

**DELEGATED REPORT**

|                                 |                                   |                                |
|---------------------------------|-----------------------------------|--------------------------------|
| <b>Report by</b> Claire Booth   | <b>Date of report:</b> 26/08/2026 | <b>Ref:</b> 73000/FUL          |
| <b>Registration:</b> 22/04/2026 | <b>LDFC:</b> 15/05/2026           | <b>Expiry Date:</b> 17/06/2026 |
| <b>Site Visit:</b>              | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b> 0            | <b>Con Area:</b> N/A              | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b><br>N/A |                                   | <b>EIA:</b> NA                 |
|                                 |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> MIOT        |

**Proposal:** Two storey rear extension; Extension of basement and change of fenestration to front elevation

**Location:** 2-4 Kings Road, Prestwich, Manchester, M25 0LE

**Description**

The application site is a pair of semi-detached properties at 2 - 4 Kings Road, Prestwich in use as one planning unit, operating as one retail unit with associated storage that is close to the junction of Bury New Road.

The application site has a staggered rear elevation. It has a two storey pitched roof projection, along with a two storey mono-pitched extension and flat roof extension extending from the rear elevation abutting both sides of the two storey rear extension.

The application site has a rear yard area which borders the rear amenity areas of residential dwellings on Richmond Avenue. The rear yard area is accessed from a cobbled lane at the side of the property which connects Kings Road with Richmond Avenue and provides access to the rear of properties on Bury New Road.

The application site is located within Sedgley Park District Centre on a Secondary Shopping Frontage.

Planning permission 72404 being approved in March 2026 for a single storey flat roof rear extension, extending up to the rear boundary of the application site, the extension of the Basement area; and for the change of fenestration to the front elevation.

Planning permission is now also sought to replace part of the approved single storey extension with a two storey addition. This would extend the same depth as the existing two storey outrigger, therefore by approximately 4.5m from the rear elevation of the building, and the roof changed from a traditional pitched roof to a hipped roof to cover both the existing two storey outrigger and the proposed extension.

The overall proposal is to provide extended retail storage space for the stock items of the retail book shop, who sell different seasonal items at various times of year for different Jewish festivals, which the Jewish community require for each of the festivals.

**Relevant Planning History**

72404 - Single storey rear extension; extension of basement and change of fenestration to front elevation - Approve with Conditions, 03/03/2026

**Publicity**

23 neighbours were notified of the proposals on the 22 April 2026.

No representations have been received.

**Statutory/Non-Statutory Consultations**

**Traffic Section** - Raised concerns about the foundations of the extensions encroachment on to the adjoining adopted highway, the cobbled street connecting Kings Road to Richmond Avenue.

**Waste Management** - No comments or observations received.

**Environmental Health** - Contaminated Land - No objections, subject to a planning condition securing radon protection measures to the proposed basement area.

**Greater Manchester Ecology Unit** - No objections.

**United Utilities (Water and waste)** - No comments or observations received.

**Pre-start Conditions** - Not relevant.

**Development Plan and Policies**

|       |                                        |
|-------|----------------------------------------|
| S2/3  | Secondary Shopping Areas and Frontages |
| S1/3  | Shopping in District Centres           |
| S2/3  | Secondary Shopping Areas and Frontages |
| EN1/2 | Townscape and Built Design             |
| EN1/8 | Shop Fronts                            |
| EN7/2 | Noise Pollution                        |
| HT5/1 | Access For Those with Special Needs    |
| JP-C1 | Our Integrated Network                 |
| JP-C2 | Digital Connectivity                   |
| JP-C5 | Streets For All                        |
| JP-S2 | Carbon and Energy                      |

**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 of Development**

The site is located within Sedgley Park District Centre on a Secondary Shopping Frontage.

UPD Policy S1/3 - Shopping in District Centres states:

The Council will support proposals for new shopping development within the Borough's district centres at Tottington, Whitefield, and Sedgley Park, provided that such development is of a size, scale, function and character appropriate to serve the needs of the local area.

UDP Policy S2/3: 'Secondary Shopping Areas and Frontages' requires that in such areas the Council the Council will seek to maintain retailing (Class A1) as the predominant land use at ground floor level.

The proposal seeks to provide additional storage facilities for the existing retail unit. The proposal is thus acceptable in principle.

