

DELEGATED REPORT

Report by Helen Pressley	Date of report: 15/05/2026	Ref: 73042/FUL
Registration: 31/03/2026	LDfC: 09/05/2026	Expiry Date: 26/05/2026
Site Visit: 14/05/2026	Site Notice: N/A	Press Date: N/A
Objections: 6	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey front extension; Two storey rear extension; Single storey side extension; New gable roof extension at front and alterations to external windows/doors

Location: Gorse Hill Farm, Starling Road, Bury, BL8 2HJ

Description

The application relates to a detached dwelling house located on the junction of Ainsworth Road and Starling Road. Pedestrian access to the site can be gained from Ainsworth Road, whilst vehicular access is gained from Starling Road. The original dwelling has previously been extended at first floor, and at single storey to the side.

The premises has an existing detached garage/outbuilding to the south of the main dwelling.

The site is located within the Green Belt.

Planning permission is sought for the construction of two storey bay window extensions to the front that project approximately 800mm and a two storey gable roof extension to the front that projects approximately 1500mm and would replace the existing porch. New full height windows to the front are also proposed.

The proposal also includes the removal of the existing single storey conservatory extension and the replacement with a single storey flat roof extension that projects approximately 2725mm. To the rear, a two storey extension is proposed that projects a maximum of approximately 6000mm.

Relevant Planning History

21998 - Conversion of existing farm buildings to one dwelling - Approve 09/02/1989

23960 - Conversion and extension of existing farm buildings to form one dwelling - Approve 27/02/1990

24866 - erection of boundary wall and garage/stable block - Approve 06/09/1990

33946- Infilling of land and pond to form access road and hardstanding; construction of gateway - Refuse 19/03/1998

34589 - Prior approval determination - agricultural building for storage of hay and straw - Refuse 07/07/1999

35248 - Erection of stables, hay store and carriage store building - Approve with Conditions 07/07/1999

35247 - Retention of entrance gates and walls - Approve with Conditions 07/07/1999

40426 - First floor extension - Approve with Conditions 31/03/2003

Publicity

Neighbour letters sent 17/04/2026

6 objections received in relation to:

- Suspected changes of use to Car/Nursing Home due to the internal layout which is considered to be inconsistent with a typical family house.
- Green Belt harm . The scale, bulk and massing of the extension is considered to be a disproportionate increase over the original dwelling.
- No very special circumstances have been demonstrated to justify the harm.
- The extent of the extensions is seen as overdevelopment of the plot
- The enlarged building would appear dominant, urbanising, and out of keeping with the rural set
- Claims that the development is not visible are disputed.
- The site is located on or near a busy junction with traffic lights and close to school
- Increased traffic generation
- Construction traffic and disruption
- Poor visibility and constrained road width (Starling Road)
- Existing accident and near-miss history
- Potential loss of privacy to neighbouring properties
- Possible worsening of existing drainage and flooding issues.
- Potential presence of protected species, including Badgers and Bats.
- The route of the historic Roman Road (Watling Street) may cross the site.
- Fears of incremental or larger-scale future development in the area.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Agreed by Agent

Development Plan and Policies

OL1/2	New Buildings in the Green Belt
H2/3	Extensions and Alterations
EN6/3	Features of Ecological Value
JP-G9	The Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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.

Principle (Green Belt)

The site is designated as Green Belt under PfE JP-G9.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless one of eight exceptions apply:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h. Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

This is further supported by Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt which state that extensions of existing dwellings should not result in disproportionate additions over and above the size of the original dwelling. To assist in what can be considered to be disproportionate SPD 8 considers additions of up to a third (33%). However, that is not to say something larger, or smaller than 33%, would not be supported as each case is considered on it's own merits.

The original dwelling (constructed circa 1995) had an approximate volume of 1,094 m³

Extensions undertaken in 2005 increased the volume by 1,364 m³

The proposed scheme would result in a total cumulative increase of 2,113 m^{3*}

The Green Belt Statement submitted with the application, concludes that the proposal would result in additions of over the guideline of 33% volume increase to the original dwelling. A case has therefore been put together by the applicant that reviews the spatial and visual impact of the proposal as well as reviewing wither the proposal would be disproportionate and the fallback position of what could be constructed utilising Permitted Development Rights.

The development would be built wholly within the original residential curtilage of the site, and would largely represent infilling and consolidation of the existing property. Whilst the proposal would lead to extensions to the front and rear of the property these would be viewed within the context of the existing property and established ribbon of development along Ainsworth Road. This has been demonstrated by the applicant with the submission of an Aerial photograph that shows the site within the context of Ainsworth Road, Garstang

Drive, Cockey Moor Road and Lowercroft Road.

