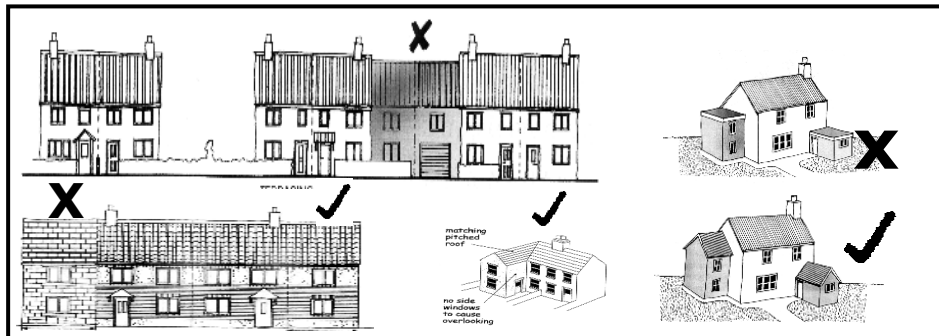

DEVELOPMENT CONTROL POLICY

GUIDANCE NOTE 6

Alterations and Extensions to Residential Properties

Adopted 17th March 2004 – Draft Amended Version



This guidance note is aimed at applicants for domestic extensions, their architects and all others involved in the design and siting of extensions and alterations. Advice is set out as follows:

- **General Guidance for all domestic extensions**
- **Detailed Guidance on:**
 - Single storey extensions
 - Conservatories
 - Two storey / first floor extensions
 - Extensions to three storey dwellings or above and apartments
 - Dormer / roof extensions
 - Garden structures
 - Supplementary Family Annexes
 - Garages / car ports
 - Garden space
- **Other Considerations**
- **Further Advice and Contacts**
- **Appendices**
 - The 45 Degree Rule (Appendix 1)
 - Details Required for Planning Applications (Appendix 2)

1 - INTRODUCTION

- 1.1 This guidance note is aimed at applicants for domestic extensions, their architects and all others involved in the design and siting of extensions and alterations. It contains the general principles and guidelines that the Council will use to assess proposals for domestic extensions.
- 1.2 Whilst these guidelines seek to provide some clarity on this issue, **all proposals will be considered on their individual merits**, and the Council acknowledge that there may be certain circumstances where the standards are not applicable.
- 1.3 The advice note provides supplementary guidance to the following Policy for house extensions in the Bury Unitary Development Plan:

Policy H2/3 – Extensions and Alterations

Applications for house extensions and alterations will be considered with regard to the following factors:

- a) **the size, height, shape, design and external appearance of the proposal;**
- b) **the character of the property in question and the surrounding area;**
- c) **the amenity of adjacent properties; and**
- d) **visibility for pedestrians, cyclists and drivers of motor vehicles.**

Justification

This policy is concerned with ensuring that extensions and alterations to residential properties are of a high standard. Extensions and alterations to dwellings, including garden extensions and garages, can be visually intrusive; restrict daylight, privacy and outlook to neighbouring properties; and unacceptably reduce the available garden area. For all these reasons it is necessary to adopt standards to control the design, form and size of proposed extensions and alterations to ensure that they are sympathetic in nature with the original building and surrounding area. The Council will issue more specific guidance on these matters as necessary.

- 1.4 Further advice can be obtained by contacting Bury's Development Control teams (see Section 5) and it is strongly advised that proposals are discussed in advance of a formal planning application.
- 1.5 The Council will notify your neighbours of any proposal and it is advised that you consult with your neighbours yourself before submitting a planning application.

Do You Need to Apply for Planning Permission/Building Regulations?

- 1.6 Homeowners have certain rights to extend their home without the need for planning permission. These rights are contained in the Town and Country Planning (General Permitted Development) Order 1995 and are referred to as Permitted Development.
- 1.7 Interpretation of the Order can be quite complicated. Advice on the regulations can be obtained from a planning officer from this Council and guidance is available in leaflet form.
- 1.8 Some dwellings may have had their Permitted Development rights removed or have certain conditions attached and, therefore, planning permission may be required to carry out an extension regardless of its size. Therefore, this **should be checked with a planning officer from Bury Council before building work is started**. This can be done by submitting an accurate site plan and dimensioned sketch of the proposed work.
- 1.9 Should you require written confirmation that your specific proposals do not require planning permission it will be necessary to make a formal planning application to the Council for a Certificate of Lawful Development (section 192 of the Town and Country Planning Act 1990) for which a fee is payable.
- 1.10 In addition to planning permission (and in some cases where planning permission is not required), most structural alterations or extensions to dwellings will require Building Regulations Approval. Advice on this issue can be obtained from the Council's Building Control Section and a contact is given at the back of this guidance (see Section 5).
- 1.11 Further information and advice on both Planning issues and Building Control Regulations can be found on the Council's web site <http://www.bury.gov.uk/Planning/home.htm>.
- 1.12 Applicants should also be aware that planning permission does not bestow a right to build. Other issues, such as landowners consent, Party Wall Act and the specific deeds of a property will need to be considered.