### **Design, Layout and Appearance**

UDP EN1/8 - Shop Fronts requires new and altered shop fronts to properly reflect the architectural elements of the building and the character of the street scene.

UDP Policy EN1/2: Townscape and Built Design gives favourable consideration to proposals that do not have an adversable effect on the character and townscape.

The proposed replacement shop front is considered to respect the host building and is not dissimilar to the modern shop frontage already in existence. The proposal is therefore acceptable in this regard.

In terms of the extensions proposed to the rear elevation of the property, the proposed two storey rear extension would extend from the original rear wall of the application building to match the existing two storey addition on the rear of what was formerly no. 4 Kings Road. This part of the extension would abut the existing pitched roof two storey rear outrigger. Thus the joint two storey additions would effectively become pitched roof.

The rear of the property is highly visible from the lane running along the side/ gable

elevation of the application site and the rear of the properties on Bury New Road. The single storey extension would remain as already approved, up to the rear boundaries of nos 3 and 5 Richmond Avenue.

The proposed addition of a two storey rear extension would sit comfortably in the site. The addition of the proposed single storey extension would now not be as noticeable in the streetscene as the previously approved single storey flat roof extension and therefore this proposal would have an acceptable effect on the appearance of the street scene and locality, in accordance with UDP Policy EN1/2.

### **Residential Amenity**

The rear garden areas of nos. 3 and 5 Richmond Avenue abut the application site and thus looks directly towards the rear elevation of the application site. Both neighbours have a rear garden area which provide sufficient separation between the proposed two storey rear extension which would be within 5m of the shared boundary with these neighbours to match the extent of the existing two storey original outrigger.

Given the close proximity of the shared boundary, the applicant has agreed to obscure glaze the windows proposed on the rear elevation of the proposed first floor element to reduce any feelings of being overlooked by the business to which this application relates. Such windows are therefore recommended to be secured by condition. The proposal would therefore accord with the requirements of UDP Policy EN1/2.

### **Highway Matters**

The submitted plans propose a satisfactory bin store with inward opening doors. At the request of the Local Highway Authority the applicant has also provided details of the proposed foundations for the rear-side extension to demonstrate that foundations would not encroach into the highway. Based on this submitted drawings, the proposal would cause no highway obstruction issues or safety issues and is therefore acceptable.

### **Carbon and Energy**

In compliance with PfE Policy JP-S2: 'Carbon and Energy', the proposal states the development prioritises the minimisation of energy demand and maximisation of energy efficiency through the following measures:

- Energy Performance Certificate (EPC) Rating: The property will achieve a high EPC rating of A or B, demonstrating energy efficiency and environmental sustainability.
- Smart Thermostats: Smart thermostats will be installed throughout the proposed development to enable precise control over heating and cooling, enhancing energy efficiency and user comfort.
- Lights will be energy saving and will be fitted with timers whilst water saving devices will be fitted to all sanitaryware.
- The applicant will undertake the works with local contractors and use local materials.
- Waste will be recycled as far as possible and recycling provision will also be provided. Specifications regarding recycling, as stated by Bury Council, are encouraged to all future residents of the property.
- The property will undergo regular maintenance, with annual reviews to ensure all energy-saving measures are functioning optimally and to identify opportunities for further improvements.

These measures align with the 2022 Part L Building Regulations and underscore our dedication to creating a sustainable and energy-efficient development, and the building will be developed to current U- Value standards, ensuring that the energy performance of the dwelling aligns with the required standards.

The proposed development is to be insulated in full compliance with current building regulations. It would adhere to the U-values specified in Approved Document L, Table 11, ensuring the property meets the required standards for thermal efficiency and energy

performance.

Given all of the above, the proposal accords with PfE Policy JP-S2.

### **Digital Connectivity**

In compliance with Policy JP-C2 of the PfE plan, our development will support high quality digital infrastructure the property will be served by full fibre broadband.

A search on Compare the Market produced many suppliers who can provide full fibre broadband to the property.

As this property is located in an allocated District Centre, just off Bury New Road, a priority highway within the borough, in a highly populated neighbourhood just South of Prestwich Centre, it is anticipated and expected that there should be no issues with the property being served by full fibre broadband.

### **Biodiversity**

This application proposes a first floor rear extension that would tie into the main roofscape of the no. 2-4 Kings Road. The two storey extension would also tie into the existing two storey addition present on the rear of part of the site, specifically on the rear of what was formally no. 4 Kings Road. A Bat Survey and evening bat emergence surveys have therefore been submitted during the course of this application.

