

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 13/01/2026	Ref: 72508/FUL
Registration: 11/11/2025	LDfC: 04/12/2025	Expiry Date: 06/01/2026
Site Visit: 21/11/2025	Site Notice: 21/11/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use from Car Sales (Sui Generis) to Ritual Bath House (Sui Generis) with single storey side/rear extension; Alterations to front elevation

Location: 215 Middleton Road, Manchester, M8 4LR

Description

The application relates to a commercial property which is currently vacant having previously been in use as a car sales business.

The property is located at the end of a row of 5 other commercial shops and businesses although the property is separated by a shared gated access which leads to some parking at the rear. There is forecourt parking in front of the row of businesses with access directly onto the main road.

The area comprises a mix of uses including the commercial businesses and shops and residential dwellings. Bowker Vale tram station is directly to the south of the site and the other shops.

The application property is two storey at the front with a single storey rear outrigger and comprises a sales office at the front part of the ground floor, car workshop to the rear with a roller shutter door access. At the first floor is storage. To the eastern of the building is an open area where cars are displayed for sale and which is enclosed along the frontage by a dwarf wall with railings above.

The application seeks the change of use to a Ritual Bath House - a Mikva - rear and side extensions and alterations to the front elevation.

A Mikva is a bath house and a religious requirement for female members of the Jewish Community who are required to bathe at certain times.

The applicant states that such a facility is required in the locality given the growing Jewish community in the area and need for such a facility as members of the community have to travel some distance away to perform the necessary rituals.

The proposed side extension would be 2.8m wide and project into part of the car display area. It would project rearwards by 12.1m. The rear extension would project 6.3m off the back wall and be 6.3m in width.

On the front elevation, the large glazed display window and roller shutter would be replaced by two separate windows to match the first floor windows.

Internally at the ground floor there would be a reception area, four single bathrooms, one shower room and one Mikva (ritual bath).

The Mikva uses natural water which would be collected in a self-contained room (labelled as the Oitzer, Mayon, Boar Hashoka and Zeria on the plans) via a roof hatch at the first floor. This room would be accessed by a door on the side. The water would then be transferred to the main Mikva for the ladies to bath in and have ritual immersion.

At the first floor there would be a staff room for one to two members of staff.

The former car display area would be used for parking for 4 cars which would be accessed via an existing gate and the forecourt area in front of the property.
A bike store would be provided to the rear of the building.

The applicant states the allowed time for use of the Mikva is between sunset and a few hours following sunset which would vary seasonally and depending on the time of the year -

September - October 6pm to 9.30pm
November - January 3.30pm to 7pm
February - April 5pm to 9pm
May - August 8pm to 11pm.

Relevant Planning History

n/a

Publicity

Letters sent on 13/11/25 to 7 properties on 13/11/25.
site notice posted 21/11/25.

59 support the application with comments as follows -

- A Mikva is an important and valued part of Jewish life for women, and having one nearby is essential for our community.
- The current nearest Mikva is a long walk away, and many of us must make that journey alone and after dark, which does not feel safe or practical.
- A local Mikva would allow women to attend in a secure, comfortable, and dignified way. The facility will be used solely by residents of the surrounding streets, and because attendance is arranged by appointment, it will remain quiet and well managed.
- This would be a significant and positive addition to the area.
- Would not cause traffic or parking issues as visitors would be local and walk.

Statutory/Non-Statutory Consultations

Traffic Section - No response received.

Borough Engineer - Drainage Section - No objection subject to a condition for a drainage scheme

Environmental Health - Pollution Control - No comments to make

United Utilities (Water and waste) - No response received

Prestwich Village Neighbourhood Forum - No response received

Waste Management - No response received.

EH Contam land - No objection subject to an informative.

Manchester City Council - No response received.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
CF1/1	Location of New Community Facilities
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-P3	Cultural Facilities

JP-S2 Carbon and Energy
JP-P1 Sustainable Places
JP-P6 Health

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.

Proposed use

Policy CF1/1 - Location of community facilities states that proposals for new community

facilities would be considered with regards to impact on amenity and the local environment, traffic generation and parking provision, scale and size of development, suitability of the chosen facility to serve the intended community/catchment area and accessibility.

PfE Policy JP-P3 - Cultural facilities supports locally district clusters of cultural activities where they can contribute to social well-being.

The NPPF advocates a wide range of community facilities which support community groups in local areas.

Use

The proposed use would provide a much needed facility for ladies in the Jewish community to perform a ritual religious ceremony of bathing. The facility would be for a local community to meet specific needs. The site is located in a sustainable location with good access to local transport networks. As such, the proposed development is considered to be acceptable.

