

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 29/01/2026	Ref: 72658/FUL
Registration: 24/12/2025	LDFC: 29/01/2026	Expiry Date: 18/02/2026
Site Visit: 13/01/2026	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:
		Stat Class: MIOT

Proposal: Creation of a window to the West elevation; Change the existing shopfront to floor to ceiling

Location: 84 Rochdale Road, Bury, BL9 7AY

Description

The proposal relates to an end terraced property on the southern side of Rochdale Road. The property is currently used as a barbers at ground floor. The front boundary to the site opens onto the pavement with the rear and side boundaries being bound by brick walls.

The area is mixed use in nature, predominantly of retail, commercial and residential uses due to its location within Bury Town Centre as well as Rochdale Road being considered a throughroute and gateway.

The proposal is to create a window within the western elevation of the existing property together with the amendment to the front elevation to change the existing shopfront to a slightly larger floor to ceiling window.

The proposed shopfront window would be 2.5m in width and 2.4m high and utilise the existing roller shutters. The proposed window to be added in the western side elevation would be 2.8m high and 2.2m wide, with roller shutters fitted to match those existing on the front elevation.

The planning history at this property shows the property has lawful use to be used as a veterinary surgery. Despite the use of the property now being a barbers, these are both Class E uses and so it is not necessary for a change of use application to be submitted.

Following a site visit, it was determined the amendments to the shop window to the front had already been completed and therefore the alterations to the front of the property will be considered retrospectively.

Relevant Planning History

37738 - CHANGE OF USE - FROM RETAIL TO VETERINARY SURGERY WITH CAR PARK ON ADJACENT LAND

Publicity

4 neighbouring properties consulted on 08/01/2026. No comments have been received.

Statutory/Non-Statutory Consultations

Planning Policy Manager
Traffic Section - No comments received.

Pre-start Conditions - Not relevant.

Development Plan and Policies

NPPF	National Planning Policy Framework
S2/3	Secondary Shopping Areas and Frontages
EN1/2	Townscape and Built Design
PfE	Places for Everyone
Area	Rochdale Road/Lord Street/York Street
BY10	
JP-P1	Sustainable Places
EN1/7	Throughroutes and Gateways

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-

UDP Policy EN1/2 seeks to ensure proposals do not have an unacceptable effect on the character and townscape of the boroughs towns, villages and other settlements.

The site is located on Rochdale Road, a throughroute and gateway road within Bury Town Centre. The location is characterised by a mixture of retail and commercial uses, particularly uses like hairdressers, beauty salons and shops. The majority of these neighbouring units benefit from shopfront windows as proposed in the application. Due to the Town Centre location and region of Rochdale Road in which the application property is sited, it is therefore not considered that the amendment to the frontage of the shop would cause an unacceptable visual impact.

In terms of the proposed side window, other properties in the area have similar features such as 97 Rochdale Road and therefore the proposal would not appear incongruous. Furthermore, the proposal would change the blank elevation to an active frontage by adding the window, slightly enhancing the character of the area and so visually acceptable.

Overall, the proposals are considered to be acceptable and thus the proposal accords with UDP Policy EN1/2 of the Development Plan.

Residential Amenity-

The proposed amendment to the shop frontage would have no further impact on neighbouring amenity than exists.

In terms of the addition of the side window, there are no immediate neighbouring units to this side, with the closest unit (commercial) being sited over 50m away. Given this, there would be no privacy impacts and therefore it would be considered acceptable.

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:

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 IPS/R/84/BL97AY 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 The external finishing materials for the proposal hereby approved shall match those of the existing building.

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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> CO 29/01/2026	<u>Date</u>	<u>Sign off Officer</u> DM 29/01/2026	<u>Date</u>
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