

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 09/07/2026	Ref: 73211/FUL
Registration: 02/06/2026	LDfC: 25/06/2026	Expiry Date: 28/07/2026
Site Visit: 01/07/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Raise part of the roof ridge height in line with existing roof ridge with 2 no. rooflights

Location: 61 Kershaw Street, Pimhole, Bury, BL9 7HH

Description

The application relates to a barbers shop which is located in a Neighbourhood Shopping Centre close to Bury Town Centre. The shop is located on Kershaw Street and is on the end of a row of shops which are formed around the corner of Kershaw Street and Heywood Street. On the other side of the site to the east is a row of mews type houses which are set back from these shops by 7m.

The shops are 2 storey and the application premises is lower in height by 1.8m comparative to the adjacent shops. This application seeks to raise the ridge height of the application premises in line with the roof ridges of the adjacent shops. The eaves would also be raised to align with the eaves of the adjacent row. A roof light in the front and rear roof planes would also be inserted.

The applicant states the increase in roof height and new rooflights would improve headroom and increase internal natural light levels.

The facade would be built up using brickwork to match and the new roof would be grey slate to match the existing roof. It is proposed to retain the stone detailing across the front elevation and reuse the existing stone corbel to form a continuous eaves level with the adjacent row.

Relevant Planning History

56932 - New shop front (A) and roller shutter (B) - Split decision to approve A and refuse B - 10/2/2014

62811 - Single storey extension at rear - Approve with Conditions 05/07/2018

Publicity

Letters sent to 5 properties on 3/6/26.

No responses received as a result of the publicity.

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions -Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
S1/5	Neighbourhood Centres and Local Shops
EC4/1	Small Businesses
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.

Visual amenity and streetscene

The proposal to increase the ridge height and eaves level of the premises would align with the height of the adjacent row of shops. It is also proposed to retain the stone detailing across the front elevation to provide a visual separation to the new brickwork used on the front elevation and reuse the existing stone corbel to form a continuous eaves level with the adjacent row. From the front it is considered the proposed development would continue the

rhythm and balance of built development within the streetscene.

The dwellings to the east are set back from the shops by 7m and would be lower in height compared to the extended property. However given the staggered arrangement and significant set back, it is considered the resulting difference in roof levels would not adversely impact on the visual amenity of the streetscape and surrounding area.

From the rear of the site to the south, the premises and shops would be viewed from Ormrod Street which is more than 20m away and as such it is considered that impacts on the visual amenity of the area would not be significant.

The proposed development is therefore considered to be acceptable and would comply with EN1/2 and EC4/1.

Residential amenity

The nearest properties would be the adjacent row of mews houses to the east. These houses have a similar eaves and ridge height to the application site and are set back from the application site and row of shops such that their front elevation aligns with the rear wall of the application property. The majority of the view from windows on the front elevation of the houses are of the site's gable wall with limited views of the roof.

Given the staggered footprint arrangements and relationship to the site, it is considered that the proposal to increase the roof height would not significantly harm the outlook from these houses or affect light to these dwellings.

The proposed development is therefore considered to be acceptable and comply with policies EN1/2 and EC4/1.

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 -

Job 201 -
Location plan dwg 1000
Existing elevations dwg 1001
Existing and proposed site plan 1002
Existing first floor/roof plan dwg 1003 A
Proposed elevations 2001 B
Proposed first floor/roof plan dwg 2003 A
Existing and proposed streetscene 2005 B

and the development shall not be carried out except in accordance with the

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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 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.

<u>Case Officer</u> JT 9/7/26	<u>Date</u>	<u>Sign off Officer</u> DM 15/7/26	<u>Date</u>
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