2 - GENERAL GUIDANCE APPLICABLE TO ALL EXTENSIONS

- 2.1 A frequent problem with domestic extensions is when incompatible designs and materials are applied to a proposal, resulting in a poor relationship with the original building or street scene. Therefore, any application for a domestic extension will not normally be permitted unless the proposal:

- achieves a high standard of design and give the appearance of being part of the original building. Specific features, such as doors, windows and roof style and eaves, should particularly reflect the dwellings original shape, size, alignment and architectural integrity;
- complements the original building through the use of matching materials and by reflecting the design, massing, bulk, detail, proportion, scale and style of the original building, so as not to dominate it;
- does not detract from the character of neighbouring properties through siting, excessive bulk, ill-matched materials or inconsistent design;
- does not detract from the appearance of the street-scene or general character of the surrounding area;
- does not significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties;
- does not invade privacy through direct overlooking from windows or balconies;
- does not significantly reduce the amount of usable amenity space for the property or adjacent property to an unacceptable degree;
- does not significantly harm the outlook of neighbouring properties;
- has regard to the visibility of pedestrians, cyclists and drivers of vehicles;
- does not require the removal of, or damage to, significant or prominent trees or other natural landscaped features; and
- has reasonable regard to safety and security, including helping to design out crime.

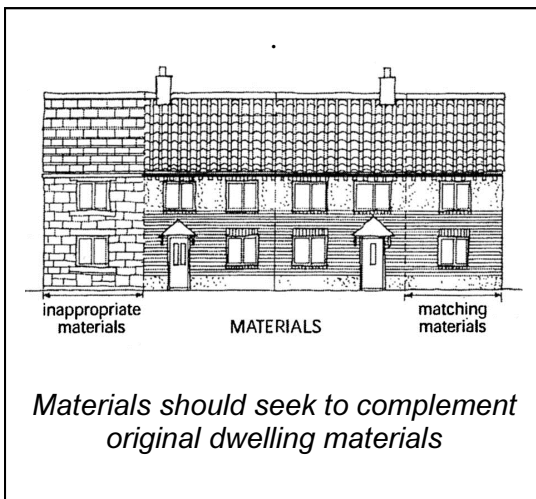


Diagram 1

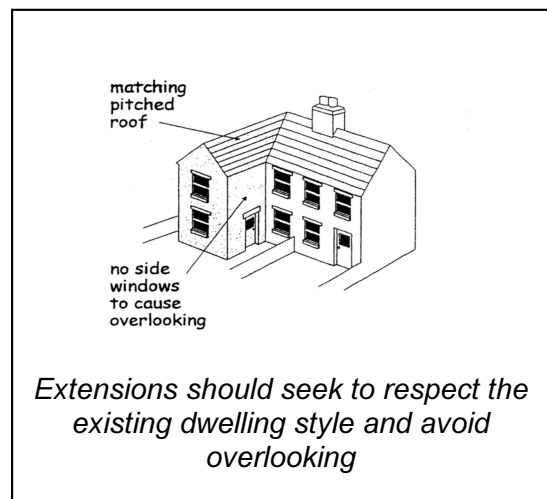


Diagram 2

Aspects

2.2 The separation between aspects of dwellings is an important consideration and in order to maintain adequate privacy distances and at the same time avoid overbearing relationships, the Council will seek to ensure that extensions:

- maintain a minimum distance of 13m between a principal window to a habitable room (e.g. living rooms and bedrooms) in one property and a two storey blank wall of a neighbouring property;
- maintain a minimum distance of 6.5m between a principal window to a habitable room in one property and a single storey blank wall of a neighbouring property; and
- maintain a minimum distance of 20m between habitable room windows in properties that are directly facing each other.

2.3 The above standards will need to take into account any significant change in levels **or new accommodation to be provided at a higher storey** which may result in, for example, principal windows to single storey extensions having the same effect as a two storey extension. **In this regard there should be an extra 3 metres of separation for each 2.5m or one storey of height difference in each of the above cases.**

2.4 In terms of aspects between principal windows in habitable rooms ¹, the Council will consider whether there are any special circumstances or features such as screen fencing, which will avoid any loss of privacy particularly between windows at ground floor level.

3 - DETAILED GUIDANCE

3.1 The general principles set out in Section 2 should not be regarded in isolation and proposals should also be considered against the more detailed guidance outlined in this section for particular types of extension.

¹ A principal window is that on the main aspect to the property and would normally be the larger window where there is more than one.

A habitable room is defined as a room in which a resident would normally expect to have reasonable levels of privacy for relaxation. This normally would be a living room, bedroom or dining area. A kitchen, study, work room, utility room or bathroom are not normally defined as a habitable room.

Single-Storey Side Extensions

3.2 In addition to the advice in Section 2, all single-storey side extensions should have regard to the following issues:

- flat roofed side-extensions to properties with a pitched roof will not be permitted; and
- single storey side extensions on corner plots should not normally occupy more than half of the available width of the side area or should normally leave a minimum of 2m from the back of the public highway to the side wall of the proposed extension. However, a lesser set back may be acceptable where the prevailing pattern of development in the locality is typified by relatively shallow frontages.

