the fact that it would be higher than the existing ridge of the roof.

The objector stated that the dormer is not a dormer, but in fact would be a full first floor extension due to the fact the dormer would be built up from the outside rear wall, with no set back. They have advised the dormer wouldn't have the minimum 1m setback. Rear dormers are not required to have any setback. The minimum of 1m setback refers to dormers which would be to the front of a dwelling.

They have suggested that the applicant could install rooflights to the rear of the roof which would be similar to those at no.31 Hawthorn Avenue next door. Rooflights could be installed as permitted development at any time.

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

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 were 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.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development would, by reason of its size, position above the existing ridge and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area. The proposed development therefore conflicts with the Bury UDP Policy H2/3 - Extensions and Alterations and the guidance in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties in terms of visual amenity, and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
AU - 09/12/2025		DM 17/12/2025	