

DELEGATED REPORT

Report by Claire Booth	Date of report: 08/01/2026	Ref: 72234/FUL
Registration: 21/08/2025	LDfC: 19/09/2025	Expiry Date: 16/10/2025
Site Visit: 22/08/2025	Site Notice: 22/08/2025	Press Date: 28/08/2025
Objections: 0	Con Area: ALSA	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: MIOT

Proposal: Single storey rear extension with side access gate

Location: 169 Bury New Road, Whitefield, Manchester, M45 6AB

Description

The application site is within Whitefield All Saints Conservation Area and is located on the west side of Bury New Road between the junctions of Knowsley Road to the north and Egerton Road to the south. It is in commercial use. It is a two storey brick garden fronted mid-terrace property raised above street level. It is constructed of traditional red brick and has a traditional slate roof. The front boundary wall is traditional red brick with a stone capping. The front garden area is at the same level as the front boundary wall, minus the stone capping.

The rear of the property is accessed from an unadopted road to the rear of the terrace via Knowsley Road. The boundary of which is enclosed by two painted black metal gates. Within the rear yard area of the property is a portacabin, which is detached from the rear of the rear of the property. The applicant has been made aware that this Portacabin requires planning permission and is unauthorised. An amended Existing Site Plan has been received showing this unauthorised Portacabin building and noting its removal as it is positioned on the site of the applicants proposed development.

The building is currently used as a hair salon operating under the name 'Hairsolved'. The salon operates from 10:00 to 18:00 Monday to Friday and from 09:00 to 17:00 on Saturday. It is closed on Sundays and public holidays.

Planning permission is sought for a single storey rear extension that would project beyond the rear outrigger by approximately 6.5m. It would have a width of approximately 4.2m, an eaves height of approximately 2.3m, and a ridge height of approximately 3.4m. The extension would have a slate pitched roof and walls would consist of matching brick. The gable end of the proposed extension would form the rear boundary of the site, with the remainder of the rear yard proposed to be enclosed by a black metal gate and a small section of wall.

Relevant Planning History

48938 - CHANGE OF USE FROM OFFICE ACCOMMODATION TO EDUCATIONAL FACILITY FOR YOUNG PERSONS (D1) - Approved with Conditions 20/02/2008

58227 - Change of use from educational (Class D1) to offices (Class B1a) - Approves with Conditions 18/02/2015

61175 - Prior approval for proposed change of use from an office (class B1) to a registered day nursery - Prior Approval Required and Refused, 20/04/2017

64038 - Change of use from offices (Class B1) to a hair loss treatment clinic (Class D1) - Approve with Conditions 29/05/2019

Publicity

Due to the application site being within a Conservation Area, the application has been advertised by both Press Notice and Site Notice.

The Press Notice was published in the Bury Times and Site Notices were erected on the existing 'V' shaped signage stand within the frontage of the property and on the telegraph pole located on the corner of Knowsley Street and the back street.

No representations have been received on this application.

Statutory/Non-Statutory Consultations

Conservation Officer - No objections, subject to conditions.

Traffic Section - Questioned where car parking within the rear yard area is relocating.

Pre-start Conditions - Not applicable.

Development Plan and Policies

EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7/2	Noise Pollution
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
JP-C8	Transport Requirements of New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Sites location within a Conservation Area

The application site lies within All Saints Conservation Area.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states: In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 212 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

The rear of the application site, even though it is not part of the main street scene of Bury New Road, would still be visible within that part of the conservation area with regard to views from other nearby and adjacent properties and due to the frequent use of the rear access road.

There would be no objection to the proposal subject to it having the appropriate finishing materials of matching red brick and matching natural slate. These materials are noted on the submitted amended plans as "matching" the original property. Such matching materials are considered to maintain the architectural grain of that part of the conservation areas built environment which is characterised by red brick and natural slate, and which is one of the reasons for its designation as a conservation area. The proposal would preserve the character and appearance of the conservation area. The proposal therefore accords with UDP Policies EN2/1 and EN2/2.

Design and Visual Amenity

UDP Policy EN1/2 is used to assess a proposals impact on the surrounding area.

The proposal would be single storey in height and scale and is proposed to be built in matching materials. The character of the terrace all have two storey outriggers and the proposed extension would appear as a subordinate and complimentary addition to the host

property. The proposed extension would also leave room within the rear yard area for the storage of refuse bins. Therefore bins would not need to be stored on the adjoining highway(s). In this respect the proposal accords with the relevant requirements of UDP Policy EN1/2.

Parking and Highway Safety

The Local Highway Authority has queried where car parking for the business would be if the development is approved.

The applicant has advised that there is currently no car parking provision at the site and the proposed use would not result in any intensification in use of the property by customers or staff. The proposed extension is intended as an upgrade to the existing staff facilities. The existing and proposed floor plans have been expanded to include the entire ground floor plan to demonstrate this.