Single-Storey Rear Extensions

3.3 In addition to the advice in Section 2, all single-storey rear extensions should have regard to the following issues:

- where the proposed extension would be on or adjacent to the boundary of an adjacent property it should not normally project in excess of 3m beyond the line of the adjacent rear wall of that property; and
- proposals for larger extensions will not normally be permitted unless it can be demonstrated that the amount of daylight and sunlight enjoyed by neighbouring properties would not be significantly reduced as assessed against the 45° rule (see appendix 1)

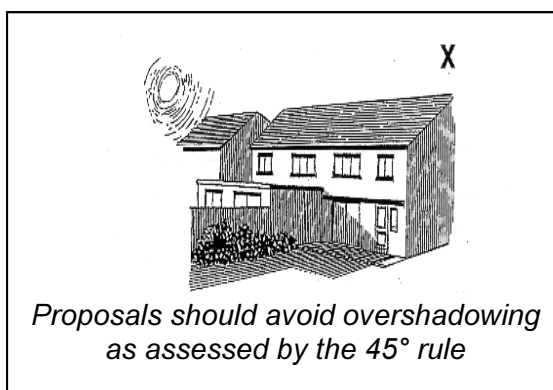


Diagram 3

Front Extensions/Porches & Canopies

3.4 Generally, there will be a presumption against extensions at the front of a property due to the need to protect the character of existing street scenes. A small scale extension to the front of a property may be acceptable and the most common proposals are for front porches. In addition to the advice in

Section 2, applications for front extensions will be considered against the following:

- existing architectural features, such as bay windows, stonework, materials and design should not be harmed;
- pitched roofs will be required;
- the size and shape should respect the height and proportions of the original dwelling; and
- they will not be permitted if they project excessively from the original front wall.

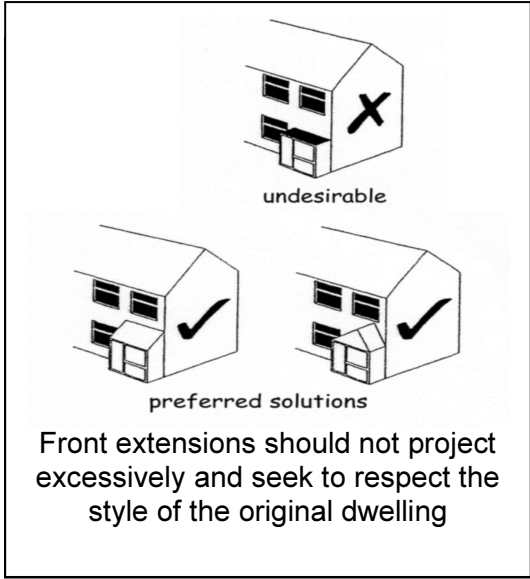


Diagram 4

Conservatories

3.5 For the avoidance of doubt, a conservatory is classified as being an extension to a dwelling in planning terms and is, therefore, subject to the same guidance and advice contained in this note. In addition to the advice in Section 2 and paragraphs 3.2 and 3.3, applications for conservatories will have regard to the following factor:

- to maintain privacy, where a conservatory is close to a building boundary of an adjacent dwelling, sufficient screening should be provided either through the use of obscure glazing, use of a wall/fence/hedge or by making a side of a conservatory wall solid.

Two-Storey/First Floor Side Extensions

3.6 When assessing proposals for two-storey side extensions the Council will seek to prevent the loss of gaps between buildings (terracing effect), particularly where gaps are important to the visual character of the street scene. This is to prevent two storey side extensions on semi-detached and detached dwellings creating the appearance of a terraced row of houses.

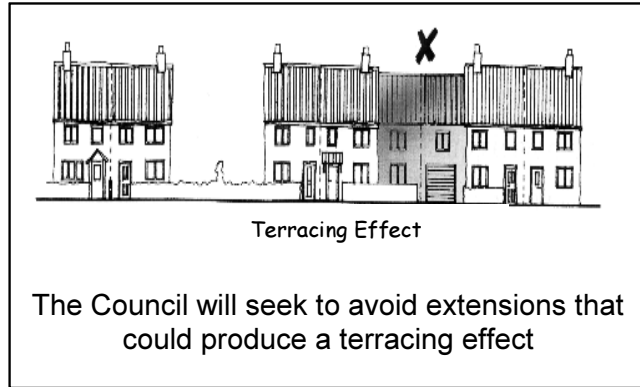


Diagram 5

3.7 In addition to the advice in Section 2, all two-storey side extensions should have regard to the following issues:

- two-storey side extensions that would potentially produce a terracing effect will not be permitted. In order to prevent this, the Council will require a set back of **the first floor by 1.5 metres** if the extension extends up to the shared boundary unless a gap of at least 1,5 metres is maintained (see diagram overleaf). Please note that this requirement will not apply to corner sites, properties abutting corner sites, 'open space', or areas that have a very irregular building line and where adjacent properties are of different types (e.g. bungalows next to houses, already terraced character, very short rows of houses) **or where there is only a head on view of the house at a cul-de-sac head and a 1m side gap is maintained to the boundary;**
- flat roofed extensions will not be permitted;
- extensions on corner plots should be set back to respect the street scene and should have suitable boundary treatments. They will normally be required to **occupy not more than half of the available width of the side area or to leave a minimum of 2m from the back of the public highway to the side wall of the proposed extension. However, a lesser setback may be acceptable where the prevailing pattern of development in the locality is typified by relatively shallow frontages**
- **Extensions will not normally be permitted where they would encroach beyond a prescribed line that is determined by a 45° angle from the mid point of an adjacent property's rear principal window to a habitable room (see appendix 1).**

