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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), C Boles, D Duncalfe,
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,
G Staples-Jones, D Vernon and M Walsh

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 16 December 2025
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Planning Control Committee are asked to consider whether they have an interest in any of the matters on the Agenda and, if so, to formally declare that interest.

3 MINUTES OF THE MEETING HELD ON THE 18TH NOVEMBER 2025 *(Pages 3 - 6)*

The Minutes of the meeting held on Tuesday the 18th November 2025 are attached.

4 PLANNING APPLICATIONS *(Pages 7 - 160)*

Reports attached.

5 ARTICLE 4 DIRECTION PROPOSAL - HOUSES IN MULTIPLE OCCUPATION *(Pages 161 - 218)*

A report from the Head of Development Management is attached seeking authorisation for the making of an immediate Article 4 Direction to give greater planning controls over proposals for change of use from Use Class C3 (dwellinghouse) to Use Class C4 (HMO).

6 DELEGATED DECISIONS *(Pages 219 - 232)*

A report from the Head of Development Management on all delegated planning decisions since the last meeting of the planning control committee is attached.

7 PLANNING APPEALS *(Pages 233 - 256)*

A report from the Head of Development Management on all planning appeal decisions since the last meeting of the Planning Control Committee is attached.

8 URGENT BUSINESS

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 18th November 2025

Present: Councillor G McGill (in the Chair)
Councillors C Boles, D Duncalfe, U Farooq, D Green, J Harris,
M Hayes, B Ibrahim, G Staples-Jones, D Vernon and M Walsh

Public Attendance: 25 members of the public and 2 members of the press were present at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor D Quinn.
Councillor D Green acted as a substitute representative for Councillor D Quinn.

PCC.2 DECLARATIONS OF INTEREST

There were no reported declarations of interest.

PCC.3 MINUTES OF THE MEETING HELD ON THE 21ST OCTOBER 2025

Delegated decision:

That the Minutes of the meeting held on the 21st October 2025 be approved as a correct record and signed by the Chair.

PCC.4 PLANNING APPLICATIONS

A report from the Head of Development Management was submitted in relation to applications for planning permission.

There was supplementary information to add in respect of application numbers 72236, 72334 and 71784.

The Committee heard representations from applicants, objectors and Ward Councillors in respect of the applications submitted. This was limited to three minutes for the speaker.

Delegated decisions:

1. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report submitted and subject to all other conditions included: -

Councillor B Ibrahim was absent from the meeting for the whole duration of this application on the agenda and took no part in the determination or voting.

Councillor G McGill in his role as Chair presided over a casting vote after the voting process was tied at 5 in favour of the Officer's recommendation and 5 against.

Shore Top Farm, Kearsley Road, Radcliffe, Manchester, M26 1FA

Construction, operation and decommissioning of a Battery Energy Storage System (BESS) facility and associated infrastructure

2. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted and subject to all other conditions included: -

Coach House, Knowsley View, Knowsley Road, Bolton, BL2 5PT

Change of use from coach house to 3 no. 2 bed apartments; Raising ridge height on existing extension; Single storey front extension; Single storey side extension.

3. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted along with an additional condition in relation to soundproofing in the interests of residential amenity and subject to all other conditions included:-

10 Chiltern Drive, Bury, BL8 1QY

Change of use from residential property (Class C3) to Residential institutions - Childrens home for 2 no children (Class C2)

4. That the Committee **Approved with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and the supplementary information submitted along with an amended condition 10 in relation to the inclusion of swift bricks and subject to all other conditions included: -

Land to rear of 69 Sandy Lane/Lowther Court, Prestwich, Manchester, M25 9PS

Demolition of existing garages and erection of 2 no. dwellings

PCC.5 DELEGATED DECISIONS

A report from the Head of Development Management was submitted listing all recent planning application decisions made by Officers using delegated powers since the last meeting of the Planning Control Committee.

Delegated decision:

That the report and appendices be noted.

PCC.6 PLANNING APPEALS

A report from the Head of Development Management was submitted listing all recent planning and enforcement appeal decisions since the last meeting of the Planning Control Committee.

Delegated decision:

That the report and appendices be noted.

PCC.7 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 8.45pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	16 December 2025
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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, I have 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 Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01	Township Forum - Ward: Radcliffe - East	App No. 71426
	Location: Land adjacent to Bealey Industrial Estate, Dumers Lane, Radcliffe, Manchester, M26 2BD	
	Proposal: Demolition of buildings and erection of 77 no. affordable dwellings and associated access off Wild Street, landscaping and parking.	
	Recommendation: Minded to Approve	Site Visit: N
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02	Township Forum - Ward: Radcliffe - East	App No. 72127
	Location: 25 Thomas Street, Radcliffe, Manchester, M26 2UH	
	Proposal: Change of use from public house (Sui Generis) to a 15 Bedroom (18 Persons) HMO together with first floor extension at side/rear and single storey extension at rear	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Whitefield + Unsworth - Unsworth	App No. 72240
	Location: Spurr House, Pole Lane, Bury, BL9 8QL	
	Proposal: Demolition of existing buildings, site clearance works including removal of areas of hardstanding and the erection of two blocks of apartments, comprising 60 no. residential units, relocation of existing site access, and associated landscaping	
	Recommendation: Minded to Approve	Site Visit: N
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04	Township Forum - Ward: Prestwich - Holyrood	App No. 72327
	Location: 263 Bury Old Road, Prestwich, Manchester, M25 1JA	
	Proposal: Change of use from hot-food takeaway (Use Class Sui Generis) to part ground floor office (Use Class E) and part ground floor and all first floor 3 bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4)	
	Recommendation: Approve with Conditions	Site Visit: N
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05	Township Forum - Ward: Bury West	App No. 72425
	Location: 8 Stephen Street South, Bury, BL8 2NT	
	Proposal: Change of use from existing 6 bedroom (single occupancy) HMO to 6 bedroom (6-8 occupants) HMO (House in Multiple Occupation) (Use Class Sui Generis)	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: Radcliffe - East

Item 01

Applicant: Westchurch Homes Ltd

Location: Land adjacent to Bealey Industrial Estate, Dumers Lane, Radcliffe, Manchester, M26 2BD

Proposal: Demolition of buildings and erection of 77 no. affordable dwellings and associated access off Wild Street, landscaping and parking.

Application Ref: 71426/Full

Target Date: 07/04/2025

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for the provision of affordable housing. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Description

The application relates to an area of land to the north west of Dumers Lane. The site is adjacent to the established Bealey Industrial Estate to the south and west and Eton Hill Industrial Estate to the west. Residential dwellings are located to the east of the site along Dumers Lane and north of the site along Borough Avenue and Seddon Avenue.

The site is allocated within the UDP as an employment generating area under Policy EC2/1/10 - Eton Hill Road, Radcliffe. The site is also allocated within the UDP as Land for Business (B1), General Industrial (B2) and Warehousing Uses (B8) under Policies EC1/1/21 - Former Wilds Paper Mill, Dumers Land and EC1/1/17 - Land Between Hutchinson's Goit and Bealey's Goit, Radcliffe.

Planning permission is sought for the demolition of existing buildings in association with a car wash and food use on the junction of Dumers Lane and Wild Street, removal/demolition of steel containers and demolition of Units 15 and 13 of Bealey Industrial Estate. The proposal also seeks removal of areas of hardstanding, external storage and parking associated with the Industrial Estate.

The proposal seeks construction of 77 no. affordable dwellings and associated access off Wild Street that would comprise the following:

- 18no. 1 bedroom flats;
- 6no. 2 bedroom houses;
- 37no. 3 bedroom houses; and
- 16no. 4 bedroom houses.

135 no. parking spaces are proposed, across the site comprising 132 residents spaces and 3no. visitor spaces as well as areas of public realm landscaping. All properties would be serviced by solar panels and Air Source Heat Pumps (ASHP).

Relevant Planning History

02971/E - Erection of circa 100 no. affordable dwellings including a new vehicular access to Dumers Lane - Enquiry Complete 1st July 2024.

Publicity

Letters sent to 216 neighbouring properties 08/01/2025. An additional 4 letters were sent on the 20/01/2025.

Site notice posted 16/01/2025

Press notice within the Bury Times 23/01/2025

Application was advertised as a departure from the Local Plan via site notice and press notice on the dates set out above.

15 objections were received in relation to:

- The area has been subjected to multiple housing developments and is at capacity.
- There are better brownfield sites that should be considered first.
- Local primary school is at capacity and doctors and dentists severely limited.
- No High School in Radcliffe
- I object to the suggestion that these properties are to be affordable homes
- Loss of light
- Loss of privacy
- Noise and vehicle pollution created by the new development and future occupants.
- Industrial units are noisy and will impact future residents.
- It will be an eyesore.
- Existing residents in bungalows are predominantly elderly, disabled or both and would not be able to cope with the building noise and may not be able to object or understand the implications of not objection.
- United Utilities wouldn't be able to cope with the extra houses, the tanks they have are not adequate for the properties that are already here.
- Loss of existing, established businesses that employ staff in the area without compensation to those businesses.
- Loss of houses on Wild Street.
- Japanese knotweed on site. No plans to address this.
- With reference to Japanese Knotweed the removal plan must extend to all fringes (and parts) of the Industrial Estate and not just the red line area. If you cannot condition an industrial estate wide removal you must refuse the plan. Then the developers can come back when they can undertake a whole industrial estate plan.
- No ecology report.
- Site supports nesting birds, hedgehog, common toad, frogs and smooth and palmate newts.
- Swan Lodge and Bealey's Goit remnant is a Site of Biological Importance and some of the amphibians which breed there will live on this site so yes, the development will be detrimental to the SBI.
- Are the Biodiversity Net Gain figures correct? Have they been checked?
- There are badgers in the area - video submitted.
- The habitat of our local wildlife has been decimated over recent years due to the high volume of other developments.
- The Transport Assessment does not take into consideration existing on street parking on Dumers Lane restricting visibility both sides of proposed access.
- Relocation of the existing bus stop on eastbound carriage will push on street parking down the road and exacerbate an existing problem.
- Cars/vans and HGVs frequently double park outside bungalows.
- Relocated bus stop should offer shelter if there's an increase in residents to encourage public transport use.
- TA does not confirm parking provision alongside standards. Where do visitors park if existing residents have to park on the road?

- Committed development in Transport Assessment should be agreed with the LPA (eg like York Street).
- Loss of bus stop and safe area to cross the road.
- Increased traffic on Dumers Lane through this, and recently approved developments.
- Not enough on site parking.
- Not enough parking for existing residents on Dumers Lane.
- Roads are in a state of disrepair
- The proposal would create an access road not 10 metres up from an existing access road.
- Number of collisions happen on this road.
- The new road will be placed on a bend in the road that has limited visibility.
- Dumers Lane can not withstand vehicles coming onto site with construction materials.
- On 26th December 2015 neighbouring properties on Seddon Avenue and Borough Avenue were flooded as were other properties within this area.
- We receive numerous amounts of flood warnings every year since this.
- Taking away another piece of green space that can soak up some rain that can protect our homes that house very vulnerable people should not be developed whatsoever.
- The flood defences that were put in after the flooding in 2015 fail in Close Park across the road.
- No archaeology report.
- There was a rail line which came in from the canal so I am always unhappy at potential loss of industrial archaeology.
- I see no provision for restricting access to the fields to the north. The fields have been subject to anti social behaviour over the years and unrestricted access would encourage this.

2 comments received in relation to:

- If this development goes ahead I ask that integrated swift bricks be conditioned on the basis of 1 or 2 per dwelling as recommended in ERAP's ecological report and in line with the motion passed by Council last July.
- ERAP has also recommended House Sparrow terraces, I would suggest that integrated bird bricks, BS 42021 as recommended by CIEEM would be a better option, providing nesting opportunities for several red listed species, including House Sparrows and Starlings.
- Because of their protective agenda has the developers and with your collaboration taken into account of the bats existence and protection.

1 representation from the Lancashire Wildlife Trust received in relation to:

- Biodiversity Net Gain Metric not available on the website. GMEU have commented on the metric and their concerns must be addressed.
- Main concern regarding the development is potential impacts on priority species due to the proposed off-site habitat provision.
- The habitat creation map for indicates that even on the area identified as other neutral grassland, trees are to be planted throughout. It is unclear as to what the ecological reasoning is behind planting trees within the grassland habitat.
- Tree planting might also have an adverse impact on any ground nesting birds that are currently using the site.
- As far as I can determine, no assessment for priority species has been undertaken on the off-site habitat.
- Recommend that an assessment of the off-site compensation area in terms of its potential to support priority species is undertaken and the conclusions set out.
- Note that GMEU have welcomed the boundary changes to avoid Swan Lodge and Bealey's Goit and maximise the buffer to Hutchinsons Goit. My only comment here

therefore is that in the past, there has been a loss of habitat due to partial infilling of Bealey's Goit. My feeling is that habitat enhancement works within the Swan Lodge area/SBI would provide a better outcome than trying to squeeze in BNG requirements off-site that might not provide the best overall biodiversity outcome.

- With regard to the clearance works within the development area, I would call attention to the fact that all the habitats on site have the potential to support nesting birds, including trees, shrubs and Bramble and tall herb habitat. Method statements for habitat clearance works must include all these habitats. Precautionary working measures must also be put in place for amphibians.
- Welcome that Swift has been identified as a bird that can be aided outside of the BNG requirements

Following receipt of amended, that included the removal of a proposed access directly from Dumers Lane and upgrade of Wild Street and additional plans amending the internal layout further neighbour letters sent 01/09/2025.

Councillor Birchmore relayed the following concerns:

- Although I understand the need for affordable housing, I do have some concerns about this particular application.
- I am disappointed that the revised plans still do not appear to take into account the concerns of the residents living in the bungalows from 179 to 207 Dumers Lane relating to loss of privacy and light.
- As you are aware there is a right to light and positioning two story houses behind single story houses is likely to impact on that right.
- What the developer should do is to build the houses directly behind the properties on Dumers Lane within the same roof line as the existing properties i.e. bungalows.
- I am also aware of safety concerns expressed by residents in relation to the road access.
- Dumers Lane is a very busy road and residents have already experienced damage to their vehicles on a number of occasions.
- I am aware that a study in relation to environment issues has been submitted but it is not clear as to whether the developer has listened to those concerns.

9 objections were received in relation to:

- We don't need more houses. The area is already overcrowded.
- Roads are in terrible condition.
- Increased congestion and pollution.
- Parking occurs on Dumers Lane which is a strategic route and creates hazards.
- Driveways for plots 1 and 6 should not be accessed from Dumers Lane.
- Adding to traffic will cause more hazards at existing junctions within the vicinity of the site.
- Buses, HGVs, vans, and residents all battle for space, and it's dangerous.
- Increase traffic on Wild Street would be problematic. Turning on to the main road at that junction frequently causes near accidents with the kink in the road there
- The row of terraces next to Wild Street have an area of on-street parking and the residents' vehicles (daily) park right on the Wild Street/Dumers Lane priority junction.
- Visibility from Wild Street is very limited.
- When HGVs do enter the site, the access isn't sufficient to allow this size of vehicle to enter and manoeuvre within the site.
- HGVs from Bealey Industrial Estate park up in the adjacent bus stop and on the footway.
- Two parking spaces per four-bed house is insufficient and will lead to parking on Dumers Lane.

- Lack of parking for existing residents on Dumers Lane.
- Developer should provide drives for the existing houses on Dumers Lane.
- Loss of local businesses and jobs.
- Drains in area have been blocked this year and needed clearing.
- Flooding from increased surface ground water and river.
- Heavy rain resulted in reservoir filling up, residents are not happy with plans that have not been considered regards the water and filling up of these reservoirs.
- I want to know what reports have been done regarding the badgers.
- Where will the wildlife on the land go?
- When will the developer is going to clear the Japanese knotweed and brambles that are coming into my garden from their land.
- Planting trees will reduce light into existing gardens.
- Noise and disruption from construction.
- Not affordable. Private landlords will buy them and rent them out.
- I have a lot of very vulnerable neighbours who either can not or are incapable of understanding the consequences of not objecting to this application.
- Not enough school places.

1 comment received in relation to:

- I don't so much have an issue with the building of the houses, however, I do have a major issue with the number of 60ft wagons turning in and out of these Bealey Industrial Estate, every day especially in the evening.
- These wagons are parked in the bus stop behind Riverside Road, and all down Dumers Lane. This is a issue with visibility when turning in and out of Riverside Road. This week I have noticed a number of Amazon Prime vans parked on Riverside Road, blocking driveways.
- Will the new residents of the proposed new houses, be made aware that Bealey Trading Estate, is becoming increasing busy, with wagons moving in & out of the site at all times?

Statutory/Non-Statutory Consultations

Traffic Section - To be updated in supplementary

Waste Management - No response received.

Environmental Health - Contaminated Land - Conditions requested in relation to site characterisation and risk assessment, remediation strategy and verification, unexpected contamination, imported soil, EV charge points and dust management.

Greater Manchester Ecology Unit - Conditions requested in relation to the submission of a CEMP, updated protected species survey, nesting birds, precautionary measures method statement of common toad, hedgehog, badger, otter and other mammals, management strategy for Himalayan Balsalm, verigated yellow - archangel, virginia creeper and monbretia.

In terms of Biodiversity Net Gain (BNG) an updated metric and BNG assessment have been provided. An on-site 30 year Habitat Management and Monitoring Plan (HMMP) will be required for the other neutral grassland, mixed scrub and urban trees. For the off-site proposals, on land within their ownership elsewhere in the Borough, an HMMP will also be required in order to register the site with Defra along with a legal agreement with a third party such as the Local Planning Authority.

Environment Agency - No objection to this proposal subject to conditions in relation to finished floor levels, ground water and contaminated land and informatives in relation to

model procedures and good practice.

Mining Remediation Authority - No objection to the proposed development. Requested informative in relation to what should be done should a coal mining feature be encountered during development. May be prudent for the LPA to remove Permitted Development Rights for the erection of any extensions or curtilage buildings at Plot 59 & 60. This will enable the safety and stability implications of coal mining legacy to be considered by the LPA in the event of future householder development proposals for these specific plots.

Greater Manchester Police - designforsecurity - No response received.

United Utilities (Water and waste) - Can confirm that whilst the proposals are acceptable in principle, there is insufficient information on the detail of the drainage design. SuDs condition requested.

Drainage Section - No response received.

Greater Manchester Fire - The proposal should meet the requirements for Fire Service access.

Transport for Greater Manchester - No objections raised to the amended layout and updated Transport Assessment. Informative requested in relation to the proximity of new dwellings to the existing bus stop.

Environmental Health - Pollution Control - In accordance with the noise impact assessment carried out, it is recommended that the acoustic fencing (shown in the proposed site layout) along the northern and western boundaries of the development is included as a condition for the development.

In line with the noise impact assessment carried out, the living room and bedroom windows for the houses indicated should be fitted with enhanced glazing as well as double glazing for the other properties included in the development. Also, to achieve the acceptable internal noise criteria, all living rooms and bedrooms for the indicated properties will require an acoustically treated means of ventilation, instead of standard window frame slot vents.

G M Archaeological Advisory Service - Having checked records satisfied that the proposed development does not threaten the known or suspected archaeological heritage. On this basis there is no reason to seek to impose archaeological requirements upon the applicant.

Pre-start Conditions - Sent to agent for agreement. To be updated in supplementary

Development Plan and Policies

EN1/2	Townscape and Built Design
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H3	Incompatible Uses in Residential Areas

H3/1	Assessing Non-Conforming Uses
H3/2	Existing Incompatible Uses
H4/1	Affordable Housing
EC2/1	Employment Generating Areas
EC1/1	Land for Business (B1) (B2) (B8)
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
JP-J1	Supporting Long-Term Economic Growth
JP-J2	Employment Sites and Premises
JP-J4	Industry and Warehousing Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-P6	Health
JP-G2	Green Infrastructure Network
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G1	Landscape Character
NPPF	National Planning Policy Framework
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises

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.

Principle (Loss of Employment)

The site is located within an Employment Generating Area (EGA) under UDP Policy EC2/1 and specifically under EC2/1/10 (Eton Hill Road).

Policy EC2/1 states that in the defined Employment Generating Areas, the Council will only allow development for the uses specified. Other uses will only be permitted where they

constitute limited development or do not substantially detract from an area's value as an Employment Generating Area.

Within the EGA designated under EC2/1/10, the specified uses are for B1 (now falling under Class E(g)), B2 or B8 development.

In the context of Policy EC2/1, the proposal involves the loss of a significant proportion of the EGA. Consequently, it is not considered that the proposal constitutes limited development.

As such, it is considered that the proposal would conflict with UDP Policy EC2/1.

Parts of the site are also allocated for employment use under UDP Policy EC1/1 and specifically EC1/1/21 (Former Wilds Paper Mill).

Policy EC1/1 states that the Council will only allow development for the uses specified. Other uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals contained within the UDP.

The uses specified for UDP Allocation EC1/1/17 and Allocation EC1/1/21 are B1 (now falling under Class E(g)), B2 or B8 development.

As such, it is considered that the proposal would conflict with UDP Policy EC1/1.

However, in considering the proposal, there is also a need to take account of paragraph 127 of the NPPF, which states that:

Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use specified allocated in a plan:

- a) It should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
- b) In the interim, prior to updating the plan, application for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

In the context of the NPPF, the Council would need to be satisfied that there was no reasonable prospect of the site being retained or redeveloped for employment uses before being in a position where its redevelopment for housing could be supported.

In this respect, the Council has developed SPD14 and whilst the advice contained in this SPD does not generally relate to Employment Generating Areas as identified under UDP Policy EC2/1, it does specify that in exceptional circumstances, the Council may consider applying the approach specified in this SPD to employment sites within EGAs.

The approach within the SPD is designed to give an opportunity for developers to demonstrate that an existing employment site has no reasonable prospect of being retained in that use and this reflects the requirements of para 127 in the NPPF. As such, it is considered that this would constitute the exceptional circumstances for applying the requirements of SPD14 to this proposal.

In basic terms, SPD14 seeks to retain sites that are suitable, in land use terms, for

continued employment use although it does allow for a greater degree of flexibility in so far as it considers viability issues as well as assessing the suitability of the site from a purely land use perspective.

From a land use perspective, the site is part of an established concentration of employment uses that remains a suitable use for this location.

An assessment is therefore required to determine whether retaining the site in employment is viable and there is no realistic prospect of the site being used for this purpose. SPD14 requires applications which involve the potential loss of employment land to submit robust evidence to demonstrate that the site has been actively and comprehensively marketed at a realistic value and for a minimum of 12 months.

Whilst evidence of specific marketing has not been provided, the Planning Statement does set out the market demand for floorspace within Bealey's Industrial Estate. It identifies several vacant units within the industrial estate, states that the location is tertiary industrial market location and describes the recent investment into the estate. The Planning Statement concludes in paragraph 5.20 that there is no proven demand for the application site to be used for employment purposes. The buildings proposed to be demolished are essentially poor-quality shipping containers which are not considered fit for purpose for employment use and the allocation has not come forward for employment use since the UDP was adopted in 1997. Given these factors, the vacant units in the remainder of the industrial estate and recent investment, it is highly unlikely that the application site would be refurbished or redeveloped for employment use.

In such circumstances, SPD14 specifies that consideration will be given to alternative uses subject to a one-off financial contribution to offset this loss of the employment land. Contributions are then used to help bring forward employment opportunities elsewhere in the Borough.

Given that it is accepted that there is no reasonable prospect of the application site coming forward for its allocated/designated use and the unmet housing need within the Borough detailed below, the Council would consider an alternative use subject to a one-off contribution for the loss of the employment land. This contribution will be discussed further below in relation to viability.

Principle (Residential)

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment is an assessment of potential sites

for residential development and is used to assess the housing land supply. It includes sites that have an extant planning permission, sites allocated through the joint Places for Everyone Plan and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed.

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five year supply of housing land. Based on the 2025 5-year supply statement, the Council has demonstrated a 4.3 year supply of housing land. This includes a 20% buffer (as currently required in Bury due to past under delivery) and accounts for past oversupply when assessed against the adopted PfE housing requirement. The Council is therefore currently unable to demonstrate a deliverable five-year supply of housing land against the adopted housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%.

The five year supply position and the housing delivery test result need to be treated as material factors when determining applications for residential development.

Paragraph 11(d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provide a strong reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

This means that as a result of the lack of five year supply and the latest published HDT result the 'tilted balance' set out in NPPF paragraph 11(d) applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is located within an established urban area, outside of the Green Belt. As such the proposal is considered to be acceptable in principle.

Layout and Design

PfE Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 35 dwellings per hectare at this site. The application form states that the site is 1.93 hectares, which based on a total of 87 dwellings would result in a density of 45 dwellings per hectare. This exceeds the minimum density on site and as such it is considered that the

proposal would achieve efficient use of land in accordance with the above Policy.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. UDP Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. PfE Policy JP-H3 seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

The site would be accessed from Wild Street, an existing access that currently serves Bealey Industrial Estate. Plots 1- 6 would face Dumers Lane with the remaining plots sited to the rear of the existing properties at 173-207 Dumers Lane. 12no. housetypes are proposed, ranging from 1no. bed to 4no.bed and accommodated within buildings that would be 2 - 2.5 storey in height. The Wollaton, Wollaton Alt and Alnwick + Housetypes would provide accommodation within the loft space of the proposed dwellings. Dwellings would be semi-detached or located within short terraced rows, with the 1no. bed units provided within two storey blocks of flats within the north west corner of the site (Burghley).

Principle elevations would face either Dumers Lane, or the proposed internal estate roads. Areas of private amenity space are located to the rear of each individual property with areas of shared amenity space located to the rear of the blocks of 1no. bed properties. Parking would be provided either to the sides of dwellings, or within small parking court areas. Areas of landscaping are proposed to the fronts of dwellings, with additional soft landscaping also proposed within public realm areas. Each dwelling would have an area for bin storage within the curtilage of the dwelling house, with shared bin storage for the two storey blocks of flats. The Waste Management plan identifies bin collection points for each dwelling. Boundaries to the rear gardens would largely be depicted by 1.8 metre timber fencing, with a 1.8 metre brick wall proposed to the rear of plots 1 - 6 and 3 metre acoustic fencing proposed on the boundary with the adjacent industrial estate.

It is considered that the level of amenity space for the proposed dwellings would be acceptable and there would be space to the side or rear of each property for bin and cycle storage. Pedestrian access to the gardens associated with each property is provided to allow access to the bin and cycle storage. The areas for cycle storage have not been shown on the proposed layout however there is sufficient space in and around the dwellings, and flats and as such it is considered that this detail could be secured by a pre-commencement condition. The areas of soft landscaping to the fronts of dwellings are welcomed and would provide relief between the areas of parking and roads. Proposed hard landscaped boundary treatments would be limited to the rear of properties to depict the areas of private amenity space.

Street scenes have been submitted, that show the properties on Dumers Lane in relation to the existing residential properties as well as a street scene within the site that indicates the relationship between the different housetypes. Plot 1 would be a dual aspect property with an active frontage also located on Wild Street. The scale of these dwellings, and the dwellings within the wider site is considered to be acceptable and would replicate the two storey dwellings that can be found on Dumers Lane and Borough Avenue within the vicinity of the site. Elements of interest have been added to the fronts of the proposed housetypes in various ways including porch canopies, areas of render, headers and cills and projecting two storey gables. Whilst varying in design, the house types are tied together through the elements of red facing brick which replicate the materials utilised within the adjacent housing estates.

It is therefore considered that the proposed development would fit appropriately within the locality and would be in accordance with Policies H2/1, H2/2, EN1/2, JP-P1 and JP-H3.

PfE Policy JP-H3 also states that all new dwelling must:

1. Comply with the nationally described space standards (NDSS); and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The proposal includes a range of 1, 2, 3 and 4 bed homes. Details confirm that all the dwellings will meet NDSS and included a table on each of the proposed house type plans.

The following house types are proposed:

- Alnwick - 3no. bed property. Bedroom 1 would comply with standards for a double occupancy room. Bedrooms 2 and 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 3 bed, 4 person dwelling. In built storage complies with NDSS standards.
- Alnwick+ - 4no. bed property. Master bedroom and bedroom 1 would comply with standards for double occupancy. Bedrooms 2 and 3 would comply with guidance for single occupancy. GIA would comply with requirements for a 3 storey, 4 bed, 6 person dwelling.
- Burghley Ground Floor - 1no. bed property. Bedroom would comply with double occupancy standards. GIA would comply with requirements for a 1 storey, 1 bed, 2 person dwelling. In built storage complies with NDSS standards.
- Burghley First Floor - 1no. bed property. Bedroom would comply with double occupancy standards. GIA would comply with requirements for a 1 storey, 1 bed, 2 person dwelling. In built storage complies with NDSS standards.
- Chester - 3no. bed property. Bedroom 1 would comply with standards for a double occupancy room. Bedrooms 2 and 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 3 bed, 4 person dwelling. In built storage complies with NDSS standards.
- Gainford - 3no. bed property. Bedroom 1 would comply with standards for a double occupancy room. Bedrooms 2 and 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 3 bed, 4 person dwelling. In built storage complies with NDSS standards.
- Gainford Alt - 3no. bed property. Bedroom 1 would comply with standards for a double occupancy room. Bedrooms 2 and 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 3 bed, 4 person dwelling. In built storage complies with NDSS standards.
- Knaresborough - 2no. bed property. 3no. bed property. Bedroom 1 would comply with standards for a double occupancy room. Bedroom 2 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 2 bed, 3 person dwelling. In built storage complies with NDSS standards.
- Peover - 3no. bed property. Bedrooms 1 and 2 would comply with standards for a

double occupancy rooms. Bedroom 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 3 bed, 5 person dwelling. In built storage complies with NDSS standards.

- Ripley - 4no. bed dwelling. Bedroom 1 would comply with standards for a double occupancy room. Bedrooms 2, 3 and 4 would comply with standards for a single occupancy rooms. Gross Internal Area (GIA) would comply with the requirements for a 2 storey, 4 bed, 5 person dwelling. In built storage complies with NDSS standards.
- Wollaton - 3no. bed property. Bedrooms 1 and 2 would comply with standards for a double occupancy room. Bedroom 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 3 storey, 3 bed, 5 person dwelling. In built storage complies with NDSS standards.
- Wollaton Alt+ - 3no. bed property. Bedrooms 1 and 2 would comply with standards for a double occupancy room. Bedroom 3 would comply with standards for a single occupancy room. Gross Internal Area (GIA) would comply with the requirements for a 3 storey, 3 bed, 5 person dwelling. In built storage complies with NDSS standards.

The accessible and adaptable standard in Part M4(2) of Building Regulations can be secured via condition.

Plans have also been submitted that indicate M4(3) - wheelchair user dwelling compliance for 9no. Burghley units.

Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 (SPD6) provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

Any assessment takes into account significant change in levels or new accommodation to be provided at a higher storey. In this regard, there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference in each of the above cases.

Plots 7-21 would be located to the rear of No. 173 - 207 Dumers Lane. The properties on Dumers Lane are single storey units, with private gardens that back onto the rear of the site. Kitchens appear to be located to the rear of the properties opening out onto the gardens. Plots 7-21 represent a number of housetypes that are two storey in height.

As the housetypes proposed are two storey, and the dwellings on Dumers Lane are single

storey sections have been provided to show the relationship between the properties to ascertain whether there would be an over bearing relationship. Sections A - A, C - C and D - D confirm that whilst the land on which the proposed dwellings are sited would be at a slightly higher level than the dwellings on Dumers Lane, this difference in levels would not exceed 2.5 metres in height and as such additional distances are not required to be added to the aspect standards set out above. A minimum of 13.5 metres can be provided between the proposed dwellings and the rear elevations of the dwellings on Dumers Lane complying with the aspect standards set out above.

The rear first floor habitable room windows plots 7 - 8 would be located a minimum of approximately 8.8 metres from the shared boundary with the properties on Dumers Lane complying with aspect standards, with an onward view of the gables of No. 183 and 185 Dumers Lane rather than habitable room windows. The first floor rear habitable room windows of Plots 9 - 18 would be located approximately 12.5 metres from the shared boundary with the properties on Dumers Lane, and 22 metres from their rear elevations complying with aspect standards. The blank side gable for Plot 19 would be face towards the rear of no. 205 Dumers Lane, and partially towards the rear of Nos. 203 and 207. A distance of approximately 14 metres can be provided between the proposed side elevation and the existing dwellings complying with aspect standards.

Plots 1 - 6 would front Dumers Lane. These plots would face the rear elevations of 15 - 19 Riverside Road and the front elevation of No. 40 Dumers Lane. The plots would be separated from these dwellings by a highway and as such no undue overlooking is foreseen. The gable of Plot 6 would be offset from the front elevation of No. 175 Dumers Lane and whilst it would project beyond the front elevation of No. 177 Dumers Lane there is a separation distance of approximately 22 metres between the gables of the existing and proposed plot. As such it is considered that the location of this row of dwellings would not be unduly over bearing.

Plots 19 - 49 would be located to the south west of the dwellings on Borough Avenue and Seddon Avenue. Section A - A indicates that whilst the land on which the proposed dwellings are sited would be at a slightly higher level than the dwellings on Borough Avenue again this difference in levels would not exceed 2.5 metres in height and as such additional distances aren't required to be added to the aspect standards set out above.

All first floor rear habitable room windows for Plots 19 - 49 would be located over 7 metres from the shared boundaries with the properties on Borough Avenue and Seddon Avenue complying with aspect standards. The rear elevations of Nos. 11a, 13a, 43a and 45a Borough Avenue would face towards the site, all other properties would have side elevations that face the site. An area of landscaping is proposed to the rear of Nos. 11a and 13a. An area of car paring, and landscaping would be located to the rear of Nos. 43a and 45a. As such it is considered that the proposed development would comply with aspect standards set out above.

Plots (excluding the proposed flats) located internally within the development would all have gardens that are at least 7 metres long. Plots 32 - 26 would be located a minimum of 20 metres from the rear elevations of Plots 34 - 39. Internally 20 metres can not be provided between the front elevations of all the properties that are separated by a highway. In this instance however these dwellings are generally separated by a highway, and soft landscaped frontages. These relationships proposed would be internally within the estate and any resident's would be aware of the relationship prior to occupation.

The garden and rear elevation of Plot 33 would be located adjacent to the shared boundary with the neighbouring industrial estate and associated noise mitigation (which will be discussed further below). The noise mitigation at this point would comprise a 3 metre high

acoustic fence. Plot 33 would be an Alnwick + housetype with two ground floor living/dining room windows facing towards this fence. A distance of approximately 6 metres can be provided for the nearest ground floor door which would increase to approximately 11 metres for the window adjacent to the boundary with Plot 32. As such it is considered that the location of the acoustic fence would not be unduly overbearing.

Plots 64 - 77 also have rear aspects that face towards the adjoining industrial estate and associated noise mitigation includes a six metre high acoustic bund/fence along the northern boundary. This noise mitigation would be located approximately 5 metres from the ground floor windows of these plots, when measured from the edge of the bund. The applicant's however have provided a section of the bund, and fencing which shows that the bund slopes away from these rear ground floor windows which would lessen the impact of the height of the proposed mitigation in terms of overbearing relationships and any future resident's would be aware of the relationship prior to occupation. As such this element of the layout is considered to be acceptable.

Given the above, it is considered that the proposed dwellings would comply with UDP Policy H1/2 and would be in accordance with the intentions of SPD 6 in terms of separation distances.

Air Source Heat Pumps

The proposal seeks to install an air source heat pumps (ASHP), to provide space and water heating for the proposed dwellings. The main consideration in relation to this installation will be in relation to the noise created. As such UDP Policy EN7/2 is required to be considered for this application. This policy states that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers and or/amenity users or development close to a permanent source of noise.

An addendum to the submitted Noise Impact Assessment addresses ASHP in particular, and confirms that the applicant seeks to install Panasonic WH-MDC05J3E5 5kW ASHPs with a manufacturer's A-weighted source sound power level of 60 dB. The proposed ASHPs would be located to the rear of the dwellings and the blocks of flats. The addendum to the Noise Impact Assessment considers that proposed position of the equipment (at ground level approximately 4 metres from the nearest neighbouring dwelling window), when corrections for directivity and the screening attenuation that will be provided by garden fences between properties are applied, the resulting noise level from any given ASHP outside the nearest neighbouring dwelling is likely to be no higher than 35 dB which is below the external and internal noise criteria as set out in British Standard 8233: 2014. As such the proposed ASHP are considered to be acceptable and would comply with UDP Policy EN7/2.

Neighbouring Uses

In addition to UDP Policy EN7/2 referenced above UDP Policy H3 seeks to restrict the development of incompatible uses in areas which are primarily residential in nature and where possible will seek to resolve existing conflicts. This is further supported by UDP Policies H3/1 and H3/2 that consider factors such as noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation, and seeks to implement measures to control these where possible to minimise areas of conflict and potential nuisance.

Paragraph 198 of the NPPF confirms that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 200 states that decisions should ensure that new

development can be integrated effectively with existing businesses and community facilities.

The site is located adjacent to an existing industrial estate, and the A6053 Dumers Lane. It is likely that noise disturbances will occur to many residents of this proposed development from activities carried out on these adjacent sites or that may be carried out in the future, especially if these activities occur late at night or early in the morning.

A noise impact assessment has been submitted as part of the proposal. The assessment confirms that a noise survey was carried out at seven locations, that were considered to be representative of the proposed dwellings at relevant points around the boundary of the site. The purpose of the noise surveys was to determine the prevailing noise levels and hence the potential noise impact from Dumers Lane to the east and the commercial/industrial premises west of the development site.

Following completion of the noise surveys the initial outcome of the assessment of potential noise impact from the industrial estate helped inform the layout and orientation of the site particularly, in the northwest corner. A noise mitigation scheme to protect the amenity of the new residents from both road traffic noise and noise from industrial estate (therefore safeguarding the interests of the businesses) has been put forward and includes:

- a 6 metre high acoustic bund/fence along the northern boundary;
- a 3 metre high acoustic fence along the western boundary;
- enhances specification glazing for the living rooms and bedrooms of Plots 1 - 11, 30 - 35 and 60 - 77.
- standard double glazing for all other living rooms and bedrooms;
- acoustically treated means of ventilation for the living rooms and bedrooms of Plots 1 - 11, 30 - 35 and 60 - 77.

Environmental Health - Pollution Control have reviewed the submitted noise impact assessment and requested that the mitigations set out above are conditioned. Subject to the implementation of these mitigations it is considered that the proposal would comply with UDP Policies EN7/2, H3, H3/1, H3/2 and paragraph 198 and 200 of the NPPF.

Health and Wellbeing

PfE Policy JP-P6 supports improvements in healthcare facilities. Where appropriate, the provision of new or improved health facilities will be required proportionate to the additional demand generated.

The applicants have provided a Health Impact Assessment which demonstrates that the proposed development will not result in any negative impacts on the health of the existing or future population of Bury of those residing in close proximity to proposed development site, with the development intending to provide long-term health and wellbeing benefits for future residents and visitors.

In addition, having better access to housing, improvements in the environment and access to outdoor space are considered to have a beneficial impact to health. The proposals are therefore considered to be in accordance with Policy JP-P6.

Highways and Access

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a

significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The site would be accessed from a redesigned Wild Street layout. This is an existing private road that provides access to Bealey Industrial Estate with no pedestrian footway provision. Wild Street is accessed from the A6053 Dumers Lane, a two way single carriage road. The development is now proposed to be served from a new priority junction from Wild Street via the existing junction of Wild Street with Dumers Lane, which would be upgraded as part of the development.

The proposal seeks to redesign Wild Street, to include a 7.3 metre wide carriageway, with 2 metre wide footway to the north of Wild Street and 1.5 metre footway to the south of Wild Street fronting the existing dwellings. The access road into the proposed development also includes 2 metre wide footways on either side of the carriageway, which tie into the proposed 2 metre wide footway on Wild Street. On street parking for the dwellings on Wild Street would be retained and tracking provided to show that vehicles accessing the Industrial Estate can still access the site following the redesign of Wild Street. An uncontrolled pedestrian crossing with dropped kerbs and tactile paving is proposed across the site access at its junction with Dumers Lane. Footway resurfacing and renewal would also be undertaken on Dumers Lane western footway adjacent to the site boundary.

Visibility splays have been provided for Wild Street and show a splay looking left in accordance with the 85th percentile speeds. Visibility splays to the right looking past the existing on-street parking on Dumers Lane have also been shown.

The on site layout, predominantly features 5.5 metre wide carriageways and 2 metre footways to both sides. Turning heads are provided at the end of cul-de-sac and swept path drawings are included within Appendix C of the Transport Assessment to demonstrate that a refuse vehicle is able to enter and exit the site in forward gear, carrying out turning manoeuvres within the site. Shared private driveways within the site form 90-degree junctions with the estate road and when accessed from the end of a turning head, they are centred. Visibility splays and forward visibility envelopes appropriate for a design speed of 20mph have been plotted at all junctions/bends in accordance with the guidance in Manual for Streets.

Transport Requirements

PfE Policy JP-C8 seeks to enable a reduction in the need to travel by private car and prioritise sustainable transport opportunities ahead of capacity enhancements on the highway network.

A traffic survey has been undertaken by the Applicant at the Dumers Lane/Wild Street junction and is included within chapter 6 of the Transport Assessment. The Transport Assessment considers that the proposed 77 dwellings would be expected to generate a total of 39 two way trips during a weekday morning peak hour (0800-0900) and 35 two-way trips during a weekday evening peak hour (1700-1800). This is equivalent to circa 1 additional vehicle every one minute and 32 seconds in the morning peak period and an additional vehicle every one minute and 43 seconds in the evening peak period. The Transport Assessment considers this to be extremely low.

In terms of trip distribution, the Transport Assessment forecasts 27 vehicles leaving the site at morning peak hour with 13 travelling towards Bury, and 14 towards Radcliffe. 12 vehicles are forecast to enter the site at this time with an even split from Bury and Radcliffe. In the evening peak hour it is forecast that 12 vehicles would exit the site with 5 towards Bury and 7 towards Radcliffe. 23 vehicles are forecast to enter the development, with 13 from Bury and 10 from Radcliffe. The development traffic will disburse across the highway network,

and the traffic impacts will be further diluted at existing junctions.

The Road Safety data has been updated to include 2023 and 2024, and has been assessed by Transport for Greater Manchester (TfGM) as acceptable.

The Transport Assessment notes that on site car parking, and a parking plan has been submitted that sets out the layout for proposed electric vehicle charging . The proposed development is in a sustainable location within easy access of bus routes with local amenities close by which would encourage and enable people at the development to make sustainable transport choices. This is further expanded on below. The proposal is therefore considered to be in conformity with Policy JP-C8 in this regard.

PfE Policy JP-C8 also requires planning applications which are accompanied by a Transport Assessment to consider air impacts on Holcroft Moss within the Manchester Mosses Special Area of Conservation (SAC). Should the proposals result in increased traffic flows on the M62 past Holcroft Moss of more than 100 vehicles per day or 20 Heavy Goods Vehicles (HGVs) per day then a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles may need to be devised and a contribution towards restoration measures may need to be provided in accordance with the Holcroft Moss Habitat Mitigation Plan. The submitted Air Quality Assessment: Addendum confirms that:

- Holcroft Moss SAC is located 19km to the southwest of the Site and;
- the site is distant from both the local motorway network, the M62 and the SAC;
- the total development related vehicle movements are estimated in the order of 348 Annual Average Daily Traffic (AADT) split 50%:50% east / west on Dumers Lane from the Site access, resulting in movements of 174 AADT on Dumers Lane either side of the access;
- development related traffic movements would be further distributed on the wider local road network;
- the Proposed Development would not result in any measurable increases in traffic flows on the M62, and hence would not result in more than 100 vehicles per day or 20 HGVs per day on the M62 past Holcroft Moss.

Given the above it is considered that the proposed development would not result in any adverse air quality impacts on the Holcroft Moss SAC and as such would comply with the provisions of PfE Policy JP-C8.

Proposed Parking

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements . Supplementary Planning Document 11 (SPD11) provides parking standards for developments.

The site is located within Zone 4 for parking standards. For clarity the following parking standards would be applicable:

- 1 bed flats - 1.5 spaces per dwelling with 3 spaces for disabled parking.
- 2 bed - 2 spaces per dwelling
- 3 bed - 2 spaces per dwelling
- 4 bed - 3 spaces per dwelling.

A total of 161 spaces should therefore be provided throughout the site.

The Transport Assessment confirms that the applicant would provide the following spaces:

1 bed maisonettes (x18) – 1 parking space each;
2 bed houses (x6) – 1 parking space each with 2 visitor spaces between the 6 plots;
3 & 4 bed house (x53) – 2 parking spaces each
3 x visitor parking spaces for the development adjacent to plot 33
2 visitor spaces for the development to the rear of plot 1 - 3

In total the applicant seeks to provide 135 spaces, including the visitor spaces and 3 disabled parking spaces within the parking court for the flats which would be 26 spaces less than set out within SPD 11. This would be a 83% provision for parking on site. It is acknowledged that the figures included within SPD 11 should be viewed as the expected standard, however, each development will be considered on an individual basis taking into account local circumstances and evidence. The Transport Assessment Considers that the evidence finds that the site is highly accessible, given the good bus provision directly adjacent to the site. It also finds that affordable homes have a lower car ownership, and the proposals are 100% affordable. Given these site-specific reasons, the slight reduction in parking provision is acceptable.

Loss of Parking

Whilst Wild Street would be upgraded to facilitate the development the existing on street parking to the fronts of the existing dwellings at 1, 3 and 5 Wild Street would be re-provided.

Within the red edge site 26 marked out car parking spaces, that the applicant states are associated with the cafe and car park which would be demolished as part of the proposal and ad-hoc parking associated with the wider industrial estate. The applicant has confirmed that none of the wider Bealey Industrial Estate occupants have rights of access over the parking spaces within the red line boundary which would be removed. Given this there would be no loss of parking for the existing users of the retained Bealey Industrial Estate caused by the proposal.

Active Travel

PfE Policy JP-C1 requires developments to be located and designed to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport. Developments should prioritise pedestrians, cyclists and public transport users.

There are good quality pedestrian routes to the site with pedestrian crossings on Dumers Lane which provide safe links to the existing bus stops and local amenities in both Radcliffe and Bury Town Centre. Radcliffe Town Centre and Metrolink stop are also within walking distance of the site.

SPD 11 requires dedicated cycle parking. For flats 1 secure covered space is required per unit, with 1 visitor space per 10 units. For the dwellings proposed 1 secured covered cycle storage space is required per bedroom. Whilst the applicant has provided details of what the secure cycle stores would look like, the cycle stores have not been included on the site layouts. There is however sufficient space in and around the amenity spaces associated with the plots and as such it is considered that this detail can be secured by condition.

A Travel Plan Framework has also been prepared which promotes sustainable travel to and from the proposed development.

The proposal is therefore considered to be in conformity with PfE Policy JP-C1.

Ecology and Biodiversity Net Gain

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy

EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

The site is also adjacent to Swan Lodge Site of Biological Importance, Hutchinson's Goit and Bealey's Goit, which are protected through UDP policies EN6/2 and EN6/4. These Policies seek to ensure that development is designed carefully as to not damage the nature conservation interests of the site. UDP Policy EN6/4 is further supported by Supplementary Planning Document 2 (SPD2)

The site also currently comprises Green Infrastructure and as such, PfE policy JP-G2 is applicable. The intention of this policy is to protect and enhance the ecosystem services which the Green Infrastructure Network provides, including flood management. Development within the Green Infrastructure Network is required to be consistent with delivering major green infrastructure improvements within them, and should contribute to improvements. Wherever practicable, opportunities to integrate new and existing green infrastructure into new development will be taken to protect, enhance and expand the green infrastructure network.

Proximity to Swan Lodge Site of Biological Importance

Greater Manchester Ecology Unit (GMEU) welcome the boundary amendments to avoid the SBI, now located approximately 6m off-site according to the Ecological Survey and Assessment. GMEU also note that no surface water drainage is proposed towards the Bealey's Goit, Hutchinson's Goit or Swan Lodge. GMEU are satisfied that negative effects can be avoided through a physical barrier around the proposed development footprint and standard construction and environmental management best practices.

Being adjacent to the wildlife corridor, the development should be designed to contribute to their effectiveness through the design, landscaping and siting of the development. Whilst the siting of the development has been amended to reflect the SBI boundary, and landscaping plans and schedules have been submitted with the application the submitted information does not directly address how the application would directly meet the requirements UDP Policy EN6/4 through the landscaping and the development. SPD 2 does say at paragraph 2.6 "However, development affecting a link or corridor may be permitted where:

- the reasons or need for a development having adverse effects may be considered to outweigh the harm to the nature conservation value of the site; and
- amelioration measures can be put in place which would make the proposal acceptable."

The site would provide affordable housing, with a mixture of tenure to directly address local housing needs meeting the first point. In addition, as further set out below, the applicant is proposing on site habitat improvements that include significant habitat creation as defined by Defra. Mitigation for bats, nesting birds etc have also been reviewed below and conditions proposed. It is therefore considered that the proposal would comply with this exception set out within SPD2.

Reference to the SBI should be included with any Construction Environmental Management Plan (CEMP) and this can be provided via condition. Given the above, it is considered that the proposal would comply with UDP Policies EN6/2, EN6/4, SPD 2 and PfE Policy JP-G2 in this respect.

Bats and Other Protected Species

Buildings and trees on the site were assessed for bat roosting potential. All were

assessed as having none. No further information or measures are therefore required. GMEU have also confirmed that they are satisfied that it is very unlikely that any external lighting would negatively impact on important bat foraging and commuting routes.

No evidence of any other protected species was identified or suspected on the site. Precautionary working measure and surveys would be adequate to protect against the risk to badger and otter known to be present in the wider locality. GMEU recommend a condition that an updated protected species is provided prior to any earthworks or vegetation clearance. Given the above, it is considered that the proposal would comply with UDP Policy EN6/3.

Nesting Birds and Other Wildlife

It is acknowledged that trees and scrub will be lost as a result of the proposal which are potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition to ensure that no works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the Local Planning Authority (LPA).

Common toad are known to be present in the locality, habitats on site are suitable for hedgehog. As noted above otter and badger are also present in the wider locality. Roe deer were recorded on the site. Precautionary working measures for common toad, hedgehog, badger, otter and other mammals have been recommended during site clearance and these can be required by condition.

Subject to the conditions to address the above matters, it is considered that the proposal would comply with UDP Policy EN6/3 in relation to nesting birds and other wildlife.

Invasive Species

Dense stands of Japanese knotweed are present within the red edge along with other species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) including Himalayan balsam, variegated yellow-archangel, Virginia creeper and Monbretia. Given the site is to be remediated first, the only options for control would appear to be either disposal to a licensed landfill as contaminated waste or burial on-site. A condition will be placed onto any permission that requires the submission of a management strategy for Himalayan balsam, Japanese knotweed, variegated yellow archangel, Monbretia and Virginia creeper prior to any earthworks.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

The application is subject to the general biodiversity gain condition. A metric has been provided and an off-site receptor site identified for the off-site compensation measures that are required.

GMEU have confirmed there is still some conflict of opinion between GMEU and the applicant's ecologist regarding the assessment of Japanese Knotweed within the provided metric however they are satisfied at this stage that no further information is required.

The on-site proposals do include significant habitat creation as defined by Defra. An on-site 30 year Habitat Management and Monitoring Plan (HMMP) would therefore be required for the other natural grassland, mixed scrub and urban trees. 2 units would be created on site and a condition has been requested, in addition to the statutory BNG condition that sets out what should be included within the HMMP.

For wildlife given that house sparrow and starling were recorded on the site, both UK BAP

species associated with residential buildings, GMEU recommend that these two species are targeted as part of the bird nesting mitigation strategy. GMEU also recommend provision of bat boxes and swift bricks by condition.

For the off-site proposals, on land within their ownership elsewhere in the Borough, an HMMP will also be required in order to register the site with Defra along with a legal agreement with a third party such as the LPA. If the legal agreement is with the LPA, then GMEU is able to advise on the suitability of the HMMP.

In order to discharge the statutory biodiversity gain condition the applicant would need to provide:

- The finalised biodiversity gain plan,
- Have the off-site units are registered with defra,
- Final version of the statutory metric and
- An agreed version of the HMMP.

Trees

PfE Policy JP-G7 states that where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision.

An Arboricultural Impact Assessment has been submitted with the application which includes details of a tree survey. Forty-seven trees and fifteen tree groups were surveyed within the site and within 15m of the site boundary. The recorded vegetation consisted predominantly of native, self-set goat willow, with ash, sycamore, and wild cherry interspersed. The majority of the recorded vegetation is semi-mature and considered of low or moderate arboricultural value.

To facilitate all aspects of the proposals, the majority of existing trees and tree groups on site would need to be removed. The submitted Arboricultural Impact Assessment states that the majority of trees proposed for removal are semi-mature and of low value, however the author also considers that the existing vegetation provides an important landscape buffer between the residential area in the North and the industrial premises in the South, as well as significant green link between Swan Lodge in the Northwest and the River Irwell corridor in the Southeast. The impact of the removal of the majority of trees on site is considered to be high, both on canopy cover, site character and the local landscape.

The following trees would be removed:

- approximately 900m² of moderate value groups (Category B)
- approximately 5,050m² of low value groups (Category C),
- 26 low value trees (Category C),
- One moderate value tree (Category B) and
- two trees deemed “unsuitable for retention” (Category U)

The applicant has been asked to confirm the number of trees within the identified groups of trees to ensure two for one replacement can be provided for the development but this information has not been provided within the latest Arboricultural Impact Assessment dated November 2025. The Planning Statement confirms that 67 replacement trees and shrubs will be provided on-site. It is considered that the proposals to comply with statutory BNG, resulting in a net enhancement of the biodiversity value in the local area, complies with the requirements of JP-G7.

Additionally, development is expected to protect trees and woodland during the construction phase of development. This should be conditioned.

Flood Risk

The majority of the site is located within Flood Zone 1 however some areas of the site are located within Flood Zones 2 and 3. PfE Policy JP-S4 seeks to provide an integrated catchment-based approach to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk. Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

A Flood Risk Assessment (FRA) has been submitted with the application. The FRA concludes that the site is protected against flooding from the River Irwell by virtue of the existing flood defences. Finished floor levels of the proposed dwellings would be set above surrounding ground levels. The FRA acknowledges that the site is at risk from fluvial flooding, pluvial flooding, reservoir flooding and groundwater flooding. To mitigate these risks, the finished floor would be set above surrounding ground levels, and levels would grade away from entrances to ensure that localised flood risk is managed.

The FRA has been supported by an ongoing dialogue by the applicant with the EA in relation to flooding at the site. The latest letter to the EA dated 27th October 2025 confirms that the site is partially in a Flood Zone 2 and 3, however, this is on the border of the site and the houses are not situated in the areas that flood in the 0.1% Annual Exceedance Probability (AEP) and the 1% AEP plus climate change event. The finished floor levels are also approximately 1m higher than the flood level.

The Environment Agency (EA) have been consulted on this document and supplementary responses issued by the applicant throughout the application process and have removed their original objections to the proposal confirming that they raise no objections to the proposal subject to conditions in relation to finished floor levels, ground water and contaminated land and informatives in relation to model procedures and good practice. Given the response from the EA it is considered that the proposal would comply with Policy JP-S4 and the NPPF.

Drainage

PfE Policy JP-S4 and UDP Policies EN7/3 and EN7/5 seek to protect the water courses and other water features within the Borough, and limit surface water pollution.

The surface water drainage system and foul water drainage system have been designed to discharge to the existing United Utilities Combined sewer in Dumers Lane. The proposed drainage design has not been updated to correspond with the amended site layout.

United Utilities have been consulted as part of the planning application and have stated that whilst they confirm that the proposals are acceptable in principle there is insufficient information on the detail of the drainage design. They have therefore requested further details in relation to the drainage design are secured by condition.

Contaminated Land and Mining remediation

Paragraphs 187 and 196 of the NPPF seek to ensure that sites are suitable for its proposed use taking into account ground conditions, any risks arising from land instability and contamination.

Site Investigation Report for Land Adjacent to Bealey Industrial Estate, Radcliffe, Coopers

(Chester) Ltd, Reference: 8353si, dated 08 November 2024 has been reviewed by the Environment Section. The report includes a description of the site including its past historical uses. An appraisal of the site environmental setting is presented including its geology, hydrogeology and hydrological regime, mining activities, waste management issues, and identification of additional environmental sources, pathways and receptors. This information has been used to compile a clear site conceptual model, which identifies potential sources, pathways and receptors and likely pollution linkages.

The report recommends that further investigation and testing be performed on the site post demolition and the ground gas monitoring is not yet complete. It is noted by the Environment Section that the site was formerly occupied/associated with a paper works. Such works/industries have been listed as a potential source of the emerging pollutant, poly- and perfluoroalkyl substances (PFAS) in various research documents. A further assessment should also therefore be carried to establish whether or not the site maybe impacted by PFAS.

Submission of an updated Site Characterisation and Risk Assessment and Remediation strategy and verification are therefore required prior to commencement of development and can be provided by condition.

The site also falls within a Mining Remediation Authority's (previously the Coal Authority) defined Development High Risk Area. Within the application site and surrounding area there are recorded coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

The Mining Remediation Authority records indicate that probable historic unrecorded shallow coal mining could be present within the northern tip of the site. The applicant has assessed this within their Site Investigation Report - chapter 12.

The Mining Remediation Authority have carried out a review of the available information, and confirmed that the report authors are satisfied that there are no coal mining features that could affect the proposed development and therefore no mine treatments works are required (Section 12.8 of the Site Investigation Report). As records indicate that northern tip of the site lies within the High Risk Area, it is considered that Permitted Development Rights for the erection of any extensions or curtilage buildings at Plots 48 & 49 should be removed. This will enable the safety and stability implications of coal mining legacy to be considered by the Local Planning Authority in the event of future householder development proposals for these specific plots.

Air Quality

PfE Policy JP-P1 aims to create a liveable city region, and requires developments to provide comfortable and inviting indoor and outdoor environments offering a high level of amenity that minimises exposure to pollution. This is further supported by PfE Policy JP-S5 that seeks to implement a comprehensive range of measures to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impact on the green infrastructure network and where air quality targets are not being met.

An Air Quality Assessment has been submitted with the application. A desk-top study was undertaken to identify worst case sensitive receptor locations adjacent to the affected road network. The assessment concludes that the impacts of the proposal are not significant and no measures are required to offset operational impacts. It is noted however, that the planning application is supported by a Travel Plan Framework with the aim of encouraging use of sustainable transport methods and all dwellings are to be provided with EV charging points which would also be requested by condition.

Carbon And Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions. The proposed development is designed to utilise a high performing thermal envelope to minimise heat loss, as well as efficient heating and lighting systems, which will drive energy efficiency in the building to meet the targets for space and water heating demand. This is augmented by the use of an Air Source Heat Pump system to provide hot water to drive low carbon, efficient energy usage within the building design. Photovoltaic panels (PVs) will be fitted to the scheme with sufficient generation capacity to ensure that operational regulated carbon emissions will be net zero. The proposal is therefore considered to be in conformity with Policy JP-S2.

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 development will be provided with full connections in accordance with the requirements of Policy JP-C2.

Planning Obligations

When reviewing the potential loss of employment sites as set out above SPD 14 specifies that consideration will be given to alternative uses subject to a one-off financial contribution to offset this loss of the employment land. Contributions are then used to help bring forward employment opportunities elsewhere in the Borough. UDP Policy RT2/2 requires all proposals for new housing consisting of 10 units or more to make provision for the recreational needs of the prospective residents.