#### **Bats and Nesting Birds**

A Preliminary Roost Assessment was conducted in May 2026 that assessed the building to have 'low' potential for roosting bats, and therefore a bat emergence survey was conducted in June 2026, during which no bats were found to be emerging from the building.

No further surveys or licences are required, however we recommend that Reasonable Avoidance Measures (as per Section 10.0 of the bat survey report) are following during development, which should be secured via a condition, and that an informative along the following lines is attached to any permission, if granted:

"Whilst the works to the existing building have been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed."

There is no vegetation on-site that would provide habitats for nesting birds, however consideration for nesting birds that may utilise buildings for their nests (e.g. pigeons) should be taken, and if a nest is found during development, works should stop immediately and an ecologist be contacted. An informative is recommended to ensure the applicant is made aware of the protection surrounding nesting birds.

Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible, measures to enhance the site for biodiversity should be secured as part of this planning application and should include integration of at least two bat boxes onto the building (or at least one bat box and one bird box) prior to habitation of the extension, which should be secured via condition, to provide biodiversity enhancements. Such a condition is recommended.

#### **Other Protected Species**

Protected species can turn up in unexpected places, and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative is recommended so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.

**Biodiversity Net Gain**

The application is subject to the provisions in Schedule 7A of the Town and Country Planning Act 1990 (the Act) relating to “Biodiversity Net Gain in England” which “makes provision for grants of planning permission in England to be subject to a condition to secure that the biodiversity gain objective is met”. The general condition of planning permission relating to biodiversity gain is set out in paragraph 13(2) to Schedule 7A of the Act and states that:

- (2) The condition is that the development may not be begun unless—
- (a) a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and
  - (b) the planning authority has approved the plan (see paragraph 15).

However, there are specific exemptions from biodiversity net gain for certain types of development. These exemptions are set out in paragraph 17 of Schedule 7A of the Act and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

In this case, the application proposal is on land that is “subject to the de minimis exemption (development below the threshold)”. This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows.

In this case, the existing rear yard area has no vegetation as it is surfaced with pebbles. This proposal therefore does not need to provide a 10% net gain to biodiversity.

**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. PP-14797295v1: Location Plan - Planning Portal;  
Drawing no. 502.1: Site - Existing and Proposed;  
Drawing no. 0P1.2: Proposed Plans (Level B1 and Level 0);  
Drawing no. 0P2.2: Proposed Plans (Level 1 and Roof);  
Drawing no. 0P3 Rev. 2: Proposed Elevations; and,  
Drawing no. 0P4.3: New Extension Foundation Plan and Section.

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 policies of the Bury Unitary Development Plan, Places for Everyone Joint Development 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.

- 4 The proposed development includes a basement. As such radon protection measures for basements in accordance with BRE 211: 2023 must be employed.

A Verification Report detailing the design and installation of the remedial measures must be submitted to and approved in writing by the Local Planning Authority upon completion of remediation works and prior to the development being brought into use.

Reason. In order to safeguard future users of the development and nearby residents from ground gas in accordance with sections P2: Ground conditions and P3: Living Conditions and Pollution of the National Planning Policy Framework - August 2026.

- 5 The development hereby approved shall be carried out in full accordance with the measures(including their timetable for implementation) detailed within Section 10 of the Bat Survey: Presence/Absence Survey by Verity Webster, dated June 2026.

Reason To ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species and to ensure the provision of appropriate habitat compensation in accordance with the requirements of Policy JP-G8: 'A Net Enhancement of Biodiversity and Geodiversity' of the Greater Manchester Places for Everyone Joint Development Plan, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

- 6 Two crevice-roost sites for roosting bats shall be integrated into the new extensions and a bat box attached externally to the building, or integrated into the stonework/brickwork on the south facing elevations prior to any use of the approved extensions.

Reason. To achieve appropriate biodiversity enhancements as part of the development in accordance with the requirements of Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 Before the first occupation of the extensions hereby permitted the first floor windows on the rear elevation of the extension hereby approved shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential

## DELEGATED REPORT

Properties.

| <u>Case Officer</u> | <u>Date</u> | <u>Sign off Officer</u> | <u>Date</u> |
|---------------------|-------------|-------------------------|-------------|
| CB                  | 25/8/26     | DM                      | 26/08/2026  |