The salon operates from 10:00 to 18:00 Monday to Friday and from 09:00 to 17:00 on Saturday. It is closed on Sundays and public holidays. The application informs the Council that there are up to six staff members at the property at any one time (five local and one commuter) and assert, the proposal would not increase staffing or visitor numbers, and staff numbers will remain unchanged following the development.

The proposed development seeks to build over a large portion of the rear yard area. Prior to the installation of the unauthorised Portacabin, the rear yard was not in use for parking, as confirmed by the operational history since Hairsolved took over the premises. Although the property features wide access gates to the rear, the applicant states the rear yard area has never been utilised as a parking space due to the narrow and difficult vehicular access via the rear alleyway, which renders it impractical and unsafe for vehicle manoeuvring.

They also assert that no vehicle was displaced by the installation of the Portacabin, and consequently, no vehicle has been displaced to on-street parking or elsewhere, as a result.

The unauthorised Portacabin is to be removed to accommodate the new extension; however, this removal is not relied upon to justify the loss of the former potential parking area, as the yard was underutilised and inaccessible for parking purposes both before and after its installation. The loss of this area is therefore justifiable, as it has had no practical impact on parking provision, and the development would not exacerbate any existing highway issues.

As advised, a portacabin structure exists within the rear yard area and appears to have been in situ for just over 12 months, and therefore no car parking has taken place within the rear yard whilst this has been in situ. No highway safety issues have been reported whilst the outbuilding has been in situ.

The proposed arrangement would not change the existing parking availability at the property or access arrangements compared to the situation prior to the unauthorised Portacabin being installed. The rear yard was not used for parking before the Portacabin, and the proposed extension would not maintain the status quo in terms of staff numbers, visitor access, and parking demand. All access to the business would continue to be via the front entrance, with the rear door retained for non-vehicular purposes only. The building is located within an accessible location within walking distance of bus stops.

Considering that no changes are proposed to the existing staff numbers or visitors, and there are no changes to the existing parking arrangements, it is considered that the proposal would have no additional impact on local on-street parking provision or the safety of the surrounding highway network.

Residential Amenity

As stated above, UDP Policy EN1/2 is used to assess a proposals impact on the

surrounding area, which includes on neighbouring properties.

This property sits between a property in use as an Accountants and a property in C3 residential use.

The proposed extension would extend along the traditional brick shared boundary with the residential property positioned to the south of the proposed extension. This property has a set of patio doors adjacent to the shared boundary. The shared boundary wall is approximately 1.8m high. The proposed extension would have an eaves height of approximately 2.3m, and a ridge height of approximately 3.4m.

The proposed extension would project down the length of the shared boundary and the proposed extension would project above the shared boundary by approximately 0.5m. SPD6: Extensions and Alterations is a useful guide when assessing any proposal that is in close proximity to residential dwellings. The annex shows diagrams of how to assess a proposals impact on sunlight and daylight. The proposed extent of extension fails the 45 degree line but vertically the proposal accords with the 25 degree rule. As the residential neighbour is positioned to the south of the proposed extension and the rear of that property faces eastwards, the proposal would not adversely affect the sunlight and daylight that the occupiers would receive.

The use of the proposed extension would be to serve the existing hair treatment business taking place within the application property which is a relatively quiet use. The elevation of the proposed extension would be blank against the shared boundary with the residential neighbour. No representations have been received to this planning application indicating the existing business causes amenity issues for nearby residential properties and therefore the proposal is also acceptable in this regard.

In respect of the neighbour to the north, which is in use as an Accountants office, the proposed extension would have windows and a door facing this neighbouring property and their rear outrigger that contains windows and door looking towards the shared boundary, separated by a timber fence. The proposed extension would mirror this existing arrangement which is not unusual on properties of this nature. The presence of the boundary fence will break direct overlooking and therefore the proposal is acceptable, pursuant to UDP Policy EN1/2.

Carbon and Energy

To accord with PfE Policy JP-S2, the proposal would be built to meet current Building Regulation requirements with the internals of the extension being highly insulated. The proposal thus accords with the requirements within PfE Policy JP-S2.

Digital Connectivity

The proposed extension would connect to the existing wifi facilities at the property and therefore in principle, the proposal accords with PfE Policy JP-C2.

Conclusion

Taking account on all of the above, the proposal accords with all aforementioned planning policies. It is thus recommended that the application be approved, subject to a planning condition requiring the extension to be built out of matching materials.

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 permission relates to the following plans:

Drawing no. EX-SP-001 Rev. P3: Existing Plans (including Location Plan); and,
Drawing no. V2-SP-001 Rev. P4: Proposed Plans

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.
- 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 EN1/2 - Townscape and Built Design of Bury Unitary Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	08/01/2026	DM	09/01/2026