Additionally PfE Policy JP-P5 requires where appropriate new housing developments to make a financial contribution to the provision of additional school places and/or set aside land for a new school proportionate to the additional demand they would generate. Education colleagues have confirmed that there is current and forecast availability in Radcliffe for the potential primary yield and also in the Bury South planning area for Secondary provision. Therefore a financial contribution towards the provision of additional school places is not required.

The applicant has submitted a Financial Viability Assessment in accordance with Paragraph 59 of the NPPF.

An independent review of the submitted Financial Viability Assessment has been undertaken by Capita. The conclusion based on Capita's appraisal on a 100% affordable scheme as proposed by the client is that additional asks for planning contributions would add to the negative figure identified within the assessment and make the scheme unviable.

Affordable Housing

In accordance with UDP Policy H4/1 and Supplementary Planning Document 5 (SPG5) this development would be required to deliver 25% affordable housing. The Affordable Housing Statement states that all of the units proposed will be affordable housing, to be owned and managed by a Registered Provider (RP). Bury Council's Housing Need and Demand Assessment demonstrates a clear need for additional affordable housing in the Borough.

The tenure of the affordable homes would be a mixture of 42no. social rent units, and 35no. Rent to Buy (RTB) units. Social rent, as defined in the NPPF needs to meet all of the following conditions:

- (a) the rent is set in accordance with the Government's rent policy for Social Rent;
- (b) the landlord is a registered provider; and

(c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

Rent to buy, would be considered to be an affordable route to home ownership for those who could not achieve home ownership through the market that allows first-time buyers to rent a new-build home at a lower-than-market rent to save for a deposit to eventually buy it.

The scheme includes a range of house types/sizes for single people, couples, and families to create a balanced and sustainable community.

The Council would wish to secure nomination rights for the affordable housing, and the affordable housing statement confirms that the allocation of any rented units will be in accordance with a Nomination Agreement between the RP and Bury Council. The affordable housing should be secured through a Section 106 Agreement.

Response to Representations

It is considered that the material planning considerations raised within representations in relation to principle of residential development, ecology, BNG, amenity, flooding, drainage and highways have been addressed within the main body of the report and conditions recommended in accordance with the above assessment.

The application was amended during the application process, reducing the number of proposed units from 87 to 77. This amendment also included changes to the proposed access to the site utilising an upgraded Wild Street rather than creating a new access onto Dumers Lane. Internal reconfiguration also created opportunities to provide visitor parking and reduced the numbers of parking spaces to the fronts of dwellings allowing for a larger capacity of on street parking for any future residents.

An Ecological Survey and Assessment was included with the submission, this and other supporting documentation has been updated throughout the application as it evolved. Amended plans and documentation have been sent to the required statutory Consultees for comment as required, and neighbours were notified of the reduction in dwellings and amended access in September 2025.

As set out above, there has been an ongoing dialogue with the EA and applicant in relation to the site, and the partial location of the site within Flood Zone 2 and 3. Following this dialogue the EA have removed their objections to the scheme and put forward conditions. The Radcliffe and Redvales Flood Defence Scheme was designed to protect properties and includes flood walls and embankments with Phase 1 (Close Park, Morris Street and Dumers Lane) completed in 2021.

The applicant does not have control of land outside of the red edge site, and would not be able to manage any invasive species throughout the wider industrial site, or influence how this site and the businesses within it are managed in terms of their vehicles. Any future residents would be aware of the existing Industrial Estate adjacent to the site.

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

Recommendation: Minded to Approve

Conditions/ 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:
SL01 Proposed Site Layout Rev O, SL01 Proposed Site Layout with Topo Overlay Rev O, WMP01 Rev J, TP01 Rev A, PV01 Rev C, ML01 Rev K, HL01 Rev J, EVCP01 Rev E, BT01 Rev J, ESP Rev A, XS01 Rev C, XS02 Rev A, SS01, SS03, SS04, TCS01, B-12.1-03, ENG012 Rev B, 935-ALN-113 01, 1292-ALN-114 01, BUR-M-113 01, BURALT-113 01, 946-CHE-116 01, 973-GAI-121 01, 964-GAI-A-111 01, 769-KNA-120 01, 1023-PEO-146 01, 1112-RIP-113 01, 1113-WOL-110 01, 1121-WOL-113 01, WH062/T00b, SHD1843-SHD-HLG-BEAL-DR-EO-Lighting Layout-R1, B054854 TTE 00 XX TR O 004 P02, B054854 TTE 00 XX DR O 004 P04, B054854 TTE 00 XX DR O 009 P01, B054854 TTE 00 XX TR O 003-01 P02, B054854 TTE 00 XX TR O 003-02 P02, SHF893002-ENZ-XX-XX-DR-L-0001 PL03, SHF893002-ENZ-XX-XX-DR-L-0002 PL03, SHF893002-ENZ-XX-XX-DR-L-0003 PL03, SHF893002-ENZ-XX-XX-DR-L-0004 PL03, SHF893002-ENZ-XX-XX-DR-L-0005 PL03, SHF893002-ENZ-XX-XX-DR-L-45002 PL03, SHF893002-ENZ-XX-XX-DR-L-45003 PL03, SHF893002-ENZ-XX-XX-DR-L-45004 PL03, SHF893002-ENZ-XX-XX-DR-L-45005 PL03, SHF893002-ENZ-XX-XX-DR-L-45006 P06, 893.002-ENZ-XX-XX-DR-Z-0001 P01 Sheet 1 of 2, 893.002-ENZ-XX-XX-DR-Z-0001 Sheet 2 of 2

Documents:

Arboricultural Survey 893.002.ENZ.XX.00.RP.AR.45.101
Arboricultural Impact Assessment 893.002.ENZ.XX.00.RP.AR.45.102
Affordable Housing Statement received 17th November 2025
Travel Plan Framework 784 – B054854 Revision 01
Planning Statement dated 29/10/2025
Draft Biodiversity Gain Plan dated 28/10/2025
Onsite Soft Landscaping Schedule HF893002-ENZ-XX-XX-SH-L-45-002
Off site soft landscaping schedule SHF893002-ENZ-XX-XX-SH-L-45-001
Assessment of Biodiversity Net Gain 2024-200b October 2025 Version 3
Statutory Biodiversity Metric received 29th October 2025
Ecological Survey and Assessment 2024-200 October 2025 Version 2
Air Quality Addendum R3407AQ Addendum-v2 02.10.25
Energy Statement Rev C October 2025
Noise Impact Assessment Version 5 13.10.25
Addendum to Noise Impact Assessment received 28th August 2025
Response to Environment Agency SO/2025/124668/02-L01
Transport Assessment 784-B054854 Revision 1 October 2025
Highways Technical Note 784-B054854 05.09.2024
Lighting Schedule SHD1843-SHD-HLG-BEAL-SH-EO-Lighting Schedule-R1
Outdoor Lighting Report dated 26th August 2025
Lighting Design Risk Assessment SHD1843-SHD-HLG-BEAL-RA-EO-Lighting Design Risk Assessment-R1
Air Source Heat Pump Specification received 28th August 2025
Crime Impact Assessment V1.1 August 2025

Viability Assessment Report May 2025
 Non-technical Summary for Viability Assessment Report May 2025
 Response to Environment Agency comments 24344
 Health Impact Assessment received 8th January 2025
 Statement of Community Involvement December 2024
 Design and Access Statement received 6th December 2025
 Broadband Connectivity Assessment received 6th December 2024
 Flood Risk Assessment and Drainage Strategy
 Site Investigation Report 8353si
 Habitat Designations received 6th December 2024

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. Notwithstanding the plans approved, when it comes to matters of site layout drawings SL01 Proposed Site Layout Rev O and SL01 Proposed Site Layout with Topo Overlay Rev O shall be utilised.

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.

4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application for Plots 48 and 49.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

5. The dwellings hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

6. Details/Samples of the materials/bricks to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

7. No development shall commence unless and until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The plan shall delineate the construction zone and set out measures to be taken to minimise the possibility of pollution to the adjacent Swan Lodge Site of Biological Importance. The approved plan only shall be implemented prior to the commencement of any works and maintained for the duration of the build out of the development.

Reason. Information not submitted at application stage. To ensure a safe and

satisfactory development of the site in relation to the protection of Swan Lodge Site of Biological Importance from any pollutants and construction disturbance which may cause risk, pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policies JP-G2: Green Infrastructure Network and JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

8. Prior to any earthworks or vegetation clearance, an updated protected species survey shall be provided to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

9. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

10. Prior to any earthworks or site clearance a precautionary working measures method statement of common toad, hedgehog, badger, otter and other mammals, will be provided to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details and measures.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's), EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors, Places for Everyone Joint Development Plan Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.

11. Prior to any earthworks a management strategy for himalayan balsam, japanese knotweed, vaiegated yellow archangel, monbretia and virginia creeper should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.
Reason. To ensure the removal/check the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981 and in

order to safeguard the biodiversity of the site and its surroundings, pursuant to Policies JP-P1: Sustainable Places and JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan Document and the National Planning Policy Framework.

12. A bird and bat nesting and mitigation strategy shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should target house sparrow and starlings and include the provision of House Sparrow terraces, swift bricks and bat boxes. Thereafter, the development shall be implemented in full accordance with the approved details and measures.
Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to Places for Everyone Joint Development Framework Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity, Bury Unitary Development Plan Policy EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
13. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP) for on site Biodiversity Net Gain, prepared in accordance with the Statutory Biodiversity Gain Plan and including:
 1. a non-technical summary;
 2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.has been submitted to, and approved in writing by, the local planning authority.
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.
14. The development hereby approved shall not be occupied unless and until:
 1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning AuthorityThe created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.
15. Prior to the commencement of any above ground works, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

1. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
2. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
5. Foul and surface water shall drain on separate systems.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

16. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 1. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 2. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

17. No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

- I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
- II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
- III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if

GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

18. No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

19. The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

20. The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters

and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

21. Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

22. Prior to occupation the applicant shall provide:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling
- Cable routes to be provided for all parking spaces which do not have access to an electric vehicle charging point.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

23. No development shall commence unless and until a scheme to minimise dust emissions has been submitted to the Local Planning Authority for approval. The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason. To reduce the impacts of dust disturbance from the site on the local air quality and the environment in accordance with paragraph 187e of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

24. The development shall be carried out in accordance with the submitted flood risk assessment (Response to Environment Agency/ 27th October 2025) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 68.50 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason. To reduce the risk of flooding to the proposed development and future occupants pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

25. No drainage systems for the infiltration of surface water to the ground are permitted where adverse concentrations of contamination and known or suspected to be present other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason. To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.

26. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

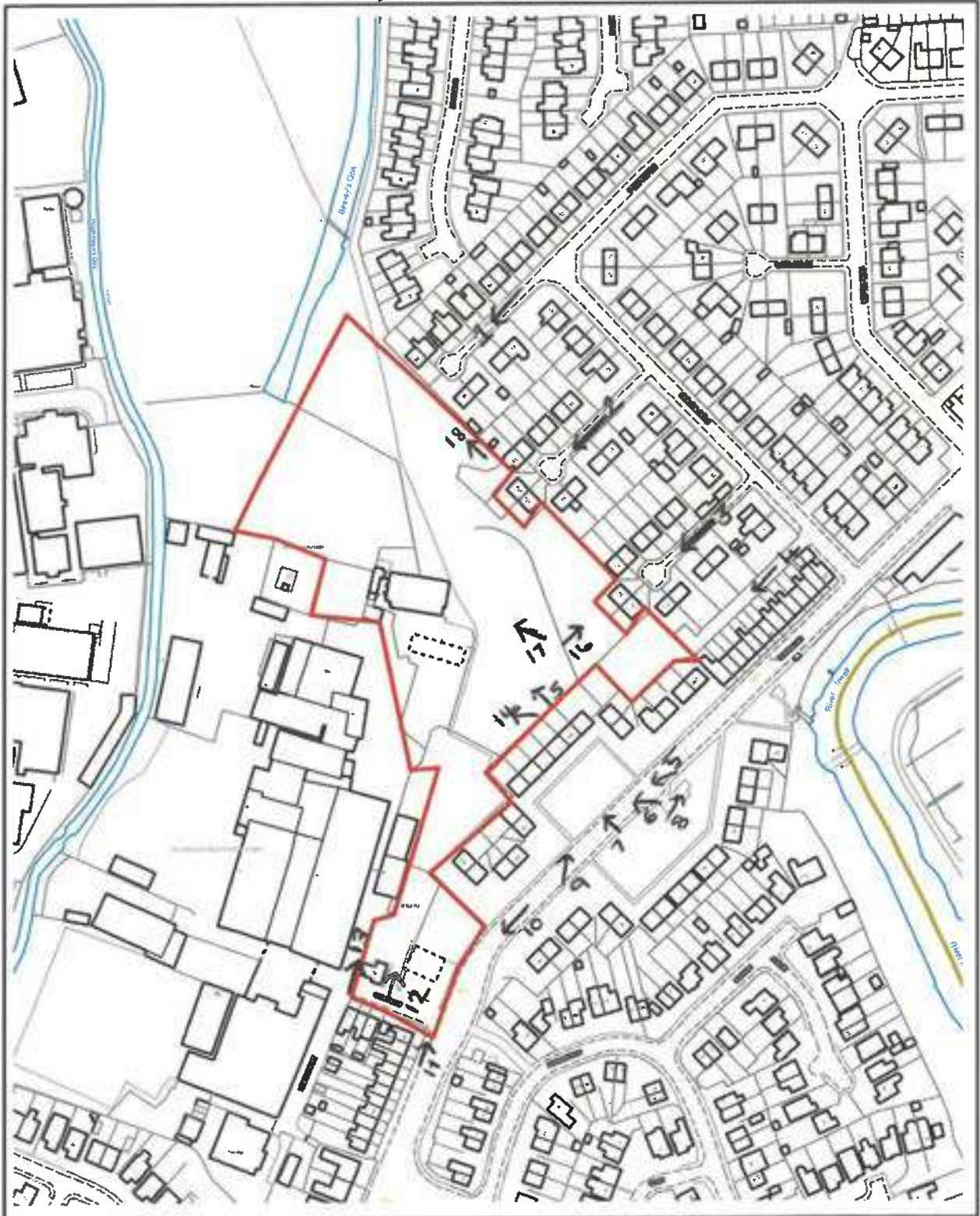
Reason. To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

27. The noise mitigation scheme as set out within chapter 5 of the approved Noise Impact Assessment Version 5 dated 13th October 2025 shall be implemented in full prior to occupation of the dwellings hereby approved and thereafter maintained at all times.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Bury Unitary Development Plan Policy EN7/2 - Noise Pollution.

For further information on the application please contact **Helen Pressley** on **0161 253 5277**

Viewpoints - 71426



ADDRESS: Land adjacent to Bealey Industrial Estate,
Dumers Lane, Radcliffe, M26 2BD

Planning, Environmental and Regulatory Services

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Bury
Council

71426

Photo 1



Photo 2



71426

Photo 3



Photo 4



71426

Photo 5



Photo 6



71426

Photo 7



Photo 8



71426

Photo 9



Photo 10



71426

Photo 11



Photo 12



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Photo 13



Photo 14



71426

Photo 15



Photo 16



71426

Photo 17



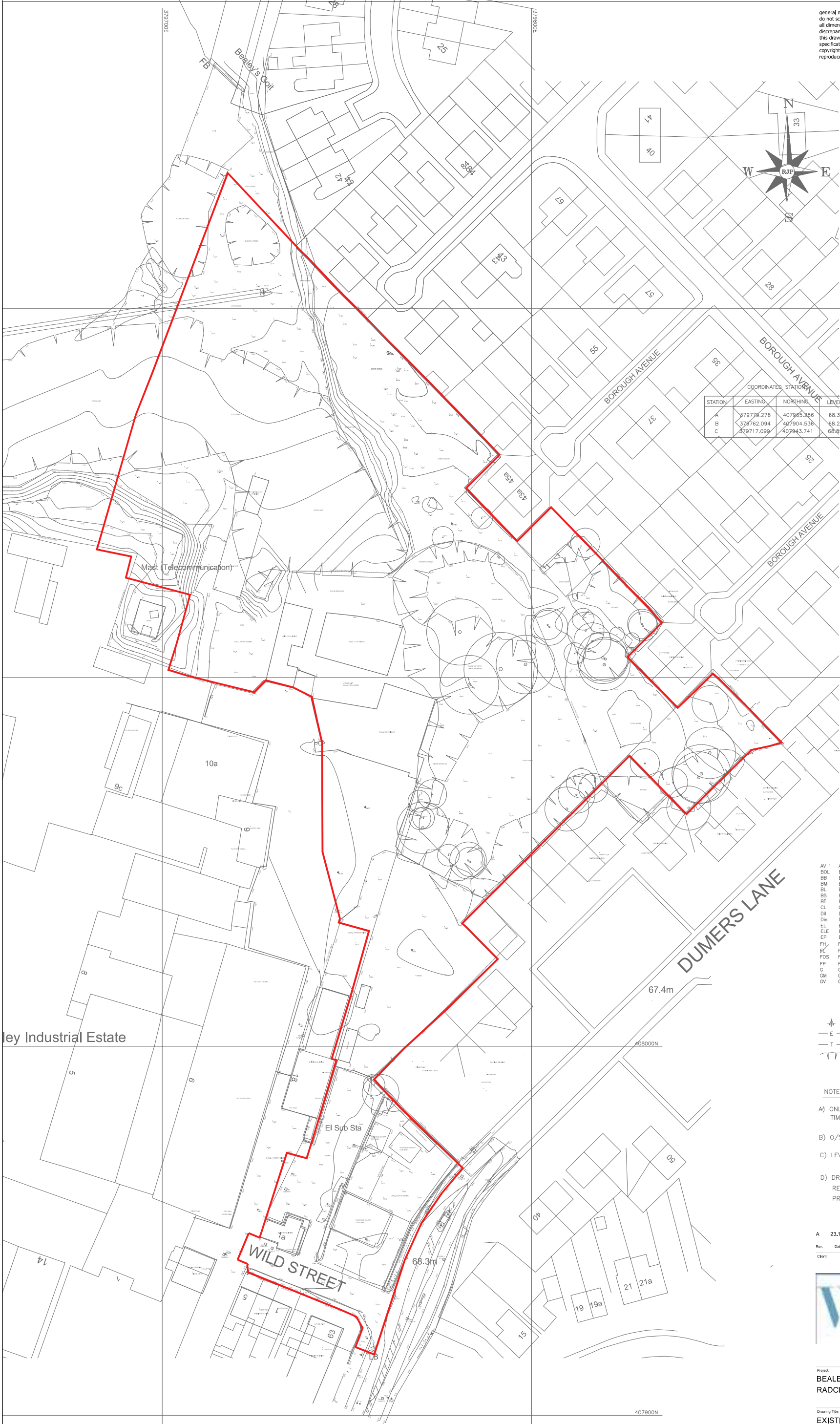
Photo 18



71426

Photo 19





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COORDINATE STATION			
STATION	EASTING	NORTHING	LEVEL (m)
A	379778.276	407985.286	68.395
B	378762.094	407904.536	68.248
C	379717.099	407943.741	68.893

ABBREVIATIONS

AV	AIR VALVE/VENT	IC	INSPECT CHAMBER
BOL	BOLLARD	IL	INVERT LEVEL
BB	BELUSHI BEACON	JKW	JAPANESE KNOTT WEED
BM	BENCH MARK	LH	LAMP HOLE
BL	BED LEVEL	LP	LAMP POST
BS	BUS STOP	NP	NAME PLATE
BT	BRITISH TELECOM	MH	MANHOLE
CL	COVER LEVEL	PS	POST/SIGN POST
DII	DILAPIDATED	PB	POST BOX
DIS	DISUSED	PX	UNKNOWN SERVICE
EL	EAVES LEVEL	RE	RODDING EYE
ELE	ELEC JUNCT. BOX	RL	RIDGE LEVEL
EP	ELECTRICITY POLE	RS	ROAD SIGN
FH	FIRE HYDRANT	ST	STOP TAP
FL	FLOOR LEVEL	TH	TRIAL HOLE
FOS	FULL OF SEDIMENT	TL	TRAFFIC LIGHT
FP	FLAG POLE	TP	TELEGRAPH POLE
G	GULLY	TV	CABLE TV BOX
GM	GAS METER	UH	UNABLE TO LIFT
GV	GAS VALVE	WM	WATER METER

SYMBOLS

	SURVEY STATION		TREE
	O/H ELEC CABLE		BENCH MARK
	O/H PHONE LINE		TRIAL PIT
	CANOPY/HEDGE		BOREHOLE

NOTES

- A) ONLY MANHOLES AND SERVICES VISIBLE AT TIME OF SURVEY SHOWN
- B) O/S USED AND ORIENTATED TO TRUE NORTH
- C) LEVELS IN METRES RELATED TO G.P.S.
- D) DRAINAGE INFORMATION TAKEN FROM LA RECORDS. INFORMATION MUST BE CHECKED PRIOR TO WORK COMMENCING

A	23.10.25	PWS	ADDITIONAL LEVELS TAKEN CLOSE TO BOUNDARY OF 45 BOROUGH AV
Rev.	Date	By	Description



Project:
**BEALEY IND EST
RADCLIFFE**

Drawing Title:
EXISTING SITE PLAN

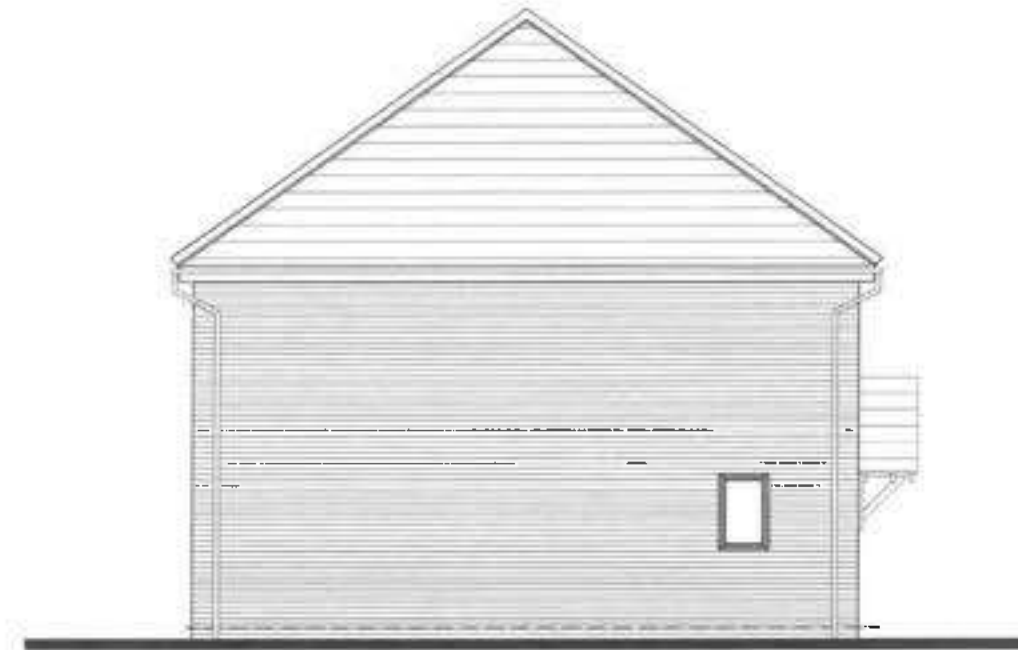
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Job No: 1025	Drawing No: ESP	Rev: A	



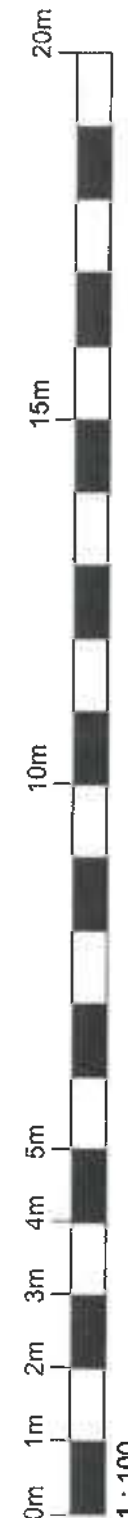
FRONT ELEVATION



REAR ELEVATION

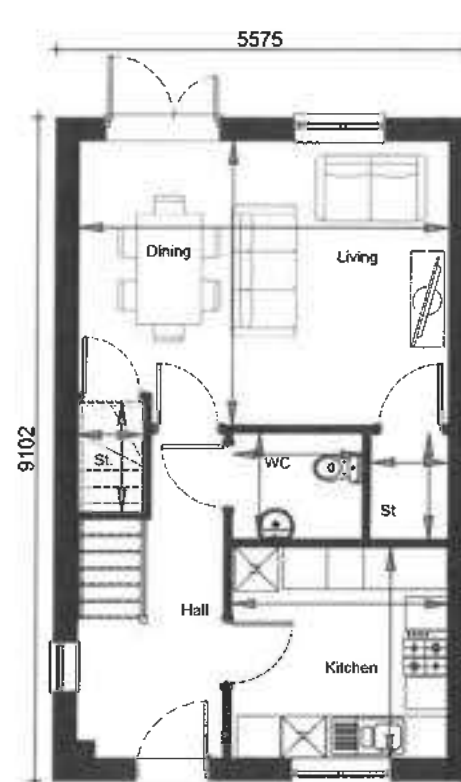


SIDE ELEVATION

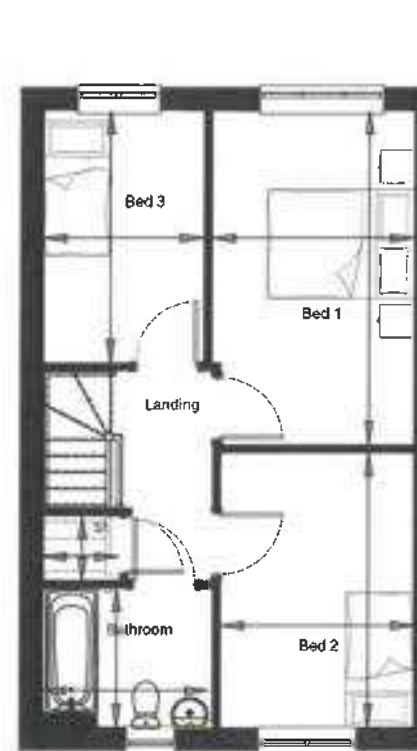


1 : 100

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GROUND FLOOR PLAN



FIRST FLOOR PLAN

NDSS Compliance

	Area		Width	
	Current	Required 10% NDSS	Current	Required
	m ²	lf ²	m	m
Bedroom 1	12.44	133	11.5	2.75
Bedroom 2	9.85	106	7.5	2.62
Bedroom 3	7.51	80	7.5	2.15
Storage	1.51	16		
Under-stairs Storage	1.00	10	2.5	
Cylinder St.	0.9	9		
Total	85.3	918	84.0	Compliant

01	17/11/25	DV	NDSS compliance table added
REV	DATE	BY	DESCRIPTION

PLANNING

Client:



Project:

CORE HOUSE TYPES
ALNWICK
AS - 935ft²

Drawing Title:

ALNWICK EBH
(ALN-EBH)

Job No:

935-ALN-113

Rev:

01

Drawn:
SK

Checked:
-

Scale @ A3:
1:100

Date:
FEB 2025



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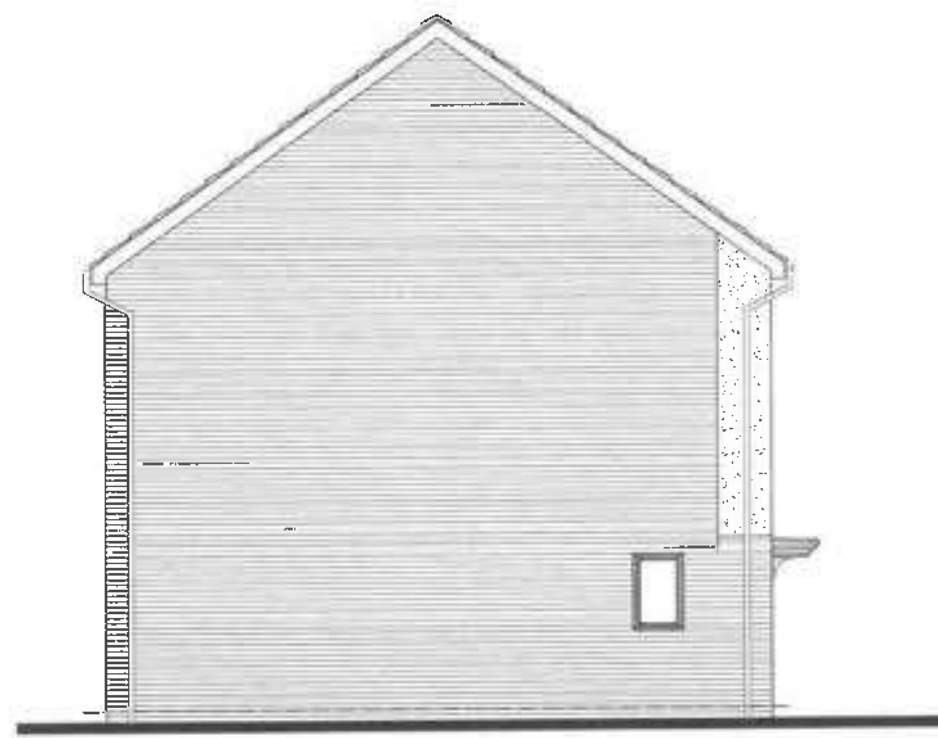
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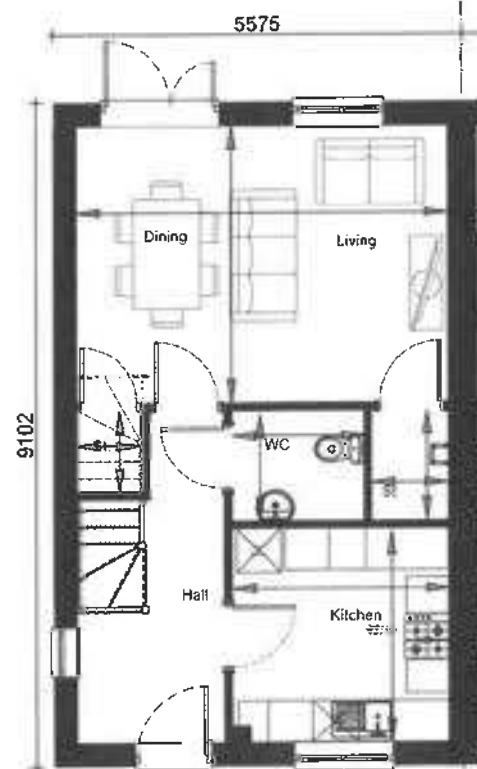
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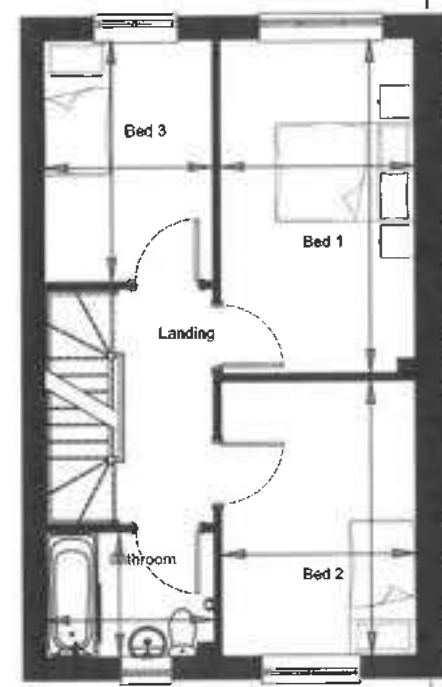
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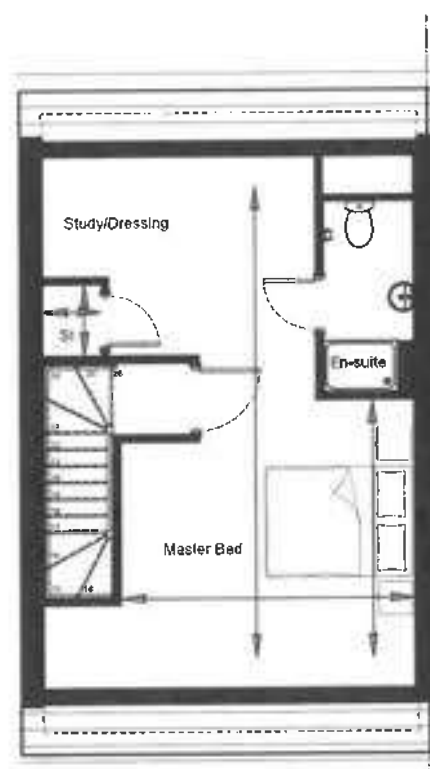
SIDE ELEVATION



GROUND FLOOR PLAN

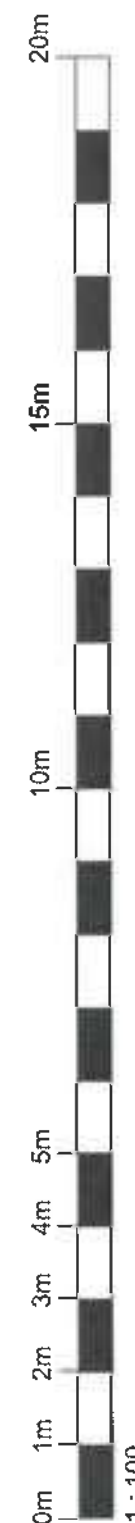


FIRST FLOOR PLAN



SECOND FLOOR PLAN

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NDSS Compliance

	Area		Width	
	Current	Required 100% NDSS	Current	Required
	m ²	ft ²	m	m
Master Bedroom	22.83	245	11.5	3.97
Bedroom 1	12.09	130	7.5	2.65
Bedroom 2	9.96	107	7.5	2.65
Bedroom 3	7.52	81	7.5	2.28
Storage	1.485	16	-	-
Under-stairs Storage	1.00	10.7	3.0	-
Cylinder St	0.752	8	-	-
Total	117.7	1267	112	Compliant

PLANNING

Client:



Project:

CORE HOUSE TYPES
ALNWICK+
AS - 1292ft²

Drawing Title:

ALNWICK+ EHRG
(ALN+ -EHRG)

Job No:

1292-ALN-114

01 17/11/25 DV NDSS compliance table added
REV DATE BY DESCRIPTION

Drawn:
SK

Checked:
BL

Scale @ A3:
1:100

Rev:

01

Date:
MAR 2025

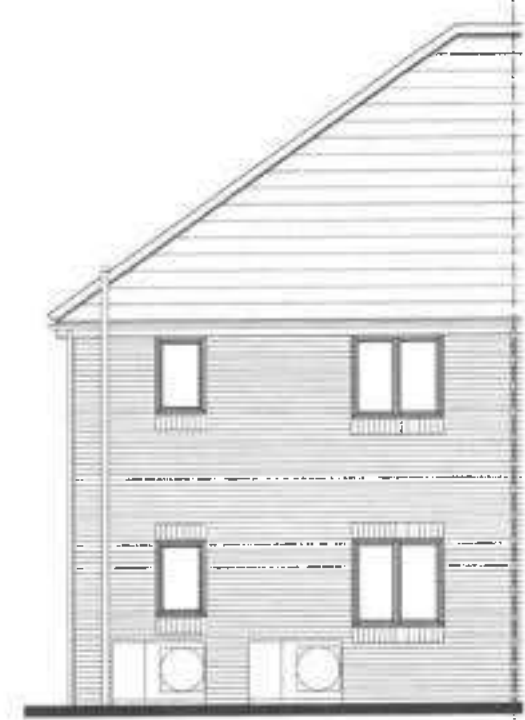


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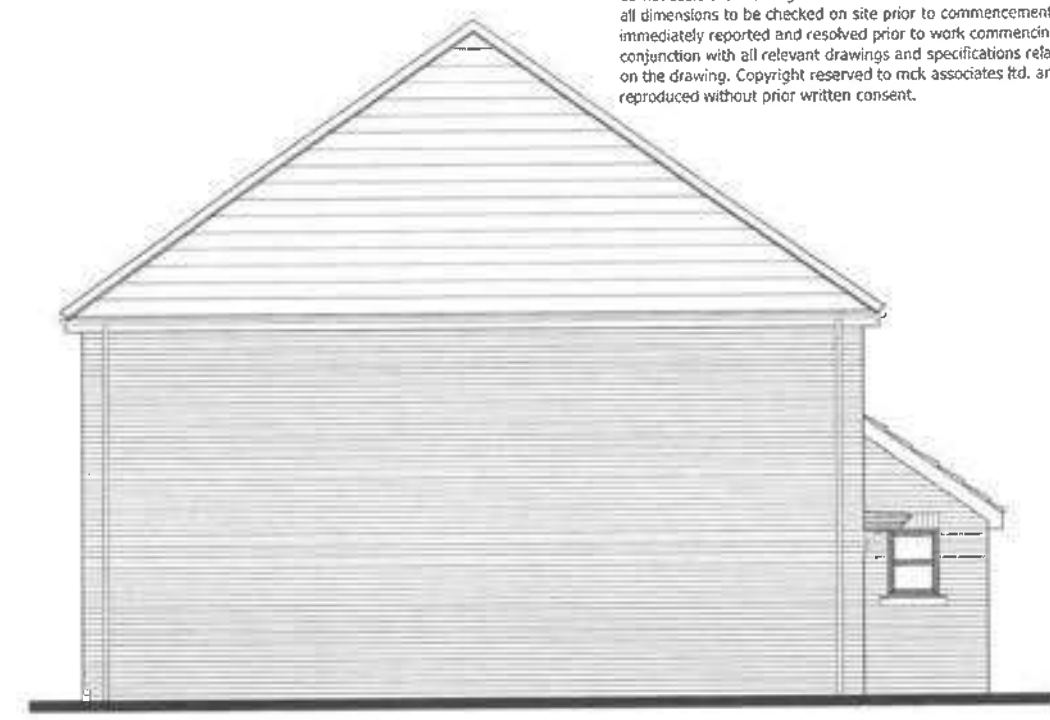
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FRONT ELEVATION

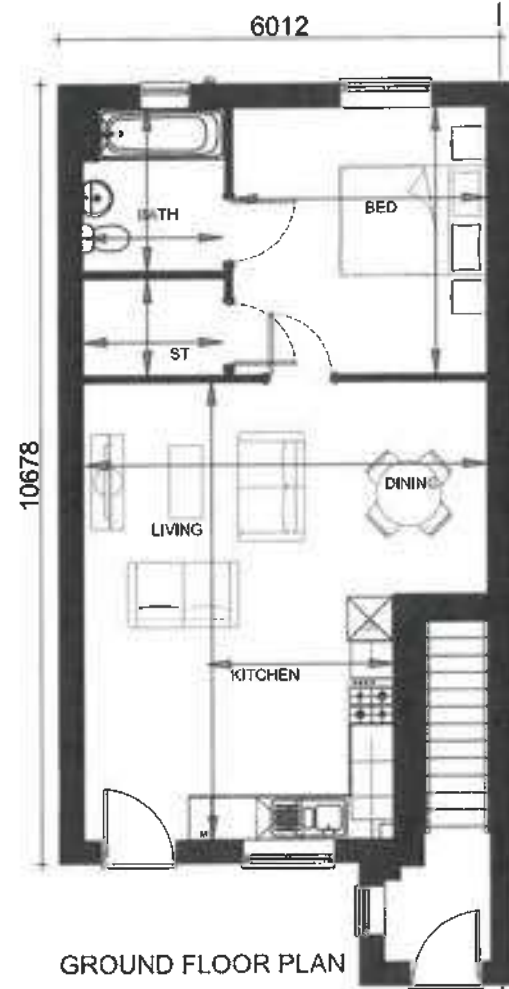


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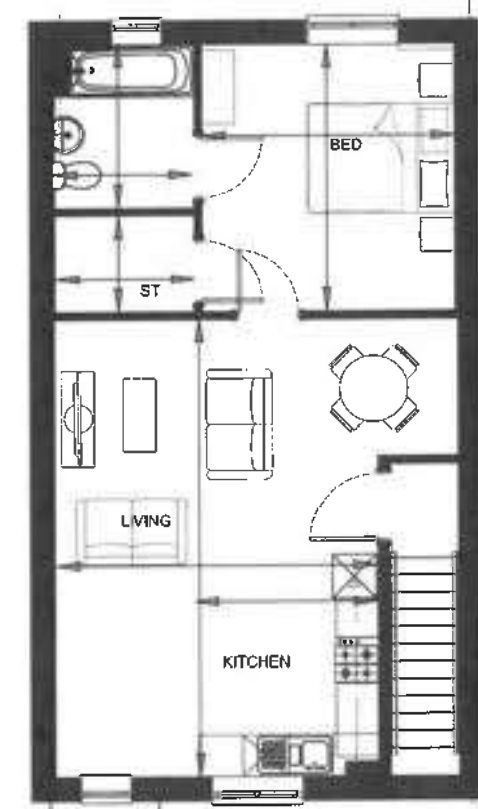


SIDE ELEVATION

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GROUND FLOOR PLAN



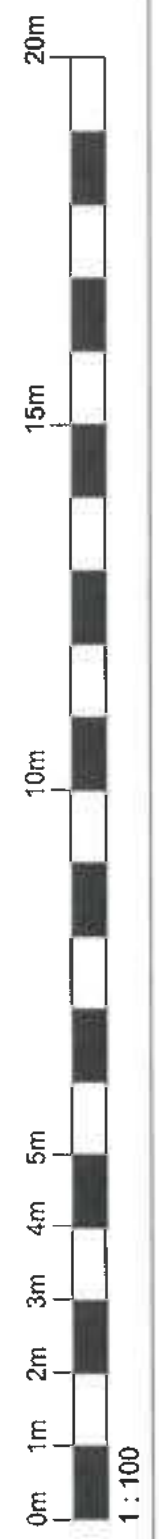
FIRST FLOOR PLAN

NDSS Compliance

634	Area		Width	
	Current	Required 100% NDSS	Current	Required
	m ²	ft ²	m	m
Bedroom 1	12.56	135	11.5	3.44
Storage	2.506	27	1.5	-
Total	57.4	618	50	Compliant

NDSS Compliance

562	Area		Width	
	Current	Required 100% NDSS	Current	Required
	m ²	ft ²	m	m
Bedroom 1	12.56	135	11.5	3.44
Storage	2.52	27	1.5	-
Total	50.61	545	50	Compliant



Client:

Project:

CORE HOUSE TYPES
BURGHLEY M
AS - 634ft² & 562ft²

Drawing Title:

BURGHLEY M
(BUR-M-EBH)

Job No:

-

Drawing No:

BUR-M-113

Rev:

01

Drawn:

SK

Checked:

SK

Scale @ A3:

1:100

Date:

FEB 2025

01 17/11/25 DV NDSS compliance table added
REV DATE BY DESCRIPTION

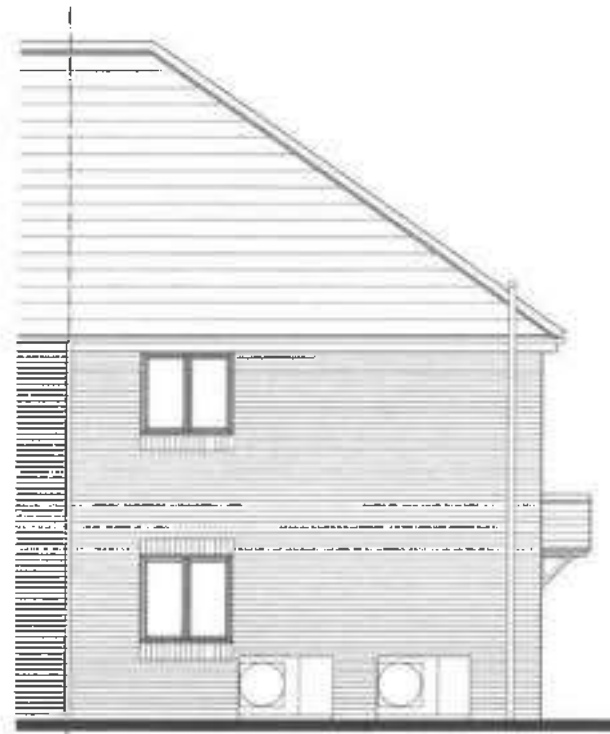
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FRONT ELEVATION

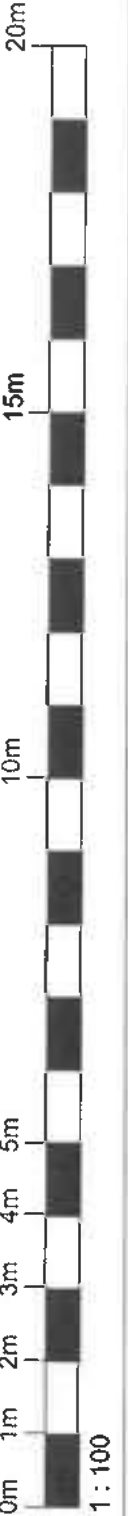


REAR ELEVATION



SIDE ELEVATION

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GROUND FLOOR PLAN



FIRST FLOOR PLAN

Ground Floor Plan

NDSS Compliance

	Area			Width	
	Current		Required 100% NDSS	Current	Required
	m ²	ft ²	m ²	m	m
Bedroom 1	15.54	167	11.5	2.36	2.75
Cylinder St.	2.10	22	1.5	-	-
Total	55.09	592	50.0	Compliant	

First Floor Plan

NDSS Compliance

	Area			Width	
	Current		Required 100% NDSS	Current	Required
	m ²	ft ²	m ²	m	m
Bedroom 1	13.96	150	11.5	3.64	2.75
Cylinder St.	1.75	18	1.5	-	-
Total	61.47	661	50.0	Compliant	

01	17/11/25	DV	NDSS compliance table added
REV	DATE	BY	DESCRIPTION

PLANNING

Client:



Project:

CORE HOUSE TYPES
BURGHLEY ALT M4(3)
AS - 667ft² & 604ft²

Drawing Title:

BURGHLEY ALT M4(3)
(BUR ALT-EBH)

Job No:

-

Drawing No:

BURALT-113

Rev:

01

Drawn:
DV

Checked:
SK

Scale @ A3:
1:100

Date:
Jun 2025



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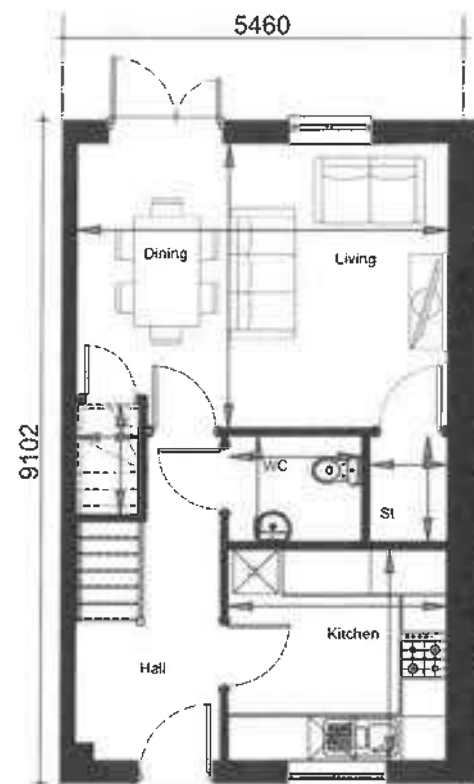
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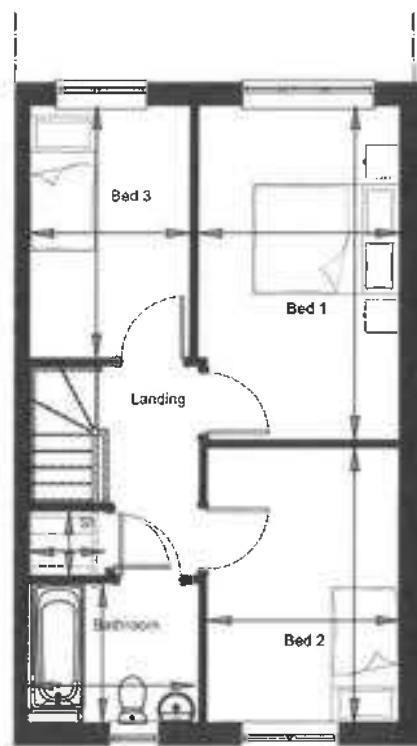
FRONT ELEVATION



REAR ELEVATION



GROUND FLOOR PLAN

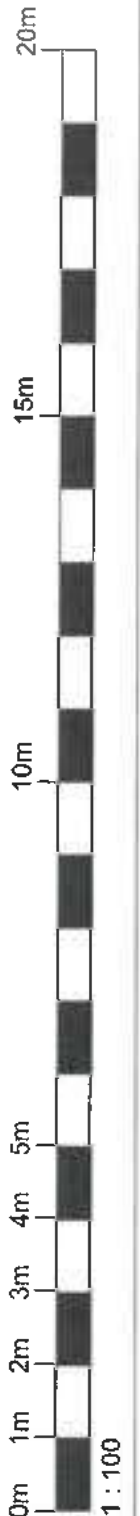


FIRST FLOOR PLAN

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NDSS Compliance

	Area		Width	
	Current	Required 100% NDSS	Current	Required
	m ²	ft ²	m	m
Bedroom 1	12.44	133	11.5	2.75
Bedroom 2	9.85	106	7.5	2.62
Bedroom 3	7.52	80.9	7.5	2.15
Storage	1.51	16.2	-	-
Under-stairs Storage	1.00	10.7	2.5	-
Cylinder St	0.9	9.6	-	-
Total	85.3	918	84	Compliant



Client:



Project:

CORE HOUSE TYPE
CHESTER
AS - 946ft²

Drawing Title:

CHESTER MB
(CHE-MB)

01 17/11/25 GO NDSS compliance table added
REV DATE BY DESCRIPTION

Job No:

-

Drawing No:

946-CHE-116

Rev:

01

Drawn:
SCK

Checked:
-

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1:100

Date:
FEB' 2025

PLANNING



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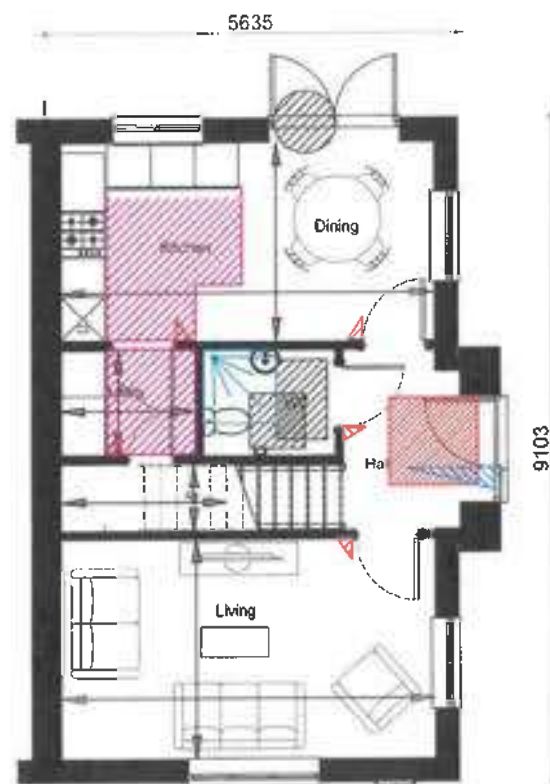
FRONT ELEVATION



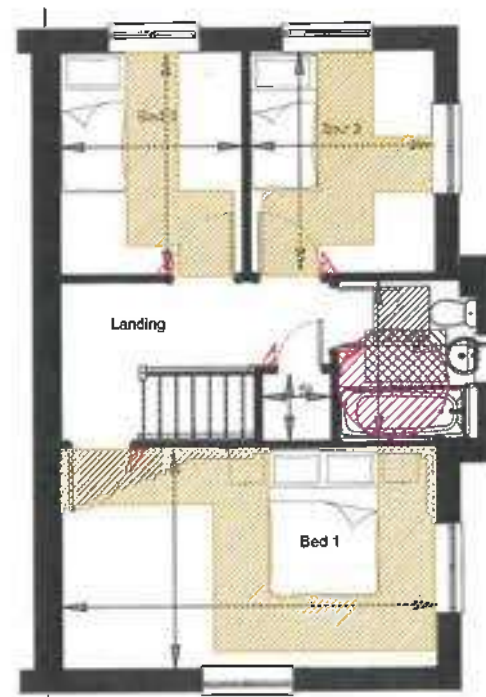
REAR ELEVATION



SIDE ELEVATION

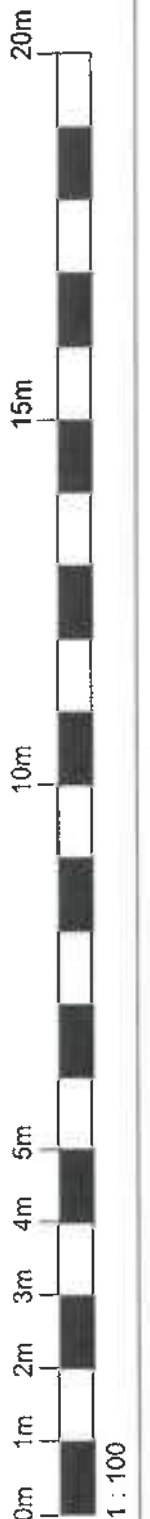


GROUND FLOOR PLAN



FIRST FLOOR PLAN

general notes:
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NDSS Compliance

	Area		Required 100% NDSS	Width	
	Current	Required		Current	Required
	m ²	ft ²	m ²	m	m
Bedroom 1	15.34	165	11.5	3.00	2.75
Bedroom 2	7.64	82	7.5	2.50	2.15
Bedroom 3	7.55	81	7.5	2.47	2.15
Cylinder St.	0.84	9	2.5	-	-
Under-stairs Storage	2.08	22	-	-	-
Total	37.80	445	34.0	Compliant	

01	17/11/25	DV	NDSS compliance table added
REV	DATE	BY	DESCRIPTION

Client:



Project:

CORE HOUSE TYPE
GAINFORD
AS - 973ft²

Drawing Title:

GAINFORD
(GAI-ERG)

Job No:

Drawing No:

973-GAI-121

Rev:

01

Drawn:
AB

Checked:
SK

Scale @ A3:
1:100

Date:
FEB '25



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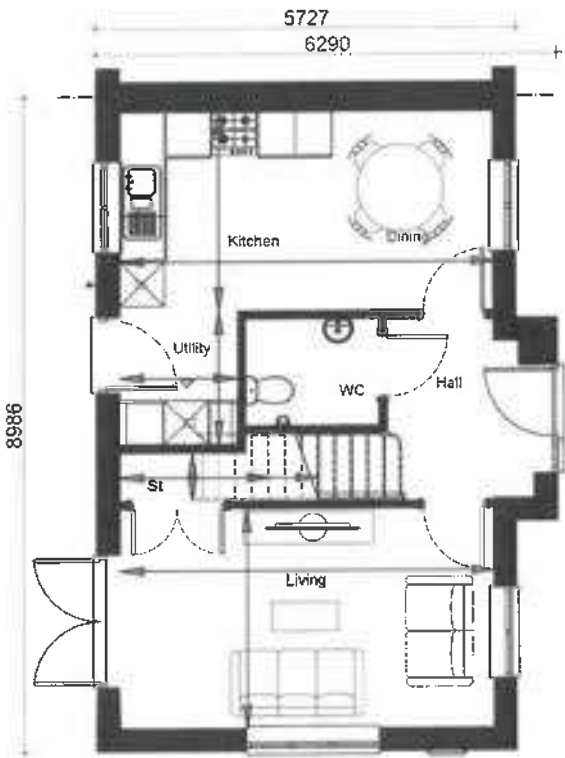
burnaby villa ■ 48 watling street road ■ fulwood ■ preston ■ pr2 8bp
tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk



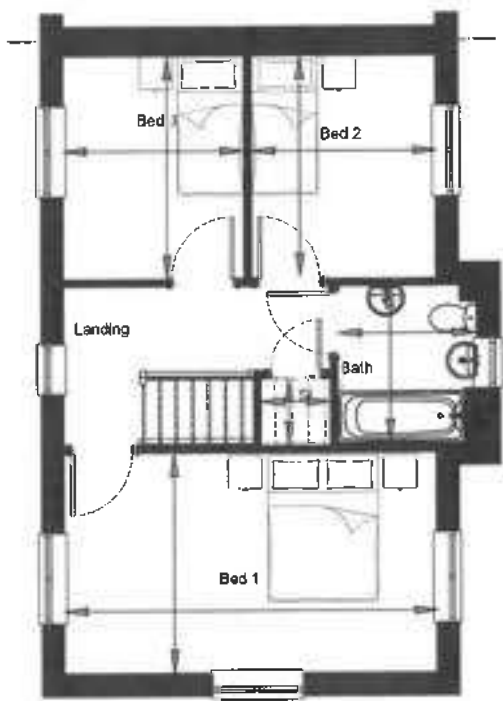
FRONT ELEVATION

SIDE / END ELEVATION

REAR ELEVATION

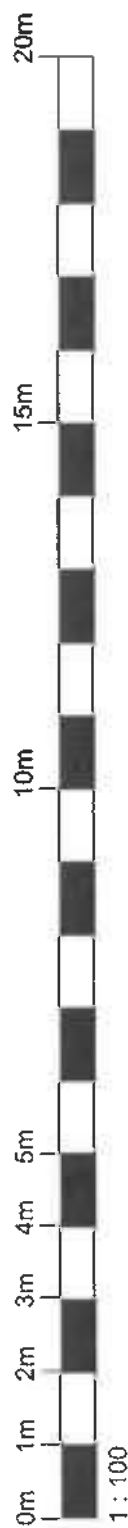


GROUND FLOOR PLAN



FIRST FLOOR PLAN

general notes:
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NDSS Compliance

	Area			Width	
	Current	Rounded 100% NDSS		Current	Required
	m ²	ft ²	m ²	m	m
Bedroom 1	15.27	164	11.5	3.00	2.75
Bedroom 2	7.56	81	7.5	2.48	2.15
Bedroom 3	7.55	81	7.5	2.48	2.15
Cylinder St.	0.84	9	2.5	-	-
Under-stairs Storage	1.72	18	-	-	-
Total	88.04	948	84.0	Compliant	

01	17/11/25	OV	NDSS compliance table added
REV	DATE	BY	DESCRIPTION

Client:

Project: CORE HOUSE TYPE RANGE
GAINFORD ALT
AS - 964ft²

Drawing Title:

GAINFORD ALT
(GAI-ALT-EBH)

Job No:

964-GAI-A-11101

Drawn: EC

Checked: SCK

Scale @ A3: 1:100

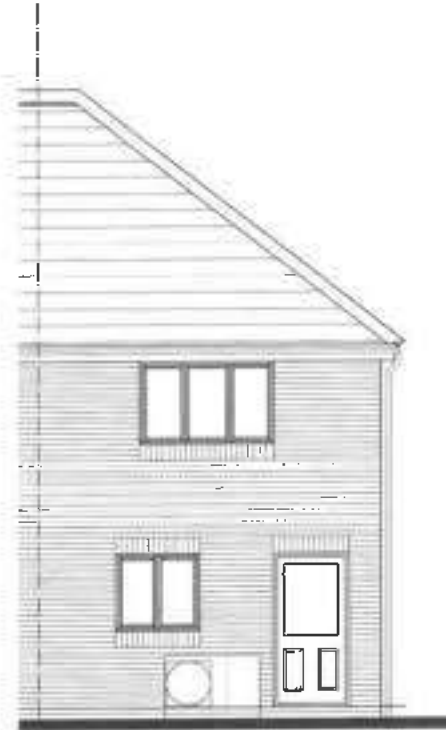
Date: March 2024

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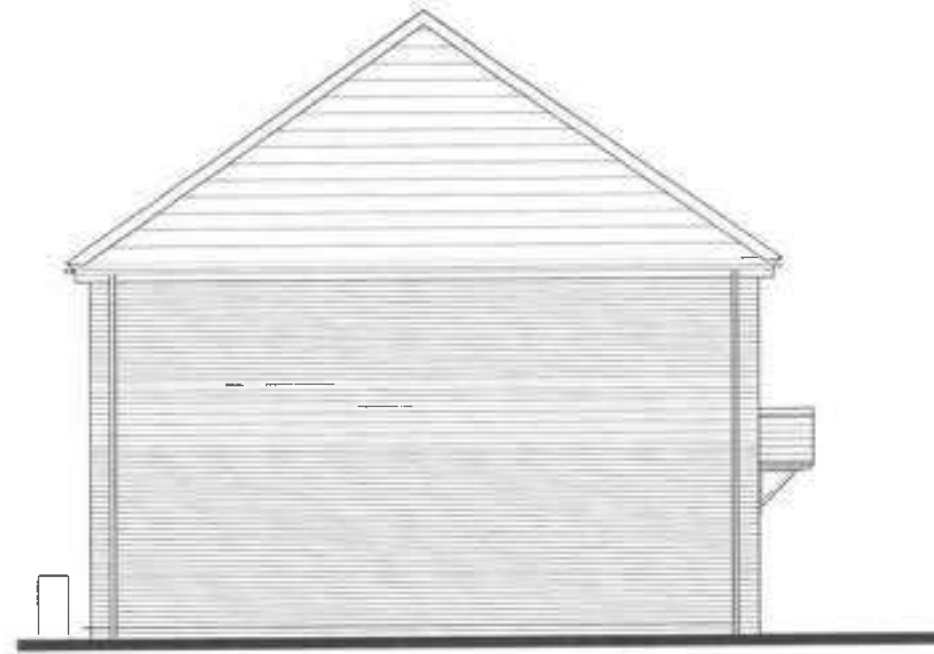
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tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk



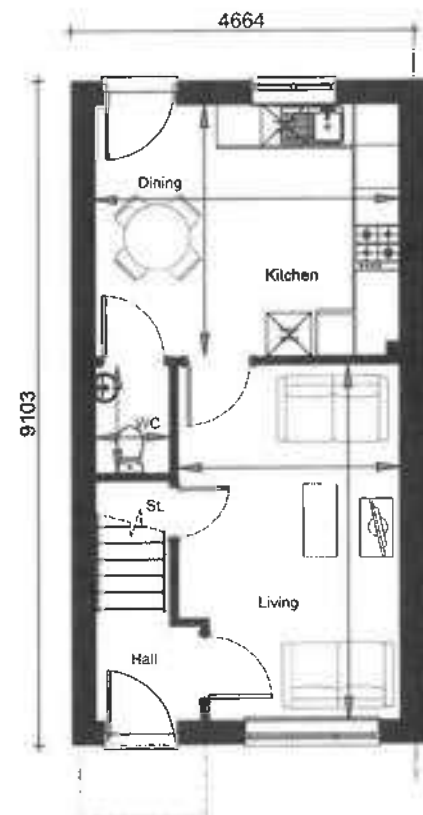
FRONT ELEVATION



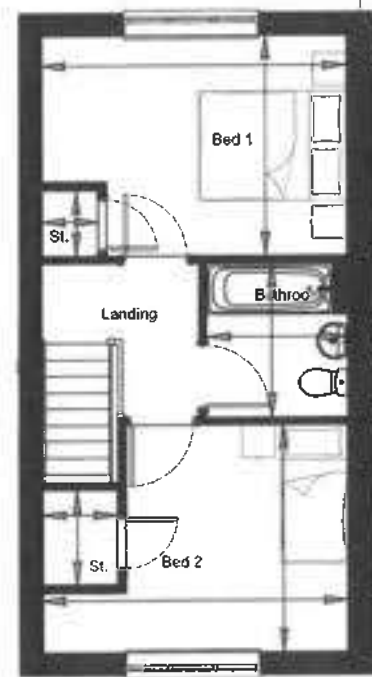
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

NDSS Compliance

	Area			Width	
	Current	Required 100% NDSS	Current	Required	
	m²	R²	m²	m	m
Bedroom 1	11.53	124	11.5	3.00	2.75
Bedroom 2	10.24	110	7.5	2.99	2.15
Storage	0.69	7			
Cylinder St.	1.32	14			
Total	70.21	756	70.0	Compliant	

01	17/11/25	DV	NDSS compliance table added
REV	DATE	BY	DESCRIPTION

Client:



Project:

CORE HOUSE TYPES
KNARESBOROUGH
AS - 769 ft²

Drawing Title:

KNARESBOROUGH
(KNA-EBH)

Job No:

Drawn:
DV

Checked:
CT

Drawing No:

769-KNA-120

Rev:

01

Scale @ A3:
1:100

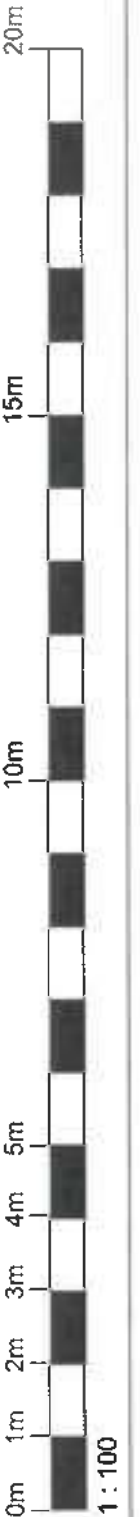
Date:
Nov 2024



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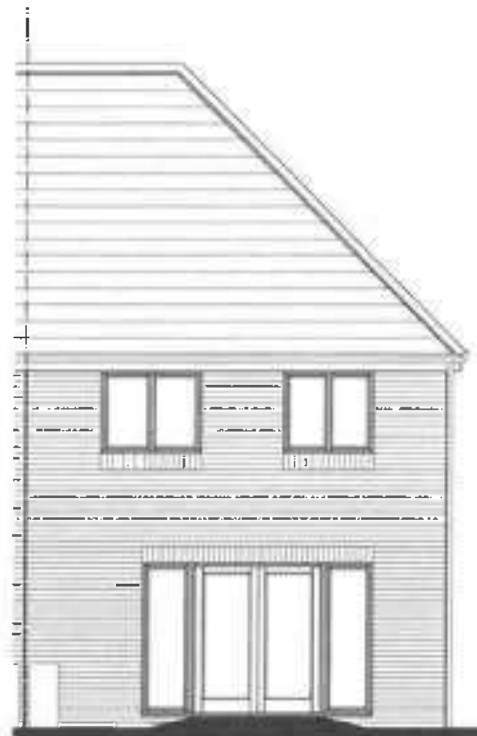


1 : 100

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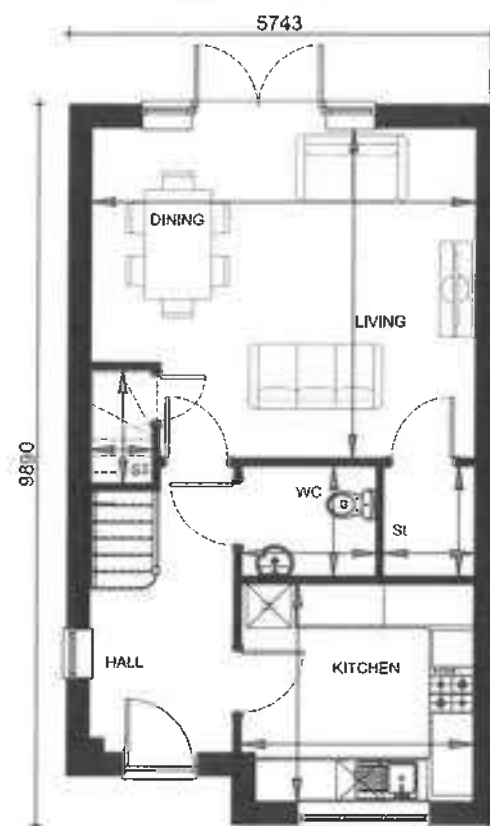
FRONT ELEVATION



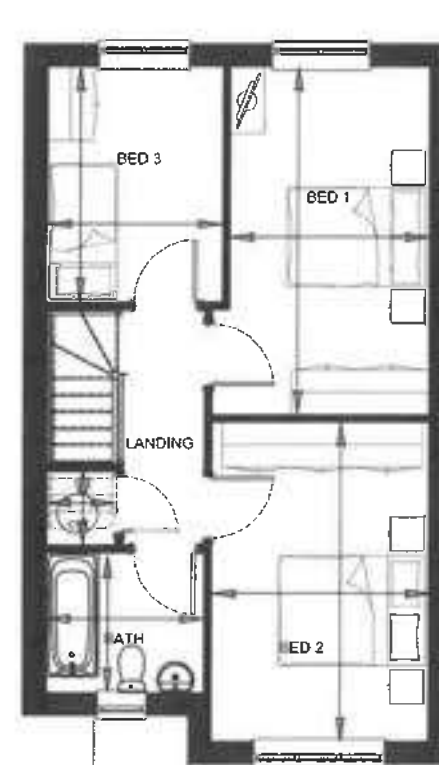
REAR ELEVATION



SIDE ELEVATION

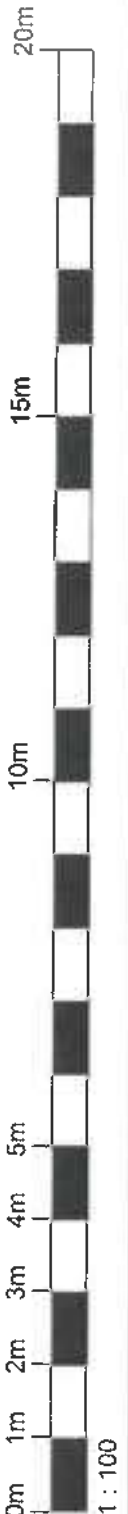


GROUND FLOOR PLAN



FIRST FLOOR PLAN

general notes:
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NOSS Compliance

	Area		Required 100% NOSS	Width	
	Current			Current	Required
	m ²	ft ²	m ²	m	m
Bedroom 1	13.28	143	11.5	2.72	2.55
Bedroom 2	12.93	140	11.5	2.97	2.75
Bedroom 3	7.6	82	7.5	2.37	2.15
Under-stairs Storage	1.0	10.7		-	-
Cylinder Store	0.917	9.8	2.5		
Storage	1.85	19.91		-	-
Total	33.18	357	33		Compliant

Client:



Project:

CORE HOUSE TYPES
PEOVER
AS - 1023ft²

Drawing Title:

PEOVER
(PEO-ERH)

01 17/11/25 DV NOSS compliance table added
REV DATE BY DESCRIPTION

Job No:

-

Drawing No:

1023-PEO-14601

Rev:

Drawn:
SK

Checked:

Scale @ A3:
1:100

Date:
Jan '25



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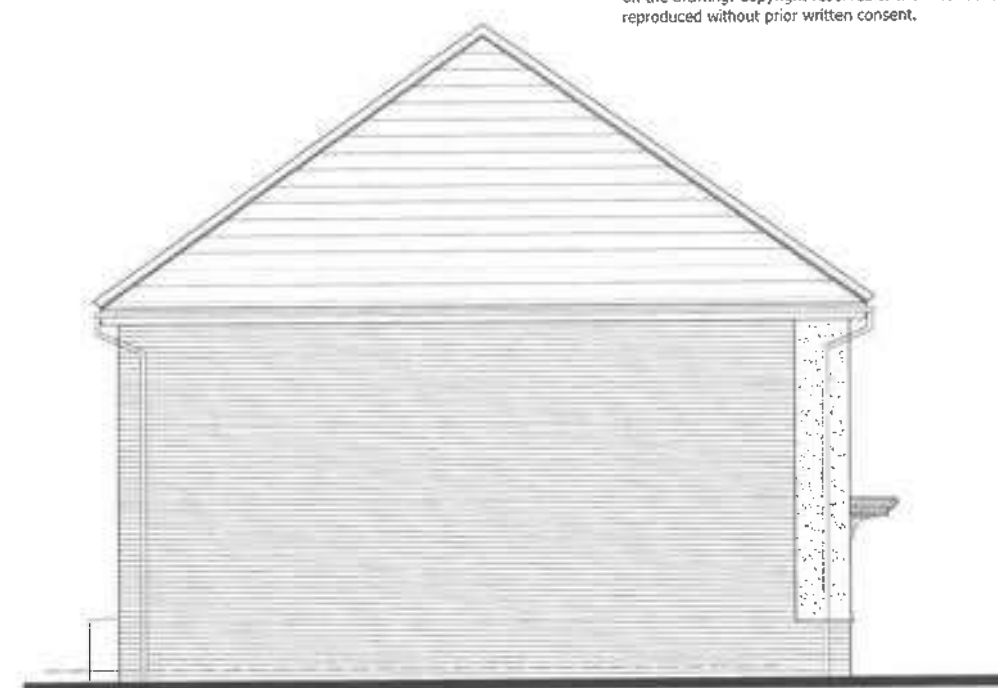
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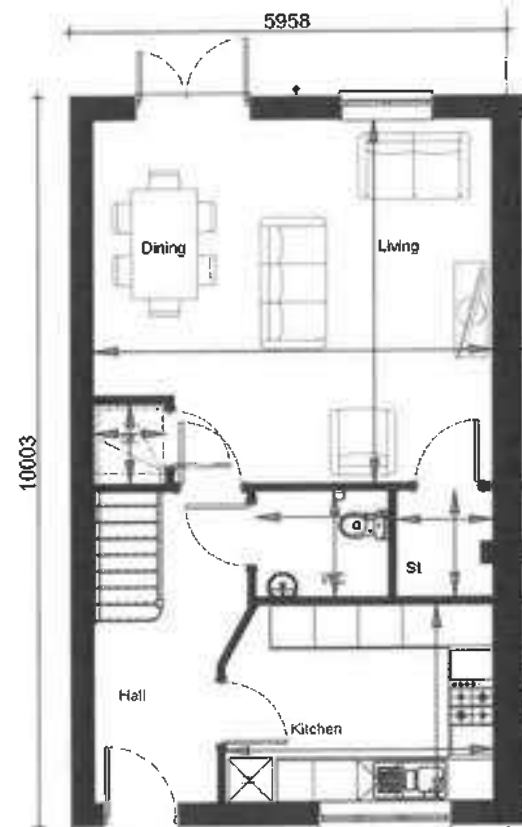
FRONT ELEVATION



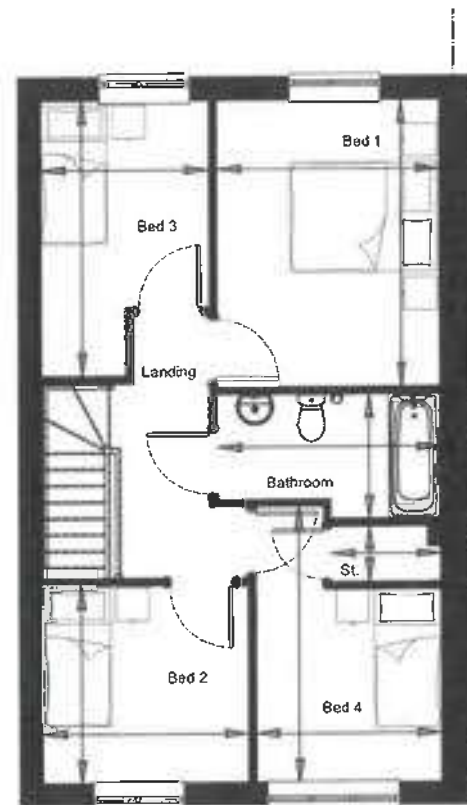
REAR ELEVATION



SIDE ELEVATION

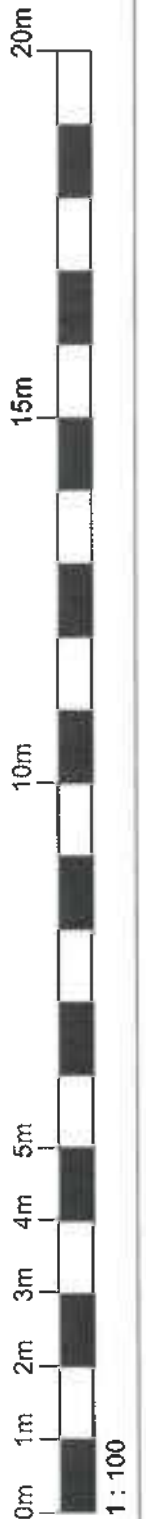


GROUND FLOOR PLAN



FIRST FLOOR PLAN

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NDSS Compliance

	Area		Width	
	Current	Required 100% NDSS	Current	Required
	m ²	ft ²	m	m
Bedroom 1	11.90	128	11.5	3.03
Bedroom 2	7.50	80	7.5	2.69
Bedroom 3	7.52	80	7.5	2.27
Bedroom 4	7.68	82	7.5	2.52
Storage	1.84	19	-	-
Under-stairs Storage	1.00	10	-	-
Cylinder St.	1.07	11	-	-
Total	101.49	1093	97.0	Compliant

PLANNING

Client:



Project:

CORE HOUSE TYPE
RIPLEY
AS - 1112ft²

Drawing Title:

RIPLEY
(RIP-ERH)

01 17/11/25 DV NDSS compliance table added
REV DATE BY DESCRIPTION

Job No:

-

Drawing No:

1112-RIP-113

Rev:

01

Drawn:

SCK

Checked:

BL

Scale @ A3:

1:100

Date:

MARCH 25



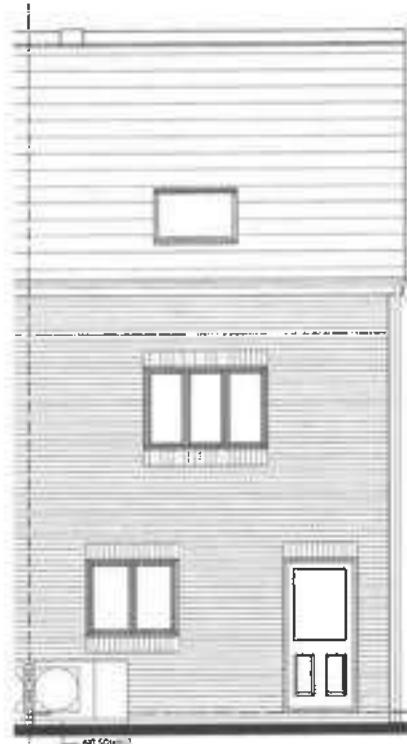
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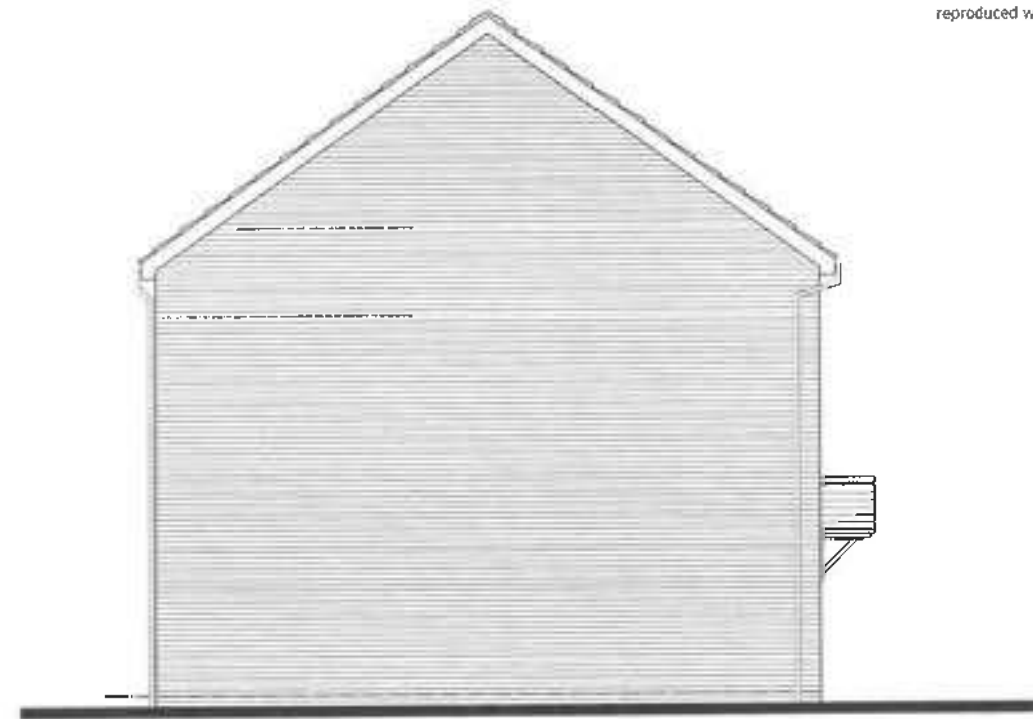
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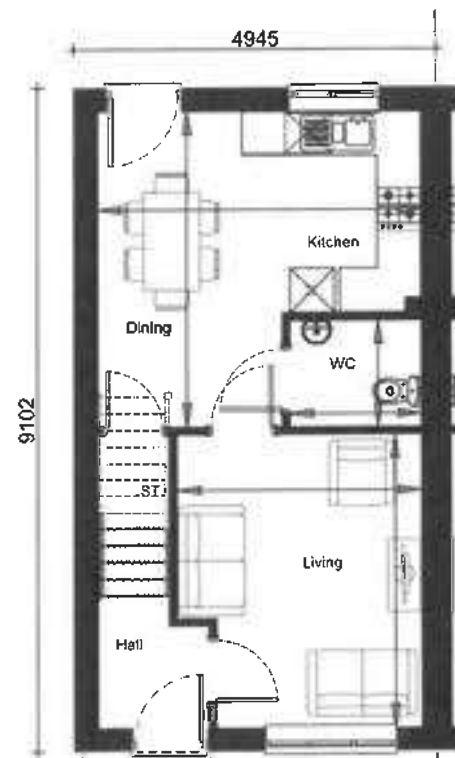
FRONT ELEVATION



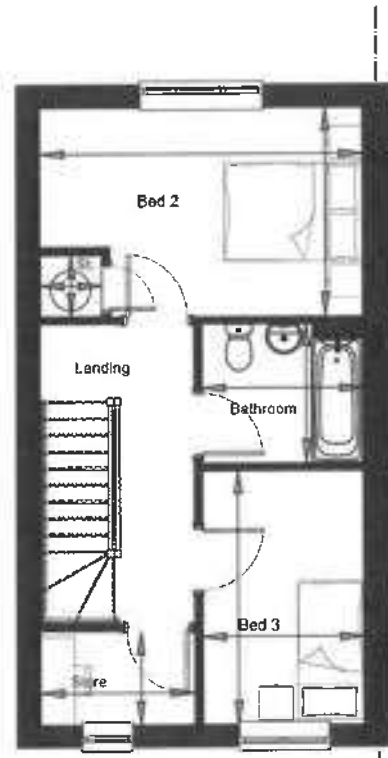
REAR ELEVATION



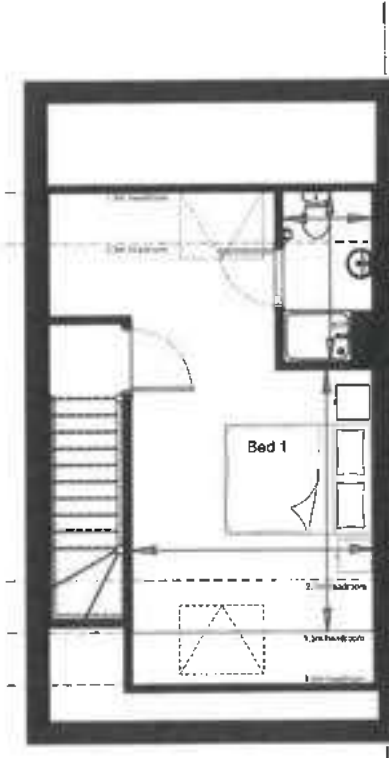
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

NDSS Compliance

	Area		Width	
	Current	Required 10% NDSS	Current	Required
	m ²	R ²	m	m
Bedroom 1	18.54	245	11.5	3.29
Bedroom 2	11.68	107	7.5	2.85
Bedroom 3	7.52	81	7.5	2.21
Storage	2.64	28	-	-
Under-stairs Storage	1.00	10.7	-	-
Cylinder St.	0.703	8	-	-
Total	100.986	1087	99	Compliant

PLANNING

Client:



Project:

CORE HOUSE TYPE
WOLLATON
AS - 1113 sq.ft

Drawing Title:

WOLLATON
(WOL-EBG)

Job No:

1113-WOL-110

01 17/11/25 DV NDSS compliance table added
REV DATE BY DESCRIPTION

Drawn:
BL

Checked:
SK

Scale @ A3:
1:100

Rev:

01

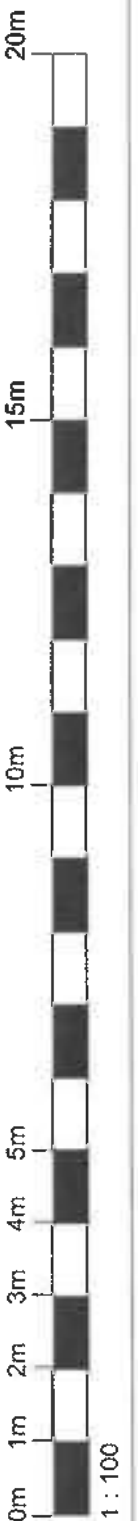
Date:
May '25



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1 : 100



SIDE ELEVATION

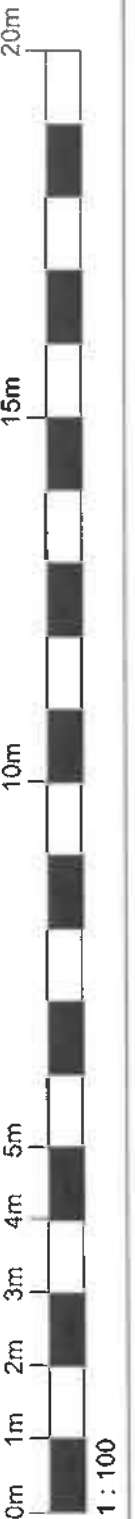


FRONT ELEVATION

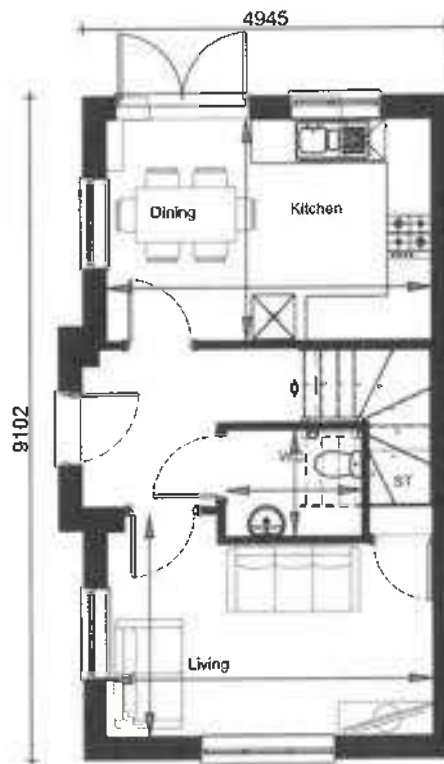


SIDE ELEVATION

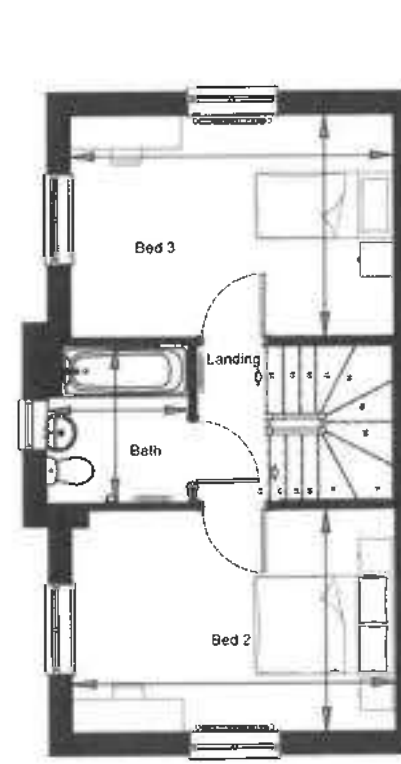
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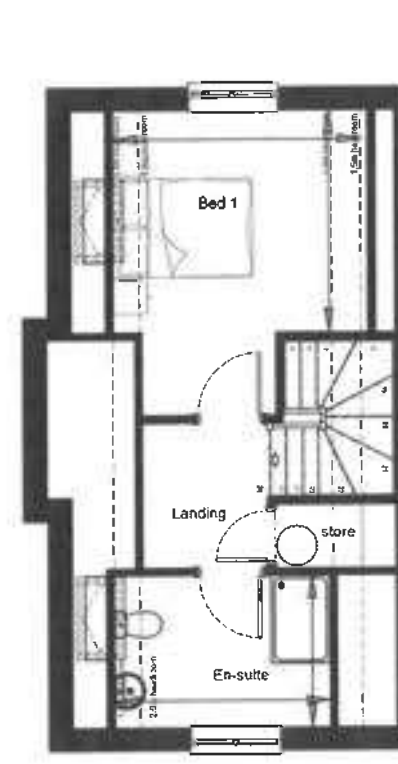
1 : 100



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

NDSS Compliance

	Area			Width	
	Current		Required 100% ROSS	Current	Required
	m²	ft²		m	m
Bedroom 1	12.35	133	11.5	3.03	2.75
Bedroom 2	13.39	144	7.5	3.03	2.55
Bedroom 3	13.39	144	7.5	3.03	2.15
Under-stairs Storage	1.295	14	2.5	-	-
Storage	1.205	13		-	-
Total	102.53	1103	99	Compliant	

01 17/11/25 DV NDSS compliance table added
REV DATE BY DESCRIPTION

PLANNING

Client:

Project:
CORE HOUSE TYPES
WOLLATON ALT+
AS - 1121ft²

Drawing Title:
WOLLATON ALT+ EBG
(WOL ALT+ EBG)

Job No:

Drawing No:
1121-WOL-113

Rev:
.01

Drawn:
SK

Checked:
GO

Scale @ A3:
1:100

Date:
SEP 2025



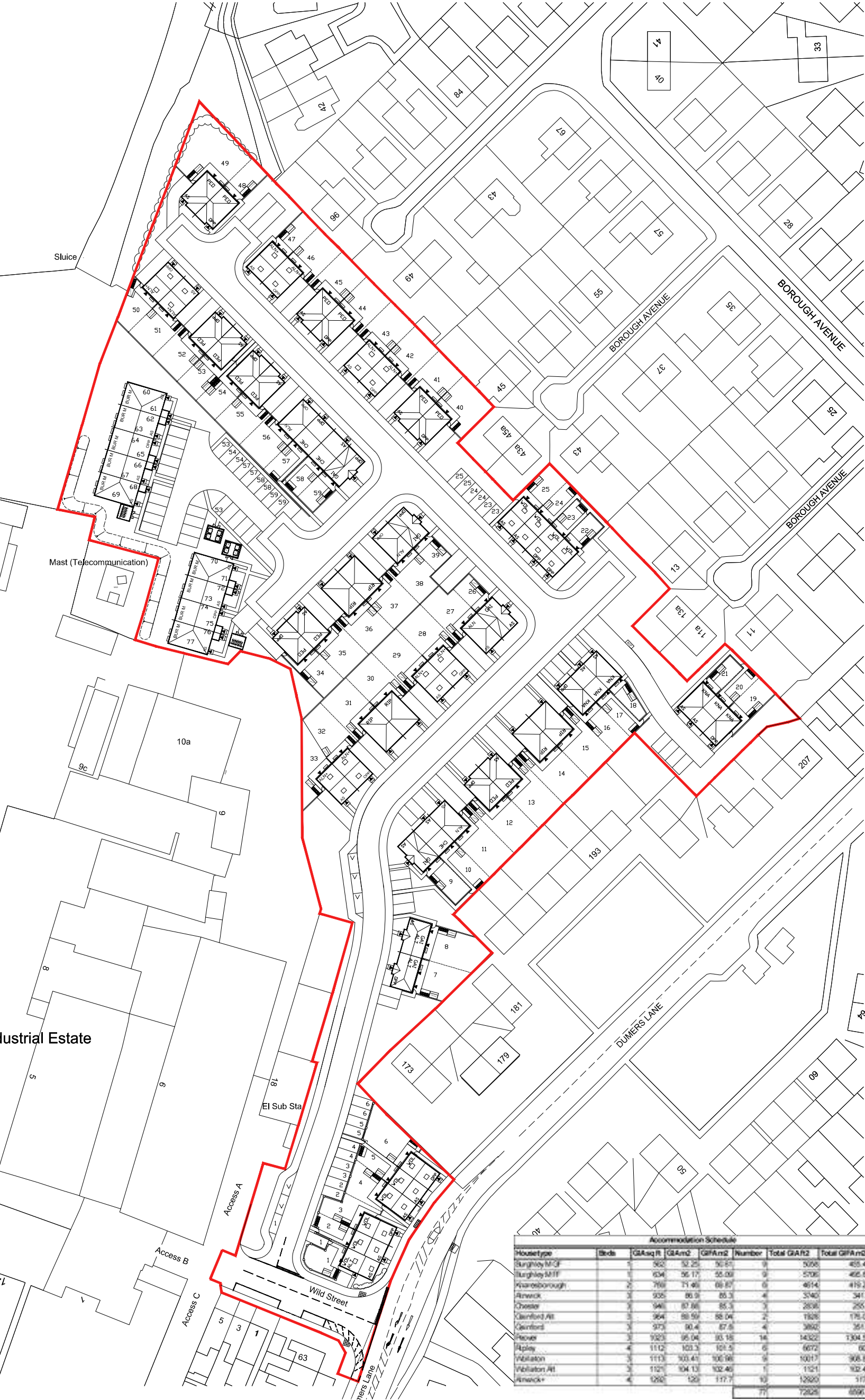
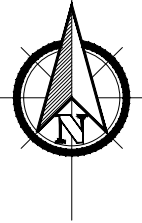
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LAND OFF DUMERS LANE, RADCLIFFE

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Accommodation Schedule						
Housetype	Beds	GIA sq ft	GIA m2	GIFA m2	Number	Total GIA m2
Burghley M/G	1	862	82.25	30.51	9	5058
Burghley M/F	1	934	86.17	35.09	9	5706
Harborough	2	769	71.46	26.87	6	4614
Almeck	2	935	86.9	35.3	4	3542
Chesler	3	946	87.86	35.3	3	2838
Canford All	3	964	89.59	35.04	2	1828
Canford	3	973	90.4	35.8	4	3632
Hever	3	923	85.04	33.18	14	14322
Alpley	4	1112	103.3	40.5	6	6672
Vibilation	3	1113	103.41	40.58	9	10017
Vibilation All	3	1121	104.13	40.46	1	1121
Almeck	4	1282	120	47.7	13	12820
					77	72828

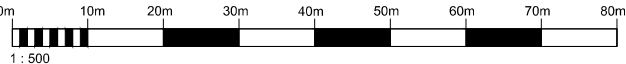
O	28.11.25	PS	Access road and Plot 1 amended following LPA comments.
N	24.11.25	KLW	Access road amended following LPA comments.
M	21.11.25	KLW	Parking to plot 1 amended. Plots 1-6 reconfigured.
L	17.11.25	KLW	General amendments following LPA comments.
K	12.11.25	KLW	Schedule updated. Bin stores added to Burghley plots.
J	03.10.25	KLW	Amended in line with LPA comments.
I	29.02.25	KLW	Amended in line with LPA comments.
H	3.5.25	PS	Wild Street Red edge altered further.
G	22.7.25	PS	Red Edge adjusted to include Wild Street Works. Visitor Parking Added.
F	16.06.25	KLW	Number of plots reduced, access relocated and all associated amendments.
E	28.11.24	KLW	Red edge amended to exclude substation.
D	28.11.24	KLW	Bin stores shown for apartments.
C	21.10.24	KLW	Plots around the acoustic bund reconfigured.
B	03.10.24	KLW	Plots 61-79 adjusted and private drive amended to allow for acoustic bund.
A	13.09.24	KLW	Access road relocated and plots 1-6 adjusted to suit.



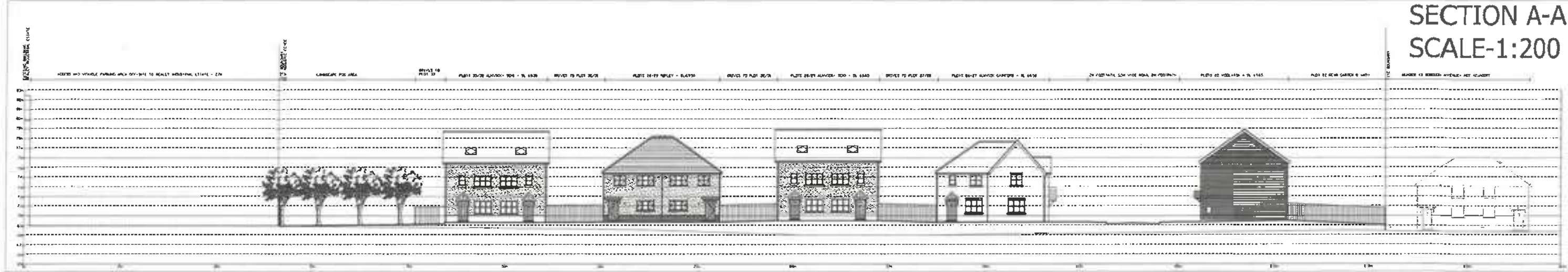
Project:
**BEALEY IND EST
RADCLIFFE**

Drawing Title:
PROPOSED SITE LAYOUT

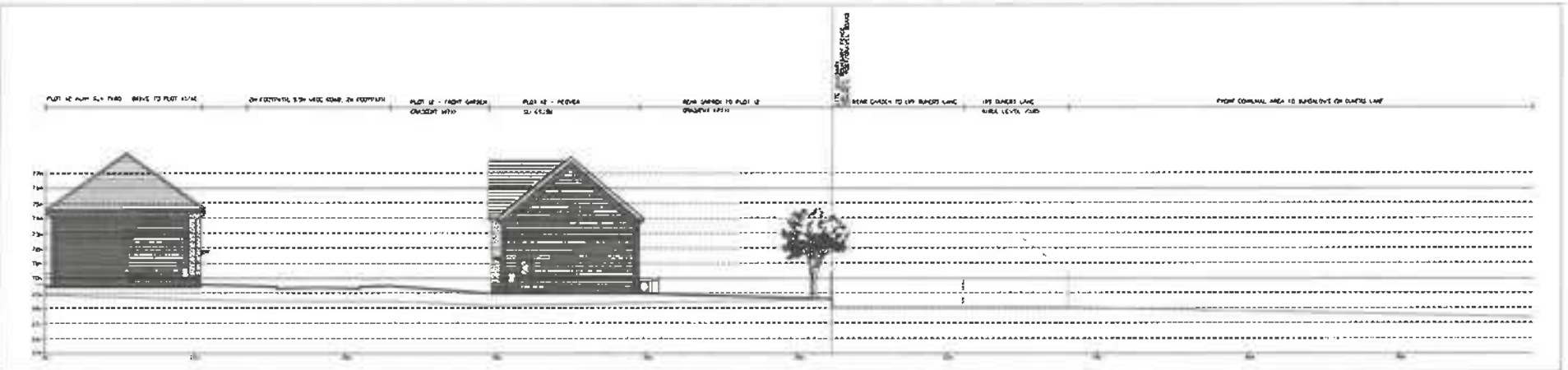
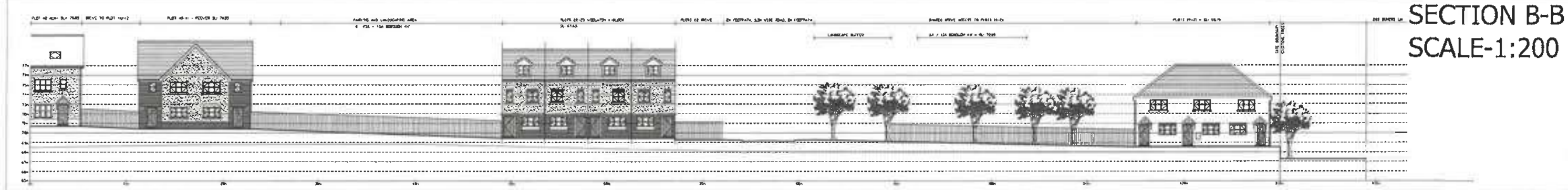
Drawn: KW	Checked:	Scale: 1:500	Date: AUG 2024
Job No: 1025	Drawing No: SL01	Rev: O	



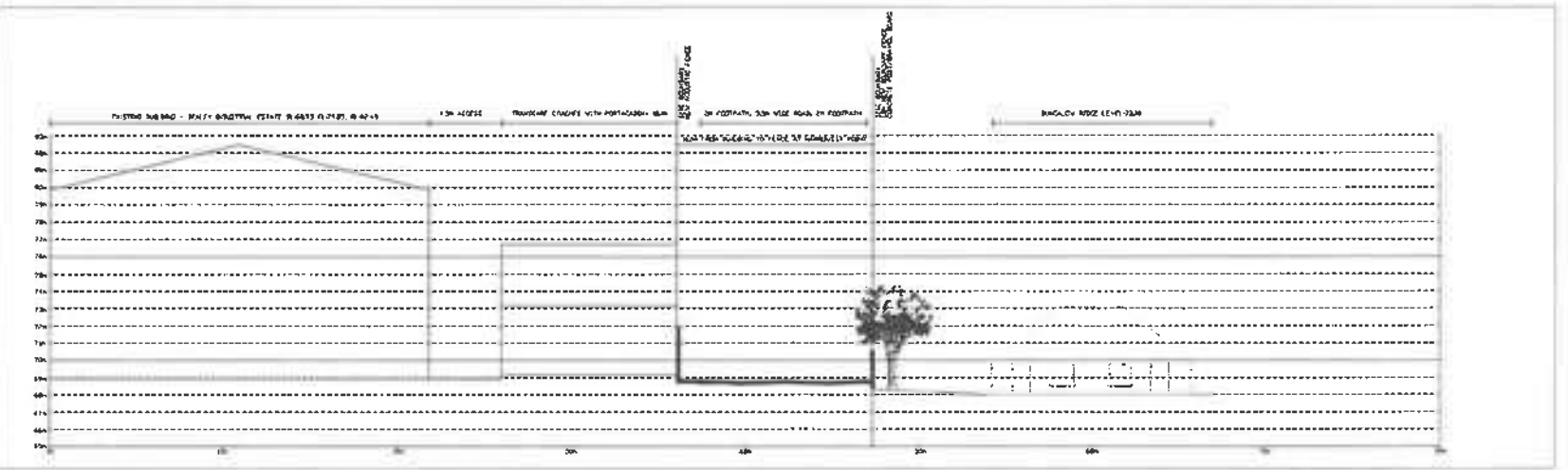
SECTION A-A SCALE-1:200



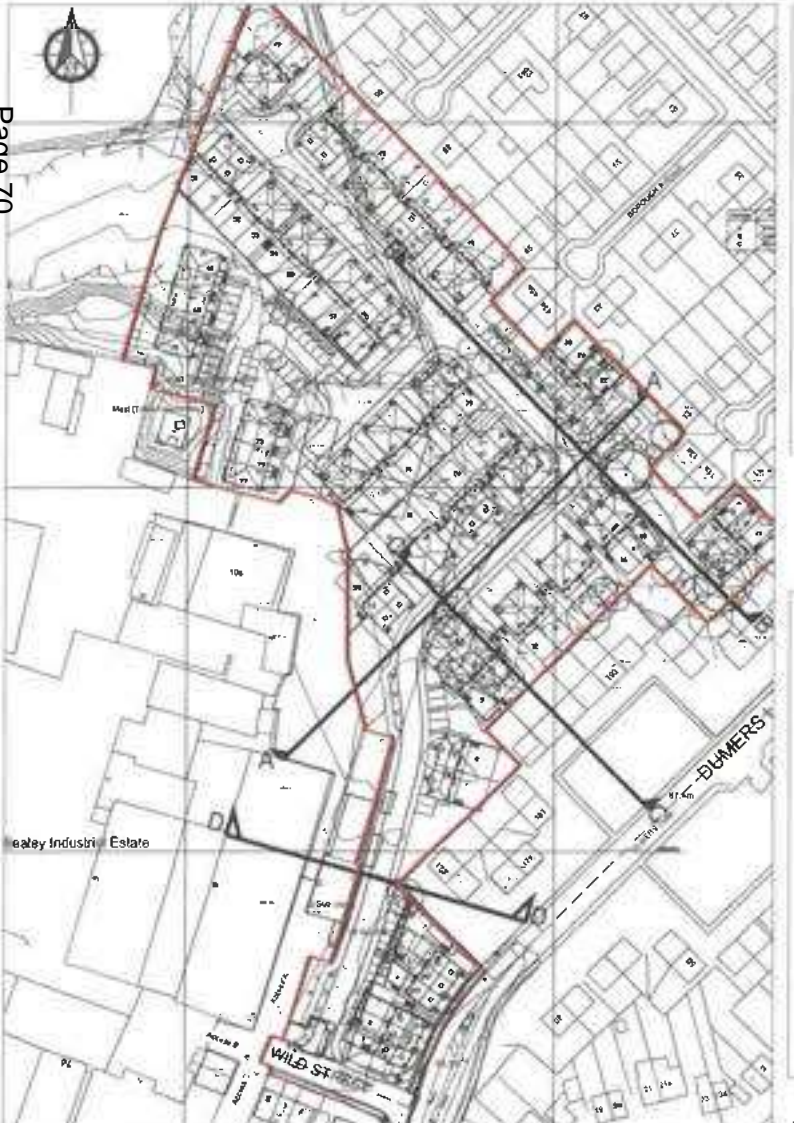
SECTION B-B SCALE-1:200



SECTION C-C SCALE-1:200



SECTION D-D SCALE-1:200

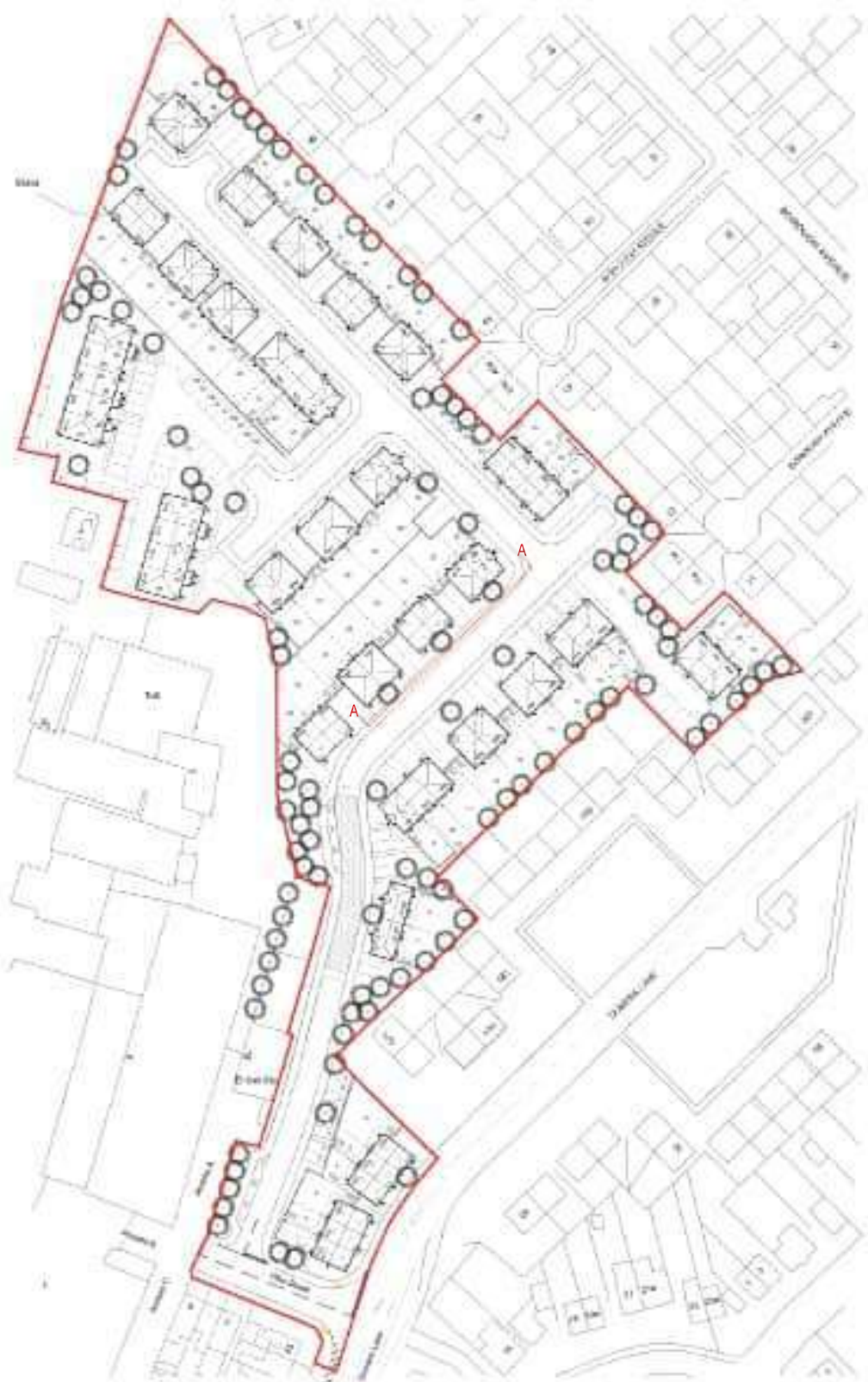


LOCATION PLAN - SCALE 1:1000

Project DUMERS_LANE BEALEY_INDUSTRIAL_ESTATE	
Drawing Title SITE CROSS-SECTIONS	
Drawn PWS 1025	Checked XS01
Date AUG25	Rev C

A1
PLANNING

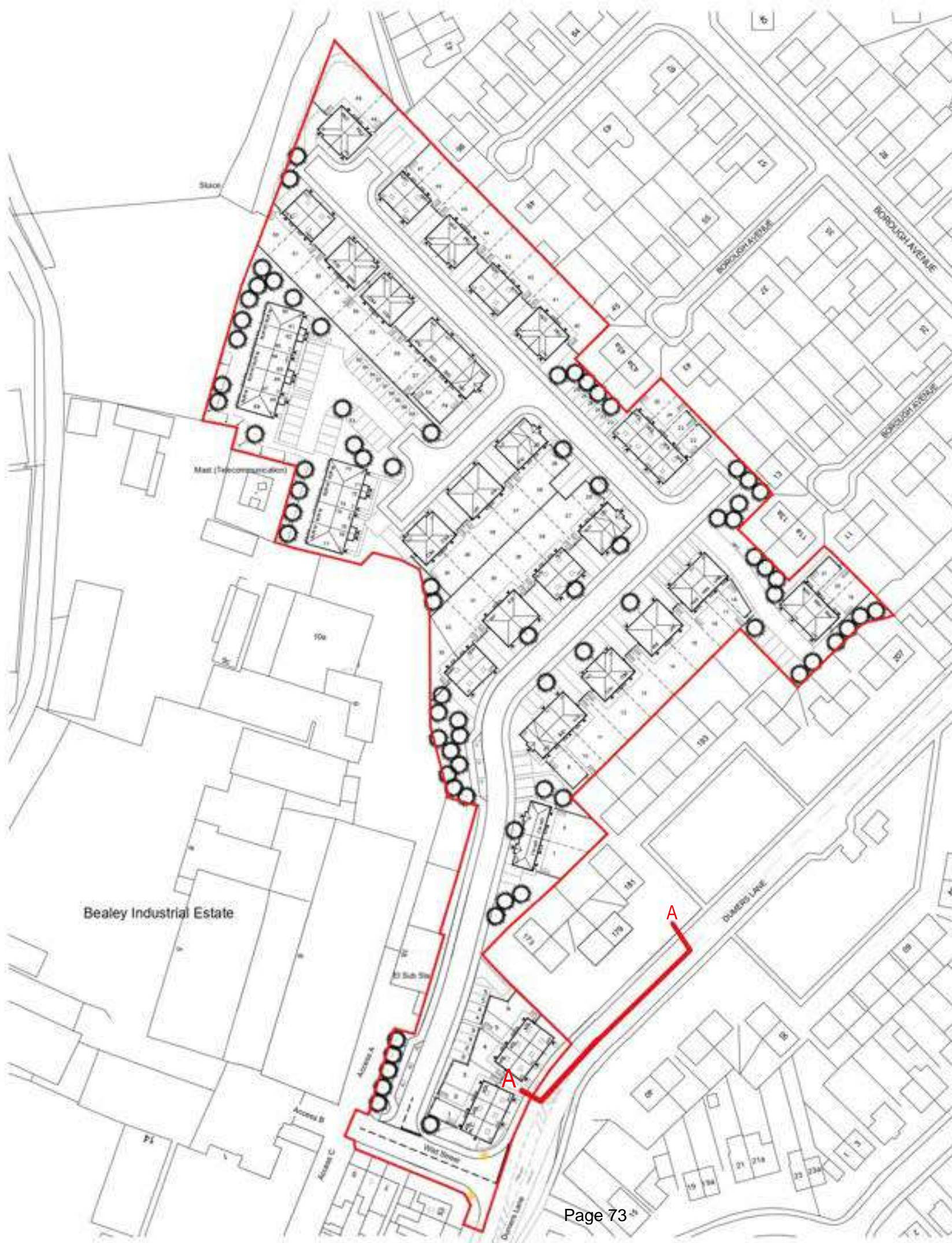
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Project:
BEALEY INDUSTRIAL ESTATE

Drawing Title:
STREET SCENES

Owner: KLSW	Checked: A	Drawn: MTS	Date: SEP_24
Job No: 1025	Drawing No: SS01	Rev: #	

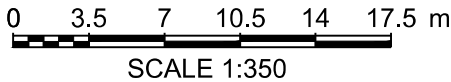
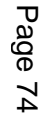


Scale
0m 10m 20m 30m 40m 50m 60m 70m 80m 90m 100m

Project
BEALEY INDUSTRIAL ESTATE

Drawing Title
STREET SCENES

Sheet	Number	Scale	Date	Drawn By	Check By	Appr. By
1025	SS04	1:1000	20/04/24			




- Key:**
- Approx site boundary
 - Approx adopted highway
 - Land ownership outside of applicant's control and outside of adopted highway

P04	Minor edits	01,12,2025	AB	MT	AK
P03	Updated red line boundary	11,08,2025	AB	MT	AK
P02	Highway comments incorporated	09,07,2025	AB	MT	AK
P01	Preliminary first issue	01,05,2025	AB	MT	AK
Rev	Description	Date	Dim	Chk	App



Project Name
Proposed Residential Development, Land
off Dumers Lane, Radcliffe

TTE Project Number	Drawn By	Date	Checked By	Date	Approved By	Date	Scale 	Suitability
784-B054854	AB	Apr '25	MT	Apr '25	AK	Apr '25	As Shown	S0
Client Project Number	Originator	Volume/System	Level/Location	Type/Code	Role	Number	Revision	
B054854	- TTE	- 00	- XX	- DR	- O	- 004	P04	

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Ward: Radcliffe - East

Item 02

Applicant:

Location: 25 Thomas Street, Radcliffe, Manchester, M26 2UH

Proposal: Change of use from public house (Sui Generis) to a 15 Bedroom (18 Persons) HMO together with first floor extension at side/rear and single storey extension at rear

Application Ref: 72127/Full

Target Date: 01/10/2025

Recommendation: Approve with Conditions

Description

The application relates to a former public house which is located in Radcliffe Town Centre which has been vacant since 2022.

The property is a part two storey, part single storey detached building with an external staircase and side entrance on the southern elevation and an enclosed yard and patio area at the rear.

The property is located fronting Thomas Street directly between two public car parks (to the north and south) with a further car park to the east accessed from Seymour Street. To the west is a cobbled back street beyond which are shops and business premises fronting Blackburn Street.

Planning permission was granted in January 2025 for the conversion of the public house to a 10 bed HMO. Internally, 6 bedrooms and a communal room were proposed at the ground floor with 4 bedrooms at the first floor. Externally, it was proposed to demolish the external staircase and side entrance and provide a 10 cycle bike store and bin store an area for outdoor amenity.

This application seeks the conversion of the building to a 15 bed/18 person HMO with a first floor extension at the side/rear and a single storey rear extension.

The proposed first floor side/rear extension would be located on the southern side on top of the existing single storey element and the single storey rear extension attached to the existing outrigger. Materials would be render to match the existing.

At the ground floor it is proposed to provide 7 bedrooms - 6 no single occupancy and 1 no. double occupancy. A communal kitchen/ diner would be located in the rear outrigger and new extension to provide 31.2sqm of communal space.

At the first floor would be 8 bedrooms - 6 no. bedrooms in single occupancy and 2 no. bedrooms in double occupancy.

Each bedroom would have en-suite facilities, desk, kitchenette facilities fridge/storage and cupboard.

It is proposed to provide 3 parking spaces in total, 1 parking space on the back street at the rear of the building and 2 parking spaces within the rear yard area which would be accessed from the back street. The outdoor space would also provide a cycle store for 20 bikes and communal seating area with bench seating. The existing paved area at the front of the site would be used to house a bin store.

Certificate C has been signed and the application advertised in the press as the site includes land outside the applicant's ownership.

Relevant Planning History

71353 - Change of use from Public House (sui generis) to a 10 Bedroom (single occupancy) HMO - approved 29/1/25.

Publicity

Letters sent to 32 properties on 8/8/215.

Site notice posted 14/8/25.

4 objections received which raise the following issues -

- The building is located directly opposite a children's nursery
- Currently the local area is already having flats being developed, this additional housing isn't necessary for the area
- The area hasn't even finished the high school or the leisure facilities adding a HMO to this area would not be in Radcliffe's or our local occupiers best interest
- We do not need any more HMO's in the Radcliffe area.
- Develop the area for flats for working people or affordable housing.
- We don't have enough doctors or dentist to accommodate more people.
- Insufficient parking provision and the resulting impact on local residents and visitors.
- While there are public car parks nearby on Thomas Street, Cross Street, and at the Civic Centre, these facilities are already heavily used, particularly during weekdays and frequently reach full capacity which pushes overflow parking onto surrounding side streets such as Halstead Close.
- It also places additional pressure on parking availability for visitors to local amenities, including the nearby health centre, which is an essential community facility.
- An HMO of this scale is unlikely to have a positive impact on the town which is currently undergoing very expensive regeneration.
- HMOs generally add to anti social behaviour in an area including littering/fly tipping.
- I don't think the council should encourage low quality renting. It is well known that people living in HMOs often have poor landlords.

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections subject to conditions.

