

DELEGATED REPORT

Report by Amanda

Date of report: 07/11/2025

Ref:72381/FUL

Uhunmwagho

Registration: 02/10/2025

LDFC: 23/10/2025

Expiry Date: 27/11/2025

Site Visit: 30/10/2025

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: Single storey extension at side / rear

Location: 125 Starling Road, Bury, BL8 2HF

Description

The application relates to a two storey semi-detached house with gardens to the front and rear. The site is within the designated Green Belt.

There is a red brick along the front boundary and planting to both side of the front and southern side boundaries. There is a drive way to the front/side of the property, which would have lead to a detached garage at the rear but this has already been removed. No.123 Starling Road has a single storey extension built directly adjacent to the site boundary. The rear garden is very ling with fences and planting to the side boundaries, and there are open fields to the rear of the site.

The applicant recently submitted an application for a prior approval for a single storey rear extension, which was completed on 09/09/2025. They have submitted the current application for a single storey side/rear extension. At the front the extension would be set back from the original front elevation by 1m. It would measure 2.87m wide and 11.04m long. Across the rear the extension would measure 8.78mm wide and would project around 4m from the original rear elevation. The roof would be flat and the walls would be finished with white k-render to all elevations.

Relevant Planning History

72205 - Prior approval for proposed single storey rear extension - Prior Approval Not Required - Extension 09/09/2025

Publicity

2 neighbours notified on 02/10/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Development Plan and Policies

H2/3	Extensions and Alterations
OL1	Green Belt
OL1/2	New Buildings in the Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
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, and the impact on the openness of the surrounding Green Belt.

Principle (Green Belt)

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, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 regards the construction of new buildings in the Green Belt as inappropriate development. Exceptions to this are:

- 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) 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, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 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 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL1/3.

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 its own merits.

The Green Belt statement included with the application states that the extension would have a volume increase of 23% which would be within the limit as suggested in SPD 8.

There are no specific tests on openness set out within the NPPF, and every site would be assessed on its own merits. The rear extension would not project excessively beyond the rear elevations of the adjacent properties and all of the development would be within the original residential curtilage.

The Green Belt covers a large area around the site and there are many different types and sizes of properties, many of which have been extended. The majority of the proposed extension would be to the rear of the dwelling and would only be visible from the rear of the site. It would be similar to a neighbouring extensions along the row. The extension would be built wholly within the residential curtilage. As such the volume increase of 54%, would not be considered inappropriate in the existing streetscene compared with other properties in the immediate vicinity.

In this instance it is considered that the proposed development would not detrimentally affect the openness of the surrounding Green Belt and the proposal would be considered acceptable in terms of UDP Policies OL1/2, SPD 8 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.

The single storey flat roof extension would be set back from the front elevation and would be rendered to match the existing dwelling. The quoin detailing to the front corner of the existing property would be retained. The attached neighbour has a flat roof garage attached at the side and there are a number of other properties which have been extended, both with single and two storey extensions.

The majority of the development would not be openly visible in the public realm as it would be to the side and rear of the dwelling. It would also be finished with materials that would be considered to be in keeping with the existing building.

It is also noted that the applicant could build a single storey side extension under permitted development rules.

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 directly to the front or rear of the site.
- The side extension would be built 800mm away from the shared boundary with no.123 Starling Road to the south so there would be no concerns about encroachment of the boundary with this property.
- The only openings to the south side elevation would be a utility room door and window, and also wc window. As these rooms are classed as being non-habitable, and there are no ground floor windows to the side of no.123, the distance from the shared boundary would be considered to be acceptable in terms of SPD 6.
- At the rear the extension would project 4m from the original rear elevation. Part of the extension was previously allowed as part of a prior approval application in terms of the larger homes scheme. The next door neighbour did not object to that application and they have not objected to the current application. As such the projection of 4m at the rear would be considered acceptable in this instance.
- There would be around 34m from the rear of the extension to the rear boundary of the site.
- At the front there would be around 7m of drive length remaining to the front of the side extension. This would be acceptable in terms of SPD 6.

Taking the above into account 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.

Parking -

The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. The parking arrangements would remain as existing where there is parking to the front of the site.

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 P01, P02 and P05 received on 16/09/2025 and drawings numbered P03, P04 and P06 received on 06/11/2025 as modified by the email from MTC Designs dated 06/11/2025. The development shall not be carried out except in accordance with the details 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 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>
AU - 07/11/2025		DM - 19/11/2025	