The site boundary is depicted by hedging and walling, and there is significant tall planting along the boundaries of the site that largely screen the site from public views. Whilst distant views of the site are available these views are within the context of the built development set out above.

The permitted development fall back is also a material consideration and the applicant has reviewed what extensions could be implemented at the site demonstrating that two storey extensions could be constructed to the rear of the property, with a much larger single storey side extension that would significantly increase the footprint of the building. It is considered this fall back would lead to a more sprawling, and more impacting development within the Green Belt than the proposal currently under consideration.

The proposed site is an established large residential property, with a large curtilage and located within a ribbon of built development. As such, the proposal would not conflict with the surrounding land uses nor would it create harm to the openness of the Green Belt given the above circumstances. It is considered therefore that the proposal would not have an adverse impact on the openness of the Green Belt and therefore it is considered that the proposal complies with UDP Policies OL1/2, SPD8 and the NPPF.

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.

As set out above there is significant screening of the property around the established boundaries of the residential dwelling. The proposed extensions to the front of the property would not project excessively and would consolidate the front elevation giving elements of interest through the introduction of projecting bay windows.

The proposed side extension would replace an existing conservatory and would form a balcony area accessed from the first floor. This element has a parapet wall and would be constructed from stone to match the original dwelling. The replacement of the conservatory with a more substantial extension would represent an improvement to the existing dwelling. The two storey rear extension would largely be an infill extension to the rear of the property, with gable roofs replicating the shape and style of the original property. The use of stone quoin detailing, and stone surrounds for the windows would replicate the original dwelling. Overall the proposed windows are considered to be suitably aligned, and the use of matching materials is considered to be acceptable.

It is considered that the proposed extensions would not result in over development of the residential amenity space associated with the property, as a large garden would still be retained following the construction of the proposed extensions.

Given the above, it is considered that the proposal would comply with UDP Policy H2/3 and SPD 6.

Residential Amenity

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

The property is offset from No. 51 Garstang Drive which would be the nearest residential property, with the proposed rear extension and windows facing towards the electricity substation and side garden of this property rather than the windows of this dwelling.

The nearest first floor bedroom window to the boundary would relate to bedroom 5. This window would be located 7.8 metres from the shared boundary complying with the 7 metres

required by SPD 6. There are no directly facing habitable room windows within 20 metres of the proposed first floor rear windows.

There are no directly facing properties within 20 metres of the front elevation of the house.

The proposed balcony would be located more than 7 metres from the shared boundary and would not be within 20 metres of a directly facing habitable room window of a neighbouring property.

Due to the distances, orientation and intervening boundary treatments it is considered that the proposed extensions would not have an unduly overbearing impact on the neighbouring properties.

It is therefore considered that the proposal would comply with UDP Policy H2/3 and SPD 6.

Ecology

UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value.

The proposal would not result in the removal of the entire roof of the existing property as such a bat assessment has not been requested. An informative is proposed to ensure that the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Greater Manchester Ecology Unit have confirmed that they have no record of badger or badger setts for this location. As however badger do appear to be somewhere nearby (setts are found in peoples gardens occasionally) a precautionary working measure should be conditioned, for badgers and amphibians, as there is a risk of harm during construction of becoming trapped in any deep excavations.

Access

The access to the site would remain as existing.

Car parking standards within SPD 6 for 4 bed and 6 bed properties is the same.

Response to Representations

It is considered that the material planning considerations raised have been addressed within the main body of the report.

There are no Historic Environment Records or Ancient Monuments plotted within the curtilage of the site.

Concerns have been raised in relation to the potential future use of the property as a care home. The application submitted is a householder application and it has been assessed as such using the relevant policies and material planning considerations. As the application is before the Local Planning Authority, it is possible that a condition could be imposed to restrict such a change were it considered that there were planning merits in doing so that would pass the tests that conditions must comply with and to secure an identified planning purpose.

Given the size of the site, it is likely that any change of use to a care home would be considered to be a material change of use and as such would need planning permission. It is therefore the opinion that there would be no reasonable planning purpose to restrict the property any further than is already prescribed by law.

Problems arising from the construction period of any works, e.g. noise, dust, construction

vehicles, hours of working would be covered by Control of Pollution Acts.

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 the drawings received on 0099-02 (02)001, 0099-02 (02)002, 0099-02 (02)003, 0099-02 (02)004, 0099-02 (02)005 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.
- 4 Prior to any earthworks or site clearance a precautionary working measures method statement for mammals and amphibians, including a check for badger setts within 30 metres where accessible, shall be provided to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policy EN6/3 - Features of Ecological Value and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

<u>Case Officer</u> HP 15/05/2026	<u>Date</u>	<u>Sign off Officer</u> DM 19.05.2026	<u>Date</u>
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