Environmental Health - Pollution Control - No comments to make

Environmental Health - Commercial Section - No response received

Waste Management - No objection.

Greater Manchester Police - designforsecurity - No response received.

Adult Care Services - No response received

Housing - Public Protection - No objection.

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF National Planning Policy Framework

H1/2 Further Housing Development

H2/1 The Form of New Residential Development

H2/2 The Layout of New Residential Development

H2/4	Conversions
H5/1	Area Improvement
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
S1/2	Shopping in Other Town Centres
S2/3	Secondary Shopping Areas and Frontages
Area	Blackburn Street/Dale Street/Church Street West
RD1	
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-P1	Sustainable Places

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.

Principle

The National Planning Policy Framework (NPPF) sets out the governments objective of significantly boosting the supply of homes in all kinds of size and tenures. With regard to HMOs, the conversion of large houses into flats or bedsits can make an important contribution to the local housing stock and can utilise vacant or underused space more efficiently.

At para 11, the NPPF is clear that decisions should be in favour of sustainable development and at para 61 states that the overall aim should be to meet an areas's identified housing need, including with an appropriate mix of housing types for the local community.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The property is located within a town centre setting where there are a mix of commercial and business premises as well as residential flats and houses, notably above shops or directly opposite the site on Halstead Close. The site is in a highly sustainable area with access to public transport and local services and amenities.

The property and site benefit from an extant permission for the change of use to an HMO and as such the principle for this tenure of housing has been established.

The issues of this application concern the intensified occupation of the building and resulting associated facilities of communal spaces, bin and cycle store and parking. These issues are discussed below.

Layout

There would be 15 bedrooms (3 in double occupation) over two floors with a single communal kitchen/diner located at the ground floor.

All the bedrooms for both the single and double units would comply with national minimum space standards for HMO's and licensing standards and the communal kitchen would be of a size and provide adequate kitchen facilities to meet Bury Council's HMO Guidance.

The yard area would be of an adequate size to facilitate 2 parking spaces and cycle store plus an area for sitting out and drying washing.

The bin store would be located at the front of the site on an existing paving area and accessed directly from Thomas Street on collection days.

The HMO Licensing Section have no issues subject to the applicant obtaining an appropriate license.

It is therefore considered the proposed development would comply with H2/4, EN1/2 and SPD13.

Impacts on residential amenity

The property is detached and there are public car parks either side of the building. The nearest residential dwelling would be the flats over the shop to the rear of the site on Blackburn Street over 10m away and houses to the east on Halstead Street more than 20m away.

There would be acceptable separation distances from habitable room windows in the proposed HMO to nearby residential properties in compliance with SPD6 and it is therefore considered that there would not be a significant impact on overlooking or privacy of neighbours.

The property was formerly a public house which would itself have generated a level of activity, noise and disturbance and at different times of the day. Whilst there would be an increase in occupation of 8 people from the previously approved 10 person HMO, it is considered that comparative to a pub, the proposed use and number of occupiers would not cause undue noise and disturbance to the area nor intensify the use of the building to a significantly harmful degree.

The proposed outdoor communal space would be provided in the former pub beer garden and would be used for parking for two cars, provide cycle storage and areas to sit out, comparative to a pub use it is considered that impacts on the surrounding area would not be exceptionally harmful compared to the previous use. The site is also in a town centre location where there would be an expectation of comings and goings in the area and it is considered the proposed use would not significantly add to activity and disturbances.

The proposed use would also bring back into use a vacant building and therefore occupation would benefit from natural surveillance over the area and upkeep of the grounds.

It is therefore considered the proposed development would not have an adverse impact upon the residential amenity of neighbouring properties and would be in accordance with Policies EN1/2 and H2/4.

Highway issues

The site is located in Zone 2 for parking and SPD11 requires 0.25 unallocated spaces per bedroom which would equate to 3.75 spaces (rounded up to 4). The application proposes 3 spaces.

SPD11 does however state that alternative provision levels are considered on a case-by-case basis.

It is generally recognised that car ownership tends to be lower for those who occupy an HMO compared to other types of residential households. There are two public car parks either side of the property and another public car park opposite.

Located within a town centre and a highly sustainable area, there are good links to public transport and a wide range of shops, local services and facilities to meet the needs of future occupiers.

The development also proposes a cycle store with space for 20 cycles which would comply with SPD11 which requires one secure covered space per bedroom.

The property previously operated as a public house without any parking and it is considered that given the sustainable town centre location, links to transport systems and nearby public car parks, dedicated parking for the development would not be necessary in this instance.

The NPPF at para 117 states that applications for development should give priority to pedestrian and cycle movements and facilitate access to high quality public transport. PfE Policy JP-P1 Sustainable Places advocates efficient uses of land and development which is well connected to local facilities and public modes of transport.

The bin store would be located at the front of the site and a new drop kerb would be installed to facilitate access for waste management on collection days.

The Highway Authority have raised no objection subject to a condition for the provision of the cycle and bin store prior to commencement of the use.

It is therefore considered that given the sustainable location and access to good transport links and local amenities, in addition to the benefits of providing housing in the area, the proposed development is considered to be acceptable and would comply with the principles of sustainable development.

Policy JP-S2: Carbon and Energy

In compliance with Policy JP-S2 of the Places for Everyone (PfE) plan, the development proposes to minimise energy demand and maximise energy efficiency including measures to achieve a high APC, smart thermostats, energy saving lights and to align with 2022 Part L Building regulations.

The development would comply with JP-S2.

Policy JP-C2: Digital Connectivity

The development would support high quality infrastructure by including full fibre broadband. The proposed development would comply with policy JP-C2.

Response to objections

- The 'type' of occupier of an HMO is not a material consideration. There is no evidence to suggest that the proposed development would result in associated issues of noise, littering or anti social behaviour, which are covered in any event by other legislation and by council services.
- With regards to parking, an HMO tends to have lower car ownership levels, within a sustainable town centre location is considered acceptable.

- In terms of the location of HMO's, whether it be Radcliffe or any other area, applications are assessed on a site by site basis and on merit.
- An HMO offers an alternative type of housing tenure to meet the areas housing needs.
- Radcliffe has a range and number of local facilities and services and it is considered that an additional 18 residents (or an additional 8 above the approved HMO) would not put significant pressure on local services.
- All other issues have been covered in the above report.

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/ 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

Project number GSS24124 -

Existing plans 002A

Existing and proposed site plan 502 rev 5

Revised proposed floor plans 003A rev 3

Revised proposed elevations 003B rev 2

20 space Amazon TT Shelter rev 00

Bike shelter specification by the Bike Storage Company

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.

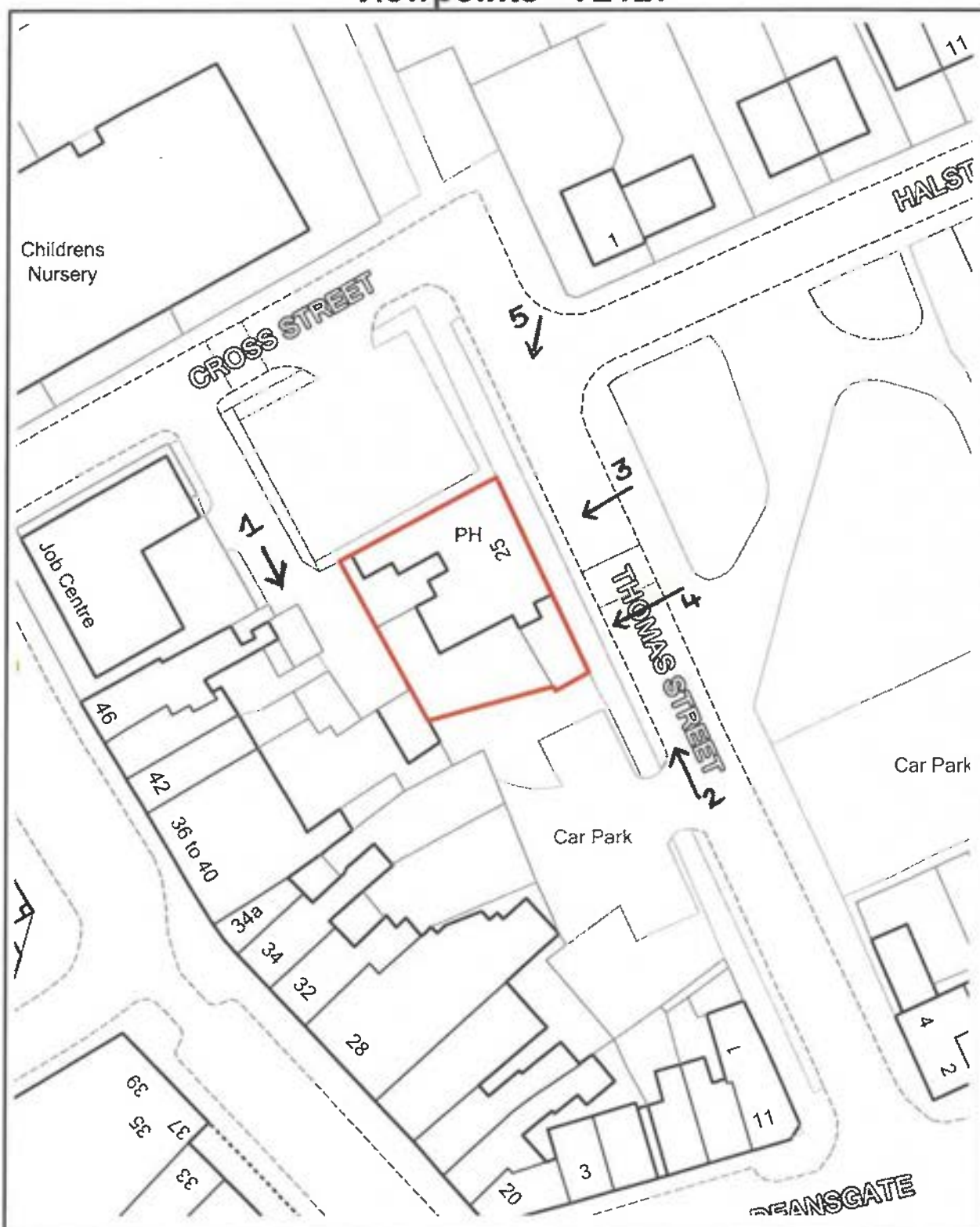
3. The use hereby approved shall not be commenced unless and until the footway and verge crossing shown indicatively on approved plan reference GSS24124.2 502 Revision 5 required to access the relocated bin storage facilities has been implemented to a specification and in a position to be agreed with the Highway Authority and the Local Planning Authority pursuant to policies EN1/2, H2/4, JP-C5 and JP-C8.
4. The car parking, cycle and bin storage facilities indicated on approved plan reference GSS24124.2 502 Revision 5 shall be made available prior to the use

hereby approved commencing and maintained thereafter.

Reason. To ensure adequate car and cycle parking/storage and the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway, in the interests of highway safety pursuant to Policies EN1/2, H2/4 and JP-C8.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints - 72127



ADDRESS:

25 Thomas Street, Radcliffe, M26 2UH

Planning, Environmental and Regulatory Services

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Bury
Council

72127

Photo 1



Photo 2



72127

Photo 3



Photo 4



72127

Photo 5



1 : 200



1 : 200



Refer to documents attached for
proposed bike store information:

- 20-Space-Amazon-Eco-Two-Tier-Shelter
- TBSC_20_Space_Amazon_Eco_TT_Shelter_GA_MS_00


Legend - Boundaries

Site Boundary 

Site Ownership _____



Site Key



Paving Stones

 Driveway

— Timber Fencing

 Brickwork

 Trees

 Existing Building

 Proposed Building

5	Revised - Site Plan	13/11/2025	JB
4	Planning - Revised	01/10/2025	JB
3	Planning - Revised	29/09/2025	JB
2	Planning - Revised	18/09/2025	JB
1	Planning - Revised Plans	27/08/2025	JB
No.	Description	Date	Initial

PROJECT Morning Star, 25 Thomas Street,
Radcliffe

TITLE	Site - Existing & Proposed
-------	----------------------------

STATUS DESIGN

DRAWN BY	DATE	SCALE (@ A1)
JB	27/06/2025	As indicated

PROJECT NUMBER	DRAWING NUMBER	REV
GSS24124.2	502	5

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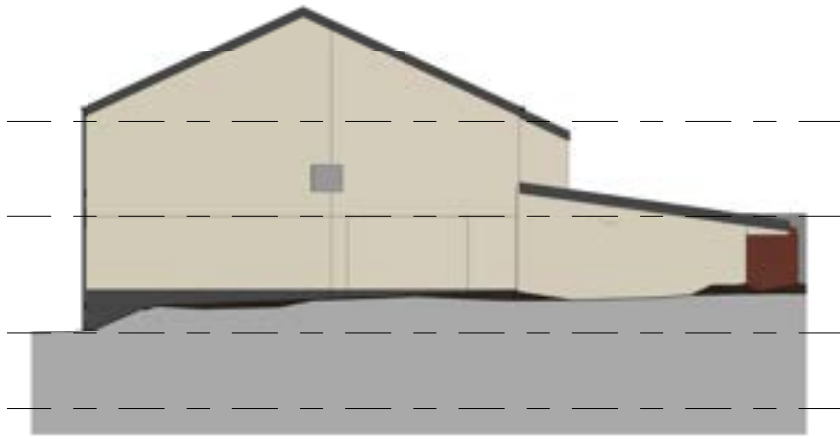
1 Front - Proposed
1 : 100



3 Rear - Proposed
1 : 100



2 Left Side - Proposed
1 : 100



4 Right Side - Proposed
1 : 100

Where the room is for the sole use of occupier(s)	Number of persons	
	1	2 (cohabiting)
Bedroom	6.5m ²	10.2m ²
Kitchen	4m ²	5m ²
Combined kitchen and living room	11m ²	15m ²
Combined bedroom and kitchen	11m ²	15m ²
Combined bedroom and living room	10m ²	14m ²
Combined bedroom, living room & kitchen	13m ²	20.5m ²

Bury Council Houses in Multiple Occupation Guidance and Amenity Standards

	Number of persons					
Minimum sizes of other shared rooms	2-3	4	5	6-10	11-15	16+
Kitchen	5m ²	6m ²	7m ²	10.2m ²	13.5m ²	16.5m ²
Living rooms or dining rooms which are additional to kitchen area	8.5m ²	11m ²	11.2m ²	16.7m ²	21m ²	24m ²
Combined kitchen and dining area	10m ²	11.5m ²	11.6m ²	19.5m ²	24m ²	29m ²
Combined Kitchen, living & dining rooms (where bedrooms are less than 10.2m ²)	13.5m ²	17m ²	18.2m ²	26.9m ²	34.5m ²	40.5m ²

Kitchen facilities will include the following, in accordance with the 1:5 ratio outlined in the Bury Council Houses in Multiple Occupation Guidance and Amenity Standards document:

- 4 sinks (dishwasher)
- 4 four-ring hobs
- 4 ovens

Wash hand basins in ensuites to be at minimum size of 380mm x 240mm and depth of 130mm

Each bedrooms will serve as a combined bedroom and living room, in compliance with Bury Council's HMO guidelines

All proposed habitable rooms are in compliance with the Bury Council Houses in Multiple Occupation Guidance and Amenity Standards document.

1 Bed/ 1 Person

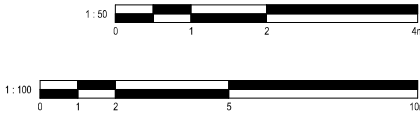
1/Bed/ 2 Person

Kitchen/ Dining

Total - 15 Bedrooms/
18 Perons HMO

	Bedroom (excluding ensuite)	Ensuite	Combined
Bedroom 1	12.0m ²	3.1m ²	15.4m ²
Bedroom 2	12m ²	2.8m ²	15.0m ²
Bedroom 3	13.3m ²	3.6m ²	17.3m ²
Bedroom 4	10.2m ²	3.0m ²	13.4m ²
Bedroom 5	10.8m ²	2.4m ²	13.6m ²
Bedroom 6	10.0m ²	2.6m ²	13.0m ²
Bedroom 7	15.9m ²	2.6m ²	18.8m ²
Bedroom 8	12.3m ²	2.7m ²	15.2m ²
Bedroom 9	14.1m ²	3.5m ²	17.9m ²
Bedroom 10	12.4m ²	2.5m ²	15.2m ²
Bedroom 11	15.4m ²	2.9m ²	18.4m ²
Bedroom 12	12.9m ²	2.8m ²	16.3m ²
Bedroom 13	10.7m ²	3.1m ²	16.1m ²
Bedroom 14	11.4m ²	2.5m ²	14.3m ²
Bedroom 15	13.4m ²	2.5m ²	16.1m ²

A fire risk assessment is to be provided, in compliance with HMO licensing and the Fire Safety Order 2005, prior to the construction phase.



2	Planning - Revised	18/09/2025	JB
1	Revised Plans	08/05/2025	JB
No.	Description	Date	Initial

PROJECT

TITLE

STATUS

DRAWN BY

DATE

SCALE (@ A1)

PROJECT NUMBER

DRAWING NUMBER

REV

Morning Star, 25 Thomas Street, Radcliffe

Proposed Elevation

DESIGN

JB

19/02/2025

As indicated

GSS24124.2

003B

2

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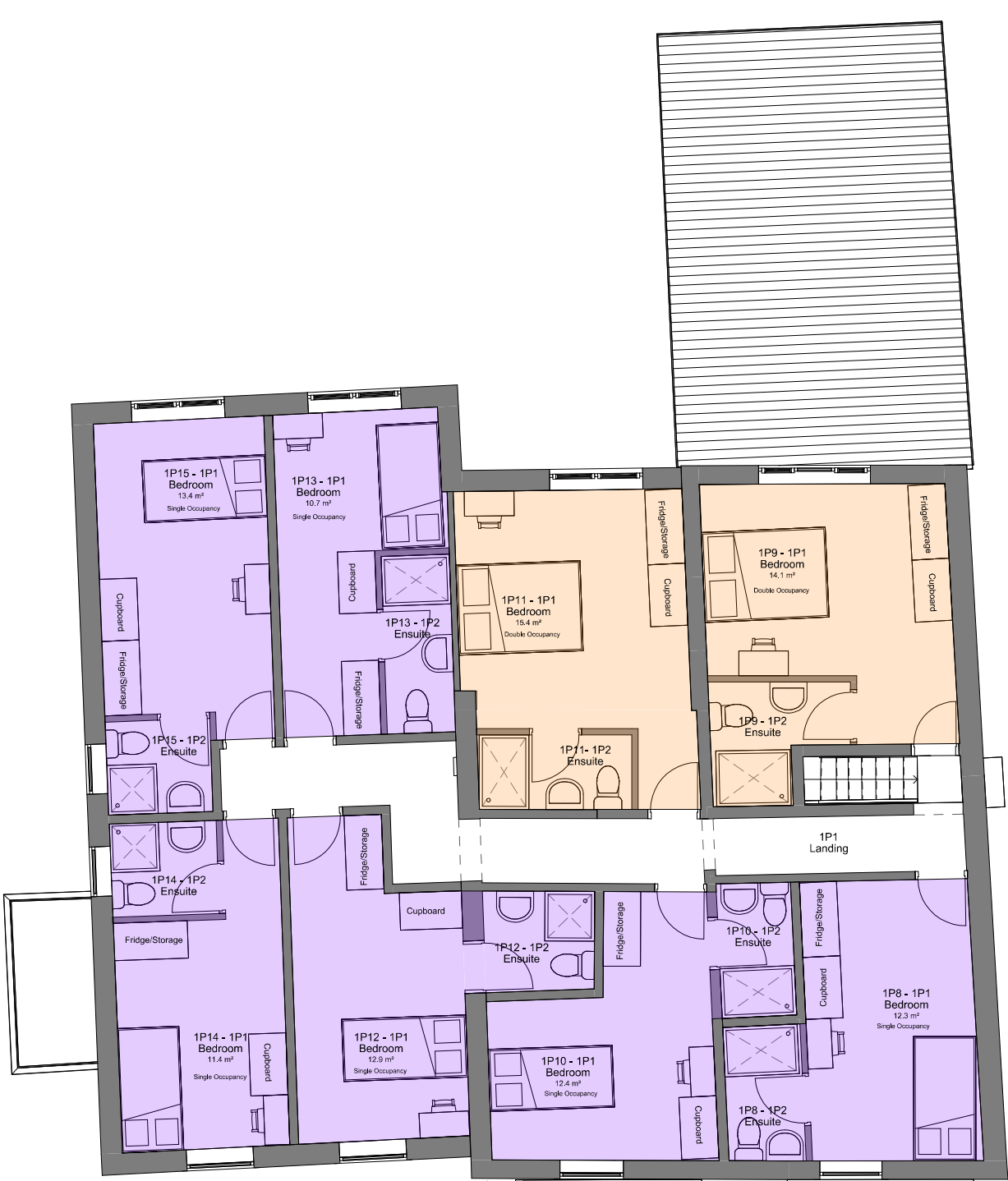
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1 Level 0 - Proposed
1 : 50

2 Level 1 - Proposed
1 : 50

Where the room is for the sole use of occupier(s)	Number of persons	
	1	2 (cohabiting)
Bedroom	6.5m ²	10.2m ²
Kitchen	4m ²	5m ²
Combined kitchen and living room	11m ²	15m ²
Combined bedroom and kitchen	11m ²	15m ²
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Combined bedroom, living room & kitchen	13m ²	20.5m ²

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Living rooms or dining rooms which are additional to kitchen area	8.5m ²	11m ²	11.2m ²	16.7m ²	21m ²	24m ²
Combined kitchen and dining area	10m ²	11.5m ²	11.6m ²	19.5m ²	24m ²	29m ²
Combined Kitchen, living & dining rooms (where bedrooms are less than 10.2m ²)	13.5m ²	17m ²	18.2m ²	26.9m ²	34.5m ²	40.5m ²

Kitchen facilities will include the following, in accordance with the 1:5 ratio outlined in the Bury Council Houses in Multiple Occupation Guidance and Amenity Standards document:

- 4 sinks (dishwasher)
- 4 four-ring hobs
- 4 ovens

Wash hand basins in ensuites to be at minimum size of 380mm x 240mm and depth of 130mm

Each bedrooms will serve as a combined bedroom and living room, in compliance with Bury Council's HMO guidelines

All proposed habitable rooms are in compliance with the Bury Council Houses in Multiple Occupation Guidance and Amenity Standards document.

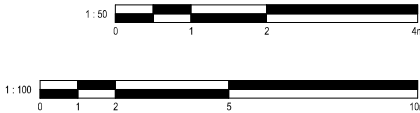
Key

- 1 Bed/ 1 Person
- 1/Bed/ 2 Person
- Kitchen/ Dining

Total - 15 Bedrooms/
18 Perons HMO

	Bedroom (excluding ensuite)	Ensuite	Combined
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Bedroom 7	15.9m ²	2.6m ²	18.8m ²
Bedroom 8	12.3m ²	2.7m ²	15.2m ²
Bedroom 9	14.1m ²	3.5m ²	17.9m ²
Bedroom 10	12.4m ²	2.5m ²	15.2m ²
Bedroom 11	15.4m ²	2.9m ²	18.4m ²
Bedroom 12	12.9m ²	2.8m ²	16.3m ²
Bedroom 13	10.7m ²	3.1m ²	16.1m ²
Bedroom 14	11.4m ²	2.5m ²	14.3m ²
Bedroom 15	13.4m ²	2.5m ²	16.1m ²

A fire risk assessment is to be provided, in compliance with HMO licensing and the Fire Safety Order 2005, prior to the construction phase.



3	Revised - Site Plan	13/11/2025	JB
2	Planning - Revised Plans	27/08/2025	JB
1	Revised Plans	08/05/2025	JB
No.	Description	Date	Initial

Morning Star, 25 Thomas Street, Radcliffe

Proposed Plans

DESIGN

DRAWN BY	DATE	SCALE (@ A1)
JB	19/02/2025	1 : 50

PROJECT NUMBER	DRAWING NUMBER	REV
GSS24124.2	003A	3

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architects
www.goldsketch.co.uk info@goldsketch.co.uk 0161 792 9595

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Ward: Whitefield + Unsworth - Unsworth

Item 03

Applicant: Watson

Location: Spurr House, Pole Lane, Bury, BL9 8QL

Proposal: Demolition of existing buildings, site clearance works including removal of areas of hardstanding and the erection of two blocks of apartments, comprising 60 no. residential units, relocation of existing site access, and associated landscaping

Application Ref: 72240/Full

Target Date: 25/11/2025

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a S106 Agreement for Affordable Housing in accordance with UDP Policy H4/1 and SPD5. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Description

The application site area is approximately 0.67ha and comprises a vacant single storey building which previously operated as a care home. The car park is located on hardstanding at the front of the site with grassed areas, tree planting and informal landscaping along the frontage and around the outside of the building.

There is one access into and out of the site and a pedestrian path which leads to the main entrance.

The site is bounded by Unsworth Cricket and Tennis Club at the south, Unsworth Academy to the east and a pair of semi-detached dwellings with three/four storey residential flats to the north. Opposite the site are two storey suburban dwellings.

The application proposes the demolition of the existing buildings and redevelopment of the site to provide 2 blocks of apartments comprising 15 x 1 bed and 45 x 2 bed with associated parking and access.

The apartment blocks would have an 'L' shaped arrangement. Block A would front Pole Lane and would be 3 storey high and provide 23 units (5 x 1 bed and 18 x 2 bed). Block B would be 4 storey in height and positioned to the rear of the site to create a parking court and vehicular access between the two buildings and would provide 37 apartments (10 x 1 bed and 27 x 2 bed).

The design of the buildings would be modern and contemporary in approach with a vertical emphasis to elevations and window placements. Areas of the buildings would be recessed and balconies provided to some of the apartments.

Elevations would comprise contrasting brickwork with a lighter brick to the balconies and entrance. Windows and doors would be black upvc frames.

The apartments would incorporate sustainable features including thermal efficient windows and doors, thermal insulation, air source heat pump and mechanical ventilation and heat recovery system.

Vehicular access and egress to the site would be from the existing entrance which is

located at the south western side of the site and a separate pedestrian access from Pole Lane would be provided to the north of the site.

A total of 63 parking spaces for the apartments would be provided with an additional 7 spaces for visitors. A secured cycle store would be provided on the ground floor of each of the blocks to provide a total of 70 cycle spaces. Two communal bin stores would be located at either end of the site.

The development would require the removal of 16 trees, four groups of trees and the partial removal of one group. The remaining 23 individual trees and 8 groups of trees would be retained and a landscaping plan has been submitted with proposals for tree planting around the site and particularly to the frontage and boundaries.

Relevant Planning History

02997/E - Demolish existing single storey building and construct 15 new houses, including 10% affordable homes - Enquiry completed 31/07/2024

03025/E - Two blocks of apartments, delivering 60 residential units. The development includes the relocation of the site access further south on Pole Lane, 62 parking spaces and associated landscaping. - Enquiry completed 14/11/2024

57662 - Externally illuminated single sided totem sign (retrospective) - Approve with Conditions 18/07/2014

69361 - Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works - Approve with Conditions 28/06/2023

71384 - Demolition of existing buildings, site clearance works including removal of areas of hardstanding, tree removal, disconnection of existing services and site levelling - Withdrawn by Applicant 16/01/2025

Publicity

Letters sent to 73 properties on 1/89/25.

Site notice posted 3/9/25.

Press advert 5/9/25.

32 objections received with the following issues raised-

Environmental impact

- Removal of established trees would negatively affect the local environment.
- These contribute to local character, improve air quality and provide habitats for wildlife including bats, a protected species.
- Impact of local amenity and would reduce quality of life for existing residents.
- Increase in traffic will worsen air quality due to additional fumes from cars queuing and idling on a road that is already gridlocked at busy times.
- Loss of trees would increase surface water run-off and raise the risk of drainage problems. Replacement planting cannot compensate for the decades of maturity that will be lost.
- Construction will bring years of noise, dust, and heavy vehicle movements, directly affecting the quality of life of families, older residents, and pupils at Unsworth Academy.

Pressure on local infrastructure

- Limited local facilities - a post office, a doctors' surgery, a dentist, and a few small shops. These services are already stretched.
- An influx of new residents on this scale would place significant additional pressure on essential resources, making it harder for existing residents to access appointments and local amenities.

Traffic Congestion

- Already heavily congested area and suffers high traffic volume, school traffic and roadway layout around Pole Lane.
- Pole Lane is already extremely difficult to navigate. Drivers with blue badges (and many others who don't) park on the double yellow lines outside the Post Office which creates a bottleneck which has led to many altercations over the years.
- 60 flats will bring a large increase in traffic in the area with potentially up to 120 new vehicles. This will impact pedestrian safety. Pole Lane was not designed for this volume of traffic.
- The roads cannot cope and children will be put at risk
- Compounded by deliveries and servicing of the site

Inadequate parking/parking pressure

- More flats will just make this parking pressure worse.
- 60 car parking spaces is not enough for 60 households.
- The Office for National Statistics reported that in 2021, 34% of households in the Unsworth area had two or more vehicles. If we apply the percentage (34%) to the 60 proposed new households then there will be 80 vehicles requiring parking spaces. Vehicles will probably be parked on Pole Lane or Willow Drive. Pole Lane is already congested daily with parked vehicles on both sides outside the Spurr House site. Additional vehicles will make the roads even more dangerous.
- Should negotiate additional parking on John Holts car park.

Footfall / Pedestrian safety

- This area has heavy pedestrian footfall. There are a number of local schools and Pole Lane is a cut through for young people and families.
- Potential for additional parked cars which can't be accommodated on the Spurr House site.
- Willow Drive is blind exit / entrance; further parked cars will increase this hazard.
- Traffic will cause safety issues for school children
- There is a school at the top of the road where pedestrian safety is already a concern.
- Bury Council need to monitor traffic in the area

Development out of keeping with the area

- Not opposed to the redevelopment of the site, the previous plan to use the site for special education provision was an ideal use and the existing building relatively simple to re-purpose
- The building of these flats will ruin the area, they should not be allowed to build high rise flats as it is not in keeping with the area.
- More suitable to semi or detached properties and family homes.
- The area cannot sustain so many properties.
- Fails to respect the scale, density and character of the area
- Out of keeping with the character of the area

Impacts on amenity

- Overlooking
- Fundamentally undermine a peaceful, safe family friendly environment
- Dominate the landscape
- Overshadow homes and remove natural light

- Over development - plain and simple

Other

- This is a formality and prelims have already started - just for maximum profits for developer and Bury MBC.
- Suggested Alternatives/Conditions -
 1. The end of the road must be opened up to provide a second access/exit point to alleviate congestion;
 2. Parking should be properly managed with opening up the use of the car park behind the Bay Horse Pub;
 3. A thorough traffic and environmental impact assessment must be carried out, with measures to protect residents and local wildlife from the adverse effects of such a large development.

Those who have made representations have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Waste Management - No response received

Borough Engineer - Drainage Section - No objection subject to condition

Environmental Health - Contaminated Land - No objection subject to condition

Greater Manchester Ecology Unit - CHECK ANITE

Greater Manchester Police - designforsecurity - No objection subject to implementation of the Crime Impact Statement

United Utilities (Water and waste) - Recommend the submission of a drainage scheme.

Planning & Building Regs Consultation Fire Protection Dept - No response received

Public Health - No response received

Transport for Greater Manchester - Comments provided and would defer to the Local Highway Authority on parking, access and servicing.

Pre-start Conditions - To be confirmed

Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-D2	Developer Contributions
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-H1	Scale of New Housing Development
JP-H2	Affordability of New Housing
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing

JP-P1	Sustainable Places
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S3	Heat and Energy Networks
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD11	Parking Standards in Bury
EN6/3	Features of Ecological Value

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.

Housing Land Supply and Principle of Residential Development

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant undelivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment is an assessment of potential sites for residential development and is used to assess the housing land supply. It includes sites that have an extant planning permission, sites allocated through the joint Places for Everyone Plan and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed.

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five year supply of housing land. Based on the 2025 5-year supply statement, the Council has

demonstrated a 4.3 year supply of housing land. This includes a 20% buffer (as currently required in Bury due to past under delivery) and accounts for past oversupply when assessed against the adopted PfE housing requirement.??The Council is therefore currently unable to demonstrate a deliverable five-year supply of housing land against the adopted housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%.

The five year supply position and the housing delivery test result need to be treated as material factors when determining applications for residential development.

Paragraph 11(d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provide a strong reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

This means that as a result of the lack of five year supply and the latest published HDT result the 'tilted balance' set out in NPPF paragraph 11(d) applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is a brownfield site in a sustainable location and residential development is considered acceptable in principle.

Housing

Type, Size and Design of New Housing

PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes. All new dwellings must 1. comply with the nationally described space standards and 2. be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable.

All the units would meet NDSS and comply with accessible and adaptable standards in Part M4(2) of Building Regulations which would be secured by condition.

Density

PfE Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered. The site falls in an area where a minimum density of 35 dwellings per hectare applies.

The site covers an area of approximately 0.6725 hectares, so 60 dwellings would equate to 89 dwellings per hectare, which would comply with Policy JP-H4.

Affordable Housing

In accordance with UDP Policy H4/1, SPG5 and the current NPPF a development of 60 units would be required to deliver 25% affordable housing which equates to 15 units.

This scheme is for 100% affordable housing and therefore exceeds the planning policy requirement.

The applicant has confirmed that there would be a mix of affordable tenures of social rent and rent to buy.

The affordable housing would be secured through a Section 106 Agreement. The Agreement would be appropriately worded to ensure it does not restrict an RP from securing Homes England Affordable Homes Programme funding. The Council would wish to secure nomination rights for the affordable housing, and ensure that the allocation of any rented units will be in accordance with a Nomination Agreement between the RP and Bury Council.

Layout, scale and design

The development proposes two blocks of apartments, Block A and B.

Block A would be 3 storey in height and would be situated to front Pole Lane set back approximately 6.6m from the footway and as such would provide a degree of relief to the street scene. This would be a similar arrangement to the 3 and 4 storey flats at Pole Lane Court which are located to the north and which are similarly set back from the road. The houses on Pole Lane are 2 storey in height and as such it is considered that the scale of the a 3 storey apartment block set back from the road would assimilate within the streetscape.

Block B would be located at the rear of the site and this would be predominantly 4 storey stepping down to 3 storey at the front of the building. When viewed from the streetscene which would be approximately 37m away, the additional storey would not be unduly perceptible or considered to over-dominate the area.

Between Blocks A and B would be a parking court with the remainder of the parking spaces located at the side of the buildings. It is proposed to provide 70 parking spaces in total, 63 spaces for residents which includes 3 accessible spaces and 7 for visitors which given the sustainable location and proximity to the local centre is considered to be an acceptable apartment to parking ratio for his type of Affordable Housing development (see further analysis in the Highway section below).

The site would also provide two communal bin store areas for each Block enclosed by a 1.8m high timber boarding.

The existing access would be utilised and acceptable levels of visibility provided in accordance with Highway requirements.

The development would require the removal of 16 trees but a significant portion of the overall landscaping would be retained along the boundaries, which would be strengthened by additional planting and vegetation. A low native hedge would be planted along the front of the site behind 1.2m high black railings and the additional tree planting along the front boundary would further soften the development within the streetscape.

The proposed layout is considered to make optimal use of the land available to provide

much needed affordable Housing for the Borough whilst retaining a large part of the existing vegetation and trees and the scope to further enhance the site by proposals to plant trees, hedges and create green spaces. and maintain a sense of openness.

The scale of development is considered commensurate with the area, which hosts a mix of development form 3/4 storey flats to 2 storey dwellings.

It is therefore considered that the proposed layout would be acceptable and comply with policies H2/1, H2/2, EN1/2 and JP-H3.

Design and appearance

In terms of design, the development would have a contemporary and modern appearance with a vertical emphasis to the elevations incorporating full height windows and the massing of the blocks would be broken down by stepping in parts of the elevation.

The surrounding dwellings are largely red brick builds and this approach would be reflected in the development which would comprise two types of red bricks different red bricks to provide a contrast within the facade. Visual interest would also be achieved by the use of a grey brick type to balconies which area proposed on some parts of the building.

The roof would be flat which would not only reflect the design of the adjacent apartment building but would allow for the provision of solar panel across a proportion of the roofscape.

Windows and doors would be black upvc which would contrast well with the red brick tones of the building.

The height variations of the 3 and 4 storey elements would also add interest to the building when viewed from Pole Lane.

It is therefore considered the proposed development would assimilate and integrate well within the area and streetscene and would accord with policies EN1/2, H2/1, JP-H3 and the principles of the NPPF.

Impact upon residential development

SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case. The aspect standards are based on a two storey building and for each additional storey in height a further 3 metres should be added onto the aspect standard.

There should be a distance of 13m between a ground floor habitable room window and blank elevation and 6.5m between directly facing windows and 7m is used as the minimum distance between first floor habitable room windows and a directly facing boundary.

In terms of separation distances to surrounding houses, there would be a distance of 22m from the front elevation of Block A and the side gable of No 1 Willow Drive and as such aspect standards would be exceeded.

There would be a distance of between 23.5m and 25m from the front elevations of the houses opposite the site on Pole Lane and Block A and as such there would be acceptable levels of separation.

To No 241 Pole Lane to the north, there would be 21m from a directly facing window on Block A and to flats on Pole Lane Court there would be a distance of 27m from Block B and as such considered not to cause significant privacy issues.

At the rear of the site is Unsworth Academy and to the south Unsworth cricket and tennis club and given the separations to the boundary and additional tree planting it is considered

the development would not affect these areas in terms of impacts on amenity.

The applicant has carried out a sunlight/daylight assessment at 3 times during the day during Spring, Summer, Autumnal and Winter Solstice to determine the level of shadowing by the proposed development to the surrounding area. The assessment demonstrates that there would be no significant overshadowing or impacts on light to the surrounding properties.

As such, it is considered the proposed development would not have a significantly harmful impact on the privacy of adjacent occupiers or result in an overbearing relationship to surrounding properties.

The proposed development is therefore considered to be acceptable and would comply with Policies H2/1 and EN1/2

Highways

Access

The development proposes to utilise the existing access as the in/out route with works to form new radius kerbs at the site entrance. The new access would lead to a courtyard area where the parking for the development is proposed and would be wide enough to accommodate refuse vehicles and emergency vehicles.

There would be a pedestrian access into the site towards the northern end of the development which would lead to the entrance at the rear of Block A and across the courtyard to access Block B.

The Highway Authority have been consulted and subject to conditions have no objection to the access arrangements.

Parking

For this scheme, SPD11 would require 1.5 spaces per unit to be provided which would equate to 90 parking spaces.

The applicant originally proposed to provide a total of 63 parking spaces which included visitors. Following negotiations, the development now proposes to provide 70 parking spaces in total. There would be 60 spaces, one for each of the units, 3 accessible spaces and 7 visitor spaces.

The development would provide 100% affordable accommodation which statistically tends to generate lesser car ownership than other types of residential schemes, with reliance being more on public transport and alternative means of travel and the proximity of local amenities and services. The NPPF emphasises the principles of sustainable development and advocates lesser reliance on parking, and development where appropriate, should encourage alternative means of travel.

The NPPF at para 116 also states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The proposed development is in a sustainable location within easy access of bus routes with local amenities close by which will encourage and enable people at the development to make sustainable transport choices. The development would be located within walking distance of a Local Shopping Centre (circa 100m away) where there are a good range of facilities, services and shops. There are bus stops on Parr Lane and Sunnybank Road which are also within walking distance and provide public transport to the town centre to the north and areas of the borough to the south.

The site benefits from good levels of accessibility by foot, with Unsworth and some areas of Whitefield, as well as numerous local facilities being only a short walk from the site, allowing walking to be a viable alternative to private car use for prospective residents.

In terms of cycle provision, the development would provide 70 covered and secured cycle spaces (32 in Block A and 38 in Block B) which would be located at the ground floor level and which would be in compliance with SPD11.

Given the benefits of providing 100% affordable accommodation which would contribute to the housing needs of the borough, the location of the site close to a local centre with a range of shopping facilities and services, proximity of bus stops and the emphasis on sustainable development and travel it is considered that 70 spaces for the 60 unit development would be acceptable.

The proposed development would therefore comply with policies JP-C1, JP-C5, JP-C6 and JP-C8.

Trip generations and impacts on the Local Highway Network are assessed in the response from TfGM below.

TfGM

Development Impact

TfGM HFAS (Highways Forecasting Analytical Services) and TfGM UTC (Urban Traffic Control) have reviewed the Transport Statement (TS) issued in support of the proposed residential development and have provided comments in respect of the relevant sections.

I. Trip Generation

The development is replacing a current or closed Care Home, so the TS has examined the TRICS database to determine the trip generation for the previous use which are a handful of trips but an acceptable approach.

TRICS trip rates have then been applied to determine the trip generation for the proposed 60 residential dwellings. The selection criteria is generally sensible but the trip rates/generation for residential use appear lower than expected. TfGM HFAS have therefore undertaken additional sensitivity testing by altering the selection criteria. This doesn't increase the trip generation to over 30 pcus in either peak hour (11-12 two way trips in both the AM and PM Peak periods).

As such, TfGM HFAS concur with the TS conclusion that the development is unlikely to have a material impact on the local highway network.

II. Internal Access Arrangements

The TS confirms that the site will be served by a new priority junction from Pole Lane. The existing redundant access will be reinstated accordingly. The new access should be designed to ensure the provision of tactile paving and dropped kerbs. The TS states that visibility splays in accordance with standards contained within Manual for Streets are achievable in both directions from the site access.

The TS notes that car parking provision will be provided in accordance with Bury Council's adopted Parking Standards.

Swept path plans contained within Appendix D of the TS demonstrate that a refuse vehicle can enter and exit the site in a forward gear. However, the manoeuvres do appear constrained and in other separate vehicle tracking drawings, appear to rely upon the use of parking bays to carry out manoeuvres.

TfGM would refer to the LHA to determine whether the proposed access, car parking and servicing arrangements are considered acceptable.

III. Traffic Regulation Orders

It may be beneficial for a review to be undertaken of the Traffic Regulation Orders in the vicinity of the development, with a view to introducing additional parking restrictions as appropriate, as well as ensuring adequate parking restrictions remain in place and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.

In particular, the applicant should review the requirement for TROs covering the site access and visibility splays on Pole Lane in liaison with the LHA.

IV. Other

A robust Construction Traffic Management Plan should be employed as part of the development.

Site Accessibility

I. Public Transport

The nearest bus stops to the site are located on Parr Lane, around a 3-minute walk away. These stops provide services to Pendleton, Shudehill and Bury at half hourly intervals. It is therefore considered that there is some access to public transport services from the site.

II. Active Travel

In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks.

To establish travel patterns at the beginning of occupation and encourage modal shift to sustainable modes of travel, it is important to ensure the facilities are in place to support sustainability. Therefore, improvements to the pedestrian environment are required to help encourage the uptake of active travel modes by future residents, as follows:

- Footway resurfacing and renewal undertaken as appropriate.
- Ensure the provision of tactile paving and dropped kerbs across the site access and internal access junctions.
- Reinstate any redundant vehicle access points which served the former site.
- Ensure the provision of continuous 2-metre-wide footways serving the site.

III. Cycle Parking

The TS confirms that 70 cycle spaces will be provided to serve the development, which is welcomed.

The cycle store(s) should be lockable and covered – suitable for long stay parking and should have sufficient security measures in place such as CCTV and lighting.

IV. Travel Plan

It is noted that a Framework Travel Plan has been submitted to support the application. TfGM recommends that a full Travel Plan is produced for the development, with the objective of reducing reliance on the private car, particularly single occupancy use. The Travel Plan should be designed to raise awareness of opportunities for reducing travel by car and should feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

In order to encourage sustainable journeys to mitigate the traffic impact of the development, through the Travel Plan, incentives should be offered to encourage users of the site to use public transport and active travel modes through measures such as

discounted bus fares, discounted cycles, journey planning etc.

Design for security

Subject to the details contained within the CIS being adequately addressed, the Design for security team would be supportive of the application.

Should the Council be minded to approve the application, the design for security team would recommend the inclusion of a condition requiring the scheme is design and constructed in accordance with Sections 3.3 & 4 of the submitted Crime Impact Statement (Ref: 2022/0482/CIS/02, Version B: 25/07/2025) and/or achieves the Secured by Design (SBD) Award.

Ecology

Summary

Potential ecological issues include bats, great crested newts, nesting birds, other wildlife, invasive species and biodiversity net gain.

Validity of Ecological Reports

The preliminary ecological appraisal is now approaching 3 years in age and more than 3 years since the original field survey and the last review in January 2023, under best practice guidance the report is no longer valid. GMEU have however been on-site and accept that the baseline habitats are generally unchanged, other than the grassland likely to be slightly more rank and with evidence of some natural succession and are therefore willing to accept the general findings of the PEA are unchanged.

Specific issues regarding species surveys are below.

Bats

Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005)

Given the passage of time and the recommendations in the Ecological Assessment to carry out further bat surveys, GMEU requested the surveys be carried out prior to determination. Emergence surveys have been provided. No evidence of bats roosting was recorded. Whilst one survey was outside the optimal survey season but arguably acceptable and the other very late in the season, this is additional evidence that points to the buildings not being utilised as a bat roost. Given the long history of failure to find bats, without quite meeting best practice, GMEU are satisfied that overall the risk appears very low. Precautionary conditions should however be applied to any permission. GMEU recommend a condition that if demolition has not occurred prior to April 2026 further dusk emergence bat survey be carried out between May and July in any year and the findings provided to and agreed in writing by the LPA.

Hibernation surveys of the building found no evidence of bats. GMEU have no reason to doubt the findings of the report. No further hibernation surveys are required.

Trees previously assessed as having bat roosting potential have now been subject to tree climbing inspections. Two trees could not be ruled out as requiring further survey, T1 and T2. However, both are within the wooded area and currently shown as retained. No further surveys are therefore required at this stage. Six additional trees, T3 - T8, also in the woodland were assessed as requiring soft-felling techniques should removal be required. Whilst some are clearly retained, others are on the edge of the wood, and as different tree

numbering systems have been utilised in the arb report and aerial bat assessment report, it is not totally clear whether all will be retained.

A condition is therefore recommended to require further surveys are carried out for trees T1 and T2 or precautionary working measures for removal of trees in the case of T3-T8 have been provided.

Great Crested Newts

For previous applications entry into District Level Licensing (DLL) has been accepted, given the presence of known great crested newt ponds just off-site. The applicant has confirmed that before any vegetation clearance an Ecological Clerk of Works would check vegetation for GCN and any other amphibians and hedgehog. If a GCN or other protected species is found, under the DLL it can be moved to an area of suitable habitat that would not be impacted by the works.

GMEU have recommended a condition that confirmation is provided to state whether there have been any changes on site or provide further information if changes have occurred.

Nesting Birds

Trees and shrubs will be lost, potential bird nesting habitat. The buildings also appear to provide potential bird nesting opportunities. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition be applied to any permission to restrict the time of tree and shrub works.

Other Wildlife

It appears likely that some cutting back of scrub will be required, potential habitat for species such as hedgehog and common toad both UK Biodiversity Species as well as other amphibians and small mammals. During a site visit GMEU also noted raised flags around the building that would provide potential refuge for amphibians and therefore agree with the consultant that reasonable avoidance measures should occur during site clearance to avoid unnecessary suffering. GMEU recommend a condition is applied to any permission that prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for mammals such as hedgehog, amphibians and other wildlife covering both the site clearance and construction phases will be provided to and agreed in writing by the LPA

Himalayan Balsam and other invasive species

This invasive species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) was recorded on the site. During my site visit, I also noted the presence of a *Cotoneaster* spp, certain *Cotoneaster* are also listed under schedule 9 part 2. There is a risk that seed or plant material could be translocated off-site and an offence committed. GMEU therefore recommend a condition be applied to any permission for a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and *Cotoneaster* spp.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development would result in the loss of the existing buildings, low to moderate value grassland, individual trees and minor losses to scrub habitat. Wildlife issues include loss potential bat roosting habitat, nesting bird opportunities, and potential amphibian terrestrial habitat.

A biodiversity net gain assessment and metric have been provided. These indicate a failure to achieve 10% net gain on-site. With the purchase of off-site units proposed to cover the shortfall. GMEU have no issues with the broad over-arching strategy but questioned elements of the baseline.

With regards post development, GMEU also raise some issues and recommend that prior to determination the BNG assessment is reviewed and amendments advised by GMEU either incorporated or rebutted. GMEU do though note that overall this will not significantly change the overall outlook, with potential minor amendments to the units required off-site.

With regards to the on-site proposals, some of the proposals are significant as defined by defra, therefore a 30 year Habitat Management and Monitoring plan controlled by condition or legal agreement will be required. GMEU have no strong views if my recommendations are taken on board whether a condition or section 106. If the developer is determined to stick with their proposals GMEU would recommend a section 106 as the other neutral grassland is significant and high risk.

GMEU have other minor technical issues regarding tree identification on the site and tree planting proposals although neither impact on the net gain calculations. With regards the tree planting proposals, GMEU would recommend more locally native species are utilised which could be resolved via condition.

The applicant has revised their BNG proposals to address the above issues. GMEU have responded that the amendments to the metric are in-line with their recommendations. There are further issues at this stage, with any further amendments dealt with at discharge of the statutory biodiversity gain condition and production of a habitat management and monitoring plan.

With regards discharge of the statutory biodiversity gain condition the applicant would need to provide:

- The biodiversity gain plan on the defra template,
- Have registered the off-site purchase of units with defra,
- The final version of the statutory metric with their sections of the start page completed and
- The final version of the HMMP.

With regards to wildlife, GMEU recommend bird and bat box provision on either the new build or retained trees and recommend creation of hibernaculum in the woodland for amphibians. The details can be provided via condition.

Drainage

A drainage scheme has been submitted and United Utilities (UU) have been consulted.

UU have commented that the drainage proposals would not be acceptable as surface water is proposed to be directed to the public sewer and there has not been a robust evidence that the drainage hierarchy has been fully investigated.

The applicant has revised their proposals and UU have been consulted and confirm that whilst the strategy for the disposal of foul and surface water is acceptable in principle, there are elements of the detailed drainage design which are missing from the submitted details.

As such, a condition is recommended for the submission of a detailed drainage design.

Carbon and energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions. The proposed development is designed to utilise a high performing thermal envelope to minimise heat loss, as well as efficient heating and lighting systems, which will drive energy efficiency in the building to meet the targets for space and water heating demand. This is augmented by the use of an Air Source Heat Pump system to provide hot water to drive low carbon, efficient energy usage within the building design. The proposal is in conformity with Policy JP-S2.

Digital connectivity

JP-C2 - Digital Connectivity - this policy 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 development will be provided with full connections in accordance with the requirements of Policy JP-C2.

Education

JP-P5 - Education, Skills and Knowledge - this policy requires where appropriate new housing developments to make a financial contribution to the provision of additional school places and/or set aside land for a new school proportionate to the additional demand they would generate.

Education colleagues have confirmed that there is current and forecast availability in Unsworth for both potential primary and secondary provision. Therefore, a financial contribution towards the provision of additional school places is not required.

S106 Obligations

In accordance with UDP Policy RT2/2 and SPD1, a contribution for recreation provision would usually be required. For a scheme of 60 apartments, this would equate to £93,717.

The application proposes a development for 100% Affordable Housing.

The applicant has submitted a viability assessment that demonstrates that it would not be viable for the development to deliver further S106 contributions in addition to the delivery of 100% affordable housing. In view of the viability evidence and the benefits of delivering affordable housing, on balance this is considered acceptable, subject to the affordable housing being secured through a Section 106 Agreement in perpetuity, as set out above.

Response to objections

- The development would be for 100% Affordable Housing. This type of tenure tends to have lower car ownership and where occupiers rely on the sustainability of location and accessibility to services and facilities which are within walking distance. In terms of trip generations, for those who would own a car, people's routines differ with different working patterns and the carrying out of daily duties and as such trips to and from the site would be staggered as occurs on other housing developments or estates for example. TfGM have been consulted and have not identified there would be a significant increase in trips to and from the area or raised concerns in this respect. Given the emphasis on sustainable travel and promoting sustainable development it is therefore considered the proposal would be acceptable.
- Local residents have raised the concern that the proposed development would add to vehicular movements, existing parking pressures and problems in the area. A condition (condition 24) would therefore be included that the applicant carry out a review of the need to provide any Traffic Regulation Orders in the vicinity of the site, with a view

to including necessary road markings and signage, in addition to ensuring the existing restrictions remain in place. TfGM and the LHA have no objections to the scheme.

- Issues relating to wildlife, residential amenity impacts, visual impacts and character of development and ecology and wildlife have been covered in the above report.

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: Minded to Approve

Conditions/ 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 -

Location plan 0001 P2
Existing site plan 0002 P5
Proposed security fencing 0003-P1
Proposed site plan 0010 P13
Proposed site plan showing roof plan 0011 P10
Proposed ground floor plan GA 0050 P8
Proposed first floor plan GA 0051 P7
Proposed second floor plan GA 0052 P7
Proposed third floor plan GA 0053 P7
Proposed roof floor plan GA - Block B 0054 P5
Proposed elevations - Block A 0060 P9
Proposed elevations - Block B Sheet 1 0065 P8
Proposed elevations - Block B Sheet 2 0066 P8
Proposed site section and street scene elevation 0067 P7
Design sections 0070-P1
Fire plan Block A - ground and first floor 0080 P2
Fire plan Block A - second floor and roof 0081 P2
Fire plan Block B - ground and first floor 0082 P1
Fire plan Block B - second and third floor 0083 P1
Fire plan Block B - Roof plan 0084 P1

Proposed landscaping plan by tba 7560.01 rev H

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. No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

4. The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:

Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

5. The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

6. Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.
Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).
7. Remedial measures shall be carried out to the proposed development that are commensurate with the measures employed on the existing property. These measures shall be carried out without compromising existing remedial measures. Any variation or modification of existing or proposed remedial measures shall be subject to the approval of the Local Planning Authority prior to development commencing. Where remedial measures are to prevent ground gas ingress, details of how the gas resistant membrane will be joined to the existing membrane to create a continuous barrier shall be submitted for approval.
A Verification Report detailing the design and installation of the remedial measures must be submitted to the LPA for approval upon completion of remediation works.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).
8. Prior to occupation the applicant shall provide:
- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling
 - Cable routes to be provided for all parking spaces which do not have access to an electric vehicle charging point.
- Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.
- *Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.
- Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs

112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

9. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Policies EN7/3 - Water Pollution and EN7/5 - Waste Water Management, JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

10. No development shall commence unless and until a detailed and comprehensive arboricultural method statement for tree protection measures including details of 'no-dig' methodologies, incorporation of a suitable cellular confinement system and timetable for implementation has been submitted for approval. The development shall thereafter be carried out in accordance with the approved method statement and the approved timetable and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 and Policy JP-G8.

11. If demolition has not occurred prior to April 2026 further dusk emergence bat survey shall be carried out between May and July in any year and the findings provided to and agreed in writing by the LPA. Demolition timings shall then be subsequently carried out in accordance with approved timetable.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

12. The removal of trees T1- T8 may have the potential to cause harm to bats as identified in the Aerial Tree Assessment Thomson Environmental Consultants ref. WAT005-001-009/001/001. No tree under any circumstances shall be felled

unless for that tree, further surveys in the case of T1 or T2 have occurred or precautionary working measures for removal of trees in the case of T3 -T8 have been provided to and agreed in writing by the local planning authority. The approved measures only shall thereafter be implemented.

Reason. To ensure the works would not damage the surrounding woodland or trees and ensure the safe and satisfactory development of the site pursuant to policies EN8/2 and JP-G7.

13. No works to trees or shrubs shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

14. Prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for mammals such as hedgehog, amphibians and other wildlife covering both the site clearance and construction phases shall be provided to and agreed in writing by the LPA. The approved measures shall thereafter be implemented.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

15. The development hereby approved shall provide bird and bat provision on either the new build or retained trees, provision of swift bricks in the new build and creation of hibernaculum in the woodlands for amphibians prior to the occupation of the development hereby approved.

The provisions shall be thereafter maintained.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

16. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and *Cotoneaster* spp should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full.

Reason. The scheme does not provide full details of the actual extent of invasive species pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

17. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Statutory Biodiversity Gain Plan and including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved

Biodiversity Gain Plan;

4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

18. The development hereby approved shall not be occupied unless and until:

1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and

2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

19. The development has the potential to cause harm to great crested newts and is proposed for entry into District Level Licensing.

Prior to development confirmation that:

- no changes to this mitigation approach have occurred or;
- if changes have occurred further information on the new mitigation approach to go on should be provided to and agreed in writing by the LPA. The agreed details shall thereafter be implemented.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 - Features of Ecological Value and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

20. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

21. No development shall commence unless and until a 'Demolition/Construction Traffic Management Plan', has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are

required following demolition operations, construction of the development and as a result of any statutory undertakers connections to the site/new dwellings;

2. Access route for all demolition and construction vehicles to the site from the Key Route Network;
3. Access point(s)/arrangements for construction traffic from Pole Lane, taking into consideration the need to maintain safe pedestrian and/or vehicular access to adjacent residential properties and all temporary works required to facilitate access for demolition/construction vehicles;
4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian and/or vehicular access adjacent to residential properties and retention of adequate levels of visibility onto Pole Lane;
5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Pole Lane;
7. Confirmation of hours of operation and number of vehicle movements;
8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage demolition/delivery vehicle manoeuvres;
9. Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles, together with storage on site of demolition/construction materials;
10. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the demolition/groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policies EN1/2 - Townscape and Built Design and JP-C8.

22. Notwithstanding details of the pedestrian and vehicular access alterations shown indicatively on the approved plans, no development shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed with the Highway Authority on a topographical based survey of the site and adjacent highways to the Local Planning Authority:

1. Reinstatement of the redundant site access to adjacent footway levels;
2. Reconstruction of the easterly Pole Lane footway abutting the site as a result of the proposed demolition works, construction of the development, boundary treatment alterations and any statutory undertakers connections to the site;
3. Demarcation of the limits of the adopted highway;
4. Formation of the new vehicular access perpendicular to Pole Lane;
5. Formation of the new pedestrian access, level with the back of footway on Pole Lane;
6. Provision of a tactile paved pedestrian crossing point at the junction;

7. 2.4m x 43m visibility splays at the junction with Pole Lane;
8. Measures to prevent the discharge of surface water from the proposed access/car park onto the adopted highway;
9. All associated highway and highway drainage remedial works, including the relocation/replacement of any affected highway gullies.

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority and fully completed prior to first occupation of the development. The visibility splays shall be implemented before the access and parking area is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety JP-C5, JP-C6 and JP-C8.

23. The development hereby approved shall not be commenced unless and until a review of the need for any Traffic Regulation Orders in the vicinity of the site, with a view to introducing additional parking restrictions as appropriate, including, if required, all necessary road markings and signage, in addition to ensuring that existing parking restrictions remain in place and are refreshed accordingly. The details subsequently approved shall be implemented to an agreed programme.
Reason. To ensure good highway design in the interests of road safety and mitigate any overspill parking from the proposed facility pursuant to policies JP-C5 and JP-C8.

24. The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the access and car park is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to policies JP-C5 and JP-C8.

