

DELEGATED REPORT

Report by Helen Pressley	Date of report: 12/01/2026	Ref: 72519/FUL
Registration: 17/11/2025	LDfC: 10/01/2026	Expiry Date: 12/01/2026
Site Visit: 11/12/2025	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: DEL
		Stat Class: MIOT

Proposal: Single storey rear extension and shop front/fenestration alterations.

Location: 37 Redvales Road, Bury, BL9 9PU

Description

The application relates to a terraced property that is currently utilised as a retail unit at ground floor and associated flat at first floor. The site currently has a single storey extension to the rear. The rear of the site is access from a ginnel that runs between this site, and No. 35. The site is located within the Redvales Road Neighbourhood Centre and Local Shops as allocated by UDP Policy S1/5.

Planning permission is sought for the construction of a single storey rear extension that projects approximately 5.4 metres beyond the existing single storey rear extension. Shop front alterations are also proposed which include enlarged shop windows, a new door to the shop and a new front door to the upstairs flat. Access to the upstairs flat would also still be retained internally.

Relevant Planning History

None

Publicity

Letters sent to neighbouring properties 18th November 2025 and 17th December 2025.

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Conditions requested in relation to implementation of bin storage and storage of construction materials.

Waste Management - No response.

Environmental Health - Contaminated Land - The Environment Section has assessed the application and has no comments to make regarding contaminated land and air quality.

Environmental Health - Pollution Control - No comment

Electricity North West Ltd - No response

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/2 Townscape and Built Design

EN1/8	Shop Fronts
JP-P1	Sustainable Places
JP-C5	Streets For All
JP-C6	Walking and Cycling
S1/5	Neighbourhood Centres and Local Shops

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.

Design and Layout

UDP Policy EN1/2 seeks to ensure that proposals do not have an adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places. UDP Policy EN1/8 further seeks to ensure that proposals for new and altered shop front properly respect the architectural elements of the building and the character of the surrounding street scene.

UDP Policy S1/5 seeks to retain retailing, as the predominant use in small neighbourhood centres and in new or existing local shops, to cater primarily for the day to day needs of residents and businesses. The proposal does not seek to change the use of the existing ground floor and as such would comply with this Policy.

The proposal seeks to reduce the extent of glazing to the front, remove the existing stall riser and relocate the entrance door to the shop replicating the frontage of the attached shop at no. 39. A new front door would also be installed within the frontage to allow for a private access to the flat, in addition to an internal entrance. An area for signage above the glazing would be retained. It is considered that the proposal would be in keeping with the neighbouring property and as such would be acceptable. Access for the public to the shop would be maintained from the front, with access to the rear yard and storage area provided through the ginnel at the side.

The proposed rear extension would be flat roof and would extend beyond the existing single storey rear extension. Given the context of the site the flat roof would not be readily visible from public vantage points and is therefore considered to be acceptable. The proposal seeks to utilise matching materials and the proposed store door is considered to be suitably aligned. An area would be retained in the yard for bin storage, with access to the front of the site on bin collection days retained via the ginnel that runs between the site and No. 35.

Given the above it is considered that the proposed alterations to the property are acceptable and would comply with the policy considerations set out above.

Amenity

UDP Policy EN1/2 - Townscape and Built Design seeks to ensure that proposals do not have an adverse impact on the particular character and townscape by assessing the relationship of the proposal to the surrounding area.

The ground floors for the attached neighbouring properties are both commercial in nature. No. 39 has an existing extension to the rear, whilst No. 35 has an extension and outbuilding located in the rear yard. It does not appear that the ground floors of the attached units are utilised as residential amenity space for the first floor flats. As such it is considered that the proposed rear extension would not be unduly overbearing in terms of residential amenity.

Carbon and Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

The applicant has confirmed that the proposal would involve refurbishment of an existing property and would comply with the Part L of the building regulations.

Digital Connectivity

PfE Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

The applicant has confirmed that the premises would have access to up to date/capable broadband.

Biodiversity Net Gain

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

The proposed alterations would occupy an existing building and rear yard and therefore the de-minimis exemption applies.

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 drawings numbered 1, 2, 3, 4A, 5, 6, 7, 8 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.
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 bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design and Places for Everyone Joint Development Plan Policies JP-C5: Streets for All and JP-C6: Walking and Cycling

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 12/01/2026		DM 12/01/2026	