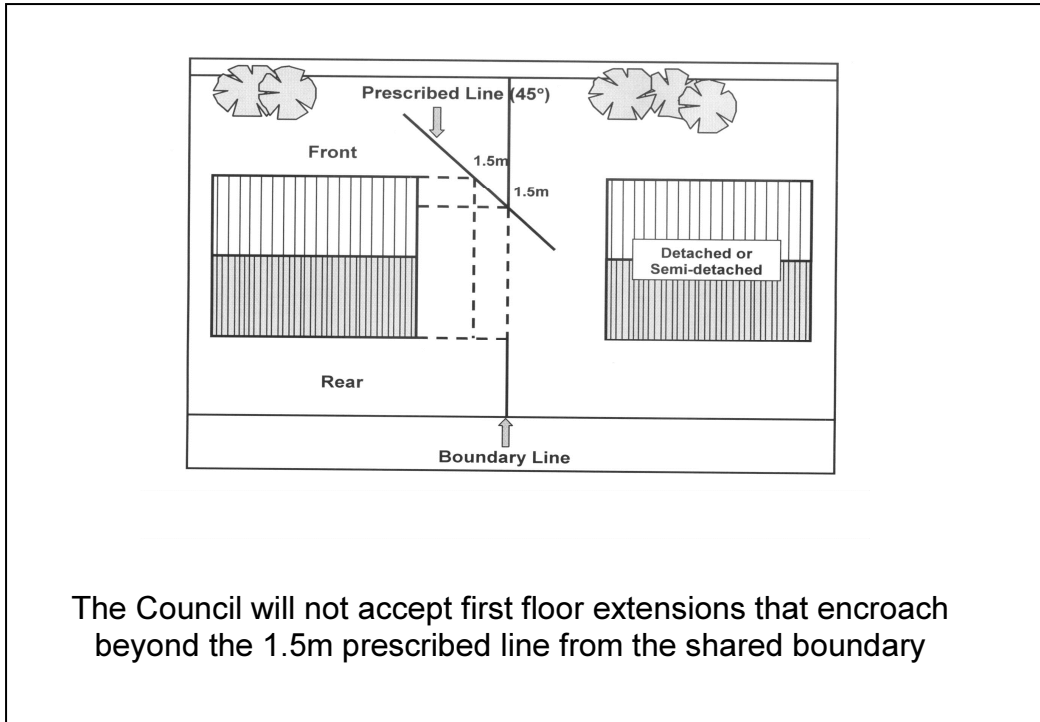


Diagram 6

Two-Storey Rear Extensions

3.8 In addition to the advice in Section 2, all two-storey rear extensions should have regard to the following issues, particularly where an adjoining property has not been extended at ground floor:

- **Where the extension would be on or adjacent to the boundary of an adjacent dwelling and where there is a party wall it should not normally project in excess of 1 metre from the original rear wall of the property. Beyond the 1 metre point the extension should not encroach beyond a 45° angle taken from the boundary at the 1 metre point (see diagram 7)**
- **flat roofed extensions will not normally be permitted.**