25. The car and cycle parking indicated on the approved plans shall be surfaced, demarcated (as appropriate) and made available for use prior to the development hereby approved being first occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

26. Bin storage arrangements shall be provided within the curtilage of the site in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

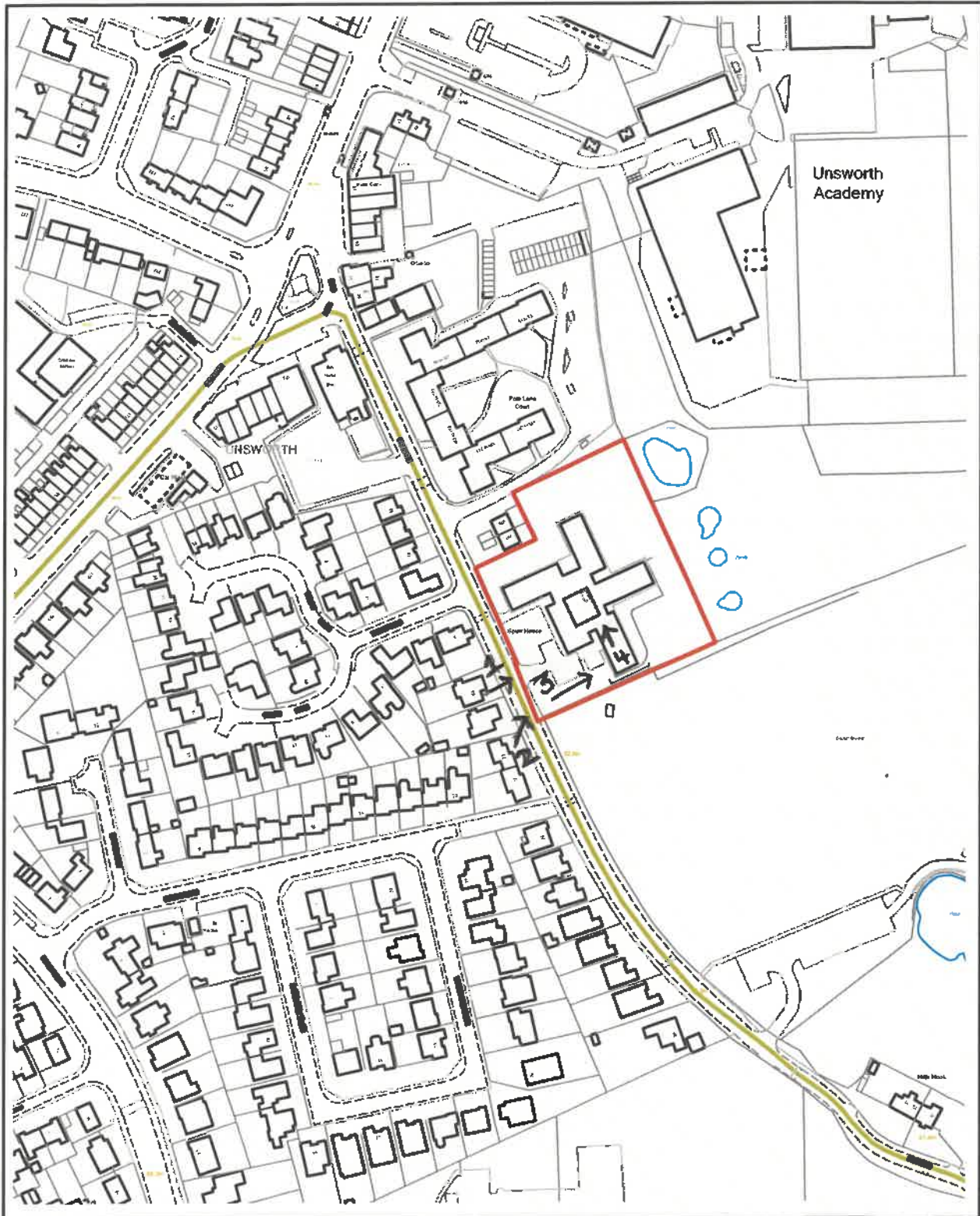
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to policies H2/2 and JP-C8.

27. The dwellings hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints - 72240



ADDRESS: Spurr House, Pole Lane Bury BL9 8QE

Planning, Environmental and Regulatory Services

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Bury
Council

72240

Photo 1



Photo 2



72240

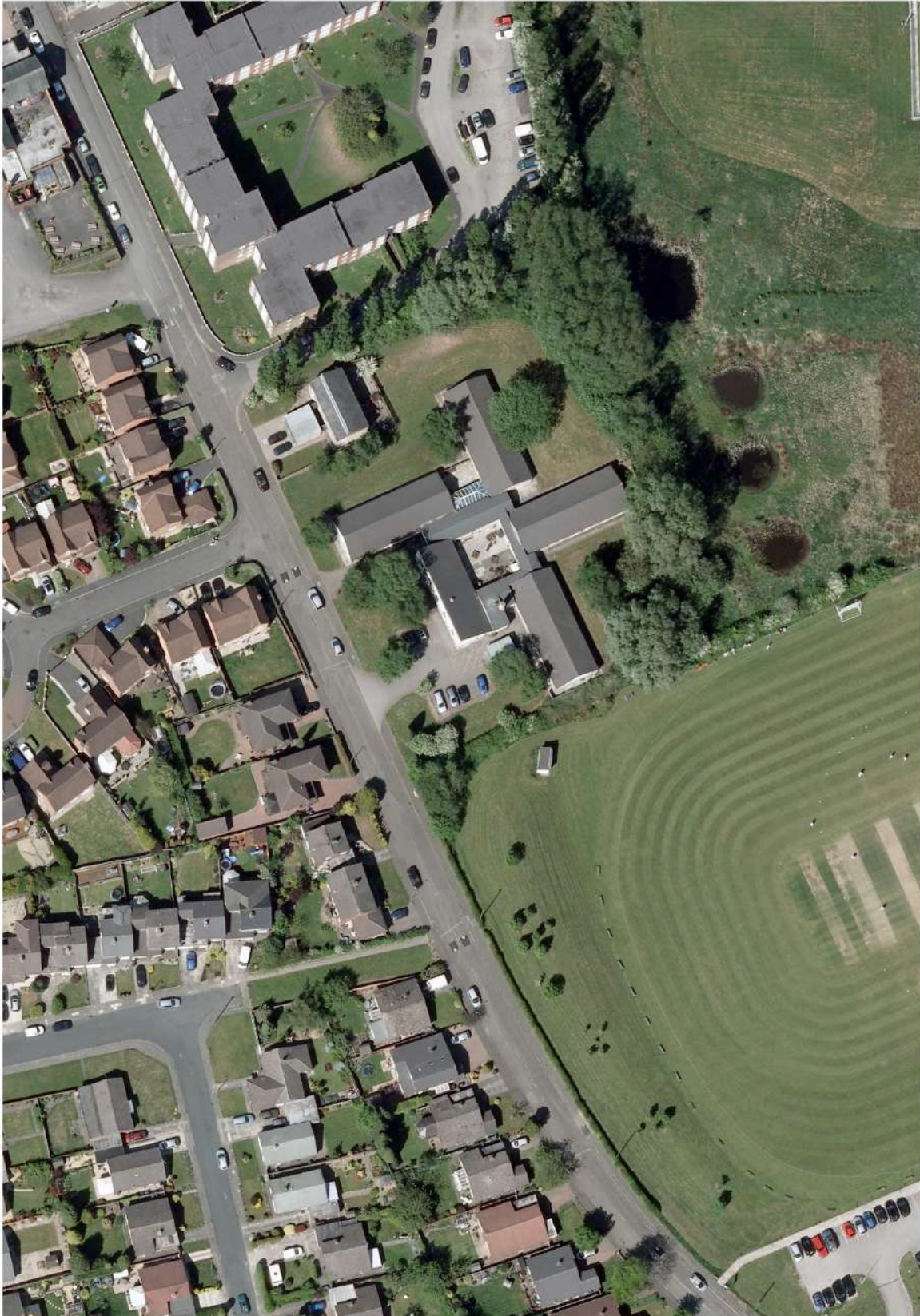
Photo 3



Photo 4



Aerial photo – 72240



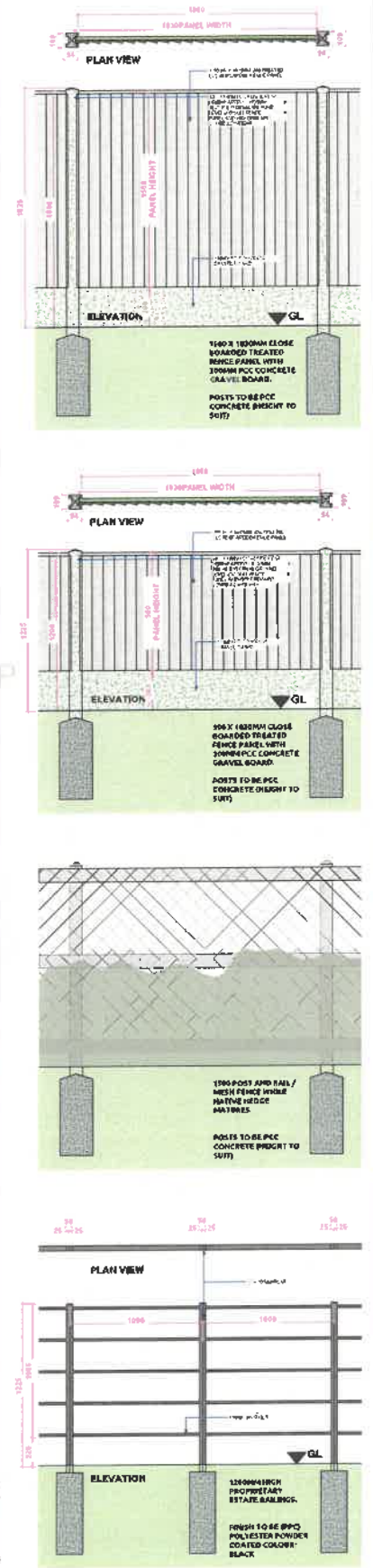
01 Proposed Site Plan
0010 Scale 1:250 @ A1



Please refer to Landscape Proposal by Trevor Bridge Associates for details of all soft landscaping proposals

- Proposed Boundary Treatments Legend
- 1800mm high overall close boarded timber fence with concrete gravel board to 300mm above ground level
 - 1200mm high overall close boarded timber fence with concrete gravel board to 300mm above ground level
 - 1500mm high post and rail / mesh / stock fence with hedge / mature trees
 - 1200mm high overall railing with maintenance access gate

02 Proposed Boundary Treatments
0010 Scale 1:25 @ A1

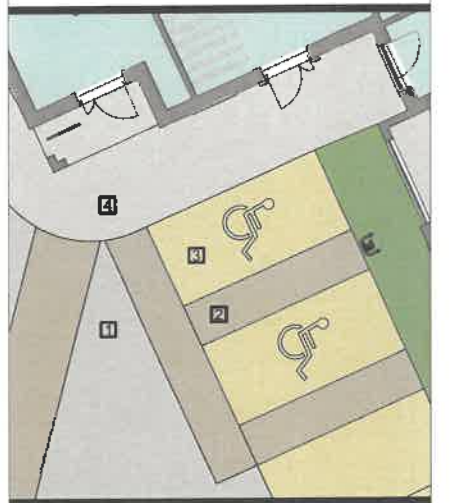


- General Notes
- 01: Dimensions must not be scaled from this drawing. If in doubt, please ask.
 - 02: All dimensions are in millimetres unless noted otherwise.
 - 03: All dimensions should be verified on site before proceeding with the work.
 - 04: TADW Architects shall be notified in writing of any discrepancies.
 - 05: © TADW Limited (UK) 2015

Legend

Schedule of Accommodation

- 15 x 1B2P apartments (50sqm each)
 - 45 x 2B4P apartments (70sqm each)
- Total 60 units**



- All hard surfacing materials to be to LA approval
- 1 - Tarmac
 - 2 - Buff Coloured Tarmac
 - 3 - Block Paving. AG Homepave Cove Smooth, or Similar Approved
 - 4 - Concrete paving slabs. Colour Natural

Issue	Description	Date	Drawn	Checked
P13	UK added to block A	04.12.25	AM	NH
P12	Updated to suit latest soft landscaping proposals	27.11.25	AM	NH
P11	Kerbline adjusted at visitor bays following vehicle tracking.	13.11.25	AM	NH
P10	Parking provision increased	27.10.25	AM	NH
P9	Block paving spec amended	06.08.25	AM	NH

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Approval

tadw architects

Ax: St. Petersburg, Stockport, Cheshire SK1 1HD
Ph: 0161 477 0158 Fx: 0161 480 8342 mail@tadw.co.uk www.tadw.co.uk

Client: **Watson Homes**

Job: **Pole Lane Bury**

Title: **Proposed Site Plan**

Scale: **1:250 @ A1**

Note - Prints from PDF files may not be to scale, check accuracy against scale

Job No. Originator Ph. Level View Role Dwg Status Rev.
241352-TADW-00-XX-DR-A-0010-P-13

KEY	
	EXISTING TREE TO BE RETAINED (REFER TO ARBORICULTURAL IMPACT ASSESSMENT)
	PROPOSED TREE PLANTING
	HEDGE PLANTING
	ORNAMENTAL SHRUB PLANTING
	TURF
	BULBS
	EMI-Hedgerow mixture
	EWI-Woodland mixture
	DECORATIVE GRAVEL/ SLATE CHIPPINGS OVER MEMBRANE
	SPECIMEN PLANTING
	1.2m ESTATE RAILING WITH ACCESS MAINTENANCE GATE
	1.5m POST AND RAIL MESH/STOCK FENCING White native hedge mingles
	NATIVE SHRUB/SCRUB PLANTING MIX (To be notch planted by hand dig only to a existing tree roots)
Refer to architects drawing for all hard landscape materials	





01 Existing Site Plan
0002 Scale 1:250 @ A1

General Notes
01: Dimensions must not be scaled from this drawing. If in doubt, please ask.
02: All dimensions are in millimetres unless noted otherwise.
03: All dimensions should be verified on site before proceeding with the work.
04: TADW Architects shall be notified in writing of any discrepancies.
05: © TADW Limited (UK) 2015

Legend

P5	Q11 to be removed	27.10.25	AM	MH
P4	Site area noted	24.07.25	AM	MH
P3	Site red edge clarified	28.01.25	AM	MH
P2	Revised following changes to parking layout	02.01.25	AM	MH
P1	Issued for comment	22.11.24	AM	MH
Issue	Description	Date	Drawn	Checked

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Approval

tadw architects

Six St, Peterborough, Cambridgeshire, PE1 1HD
Ph: 0161 477 6158 | Fx: 0161 480 8342 | mail@tadw.co.uk | www.tadw.co.uk

Client: Watson Homes

Job: Pole Lane Bury

Title: Existing Site Plan

Scale: 1:250 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

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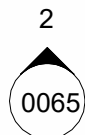
1:250

Job No. 241352-TADW-00-XX-DR-A-0002-P-5

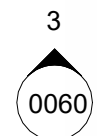
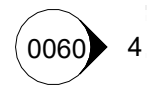
Originator Ph. Lenz Yim Role Dwg Status Rev.



1 L0 Proposed Ground Floor GA - Block B
1 : 100



2 L0 Proposed Ground Floor GA - Block A
1 : 100



General Notes
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Legend

8	Lift added to block A	04.12.25	AM	KM
7	Block A - corridor subdivisions, roof AOVs amended, affecting flat entrance door locations. Block B - AOV to corridor end, 1 no. riser omitted.	06.08.25	AM	MH
6	Block A bike store / plant rooms layout revised	28.01.25	AM	MH
5	Building design amended to reduce corridor widths	24.01.25	AM	MH
4	Plot numbers added	13.01.25	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING



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Client Watson Homes

Job Spurr House, Bury

Title Proposed Ground Floor Plan GA

Scale 1 : 100 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale
10m 1:100

Job No. Originator Ph. Level View Role Dwg Status Rev.
241352-TADW- 00- 00- DR- A- 0050- P- 8



1 L1 Proposed First Floor GA - Block B
1 : 100



2 L1 Proposed First Floor GA - Block A
1 : 100

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Legend

7	Lift added to block A	04.12.25	AM	KM
6	Block A - corridor subdivisions, roof AOVs amended, affecting flat entrance door locations. Block B - AOV to corridor end, 1 no. riser omitted.	06.08.25	AM	MH
5	Building design amended to reduce corridor widths	24.01.25	AM	MH
4	Plot numbers added	13.01.25	AM	MH
3	Updated following fire engineer input	02.01.24	AM	MH
2	Plant and lobby areas revised	22.11.24	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client Watson Homes

Job Spurr House, Bury

Title Proposed First Floor Plan GA

Scale 1 : 100 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale
10m 1:100

Job No. Originator Ph. Level View Role Dwg Status Rev.
241352-TADW- 00- 01- DR- A- 0051- P- 7



2 L2 Proposed Second Floor GA - Block B
1 : 100



1 L2 Proposed Second Floor GA - Block A
1 : 100

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Legend

7	Lift added to block A	04.12.25	AM	KM
6	Block A - corridor subdivisions, roof AOVs amended, affecting flat entrance door locations. Block B - AOV to corridor end, 1 no. riser omitted.	06.08.25	AM	MH
5	Building design amended to reduce corridor widths	24.01.25	AM	MH
4	Plot numbers added	13.01.25	AM	MH
3	Updated following fire engineer input	02.01.24	AM	MH
2	Plant and lobby areas revised	22.11.24	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client Watson Homes

Job Spurr House, Bury

Title Proposed Second Floor Plan GA

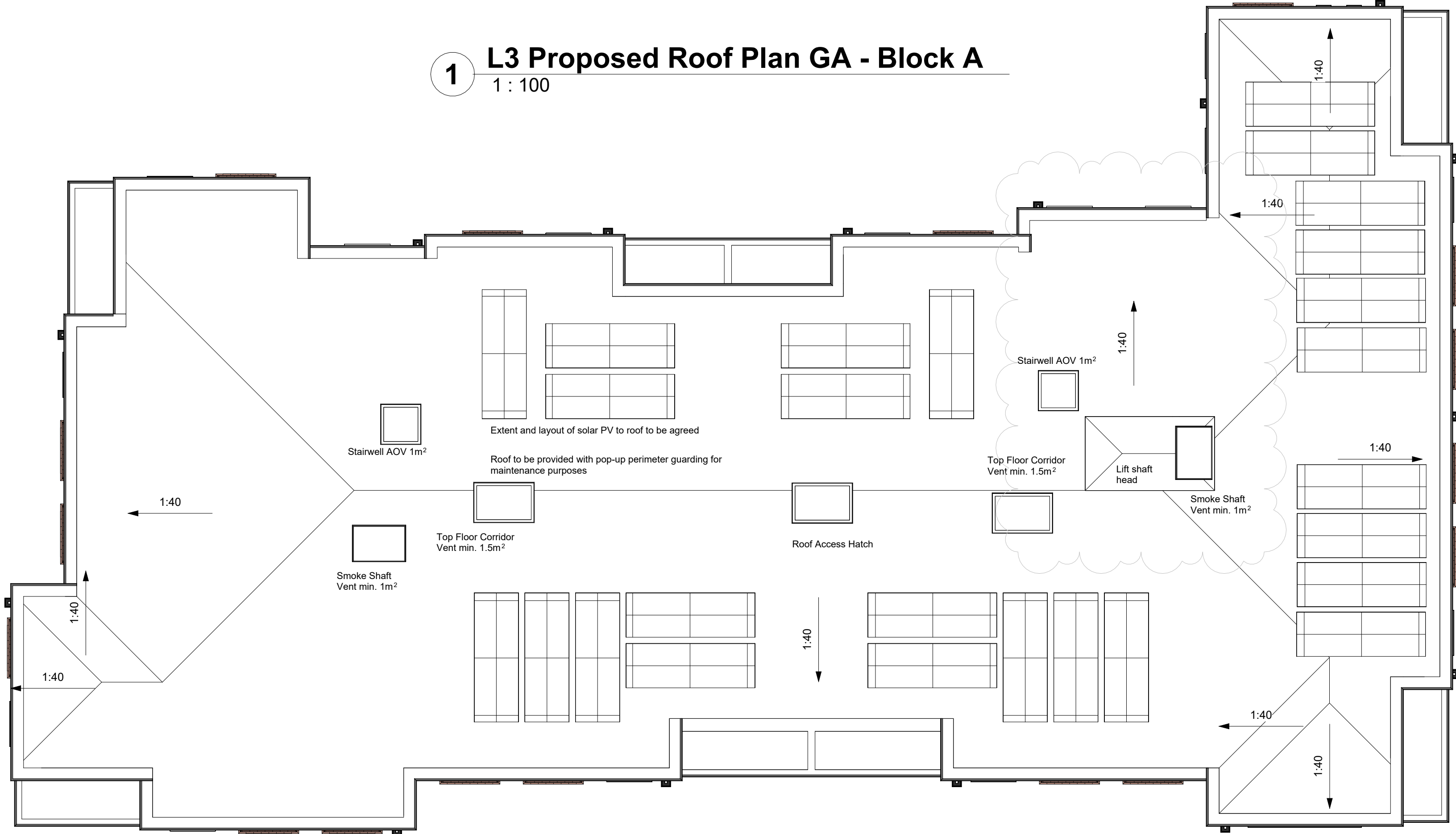
Scale 1 : 100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale
10m
1:100

Job No. Originator Ph. Level View Role Dwg Status Rev.
241352-TADW- 00- 02- DR- A- 0052- P- 7



2 L3 Proposed Third Floor GA - Block B
1 : 100



1 L3 Proposed Roof Plan GA - Block A
1 : 100

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Legend

7	Lift added to block A	04.12.25	AM	KM
6	Block A - corridor subdivisions, roof AOVs amended, affecting flat entrance door locations. Block B - AOV to corridor end, 1 no. riser omitted.	06.08.25	AM	MH
5	Building design amended to reduce corridor widths	24.01.25	AM	MH
4	Plot numbers added	13.01.25	AM	MH
3	Updated following fire engineer input	02.01.24	AM	MH
2	Plant and lobby areas revised	22.11.24	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client Watson Homes

Job Spurr House, Bury

Title Proposed Third Floor / Roof Plan GA

Scale 1 : 100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale
5 10m
1:100

Job No. Originator Ph. Level View Role Dwg Status Rev.
241352-TADW- 00- 03- DR- A- 0053- P- 7



2 Section 1
1 : 200



1 Street Scene Elevation - Pole Lane
1 : 200

General Notes
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Legend

7	Lift added to block A	04.12.25	AM	MH
6	AOVs amended to suit floor plan changes	06.08.25	AM	MH
5	Louvre panel height to windows amended	23.07.25	AM	MH
4	Revised to suit landscaping scheme	28.01.25	AM	MH
3	Building design revised to reduce corridor widths	24.01.25	AM	MH
2	Levels revised	21.01.25	AM	MH
1	Drawn	13.01.25	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING



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Client Watson Homes

Job Spurr House, Bury

Title Proposed Site Section and Street Scene Elevation

Scale 1 : 200 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale
1:100

Job No.	Originator	Ph.	Level	View	Role	Dwg	Status	Rev.
241352-TADW-	00-	ZZ-	DR-	A-	0067-	P-	7	

1 Elevation A1
1 : 100



2 Elevation A2
1 : 100



3 Elevation A3
1 : 100



4 Elevation A4
1 : 100



General Notes
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05: Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

9	Lift added to block A	04.12.25	AM	KM
8	Rooftop AOV's relocated to suit floor plan amendments	06.08.25	AM	MH
7	Height of louvres above windows amended	23.07.25	AM	MH
6	Building design amended to reduce corridor widths	24.01.25	AM	MH
5	Levels revised	21.01.25	AM	MH
4	Double plinth brick detail to head of window surrounds	13.01.25	AM	MH
3	Updated following fire engineer input	02.01.24	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client

Watson Homes

Job

Spurr House, Bury

Title

Proposed Elevations - Block A

Scale

1 : 100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

5

10m

1:100

Job No.

241352-TADW- 00- ZZ- DR- A- 0060- P- 9

Originator

Ph.

Level

View

Role

Dwg

Status

Rev.



1 Elevation B1
1 : 100



2 Elevation B2
1 : 100

General Notes
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05: Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

8	AOV to corridor end	06.08.25	AM	MH
7	Height of louvres above windows amended	23.07.25	AM	MH
6	Building design amended to reduce corridor widths	24.01.25	AM	MH
5	Levels revised	21.01.25	AM	MH
4	Double plinth brick detail to head of window surrounds	13.01.25	AM	MH
3	Updated following fire engineer input	02.01.24	AM	MH
2	RWPs shown	22.11.24	AM	MH
1	Drawn	14.11.24	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING



Client Watson Homes

Job Spurr House, Bury

Title Proposed Elevations - Block B Sheet 1

Scale 1 : 100 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale
10m 1:100

Job No.	Originator	Ph.	Level	View	Role	Dwg	Status	Rev.
241352-TADW-	00-	ZZ-	DR-	A-	0065-	P-	8	

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Ward: Prestwich - Holyrood

Item 04

Applicant: Hello Property Group

Location: 263 Bury Old Road, Prestwich, Manchester, M25 1JA

Proposal: Change of use from hot-food takeaway (Use Class Sui Generis) to part ground floor office (Use Class E) and part ground floor and all first floor 3 bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4)

Application Ref: 72327/Full

Target Date: 07/11/2025

Recommendation: Approve with Conditions

Description

The application site comprises a vacant corner semi-detached property located on Bury Old Road at the junction of Newtown Street. The property was formerly in use as a Hot-Food Take-away.

Immediate neighbours include a hairdresser, attached, with a flat above, accessed from the rear of the application site via an external street staircase, social housing opposite on Newtown Street; Heaton Park opposite across Bury Old Road; and a carpet warehouse to the rear.

Access to the rear of the property and the rest of the terrace is via a narrow passageway between the rear of the terrace and the boundary of the site with the building occupied by 'Carpet Warehouse'.

Permission is sought for a change of use of the building from a Chinese/ hot-food take-away (Use Class Sui Generis) to a mixed use, comprising a ground floor office (Use Class E) within the front half of the ground floor of the property and to use the rear part of the ground floor and all of the first floor of the property as a 4 bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4).

The proposed office would occupy the front ground floor room of the property (17.3 sq.m). The office would have a single W.C. The proposed HMO use would occupy the rear half of the ground floor of the property which is proposed to be a 21.2 sq.m Kitchen-Diner/ Living Area. At first floor level, three ensuite bedrooms are proposed.

Within an existing single storey rendered rear extension it is proposed to utilise the space to store refuse storage bins to serve both proposed uses, and at least 4 bicycles. It would be accessed from Newtown Street by a roller shutter door being inserted into the south facing, Newtown Street elevation of the building. The submitted plans indicate that the render is to be removed from this element of the building and the brick walling revealed.

The application site is located approximately 45m north of the northern edge of the allocated Whittaker Lane/ Bury Old Road Local Shopping Centre, and approximately 85m from Heaton Park Tram Stop, which is located on the corner of Bury Old Road and Whittaker Lane.

Relevant Planning History

58157 - Lawful Development Certificate for the existing use of the ground floor as a hot food

take-away (Class A5). - Lawful Development, 19/12/2014

70844 - Change of use of existing ground floor take-away (Sui Generis) to commercial (Class E) and HMO with new glazed shopfront and elevational treatment at side; First floor rear extension; Loft conversion with rear dormer - Withdrawn - Invalid, 26/07/2024

Publicity

35 nearby neighbours have been notified by letter.

3 representations have been received which raise the following concerns:

- Unsuitable location for a HMO.
- Adverse impact on on-street car parking provision
Asserting there is a lack of car parking in the local vicinity as it is and that there is no parking available for this property which would force multiple residents from the HMO to park down Newtown Street. Asserting it is already very difficult for residents of Newtown Street to park on their own road.

It is across from a block of 18 council flats where the car park only accommodates 6 cars, leaving many residents relying on on-street parking. The area is already strained with many visitors to Heaton Park using residential roads for parking, especially when there are events on.

- Insufficient space to provide the bins required to support the proposed uses/ occupation
- As this property has no outside space, this is not a suitable location in terms of waste disposal. It would not be appropriate for enough waste and recycling bins to serve 4 people to be stored on a public footpath which is already narrow.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to a condition ensuring opening

Waste Management - No comments or observations received

Adult Care Services - No comments or observations received

Housing - Public Protection (HMO Licensing) - No objections.

Environmental Health - Pollution Control - No comments or observations received

Greater Manchester Police - designforsecurity - Raised the following concerns to the proposals as initially submitted:

1. The access to the first floor HMO is recessed and taken from the rear where it is obscured from view, and this will potentially leave residents/visitors vulnerable as they cannot view any potential treats when arriving/leaving. It will also allow an offender to conceal themselves from view, affording them additional time to force entry.
2. One shared toilet/bathroom will likely be a source of conflict between residents which can easily escalate into more serious issues.

Prestwich Village Neighbourhood Forum - Raises objections for the following reasons:

3. The proposed accommodation is a complete over-development of a relatively small building, with minuscule bedrooms, just one small bathroom / WC and limited shared

space. There is no outside amenity space or off street parking provided. The proposals plan (the only plan provided) indicates a bike store - that would struggle to accommodate more than one bike and would necessitate bringing the bike into the single shared space for all kitchen / dining / living. This would impact on the quality of that space for residents low quality accommodation is only likely to attract very transient groups who will have no commitment to the local community.

4. The building is located at the junction of Bury Old Road with Newtown Street and the lack of off street parking means that visitors to the property or residents having a car is likely to increase on street parking, making this junction more dangerous.
5. The plans for the conversion of the building are inadequate and there is an almost total lack of information regarding any alterations to the external alteration of the building which need to take place for any residential conversion of this property and which should be in line with PVNF's Design Code
6. PVNF also recently commissioned a Housing Needs Assessment for the Neighbourhood area and it clearly shows that the need within the area is for two and four bedroom properties, with least need (or demand) for small and one bedroom properties, particularly those of such low quality
7. Whilst the existing building is vacant this does not justify its conversion for such low quality development. The building would be better re-used for retail / food & drink use at ground floor with possibly the conversion of the upper floor for a single flat, ensuring that the elevational treatment of the building is improved. A conversion on this basis would not just make effective use of the building but would support the many other policies within the PfE and the NPPF, including those of good design, regeneration of local centres, the development and regeneration of sustainable neighbourhoods and the development of good quality housing in line with local needs.

The application has been amended throughout the course of the application to address most of the concerns raised above in the following ways:

- Removing the existing rear door of the property that is accessed between the rear of the property and the shared boundary of Carpet Warehouse and which is hidden around a concealed rear corner. Access for future occupiers of the HMO would therefore be via the proposed new door opening on the gable elevation of the property.
- The number of proposed bedrooms, at first floor level, have been reduced from four to three.
- As a result of the above, the proposed bedrooms have been increased in size and each bedroom would now have an en-suite bathroom, rather than sharing a bathroom as initially proposed.
- The storage of bikes would no longer be via the narrow rear access and through the existing rear door, nor would it be through the shared kitchen area. The proposed combined bin and bike store would now be accessed from a roller shutter doorway on Newtown Street that would be inserted into the side elevation of the existing single storey rear extension
- A combined kitchen with a table for 4 people and living area has also been provided.
- The proposed new door onto Newtown Street would have brick arch detailing over the

opening, so that it would reflect the architectural features of this property.

Pre-start Conditions - Not applicable.

Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
EN7/2	Noise Pollution
H1/2	Further Housing Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-S1	Sustainable Development
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
NPPF	National Planning Policy Framework

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.

Principle of Development

The application site is located approximately 45m to the north of the Whittaker Lane/ Bury Old Road allocated Local Shopping Centre, but it forms part of a group of properties in commercial use and which includes both The Commercial Public House, Heaton Park Methodist Church and the former Parkside Hotel site, in use as L'Aquila Italian Restaurant.

The present use is a hot food takeaway and proposes to introduce a mix of uses including Office (Class E) within part of the ground floor with HMO in the rear part of the ground floor and the floor above. The former HFTA use to Class C3 use (up to 150m² and prior approval process) and Class E (commercial, business and service) is permitted development.

The proposal would introduce Class E floorspace within part of the ground floor of the property and of a very conservative size of 17sqm. Retaining the ground floor commercial use, preserves the active commercial frontage of this group of properties and supports the

mixed-use character of Bury Old Road. There is no loss of a local/ town-centre function and thus no adverse impact on the local high street as the commercial element remains in situ.

In relation to the proposed HMO use within the rear part of the ground floor of the property, the property is located in walking distance of both the allocated Local Centre and Prestwich Tram Stop. Bury Old Road is also a key Bus route and bus stops exist within 160m to both the north and south of the application site. The site is therefore considered to be in an accessible location.

Taking all of the above into account, the proposal is sustainably located and acceptable in principle.

Housing Needs

Paragraph 63 of the NPPF confirms that "size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes" however no direct reference is made to HMOs or buildings of multiple occupation.

Prestwich Village Neighbourhoods comments relating to the Housing Needs Assessment they are preparing which the Council has not been involved in preparing can be given very no weight at this stage as the survey has not been subject to any formal public consultation and has not been adopted by the Council as part of the Local Plan. The Assessment will not carry any weight in planning decisions until the Neighbourhood Plan has been examined.

The Bury Housing Needs and Demand Assessment does not specifically identify the need for HMOs. It does however show that Prestwich has the highest level of need for 1-bed affordable properties. Whilst HMOs are not affordable housing as defined by the NPPF, they do contribute to meeting needs by providing a lower cost housing option and play important role in the housing market, particularly for people who have limited housing choices or are looking for short stay accommodation. This is therefore the adopted position of the Local Planning Authority and not that which is asserted by the Prestwich Village Neighbourhood Forum.

Character of the Area and concentration of flats and HMOs

Whilst there is no specific policy in relation to HMOs within the UDP, Policy H2/4 - Conversions takes into consideration the concentration of building conversions for multiple occupancy and the impact this can have to the character of an area. The justification for this policy makes it clear that it is necessary to ensure that dwelling standards are maintained and to ensure that, generally, an over provision of building conversions does not adversely affect the need to maintain a good mix of housing types or adversely affects the character and amenity of residential areas.

Officers have obtained information from the Council's HMO Officer as to where existing licensed HMOs are located in relation to the existing application site. According to the Council's records, with the exception of a 5 bedroom HMO property on Robert Street (within a 100m of the application site), there are no other HMO within a 100m radius, therefore, over concentration is not a concern for this site.

It is therefore considered that this proposal would not cause an over concentration of HMO or flat/ apartment development in this location and thus the proposal is considered to accord

with the relevant criteria within UDP Policy H2/4.

Impact on neighbouring businesses

Paragraph 200 of the NPPF states existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established and suitable mitigation before the development has been completed should be provided.

The application site is attached to a health and beauty business, 'Skulpt' and the Carpet Warehouse business exists to the rear of the application site.

Given the occupation of the property would intensify as a result of the proposed mix use proposal and a communal Kitchen-Living-Dining area is to be located against a shared wall with the hairdressers it would be reasonable to secure soundproofing along the party wall by planning condition. This protection would work both ways insofar as maintaining a level of control from surrounding commercial uses and potentially reducing the likelihood of noise complaints from new residents.

Access, parking & movement

The site sits on a highly accessible corridor with frequent buses on Bury Old Road and in close proximity to Heaton Park Metrolink Station. Bus Stops exist within 60 metres of the application site. Day-to-day trips can be made by public transport, walking and cycling to both the boroughs Town Centres and Manchester City Centre. The accessible location of this proposed development accords with the locational requirements of PfE Policy JP-C1. Whilst no car parking supports this proposal, given its highly accessible location and the fact that only three occupants would live in the proposed HMO, occupants would not need a car to live here.

Given the site is within walking distance of the Bury Old Road/ Whittaker Lane Local Centre, combined with the proposal to provide a secure and enclosed/ covered on-site cycle store within the existing single storey extension, which would support active travel, the proposal also accords with PfE Policy Jo-C6: 'Walking and Cycling' and the cycle parking provision required by SPD11.

The proposal seeks to introduce a 3 bedroom HMO use at first floor and within part of the ground floor. Separate access is provided for each use, with access to the proposed office/ commercial use remaining at the front of the property and access to the proposed HMO use being by a new door proposed to be located on the gable elevation of the property. The two separate accesses would ensure clear operation and good natural surveillance. This is consistent with UDP H2/4 (Conversions) and townscape aims in EN1/2 and the NPPF.

Refuse & Servicing

The existing single storey rear extension to the property would accommodate sufficient refuse storage within it. This would be accessed both internally and externally. A roller shutter door would be fitted to the Newtown Street access. A condition is recommended to be imposed to ensure that this roller shutter door has no external shutter box and that it is coloured black.

The insertion of the new doorway onto Newtown Street would allow refuse bins to be easily put in and out, and for bicycles to be taken in and out easily. In the interests of highway safety/ the safety of pedestrians, the Local Highway Authority has recommended a condition securing no doors open outwards onto the adopted highway. Subject to this condition, the proposal thus complies with the relevant aspects of PfE Policy JP-C8 and SPD11.

Design and Visual Amenity

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

The main external changes proposed are on the Gable elevation of the property. It is proposed to insert a new doorway to create a separate access for the proposed HMO use and to insert a door opening within the single storey addition to the building.

During the course of the application, amendments have been secured amendments to both openings. In respect of the main access doorway, this has been amended to provide the brick arch detailing over the head of the door to reflect this architectural feature that is present over the existing windows of the property. Regarding the new doorway within the rear single storey extension; this was initially proposed as a standard door. Due to concerns that this door would both open outwards onto the pavement thereby causing an obstruction and that two doors in close proximity would have looked out of keeping with the existing property, this opening is to be fitted with a roller shutter door. Provided no roller shutter box is fitted externally and provided the roller shutter door is black in colour, which can be secured by planning condition, the proposed external changes are considered to be acceptable and in compliance with UDP Policy EN1/1.

Whilst Prestwich Village Neighbourhood Forum (PVNF) has stated the property should be altered in line with the Design Code they have commissioned and which will form a part of their Neighbourhood Plan, given the PVNF Design Code has not been subject to formal consultation, and indeed not adopted, it can only be given very limited weight in this decision. Notwithstanding this, as demonstrated above, subject to this condition being imposed, the proposal is considered to have an acceptable impact on the visual amenity of the streetscene. The proposals therefore comply with UDP Policy EN2/1 and the design requirements of the NPPF.

Residential Amenity

UDP Policy H2/4 requires applications for conversion to have regard to the effect on the amenity of the neighbouring properties through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes.

Directly opposite the gable end of the property, which would be used to access both the proposed HMO accommodation and the combined bike and bin store, are Council flats at Newtown Court. Some of these flats have windows facing onto Newtown Street and the gable of the application site. Given only three occupants are proposed to live at the property, their comings and goings would not cause demonstrable harm to the amenity of these closest residents. The proposal therefore accords with UDP Policy H2/4.

Amenity of future occupants

Communal activity is focused at ground floor and three single ensuite bedrooms sit at first floor with simple circulation. Room sizes meet Bury's HMO amenity expectations, and shared facilities meet small-HMO ratios, consistent with the Councils HMO Guidance & Amenity Standards. The proposed en-suite bedrooms themselves accord with the Nationally prescribed Space Standards.

During the course of this application has been amended to move the entrance for the HMO element of the proposals from the recessed rear of the rear of the property to the side elevation on Newtown Street. This will result in better sight lines/ visibility, lighting and surveillance within the street to resolve the security point raised by GMP. Finally, the initial proposal to access the proposed bike storage area from the proposed kitchen area. This was considered to be unacceptable from both a practical point of view given the existing rear door to the property is via the very narrow access to the rear and around a recessed

corner and from an amenity perspective. Alternative arrangements now provide covered storage accessed from within the yard area and separate to the internal space.

For these reasons, the amended arrangement accords with UDP Policies H2/1 (Form) and H2/4 (Conversions).

HMO management, Licensing & Safety

At 3 occupants, the scheme does not require a licence; however, all HMOs are subject to the Management Regulations, including duties for fire safety, maintenance of common parts, and provision/management of waste. Compliance would be secured through Building Regulations approval.

Carbon and Energy

A statement accompanies this application advising that the proposed HMO will minimise energy demand through new roof insulation, internal wall insulation and upgraded high-performance double glazing. LED lighting with PIR sensors, efficient heating and hot water systems, and water-saving sanitary fittings will be installed, that will further reduce energy and resource use. A SAP calculation will be provided at Building Control stage. This approach follows the energy hierarchy and supports Greater Manchester's target of carbon neutrality by 2038. The proposal therefore accords with the requirements of PfE Policy JP-S2: Carbon and Energy.

Digital Connectivity

A supporting statement advises the property will be fitted with full fibre to the premises connections and ducting and cabling will be installed to current standards and to allow for future upgrades, ensuring reliable high-speed broadband and compliance with PfE Policy JP-C2: Digital Connectivity.

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/ 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:

Drawing no. A1.1 Rev. PL1: Existing Plans; and,
Drawing no. A1.2 Rev. PL7: Proposed Plans.

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 in accordance with the policies contained within the Fylde Borough Local Plan and the National Planning Policy Framework.

3. The sound insulation of both party walls of the property shall be improved in accordance with Building Regulations Approved Document E (or similar method), the details of which shall be submitted to and approved by the Local Planning Authority and implemented to and approved in writing by the Local Planning Authority prior to the HMO use commencing.

Reason. To reduce nuisance from noise to the occupiers of the adjoining dwellings pursuant to Policy EN7/2: 'Noise Pollution' and H2/4: 'Conversions' of the Bury Unitary Development Plan and the National Planning Policy Framework.

4. The bin store/ bike store indicated on approved plan A1.2 Revision PL7 shall be fitted with a roller shutter door or a similar approved type which does not project outwards at any time during or after operation to the satisfaction of the Local Planning Authority and shall thereafter be maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage door is opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.

5. The roller shutter door to serve the bin store/ bike store indicated on approved plan A1.2 Revision PL7 shall be painted black in colour. No external roller shutter box shall be fitted on the building.

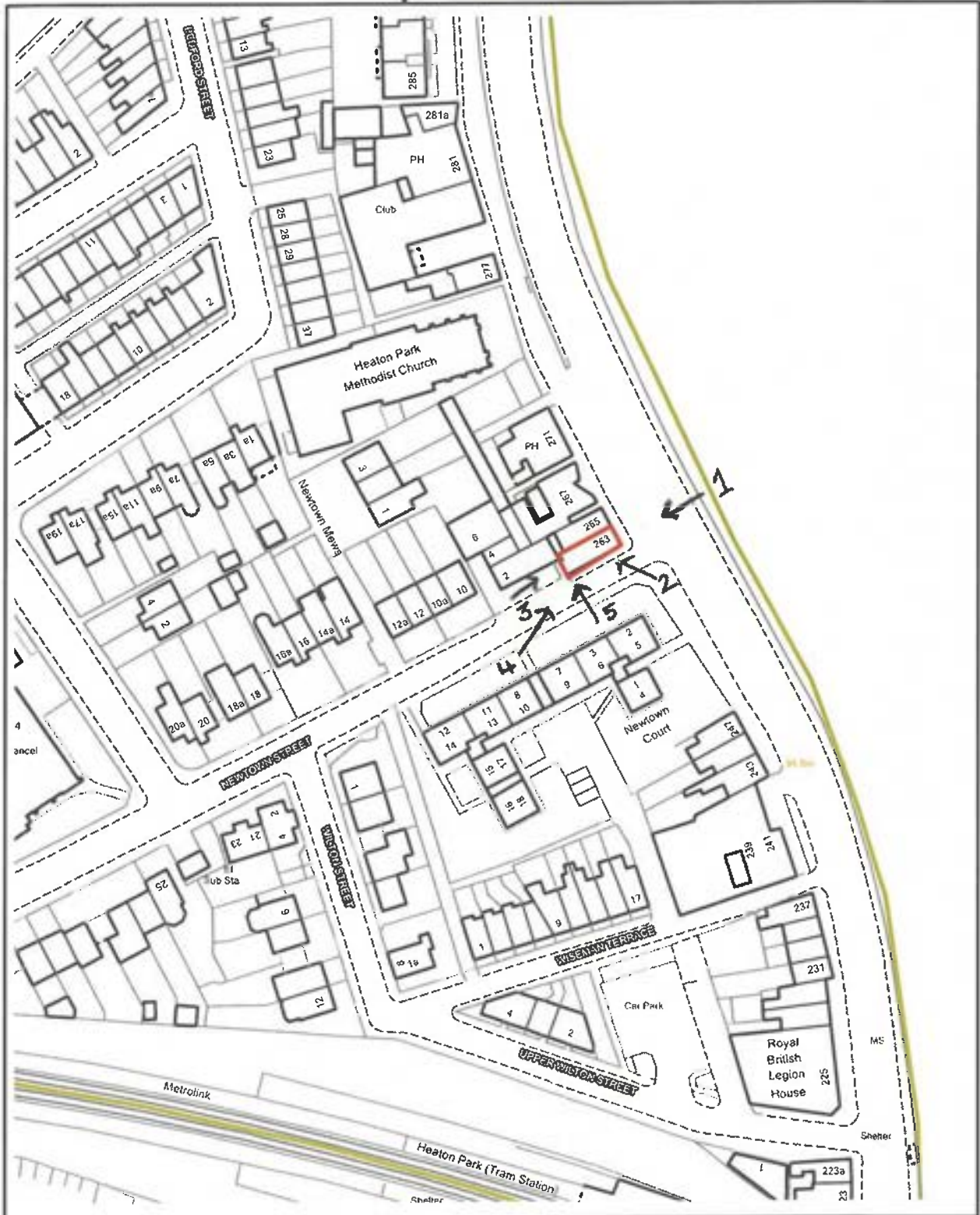
Reason. In the interests of visual amenity and securing good design, in accordance with Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and the National Planning Policy Framework.

6. The refuse storage facilities and covered and secure cycle storage provision indicated on the approved plans shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, and sufficient cycle storage provision is secured, in the interests of amenity and to promote modal shift and encourage travel to the site by more sustainable modes of transport in accordance with Policies JP-C6: 'Walking and Cycling' and JP-C8: Transport Requirements of New Development of the Places for Everyone Development Plan.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - 72327



ADDRESS: 263 Bury Old Road Prestwich



Bury
Council

Planning, Environmental and Regulatory Services

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72327

Photo 1

Front Elevation



Photo 2

Gable Elevation facing Newton Street



72327

Photo 3

Rear Elevation



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Photo 4

Street View of Rear Elevation

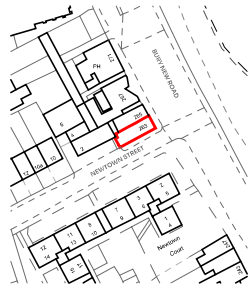


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Photo 5

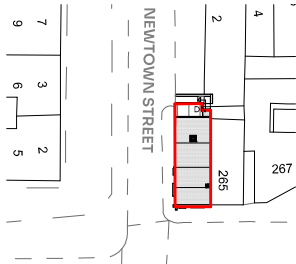
Staircase to rear elevation leading to first floor flat on adjoining property – Carpet Warehouse to the left.



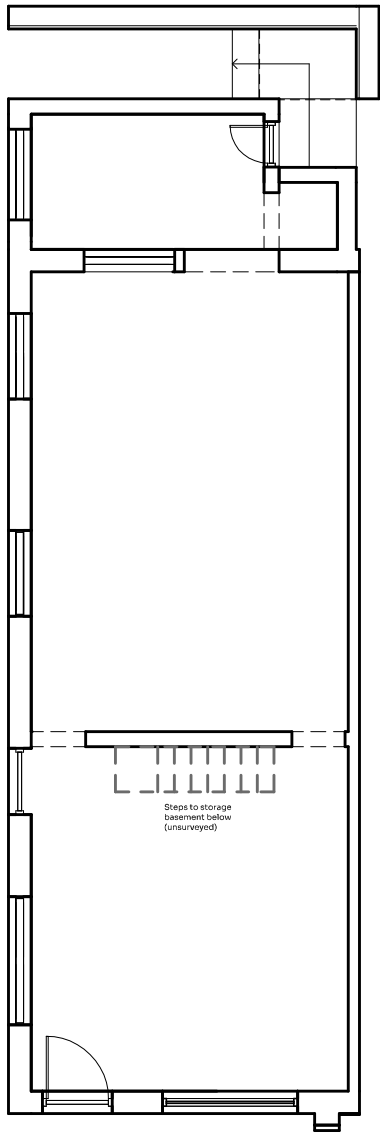


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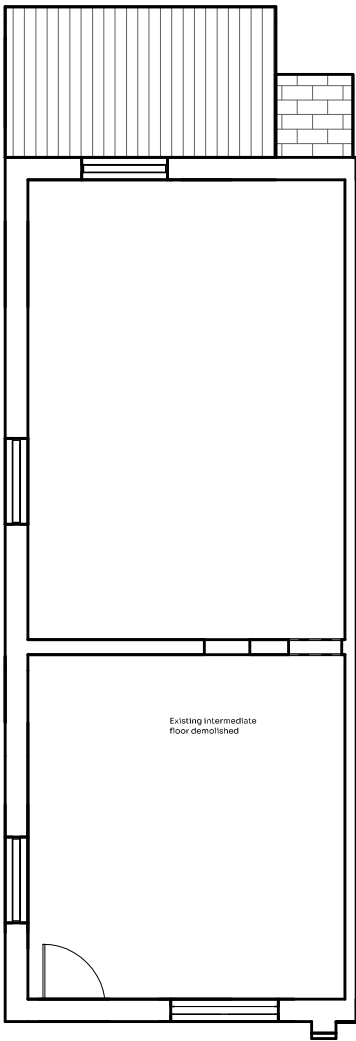
Mapping contents © Crown copyright
and database rights 2024 Ordnance
Survey 100035207
Redline denotes property boundary



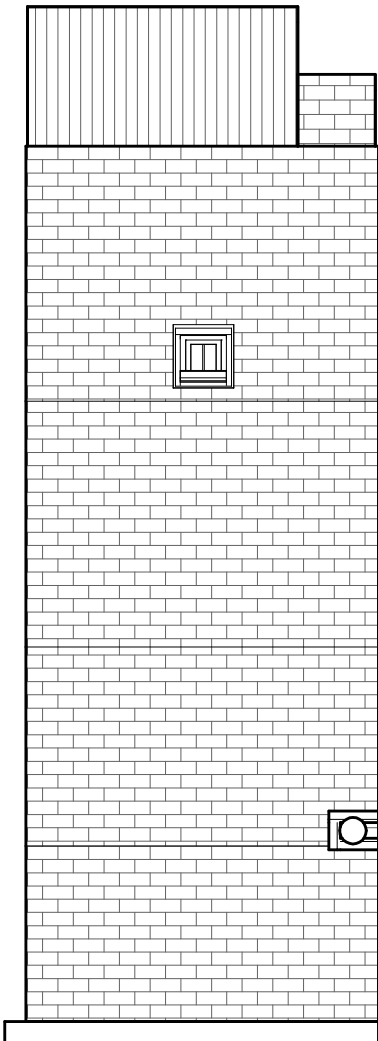
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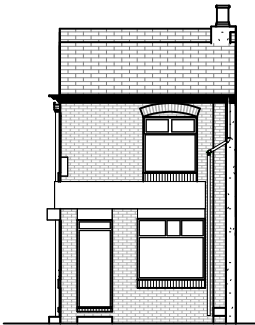
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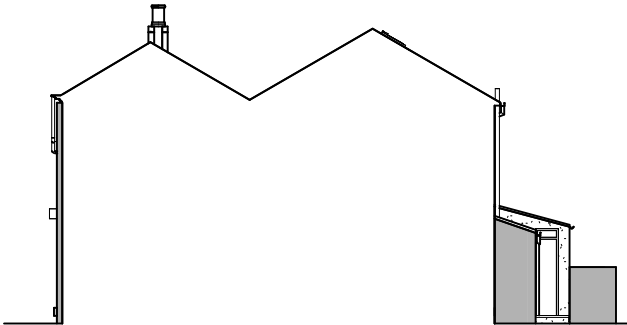
4 First Floor Plan
1:50



5 Roof Plan
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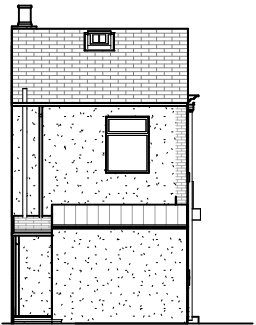
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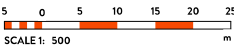
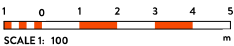
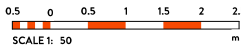
7 North Elevation
1:100



8 South Elevation
1:100



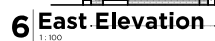
9 West Elevation
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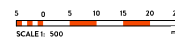
PL1 Issued to IPA		JC	26.08.25
REV	Details	By	Date
Stamp: ISSUED FOR PLANNING			
Project No: JC238			
Project: 263 BURY OLD RD			
Drawing No: A1.1		Revision: PL1	
Title: EXISTING PLANS			
Project Address: 263 Bury Old Rd, Prestwich, Manchester M25 1JA			
Scale on A1: As indicated		Drawn by: JC	
Checked by: JC		Architecture Planning	
CIAT		To be read with JCD specification and all relevant documents. Check all dimensions on site report discrepancies before starting work. No liability accepted for unauthorised changes or works. This drawing is confidential. Do not copy or share without written permission. Property of JCD Design Group Ltd, return on request. © JCD Design Group Ltd	



2 | Site Plan



dimensions on file; report discrepancies before starting work; no liability accepted for unauthorized change or works. This drawing is confidential; do not copy or share without written permission. Property of JCI Design Group Ltd, return on request. © JCI Design Group Ltd



Ward: Bury West

Item 05

Applicant: Sussex Coastal Property Ltd

Location: 8 Stephen Street South, Bury, BL8 2NT

Proposal: Change of use from existing 6 bedroom (single occupancy) HMO to 6 bedroom (6-8 occupants) HMO (House in Multiple Occupation) (Use Class Sui Generis)

Application Ref: 72425/Full

Target Date: 25/11/2025

Recommendation: Approve with Conditions

Description

The application site forms the southern end of a row of four, two storey terraced properties on the south-west side of Stephen Street South which is in use as a house in multiple occupancy. It includes a basement and a loft conversion and rear dormer extension. The lawful use of the premises is as a 6-bedroom House in Multiple Occupation (HMO), under the permitted change allowed between Use Class C3 (Dwellinghouses) and Use Class C4 (Houses in multiple occupation) which allows small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

The gable end of the application site forms the boundary where there is a significant drop in levels between the application site and the Daisyfield Court apartments complex. The rear of the property backs onto Back Hulbert Street, a cobbled street providing access to the rear of properties on both respective streets.

The property is within a cul-de-sac of terraces (4 on each side) which sit between Back Bolton Road South and the boundary of the site described above.

The property has a flat roof dormer extension on the rear roof slope, which was erected utilising permitted development rights. It also has a rear yard area. The conversion works were completed in September 2025, and the property is currently being let out for occupation, with 4 out of the 6 bedrooms currently rented out.

Planning permission is sought for the change of use from an existing 6 bedroom (single occupancy) HMO to a 6 bedroom, 6-8 occupants, HMO (House in Multiple Occupation) (Use Class Sui-Generis). Permission is being sought for 2 more occupants to reside within the property.

Relevant Planning History

Not applicable.

Publicity

The application has been advertised by Site Notice on the 24 October 2025, and 24 nearby neighbours have been notified by letter on the 21 October 2025. 3 representations have been received which raise the following concerns:

- Adverse effect on the character of this part of the street. The street's character is made up of family homes with many residents having lived here for 20 years, contributing to a close-knit and peaceful community. The streets character is defined by its low levels of

activity and limited vehicle movements. Our street is very quiet and is a residential cul-de-sac consisting of only 8 houses.

- Since the property has been occupied by 4 tenants, we have already noticed an increase in disruption and activity with people constantly coming and going at all hours. This has changed the peaceful nature of the street. This is before the property has even reached 6 occupants never mind 8.
- Parking on Stephen Street South is already extremely limited. Even with only 4 occupants (below the PD allowed 6 occupants), parking pressures have noticeably increased. Residents now frequently struggle to find a space and access for larger vehicles can be difficult.
- The increase in occupants has already put a strain on the already limited on-street parking provision particularly given the care home present at the end of the street and parishioners of the Church. Doubling the number of occupants would cause existing residents' difficulty for residents trying to park anywhere near their homes.
- The current occupancy and proposed increase in occupancy exacerbates existing parking problems.
- Due to Stephen Street South being a small cul-de-sac, even one large HMO has a noticeable impact on the area. The proposed increase would have a disproportionate impact due to the limited size and capacity of the street. Residents are already experiencing higher levels of noise, parking stress and general disruption since the property began operating as a HMO. Increasing occupancy would further erode the balance of this settled residential area.
- Fails to comply with planning policies relating to character, amenity and highway safety.
- Urges the Council to refuse the application in order to preserve the established character and amenity of Stephen Street South and to protect the quality of life of its long-standing residents.

The objectors have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to a condition securing the bin storage facilities shown on the submitted drawings.

Waste Management - No objections.

Adult Care Services - No comments or observations received.

Housing - Public Protection - No comments or observations received.

Greater Manchester Police - designforsecurity - No comments or observations received.

Canal & River Trust - No objections.

Pre-start Conditions - Not applicable.

Development Plan and Policies

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development

SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-P1	Sustainable Places

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.

Permitted Fallback Position

A dwelling can change to a 6 bed HMO is Permitted Development, as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to a House in Multiple Occupation (HMO) is Permitted Development. The applicant has therefore utilised the existing property as a 6 bed HMO without the need for planning permission. This is the permitted fallback position of the property.

Principle of Development

UDP Policy H1/2: 'Townscape and Built Design' states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

UDP Policy H2/4: 'Conversions', has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene, car parking, and servicing requirements. This is supported by SPD 13: 'The Conversion of Buildings to Houses in Multiple Occupation', that seeks to ensure that properties are of a sufficient size to accommodate the proposals and are large enough to offer satisfactory levels of accommodation for future residents. This document also seeks to ensure that HMO's are located in suitable locations. SPD 13 is rather dated in absolute terms (adopted in May 2007) and in some of the assumptions expressed (e.g. HMO's tend to attract residents in their teens and twenties who by their nature can be a little more energetic than older people, leading to a more active social life in the evenings). However, some of the general factors against which proposals should be assessed at UDP Policy H2/4 remain relevant.

PfE Policy JP-H3: 'Type, Size and Design of New Housing' seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

Paragraph 63 of the NPPF confirms that *"the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes"*. However, no direct reference is made to HMOs or buildings of multiple occupation.

The applicant has utilised their permitted development right to change the use of the dwelling to a 6 bedroom HMO lawfully and for the rear roof dormer.

Houses in Multiple Occupation is a form of housing tenure, where occupants live together forming more than one household (i.e. where facilities such as kitchen, living areas and/or bathrooms can be shared with other tenants).

Given that the existing use of the building is as a HMO, the principle of the use has already been established. However, the proposed development seeks to increase the number of occupants to 8 people, which creates a sui generis use. As such, given the permitted fallback position of an HMO with 6 people, the Council has to assess the impacts of an additional 2 occupants within the property and the impacts arising.

Accessibility of the site to services, jobs and amenities

PfE Policy JP-C1 seeks to deliver an accessible, low carbon Greater Manchester with world-class connectivity, by, amongst other things, delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure; and locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport.

