

DELEGATED REPORT

Report by Helen Pressley	Date of report: 28/08/2025	Ref: 72062/FUL
Registration: 10/07/2025	LDFC: 31/07/2025	Expiry Date: 04/09/2025
Site Visit: 28/08/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear extension

Location: 116 Ainsworth Road, Bury, BL8 2RX

Description

The application relates to a semi-detached dwelling house located on Ainsworth Road. The dwelling has pedestrian access to the front of the site, that leads through a front garden. To the rear of the site there is a further garden area that can be accessed from Back Ainsworth Road. The property has an existing detached outbuilding/garage to the rear, and single storey rear extension.

Planning permission is sought for the construction of a single storey rear extension that projects approximately 5955mm from the rear of the dwelling and would connect to the existing single storey outbuilding/garage which is proposed to be utilised as a garage/utility.

Prior approval has previously been granted for a single storey rear extension with a similar projection but that maintained a 200mm gap between the proposed extension and the existing outbuilding/garage.

Relevant Planning History

71891 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 08/07/2025

Publicity

Neighbour letters sent 10/07/2025.

No representations received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

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

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 extension would have a mono-pitch lean to style roof replicating the style of the existing single storey rear extension. The proposed openings are considered to be suitably aligned and the use of matching materials is considered to be appropriate. Whilst there is a highway that runs along the rear boundary of the site, the existing garage and existing rear boundary wall/s and planting largely screen the location of the proposed extension and as such it is considered that the proposed extension would not have a detrimental impact on the character of the area.

The proposed extension is of a suitable scale and massing and would not overwhelm the

original dwelling, or result in over development of the associated residential amenity space.

It is considered that the proposal would not have a detrimental impact on the character of the dwelling, or surrounding area and would therefore comply with SPD 6 and H2/3.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The proposed extension, when attached to the existing outbuilding would project beyond the rear elevation of No. 118 by more than 3 metres.
- The dwelling at No. 118 has a number of extensions, and outbuildings sited along the shared boundary that extend the majority of the boundary. It should also be noted that a prior approval for a similar projection of extension has already been approved. Given the number of extensions and buildings along the side boundary with No. 118 and the fall back position of the prior approval extension it is considered that an additional 200mm extension to allow the existing outbuilding and proposed extension to be linked would have a detrimental impact on the neighbouring property.
- The proposed extension would project more than 3 metres beyond the rear of No. 114 but would not impact on a 45 degree line as taken from the midpoint of the nearest ground floor habitable room window.
- No windows facing towards 118.
- Windows/doors facing towards No. 116 would relate to a non-habitable room (kitchen) and would be largely screened by the existing boundary treatments. As such no undue overlooking is foreseen.
- Due to the nature of rooflights no undue overlooking foreseen.

As the previous prior approval (71891) it appears that the applicant intends to retain the existing side wall that is shared with the single storey extension at No. 118, and construct the extension along the boundary rather than encroaching over the boundary. The proposed development would therefore be on land wholly owned or controlled by the applicant. As such Cert A is appropriate.

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 001, 002, 003 and 004 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.

- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	28/08/2025	HL	29/8/25