

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 01/05/2025	Ref: 71648/FUL
Registration: 14/03/2025	LDFC: 05/05/2025	Expiry Date: 09/05/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Single storey side extension to existing newsagents shop.

Location: 378 Parr Lane, Bury, BL9 8LU

Description

The application relates to a 3 storey building which comprises a row of 6 shops at ground floor and residential flats above within a Neighbourhood Shopping Centre. At the rear is a car park and servicing area.

The site is an end retail shop and the proposal is for a single storey flat roof side extension which would project across to the side boundary and extend rearwards to the existing rear wall. The extension would add 26 sqm of floorspace and would extend the internal retail space with storage. Materials would comprise brick elevations and aluminium framed windows to match the existing.

At the rear within the existing servicing area would be a bin store.

Relevant Planning History

51253 - Single storey extension at the side with installation of ATM to front - approved 10-7-2009

Publicity

Letters sent to adjacent properties on 18/3/25 and 9/4/25.
No responses received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Waste Management - No response received

Environmental Health - Contaminated Land - No comments to make

Environmental Health - Pollution Control - No comments to make

Borough Engineer - Drainage Section - No response received

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
S1/5	Neighbourhood Centres and Local Shops
HT2/4	Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C8	Transport Requirements of New Development
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

The proposed extension would develop the existing retail shop to create additional floorspace and storage to support the existing business.

The proposal would therefore comply with policy S1/5.

Design and appearance

The proposal would add a single storey flat roof extension at the side which would be set within the gap between the existing shop and the site boundary. It would be designed to compliment the existing building by following the fascia height and depth and large display window opening.

Materials of brickwork and aluminium window frames would match the existing.

The proposal is therefore considered to comply with EN1/2.

Residential impacts.

There are residential flats above the existing row of shops.

The extension would be single storey and located at the end of the row of shops and adjacent to the retail supermarket at the northern eastern side.

There would be no openings or operations associated with the development which are considered harmful to nearby occupiers.

As such, the proposals would accord with EN1/2 and S1/5.

Highway issues

The proposed development would not impact on the servicing or parking arrangements to the rear of the shops and there are no concerns of issues relating to highway safety.

The Traffic Section have raised no objection subject to conditions for the provision of the bin store and storage of construction materials within the site area.

Policy JP-S2 - Carbon and energy

The applicant has submitted a statement that the extension would be constructed in accordance with Approved document L 2 of Building Regulations 2021 and would follow a fabric first approach.

The proposal would accord with policy JP-S2.

JP-C2 - Digital connectivity

The applicant has submitted a statement that the development would be connected to the existing ultra fast full fibre broadband and will therefore benefit from affordable, high quality, digital infrastructure.

The proposal would accord with policy JP-C2.

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:

- 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

C0627 -
Plan and elevation as existing 01 A

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Plan and elevation as proposed 02 A

Site location plan 03

Existing and proposed site layout plans and site location plan 04 A

Carbon and energy statement

Digital connectivity statement

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 revised bin storage facilities indicated on the approved plans shall be made available prior to commencement of the development hereby approved 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 Policies EN1/2, EC4/1 and JP-C8.
- 4 The development hereby approved shall not be commenced unless and until 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 EN1/2 and JP-C8.
- 5 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	1/5/25		