

DELEGATED REPORT

Report by Tom Beirne	Date of report: 08/04/2025	Ref: 71642/FUL
Registration: 11/03/2025	LDfC: 03/04/2025	Expiry Date: 06/05/2025
Site Visit: 08/04/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Loft conversion with rear dormer and 2 no. loft windows at front

Location: 2 Chestnut Grove, Radcliffe, Manchester, M26 1DQ

Description

The application relates to a two storey red brick terraced house on a residential cul-de-sac of similar styled properties. Small front garden and a dedicated parking area adjacent to the roadway.

The proposed box dormer would extend across the width of the rear roofplane. It would be level with the ridge and sit just above the eaves with a gap of approx 200mm on either side. Finished in roof tiles to match the existing roof. It would allow for two additional bedrooms and a study in the roofspace.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 13/03/2024. No objections received.

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 - The dormer would not be viewed from the road at the front and only glimpsed through gaps between houses from Sycamore Avenue, to the side/north. Although filling the rear roofplane, the dormer, given the 'permitted development fallback', on balance, would not appear particularly incongruous with the streetscape or out of keeping with the house.

The loft windows at the front would be 'permitted development'. The proposal is considered to be, on balance, acceptable and complies with UDP Policy H2/3 Alterations and Extensions and guidance in SPD6 relating to visual amenity.

Residential amenity - The rear garden measures approximately 13m to the rear boundary and this is sufficient to mitigate any serious overlooking from the dormer windows. There are no objections from neighbours and the proposal is acceptable in terms of residential amenity and complies with UDP Policy H2/3 Alterations and Extensions and guidance in SPD6.

Parking - The existing parking area adjacent to the roadway would not be affected and this is considered to be acceptable and compliant with UDP Policy H2/3 Alterations and Extensions and guidance in SPD6.

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

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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.

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 drawings numbered S1, 01 and 02 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>
Tom Beirne	08/04/2025		