The application site is located within walking distance of Bolton Road, where there are bus stops, which provide access to regular bus services to Bury and Bolton. The site is also within walking distance of the local centre on Bolton Road, where there are a variety of shops, hot food takeaways and a small supermarket. As such, the proposed development would be located in a sustainable location and would be in accordance with Policy JP-C1 of the Places for Everyone Joint Development Plan.

Character of the area

UDP Policy H2/4 - 'Conversions' takes into consideration the concentration of building conversions for multiple occupation and the impact this can have to the character of an area. The justification for this policy makes it clear that it is necessary to ensure that dwelling standards are maintained and to ensure that, generally, an over provision of building conversions does not adversely affect the need to maintain a good mix of housing types or adversely affects the character and amenity of residential areas.

Having visited the application site, checked the Planning register and the HMO Licensing register, there are no other properties in use as homes in multiple occupancy within 100 metres of the application site. Therefore, the proposal would not result in an over concentration of HMOs in this area and therefore the area would maintain a good mix of housing types.

The proposed development would not result in any external alterations and as such, the proposed development would not be a prominent feature in the streetscene.

The representations received highlight the particular character of this group of 8 properties on Stephen Street South, which exist at the cul-de-sac end of the street and that this part of the street is characterised by family dwellings, is quiet and peaceful in nature and has limited vehicular movements. The representations received, state that given the cul-de-sac nature of this part of Stephen Street South, the increasing the number of occupants of the HMO, along with the associated consequences of increasing movements to and from the property by existing occupiers and proposed occupiers and the associated pressure on on-street parking provision and bin storage needs and such a large HMO would adversely change the character of this street.

Whilst the concerns of local residents are understood, the Permitted Development fallback position of 6 occupants is a strong fallback position which has to be taken into account in this decision. The proposal does not propose to increase the number of bedrooms within the property but seeks to have the ability to be let to couples. It is considered that such an uplift is minor and two more occupants would not cause such demonstrable harm to the character of the area to justify refusal of the application on this basis. Therefore, the proposed development would be in accordance with Policies H2/4 and EN1/2 of the Bury Unitary Development Plan.

Amenity of neighbouring occupiers

UDP Policy H2/4 requires applications for conversion to have regard to the effect on the amenity of the neighbouring properties through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes.

The proposed development is located in an end terrace in a row of 4 properties and there are 4 dwellings located opposite. There are residential properties at the rear, which front onto Hubbert Street.

As stated above, the proposed development would not result in any external alterations, so the proposed development would not have an adverse impact upon the privacy of the neighbouring properties.

The objectors have referred to noise from comings and goings at the property. Whilst the number of occupiers would increase by 2, the number of bedrooms would not increase. As such, the addition of 2 occupiers in rooms, which are already in use, it is considered that the uplift would not have a significant adverse impact upon the amenity of the neighbouring properties.

Therefore, the proposed development would be in accordance with Policies H2/4, EN1/2 and EN7/2 of the Bury Unitary Development Plan.

Amenity of future occupiers

All bedrooms proposed would comply with the national prescribed space standards. The proposed development would utilise the existing communal space of a kitchen and dining room, which is located within the rear two storey outrigger. The basement area of the property would have two washing machines and a dryer. Two washing machines would meet the needs of all occupants of the property. The level of communal accommodation would be acceptable for 8 occupants in 6 bedrooms.

The National Design Guide states that an aspect of ensuring development is well designed by ensuring that refuse bins are accessible and well-integrated into the design of streets, spaces and buildings, to minimise visual impact, unsightliness and avoid visual clutter.

The proposed site plan indicates sufficient refuse storage provision can be provided within the rear yard area. The agent has confirmed that this area is within the applicant's

ownership and as such, would be acceptable. A covered and secure cycle store for up to 8 bikes is proposed in the corner of the rear yard area, as well as an outside seating area is within the rear yard area, which would provide an appropriate level of external amenity space. Therefore, the proposed development would not have an adverse impact upon the occupiers of the proposed development and would be in accordance with Policies H2/4 and EN1/2 of the Bury Unitary Development Plan.

Waste Management

The proposed scheme includes the provision of bins within the rear yard area, which is accessed from the rear cobbled street. Sufficient space exists within the rear yard area to allow for the segregation of refuse and recyclable waste and would ensure the storage of bins would not adversely impact on the street scene. The number of bins provided has been shown as eight, which is considered satisfactory for the numbers of occupants proposed.

Bins would continue to be collected from the rear of the terrace as they are currently and it is therefore considered that there would be a no detrimental effect on the safety and operation of the local highway network, as it would operate in the same manner as the existing site and surrounding properties.

Bins would continue to be collected from the rear of the terrace as they are currently and it is therefore considered that there would be a no detrimental effect on the safety and operation of the local highway network, as it would operate in the same manner as the existing site and surrounding properties.

The concern raised about bins being left out on the rear street is a management issue and in this regard the applicant has submitted a management plan which states that tenants are advised to take bins out for collection on the respective day and bring them back into the yard area in much the same way as any other residential property would. Local residents should contact the management company of the application site if they have any concerns around unneighbourliness. If any odour, fly or pest issues arise neighbouring occupants could report this issue to the Council's Environmental Health, Public Protection section.

Highway Safety

There are no specific car parking standards for HMO's in SPD11: 'Parking Standards in Bury'. SPD 13: 'The Conversion of Buildings to Houses in Multiple Occupation' gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

PfE Policy JP-C1: 'An Integrated Network' seeks to deliver an accessible, low carbon Greater Manchester with world-class connectivity. It seeks to achieve this by a range of measures, including, amongst other things, delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure; and locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport.

SPD11: 'Parking Standards in Bury' identifies the application site is within Parking Zone/ Accessibility Zone 2. In this location two car parking spaces should be provided.

No off-road car parking is possible at the property.

Although the concerns raised by local residents are noted and understood, the existing lawful use of the building is a 6-bedroom HMO (use class C4). The proposals would not

create additional bedrooms, but propose to increase the level of occupants in two of the existing bedrooms by up to 2 additional people.

Based on Bury Council's parking standards within Zone 2, there is no differentiation in a 6-bedroom, 6-occupants and a 6-bedroom, 8-occupants HMO with regards to the SPD11 parking requirement.

It is also noted that each 3-bedroom property on the street would require 1.5 car parking spaces, but none of the properties have any allocated / off-street parking provision, street wide. This is the same level of parking requirement for a 6-bedroom HMO (0.25 unallocated space per bedroom). SPD11 also does not automatically support the conversion of front gardens into tarmacked car parking spaces due to their negative impact on the character of the area.

On this basis, there is no additional parking requirement for the proposed development (compared to the existing 6-bedroom HMO) to make the proposal acceptable from a car parking perspective, in accordance with SPD 11.

Carbon and Energy

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

The existing HMO was refurbished to prioritise the minimisation of energy demand and maximisation of energy efficiency through the following measures:

- The development features highly insulated walls and ceiling cavities to reduce heat loss and enhance thermal efficiency.
- Double glazing to improve insulation and reduce energy consumption. This ensures compliance with Part L Building Regulations.
- Passive performance has been enhanced through improving the fabric efficiency with double glazing and insulation as well as the efficiency of the existing internal layout.

The applicant has advised that due to the building's orientation and lack of solar gain on the roof, the installation of solar PV panels is not a feasible prospect on this property.

Digital Connectivity

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

In compliance with Policy JP-C2 of the PfE plan, the submission advises that the proposed development would support high-quality digital infrastructure through the following measures:

- Full Fibre Superfast Internet will be installed to the development
- Mesh network throughout the property, ensuring consistent high-quality internet coverage in every corner and on every floor.
- Cat 6 network points on each floor, providing robust and reliable wired internet connections for high-speed data transfer.

Therefore, the proposed development would be in accordance with Policy JP-C2 of the Places for Everyone Joint Development Plan.

Response to objections

Many of the points raised have been responded to within the main report.

Conclusion

The property has utilised its permitted development rights to convert from a dwellinghouse to a 6 person HMO without planning permission and also to erect the dormer extension present on the property, permitted under Schedule 2, Part 1, Classes A-H of the Planning (General Permitted Development) Order 2015, as amended. This is therefore the permitted fallback position and has been taken into account in assessing the appropriateness of the proposal.

The addition of up to two more occupants at the property would not result in conditions that would be demonstrably worse than the permitted fallback position allowed under Permitted Development regulations.

Given the site's location on a main transport route between Bury Town Centre and Bolton Town Centre, close to the Bolton Road/ Bury Bridge Local Centre and Bus Stop(s), the proposal is considered to be suitably located for the use.

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/ 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 and documents:

Drawing no. 8SSS/299/PL: Site Location Plan and Existing Site Plan;
Drawing no. 8SSS/303/PL Rev. C1: Proposed Plan Layout;
Drawing no.8SSS/300/PL Rev. C1: Proposed Site Plan;
Document ref. Planning Statement; and,
Document ref. Management Plan

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings and documents.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, Greater Manchester Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

3. The bin store/ bike store indicated on approved plan A1.2 Revision PL7 shall be fitted with a roller shutter door or a similar approved type which does not project

outwards at any time during or after operation to the satisfaction of the Local Planning Authority and shall thereafter be maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage door is opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.

4. The refuse storage facilities and covered and secure cycle storage provision indicated on the approved plans shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

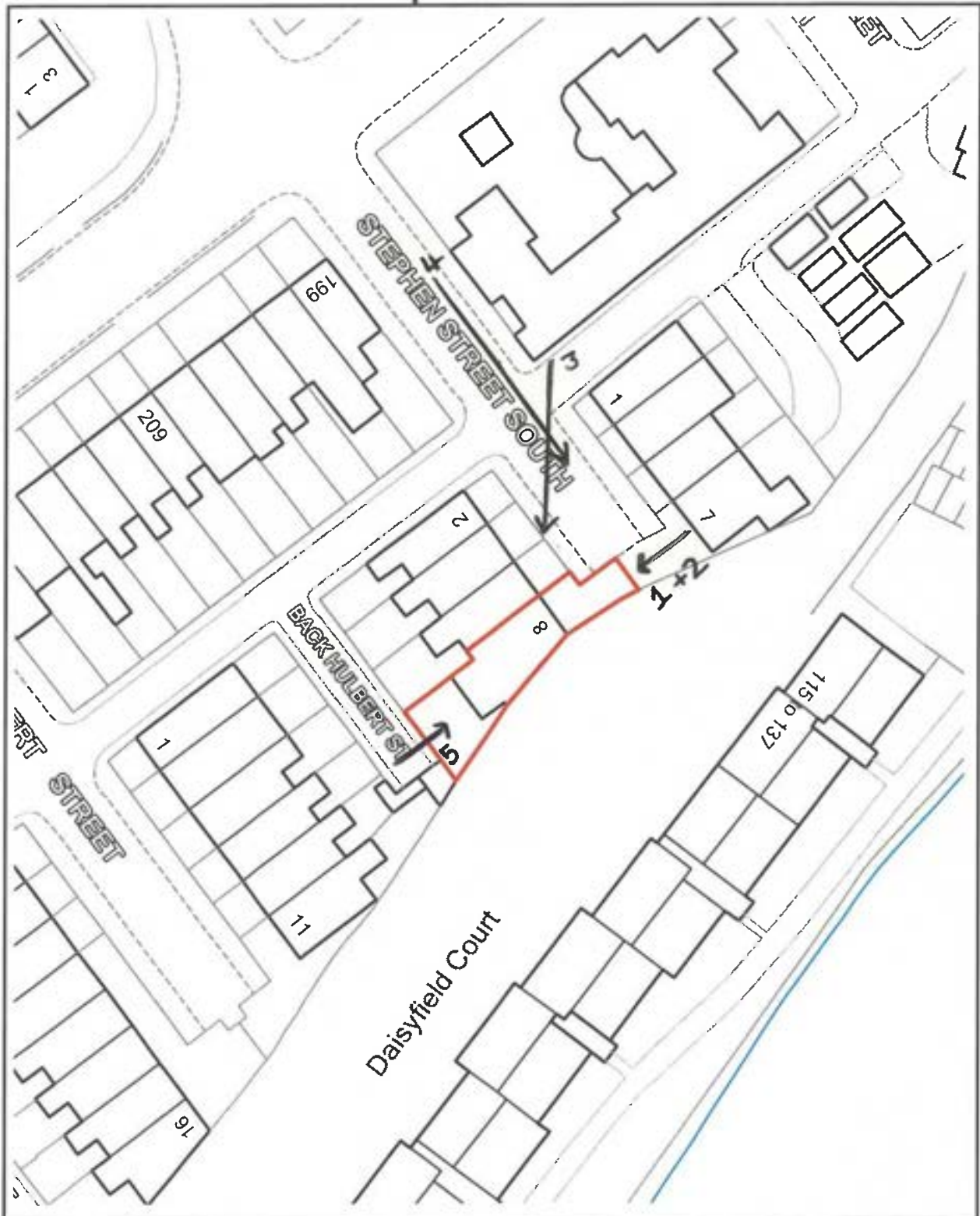
Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, and sufficient cycle storage provision is secured, in the interests of amenity and to promote modal shift and encourage travel to the site by more sustainable modes of transport in accordance with Policies JP-C6: 'Walking and Cycling' and JP-C8: Transport Requirements of New Development of the Places for Everyone Development Plan.

5. The maximum number of residents occupying the premises shall not exceed 8 (eight) people.

Reason. To avoid an over-concentration of people living in the property and ensure satisfactory living accommodation for existing and future occupiers, in accordance with Policy H2/4-Conversions of the Bury Unitary Development Plan, Policies JP-C5: Streets for All and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - 72425



ADDRESS:

8 Stephen Street South, Bury, BL8 2NT

Planning, Environmental and Regulatory Services

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Bury
Council

72425

Photo 1



72425

Photo 2



Photo 3



72425

Photo 4



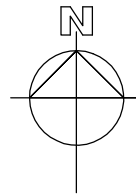
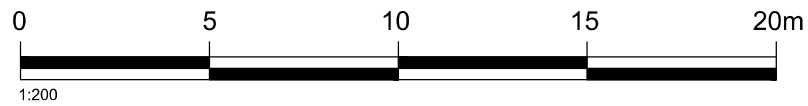
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Photo 5




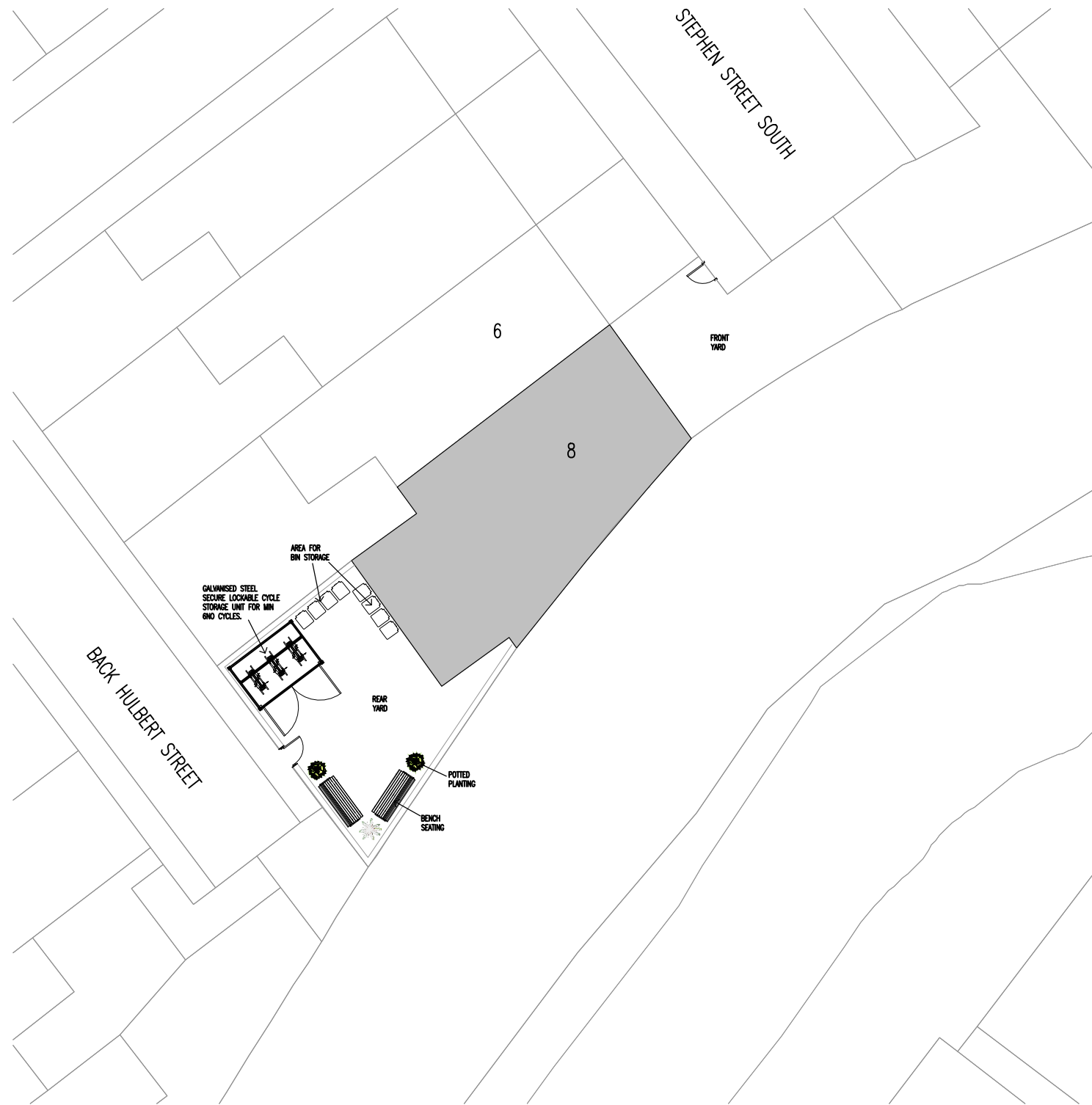


EXISTING BLOCK SITE PLAN
1:200@A3

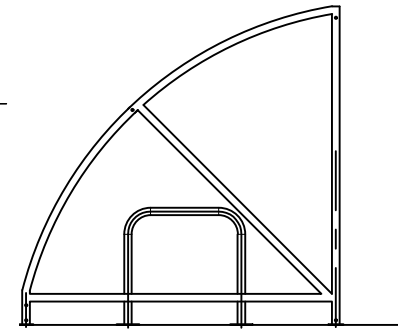
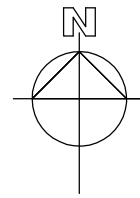
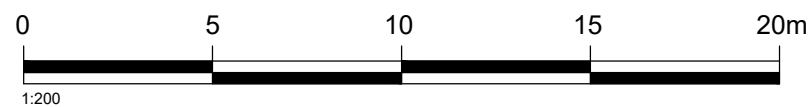


SITE LOCATION PLAN (166sqm)
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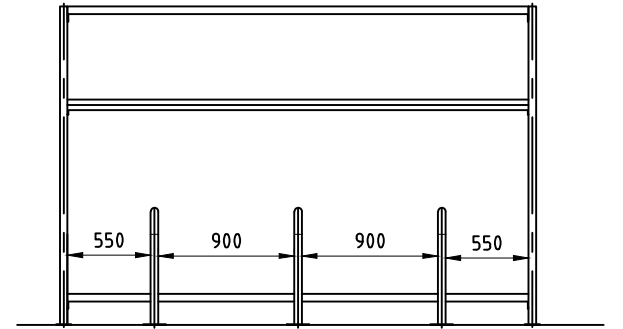
Rev	Amendments	Date	Ints
			
Project			
8 STEPHEN STREET SOUTH, BURY, BL8 2NT			
Drawing Title			
SITE LOCATION PLAN EXISTING SITE PLAN			
Drawn MG		Checked _	
Date SEPT 2025		Scale@A3 1 : 100	
Drawing No. 8SSS/299/PL		Rev.	



PROPOSED BLOCK SITE PLAN
1:200@A3



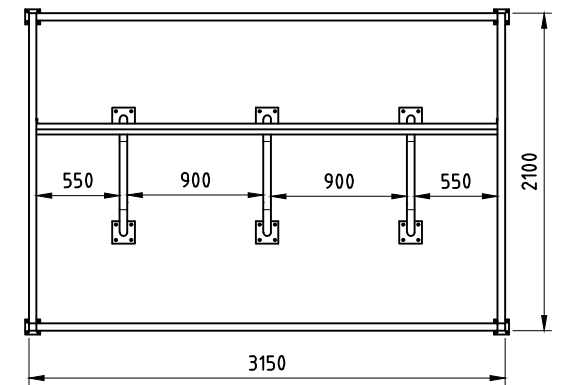
CYCLE SHELTER SIDE ELEVATION
1:50@A3



CYCLE SHELTER FRONT ELEVATION
1:50@A3

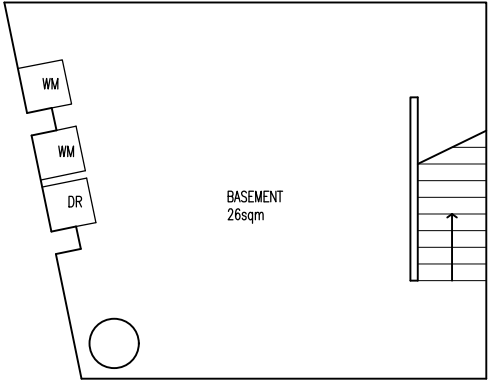


GALVANISED STEEL FRAMED CYCLE STORAGE SHELTER, FOR 6 CYCLES, 3150mm LONG x 2100mm DEEP/WIDE x 2200mm HIGH, WITH ANTI-VANDAL, UV STABLE POLYCARBONATE ROOF AND SIDE PANELS ALONG WITH SECURE LOCKABLE DOUBLE GATES. PROVIDE 3no SHEFFIELD STANDS, FIXED TO TO HARD STANDING, WITH 900MM GAP BETWEEN SHEFFIELD STANDS AND 5500MM BETWEEN THE STANDS AND SIDE FRAME OF SHELTER, AS DIMENSIONED



CYCLE SHELTER PLAN LAYOUT
1:50@A3

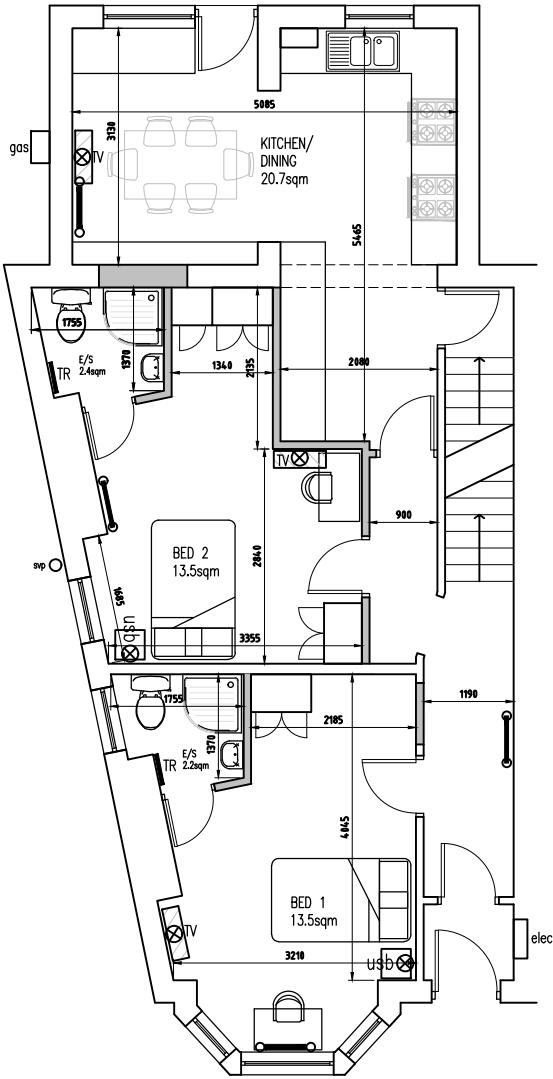
C1	4no additional bins added	04.12.25	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
8 STEPHEN STREET SOUTH, BURY, BL8 2NT			
Drawing Title			
PROPOSED SITE PLAN			
Drawn	MG	Checked	—
Date	SEPT 2025	Scale@A3	1 : 100
Drawing No.	8SSS/300/PL	Rev.	C1



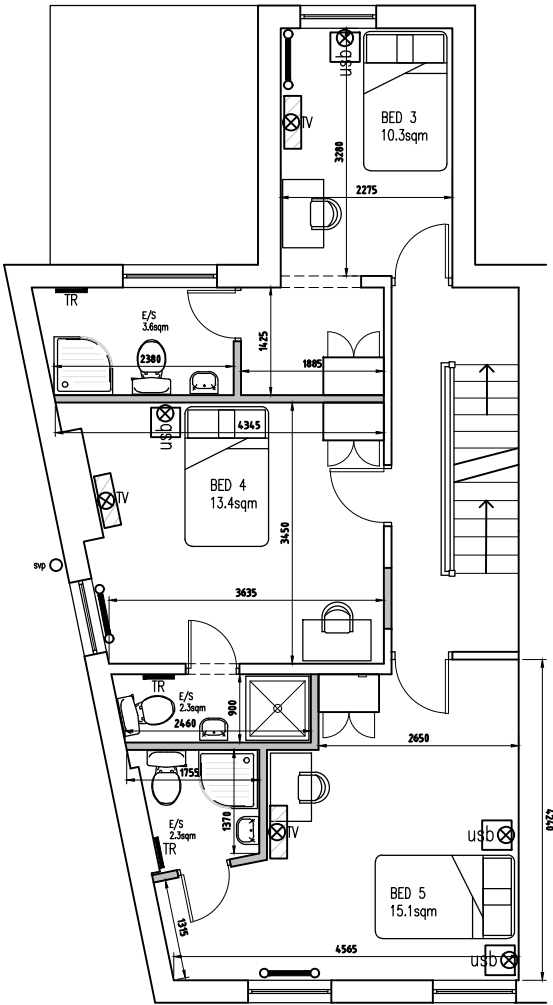
PROPOSED BASEMENT FLOOR PLAN
1:100 @ A3

BED 1 - 1 PERSON
BED 2 - 1 PERSON
BED 3 - 1 PERSON
BED 4 - 1 PERSON
BED 5 - 2 PERSON
BED 6 - 2 PERSON

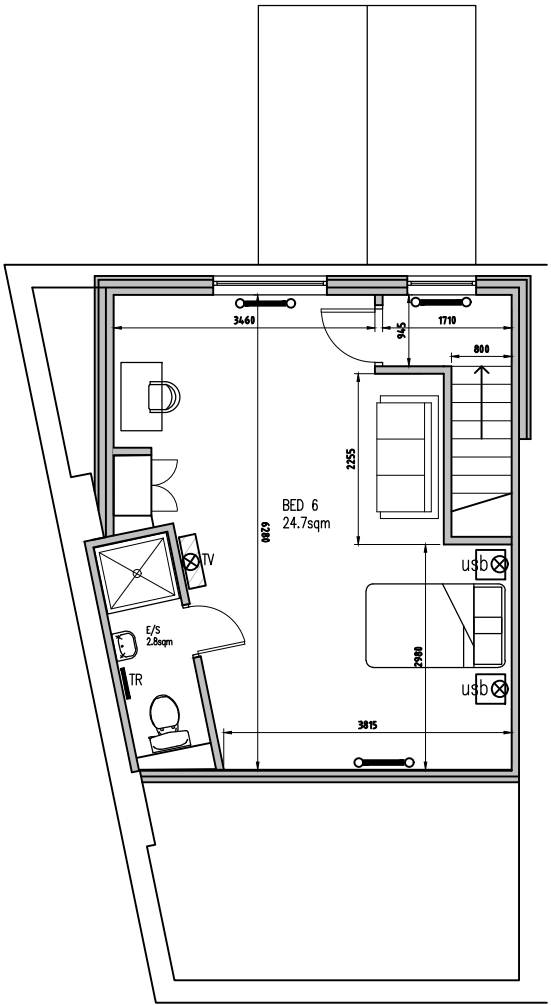
6 BED, 8 PERSON



PROPOSED GROUND FLOOR PLAN
1:100 @ A3



PROPOSED FIRST FLOOR PLAN
1:100 @ A3



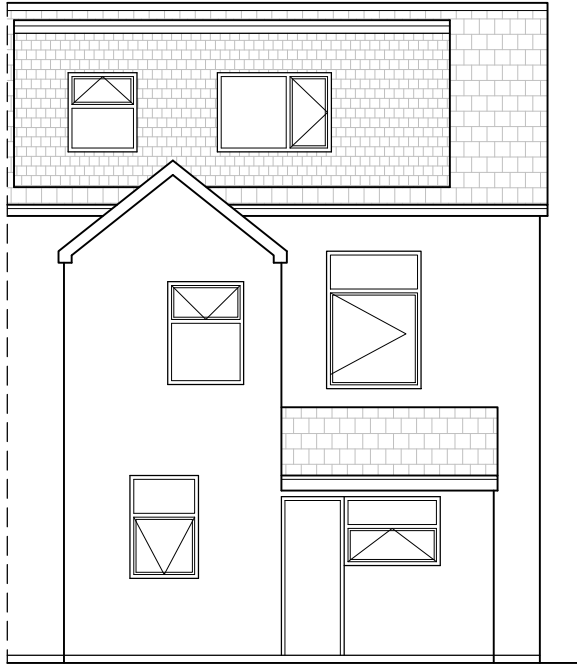
PROPOSED SECOND FLOOR PLAN
1:100 @ A3



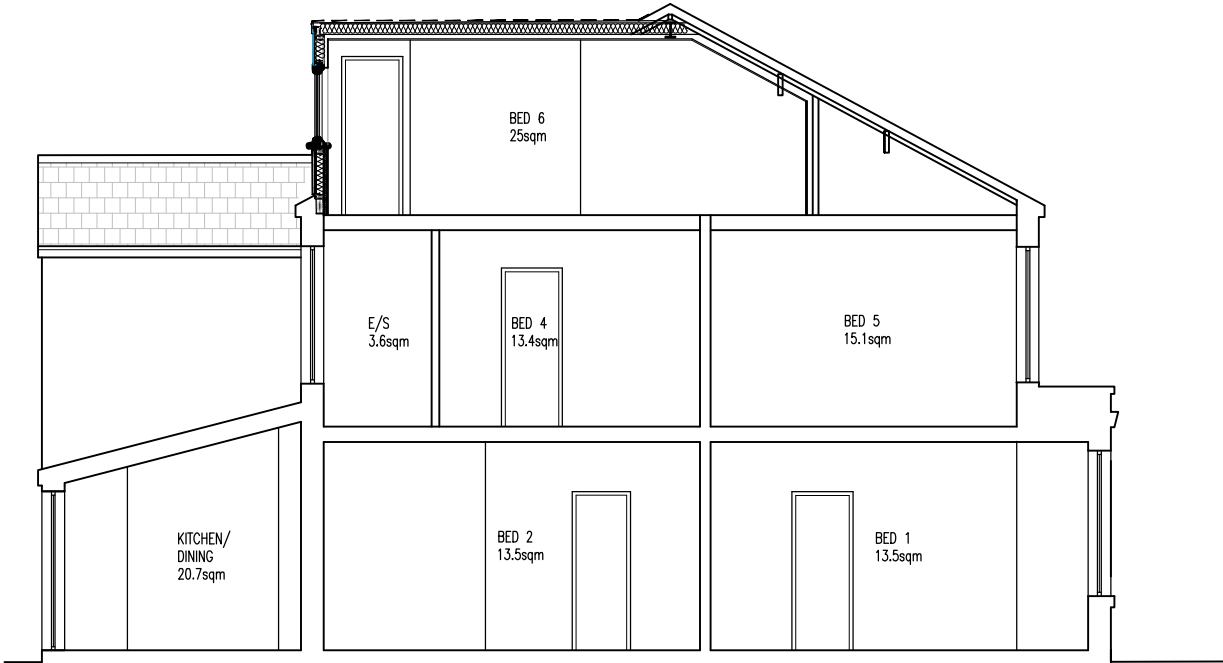
C1	Additional washing machine in basement	17.11.25	MG
Rev	Amendments	Date	Ints
<div>Mark Gordon Design + Associates</div>			
Project			
8 STEPHEN STREET SOUTH, BURY, BL8 2NT			
Drawing Title PROPOSED PLAN LAYOUTS			
Drawn	MG	Checked	—
Date	SEPT 2025	Scale	A3 1 : 100
Drawing No.	8SSS/303/PL	Rev.	C1



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3



PROPOSED SECTION A-A
1:100 @ A3



Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
8 STEPHEN STREET SOUTH, BURY, BL8 2NT			
Drawing Title			
PROPOSED ELEVATIONS AND SECTION			
Drawn	MG	Checked	—
Date	SEPT 2025	Scale	A3 1 : 100
Drawing No.	8SSS/304/PL	Rev.	

Classification	Item No.
Open	

Meeting:	Planning Control Committee.
Meeting date:	16 December 2025
Title of report:	Article 4 Direction proposal – Houses in Multiple Occupation
Report by:	Chief Planning Officer
Decision Type:	Non Key Decision
Ward(s) to which report relates	Boroughwide

Executive Summary:

This Report seeks authorisation for the making of an immediate Article 4 Direction to give greater planning controls over proposals for change of use from Use Class C3 (dwellinghouse) to Use Class C4 (HMO).

The effect of an Article 4 Direction is that planning permission would be required for conversion from a Use Class C3 (dwellinghouse) to a Use Class C4 (small HMO) if there is a material change of use. This change would not otherwise require planning permission as a result of being classed as permitted development. Proposals for HMOs for 7 or more people already require planning permission and will continue to do so and therefore would be unaffected by this Direction.

Recommendation(s)

That: Planning Control Committee is recommended to:

1. Authorise the making of an immediate direction under Article 4 of the Town and Country (General Permitted Development) (England) Order 2015 to remove the permitted development rights for the change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire Borough of Bury as identified within the Direction.
2. Authorise the Director of Legal and Governance to issue the relevant Direction and Notices to support the immediate Article 4 Direction.

3. To note the content of the Houses in Multiple Occupation report: Background Evidence report, as appended to this report, that has been prepared to support the proposed making of the Direction.
4. Authorise the Executive Director (Place) to consider comments received in relation to the Notice and to confirm the Direction.

1. Key considerations

- 1.1 The effect of introducing an Article 4 Direction would be to remove permitted development rights to convert a Use Class C3 dwellinghouse to a Use Class C4 House in Multiple Occupation for between 3 and 6 occupants. The Article 4 Direction would not prevent the conversion of dwellings to small HMOs but would mean that property owners / landlords proposing to convert a dwelling to a Class C4 HMO would need to apply for planning permission where such development constitutes a material change of use.
- 1.2 The proposal is to introduce an immediate Boroughwide Article 4 Direction. The implication of an immediate Article 4 Direction is that the Council would be liable to claims for compensation. The alternative would be to have a 12 month run in period before the Article would come into effect and this would avoid compensation claims.

2. Background

- 2.1 Houses in Multiple Occupation (HMOs) are properties that are rented out by at least three unrelated individuals who are not from one household (such as a family) but share facilities such as a kitchen or bathroom.
- 2.2 HMOs form part of the Borough's housing supply and contribute to meeting housing needs. They can provide a cost-effective form of accommodation for younger people and those on low incomes. They also provide flexible accommodation for people with short-term housing requirements, and a social environment for those seeking to live with other people. They can be home to young professionals, people on low incomes, students and those on short-term contracts.
- 2.3 HMOs can be purpose-built, but most in the Metropolitan Borough of Bury have been created through the conversion of existing properties that were previously in residential or other uses. Most HMOs in the Borough are well managed and provide decent homes, but poorly managed or poorly located properties and over concentrations of such properties have the potential to lead to issues for both occupants and neighbours.

- 2.4 Under current legislation, dwelling houses (Use Class C3) can be converted to small HMOs with between three and six residents (Class C4) without the need for planning permission. This means that the council, as Local Planning Authority (LPA), has no control over the numbers or locations where these occur. HMOs for three or four occupants also fall below the threshold for mandatory HMO licensing, so the location and accommodation standards of such properties is unknown unless complaints are received by the Council.
- 2.5 Local Planning Authorities have the ability to remove permitted development rights where they can provide evidence to justify such a restriction. This is done through the introduction of an Article 4 Direction. This has been done by an increasing number of neighbouring councils, including Bolton, Rossendale, Blackburn with Darwen, Manchester and Salford in recent times. The effect of introducing an Article 4 Direction is that within the area in which the Direction applies, conversions to small HMOs require full planning permission, where such development constitutes a material change of use.
- 2.6 The number of HMOs in the Borough has been increasing. When an area has a high concentration of HMOs, this can negatively impact the amenity of the area and lead to a lack of available properties for families, couples and individual occupiers. Introducing an Article 4 Direction would help manage the concentration of HMOs and support the delivery of homes that are better regulated and controlled by the planning process, therefore issues such as space standards, amenity, management and quality can be assessed and considered by planning officers.
- 2.7 If an Article 4 Direction is considered appropriate, it can be implemented as an immediate Direction or a non-immediate Direction. The implications of these options are set out below. However, an Article 4 Direction cannot apply retrospectively. It would have no effect on any existing HMOs and would not require landlords of existing HMOs to do anything. They could, however, choose to apply for a Lawful Development Certificate to confirm that the use as an existing HMO is lawful. If the works to create a new HMO are substantially complete by the date the Article 4 Direction comes into effect, these would be accepted as permitted. There would be a number of ways of proving this, including building control applications, tenant rental agreements or a HMO licence (for properties of 5 or more people).

3. HMO evidence base

- 3.1 A separate background evidence document has been prepared and is provided as a background paper alongside this report. Given that planning permission is not currently required for conversion of a dwellinghouse to a small HMOs occupied by up to six residents, and licences are not required for HMOs housing less than five

residents it is not possible to determine the exact number of existing small HMOs and their distribution within the Borough.

- 3.2 In order to establish as good an understanding as possible of the number and distribution of HMOs, data has been collected from various sources, including data on licensed HMOs, knowledge of the Private Rented Sector enforcement team, Council Tax data, planning application data and Local Land and Property Gazetteer data. The evidence shows that there has been a significant increase in the number of new HMOs in recent years.
- 3.3 Small HMOs for fewer than seven people represent 69% of all licensed HMOs, and it is reasonable to assume that if three and four person HMOs (that fall below the threshold for licensing) were included, this proportion would be considerably higher.
- 3.4 In terms of the location of HMOs, whilst there are concentrations in parts of the Borough (particularly around Bury and Radcliffe town centres), HMOs are not restricted to specific areas. The HMO Background Evidence report illustrates a broad spread of HMOs across many parts of the Borough. In those parts of the Borough where concentrations are lower, the importance of ensuring the quality of HMOs, preventing future over concentration, protecting the amenity of neighbours and character of the area remains.

4. Proposal

- 4.1 The proposal is to introduce an immediate Boroughwide Article 4 Direction to remove permitted development rights to convert a Use Class C3 dwellinghouse to a Use Class C4 House in Multiple Occupation for between 3 and 6 occupants. The Article 4 Direction would not prevent the conversion of dwellings to small HMOs but would mean that property owners / landlords proposing to convert a dwelling to a Class C4 HMO would need to apply for planning permission where such development constitutes a material change of use.
- 4.2 It is important to note that proposals that do not amount to a *material* change of use, would remain outside of the local authority's control. There is no statutory definition of 'material change of use', however, it is linked to the significance of a change and the resulting impact on the use of land and buildings. Whether a change of use from a dwelling house to use as a Use Class C4 House in Multiple Occupation amounts to a material change of use is a matter of fact and degree and this will be determined on the individual merits of the particular case.
- 4.3 The key advantage of an immediate Article 4 Direction is that following the making of the Article 4 Direction, new conversions from dwellings to small HMOs would immediately require planning permission, bringing more control over the location

and quality of HMOs in the Borough. The Council is also bringing forward an updated supplementary planning document which, on adoption, would apply to all planning applications for HMOs. Together with the Article 4 Direction this would enable the LPA to ensure that proposals provide a good standard of accommodation for their occupants, as well as seeking to avoid unacceptable impacts on the amenity of neighbours or the character of the area. Bringing forward the Article 4 Direction on an immediate basis would avoid the risk of property owners rushing to bring forward potentially sub-standard HMOs ahead of the requirement for planning permission.

- 4.4 A key risk of introducing an immediate Article 4 Direction is that within the first 12 months after the direction is introduced, property owners may be potentially eligible for compensation if they have planning permission refused for a conversion which would otherwise be permitted development or if conditions are attached to a planning permission which make the conversion more onerous than it would have been were it to have been undertaken under permitted development rights. Claims for compensation would be limited to applications submitted within 12 months of the direction coming into force. The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.
- 4.5 It is unknown how many planning applications will be received and the outcome of these planning applications. It is therefore not possible to accurately quantify the potential liability resulting from this decision. Any claim would divert resources. No budget has been identified to cover the cost of any subsequent potential compensation claims. It is equally to be noted that of the two Local Planning Authorities who introduced immediate Article 4 Directions relating to HMOs more than 12 months ago (Trafford and the London Borough of Merton) Trafford received no compensation claims, and the London Borough of Merton received one compensation claim outside of the claim period.
- 4.6 The Article 4 Direction would also generate planning fees, with a planning fee of £568 currently being payable for a change of use application. For illustration purposes, in the past 12 months 40 new licences have been issued for small HMOs for 5 or 6 people. If 40 change of use applications were submitted, this would amount to planning fee income of £22,720.
- 4.7 Immediate Article 4 Directions have recently been introduced for Bolton, Rossendale and Tameside, and Wigan have given less than 12-months notice for their new direction. At this stage it is too early to tell whether these areas will have to make any compensation payments. Bolton's immediate Article 4 Direction took effect on 13 June 2025, and to date no claims for compensation have been received.

- 4.8 Immediate Directions require evidence that the permitted development presents an immediate threat to local amenity or prejudices the proper planning of an area. This is a higher threshold to cross than the evidence base needed for a non-immediate Direction, where the Council only need prove that the Article 4 Direction is necessary to protect local amenity or the well-being of the area. In view of the continuing growth in the number of HMOs, public concerns about the impact on amenity and local character, and the need to ensure that new HMOs provide suitable living standards for future occupants, the Council considers that there is sufficient evidence to justify an immediate Article 4 Direction.
- 4.9 In accordance with NPPF, any Direction must be based on robust evidence and apply to the smallest geographical area possible. A Boroughwide Article 4 Direction is considered necessary in the interests of protecting against the spread of HMOs beyond those areas where they are currently concentrated. This has been seen in a number of areas, where localised Article 4 Directions have subsequently been broadened to include a wider area / Boroughwide. The risk of introducing the direction Boroughwide rather than in a geographically focused area is that it increases the potential number of compensation claims, as well as the risk of challenge.

5. Procedure

- 5.1 The process of introducing an immediate Article 4 Direction is as follows:
- The Local Planning Authority (Bury Council) makes the Direction and notifies the Secretary of State.
 - The Article 4 Direction is publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website.
 - The Article 4 Direction comes into effect on the date on which the notice is first published or displayed as above.
 - The notice must specify a period of at least 21 days within which any representations concerning the direction may be made to the LPA (which must be considered before formal confirmation).
 - After the representation period has ended and at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State, and within six months of the date on which it comes into force, the Direction needs to be formally confirmed, otherwise it will expire.
- 5.2 The legislation requires notice to be served on the owner and occupier of every part of the land within the area, unless the local planning authority consider that -

(a) individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person or

(b) the number of owners or occupiers within the area to which the direction relates makes individual service impracticable.

- 5.3 It is considered impracticable to serve individual notices on every owner or occupier in the Borough, due to both the difficulty of identifying or locating those people and the number of owners or occupiers.

6. Other alternative options considered

Option 1: Not to authorise the making of an Article 4 Direction

- 6.1 The decision not to authorise the making of an Article 4 Direction would allow conversion of C3 dwellings to C4 HMOs to continue without the need for planning permission. The Council would be unable to restrict the concentration of HMOs or ensure that they meet appropriate standards. HMOs for five or more occupants would continue to be subject to mandatory licensing, and smaller HMOs are duty bound to adhere to the requirements laid out by the Management of Houses in Multiple Occupations (England) Regulations 2006. However, the Council would not be aware of most small HMOs for 3 or 4 occupants unless they receive complaints from either tenants (for example regarding housing standards) or the local community. Concentration of HMOs in certain areas could continue.

Option 2: Non-immediate Boroughwide Article 4 Direction

- 6.2 For non-immediate directions, the Council must publicise the direction as soon as possible and give a period of at least 21 days for representations to be made on the direction. They must also specify the proposed date for bring the Direction into force, which can be up to two years after notice has been given.
- 6.3 A non-immediate Article 4 Direction that gives 12 months' notice before it comes into effect would remove the risk of compensation claims. If less than 12 months' notice is giving, claims for compensation could still be made for whatever remains of the 12-month period.
- 6.4 A non-immediate direction would reduce the risk of challenge on whether the evidence base is sufficient. Immediate Article 4 Directions require evidence that the permitted development presents an immediate threat to local amenity or prejudices the proper planning of an area. This is a higher threshold to cross than the evidence base needed for a non-immediate direction, where the Council only need prove that the Article 4 direction is necessary to protect local amenity or the well-being of the area.

- 6.5 Taking a non-immediate approach means that in the period before the Direction takes effect, property owners could continue to exercise their permitted development rights to change the use of dwellings to small HMOs without the need for planning permission, and may be incentivised to do so at an increased rate ahead of the Direction taking effect. This could have potential negative impacts on local areas and a lack of oversight of housing standards for those that fall below the requirement for a mandatory HMO licence. That is not to say that if an immediate Article 4 Direction was pursued that these properties would not be converted to HMOs, but they would require planning approval, so the Council would be aware of their location and have the ability to assess their impact and ensure appropriate standards are met.

Option 3: Immediate Article 4 Direction for parts of the Borough, non-immediate Article 4 Direction for the rest of the Borough and variations thereof.

- 6.6 Introducing an immediate Article 4 Direction for parts of the Borough and a non-immediate Article 4 Direction for the rest of the Borough would reduce the potential number of properties eligible to make compensation claims. However, it would leave those parts of the Borough where the non-immediate Direction applies vulnerable to the proliferation of new HMOs without any LPA control over their location or standard for a longer period.
- 6.7 A non-immediate Direction for parts of the Borough and no Article 4 Direction in some areas would also leave areas at risk of displacement of new HMO development from areas where the Article 4 Direction applies to other parts of the Borough, without any Local Planning Authority control over locations and standards. An area specific Article 4 Direction could lead to a concentration of HMOs in excluded areas and the Council potentially having to consider a further Article 4 Direction at that time, as opposed to dealing with the matter on a proactive basis and addressing HMO standards and concentrations Boroughwide.

7. Community impact/links with Community Strategy

- 7.1 The Let's Do It Strategy sets out the Council's corporate priorities. This Article 4 Direction will support the Local element of the strategy: Ensuring future proposals for HMOs provide suitable living standards for future occupants and the potential for detrimental impacts on local communities is reduced will help to ensure sustainable communities and support community cohesion.

8. Equality Impact and considerations:

- 8.1 A full Equality Impact Analysis has been completed. The analysis has identified several potential impacts across multiple characteristics however these impacts are

not anticipated to cause disadvantage or detriment directly or indirectly due to a protected characteristic or circumstance but instead drive up accommodation standards for dwellings some characteristics are proportionately more likely to live in.

9. Environmental Impact and Considerations:

9.1 The Article 4 Direction is not expected to give rise to any significant environmental effects.

10. Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
<p>If the Council proceeds with an Article 4(1) Direction without allowing a 12-month lead in period, then there is a risk of compensation claims from property owners and / or developers who have incurred abortive expenditure or losses due to the withdrawal of permitted development rights.</p> <p>The level and nature of compensation is broadly unknown due to the lack of data on current levels of conversion from C3 to C4 through permitted development rights.</p>	<p>The only way to mitigate this risk is for the Council to opt for a non-immediate Article 4 direction with a lead-in time of 12 months before it comes into effect. There is no recourse to compensation after 12 months.</p> <p>However, a non-immediate Article 4 Direction comes with a risk of an acceleration in HMO development ahead of the Article 4 Direction coming into force, with the associated risk that properties may not meet appropriate standards.</p>
<p>There could be other unintended risks related to an Article 4 Direction coming into effect in terms of an increase in the cost of HMO rents or potential reduction in the delivery of HMO properties that are used by groups such as single homeless or low-income people, or by key workers in sectors such as health care.</p>	<p>The effect of the Article 4 Direction is to bring such properties into planning control and ensure they meet appropriate standards, not to prevent their development.</p>
<p>As with any decision of a public body, there is a risk of Judicial Review. A successful Judicial Review challenge would result in the quashing of the decision and a requirement for a new decision to be taken, addressing the</p>	<p>The Council's Monitoring Officer has provided comments below.</p> <p>All legal requirements will be complied with.</p>

Risk / opportunity	Mitigation
grounds on which the initial decision had been found to be unlawful.	
Risk of increase in planning appeals where applications for HMOs are refused.	The Council cannot avoid the risk of planning appeals, however all decisions are made in accordance with adopted planning policies and other material considerations.
Risk of increase in enforcement enquiries regarding new and existing HMOs. Potential for enforcement officers to be diverted from other areas of work.	Planning enforcement enquiries will be investigated in line with the Council's customer charter for planning enforcement.
Reputational risk if residents think that an Article 4 Direction will prevent all HMOs, however it will only remove permitted development rights. Applications for small HMOs may generate significant neighbour concern.	The Article 4 Direction gives the Council a greater degree of control over the development of HMOs, reducing the risk of negative impacts on local communities.

11. Consultation:

- 11.1 The Article 4 Direction will be subject to a statutory representation period for a minimum of 21 days. The Article 4 Direction will be publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website.

12. Legal Implications:

- 12.1 The recommendation in the report is within the legal powers of the Council.
- 12.2 The statutory process in making and bringing into effect the Article 4 Direction will be followed.
- 12.3 It is to be noted that the boroughwide and immediate nature of the proposed Article 4 Direction introduces a right to compensation and although officers are satisfied that the evidence base is sound, it is at least possible that could be subject to legal challenge.
-

13. Financial Implications:

13.1 There is a potential risk with regard to the receipt of compensation claims from purchasers of properties in the 12 months following the Direction. This is limited to directly attributable losses where an application is refused or conditions applied under the Direction, e.g. the abortive costs of preparing plans. This risk is anticipated to be low in regard to both number of claims and their financial value in the 12 month period.

Report Author and Contact Details:

Name: David Marno

Position: Head of Development Management

Email: d.marno@bury.gov.uk

14. Background papers:

Houses in Multiple Occupation Background Evidence – December 2025

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
HMO	House in Multiple Occupation
LPA	Local Planning Authority

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Houses in Multiple Occupation Background evidence

December 2025



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1 Introduction

- 1.1 Houses in Multiple Occupation (HMOs) are properties that are rented out by at least three unrelated individuals who are not from one household (such as a family) but share facilities such as a kitchen or bathroom.
- 1.2 HMOs form part of the Borough's housing supply and contribute to meeting housing needs. They can provide a cost-effective form of accommodation for younger people and those on low incomes. They also provide flexible accommodation for people with short-term housing requirements, and a social environment for those seeking to live with other people. They can be home to young professionals, people on low incomes, students and those on short-term contracts.
- 1.3 HMOs can be purpose-built, but most in Bury have been created through the conversion of existing properties that were in residential or other uses. Most HMOs in Bury are well managed and provide decent homes, but poorly managed or located properties and over concentrations of such properties have the potential to lead to issues for both occupants and neighbours.
- 1.4 This paper provides the evidence base and policy context for the proposed introduction of an Article 4 Direction to remove the permitted development (PD) right which allows the conversion of dwelling houses (Use Class C3) into Houses of Multiple Occupation (HMOs) for up to six residents (Use Class C4) without the need for a planning application¹. An Article 4 Direction would not amount to a ban on the creation of new HMOs, but it would bring them into Local Planning Authority control. Applications for HMOs could only be refused where they are contrary to planning policy or other material planning considerations that would justify their refusal.
- 1.5 The Article 4 Direction would be made under the provision of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposed Article 4 Direction would apply to the whole borough of Bury and would enable the Council to have greater control in managing conversions of dwellings to HMOs.

¹ Planning permission is already required for HMOs for seven or more residents.

2 Policy Context

National policy and legislative context

- 2.1 In 2010 legislation was introduced allowing the conversion of a dwelling house (Use Class C3) into a small HMO (Use Class C4) without the need to apply for planning permission. Use Class C4 covers small shared houses or flats which are occupied by three to six unrelated individuals who share basic amenities. The current legislation is set out in Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.2 Larger HMOs occupied by seven or more individuals are classed as sui generis HMOs and require full planning permission.
- 2.3 Although conversion of a dwelling (C3) to a small HMO (C4) is classed as permitted development, local circumstances may require that this permitted development right be restricted. Local planning authorities have the power to remove specified permitted development rights across a defined area through a direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.4 Although Article 4 Directions introduced by local planning authorities do not require approval from the Secretary of State, the Secretary of State for Housing, Communities and Local Government can intervene to stop Article 4 directives taking effect should they deem it appropriate. Both the type of restriction and the extent of the area the restriction is being applied to must be justified.
- 2.5 The National Planning Policy Framework (NPPF) paragraph 54 advises that Article 4 directions should be limited to situations where the direction is necessary to protect the amenity or local wellbeing of the area, and in all cases be based on robust evidence and applied to the smallest geographical area possible. Article 4 directions should be applied in a measured and targeted way. The potential harm that the Article 4 direction is intended to address needs to be clearly identified, and if applied to large areas (such as the majority of a local planning authority) there needs to be a particularly strong justification. That said, Article 4 Directions relating to HMO development that cover an entire Local Planning Authority Area are not uncommon.
- 2.6 It is important to note that an Article 4 direction would not mean that conversion of C3 to C4 is not allowed – it only means that it cannot be carried out under permitted development and therefore needs a planning application. This gives the local planning authority the opportunity to consider the proposal in more detail.

Exempt Accommodation (Properties that are not considered to be HMOs).

2.7 Within the Town & Country Planning (Use Classes) Order 1987 (as amended), C4 HMOs have the same meaning as that given in Section 254 of the Housing Act 2004. Certain types of shared properties are not categorised as HMOs, according to Schedule 14 of the Housing Act 2004. This includes the following:

- two person flat share: a property or part of a property, lived in by no more than two households each of which consist of just one person;
- a property where the landlord and their household is resident with up to two tenants;
- buildings managed or owned by a public body, such as the police, NHS, Local Housing Authority or Registered Social Landlord;
- where the residential accommodation is ancillary to the principal use of the building, for example; religious establishments or conference centres;
- student halls of residence, where the education establishment has signed up to an Approved Code of Practice;
- buildings controlled or managed by a co-operative society;
- buildings occupied by religious communities;
- buildings regulated otherwise than under the Act, such as children's homes, care homes and bail hostels²
- buildings entirely occupied by freeholders or long leaseholders.

2.8 Any properties falling into the above categories cannot be identified as a HMO and therefore cannot be considered as falling with Use Class C4.

Regional Context

2.9 Other local planning authorities in the immediate vicinity of Bury have already introduced Article 4 directions which restrict permitted development rights for HMO conversions.

Local Authority	Status
Bolton	Immediate Boroughwide Article 4 Direction came into effect on 13 June 2025.
Blackburn with Darwen	Article 4 direction introduced in February 2012 which covered a small number of wards.

² As set out in [Schedule 1 of the Licensing and Management of Houses in Multiple Occupation and Other Houses \(Miscellaneous Provisions\) \(England\) Regulations 2006](#) (as amended).

Local Authority	Status
	<p>In August 2023 an Article 4 direction covering all urban areas of Blackburn and Darwen (excluding only more rural areas of the borough) was introduced.</p> <p>Policy DM06 in the local plan adopted in January 2024 states that proposals for new HMOs will not be permitted in any part of the Borough during the plan period.</p>
Rossendale	Immediate Boroughwide Article 4 Direction made 19 September 2025.
Salford	<p>Non-immediate Article 4 direction covering inner areas came into effect in 2018. From November 2024 a new Article 4 came into effect which covers further areas of the city. There are 3 remaining wards which are not covered by HMO Article 4 Directions.</p> <p>Additional licensing was introduced on 19 July 2021 requiring small HMOs with 3 or 4 tenants to obtain an HMO licence.</p>
Manchester	<p>Non-immediate Article 4 direction which covers the whole city came into force on 8th October 2011. The primary reason for introducing the Article 4 direction was issues caused by student housing. The Article 4 direction covers the whole city in order to prevent HMOs spreading into other areas.</p> <p>Selective licensing applies in some parts of the city which requires landlords of all types of private rented homes to apply for a licence.</p>
Tameside	Immediate Boroughwide Article 4 came into effect on 2 October 2025. Representation period from 2 October – 24 October 2025.
Trafford	Immediate Boroughwide Article 4 direction came into force in December 2017. Primarily implemented to mitigate the potential impacts of students moving into the borough following proposed opening of University Academy 92, avoid overconcentration and ensure student accommodation is of good quality.
Wigan	<p>Introduced two Article 4 directions in 2020 covering small areas in Leigh and Swinley.</p> <p>On 15 July 2025 a Boroughwide non-immediate Article 4 Direction was made removing permitted development rights for changes of use from individual dwellinghouses to small houses in multiple occupation (HMOs).</p> <p>Consultation was held from 22 July to 12 August 2025. The Article 4 Direction was then confirmed on 21 August 2025 and came into force on 31 August 2025.</p> <p>This means from 31 August 2025 all HMOs, regardless of size, will need planning permission in the Borough of Wigan.</p>

Local Authority	Status
Hyndburn	Non-immediate Article 4 Direction for 9 selected wards – will come into effect on 15 March 2026, subject to confirmation by the Council.
Halton	Immediate Article 4 Direction for parts of the Borough brought in with effect from 11 September 2025.
Chorley	Immediate Boroughwide Article 4 Direction took effect from 24 September 2025.
Burnley	Non-immediate area specific Article 4 Direction came into effect 14 October 2024.

- 2.10 Rochdale, Oldham and Stockport do not currently have Article 4 directions which restrict conversions from dwellings (C3) to HMOs (C4), however on 22 September 2025 Oldham Council resolved to introduce a boroughwide non-immediate Article 4 Direction, which will come into effect on 1 January 2026 or such other later date as considered appropriate.

Local Policy Context

- 2.11 There are not currently any parts of the Borough covered by an Article 4 Direction relating to HMOs.
- 2.12 UDP Policy H2/4 – Conversions relates to the conversion of buildings to into two or more self-contained units, or the conversion of a building into an HMO.
- 2.13 Bury SPD13 – Conversion of buildings to houses in multiple occupation relates to HMOs, however it was adopted in May 2007 and is currently in the process of being updated.
- 2.14 The Draft Bury Local Plan (March 2025) Policy LP-H11 sets out proposed requirements for applications for HMOs, seeking to avoid over-concentrations of such uses, ensure they do not have an unacceptable impact on the local area, and provide suitable living standards for future occupants.
- 2.15 It is important to note that an Article 4 Direction will not stop the conversion of dwellings into small HMOs. It will simply mean that such conversions would require a full planning application, which will need to be determined in accordance with adopted planning policies and other material considerations. The updated HMO SPD and future local plan policies will help to ensure that applications for new HMOs meet certain standards.