Siting and layout.

It is proposed to extend the footprint of the building single storey on the northern side by 2.8m and extend from the back wall by 6.3m which is considered proportionate to the size and scale of the existing building. Whilst there would only be a distance of 3.6m to the rear boundary, there is an existing concrete fence which would screen the single storey extension. The rear boundary is also heavily treed and there are no properties beyond which would be affected by the single storey extension.

At the side, the extension would project into the proposed parking area but not significantly and there would be space for 4 cars to park and manoeuvre out of the site with the forecourt remaining as currently exists. A bike store would be located at the rear of the building.

The shared access between the site and the adjacent property No 211 would be unaffected, as would the parking area which is located at the rear.

It is therefore considered the siting and layout of the proposed development would be acceptable and comply with policies CF1/1, JP-P3 and the principles of the NPPF.

Design and visual amenity

The proposed side extension would be a relatively small scale addition to the existing building, extending at the side by 2.6m. At the rear it would extend 6.3m from the back wall but this would not be visible from public areas and partly screened by existing boundary treatment.

The roller shutter and large display window would be removed from the front elevation of the ground floor and would be replaced by 2 separate windows which would match the upper floor windows in terms of design and position within the elevation.

The proposed extensions and alterations are considered to be acceptable within the streetscene and would comply with policy EN1/2.

Impacts on residential amenity

The property is located on a main road and part of a row of shops. Whilst the proposed use would generate some activity from comings and goings, the time the facility can be used is governed by religious codes of practice and would only be for short periods of time (between sunset and a few subsequent hours following sunset).

The facility could only accommodate 5 people at one time which would be controlled through a booking system.

Visits to the facility would therefore be regulated and managed and considered not to cause noise or disruption to the amenity of nearby occupiers and particularly comparative to a car sales business which could have the ability to generate higher levels of footfall and activity

and especially from cars driven on and off the display area.

The property is detached from the other shops and the extension located such that there would be no significant impacts on neighbours.

The proposed development is therefore considered to have limited impacts on residential amenity and would comply with policies EN1/2 and CF1/1.

Highway issues

For a sui generis use as a ritual bath house, SPD11 does not provide specific standards for parking or cycle store, but for community uses for public worship 1 space per 20 sqm of floor area and for halls or meeting spaces and 1 space per 10 seats in zone 3. It is proposed to provide 4 parking spaces for the development.

The facility would provide 4 bathrooms, a shower room and Mikva. The Planning Statement explains the philosophy behind a Mikva and how it would be used.

The use is required to serve a specific local need which is lacking in such a facility and as such the majority of the users would travel on foot.

The applicant also states that the users specific to the facility tend not to be drivers and would walk, particularly as the use would serve the local needs.

The users would also be bound by their religious code which would regulate when in the day the Mikva could be used, which is for a few hours following sunset.

Lastly, the size of the facility itself and how the facility can operate under the religious code would restrict the number of users who could visit at one time which would be 5 in total. There would be a strict booking system in place to control this.

It is therefore considered the proposed use would provide a facility which would not generate a significant number of trips by vehicle and would have no greater impact on highway safety than the previous use as a car sales operation.

It is therefore considered that given the facility would serve a particular local need and given its sustainable location, the proposed parking and cycle storage facilities are considered to be acceptable and would comply with EN1/2, JP-C5 and JP-C8.

Drainage

The proposed use would involve collecting natural rainwater, which would be collected via a roof hatch into the self-contained room. which would be transferred to the main Mikva and used by the ladies to bathe. The water would thereon be considered waste water and this is proposed to be drained to the main sewers.

There are no details of the proposed drainage and how this would connect to the public sewers and as such a condition has been recommended by the LLFA for the submission of a scheme prior to commencement of the development.

Policy JP-S2: Carbon and Energy

The development proposes to prioritise the minimisation of energy demand and maximisation of energy efficiency and align with 2022 Part L Building Regulations

Policy JP-C2: Digital Connectivity

The applicant has confirmed the premises would be served by full fibre broadband.

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 -

Location plan dated 29-Oct-25
Site - existing and proposed dwg 502 rev 1
Existing and proposed plans 003 rev 3
Existing and proposed elevations dwg 004 rev 2

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 Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided. The approved scheme shall thereafter be implemented in accordance with the approved details.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to JP-S4, EN7/3 and EN7/5 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 4 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 5 The car parking indicated on the approved plans shall be made available for use prior to the first use/occupation of the development hereby approved.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u> JT 13/01/26	<u>Date</u>	<u>Sign off Officer</u> DM 13/01/26	<u>Date</u>

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