

DELEGATED REPORT

Report by Mo Warsame	Date of report: 25/11/2025	Ref: 72079/FUL
Registration: 21/07/2025	LDFC: 12/08/2025	Expiry Date: 15/09/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey front extension, two/single storey extensions at rear with ground floor balcony at rear; Render to external elevations

Location: 93 Simister Lane, Prestwich, Manchester, M25 2SU

Description

The property is located on the main road in Simister which is in a designated Green Belt, but it is an area that has many different designs and sizes of residential properties. The application property is a three storey detached house with a fenced garden to the front and a garage to the rear, accessed via a public footpath to the side. The dwelling has a balcony to the rear looking towards open fields to the rear and the M62 motorway. The extension would be mainly built to the rear and the adjacent neighbours on either side are No.95 Simister Lane and No. 91 Simister Lane which is separated by a footpath.

The proposed development seeks to erect a part single storey, part two storey rear L-shaped extension and a single storey front extension (porch) along with render to external elevations. This is a reduced version of application 70479.

On the lower ground floor, the shortest west facing side would project from the rear elevation across the width of the house by 5.5m. The east facing side of the extension would extend a further 6m and would run 5.3m to the side. The two storey element would project 4.3m to the rear and run the width of the house. This would leave a space for the 4m proposed balcony terrace above the single storey element. The two storey front extension would project 2.7m to the front from the principal elevation and run 4.5m to the side.

The development would utilise the use of some matching materials and finished with render to external elevations. Part of the extension would have flat roof to provide the balcony platform. The rest of the proposed development would have a pitched roofs. The proposal would accommodate bedroom extensions on the first floor along with alterations to the existing layout and open plan living/kitchen with access to a balcony on the upper ground floor together with a further living space on the lower ground floor.

Relevant Planning History

70479 - Two storey/single storey front extension; Three storey/single storey rear extension; Raise of roof ridge height; Loft conversion with 3 no. rear dormers & 4 no. front velux windows; Rear ground floor balcony; Erection of wall & gates to front & side; Creation of new vehicular access
- Approve with Conditions 19/06/2024.

Publicity

Neighbour letters sent on 21/07/2025. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework
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.

Impact on the Openness of the Green Belt

Section 13 of the NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. 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. The local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include (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. In this respect, the NPPF does not provide any specific definition of what constitutes a disproportionate addition.

UDP policy OL1 and OL1/2 relate to Green Belt and the provision of new buildings. SPD 8 - New Buildings and Associated Development in the Green Belt provides greater clarity and states that in general terms, extensions up to a third of the volume of the original dwelling may be allowed, but that every application is to be assessed on its merits and even an increase up to a third may not be appropriate in certain situations. This guideline is duplicated in SPD 6 - Alterations and Extensions to Residential Properties.

The measure of (dis)proportion is not a measure of volume only and is widely taken to be an assessment of the volume, mass, scale, footprint and dimensions of a proposal relative to the original and its impact on the openness of the Green Belt.

The proposal would represent an increase of 41.9% in volume (calculated by the agent). This would not be within the recommendations as set out in SPD 6 and may seem excessive given it would be well above 33%. However, Simister is a well established sub-suburban setting with many different types of residential properties with different sizes in the immediate vicinity. Additionally, this proposal would be 21.1% less than the previously approved planning application (70479). Furthermore, SPD8; states; each case should be considered on its own merits even if the proposed development is above 33%. The majority of the development would be on the basement level and to the rear of the property. The basement element would be shaded by the proposed high fencing and the existing high shrubs and there would be no property to the rear beyond the site boundary. Therefore, the proposed extensions and alterations would remain in character with the existing house and its setting. The materials would also compliment the original property. As such, the proposal would not have any seriously detrimental effect on the surrounding green belt.

Given its position and that other properties along this row have also been extended and are mostly of different designs the proposed extension would not have any seriously detrimental impact on the openness or the character of the surrounding Green Belt.

In this instance it is considered that the proposal would comply with NPPF paragraphs 143 to 145, OL1/2 - New Buildings in the Green Belt, OL1/3 - Infilling in existing villages in the Green Belt and Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

Situated to the rear, the L-shaped part single, part two storey rear extension would not be a prominent street feature, given the majority of the development would be on the basement level and to the rear of the property. The basement element would be shaded by the existing high fencing and the existing high shrubs. Additionally, there would be no property to the rear beyond the site boundary. Therefore, it would not lead to a terracing effect. Moreover, other than the balcony platform, all the extensions would have pitched roofs that would replicate the character of the host property.

The proposed single storey extension to the front would be visible from the street scene. However, it would have a simple and unobtrusive design, which would not detract from the character of the dwelling. The balcony to the rear on the upper ground floor level would also be acceptable as such, it would not be much more different than the existing balcony.

Overall, the proposed development would be constructed with materials that would be in keeping with the existing and the proposed windows would appropriately align with the existing. As such, the proposed development would not be a prominent feature in the street scene and would comply with Policies H2/3 of the Bury Unitary Development Plan and SPD6.

Residential Amenity

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

- There would be some proposed side windows on the basement and ground floor and levels. However, none of them would be a primary habitable window and there would be sufficient distance to the adjacent neighbours on either side. Furthermore, the existing high fencing and shrubs would further shade the proposed development from the adjacent neighbours.
- The proposed balcony would have no detrimental impact on properties on either side, as there would be sufficient distance to each of the shared side boundary. Additionally, the existing high shrubs would further shade the proposed development and there would be no property to the rear of the site.
- SPD states that a single storey extension should not project more than 3m along a neighbouring boundary. At which point the 45° rule should be applied. However, taking into account the Larger Homes Scheme and that the adjacent neighbours have not objected it would be considered acceptable in this instance.
- The proposed single storey front porch extension would be a modest structure and there would be sufficient distance to the properties in front.

Highways

The proposal will result in no additional bedrooms and the current parking conditions would meet the maximum parking requirements.

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 dwg no. 86/25-30 rev A, dwg no. 86/25-31 rev F, dwg no. 86/25/32 rev F, dwg no. 86/25-33 rev F 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
		DM - 26/11/2025	