

DELEGATED REPORT

Report by Amanda

Date of report: 24/07/2025

Ref:72043/FUL

Uhunmwagho

Registration: 10/06/2025

LDFC: 15/07/2025

Expiry Date: 05/08/2025

Site Visit: 07/07/2025

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: NONE

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: HOUS

Proposal: Two storey side extension; Front porch

Location: 57A Simister Lane, Prestwich, Manchester, M25 2SU

Description

The application relates to a two storey semi-detached house which fronts on to Simister Lane with Simister Green to the side. There is a short wall with fence panels to the front boundary and a higher brick wall and fence to the side. There is also a lot of mature planting along the side and part of the rear boundary. There is a wall along the rear and west side boundary (with 75B Simister Lane) which is rendered white. At the side of the dwelling there is an area of lawn and to the rear the area is paved.

The proposal is to build a two storey side extension and a front porch. The proposed porch would measure 1500mm x 3000mm and it would have a pitched roof. It would be built directly in front of the existing front entrance.

The two storey extension would be built flush with the existing front and rear elevations and it would measure around 4000mm wide. There would be a bay window to the ground floor of the front elevation. The proposed site plan shows that some of the planting to the side boundary would be removed as well.

Relevant Planning History

N/A

Publicity

3 neighbours notified on 24/06/2025 - No comments or objections received.

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - Not relevant

Development Plan and Policies

SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
H2/3	Extensions and Alterations
OL1	Green Belt
OL1/2	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.

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 149 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 submitted with the application, concludes that the proposal would result in additions of over a third and as such has set out 3 cases for VSC. The agent has stated the following in the Green Belt statement;

Although the proposed volume increase may exceed the advisory thresholds in SPD6, we believe that the proposal remains acceptable within this Green Belt location for the following reasons:

1. Limited Visual Impact: The proposed side extension and porch extension are designed to remain in keeping with the form and scale of the existing dwelling and surrounding

properties. The works are domestic in nature and do not introduce a scale or form of development that would appear visually intrusive or prominent in the landscape.

2. Established Residential Context: The site sits within a clearly defined residential area with properties on either side and to the front. The proposal does not encroach on open land and will not affect the openness of the wider Green Belt beyond the established building line.

3. Amenity Space Retained: The property sits within a generous residential plot, and sufficient amenity space will be retained post-development. The scale of the proposal is proportionate to the plot size and setting.

Conclusion

The proposed development will not result in significant harm to the openness or visual amenity of the Green Belt. The design remains sympathetic to the context and scale of surrounding residential properties. Therefore, the proposal is considered to be acceptable in Green Belt terms and in general compliance with the objectives of the local guidance set out in SPD6.

There are no specific tests on openness set out within the NPPF, and every site would be assessed on its own merits. The extension would be built flush with the existing front and rear elevations of the dwelling house and it would be set in from the boundary at the side. The plans show that the trees to the front of the site would remain, as would planting to the rear.

The whole of Simister Village is located within the Green Belt and there are many different types and sizes of properties, many of which have been extended. The proposed two storey side extension and front porch would be considered to be in keeping with the existing dwelling and it would remain similar in appearance to neighbouring properties. As such although the extended dwelling would result in a volume increase of 60%, the resulting building would not appear inappropriate in the existing streetscene compared with other properties along Simister Lane.

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.

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.

There are mixture of house types in the immediate vicinity, many of which have been extended. The two storey side extension and front porch would be finished with materials that would be considered to be in keeping with the existing building.

SPD 6 also suggests that where an extension would be adjacent to a highway there should be a minimum gap between the extension and the boundary of at least 2000mm, but a lesser gap could be acceptable depending on the character of the streetscene. In this instance there would be a minimum of 1515mm from the side of the extension to the side boundary. However, as the boundary angles out away from the property towards the front of the site the front half of the extension would be around 2000mm from the side boundary.

The extension would not project forward of the existing front elevation of the dwelling and trees to the front of the site are to remain. The building would also be set well back from the junction at the side of site. No.59 Simister Lane is to the east of site on the opposite side of Simister Green. This property has an existing extension which is also built very close to the

side boundary. The extension is a garage only but the roof is quite high.

Although the rear of the extension would be within 2000mm of the side boundary the front part would satisfy the requirement as set out in SPD 6. Taking this into account it is considered that the two storey side extension would not have any significant detrimental effect on the character of the existing streetscene and the design of the proposal is considered acceptable in this location.

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 -

- Separation distances to properties to the front of the site would be acceptable in terms of SPD 6.
- At the rear of the site the land is a lot lower compared to site but there is a car park to the rear only. Residential properties are more than a sufficient distance from the site in terms of SPD 6.
- As the two storey extension would be built on the east side of the existing dwelling it would not have any detrimental impact on residential amenity at no.57b Simister Lane to the west.
- Similarly the position of the front porch would not have any significant detrimental effect on residential amenity at no.57b next door.
- There would be one upper floor window to the east side elevation which would be a secondary window to the new bedroom. The principal window to this room would be to the front elevation. As there is a highway in between the site and no.59 Simister Lane to the east the position of the secondary bedroom window would be acceptable in this location.
- The position of the front porch and side extension would not affect the existing parking arrangements within the site.
- The drawings show that all of the development would be within the residential curtilage and as such there would be no concern regards encroachment on to the adjacent highway.

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 an area at the front for parking for one vehicle and this would remain following the side extension being built which would not project forward of the existing front elevation. There are no parking restrictions tot he highway to the front and side of the site and the area has regular public transport available. In this instance then the parking arrangements are considered sufficient.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 PL002 and PL003 received on 10/06/2025 and drawings numbered PL001 Rev A, PL004 Rev A and PL005 Rev A received on 16/07/2025 as modified by the email from Studio Tashkeel Architecture dated 16/07/2025. 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 - 24/07/2025		DM - 28/07/2025	