

DELEGATED REPORT

Report by Tom Beirne	Date of report: 16/12/2025	Ref: 72184/FUL
Registration: 17/09/2025	LDfC: 09/10/2025	Expiry Date: 12/11/2025
Site Visit: 25/11/2025	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: First floor rear extension at rear, alterations to new side elevation and roof over existing single storey outrigger at the rear. Works to existing boundary wall.

Location: 78 Kings Road, Prestwich, Manchester, M25 0FY

Description

The application relates to a two storey red brick commercial property on the corner of Kings Road and Princess Avenue. The site lies within a Neighbourhood Shopping Centre. The ground floor front is a grocery store with a small computer repair shop at the ground floor rear. The upper floor is used as offices. There is a redundant vehicular access point from Princess at the rear, adjacent to the side boundary with No.1 Princess Avenue, a two storey semi-detached dwellinghouse with a side gable facing across the rear of the site. The attached property at No.80 Kings Road is a butchers.

The proposal involves a first floor extension with a pitched roof, projecting out over the existing single storey outrigger at the rear and adding a new pitched roof over the converted garage on the back boundary. The scheme would create approximately 40sqm of additional space at first floor. The scheme also includes minor alterations to the side elevation and blocking up the vehicular access onto Princess Avenue and building a new boundary wall and pedestrian access.

Relevant Planning History

13/0504 - Change of use - 04/11/2013

14/0430 - Prefab being used as a butchers shop - 03/11/2014

Publicity

Immediate neighbours notified by letter dated 18/09/2025. No objections received.

Statutory/Non-Statutory Consultations

Planning Policy Manager - No comments.

Pre-start Conditions - N/A

Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
SPD16	Design and Layout of New Development in Bury
JP-P1	Sustainable Places
HT4	New Development

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.

Use - The use of the building would not change, retaining a retail function of the ground floor with office use above.

Visual amenity and streetscape - The existing property has previously been extended on an rather ad-hoc basis and as such does not have a high amenity value within the streetscape. The extended building, with an articulated side elevation that mirrors the appearance of properties along Princess Avenue, would present a more integrated form within the streetscape.

The proposed extension and alterations are considered to be well designed and in keeping

with the existing property and streetscape. In terms of visual amenity, the proposal would be acceptable and comply with Places for Everyone Policy JP-P1 Sustainable Places and UDP Policies EN2/1 Townscape and Built Design.

Residential amenity - The attached property is commercial and is not impacted in terms of residential amenity. The property to the rear, at No.1 Princess Avenue is the nearest residential property and has a gable facing the site with a garden/yard area to the rear. The original scheme involved extending above the converted garage on the boundary with No.1 Princess Avenue. This, it was considered, would be overdominant and would have a detrimental impact on the rear yard/garden of No.1 Princess Avenue.

The plans were revised to improve the overall design and omit the first floor element of the scheme over the converted garage. This reduces the dominance of the new build in relation to the neighbour to an appropriate degree. There is no direct overlooking towards neighbours. It is noted that there are no objections from neighbours.

In terms of residential amenity, the proposed extension is considered to be acceptable and complies with UDP Policy and guidance.

Highways and Parking - The site lies within a relatively sustainable location, within an existing shopping centre and close to main bus routes. Although busy in traffic terms, the shops and businesses along this part of Kings Road serve a very localised clientele.

The additional office space created would be relatively modest and would in the most part allow the existing offices to be reorganised in a more suitable space. It is considered, given the parking within the immediate area, that the additional parking requirements for the new office space could be accommodated in the immediate vicinity.

The existing dropped kerb would be reinstated and the existing access on Princess Avenue, converted to a pedestrian access with a new wall to match the existing. This would be acceptable in highway terms and complies with UDP Policy H4 Highways.

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 decision relates to the drawings L(00)010, 001, 002, 003, 005, 006, 007, 009 and L(00)010 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.

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- 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 development hereby approved shall not be brought into use unless and until all proposed highway remedial works including the reinstatement of the existing vehicular access, have been implemented to the satisfaction of the Local Planning Authority.
Reason. In the interests of highway safety and to maintain the integrity of the adopted highway pursuant to UDP Policy HT4 New Development.
- 5 The development hereby approved shall not be commenced unless and until suitable facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy HT4 New Development.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	16/12/2025	DM	16/12/25