

DELEGATED REPORT

Report by Claire Booth	Date of report: 03/03/2026	Ref: 72404/FUL
Registration: 21/10/2025	LDfC: 24/11/2025	Expiry Date: 16/12/2025
Site Visit: 08/12/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level:
		Stat Class: MIOT

Proposal: Single 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 operating as one retail unit, 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 is sought for three elements:

- Single storey flat roof rear extension;
- Extension of basement; and for the,
- Change of fenestration to the front elevation

The proposed Basement and single storey flat roof rear extension both seek to extend up to the rear boundary of the application site which shares a boundary with dwellings on Richmond Avenue. The single storey extension proposes to extend beyond the original rear elevation of the building by approximately 8 metres and would have a maximum height of approximately 3.1m.

In terms of the proposed changes to the front elevation a replacement shop front is proposed.

The proposal is to provide extended 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 their festivals.

Relevant Planning History

4 Kings Road

38785: Conversion of first floor flats to offices , single storey extension at side and new shop front to ground floor shop - Refused, 26/03/2002 for the following reason:

1. The applicant has submitted insufficient information to allow the proposed development to be properly assessed.

5 Richmond Avenue

56618: Two storey extension at rear (Ground Floor and Lower Ground Floor extension) - Approved with Conditions, 08/10/2013

Publicity

34 neighbouring and nearby properties were sent letters notifying them of this proposal on the 31/10/2025.

No representations have been received as a result of this publicity or by the date of writing this report, 03/03/2026.

Statutory/Non-Statutory Consultations

Traffic Section - Raised concerns about the loss of the rear yard area for car parking and requires doors to not open onto the adjacent highway and for sufficient bin storage provision to be provided within the proposed extension.

Waste Management - No comments or observations received.

Environmental Health - Contaminated Land - Site within a Radon Gas area therefore no objections subject to a condition securing satisfactory radon protection measures for the Basement area.

Greater Manchester Ecology Unit - No comments or observations received.

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

Pre-start Conditions - Not applicable.

Development Plan and Policies

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.

The proposed extension has been amended slightly to illustrate doorways on the side elevation will not open out onto the highways and to also provide a bin store that can accommodate at least 4 x 1100 litre bins.

The proposals, as amended therefore accord with UDP policies EN1/2 and EN1/8.

Residential Amenity

Supplementary Planning Document 6 provides guidance on aspect standards (separation distances) between residential properties, and as such, would be a reasonable guide in this case. For clarity the following aspect standards would be applicable:

- 6.5 metres between an existing habitable room window and a proposed single storey blank wall

No. 3 Richmond Avenue looks directly towards the rear elevation of the application site with no. 5 Richmond Avenue also partly looking towards the rear elevation of the application site. Both neighbours have a rear garden area which provide sufficient separation between the proposed extension and their habitable rooms of these neighbouring residents at 10m and 14m respectively. The proposal is therefore acceptable in this regard.

Highway Matters

The Local Highway Authority queried whether the proposal would result in the loss of an off-street car parking space and also raised concerns about doors opening up onto the adjacent highway and asked for the proposed bin store to be enlarged to accomodate at least 4 x 1100 litre bins.

The applicant has confirmed that the rear yard area is not used to park one car. The Council has no evidence to counter this claim.

The submitted amended plans now propose a larger bin store and now shows inward opening doors, so the proposal will 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 will be insulated in full compliance with current building regulations. It adheres 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 internet speed to the property.

As this property is located on a prominent B-Road, in the highly populated neighbourhood just South of Prestwich Village, in a well serviced residential area, it is anticipated and expected that there should be no issues with mobile connectivity.

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 “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

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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:

Planning Portal Reference: PP-14344960v1: Location Plan;
Drawing no. 502: Site - Existing & Proposed
Drawing no. 003A Rev. 2: Proposed Plans;
Drawing no. 003B Rev. 2: Proposed Plans (Level 1 and Roof Plans) and,
Drawing no. 003C Rev. 1: Proposed Elevations

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 pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan.

- 3 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 the Local Planning Authority for approval upon completion of remediation works and prior to the development being brought into use.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	03/03/2026		