

## **DELEGATED REPORT**

**Report by** Amanda

**Date of report:** 03/09/2025

**Ref:**72145/FUL

Uhunmwagho

**Registration:** 14/07/2025

**LDfC:** 13/08/2025

**Expiry Date:** 08/09/2025

**Site Visit:** 19/08/2025

**Site Notice:** N/A

**Press Date:** N/A

**Objections:** 0

**Con Area:**

**Adv Type:** N/A

**Reason for Delay:**

**EIA:** NA

N/A

**Dec Level:** DEL

**Stat Class:** HOUS

**Proposal:** Two storey side extension; single storey front and rear extensions and extension of existing vehicular access and driveway

**Location:** 289 Ainsworth Road, Bury, BL8 2LS

### **Description**

The application relates to a two storey semi-detached house with gardens to the front and rear of the dwelling. The front area is completely paved and there is a low brick wall along the front boundary with iron gates for pedestrian and vehicular access. There is a gate to the side of the house for access to the rear garden. At the rear of the property there is a patio area which is slightly raised to the rest of the garden area and there are fences to all boundaries, along with planting to the side and rear boundaries.

The proposal is to build a two storey side extension, single storey front and rear extensions and also to extend the existing vehicular access and driveway at the front. At the front the single storey extension would project 550mm forward of the existing porch and it would measure 5m wide. The roof would be pitched. The side extension would measure 2.7m wide x 8m long and it would be set back from the main front elevation by 750mm. There would be two ground floor windows to the side elevations, one to a utility room and one to a shower room. The roof would be hipped.

At the rear the single storey extension would project a maximum of 3.6m on the west side but it would be stepped back on the east side projecting 2.9m. It would measure 8.37m wide and the roof would be mono-pitched with 4 rooflights. The existing patio area would be extended slightly further out to the rear. All of the elevations, including the existing are to be finished with an off-white coloured K-render and all windows and doors, including the existing, would be dark grey coloured upvc.

At the front the existing driveway access would be increased to 5m wide and the dropped kerb in front would also be extended to the east. The drawings show that the driveway would be resurfaced with porous bitmac tarmac. This would be extended over the existing driveway area as well.

### **Relevant Planning History**

N/A

### **Publicity**

4 neighbours notified on 23/07/2025 - No objections received. One comment received. A neighbour questioned the proposed soakaway as the local soil is clay based, and the ground can become waterlogged after heavy rain, particularly in winter. They question if the soakaway would be effective under those conditions.

### **Statutory/Non-Statutory Consultations**

Traffic Section - No objections. Conditions and informatives suggested.

**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 design and finished materials used in the construction of the extensions would be considered to be in keeping with the existing building and it would remain similar to other properties along this stretch of Ainsworth Road.

At the front the first floor would be set back from the main, two storey front elevation by 750mm and there would be a gap of 850mm from the side of the extension to the shared boundary to the west. When added together these measurements would equate to 1.5m which is what would be required in terms of SPD 6.

As there are different types of driveway finishes and frontages along the road the change to tarmac and the widening of the existing access would not be considered significantly detrimental to the character of the existing streetscene.

Given the above the proposal conforms to 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.

#### **Residential Amenity -**

- There are no residential properties to the front of the site and to the rear properties on Fieldhead Avenue would be more than a sufficient distance from the site not to have any seriously detrimental impact on residential amenity at those properties.
- There would be two ground floor windows installed to the west side elevation of the two storey extension. These windows would face on to the blank two storey side elevation at no.291 Ainsworth Road which has been extended right up to the shared boundary. As such the position of these windows would not have any significant detrimental impact on residential amenity at this property.
- As the two storey and single storey front extensions would be built on the west side of the dwelling these parts of the development would not have any significant detrimental impact on residential amenity at no.287 Ainsworth Road on the east side.
- The single storey rear extension would project around 1.9m past the rear of no.287 and around 1.5m past the rear of no.291. These distances would be acceptable in terms of SPD 6.
- The distance from the rear of the extensions to the rear boundary would be acceptable in terms of SPD 6.
- The proposed materials for the driveway at the front would be porous which would help to prevent additional surface water run-off on to the highway in front and means the new surface would comply with SPD 6.
- The extension to the dropped kerb to the front of the site would not have any significant detrimental impact on residential amenity in this area.
- At the rear the existing patio is to be extended slightly further out to the rear. There is no indication of an increase in height which means this could be undertaken as permitted development.
- The agent has indicated on the proposed ground floor plan that there would be a soakaway installed to the rear garden for drainage from the dwelling. This would ensure that any extra surface water would drain on to the applicant's land only and not onto neighbouring land.

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 in terms of separation distance to the surrounding properties.

**Parking -**

The proposal would increase the number of bedrooms from 3 to 4 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 3 parking spaces. The site as existing has hardstanding to the front and the proposed drawings show that there would be two parking spaces within the site. At a push a third vehicle could be accommodated within the site boundary. However, there are no parking restrictions to the highway in front and the area is high access in terms of public transport. In this instance then the parking arrangements are considered sufficient.

**Response to neighbour comment -**

The soakaway has been addressed in the Residential Amenity section of the report above and any surface water would soak in to the applicant's own land. If the applicant finds that drainage does become a problem in the future they would need to address this appropriately, at the time. For the purpose of the planning application the soakaway as shown would be considered acceptable.

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

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 1 and 2 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 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.
- 3      The external finishing materials for the proposal hereby approved shall be off-white colour k-render to all elevations, grey slates to the main roof and single storey front elevation and dark grey Marley Modern tiles to the single storey rear extension, and dark grey coloured upvc doors and windows to the existing dwelling as well as the extensions.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 4 The extended driveway hereby approved shall constructed in a porous material and shall not be brought into use unless and until the footway crossing extension indicated on the approved plans and all associated footway remedial works have been implemented.

Reason - To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to 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.

- 5 Facilities for the storage of construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 Extensions and Alterations.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| AU - 03/09/2025     |             | DM - 04/09/2025         |             |