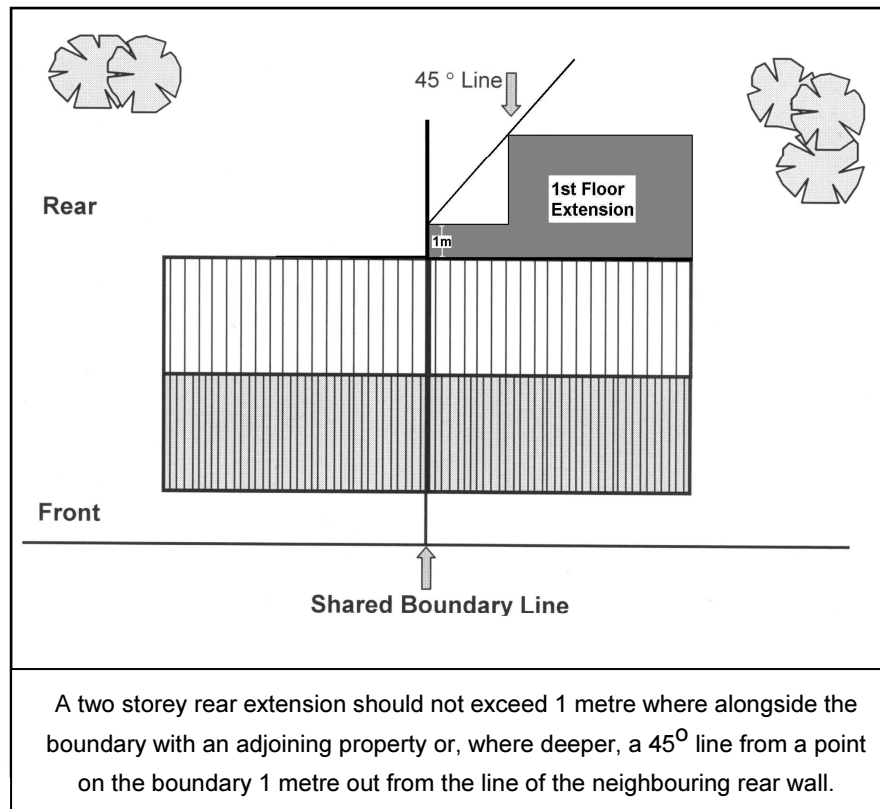


Diagram 7

Extensions to Three Storey Dwellings or Above & Apartments

- 3.9 The above guidance concentrates on single storey and two-storey extensions. Although less common, proposals may come forward for domestic extensions on dwellings with three or more storeys and apartments. The potential for such proposals is increasing with the house-building industry introducing three-storey town houses into their developments to meet density requirements and the demand for apartments is growing with changing demographics and smaller households.
- 3.10 Any proposals for extensions on such properties will be assessed against the general guidance and standards contained in this advice note including the impact on the original property, adjacent properties and the general street scene. Factors such as design, overlooking, overshadowing, materials, scale and outlook will be taken into consideration.

Dormer/Roof Extensions

3.11 The Council will seek to ensure that proposals for dormer/roof extensions preserve the character of the street scene, especially where dormers on existing neighbouring properties are absent. Proposals for dormer/roof extensions will be assessed against the following criteria;

- materials to be used for roof extensions should complement the existing roof material;
- dormers facing a highway should not **occupy a disproportionately large portion of the roof**;
- **gabled** dormer extensions 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 original ridge line**;
- dormers which wrap around the side ridges of a hipped roof are not acceptable;
- the face of a dormer should be set back by a minimum of 1m behind the original wall;
- dormers should be set in **by not less than 0.5 metres** from side/party walls;
- dormer windows should seek to line up vertically with existing windows and match their style and proportions;
- flat dormer roofs should be avoided, unless considered more appropriate to the particular building or the street scene;
- any dormer which results in undue overlooking of a neighbouring property will be unacceptable **and dormers will be expected to maintain the aspect distances set out in paragraph 2.2**;
- properties with limited roof space due to shallow pitches may be unable to incorporate dormers successfully. Where this is the case the Council will seek to avoid unacceptably large dormers that are disproportionate to the original building and are out of character with the street scene;
- the Council will not normally approve proposals for a change from a hipped roof to a gable **end where the adjoining house has a hipped roof. Consideration will also be given to the predominant roof form in the surrounding area.**
- the Council will encourage the conversion of existing flat roofs to pitched roofs.

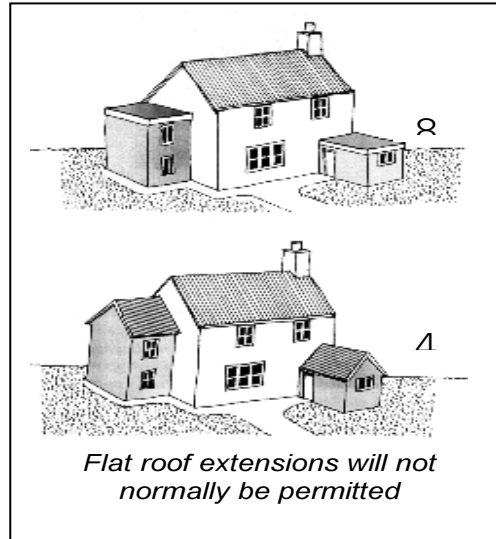


Diagram 8

Garden Structures

3.12 Where planning permission for garden structures is needed (e.g. summerhouses, sheds and greenhouses) proposals will be assessed with regard to the following issues:

- **garden structures will not normally be allowed to the front of domestic properties (or side on corner plots);**
- **they should be in proportion to the existing dwelling; and**
- **they will be considered against the general principles included in this guidance note including amenity concerns and visual dominance.**

Supplementary Family Annexes

3.13 Proposals to build a supplementary family annexe will be considered on the individual merits of a scheme, having regard to the general advice contained within this guidance note. In addition, the following criteria will normally be applicable to proposals for such proposals:

- **they are physically connected to the main property;**
- **they remain ancillary to the original dwelling at all times;**
- **they should not have separate vehicular access; and**
- **they should only have one bedroom.**

Garages / Car Ports / Parking Spaces

3.14 In addition to the advice in Section 2, proposals for garages and car ports that are over dominant in relation to the existing and surrounding properties will not be approved, particularly in prominent locations. Therefore:

- the Council will seek to ensure that that there remains the ability to accommodate at least one vehicle length of 5.5m within the curtilage of the property after the construction of a garage extension;
- Car parking spaces should be 4.8m x 2.4m.