HMO Licensing

- 2.16 Mandatory Licensing of HMOs was introduced under the 2004 Housing Act. HMOs which need to have a licence are those where there are five or more tenants, forming two or more households, which use shared facilities such as toilets, bathrooms, kitchens and so on. Under HMO licensing legislation, a lack of planning permission is not a relevant factor when making a decision on whether to grant or refuse an HMO licence. Conversely, having planning permission in place (or not requiring it) does not mean a premises is licensed to operate an HMO and this may need to be applied for separately.
- 2.17 Unlicensed HMOs relate to those smaller HMOs of 3 or 4 unrelated people, or where there is an exemption to licensing under Schedule 14 of the Housing Act 2004. Exemptions include properties owned or managed by a public body (such as the NHS or police), a local housing authority or a registered social landlord; student accommodation managed directly by an educational establishment; and buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes and bail hostels.
- 2.18 Although smaller HMOs do not require a licence, they are duty bound to adhere to the requirements laid out by the Management of Houses in Multiple Occupations (England) Regulations 2006. These regulations stipulate management arrangements for all HMO's and where those in control of the HMO are found to be failing to meet their duty/ies, the Council has powers to issue civil penalty notices up to £30,000 per offence.
- 2.19 Under Part 2 of the 2004 Housing Act, local authorities are able to introduce an 'Additional HMO licensing scheme' which requires owners of all smaller HMOs (3 or 4 people) within the designated area to be licensed as HMO by the authority, just like the larger (5 or more people) mandatory HMO licensed properties. To justify having an additional licensing scheme, the council must be satisfied that a significant proportion of 3 and 4 person HMOs across the Borough are being managed sufficiently ineffectively as to give rise, or to be likely to give rise to one or more particular problems either for those occupying the HMOs or members of the public.
- 2.20 The use of additional licensing must be consistent with the Council's housing strategy and should be co-ordinated with the local authority's approach on homelessness, empty properties and antisocial behaviour. Although fees would be payable for licences, there would be significant cost to the local authority in setting up such a scheme.
- 2.21 Local authorities also have the power to introduce 'selective licensing' of privately rented homes in order to tackle problems in their areas, or any part or parts of them, caused by:

- low housing demand (or is likely to become such an area);
- a significant and persistent problem caused by anti-social behaviour;
- poor housing conditions;
- high levels of migration;
- high level of deprivation; or
- high levels of crime.

2.22 Subject to certain exemptions, selective licensing would require all private landlords in a designated area to have a licence from the local housing authority to rent out a privately-rented property (unless the property is a House in Multiple Occupation to which mandatory or additional licensing already applies). Properties let by registered social landlords or managed directly by an educational establishment would be exempt. Selective licensing can only be introduced in a limited range of circumstances, and in conjunction with other measures to help address the problems.

2.23 As a landlord, failure to obtain the necessary licences can lead to severe consequences:

- fines up to £30,000 through a Civil Penalty Notice (CPN), or prosecution, which could result in an unlimited fine;
- The Council may apply for a banning order, preventing rogue landlords from letting residential properties;
- tenants could claim up to 12 months' rent back through a Rent Repayment Order (RRO).

2.24 It is important to note that HMO licensing (be that mandatory, additional or selective licensing) can only consider whether the individual property meets prescribed standards and it is suitably managed – it cannot be used to address issues such as a concentration of HMOs resulting in changes to the character of an area.

3 Evidence and Justification

- 3.1 As set out in National Planning Practice Guidance, Article 4 Directions restricting permitted development rights must be justified by evidence, and applied to the smallest geographical area possible. In view of this guidance, quantitative and qualitative data from various sources have been analysed to allow the Council to determine whether an Article 4 Direction is justified, and for which geographical area.

Locations and numbers of HMOs

- 3.2 Given that planning permission is not currently required for small HMOs occupied by up to six residents, and licences are not required for HMOs housing less than five residents it is not possible to determine the exact number of existing small HMOs and their distribution within the Borough.
- 3.3 In order to establish as good an understanding as possible of the number and distribution of HMOs, data has been collected from various sources, including data on licensed HMOs, reports to the Private Rented Sector enforcement team, Council Tax data, planning application data, and Local Land and Property Gazetteer data. There is some overlap between the sources of data, so summing each source will not equate to the total number of HMOs.

Licensed HMOs

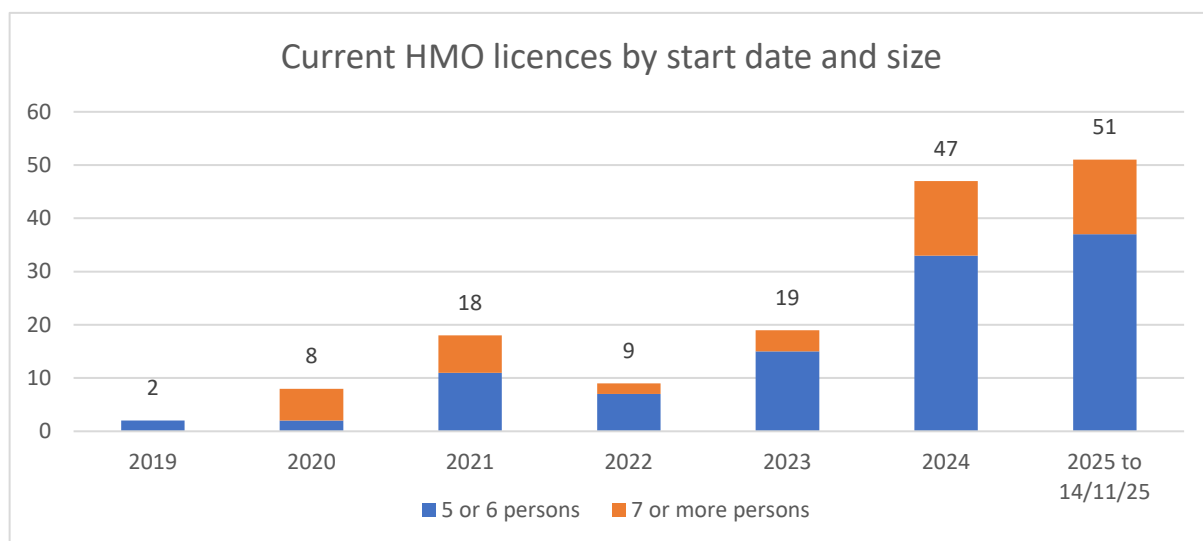
- 3.4 There are currently (as of 14/11/2025) 154 licensed HMOs in the Borough as set out in Table 1 below. These licensed HMOs have the ability to accommodate a total of 978 households / 981 people.

Table 1: Current HMO licences by start year and size

Licence start year	5 or 6 people	7 or more people	Total	Cumulative total
2019	2	0	2	2
2020	2	6	8	10
2021	11	7	18	28
2022	7	2	9	37
2023	15	4	19	56
2024	33	14	47	103
2025 to 17/11/25	37	14	51	154
TOTAL	107	47	154	

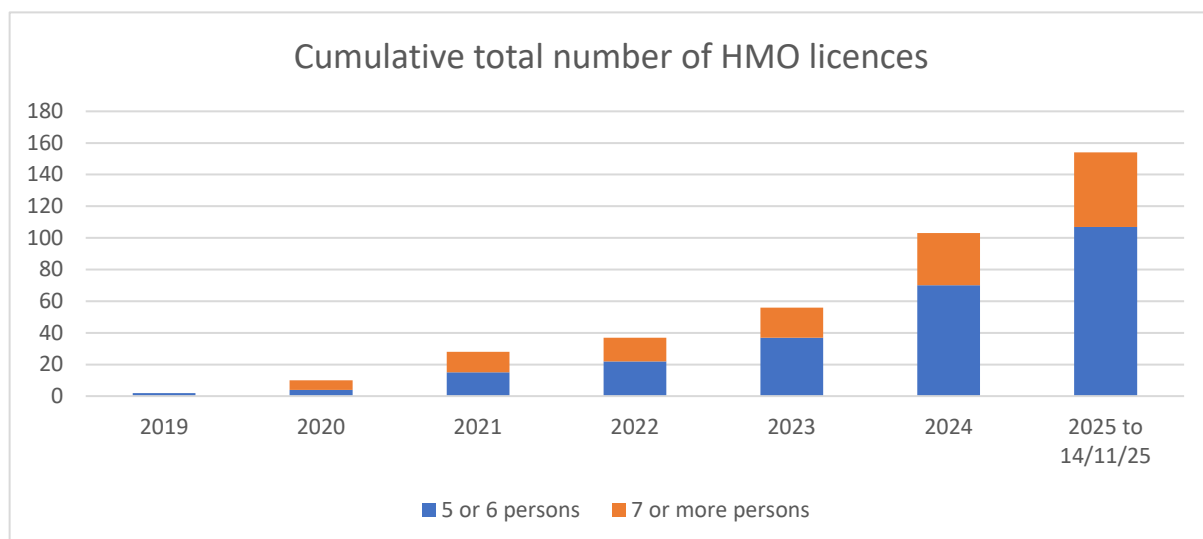
3.5 Figure 1 illustrates the increase in the number of licensed HMOs in recent years.

Figure 1: Licensed HMOs by licence start date³



3.6 Figure 1 illustrates the continuing growth in the number of HMO licences issued annually, including those for 5 or 6 people. 69% of currently licensed HMOs are for 5 or 6 people and therefore fall below the threshold for requiring planning permission for change of use from C3 to C4. It is important to remember that HMOs for three or four people do not require a licence so will not be included in these figures.

Figure 2: Cumulative total number of HMO licences



³ 2025 figures are for the year to 14/11/2025. The figures include renewals of existing licences as well as new HMO licences.

- 3.7 A further 73 HMOs have been identified by the Council's Private Rented Sector enforcement team. These are likely to be small HMOs and properties that are otherwise exempt from licensing requirements. The team's view is that this will only represent a small proportion of all unlicensed HMOs. Potential additional properties have been identified from housing benefit data, however further investigation is required to confirm whether these are HMOs, so they are not included in the mapping or total numbers.

Council Tax Data

- 3.8 For Council Tax purposes from 1 December 2023 all HMOs are valued as a single property, and legal liability for paying the bill rests with the owner of the HMO.
- 3.9 As of May 2025, a total of 162 HMOs were identified on the Council Tax register. Of these, 102 were licensed HMOs and 60 were not licensed (these are included within the number of unlicensed HMOs known to the Private Rented Sector enforcement team).

Planning application and planning enforcement data

- 3.10 Applications relating to HMOs are typically submitted as full applications or a request for a lawful development certificate. A Lawful Development Certificate (LDC) is a legal document issued by the Council that confirms that an existing or proposed use (or proposed building work) is lawful under current planning legislation (and therefore does not require full planning permission). It is important to note that the conversion of a dwelling to an HMO for six people or fewer would not currently require a full planning application, so would not be included in the table below unless an LDC application had been approved. Conversions from other non-C3 uses to an HMO for six people or fewer would require planning permission so will be included.
- 3.11 The table below illustrates the increase in HMO applications in recent years, following a fall around the time of the Covid pandemic. Since 2015 a total of 76 HMO approvals and lawful development certificates have been granted – this includes applications to increase the number capacity of existing HMOs, as well as some alternative permissions on previously approved sites.

Table 2: HMO Planning and LDC applications

Year	Full Applications approved	Appeal allowed	Lawful development	Total approvals	Application withdrawn	Application Refused	Total HMO applications
2015	1	0	0	1	1	0	2
2016	2	0	1	3	0	1	4
2017	1	0	1	2	0	2	4
2018	10	0	0	10	0	1	11

Year	Full Applications approved	Appeal allowed	Lawful development	Total approvals	Application withdrawn	Application Refused	Total HMO applications
2019	11	0	0	11	0	1	12
2020	3	0	2	5	0	0	5
2021	1	0	1	2	0	2	4
2022	3	0	1	4	1	0	5
2023	6	0	1	7	2	6	15
2024	8	1	3	12	1	9	22
2025 (to 17/11/2025)	13	0	6	19	1	5	25
TOTAL	59	1	16	76	6	27	109

Figure 3: HMO applications

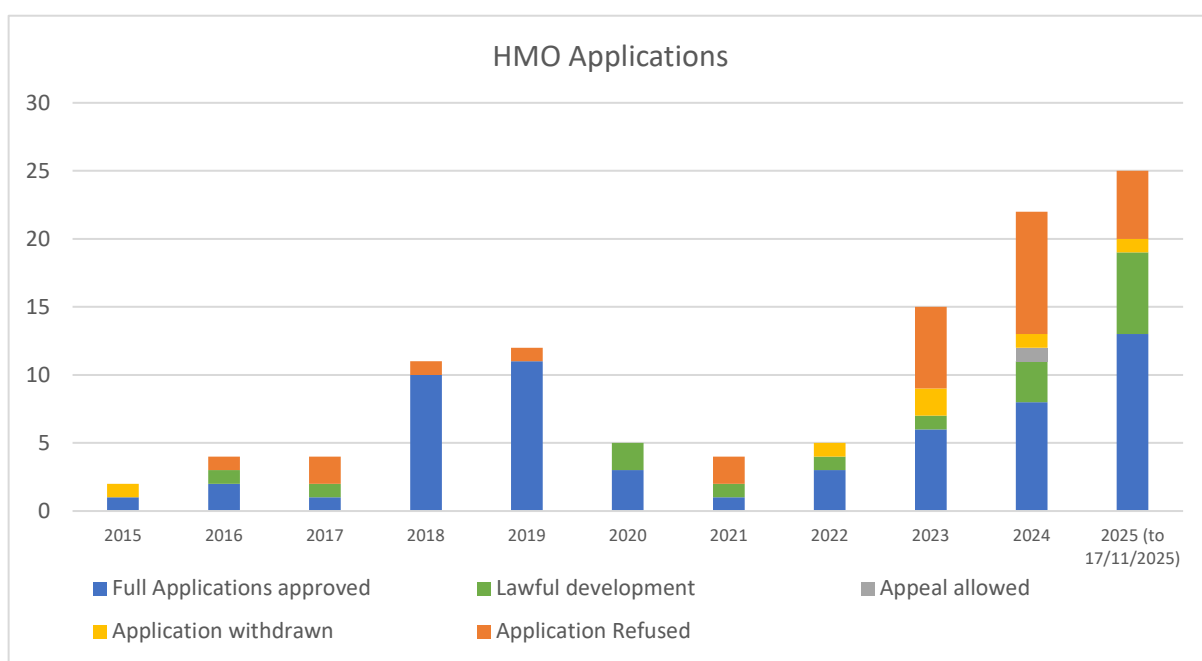
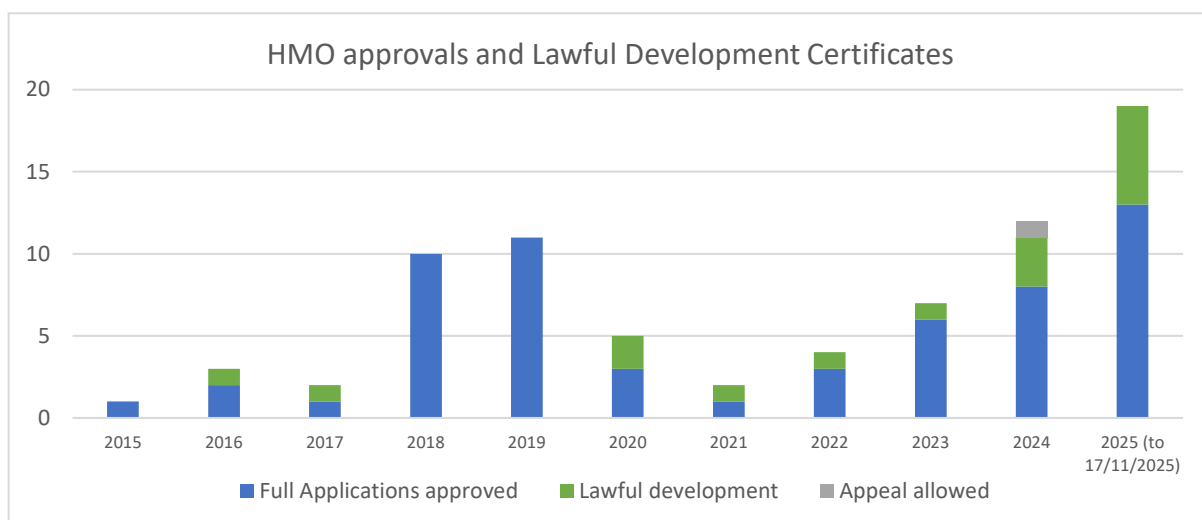


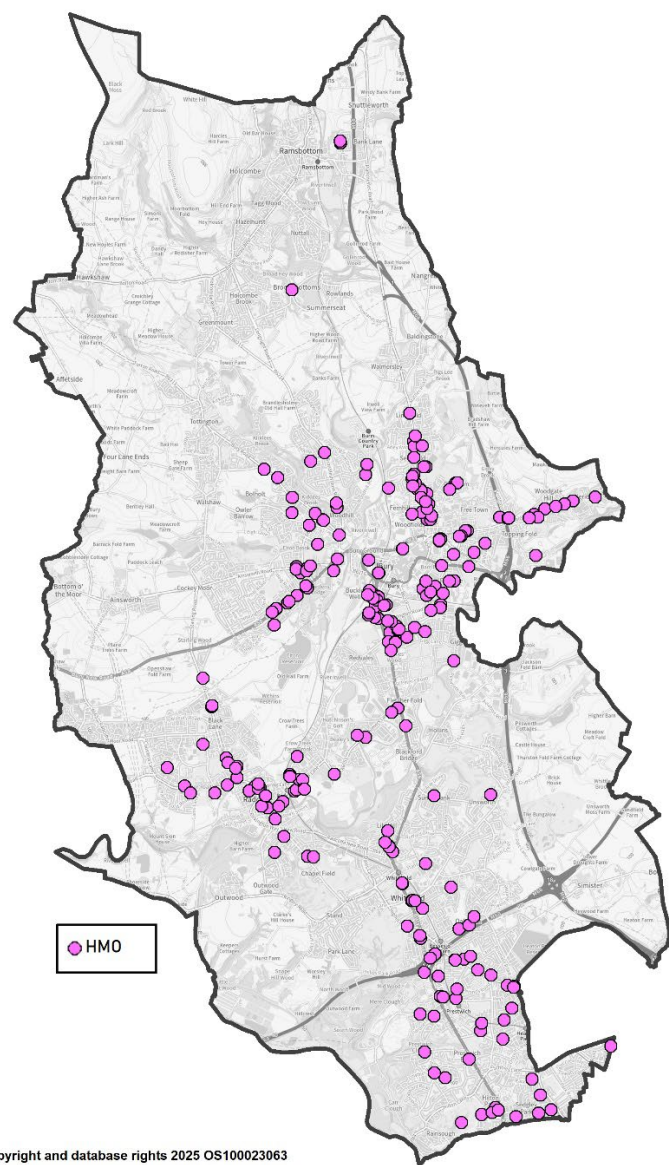
Figure 4: HMO approvals and LDCs



HMO Locations

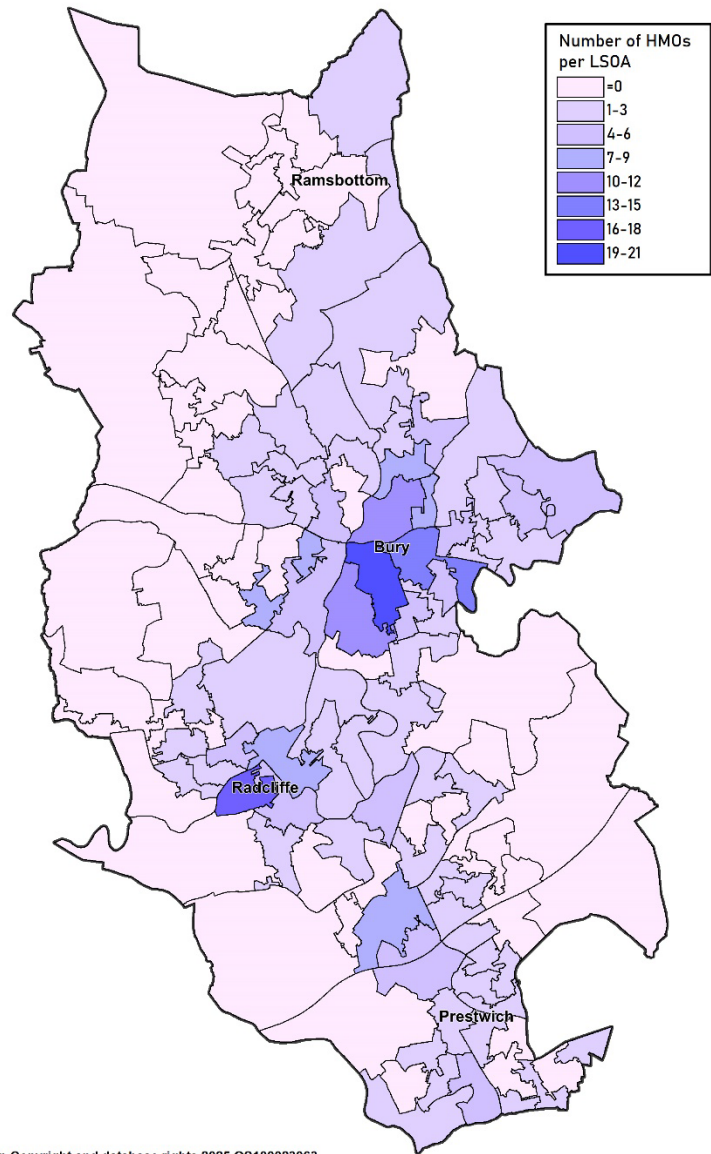
- 3.12 A total of 274 individual HMOs have been identified from the data sources above and are plotted on Figure 5 below. It is important to note that this will not represent a complete picture of all HMOs, given the limited data particularly for small three or four person HMOs. Figure 6 illustrates the number of known HMOs in each lower super output area.

Figure 5: Location of known HMOs



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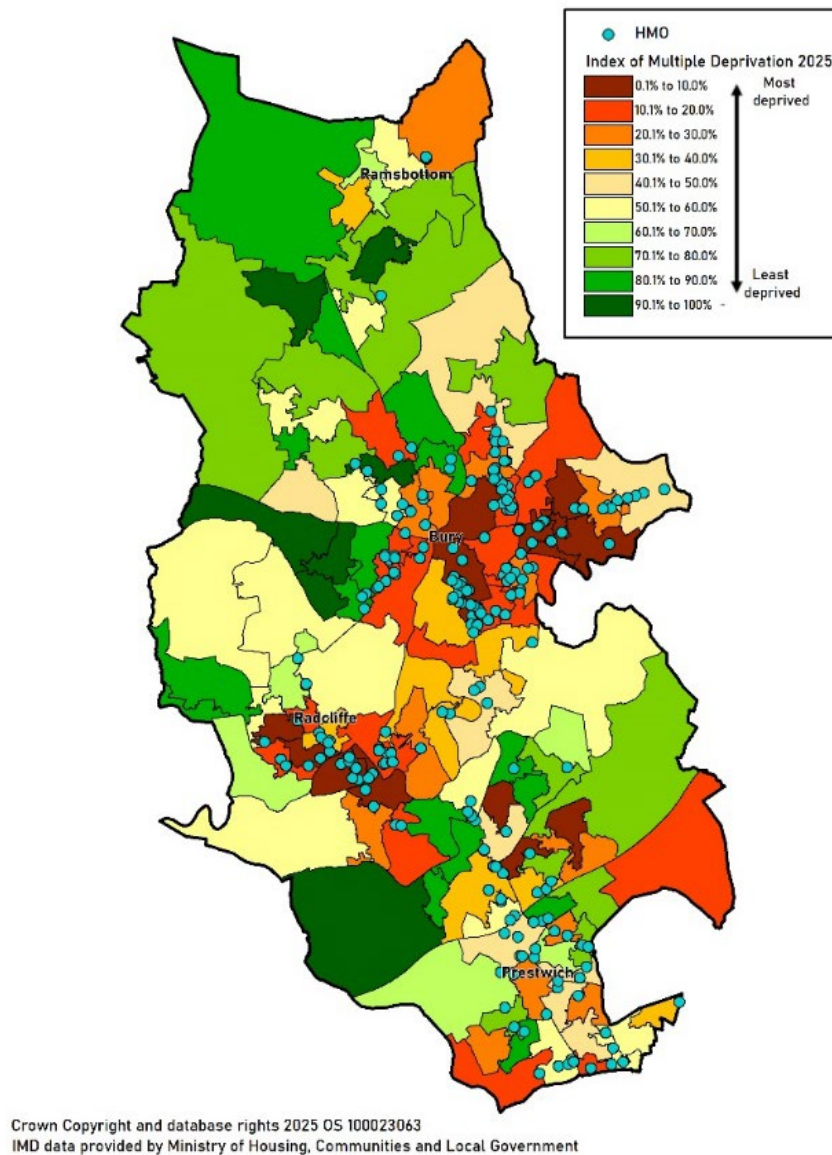
Figure 6: Number of known HMOs per LSOA



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- 3.13 Figure 7 shows the Index of Multiple Deprivation 2025. Whilst there are concentrations of HMOs in deprived areas, they are not restricted to these areas.

Figure 7: Index of Multiple Deprivation 2025



Other data sources

Census data

- 3.14 The 2021 Census provides data on the number of dwellings that are houses in multiple occupation. The Census definition of an HMO is a dwelling where unrelated tenants rent their home from a private landlord and at least three unrelated individuals live there, forming more than one household and sharing toilet, bathroom or kitchen facilities with other tenants. The Census defines a small HMO as shared by 3 or 4 unrelated tenants, and a large HMO as shared

by 5 or more unrelated tenants (so is not consistent with Planning definitions). Census data for HMOs is not available below local authority level.

- 3.15 Although the 2021 Census data will not reflect the more recent increase in the number of HMOs, it does provide comparable data with other local authorities, regionally and nationally. However, investigations by Bolton Council found Census data to be a significant under-estimate of the current number of HMOs in the area, with their 2025 investigations identifying 720 HMOs. Similarly, 2022 research by Blackburn with Darwen Council identified a total of 390 HMOs (compared to the 2021 Census total of 29).

Table 3: 2021 Census data on the number of HMOs

Area	Small HMOs	Large HMOs	Total HMOs	% of total dwelling stock
Bolton	88	29	117	0.09%
Bury	75	14	89	0.11%
Manchester	3,739	1,789	5,528	2.37%
Oldham	83	5	88	0.09%
Rochdale	33	8	41	0.04%
Salford	1,137	273	1,410	1.13%
Stockport	129	15	144	0.11%
Tameside	68	11	79	0.08%
Trafford	167	27	194	0.19%
Wigan	94	13	107	0.07%
GM total	5,613	2,184	7,797	0.62%
Blackburn with Darwen	25	4	29	0.05%
Rossendale	15	2	17	0.05%
North West	10,653	4,717	15,370	0.46%
England	130,733	44,928	175,661	0.70%

- 3.16 The private rented sector (PRS) has experienced significant national growth in recent years, becoming the second-largest tenure in England and accommodating 19% of all households. Bury reflects this national trend; within the borough, the PRS is also the second-largest tenure, accounting for 17% of households, second only to owner-occupiers who dominate at 67%. Analysis of census data from 2011 and 2021 shows a 32% increase in the size of the sector in Bury over 10 years, rising from 10,774 properties to 14,249. In reality, in 2025, it is reasonable to assume that the actual figure is even higher.

HMOs provided and managed by Government Partnership

- 3.17 It is understood that certain Government partnerships acquire properties within the Borough to provide temporary accommodation. Whilst we are unable to access data on all such arrangements, we are aware that as of September 2025 one such provider had contracted 41 HMOs in Bury with less than 5 service users.

Lettings data

- 3.18 A search of rooms to rent on www.openrent.co.uk provides a snapshot of available HMO properties. The search revealed that of 18 properties with advertised rooms available on 24/09/2025, only one had more than 6 bedrooms. Of 18 with advertised rooms available on 18/11/2025, four had more than six bedrooms. In most cases the total number of occupants of the property was not provided, but the majority of rooms were for single occupiers and are therefore likely to fall below the current large HMO threshold for requiring planning permission.
- 3.19 Details of properties are provided in Appendix 2.
- 3.20 The website [HMO Sales](#) suggests that 70% of HMOs have six bedrooms or fewer, and there are around 13,500 licensed HMOs in Greater Manchester. The website notes that peripheral areas are seeing rising demand from HMO investors due to Article 4 restrictions in central zones.

Housing Need and Demand

- 3.21 The 2025 Housing Need and Demand Assessment provides the latest available evidence of housing needs across the Borough. The HNDA does not specifically identify the need for HMOs. It does, however, identify that in terms of bedroom numbers, the lowest level of need is for 1-bedroom properties (10-15%). The greatest needs are for 3-bed properties (35-40%), followed by 2-bed (30-35%) and 4+ bed (15-20%). Overall, the HNDA identifies a need for 50-60% of new properties to be built in the Borough to be three or four+ bedroom properties, illustrating the strong need for family housing. For market housing specifically (which HMOs would be classed as), the HNDA indicates a need for only 2-5% 1-bedroom properties, compared to 30-35% 2-bed, 35-40% 3-bed and 20-25% 4-bed.
- 3.22 Across Bury, the proportion of households renting increased from 8.5% in 2001 to 17.8% in 2021 (ONS Census data), illustrating the importance of the rental sector in meeting housing need.
- 3.23 The HNDA considers the comparative cost of renting different types of properties in the Bolton and Bury broad market area (BRMA) and the Central

Greater Manchester BRMA⁴ compared to the Local Housing Allowance rate that can be claimed by eligible households for assistance with rental costs.

Table 4: Broad rental market area LHA rates (April 2024) - Bolton and Bury BRMA

No. of bedrooms	Monthly LHA rate	2024 lower quartile (LQ) rent – Bolton and Bury BRMA	Variance between LQ rent and LHA
Shared accommodation	£341	£650	-£309
1 bedroom	£474	£598	-£124
2 bedroom	£573	£802	-£229
3 bedroom	£698	£997	-£299
4 bedroom	£947	£1,311	-£364

Table 5: Broad rental market area LHA rates (April 2024) - Central Greater Manchester BRMA

No. of bedrooms	Monthly LHA rate	2024 lower quartile rent – Central Greater Manchester BRMA	Variance between LQ rent and LHA
Shared accommodation	£410	£849	-£439
1 bedroom	£773	£724	£49
2 bedroom	£873	£901	-£28
3 bedroom	£947	£1,192	-£245
4 bedroom	£1,346	£1,599	-£253

- 3.24 The tables show that shared accommodation (such as HMOs) are not necessarily providing an affordable form of accommodation for those in need. This is also illustrated by the advertised rents for the properties listed in Appendix 2. Market rented HMOs would not fall within the NPPF definition of affordable housing.

Amenity, crime and anti-social behaviour

- 3.25 With regard to matters of amenity, it is unlikely that small scale HMOs, on an individual basis, would lead to detriment to the surrounding area. Indeed, there are existing HMOs in the Borough which have no adverse impact on their surroundings. However, a concentration or concentrations of properties in HMO use by between three and six unrelated individuals has the potential to result in undue disturbance to residents of neighbouring and nearby dwellings. In particular, this could be through increased noise levels, an increased number of comings and goings and general disturbance caused by

⁴ Broad Rental Market Areas are used to set Local Housing Allowance (LHA) rates. The Borough of Bury is located within both the Bolton and Bury BRMA and the Central Greater Manchester BRMA.

patterns of use which are more intensive than could normally be expected at a C3 dwellinghouse.

Accommodation Standards

- 3.26 The Council has very limited data on the location and quality of smaller HMOs with three or four occupants that fall below the mandatory licence requirements. The Council has no means of proactively ensuring that such properties are providing a safe and suitable environment for their occupants and may only become aware of them when complaints are received. Existing occupants may be less likely to report poor conditions if they only intend to stay for a relatively short period.
- 3.27 Whilst many HMOs are providing a high standard of accommodation, when inspecting unlicensed HMOs, the PRS enforcement team have found issues relating to layout and fire risk, possible overcrowding and provision of insufficient bathroom and kitchen facilities for the number of occupiers. Whilst it will not address standards in existing HMOs, requiring planning applications for proposals for conversion from C3 to C4 where such development constitutes a material change of use will help to ensure standards are met in new C4 HMOs.
- 3.28 Examples from elsewhere also suggest that HMOs are not always meeting appropriate standards. For example, Rochdale Council introduced additional licensing for three and four person HMOs in October 2024 after finding that a significant number of smaller HMOs fell seriously short of fire safety requirements, were overcrowded or lacked suitable management arrangements.
- 3.29 The Article 4 direction will have the direct impact of bringing proposals for small HMOs into planning control where there is a material change of use. This will allow for better regulation and monitoring.

Conclusion

- 3.30 There is a need to appropriately manage the delivery of small HMOs to ensure the provision of good quality accommodation and to minimise and potential adverse effects on local communities.
- 3.31 The change of use of a large number of dwellinghouses to C4 HMOs would have a significant impact on the supply of family homes in the Borough. The loss of existing C3 dwellinghouses to C4 HMOs would reduce the supply of the house types that the Housing Need and Demand Assessment suggests are in greatest need, and would be detrimental to meeting identified housing needs.

- 3.32 The evidence demonstrates a recent increase in the number of HMOs in the Borough, and in view of the number of surrounding districts where Article 4 Directions have already been introduced there is a prospect of numbers increasing further if landlord demand is displaced.
- 3.33 A Boroughwide Article 4 Direction is considered necessary in the interests of guarding against new concentrations of HMOs beyond those areas where they are currently most heavily concentrated. This has been seen in a number of areas, where localised Article 4 Directions have subsequently been broadened to include a wider area / Boroughwide. An immediate Boroughwide Article 4 Direction would enable the Council to proactively manage HMO standards and concentrations, rather than waiting for issues to arise.

4 Process of Making an Article 4 Direction

- 4.1 Where it considers it necessary, a local planning authority can make a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (known as an Article 4 direction) to override the national granting of permission from permitted development rights.
- 4.2 An Article 4 Direction is a planning tool that can be adopted for all or part of an area by a local planning authority to remove specific permitted development rights for a particular type of development. This would mean that in future, planning permission would be required from the local planning authority for this specific type of development.
- 4.3 Article 4 Directions can only be used in exceptional circumstances where it is considered necessary to protect the local amenity and wellbeing of an area, and there is a legal process that needs to be undertaken to introduce them.
- 4.4 The introduction of an Article 4 Direction does not mean that the proposed development would not be able to take place or would automatically be refused. However, it does provide the local planning authority with an opportunity to apply its local plan policies to determining whether the development is acceptable and should be granted permission.

Immediate and non-immediate directions

- 4.5 There are two types of directions under the General Permitted Development Order: non-immediate directions and directions with immediate effect.

Non-Immediate Directions

- 4.6 A 'non immediate' Article 4 Direction means that permitted development rights would only be removed upon confirmation of the direction by the local planning authority following local consultation. This would take place at least 28 days and at most 2 years after notice of the direction is served. A non-immediate Article 4 Direction would enable consultation comments to be considered prior to confirming the direction.
- 4.7 If a non-immediate article 4 direction is made and 12-months' notice is given from the time the Article 4 Direction is made to the time it comes into effect, then liability for compensation is avoided (see below for further details of compensation). A non-immediate direction could also be made giving less than 12-months' notice, but would still leave the Council open to compensation claims for the remainder of the 12-month period.

Immediate Article 4 Direction

- 4.8 An immediate direction can withdraw permitted development rights straight away; however it must be confirmed by the local planning authority within 6 months of coming into effect to remain in force. Confirmation occurs after the local planning authority has carried out a local consultation. The Local Planning Authority will take account of comments made before deciding whether to confirm the Direction (but cannot make changes to the direction in response to comments).
- 4.9 The circumstances in which an immediate direction can restrict HMO development are limited - development must present an immediate threat to local amenity or prejudice the proper planning of an area.
- 4.10 If a local planning authority makes an Article 4 direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:
- Refuses planning permission for development which would otherwise have been permitted development; or
 - Grants planning permission subject to more limiting conditions than the General Permitted Development Order.
- 4.11 Claims for compensation would be limited to applications submitted within 12 months of the direction coming into force. The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. Compensation provisions are set out in [sections 107 and 108 of the Town and Country Planning Act 1990](#) and the [Town and Country Planning \(Compensation\) \(England\) Regulations 2015](#) (as amended).
- 4.12 Immediate Article 4 Directions have recently been introduced for Bolton, Rossendale and Tameside, and Wigan have given less than 12-months notice

for their new direction. At this stage it is too early to tell whether these areas will have to make any compensation payments.

Boroughwide or area-specific Article 4 Directions

- 4.13 Article 4 Directions can be introduced to cover specific areas, or if appropriate, as a Boroughwide direction. Boroughwide Article 4 Directions for HMOs are not uncommon, for example they are in place in Wigan, Bolton, Manchester, Trafford, Rossendale and Tameside.
- 4.14 Evidence from other districts shows that when an Article 4 Direction is introduced in a smaller area that this displaces demand and moves the focus of potential issues to other areas of a borough. For instance, in 2024 Salford expanded its Article 4 Direction to cover a much wider area, recognising the displaced demand that had subsequently arisen following the original direction that came into force in more limited parts of Salford in 2018. In 2023 Blackburn introduced a new Direction to cover all urban areas of the Borough, having first introduced restrictions in limited parts of the Borough in 2013. Wigan introduced an Article 4 Direction in January 2020 for Swinley and central Leigh, but in July 2025 it authorised the making of a Boroughwide direction citing growth in HMOs across all but five wards and overspilling in areas surrounding the original direction.

Notice and representation procedures

- 4.15 An Article 4 Direction must be subject to a statutory representation period for a minimum of 21 days. The Article 4 Direction would need to be publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website. The LPA must also send a copy of the direction, notice and map of the area to which it relates to the Secretary of State.
- 4.16 The legislation requires notice to be served on the owner and occupier of every part of the land within the area, unless the local planning authority consider that -
- (a) individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person or
 - (b) the number of owners or occupiers within the area to which the direction relates makes individual service impracticable.
- 4.17 It is considered impracticable to serve individual notices on every owner or occupier in the Borough, due to both the difficulty of identifying or locating those people and the number of owners or occupiers.

- 4.18 In the case of an immediate Article 4 Direction, after the representation period has ended and at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State, the Direction needs to be formally confirmed within six months of the date on which it comes into force otherwise it will expire. Any representation submitted must be considered before formal confirmation.
- 4.19 For non-immediate directions, the Council must publicise the direction as soon as possible and give a period of at least 21 days for representations to be made on the direction. They must also specify the proposed date for bring the Direction into force, which can be up to two years after notice has been given. In order for the non-immediate Article 4 Direction to come into effect on the date specified in the notice, it must be confirmed by the LPA, taking into account any representations received during the specified period. The notice cannot be confirmed until at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State
- 4.20 For both immediate and non-immediate Article 4 Directions, as soon as practicable after a direction has been confirmed the local planning authority must give notice of confirmation (via press notice, site notices in at least two locations and on the Council's website); and send a copy of the direction as confirmed to the Secretary of State.

Appendix 1: Table of HMO planning applications (2015-2025)

Decision: WDN = withdrawn; AC = approved with conditions; A = approved; LD = lawful development; R = refused.

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
59180	1 Glenmere Close, Prestwich, Manchester, M25 3BH	Single storey side extension to link existing garage with main house to increase existing 6 bed HMO to 8 bed HMO; New roof to garage and creation of 2 no. new car parking spaces and 6 no. new bicycle storage spaces	WDN	04/11/2015	1	8	8	0	2	2
59333	2 Cook Street, Bury, BL9 0RP	Change of use of second floor from offices to residential (HMO)	AC	20/11/2015	1	4		1	4	
59951	1 Glenmere Close, Prestwich, Manchester, M25 3BH	Change of use from 6 bed HMO to 8 bed HMO with creation of additional car parking space and 6 no. cycle spaces	AC	26/10/2016	1	8	8	0	2	8
60490	132 Walmersley Road, Bury, BL9 6DX	Change of use from social club (Sui Generis) to 8 bed HMO (Class C4 - House in Multiple Occupation)	R	03/11/2016	1	8		1	8	
60643	414 Bury Old Road, Prestwich, Manchester, M25 1PZ	Lawful Development Certificate for the existing use of 414 Bury Old Road, Prestwich as a house in multiple occupation (HMO) (Class C4)	LD	09/11/2016	1			1		

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
60654	Laburnum House, 1- 3 Wells Street, Bury, BL9 0TU	Change of use of existing nursing/care home (Class C2) to an 11 bedroom house in multiple occupation (HMO) (Sui Generis)	AC	21/12/2016	1	11	11	1	11	11
61596	79 Bury New Road, Whitefield, Manchester, M45 7EG	Conversion and extensions to existing dwelling house to form 8 bed House in Multiple Occupation (HMO)	R	28/07/2017	1	8	8	1	8	8
61785	146 Chesham Road, Bury, BL9 6EL	Lawful development certificate for proposed change of use from dwellinghouse (Class C3) to 5 bed House of Multiple Occupancy (Class C4)	LD	07/09/2017	1	5		1	5	
61850	29 Knowsley Street, Bury, BL9 0ST	Change of use from community centre/radio station (Class D2) to 9 bed house of multiple occupation (HMO) (Sui Generis)	AC	25/10/2017	1	9	9	1	9	9
61924	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use from shop and residential accommodation to 8 bed roomed HMO (Sui Generis) together with external alterations	R	02/11/2017	1	8		1	8	
62218	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use of ground floor/rear, first and second floors to 6 person House in Multiple Occupation (HMO) (Sui Generis); New shop front and window and new doorway to rear; Bin store at rear.	AC	22/01/2018	1	6	6	1	6	6
62596	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use of ground floor/rear, first and second floors to 7 person House in Multiple Occupation (HMO) (Sui Generis); New shop front and window and new doorway to rear; Bin store at rear	AC	20/04/2018	1	7	7	1	7	7

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
62615	1 Inman Street, Bury, BL9 0TP	Change of use from single dwelling to 6 bed House of Multiple Occupation (HMO) with conversion of garage at rear to living accommodation and erection of pitched roof	AC	23/05/2018	1	6	6	1	6	6
62632	506 Bury New Road, Prestwich, Manchester, M25 3AN	Change of use from a B1 Office to an 8 Bed House in Multiple Occupation including installation of lightwell to front garden as escape route to basement and two storey extension at rear	AC	23/05/2018	1	8		1	8	
62634	4 Glebelands Road, Prestwich, Manchester, M25 1NE	Change of use from residential care home (C2) to 11 bed house of multiple occupation	AC	23/05/2018	1	11		1	11	
62660	46 Manchester Road, Bury, BL9 0SX	Certificate of lawfulness for proposed use from existing C4 (HMO) to C4 (Large HMO) for 7 persons.	R	23/05/2018	1	7	7	1	7	7
62850	506 Bury New Road, Prestwich, Manchester, M25 3AN	Change of use from office (Class B1) to 9 bed House in Multiple Occupation (HMO) (Sui Generis), installation of lightwell to front garden as escape route to basement and two storey extension at rear	AC	09/08/2018	1	9	9	1	9	9
62888	46 Manchester Road, Bury, BL9 0SX	Change of use from a six person house in Multiple Occupation (HMO) (Class C4) to a seven person house in Multiple Occupation (HMO)	A	19/07/2018	1	7	7	0	7	1
63191	4 Glebelands Road, Prestwich, Manchester, M25 1NE	Change of use from House of Multiple Occupation (Class C4) to a nursery (Class D1 non-residential Institution); External alterations for vehicular access to a rear car park and drop off area;	AC	14/11/2018	-1			-1		

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		Resurfacing of car park and landscaping to gardens								
63286	96 Manchester Road, Bury, BL9 0TH	Change of use of single dwellinghouse (C3) to an 8 bed HMO (sui generis) with external alterations	AC	08/11/2018	1	8		1	8	
63312	35 Heywood Street, Bury, BL9 7EB	Change of use from residential (Class C3) to 7 bed/9 person house of multiple occupation (HMO) (Sui Generis)	AC	14/11/2018	1	7	9	1	7	9
63520	14-16 St Marys Place, Bury, BL9 0DZ	Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear	AC	20/02/2019	2	14		2	14	
63651	Castle House, 7 Wellington Street, Bury, BL8 2AL	Change of use from bed & breakfast (Class C1) to 8 no. bed house in multiple occupation (HMO) (Sui Generis)	AC	01/03/2019	1	8		1	8	
63764	Acorn Business Centre, Fountain Street North, Bury, BL9 7AN	Change of use of first and second floors from office to 28 no. person house in multiple occupation (HMO) (Sui Generis)	R	10/11/2021	1	28		1	28	
63782	243 Bolton Road, Bury, BL8 2NZ	Change of use from residential (Class C3) to 7 bedroom (7 person) house in multiple occupation (HMO)	AC	24/04/2019	1	7	7	1	7	7
64222	18 North Circle, Whitefield, Manchester, M45 7AT	Change of use from 6 no. person HMO (C4) to 7 no. person HMO (sui generis) with single storey extension at rear and alterations to existing flat roof	AC	01/07/2019	1		7	0		1

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
64387	96 Manchester Road, Bury, BL9 0TH	Variation of condition no. 2 (approved plans) of planning permission ref. 63286 for Change of use of single dwellinghouse (C3) to an 8 bed HMO (sui generis) with external alterations; Amendment to design of single storey outrigger at rear	AC	23/09/2019	1	8		0	0	0
64450	31 Parkhills Road, Bury, BL9 9AS	Change of use from residential (Class C3) to 9 bed/10 person house of multiple occupation (HMO) (Sui Generis)	AC	09/10/2019	1	9	10	1	9	10
64534	21-23 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Class B1a) to 2 no. 8 bed HMOs (Sui Generis) with external alterations	AC	03/10/2019	2	16		2	16	
64559	13-15 Parsons Lane, Bury, BL9 0LY	Change of use to 2 no. 8 bed/person houses of multiple occupation (HMO) (Sui Generis) with new window openings	AC	25/10/2019	2	16	16	2	16	16
64570	69 Blackburn Street, Radcliffe, Manchester, M26 1WG	Change of use of former public house/retail unit to 2 no. 5 & 6 bed houses of multiple occupation (HMO) (Class C4) with two storey rear extension and external alterations	AC	18/12/2019	2	11	11	2	11	11
64617	9 Dales Lane, Whitefield, Manchester, M45 7RL	Change of use from dwellinghouse (Class C3) to 4 no. bedroom house in multiple occupation (HMO) (Class C4)	AC	11/11/2019	1	4	4	1	4	4
64719	79 Bury New Road, Whitefield, Manchester, M45 7EG	Change of use from existing 6 bed HMO (Class C4) to 8 bed (8 person) house in multiple occupation (HMO) (Sui Generis)	R	15/11/2019	1	8	8	0	2	2

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
64721	221 Manchester Road, Bury, BL9 9HJ	Change of use from dwellinghouse (Class C3) to 7 person house in multiple occupation (HMO)	AC	18/12/2019	1	7	7	1	7	7
65271	37 & 37a Bolton Road, Bury, BL8 2AB	Change of use from shop and flat to 4 person house in multiple occupation (HMO) (Class C4) with alterations to front elevation	AC	21/04/2020	1	4	4	1	4	4
65395	151 Bell Lane, Bury, BL9 6DF	Change of use from dwelling (Class C3) to 7 bed, 8 person HMO (house in multiple occupation) (Sui Generis) with basement conversion and upgraded front basement escape/lightwell	AC	05/06/2020	1	7	8	1	7	8
65482	Ferngrove House, 1 Ferngrove, Rochdale Old Road, Bury, BL9 7LS	Change of use from house in multiple occupation (HMO) for five persons (Class C4) to HMO for seven persons (Sui Generis), loft conversion with rear dormer and alterations to external elevations	AC	25/06/2020	1	7	7	0	2	2
65975	17 Turf Street, Radcliffe, Manchester, M26 3SZ	Lawful development certificate for proposed change of use from a residential dwelling (Class C3a) to a house in multiple occupation for up to 6 unrelated individual (Class C4) with installation of a new first floor window to side elevation	LD	07/12/2020	1	5	6	1	5	6
66013	166 Durers Lane, Radcliffe, Manchester, M26 2GF	Lawful development certificate for proposed change of use from a residential dwelling (class C3A) to a House of Multiple Occupation (HMO) for up to 5 unrelated individuals (Class C4)	LD	07/12/2020	1	5	5	1	5	5

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
66348	12A Whittaker Lane, Prestwich, Manchester, M25 1FX	Change of use of the first floor only to form a 4 bedroom/4 person house in multiple occupation (HMO) (Class C4)	AC	11/03/2021	1	4	4	1	4	4
67206	2 Monmouth Avenue, Bury, BL9 5DU	Lawful development certificate for existing use of a dwelling as a 6 person HMO (C4)	LD	18/08/2021	1	6	6	1	6	6
67542	181 Tottington Road, Bury, BL8 1RX	Change of use from 6 no. bedroom house in multiple occupation (HMO - Class C4) to 7 no. bedroom house in multiple occupation (HMO - Sui Generis)	R	17/12/2021	1	7	7	0	1	1
67867	206 Walmersley Road, Bury, BL9 6LL	Change of use to 8-bedroom HMO (Sui Generis) and formation of front and rear lightwells	AC	23/02/2022	1	8	8	1	8	8
67914	9 Belle Vue Terrace, Bury, BL9 0SY	Change of use from dwelling to 8 bedroom HMO; Loft conversion with rear dormer; Basement conversion with escape well and railing/gate	WDN	14/02/2022	1	8	8	1	8	8
68239	181 Tottington Road, Bury, BL8 1RX	Lawful development certificate for proposed change of use from small HMO (Use Class C4) to large HMO (sui generis) limited to 7 residents	LD	20/05/2022	1	7	7	0	1	1
68331	Heaton House, Brierley Street, Bury, BL9 9HN	Change of Use from Training Centre (Class E) to 6 no. HMO's comprising 23 bedrooms (single occupancy)	AC	17/08/2022	6	23	23	6	23	23
68542	79 Bury New Road, Whitefield, Manchester, M45 7EG	Change of use from 6 bed HMO (Class C4) to 8 bed HMO (Sui Generis)	AC	14/12/2022	1	8	8	0	2	2

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
69076	6 Sandford Street, Radcliffe, Manchester, M26 2PT	Change of use from mixed use; public house and 8 self-contained flats to 13 bed (maximum 20 person) HMO (sui generis); demolition of existing conservatory; formation of parking space / cycle store, entrance / exit at rear and alterations to ground floor window at rear	R	27/01/2023	1	13	20	1	13	20
69132	104 Ainsworth Road, Bury, BL8 2RS	Change of use from existing 6 no. bedroom house in multiple occupation (HMO - Class C4) to 7 no. bedroom (7 person) house in multiple occupation (HMO - Sui Generis)	R	15/03/2023	1	7	7	0	1	1
69329	281 Middleton Road Service Road, Prestwich, Manchester, M8 4LY	Change of use of existing public house (Sui Generis) to Podiatry Clinic(Class E(e)) on ground floor and 4 bed HMO (house in multiple occupation) at first floor (Class C4) including two storey extension at side/rear, alterations to roof layout of existing rear outbuilding; formation of new first floor access and door at rear with external staircase and render to external elevations	AC	17/04/2024	1	4		1	4	
69452	148 Walmersley Road, Bury, BL9 6LL	Change of use from dwelling (Class C3) to an 8 no. bedroom/ person House in Multiple Occupation (HMO) (Sui Generis)	AC	31/05/2023	1	8	8	1	8	8
69475	240 Walmersley Road, Bury, BL9 6NH	Change of use from dwelling (Class C3) to 10 no. bedroom HMO (single occupancy)	WDN	10/05/2023	1	10	10	1	10	10
69699	240 Walmersley	Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single occupancy, Class Sui Generis)	AC	26/07/2023	1	9	9	1	9	9

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
	Road, Bury, BL9 6NH									
69735	Rostrevor Hotel, 146-148 Manchester Road, Bury, BL9 0TL	Change of use from hotel (C1) to 2 no. 9 bedroom (single occupancy) HMOs (Sui Generis)	AC	31/08/2023	2	18	18	2	18	18
69777	14 Higher Lane, Whitefield, Manchester, M45 7FY	Lawful development certificate for proposed change of use from HMO (Class C4) to residential care home (Class C2)	LD	20/09/2023	-1			-1		
69794	5 Keats Crescent, Radcliffe, Manchester, M26 3GT	Change of use from residential dwelling (Class C3) to 10 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis)	R	11/12/2023	1	10	10	1	10	10
69815	1-7 Taylor Street, Bury, BL9 6DT	Change of use from existing offices (Class B1(a) to: 3 No. flats and 2 no. retail units (Class E) to ground floor, 4 no. flats to first floor and 3 no. flats to second floor; 7 Bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) to first/second floors; Conversion of roof space with dormers at front and rear to form second floor; External alterations including new windows/doors and shop front/entrances	R	19/12/2023	1	7	7	1	7	7
69826	45 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Use Class E) to 8 no. bedroom 8 person HMO (Sui Generis) with 2 no. front velux rooflights, and 2 no. rear velux rooflights to be	AC	23/08/2023	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		installed; Erection of 1.8m high boundary fence and gated access to rear.								
69981	15 Milner Avenue, Bury, BL9 6NG	Change of use from 6 bedroom HMO (Class C4) to 7 bedroom (single occupancy) HMO (Sui Generis)	AC	25/10/2023	1	7	7	0	1	1
70000	Hawthorn Hotel, 137-143 Stand Lane, Radcliffe, Manchester, M26 1JR	Change of use from hotel to 18 bedroom (single occupancy) HMO (Sui Generis) and single storey rear extension	R	25/10/2023	1	18	18	1	18	18
70102	78-80, Church Street West, Radcliffe, M26 2SY	Change of use from former showroom/workshop to 35 no. bedroom (double occupancy) building of multiple residential occupation (Sui Generis)	R	19/01/2024	1	35	70	1	35	70
70136	21 Church Street East, Radcliffe, Manchester, M26 2PG	Change of use of ground floor to 7 bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis); Single storey rear extension; Alterations to include new windows and doors	AC	21/02/2024	1	7	7	1	7	7
70178	27 Knowsley Street, Bury, BL9 0ST	Change of use from existing office to 8 bed (single occupancy) HMO (Sui Generis), with 4 no. velux rooflights installed to roof and erection of 1.8m high boundary fence and gated access to rear	AC	14/12/2023	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70187	193 Walmersley Road, Bury, BL9 5DF	Change of use from residential dwelling(Class C3) to 9 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front/rear dormers, enlargement of existing basement lightwell and external works	R	13/12/2023	1	9	9	1	9	9
70254	27 Knowsley Street, Bury, BL9 0ST	Change of use from existing vacant office to 9 bed (single occupancy) HMO (Sui Generis), installation of 4 no. velux rooflights, single storey rear extension and 1.8m high rear boundary fence and gated access	WDN	14/12/2023	1	9	9	1	9	9
70325	3 Ruth Street, Bury, BL9 6LU	Change of use from residential dwelling (Class C3) to 9 bed HMO (Sui Generis) to include single storey rear extension and loft conversion with front and rear dormers	WDN	04/03/2024	1	9	9	1	9	9
70341	Heaton House, Brierley Street, Bury, BL9 9HN	Alterations to existing first floor two HMO into one HMO to include an additional bedroom (single occupancy)	R	29/02/2024	1	6	6	-1	1	1
70343	147-155 Walshaw Road, Bury, BL8 1NH	Change of use from residential care home (Class C2) to 13 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works	AC	20/03/2024	1	13	13	1	13	13
70351	116 Church Street West, Radcliffe, Manchester, M26 2BY	Lawful development certificate for proposed - loft conversion with rear dormer and change of use from single house (C3) to 5-person 5-bed HMO (C4)	LD	22/03/2024	1	5	5	1	5	5

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70354	388 Tottington Road, Bury, BL8 1TU	Change of use from residential care home (Class C2) to 16 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works	AC	20/03/2024	1	16	16	1	16	16
70368	1 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS	Demolition of existing garage at side and erection of 3 storey extension at side with roof lights at front and rear to provide 6 no. additional single occupancy bedrooms (13 no. in total) to existing HMO with associated parking and refuse storage	AC	09/08/2024	1	13	13	1	6	6
70439	193 Walmersley Road, Bury, BL9 5DF	Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works	AC	20/03/2024	1	8	8	1	8	8
70536	1-5 Porter Street, Bury, BL9 5DZ	Part change of use of former showroom/laundrette and 1no. flat (Use Class E/Sui Generis/Class C3) to form 1no. 7 bedroom (single occupancy) HMO (Sui Generis) and 1no. 8 Bedroom (single occupancy) HMO (Sui Generis) with associated parking and refuse storage and external alterations	R	12/04/2024	2	15	15	2	15	15
70557	2 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS	Change of use of existing 6 bedroom House in Multiple Occupation (HMO) (Class C4) to 10 bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis) together with external works and hard landscaping to create car parking spaces	AC	02/05/2024	1	10	10	0	4	4

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70563	78-80 Church Street West, Radcliffe, Manchester, M26 2SY	Change of use from former showroom/workshop to 28 no. bedroom (single occupancy) building of multiple residential occupation (Sui Generis)	R	11/06/2024	1	28	28	1	28	28
70679	Heaton House, Brierley Street, Bury, BL9 9HN	Alterations to first floor to combine two existing House in Multiple Occupation units (HMO) into one 6 bedroom (single occupancy) House in Multiple Occupation (HMO)	R	11/06/2024	1	6	6	-1	1	1
70680	521 Manchester Road, Bury, BL9 9SH	Proposed conversion of basement to an existing 6 bedroom House in Multiple Occupation (HMO) to form a 7-bed HMO	R	23/07/2024	1	7		0	1	
70742	31 Grosvenor Street, Prestwich, Manchester, M25 1ES	Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling	R	18/07/2024	1	10	10	1	10	10
70798	5 Keats Crescent, Radcliffe, Manchester, M26 3GT	Lawful development certificate for proposed change of use of single dwelling to multiple occupancy use 6 bedrooms (Class C4)	LD	20/06/2024	1	6	6	1	6	6
70830	Flats 1-4, 1-3 Porter Street, Bury, BL9 5DZ	Lawful development certificate for proposed change of use from 4 no. flats (Class C3) to 4no. HMO's (C4)	LD	30/07/2024	4	12		4	12	
70842	29 Parliament Street, Bury, BL9 0TE	Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with rear	AC	16/08/2024	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		dormer, roof light at front and associated works								
71010	33 Knowsley Street, Bury, BL9 0ST	Change of use from an office (Class E) to a 7 bed/7 person house in multiple occupation.	R	24/03/2025	1	7	7	1	7	7
71023	1-5 Porter Street, Bury, BL9 5DZ	Part change of use of former showroom/laundrette and 1no. flat (Use Class E/Sui Generis/Class C3) to form 1no. 7 bedroom (single occupancy) HMO (Sui Generis) and 1no. 8 Bedroom (single occupancy) HMO (Sui Generis) with associated parking and refuse storage and external alterations	R	07/10/2024	2	15	15	2	15	15
71034	309 Walmersley Road, Bury, BL9 5EZ	Change of use of existing 6 no. bedroom House in Multiple Occupation (HMO) (Class C4) to 9 no. bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis) with erection of single storey outbuilding extension at rear (to be used as bedroom no. 9)	R	01/11/2024	1	9	9	0	3	3
71156	17 Belle Vue Terrace, Bury, BL9 0SY	Change of use from a 6 bed House in Multiple Occupation (HMO) to a 9 bed (single occupancy) House in Multiple Occupation (HMO)	R	29/11/2024	1	9	9	0	3	
71276	47 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Use Class E) to 8 no. bedroom (single occupancy) HMO (Sui Generis) with 2 no. front velux rooflights and 2 no. rear velux rooflights; Erection of 1.8m high boundary walls at rear with gated access	AC	02/06/2025	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
71306	Railway Hotel, 427 Ainsworth Road, Radcliffe, Manchester, M26 4HN	Change of use from public house into a 10 bed House in Multiple Occupation (HMO) (sui generis)	AC	19/02/2025	1	10		1	10	
71330	12A Whittaker Lane, Prestwich, Manchester, M25 1FX	Change of use from restaurant (Use Class E) to 13 bed (single occupancy) House of Multiple Occupation (HMO) (Sui-Generis), excavations to part of rear yard area and installation of steps, insertion of a window and door on rear elevation at Basement level change of rear ground floor doorway to a window, and enlargement of a first-floor window on the side elevation	AC	30/05/2025	1	13	13	1	13	13
71353	25 Thomas Street, Radcliffe, Manchester, M26 2UH	Change of use from Public House (sui generis) to a 10 Bedroom (single occupancy) HMO	AC	29/01/2025	1	10	10	1	10	10
71405	8 Tenterden Street, Bury, BL9 0EG	Change of use from office (Class E) to 8 bed (single occupancy) HMO (sui generis), with 2 no velux rooflights at front and 2 no velux rooflights at rear and erection of wall to define yard side boundary	AC	11/07/2025	1	8	8	1	8	8
71438	53 Bury Street, Radcliffe, Manchester, M26 2GB	Change of use from care home (Class C2) to 9 bedroom (single occupancy) House of Multiple Occupation (HMO) (Sui Generis)	AC	25/06/2025	1	9	9	1	9	9