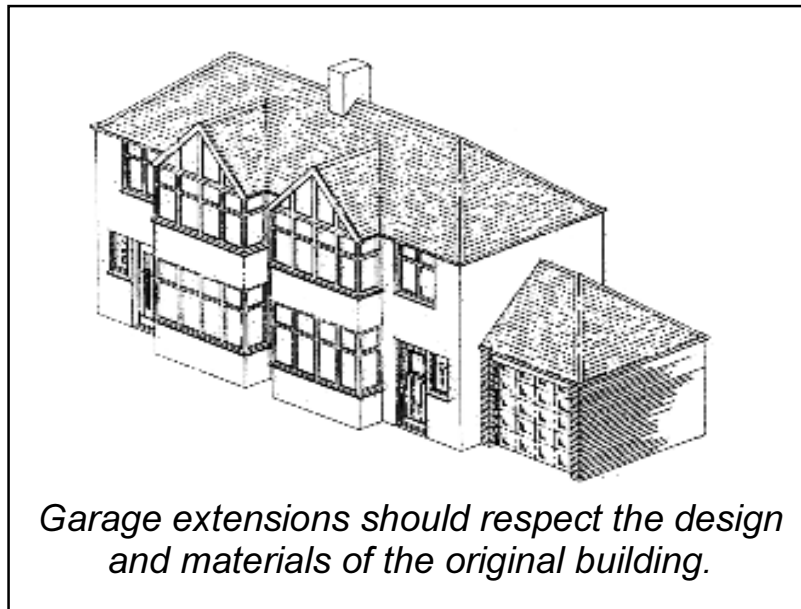


Diagram 9

Garden Space

- 3.15 The Council is keen to ensure that enough private garden space is left after any extensions in order to avoid over-development and protect neighbouring amenity.

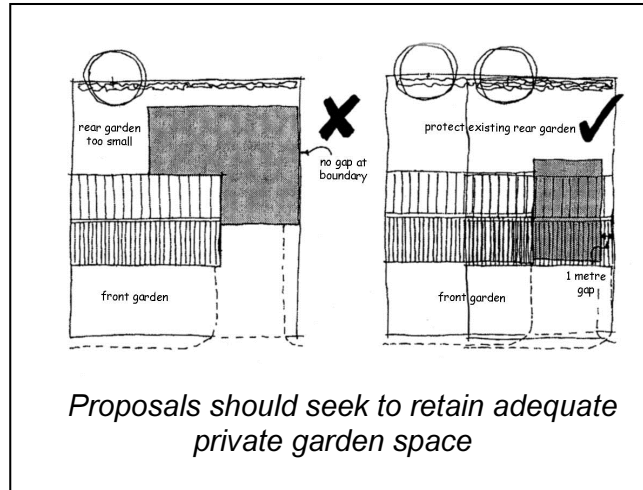


Diagram 10

- 3.16 In many instances, the development of forecourts has harmed the traditional layouts and setting of some streets. Therefore, the Council will seek to retain front garden space and features such as original walls or landscaping which add to the value of quality streetscapes.
- 3.17 Applicants can make proposals for forecourts more acceptable by retaining as much sense of enclosure as is practical by the retention or introduction of boundary features, such as railings, gates and hedges for example. Minimising areas of hard surfacing and generous planting can also limit the impact of such proposals.

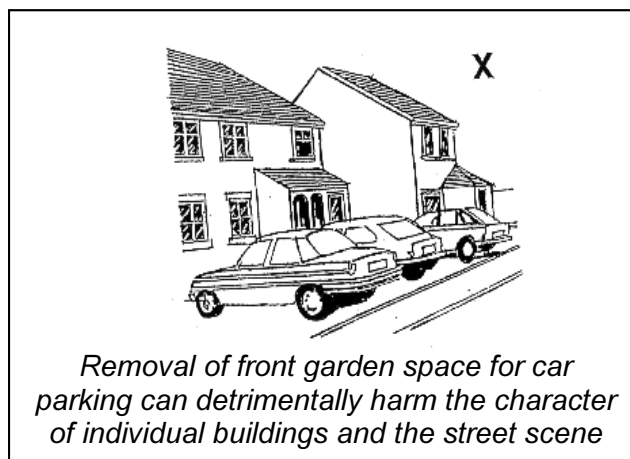


Diagram 11

- 3.18 Proposals for new or replacement fences, walls or other means of enclosure will be considered in terms of their impact on residential amenity, highway

safety and the visual character of the surrounding area e.g. “open plan” estates.

4 - OTHER CONSIDERATIONS

4.1 In addition to the general principles and detailed guidelines outlined above, applicants should also take account of the following issues which may affect proposals.

- **Highway Safety:** proposals for extensions, particularly front and side extensions, should allow for the safe manoeuvrability of vehicles entering and leaving a property. Therefore, the Council will ensure that adequate visibility splays are maintained after domestic alterations take place. As a general rule, alterations and extensions should not involve the loss of existing off-street car parking unless adequate provision is provided elsewhere within the domestic curtilage. In order to enable a vehicle to stand clear of the highway, a minimum hardstanding length of 5m should be accommodated within the curtilage of the property after the construction of an extension (excluding a garage extension which requires a minimum driveway length of 5.5 m measured between the highway boundary and any proposed garage doors). Proposals that would cause an unacceptable level of danger to both pedestrians and users of roads will normally be refused. The Council will, therefore, require visibility splays of 2.4 x 2.4 in pedestrian routes.
- **Designing Out Crime:** in designing and siting proposals for extensions, applicants should consider measures that tackle safety and crime concerns, including using natural surveillance and defensible space. Simple features such as using prickly shrubs can have a positive effect on crime deterrence. Proposals that are considered to have a negative impact on crime prevention may be refused.
- **Neighbour's Consent:** if a proposal encroaches onto neighbouring land, including foundations and overhanging of gutters, the neighbour's permission will be required before work can begin. Where this is the case an applicant must serve notice on the owner and provide a Certificate B with any planning application to confirm that this has been done. Copies of the relevant certificates and notices can be obtained from the planning department or its web-site. **The service of notice is a notification procedure only and does not imply that the grant of planning permission would also grant a legal right to encroach onto land that is not within the ownership of the applicant.**
- **Trees and Landscaping:** proposals should not have a detrimental impact on significant and prominent trees and natural landscaped areas which make an important contribution to public amenity and the environment. Extensions should avoid being sited where they would necessitate the removal of, or damage to, quality trees and other vegetation. Applicants should also be aware that trees may be covered by a Tree Preservation

Order or be within a Conservation Area and that the felling or lopping of such trees without the consent of the Local Authority is an offence.

- **Conservation Areas / Listed Buildings:** In addition to normal planning permission, Listed Building Consent is required for any proposed alterations to a Listed Building. Conservation Area consent is required for certain types of demolition within Conservation Areas.
- **Green Belt:** large areas of the Borough are designated as Green Belt and proposals for domestic extensions in such areas will be strictly controlled to ensure that proposals do not impact on the basic character and appearance of the Green Belt. Proposals for domestic extensions in the Green Belt should not normally exceed a third of the volume of the original dwelling. Large parts of the Green Belt are also covered by Special Landscaped Areas and the West Pennine Moors and the Council will expect particularly high quality designs and materials in such locations.
- **General Quality:** poorly designed and badly built extensions can result from attempts to save money in the short term but a sub-standard extension will remain an eyesore for many years and does not represent a sound investment (e.g. a flat roofed extension may initially be cheaper but in the long term may require repair and/or replacement at greater cost). It is, therefore, important to obtain the services of a competent architect and a builder who will use quality materials.
- **Environmental Efficiency:** The Council will support the use of sustainable materials and proposals that make the most efficient use of resources.
- **Storage of Refuse Bins/Containers:** With the advent of segregation of domestic refuse for recycling there is a need for householders to keep a number of wheelie bins and recycling containers. If they are not kept out of public view a group of these items is unsightly. Developments will be expected not to create a situation where such bins and containers would need to be normally kept in a prominent frontage location.
- **Special Needs of Disabled Persons:** The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

5 - FURTHER ADVICE & CONTACTS

- 5.1 To find out more about planning or building control issues before making a formal submission the following address and contacts may be useful.

Planning Address & Web-Site

Bury Metropolitan Borough Council
Environment & Development Services
Planning Division
Craig House
5 Bank Street
Bury, BL9 0DN
Web site: www.bury.gov.uk/planning/home.htm
Email: planning@bury.gov.uk

Phone Numbers

Development Control
0161 253 5432

Building Control Section
0161 253 5313

Development and Building Control Administration
0161 253 5096 / 5314 / 5315 / 5316 / 7638 / 7369

Landscape Practice
0161 253 5267 / 5268 / 5271 / 5622

APPENDIX 1 – THE 45° RULE

The 45° rule is designed to ensure that proposals for extensions do not have detrimental impact on a neighbouring properties right to daylight and sunlight, by avoiding unacceptable levels of overshadowing.

It is devised from the mid-point of the cill of a principal window (or 1200mm height for patio doors), where two lines at 45° are measured. **In the case of a conservatory the point for setting the 45° angle would be the central point of the glazing on the rear elevation.** The plane connecting the two lines are then tilted to an angle of 25° above this rising plane. Proposals that encroach across these lines may be deemed to have an unacceptable impact on overshadowing and may not be permitted. **The restriction will operate for a distance of 12 metres along the 45° line.**

The two diagrams below illustrate how the 45° rule would operate in practice.

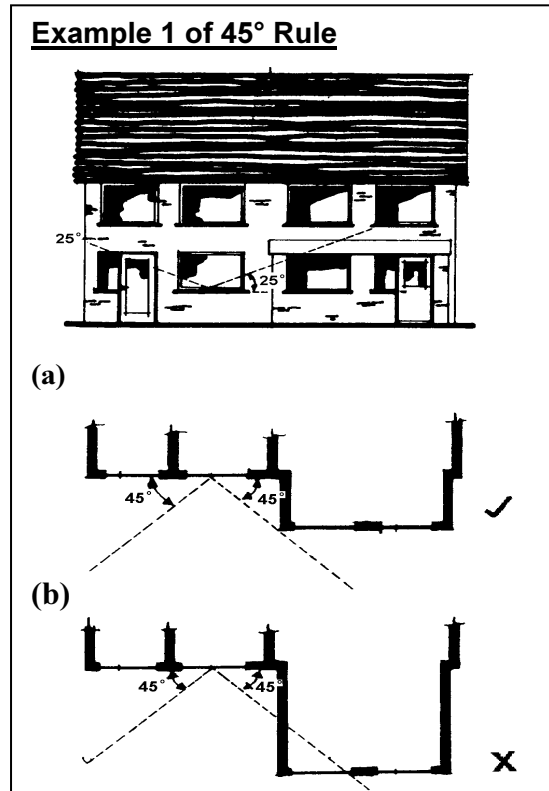


Diagram 12

In the first example, the single storey extension shown would be acceptable if its depth is limited as shown on plan (a). However, if it extends further as shown in plan (b) it becomes unacceptable.

The second example is applicable if the dwellings are staggered. The extension shown on the plan encroaches across the 45° line. However, if the extension is single storey and below the 25° line (elevation (a)) then it would be in accordance with the 45° rule. However, if the proposal is two storey and it encroaches on the 25° line (elevation (b)) it becomes unacceptable.

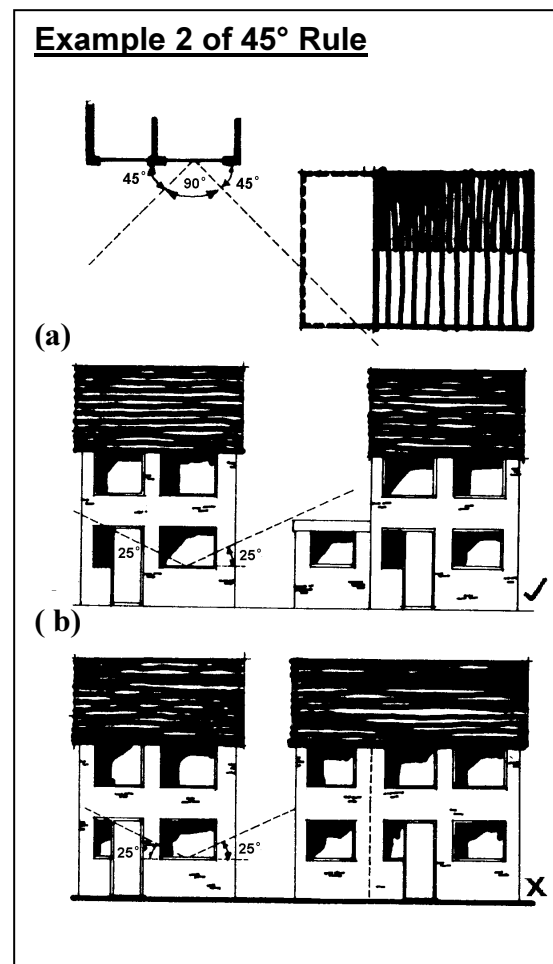


Diagram 13

APPENDIX 2 – Details Required for Planning Applications

1. **Householder application form** (3 copies) – fully completed and signed.
2. The correct **Certificate of Ownership** (1 copy) required by law in order to identify anyone who has an interest in the land.
 - Certificate A if you own the land (on the back of the application form)
 - Complete the Agricultural Holdings and tenancy statement (ie. cross out 2a or 2b as appropriate)
 - Contact the Department if other ownership is involved and Certificates C or D are needed.
3. **A covering letter** with any other relevant information in support of your application, including also copies of any correspondence arising from discussions with planning staff prior to submission.
4. **The correct fee.** Contact the Department to ascertain the amount required (0161 253 5314)
5. **Plans and drawings.**

The plans and drawings are a very important part of any application and are needed so that not only the Council understands the proposal but also any persons consulted, including your neighbours.

The plans need to show more than just your property or what you want to do. This is because the decision to approve the plans may depend on how your proposal affects surrounding properties and, therefore, the following will be required:-

- a) 3 copies of an **Ordnance Survey based location plan** at a scale of 1:1250 or 1:2500 with the application site boundaries edged with a red line and any other land you own edged with a blue line. This location plan should show:
 - at least two (if practicable) named roads
 - surrounding buildings and
 - the direction of north.
- b) 3 copies of accurate scaled drawings showing **the existing and proposed site layout** at a scale of no less than 1:200 or 1:500. This should include;
 - all buildings and structures, gardens, walls, hedges and fences, open spaces and car parking at your property; and

- adjacent houses and buildings, including the location of any windows.
- c) 3 copies of accurate scaled drawings showing **the existing and proposed elevations** at a scale of not less than 1:100 and with any dimensions shown in metric measurements.
- d) The drawings of both existing and proposed situations should give details of:-
- Site layout – showing the site boundaries, access to the highway, other physical features including trees, adjacent properties and the position of habitable room windows
 - Floor plans
 - Elevations affected
 - Roof plans as necessary
 - Drawings should show the whole of the property
 - The maximum size of drawing should be A1
- d) **Photographs** are helpful and are useful in understanding the proposals.
6. The following information may also be needed to validate your application. If in doubt you should check with us on 0161- 253 5432:
- **Existing and proposed sections** at a scale of not less than 1:100.
 - **A Supporting Planning Statement** to describe the proposals and a **Design Statement** discussing the chosen design solution including the details of proposed materials to be used for walls, roof, windows, doors, hardstanding and boundary treatments such as walls, fences and hedges.
 - Details of **any new or altered access** to any public highway accessway or public right of way.
 - **A flood risk assessment** in locations subject to flooding.
 - **A tree survey** if any trees are to be removed, lopped or topped.
 - **Possible contamination.** Details of any works that need to be carried out as part of the proposed development to prevent any risk from land contamination eg. gas protection membranes (to prevent ingress of landfill gas or other gases) and garden cover systems (to prevent contact with contaminated soils)

All sections **MUST** be answered for an application to be valid. If you are in any doubt about the information you are submitting please e-mail the Development Control section on development.control@bury.gov.uk or phone 0161-253 5432.