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
71449	31 Hilton Crescent, Prestwich, Manchester, M25 9NQ	Change of use from 5 bed/ 6 person House in Multiple Occupation (Class C4) to 7 bed/ 7 person House in Multiple Occupation (HMO) (Sui Generis) and loft conversion with rear dormer	AC	19/03/2025	1	7	7	0	2	1
71567	31 Grosvenor Street, Prestwich, Manchester, M25 1ES	Lawful development certificate for proposed change of use from a dwellinghouse (Use Class C3); the internal layout will be revised to allow the use of the property as a small house in multiple occupation 'HMO' for up to six individuals (Use Class C4).	LD	24/03/2025	1	6	6	1		6
71619	156 Walmersley Road, Bury, BL9 6LL	Change of use from existing 6-bed House in Multiple Occupation (HMO) (Class C4) to 8-bed, 9 person House in Multiple Occupation (HMO) (Sui Generis)	AC	23/04/2025	1	8	9	0	2	
71638	52 Manchester Road, Bury, BL9 0SX	Change of use from dwelling (Class C3) to 8 bed, 8 person, house in multiple occupation (HMO) (Sui Generis) with loft conversion including rear dormers and front velux rooflight	AC	23/04/2025	1	8	8	1	8	8
71641	17 Belle Vue Terrace, Bury, BL9 0SY	Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)	R	25/04/2025	1	8	8	0	2	
71644	221 Walmersley Road, Bury, BL9 5DF	Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)	AC	21/05/2025	1	8	8	0	2	
71755	89 Wood Street, Bury, BL8 2QU	Change of use from former hot food takeaway with first floor residential flat (Sui Generis/Class C3) to 3 no. bedroom (maximum 4 no. occupants) house in	AC	30/05/2025	1	3	4	1	3	4

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		multiple occupation (HMO) (Class C4); External alterations								
71842	527 Manchester Road, Bury, BL9 9SH	Change of use from dwelling (Class C3) to 7 no. bedroom/ 7 person HMO (Sui Generis); Rear dormer extension; Fenestration alterations to rear and cycle storage	AC	03/09/2025	1	7	7	1	7	7
71944	44 Manchester Road, Bury, BL9 0SX	Change of use from dwelling (Class C3) to 8 bed (single occupancy) house in multiple occupation (HMO) (Sui Generis) with new velux rooflights to front/rear	R	10/07/2025	1	8	8	1	8	8
71992	157 Bolton Road, Bury, BL8 2NW	Change of use from commercial use (Class E) to 5 bed, 6 occupants house in multiple occupation (HMO) (Class C4) and associated external alterations (including new doors and windows and removal of advertisement hoarding)	R	28/07/2025	1	5	6	1	5	6
72047	80 Alfred Street, Bury, BL9 9ED	Lawful development certificate for proposed change of use of dwelling (Class C3) to 6 person House in Multiple Occupation (Class C4)	LD	04/08/2025	1	6	6	1		6
72133	459 Rochdale Old Road, Bury, BL9 7TB	Lawful development certificate for proposed loft conversion including dormer window to rear elevation, roof lights to front elevation and change of use from Dwellinghouse (C3) to 6 person HMO (C4)	LD	05/09/2025	1	6	6	1	6	6
72144	108 Rochdale Old Road, Bury, BL9 7LR	Lawful development certificate for proposed conversion of dwelling into HMO	LD	29/08/2025	1	6	6	1	6	6

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
72181	44 Manchester Road, Bury, BL9 0SX	Lawful development certificate for proposed change of use from C3 dwelling, to 6 bed, 6 person HMO C4 use, with internal works and new velux roof lights to front and rear	LD	04/09/2025	1	6	6	1	6	6
72269	10 Irwell Street, Bury, BL9 0HE	Lawful development certificate for proposed change of use from C3 dwelling, to maximum 6 person HMO C4 use, with Loft Conversion including Dormer Extension to Rear Elevation and Roof Lights to Front Elevation.	LD	02/10/2025	1	6	6	1	6	6
72361	17 Belle Vue Terrace, Bury, BL9 0SY	Lawful development certificate for existing use as small HMO (Use Class C4)	R	03/11/2025	1	9	Application states 6 but plans show potential for 9.	1	9	
71978	240 Bolton Road, Bury, BL8 2PA	Change of use from dwelling (Class C3) to 8 bed house in multiple occupation (HMO) (sui generis) including extending/raising the roof over existing rear garage	AC	23/10/2025	1	8	11	1	8	11
71924	7-9 Annara House, Bury Road, Radcliffe, Manchester, M26 2UG	Change of use from offices (Use Class E) to 14 no. bedroom House with Multiple Occupants - HMO (Sui Generis) to include alterations to existing elevations/openings	WDN	17/11/2025	1	14	14	1	14	14

Appendix 2: HMO rooms to let

Rooms to let on www.openrent.co.uk (24/09/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Heaton house, Brierley Street, Bury	5		£625	6 months
Irwell Street, BL9	6	6	£750 - £875	12 months
Stephen Street South, BL8	6		£695 - £725	6 months
Rochdale Road, BL9	5		£645 - £795	6 months
Pine Street South, BL9	3		£700	1 month
Manchester Road, BL9	5		£575 - £620	6 months
Walmersley Road, BL9	3	3	£595 - £725	6 months
Monmouth Avenue, BL9	6	6	£695 - £875	6 months
Walmersley Road, BL9	8		£650 - £750	6 months
Milner Avenue, BL9	4		£800	6 months
Lily Hill Street, M45	6	6	£650 - £760	6 months
Chaucer Avnue, M26	6		£695	6 months
Charnley Mews, M45	5		£650	6 months
Radcliffe, M26	3		£625	3 months
Oaks Close, M25	4		£320 Weekend let only	1 month
The Downs, M25	3		£650	1 month
Circular Road, M25	5		£770 (2 tenants)	6 months
George Street, Prestwich, M25	5		£800 (2 tenants)	10 months

Recent let agreed listed on www.openrent.co.uk (24/09/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
New Vernon Street, Bury, BL9	3		£495	6 months
Bell Lane, BL9	3	3	£575	1 month
Hazel Road, M45	3		£650	6 months
Parnham Close, M26	4		£550	3 months

Rooms to let on www.openrent.co.uk (18/11/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Heaton house, Brierley Street, Bury	5		£650	6 months
Irwell Street, BL9	6	6	£695	12 months
Mill Yard, BL9	5		£625	6 months
Parsonage Street, BL9	5		£500 - £850	6 months
Ruth Street, BL9	6		£657	6 months
Poplar Avenue, BL9	3	3	£500	6 months
Walmersley Road, BL9	8		£845	6 months
Walmersley Road, BL9	8		£600-£875	6 months
Ferngrove House, BL9	10		£695	6 months
Cromer Road, BL8	3	4	£550-£899	6 months

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Milner Avenue, BL9	4		£800	6 months
Market Street, BL8	4	4	£550 - £625	6 months
Chaucer Avenue, M26	6	6	£650 - £695	6 months
Charnley Mews, M45	8		£550 - £750	6 months
Livsey Street, M45	3	3	£750	6 months
The Downs, M25	3		£650	1 month
Circular Road, M25	5		£770 (2 tenants)	6 months
Prestwich, M25	5		£800 - £850 (2 tenants)	6 months

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REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	16 December 2025
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None**Contact Details:-**

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Planning applications decided using Delegated Powers

Between 10/11/2025 and 05/12/2025



Ward:

Application No.:	71807	App. Type:	CONDIS	28/11/2025	Approve
Location:	Land between 18 & 24 Bradley Fold Road, Radcliffe, Bolton, BL2 5QD				
Proposal:	Application to discharge conditions 3 (materials), 4 (contaminated land preliminary risk assessment), 7 (drainage) and 9 (construction traffic management plan) on planning permission 68667				
Application No.:	71912	App. Type:	CONDIS	03/12/2025	Approve
Location:	Former Bury Police Office HQ, Irwell Street, Bury, BL9 0HE				
Proposal:	Application to discharge statutory Biodiversity Net Gain condition on planning permission 70565				
Application No.:	72096	App. Type:	CONDIS	19/11/2025	Approve
Location:	19 Holyrood Road, Prestwich, Manchester, M25 1PD				
Proposal:	Discharge of condition 4 (site verification report), condition 6 (construction traffic management plan) and condition 9 (materials) on p/p 64375				
Application No.:	72318	App. Type:	CONDIS	01/12/2025	Approve
Location:	33 Mount Pleasant, Nangreaves, Bury, BL9 6SP				
Proposal:	Application to discharge condition no. 3 (material sample) of planning permission 71485				
Application No.:	72375	App. Type:	CONDIS	05/12/2025	Approve
Location:	Ainsworth Nursing Home, Knowsley Road, Ainsworth, Radcliffe, Bolton, BL2 5PT				
Proposal:	Application to discharge condition nos. 3 (materials); 4 (ground materials) and 12 (construction traffic management plan) on planning permission 68661				
Application No.:	72378	App. Type:	CONDIS	19/11/2025	Approve
Location:	Land adjacent to 35 Hilton Street, Bury, BL9 6LT				
Proposal:	Application to discharge conditions on planning permission 69459: Condition 3 (materials), condition 5 (contaminated land & ground/landfill gas risk), condition 6 (remediation strategy), condition 7 (drainage scheme), condition 8 (landscaping scheme), condition 9 (details of foundations/drainage/highway remedial works), condition 10 (construction traffic management plan)				
Application No.:	72380	App. Type:	FUL	28/11/2025	Approve with Conditions
Location:	5 Hawkshaw Lane, Tottington, Bury, BL8 4JZ				
Proposal:	Extension / alterations to existing roof with rear dormer and patio doors to first floor level at rear; partial render to side and rear elevations to match existing				
Application No.:	72381	App. Type:	FUL	19/11/2025	Approve with Conditions
Location:	125 Starling Road, Bury, BL8 2HF				
Proposal:	Single storey extension at side / rear				

Application No.:	72427	App. Type:	CONDIS	19/11/2025	Approve
Location:	7 Whittaker Street, Radcliffe, Manchester, M26 2DT				
Proposal:	Application to discharge condition 3 (confirmation no contamination), condition 4 (soil testing), condition 9 (servicing arrangements & turning facilities), condition 10 (car park surfacing), condition 11 (refuse storage) on planning permission 71228				
Application No.:	72453	App. Type:	CONDIS	05/12/2025	Split Decision
Location:	Land off Parkinson Street, Bury, BL9 6NY				
Proposal:	Application to discharge condition 5 (remediation strategy plots 1-3 and 5-11) and condition 8 (drainage management) on planning permission 71577				
Application No.:	72459	App. Type:	CONDIS	19/11/2025	Approve
Location:	Ferns Farm, Turton Road, Tottington, Bury, BL8 3QH				
Proposal:	Application to discharge condition 14 (materials schedule) on planning permission 71688				
Application No.:	72464	App. Type:	CONDIS	05/12/2025	Approve
Location:	Meadow View, Watling Street, Tottington, Bury, BL8 3QR				
Proposal:	Application to discharge condition 3 (Habitat Management and Monitoring Plan (the HMMP) and the Statutory Biodiversity Gain Plan on planning permission 72149				
Application No.:	72465	App. Type:	CONDIS	28/11/2025	Approve
Location:	Bury Contract Services, Willow Street, Bury, BL9 7QZ				
Proposal:	Application to discharge condition 6 (remediation strategy) on planning permission 71302				
Application No.:	72475	App. Type:	REG5	13/11/2025	Raise No Objection
Location:	Lakeland Discount Furnishers Ltd, York Street, Bury, BL9 7AR				
Proposal:	Regulation 5 notice of intention to upgrade of an existing telecommunications base station comprising removal of 6 no antennas and replacement with 6 no new antennas, the relocation of 1 no existing dish onto proposed support pole, and ancillary development thereto on the rooftop of Lakeland Discount Furniture. Top height of antennas to be 16.90m AGL.				
Application No.:	72477	App. Type:	CONDIS	05/12/2025	Approve
Location:	68-70 Bury New Road, Prestwich, Manchester, M25 0JU				
Proposal:	Application to discharge condition 3 (highways) on planning permission 70339: Works completed as per the agreed scope				
Application No.:	72565	App. Type:	CONDIS	28/11/2025	Approve
Location:	Land at Billberry Close & Albert Road, Whitefield, Manchester, M45 8BL				
Proposal:	Application to discharge condition 3 (contaminated land) on planning permission 69535				

Ward: **Bury East**

Application No.:	72231	App. Type:	FUL	14/11/2025	Approve with Conditions
Location:	Performance House, Heywood Street, Bury, BL9 7DZ				
Proposal:	Change of use of part car showroom (Sui Generis) to retail (Class E(a)); Two storey extension for ground floor retail & office and first floor office use; External alterations				

Application No.:	72326	App. Type:	ADV	28/11/2025	Approve with Conditions
Location:	Bury Metro Arts Association Derby Hall, Market Street, Bury, BL9 0BW				
Proposal:	2 no. non-illuminated projecting / hanging signs; Vinyls to front glazing				
Application No.:	72415	App. Type:	P3JPA	20/11/2025	Prior Approval Required and Refused
Location:	First floor, 62 Bolton Street, Bury, BL9 0LL				
Proposal:	Prior approval for proposed change of use of first floor from commercial (Class E) to 1 no. flat (Class C3)				
Application No.:	72430	App. Type:	GPDE	12/11/2025	Prior Approval Not Required - Extension
Location:	249 Rochdale Old Road, Bury, BL9 7SA				
Proposal:	Prior approval for proposed single storey rear extension				
Application No.:	72438	App. Type:	FUL	19/11/2025	Approve with Conditions
Location:	Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD				
Proposal:	Variation of condition no. 2 on planning permission 70502 (Installation of a generator compound containing 2 no. generators and 2 no. fuel tanks with surrounding fence): Best Available Techniques (BAT) guidelines are no longer applicable, the generators should now be assessed against the Medium Combustion Plant Directive (MCPD)				
Application No.:	72484	App. Type:	GPDE	04/12/2025	Prior Approval Not Required - Extension
Location:	52 James Street, Pimhole, Bury, BL9 7EG				
Proposal:	Prior approval for proposed single storey rear extension				
Application No.:	72517	App. Type:	LDCE	25/11/2025	Lawful Development
Location:	4 Irwell Street, Bury, BL9 0HE				
Proposal:	Lawful Development Certificate for an Existing 6 no. bedroom 6 no. person House in multiple occupancy (HMO) Class C4				
Application No.:	72522	App. Type:	GPDE	05/12/2025	Prior Approval Not Required - Extension
Location:	20 Benson Street, Bury, BL9 7EP				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: Bury East - Moorside

Application No.:	72055	App. Type:	FUL	20/11/2025	Refused
Location:	165 Walmersley Road, Bury, BL9 5DE				
Proposal:	Two/single storey rear extension with garage extension at rear/boundary wall				
Application No.:	72379	App. Type:	FUL	10/11/2025	Approve with Conditions
Location:	109 Walmersley Road, Bury, BL9 5AN				
Proposal:	Change of use from dwellinghouse (Class C3) to 8 bed (single occupancy) House in Multiple Occupation (Sui Generis) together with proposed external alterations including new rear dormer conversion and new roof and dormer windows				

Application No.: 72518 **App. Type:** GPDE 05/12/2025 Prior Approval Not Required - Extension
Location: The Beeches, Castle Hill Road, Bury, BL9 6UN
Proposal: Prior approval for proposed single storey rear extension

Ward: **Bury East - Redvales**

Application No.: 72224 **App. Type:** FUL 24/11/2025 Approve with Conditions
Location: 102 Nelson Street, Bury, BL9 9HX
Proposal: Reinstatement of mid-terraced house at no. 102 Nelson Street following collapse after gas explosion

Application No.: 72225 **App. Type:** FUL 24/11/2025 Approve with Conditions
Location: 104 Nelson Street, Bury, BL9 9HX
Proposal: Reinstatement of mid-terraced house at no. 104 Nelson Street following collapse after gas explosion

Application No.: 72226 **App. Type:** FUL 24/11/2025 Approve with Conditions
Location: 106 Nelson Street, Bury, BL9 9HX
Proposal: Reinstatement of end-terraced house at no. 106 Nelson Street following collapse after gas explosion

Application No.: 72248 **App. Type:** FUL 18/11/2025 Approve with Conditions
Location: 57 Millett Street, Bury, BL9 0JB
Proposal: Single storey extension at rear and the construction of a boundary wall at rear including a door to rear alleyway

Application No.: 72313 **App. Type:** FUL 13/11/2025 Refused
Location: Land at rear of 354 Manchester Road, Bury, BL9 9NR
Proposal: Erection of 1 no. dwelling

Application No.: 72317 **App. Type:** FUL 19/11/2025 Approve with Conditions
Location: 30 St Peters Road, Bury, BL9 9RB
Proposal: Single storey extension at side/rear with conversion of existing garage to living accommodation.

Application No.: 72423 **App. Type:** FUL 19/11/2025 Approve with Conditions
Location: 12 Silverdale Close, Bury, BL9 9GE
Proposal: Single storey / two storey extension at side and new door to side elevation

Ward: **Bury West**

Application No.: 72315 **App. Type:** ADV 28/11/2025 Refused
Location: Pavement adj Rose & Crown car park, Lowercroft Road, Bury, BL8 2EY
Proposal: Non-illuminated banner sign attached to existing telegraph pole

Application No.: 72353 **App. Type:** ADV 12/11/2025 Refused
Location: 4 Colville Drive, Bury, BL8 2DX
Proposal: Advertisement consent for 2 no. non illuminated signs attached to side garden walls of 466 & 474 Bolton Road

Ward: **Bury West - Church (Historic)**

Application No.: 72489 **App. Type:** FUL 05/12/2025 Approve with Conditions
Location: 15 Garstang Drive, Bury, BL8 2JS
Proposal: Single storey extension at side/rear and front porch infill extension with external alterations

Ward: **Bury West - Elton**

Application No.: 72403 **App. Type:** FUL 13/11/2025 Approve with Conditions
Location: 21 Stockton Drive, Bury, BL8 1UQ
Proposal: Single storey side extension

Application No.: 72420 **App. Type:** FUL 25/11/2025 Approve with Conditions
Location: 4 Horsham Close, Bury, BL8 1XY
Proposal: First floor extension at side with conversion of existing garage to living accommodation and new window openings.

Application No.: 72433 **App. Type:** LDCP 28/11/2025 Lawful Development
Location: 18 Wragby Close, Bury, BL8 1XD
Proposal: Lawful development certificate for proposed single storey pitched roof rear extension.

Application No.: 72448 **App. Type:** FUL 24/11/2025 Approve with Conditions
Location: 47 Rudgwick Drive, Bury, BL8 1YE
Proposal: Two Storey Extension at Rear; First Floor Extension at Side and Extension to Existing Front Porch

Application No.: 72456 **App. Type:** LDCP 04/12/2025 Lawful Development
Location: 9 Winchester Close, Bury, BL8 1YQ
Proposal: Lawful development certificate for proposed demolition of conservatory, partial demolition of rear dining room extension and erection of extension to the rear of the property across the full width of the original building in red brick and white/black windows/doors to tie in to the existing building; Replacement of windows, fascias, gutters and soffits, new front door

Application No.: 72479 **App. Type:** FUL 04/12/2025 Approve with Conditions
Location: 14 Hebburn Drive, Bury, BL8 1ED
Proposal: Side extension with rear dormer extension

Ward: **North Manor**

Application No.:	72222	App. Type:	FUL	03/12/2025	Approve with Conditions
Location:	1 Mayfield Road, Ramsbottom, Bury, BL0 9TB				
Proposal:	Single Storey Wrap Around Extension; New boundary wall				

Application No.:	72283	App. Type:	FUL	25/11/2025	Approve with Conditions
Location:	Brick Barn Farm, Whipney Lane, Tottington, Bury, BL8 4HT				
Proposal:	Erection of self-contained granny annex ancillary to the existing dwelling				

Application No.:	72417	App. Type:	FUL	20/11/2025	Approve with Conditions
Location:	Hollymount Farm, Hollymount Lane, Tottington, Bury, BL8 4HP				
Proposal:	Removal of condition 17 (sprinkler/misting system) from planning permission 68505 (Demolition works and redevelopment for 4no. new dwellings (3 new build, 1 barn conversion) with car ports and two storey extension at side of existing farmhouse; associated landscaping; access works): sprinkler system is not required				

Application No.:	72498	App. Type:	PIP	04/12/2025	Refused
Location:	Land off Bentley Lane, Bury, BL9 6RZ				
Proposal:	Application for permission in principle for erection of up to 9 no. dwellings				

Application No.:	72513	App. Type:	GPDE	04/12/2025	Prior Approval Not Required - Extension
Location:	33 Oak Avenue, Ramsbottom, Bury, BL0 9UY				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: **Prestwich - Holyrood**

Application No.:	72079	App. Type:	FUL	26/11/2025	Approve with Conditions
Location:	93 Simister Lane, Prestwich, Manchester, M25 2SU				
Proposal:	Single storey front extension, two/single storey extensions at rear with ground floor balcony at rear; Render to external elevations				

Application No.:	72311	App. Type:	FUL	14/11/2025	Approve with Conditions
Location:	4 Brooklawn Drive, Prestwich, Manchester, M25 2GS				
Proposal:	Two/single storey extension at side/rear				

Application No.:	72320	App. Type:	FUL	24/11/2025	Approve with Conditions
Location:	32 Parrenthorn Road, Prestwich, Manchester, M25 2RL				
Proposal:	Single storey front/side/rear extension along with a front canopy				

Application No.:	72391	App. Type:	FUL	04/12/2025	Approve with Conditions
Location:	50 Heys Road, Prestwich, Manchester, M25 1JY				
Proposal:	Two/single storey rear extension				

Application No.: 72392 **App. Type:** FUL 12/11/2025 Approve with Conditions
Location: 6 Pine Grove, Prestwich, Manchester, M25 3DR
Proposal: Replacement single storey rear extension

Application No.: 72450 **App. Type:** OUT 04/12/2025 Refused
Location: Brook Farm, Simister Lane, Prestwich, Manchester, M25 2SB
Proposal: Outline application (all matters reserved except access) for the demolition of an existing farmstead and the erection of 9no. dwellings and associated works

Ward: **Prestwich - Sedgley**

Application No.: 72388 **App. Type:** FUL 11/11/2025 Approve with Conditions
Location: 26 Hereford Drive, Prestwich, Manchester, M25 0AG
Proposal: Single storey and first floor rear extensions

Application No.: 72463 **App. Type:** FUL 05/12/2025 Approve with Conditions
Location: 12A Rectory Avenue, Prestwich, Manchester, M25 1DE
Proposal: Erection of 1 no. dwelling following demolition of existing dwelling

Ward: **Prestwich - St Mary's**

Application No.: 72321 **App. Type:** FUL 28/11/2025 Refused
Location: 15 Barnhill Road, Prestwich, Manchester, M25 9WH
Proposal: External escape staircase to side

Application No.: 72363 **App. Type:** FUL 01/12/2025 Approve with Conditions
Location: 7 Butt Hill Avenue, Prestwich, Manchester, M25 9PN
Proposal: Extension and conversion of existing detached garage into granny flat.

Application No.: 72394 **App. Type:** FUL 19/11/2025 Approve with Conditions
Location: 6 Kingswood Road, Prestwich, Manchester, M25 3AB
Proposal: Single storey rear extension

Application No.: 72440 **App. Type:** FUL 01/12/2025 Approve with Conditions
Location: 26 Willow Road, Prestwich, Manchester, M25 3AG
Proposal: Single storey rear extension

Application No.: 72488 **App. Type:** LDGP 28/11/2025 Lawful Development
Location: 4 Hamilton Close, Prestwich, Manchester, M25 9JS
Proposal: Lawful development certificate for proposed replacement of existing garage door with part brick work and part half-glazed pedestrian door

Ward: **Radcliffe - East**

Application No.: 71917 **App. Type:** FUL 01/12/2025 Approve with Conditions
Location: Fragrance Oils International Ltd, Eton Hill Road, Radcliffe, Manchester, M26 2FR
Proposal: Demolition of an existing single storey, mixed use building and steel framed warehouse;
Erection of a two storey building to provide office, research and development and
warehouse facilities

Application No.: 72335 **App. Type:** FUL 03/12/2025 Approve with Conditions
Location: Globe Industrial Estate, Darbyshire Street, Radcliffe, Manchester, M26 9TA
Proposal: Erection of industrial unit (Use Class B2/B8) with associated parking

Application No.: 72395 **App. Type:** LDCP 12/11/2025 Lawful Development
Location: 74 Bury Road, Radcliffe, Manchester, M26 2UU
Proposal: Lawful development certificate for proposed use of a (C3a) dwelling as a children's home
for a single child, with a manager and two carers who would stay overnight, working on a
rota basis (C2)

Application No.: 72398 **App. Type:** FUL 28/11/2025 Approve with Conditions
Location: Land at Green Street, Radcliffe
Proposal: Variation of condition nos. 1 (approved drawings), 4 (remediation), 8 (noise), 21
(vehicular & pedestrian arrangements), 22 (turning facilities), 23 (car and cycle parking)
and 24 (bin storage) on planning permission 70333 (Mixed-use development comprising
132 apartments, bar, commercial and office spaces) - include a phasing plan with
subsequent phasing of the remediation strategy; parking servicing and bin storage
arrangements

Application No.: 72422 **App. Type:** FUL 25/11/2025 Approve with Conditions
Location: 2 Coventry Road, Radcliffe, Manchester, M26 4FY
Proposal: First floor extension at side

Ward: **Radcliffe - North and Ainsworth**

Application No.: 72124 **App. Type:** LBC 18/11/2025 Approve with Conditions
Location: Ainsworth Unitarian Chapel, Knowsley Road, Ainsworth, Radcliffe, Bolton, BL2 5PZ
Proposal: Listed Building Consent for installation of ambulant disabled WC, brew area to existing
room and replacement timber single glazed side opening light in mullioned window

Application No.: 72237 **App. Type:** FUL 26/11/2025 Approve with Conditions
Location: 5 Stonedolph Close, Ainsworth, Radcliffe, Bolton, BL2 5SH
Proposal: First floor front/side extension with cladding

Application No.: 72354 **App. Type:** FUL 26/11/2025 Approve with Conditions
Location: 22 Countess Lane, Radcliffe, Manchester, M26 3WF
Proposal: Provision of a new vehicular access including a dropped kerb and creation of a new
driveway

Application No.: 72393 **App. Type:** FUL 05/12/2025 Approve with Conditions
Location: 9 Berkeley Crescent, Radcliffe, Manchester, M26 3TR
Proposal: Single storey side extension linked to existing detached outbuilding; Single storey front
extension; Formation of first floor balcony at side above existing carport

Application No.:	72396	App. Type:	PMBPA	13/11/2025	Prior Approval Required and Granted
Location:	344 Bradley Fold Road, Radcliffe, Bolton, BL2 6RL				
Proposal:	Prior approval for a proposed change of use from agricultural building to 1no. dwelling				

Application No.:	72405	App. Type:	FUL	13/11/2025	Approve with Conditions
Location:	41 Moss Shaw Way, Radcliffe, Manchester, M26 4WT				
Proposal:	Single storey extensions at front/rear and two storey side extension with conversion of garage to living accommodation				

Application No.:	72436	App. Type:	PIP	14/11/2025	Refused
Location:	Land at Gorse Hill Stables, 160 Starling Road, Bury, BL8 2HJ				
Proposal:	Application for permission in principle for erection of up to 9 no. dwellings				

Ward: **Radcliffe - West**

Application No.:	72282	App. Type:	FUL	01/12/2025	Approve with Conditions
Location:	Millwood Primary Special School, School Street, Radcliffe, Manchester, M26 3BW				
Proposal:	Variation of condition nos. 12 (landscaping scheme) to mitigate loss of trees/vegetation, 13 (tree removal/retention plan) revised tree retention and protection drawing to reflect current situation, 15 (biodiversity mitigation and enhancement) updated report to reflect mitigations for lost trees and condition 3 (materials) change of colour of profiled metal roof system from RAL 7004 to RAL 0005500, and change of curtain walling material to Meteon Steel Grey (Satin) A21.7.0 following approval of planning permission 70576				

Application No.:	72343	App. Type:	FUL	11/11/2025	Approve with Conditions
Location:	6 Fernbank, Radcliffe, Manchester, M26 1YB				
Proposal:	Raise roof ridge height by 500mm; Loft conversion with rear dormer				

Application No.:	72478	App. Type:	LDCE	28/11/2025	Lawful Development
Location:	Unit 1, 136 Sion Street, Radcliffe, M26 3SB				
Proposal:	Lawful development certificate for existing general industrial use (Class B2)				

Ward: **Ramsbottom**

Application No.:	72457	App. Type:	PIP	13/11/2025	Refused
Location:	Land off Whalley Road, Ramsbottom				
Proposal:	Application for permission in principle for up to 9 no. dwellings				

Application No.:	72482	App. Type:	LDCE	25/11/2025	Lawful Development
Location:	64 Fir Street, Ramsbottom, Bury, BL0 0BG				
Proposal:	Lawful development certificate for proposed hip to gable and rear dormer				

Application No.:	72483	App. Type:	FUL	05/12/2025	Approve with Conditions
Location:	64 Fir Street, Ramsbottom, Bury, BL0 0BG				
Proposal:	Two storey side extension				

Application No.: 72485 **App. Type:** FUL 04/12/2025 Approve with Conditions
Location: 3 Astley Hall Drive, Ramsbottom, Bury, BL0 9DF
Proposal: Single storey side/rear extension following demolition of garage

Application No.: 72486 **App. Type:** FUL 05/12/2025 Approve with Conditions
Location: 255 Whittingham Drive, Ramsbottom, Bury, BL0 9NY
Proposal: Variation of condition no. 2 (approved drawings) on planning permission 71852 (Single storey rear extension; loft conversion with rear dormer and raise roof ridge height): for the addition of a high level window above head height on side of dormer cheek

Ward: **Tottington**

Application No.: 72419 **App. Type:** FUL 18/11/2025 Approve with Conditions
Location: 27 Thornfield Road, Tottington, Bury, BL8 4BX
Proposal: Single storey rear extension

Application No.: 72533 **App. Type:** GPDE 01/12/2025 Prior Approval Not Required - Extension
Location: 1 Hawthorn Crescent, Tottington, Bury, BL8 3NG
Proposal: Prior approval for proposed single storey rear extension

Ward: **Whitefield + Unsworth - Besses**

Application No.: 71945 **App. Type:** FUL 27/11/2025 Approve with Conditions
Location: 40 Swinton Crescent, Bury, BL9 8PB
Proposal: Two storey extension at side/rear

Application No.: 72443 **App. Type:** FUL 04/12/2025 Approve with Conditions
Location: 10 Wenning Close, Whitefield, Manchester, M45 8JL
Proposal: Single storey extension at rear

Application No.: 72476 **App. Type:** LDCEP 25/11/2025 Lawful Development
Location: 8 Conway Avenue, Whitefield, Manchester, M45 7AZ
Proposal: Lawful development certificate for proposed hip to gable roof extension and rear dormer

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 72185 **App. Type:** FUL 19/11/2025 Approve with Conditions
Location: 4 Parkstone Avenue, Whitefield, Manchester, M45 7QH
Proposal: Demolition of existing dwelling and erection of 1 no. replacement dwelling

Application No.: 72306 **App. Type:** FUL 03/12/2025 Approve with Conditions
Location: 11 Marle Croft, Whitefield, Manchester, M45 7NB
Proposal: First floor front extension; Pitch roof to garage conversion; Single storey front extension; Cedar panelling to front elevation.

Application No.:	72344	App. Type:	FUL	28/11/2025	Approve with Conditions
Location:	2 Fairhaven Avenue, Whitefield, Manchester, M45 7QG				
Proposal:	First floor front and side extensions; single storey rear extension; juliette balconies at rear; rear dormer; new roof windows and all elevations to be rendered.				

Application No.:	72358	App. Type:	FUL	14/11/2025	Approve with Conditions
Location:	20 Church Lane, Whitefield, Manchester, M45 7NF				
Proposal:	Conversion of existing garage to lounge and erection of a single storey detached garage to front/side				

Application No.:	72421	App. Type:	FUL	14/11/2025	Approve with Conditions
Location:	14 Philips Park Road East, Whitefield, Manchester, M45 7HJ				
Proposal:	Single storey extension at side				

Application No.:	72432	App. Type:	FUL	19/11/2025	Refused
Location:	Whitefield Garage, 325 Bury New Road, Whitefield, Manchester, M45 7SE				
Proposal:	Variation of condition 11 (operating times) on planning permission 55660 (Redevelopment of petrol filling station): to allow for 24 hour operation of site				

Ward: **Whitefield + Unsworth - Unsworth**

Application No.:	72215	App. Type:	FUL	20/11/2025	Approve with Conditions
Location:	15 Borrowdale Drive, Bury, BL9 8HT				
Proposal:	Hip to gable roof extension with loft conversion and rear dormer; Single/two storey side extension and single storey rear extension				

Application No.:	72270	App. Type:	FUL	19/11/2025	Approve with Conditions
Location:	McDonalds Restaurant, Little 66, Bury, BL9 8RD				
Proposal:	Installation of 1 no. additional rapid electric vehicle charging station; Upgrade to the 2 no. existing EV chargers and ancillary equipment existing within the car park				

Application No.:	72402	App. Type:	FUL	17/11/2025	Approve with Conditions
Location:	McDonalds Restaurant Park, Little 66, Bury, BL9 8RS				
Proposal:	Reconfiguration of shopfront to include new access door and refurbish existing doors and windows				

Application No.:	72452	App. Type:	FUL	25/11/2025	Approve with Conditions
Location:	45 Randle Drive, Bury, BL9 8NF				
Proposal:	Demolition of the existing single storey side/rear extension and erection of a new single storey side/rear extension.				

Application No.:	72492	App. Type:	AG	19/11/2025	Prior Approval Required and Refused
Location:	Land west of Croft Lane, Bury, BL9 8QH				
Proposal:	Prior approval for proposed agricultural building				

Total Number of Applications Decided: 97

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REPORT FOR NOTING

Agenda Item 7

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	16 December 2025
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality/Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation,
3 Knowsley Place ,Bury BL9 0EJ

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<p align="center">Planning Appeals Decided between 10/11/2025 and 07/12/2025</p>



Application No.: 71446/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs J & C Brown

Location: Twine Valley Farm, Church Road, Shuttleworth, Ramsbottom, Bury, BL0 0HH

Proposal: Installation of a slurry pond

Appeal Decision: Dismissed

Date: 11/11/2025

Appeal type: Written Representations

Application No.: 71451/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs J & C Brown

Location: Sheep Hey Farm, Leaches Road, Shuttleworth, Ramsbottom, Bury, BL0 0EC

Proposal: Installation of a slurry lagoon

Appeal Decision: Dismissed

Date: 11/11/2025

Appeal type: Written Representations

Application No.: 72009/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr & Mrs Husband

Location: 177 Bolton Street, Ramsbottom, Bury, BL0 9JD

Proposal: Replacement of timber windows with UPVc

Appeal Decision: Dismissed

Date: 04/12/2025

Appeal type: Written Representations

Application No.: 72100/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: The Hearth of the Lamb

Location: The White Rabbit, 13 Peel Brow, Ramsbottom, Bury, BL0 0AA

Proposal: Retention of timber outbuildings for use as outdoor bar/seating areas and pizza bar

Appeal Decision: Dismissed

Date: 04/12/2025

Appeal type: Written Representations

Appeal Decision

Site visit made on 24 September 2025

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/T4210/W/25/3368429

Twine Valley Farm, Church Road, Shuttleworth, Bury

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Messrs J & C Brown against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71446.
 - The development proposed is slurry pond.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. While the pond has mainly been constructed, it is not yet in use for slurry storage. During my site visit, I observed that the pond's location broadly aligned with the details shown on the submitted plans. However, there were some noticeable differences in its shape, with the constructed pond appearing more angular than the oval form depicted in the plans. That said, as the development does not appear to be formally completed, I have based my assessment on the submitted plans, as these are the details upon which the Council made its decision.

Main Issues

3. The main issues are:
 - Whether the proposed development would be inappropriate development in the Green Belt, and if it would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations amounting to the very special circumstances necessary to justify the development.
 - The effect of the proposal on the character and appearance of the area, including its landscape setting.
 - Whether it has been adequately demonstrated that the proposal would not lead to unacceptable impacts on land stability and soil pollution.
 - Whether the effects of the proposed development on the living conditions of nearby occupiers would be acceptable, with specific regard to the effects of noise, smell, disturbance and general activity associated with the proposal.
 - The effect of vehicle movements associated with the proposal on highway and pedestrian safety.

Reasons

Whether inappropriate development in the Green Belt

4. The appeal site is in the Green Belt. Paragraph 154 of the National Planning Policy Framework (the Framework) establishes that development in the Green Belt is inappropriate unless it meets one of its stated exceptions. This includes, at paragraph 154.a), buildings for agriculture and forestry. Another exception at paragraph 154.h) ii. is engineering operations, but only where they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, as set out at paragraph 143 of the Framework (the 'five purposes').
5. There is disagreement between the parties on the classification of the development. The appellant argues that the slurry pond should be considered a building for agriculture under paragraph 154.a) of the Framework, and therefore not inappropriate in the Green Belt. They cite case law and appeal decisions to support the view that the pond, due to its permanence, physical attachment, and scale, meets the definition of a building. The Council initially assessed the proposal under paragraph 154.a) but later clarified that the development could fall under paragraph 154.h) ii.
6. The proposed development is for agricultural purposes. However, whilst the Framework deems buildings for agriculture not to be inappropriate in the Green Belt, it does not give the same fundamental exception to engineering operations, given the requirement to preserve openness and ensure no conflict with the five purposes.
7. Whilst there is a plausible argument for the fencing associated with the pond to be considered as a building for the purposes of the Framework, I am less convinced by the arguments that the slurry pond itself should be assessed in this way. It involves significant earthworks and structural intervention into the land, and does not exhibit the characteristics typically associated with buildings such as above-ground enclosure or the creation of internal space.
8. Having considered the form, function, and method of construction, and having regard to the relevant case law, I conclude that the excavation and lining of the slurry pond is more accurately described as an engineering operation. I shall therefore determine the appeal on this basis.
9. In this specific case, assessment of the proposal is made more complex on the basis that some development has already taken place. Whilst Section 73A of the Town and Country Planning Act 1990 allows for retrospective consideration, the impact on openness is a critical factor. As such, a full assessment requires a clear understanding of the site's condition prior to development.
10. The appellant has provided samples from a 2016 topographical survey to illustrate the pre-existing conditions. However, the information provided lacks sufficient detail to support a definitive 'before-and-after' comparison. Comments from interested parties indicate that the development involved significant remodelling of the landform, resulting in changes to the natural topography. Although the appellant disputes this, in the absence of detailed evidence quantifying the scale and impact of the development, particularly in terms of volume and visual impact, I cannot conclude that the development would preserve the openness of the Green Belt in either spatial or visual terms.

11. One of the five purposes of the Green Belt, as set out in paragraph 143.c) of the Framework, is to safeguard the countryside from encroachment. Despite the surrounding agricultural context, the form, scale, and visual presence of the slurry pond result in a clear encroachment into the countryside. This is reinforced by the uncertainty surrounding its impact on openness. Accordingly, the development conflicts with one of the five purposes.
12. The appellant also introduces the argument that the appeal site constitutes “grey belt” land. If this were established, paragraph 155 of the Framework provides that certain development may not be inappropriate, subject to certain criteria. Most notably, paragraph 155.b. requires there to be a demonstrable unmet need for the proposed development. In this case, the appellant has not provided substantive evidence to show that the site qualifies as grey belt, nor that an unmet need exists. While operational benefits have been cited, these are not supported by compelling evidence sufficient to meet the Framework’s threshold. In the absence of such evidence, even if the site were considered grey belt, the development would still be regarded as inappropriate.
13. Given the failure to satisfy the policy tests for an exception, the development must be regarded as inappropriate development in the Green Belt. Consequently, it fails to accord with Policy JP-G9 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, Adopted 21 March 2024 (the JDP), and the relevant provisions of the Framework, which collectively seek to avoid inappropriate development in the Green Belt.
14. Substantial weight must be given to the harm caused by reason of its inappropriateness and any other resulting harm. Following my conclusion on the other main issues, I shall consider whether there are any other considerations that would amount to the very special circumstances necessary to justify the development.

Character and appearance

15. The appeal site lies within the Pennine Foothills landscape character area, as identified in Policy JP-G1 of the JDP. The Council identifies the area as a transitional upland fringe landscape, characterised by pasture fields, wooded stream valleys, and a strong rural identity. These characteristics reflect my observations at the site visit. The site is also visible from several public rights of way, including footpaths and byways. These routes offer short, medium, and long-range views of the site, reinforcing its prominence in the landscape.
16. The development is on elevated ground near to an existing agricultural building. Although the pond itself is largely sub-surface, the overall development includes a 2-metre high deer fence and a UV-stabilised plastic floating cover, both of which contribute to its visual presence. The inconsistency between the submitted plans and the development as built further complicates the assessment of its true impact on the landscape.
17. The appellant contends that the development would be seen in the context of existing farm buildings and would not appear isolated or incongruous. They refer to a previously approved silage building on the site, and argue that the slurry pond would have a lesser impact. They also suggest that the fencing is typical of rural settings and offer to condition the colour of the cover to reduce visual impact.

18. However, the comparison with the silage building is not directly applicable. That building was assessed under different circumstances and policy considerations, including those relevant to agricultural buildings in the Green Belt. In contrast, the slurry pond is open, elevated, and partially engineered into the landscape, with limited integration into the existing built form. While conditions could potentially mitigate some visual effects, the development would remain visually prominent in a sensitive landscape.
19. Policy JP-G1 requires development to reflect and respond to the special qualities and sensitivities of the landscape, including topography, views, and perceptual qualities. The Council's Development Control Policy Guidance Note 8 – 'New Buildings and Associated Development in the Green Belt' – Adopted 10th January 2007 (SPD8) similarly advises that agricultural development in the Green Belt should be sited to minimise harm to views and integrate with landscape features. In this case, the elevated siting, visibility from public vantage points, and lack of detailed plans all weigh against the proposal.
20. Accordingly, based on the available evidence and the level of detail shown on the submitted plans, I conclude that the development would fail to integrate acceptably with its surroundings and would harm the character and appearance of the area, including its sensitive landscape setting. It would therefore be contrary to Policies OL4/5, OL1/2 and EN1/2 of the Bury Unitary Development Plan, Adopted Plan 1997 (the UDP), Policies JP-G9, JP-G1 and JP-P1 of the JDP, the guidance contained in SPD8 and the relevant provisions of the Framework. Collectively, these policies and guidance seek to ensure development is appropriately sited to minimise visual impacts, that it respects the character and appearance of its surroundings, and to reflect landscape character.

Land stability and soil pollution

21. Paragraph 197 of the Framework places responsibility on the developer to ensure safe development where land stability is a concern. Paragraph 187.e) further requires planning decisions to prevent development from contributing to, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
22. The Council has raised concerns about apparent changes in land levels at the site. The submitted plans are limited in scope and do not include a full topographical survey or details of adjacent land. My own site visit corroborated discrepancies between the submitted plans and the development as built, and there is no substantive information regarding the source or nature of any imported materials.
23. The appellant disputes that significant earthworks have taken place and refers to previous topographical surveys to support their position. They argue that the pond has held water without signs of instability and that any spillage would occur on their own land. They also point to the lack of objection from statutory consultees, including the Environment Agency (EA) and the Council's Environmental Health Officer (EHO), as evidence that the development is acceptable in principle.
24. However, these assertions are not supported by technical evidence. The appellant has not provided a full topographical survey, soil analysis, or engineering assessment to demonstrate that the land is stable and suitable for the development. The retrospective nature of the appeal further undermines confidence in the adequacy of the information provided. While the EA did not

object in principle, their comments were based on general guidance and did not constitute a detailed assessment of the site-specific risks. Similarly, the EHO acknowledged limited expertise in this area and relied on a professional survey that did not address land stability in detail.

25. Multiple representations from interested parties refer to the build-up of land, the risk of collapse or subsidence, and the proximity of the slurry pond to springs and watercourses. These concerns are consistent with the types of risks identified in paragraph 187.e) of the Framework and highlight the need for a thorough and evidence-based assessment. In the absence of such evidence, the appellant's reliance on general assurances and the absence of formal objections is not sufficient to demonstrate compliance with national policy.
26. Although reference has been made to the General Permitted Development Order (GPDO), this is not directly relevant to the appeal, which concerns a full planning application rather than a lawful development certificate. The terms of the GPDO do not remove the requirement to demonstrate that the development is safe and does not pose risks to the environment.
27. In conclusion, insufficient evidence has been provided to demonstrate that the proposal would not lead to unacceptable impacts on land stability or soil pollution. The concerns raised by the Council and interested parties are reasonable and have not been adequately addressed. The proposal therefore conflicts with the provisions of paragraphs 197 and 187.e) of the Framework.

Living conditions

28. The slurry pond is approximately 25 metres from the closest residential properties. Interested parties have raised extensive concerns about the potential for odour, noise, and disturbance arising from the use of the pond. These include fears of harmful emissions, increased fly activity, and mental health impacts. Residents also highlight the exposed and elevated nature of the site, the absence of intervening structures, and variable wind conditions.
29. The appeal is supported by a qualitative Odour Assessment (the OA) by Royal Haskoning DHV. The OA concludes that, with the installation of a UV-stabilised plastic floating cover, the odour impact at nearby receptors would be "not significant." It cites DEFRA and EU guidance indicating that such covers can reduce ammonia emissions by up to 95%. The appellant also argues that the pond would reduce the frequency of slurry spreading, thereby lowering vehicle movements and associated noise. They also contend that the proposal would reduce odour impacts compared to current practices.
30. While the OA is professionally prepared and carries some weight, it has notable limitations. It does not assess cumulative impacts from the slurry pond and nearby cattle housing, nor does it address the potential for odour release during agitation, pumping, or maintenance. These activities would require the cover to be removed at precisely the times when odour emissions are likely to be greatest. Additionally, the report's assumptions about prevailing wind directions have been contested by local residents who maintained odour diaries over extended periods.
31. The appellant places some reliance on the absence of formal objections from the EHO and EA. However, the EHO explicitly stated that they had limited expertise in this area and deferred to the findings of the OA. The EA comments were general

in nature and did not constitute a detailed assessment of impacts on nearby occupiers. Given the proximity of sensitive receptors, and the lack of detailed operational information and mitigation measures, this is a significant omission.

32. The site lies within an established agricultural setting, and it is reasonable to expect a degree of background odour and activity associated with farming operations. The appellant argues that the proposed slurry pond would reduce the frequency of slurry spreading, thereby lowering vehicle movements and associated disturbance. They also point to the presence of other agricultural buildings on the site and the general rural context, suggesting that nearby residents should expect some level of odour and activity as part of living adjacent to a working farm.
33. However, the specific siting of the slurry pond and proximity to sensitive receptors raises legitimate concerns. The OA does not adequately address the potential for emissions during key operational phases, and its reliance on assumptions regarding wind direction and lagoon contents limits its evidential weight. On this basis, I find the supporting details insufficient to demonstrate that the development would not result in unacceptable harm.
34. In contrast, the impacts in terms of noise, disturbance and general activity are less clearly harmful. Based on the available details, and having regard to the comments of interested parties and the site's baseline position as a working farm, there is limited compelling evidence to suggest that these effects would be unacceptable.
35. Nevertheless, for the reasons given in relation to odour, I conclude that the proposal fails to demonstrate that it would not result in unacceptable harm to the living conditions of nearby occupiers. The concerns raised by residents are credible and consistent with the types of impacts that the relevant development plan policies seek to prevent. The proposal would therefore conflict with Policy EN7/2 of the UDP, and Policies JP-S5, and JP-P1 of the JDP.

Highway and pedestrian safety

36. JDP Policies JP-C5, JP-C6, JP-C8, and UDP Policies RT3/3 and RT3/4 seek to ensure that development supports safe, inclusive, and well-connected transport networks, and protects the integrity of public rights of way.
37. The Council and interested parties have expressed concerns about a potential increase in vehicle movements, particularly the use of tankers to transport slurry to and from the site. They argue that the narrow and heavily parked nature of Bye Road, combined with pedestrian use of access routes, could result in safety risks and disruption. However, no transport assessment or quantified data on vehicle movements was submitted with the application. The Council's and interested parties' concerns are therefore based primarily on the absence of information rather than demonstrable evidence of harm.
38. The appellant contends that the slurry pond would reduce vehicle movements overall, as slurry could be stored and spread less frequently, rather than being transported daily. They argue that this would improve operational efficiency and reduce disturbance. Although no detailed transport data was provided, this argument is plausible and consistent with the intended function of the pond. There is no compelling evidence to suggest that the proposal would generate a significant increase in traffic or result in congestion or conflict on the local road network.

39. Paragraph 116 of the Framework states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe. Based on the available evidence and my own observations, I consider it unlikely that the proposal would generate additional vehicle movements or activity of a scale sufficient to breach this threshold. While the concerns of the Council and interested parties are legitimate, they are not supported by substantive evidence demonstrating that the impacts would be unacceptable or severe.
40. I therefore conclude that the proposal would not conflict with the aims of the relevant development plan policies listed above or the provisions of the Framework. Although there is a notable absence of detailed transport information, the available evidence does not persuade me that the development would result in harm on highway or pedestrian safety grounds.

Other considerations

41. The appellant has advanced a number of considerations in support of the proposal. These include the operational benefits of slurry storage for the efficient running of the farm, the environmental advantages of reducing reliance on chemically produced fertiliser, and the potential reduction in vehicle movements associated with slurry spreading. The appellant also points to the absence of objections from statutory consultees such as the EA and the EHO, and expresses a willingness to accept planning conditions to address matters of detail.
42. These considerations are acknowledged and carry some weight. The operational need for slurry storage is a legitimate aspect of agricultural practice, and the potential environmental benefits of improved nutrient management are consistent with broader sustainability objectives. However, these benefits must be weighed against the harm identified in relation to the main issues.
43. As set out above, the proposal constitutes inappropriate development in the Green Belt. It has not been demonstrated that the development would preserve the openness of the Green Belt or avoid conflict with its purposes. This harm carries substantial weight in accordance with national policy. In addition, the proposal fails to demonstrate that it would not result in harm to the character and appearance of the area or to the living conditions of nearby occupiers, or that it would not lead to unacceptable impacts on land stability and soil pollution. These harms also attract significant weight.
44. While no harm has been identified in relation to highway and pedestrian safety, this is a neutral factor in the planning balance and does not weigh in favour of the proposal.
45. Paragraph 153 of the Framework confirms that inappropriate development in the Green Belt should not be approved except in very special circumstances. Such circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
46. In this case, the other considerations put forward by the appellant, while acknowledged, do not clearly outweigh the cumulative harm identified. The level of harm to the Green Belt, in particular, is substantial and determinative. Accordingly, the other considerations advanced do not amount to the very special circumstances necessary to justify the development.

Conclusion

47. For the reasons given above, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR

Appeal Decision

Site visit made on 24 September 2025

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2025

Appeal Ref: APP/T4210/W/25/3369572

Sheep Hey Farm, Whalley Road, Shuttleworth, Bury BL0 0EC

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Messrs J & C Brown against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 71451.
 - The development proposed is slurry lagoon.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, and if it would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations amounting to the very special circumstances necessary to justify the development.
 - The effect of the proposal on the character and appearance of the area, including its landscape setting.
 - Whether the effects of the proposed development on the living conditions of nearby occupiers would be acceptable, with specific regard to the effects of odour.
 - The effect of vehicle movements associated with the proposal on highway and pedestrian safety.

Reasons

Whether inappropriate development in the Green Belt

3. The appeal site is in the Green Belt. Paragraph 154 of the National Planning Policy Framework (the Framework) establishes that development in the Green Belt is inappropriate unless it meets one of its stated exceptions. This includes, at paragraph 154.a), buildings for agriculture and forestry. Another exception at paragraph 154.h) ii. is engineering operations, but only where they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, as set out at paragraph 143 of the Framework (the 'five purposes').

4. There is disagreement between the parties on the classification of the development. The appellant argues that the slurry lagoon should be considered a building for agriculture under paragraph 154.a) of the Framework, and therefore not inappropriate in the Green Belt. They cite case law and appeal decisions to support the view that the lagoon, due to its permanence, physical attachment, and scale, meets the definition of a building. The Council initially assessed the proposal under paragraph 154.a) but later clarified that the development could fall under paragraph 154.h) ii.
5. The proposed development is for agricultural purposes. However, whilst the Framework deems buildings for agriculture not to be inappropriate in the Green Belt, it does not give the same fundamental exception to engineering operations, given the requirement to preserve openness and ensure no conflict with the five purposes.
6. Whilst there is a plausible argument for the fencing associated with the lagoon to be considered as a building for the purposes of the Framework, I am less convinced by the arguments that the slurry lagoon itself should be assessed in this way. It involves significant earthworks and structural intervention into the land, and does not exhibit the characteristics typically associated with buildings such as above-ground enclosure or the creation of internal space.
7. Having considered the form, function, and method of construction, and having regard to the relevant case law, I conclude that the excavation and lining of the slurry lagoon is more accurately described as an engineering operation. I shall therefore determine the appeal as such.
8. On this basis, the development must preserve the openness of the Green Belt and avoid conflict with its purposes. The appellant argues that the lagoon would not harm openness, as it would largely be below ground level and visually unobtrusive. They suggest that the fencing is minor in scale and would be mitigated by planting. However, the submitted plans lack sufficient detail to fully assess the visual and spatial impact of the development. The location plan, topographical survey, and cross-sections do not adequately show the lagoon's relationship to surrounding landform, field boundaries, or nearby buildings. There is also insufficient information about the proposed cover, its appearance, and how it would interact with the landscape.
9. Given this lack of clarity, I am not persuaded that the proposal would preserve the openness of the Green Belt. The lagoon would be a sizeable feature, and the fencing and cover may introduce additional visual and spatial impacts that cannot be fully assessed based on the submitted details. In the absence of sufficient evidence, I cannot conclude that the proposal would preserve the openness of the Green Belt in either spatial or visual terms.
10. One of the five purposes of the Green Belt, as set out in paragraph 143.c) of the Framework, is to safeguard the countryside from encroachment. Despite the surrounding agricultural context, the form, scale, and visual presence of the slurry lagoon would result in a clear encroachment into the countryside. This is reinforced by the inability to conclude that it would preserve the Green Belt's openness. Accordingly, the proposal conflicts with one of the five purposes.
11. The appellant also introduces the argument that the appeal site constitutes "grey belt" land. If this were established, paragraph 155 of the Framework provides that

certain development may not be inappropriate, subject to certain criteria. Most notably, paragraph 155.b. requires there to be a demonstrable unmet need for the proposed development. In this case, the appellant has not provided substantive evidence to show that the site qualifies as grey belt, nor that an unmet need exists. While operational benefits have been cited, these are not supported by compelling evidence sufficient to meet the Framework's threshold. In the absence of such evidence, even if the site were considered grey belt, the development would still be regarded as inappropriate.

12. Given the failure to satisfy the policy tests for an exception, the development must be regarded as inappropriate development in the Green Belt. Consequently, it conflicts with Policy JP-G9 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, Adopted 21 March 2024 (the JDP), and the relevant provisions of the Framework, which collectively seek to avoid inappropriate development in the Green Belt.
13. Substantial weight must be given to the harm caused by reason of its inappropriateness and any other resulting harm. Following my conclusion on the other main issues, I shall consider whether there are any other considerations that would amount to the very special circumstances necessary to justify the development.

Character and appearance

14. The appeal site forms part of an open and largely undeveloped agricultural landscape. It is located on sloping ground near a mature tree, and the surrounding topography allows for views across the River Irwell valley from commercial and industrial land to the west, and from residential properties to the southwest. The site lies within a designated Landscape Character Area and the Green Belt, placing it within a sensitive landscape context.
15. The appellant argues that the proposed slurry lagoon would not have an adverse impact on the character and appearance of the area. They point out that the lagoon would be set below ground level, with 45-degree slopes and surrounded by 2-metre-high deer fencing and tree planting. It is asserted that the fencing would be visually unobtrusive and typical of rural areas, and that the planting would help screen the development. The appellant also describes the lagoon as modest in scale, and offers to accept conditions regarding the colour of the cover and the details of boundary treatment.
16. However, as previously noted, the submitted plans and supporting information lack sufficient detail to enable a robust assessment of the proposal's visual impact. The development would be of significant scale and, based on its siting and my observations, would be prominently visible in the surrounding landscape. The topographical survey and cross-sections do not clearly illustrate how the lagoon would sit within the landform or how visible it would be from nearby viewpoints. The proposed plastic cover is not adequately described or illustrated, and the plans lack contextual information, such as surrounding field boundaries, adjacent buildings, and the wider landscape setting.
17. In a sensitive landscape context, this lack of clarity is significant. Without sufficient detail, the effects of the development on the character and appearance of the area cannot be confidently assessed.

18. I therefore conclude that the submitted details fail to adequately evidence that the proposed development would have an acceptable effect on the character and appearance of the area. As such, the proposal would conflict with Policies OL4/5, OL1/2 and EN1/2 of the Bury Unitary Development Plan, Adopted Plan 1997 (the UDP), and Policies JP-G9, JP-G1 and JP-P1 of the JDP. Collectively, these policies seek to ensure development is appropriately sited to minimise visual impacts, that it respects the character and appearance of its surroundings, and to reflect landscape character.

Living conditions

19. The site is located approximately 250 metres from the nearest sensitive receptors, which include residential properties and a campsite. Several interested parties have raised concerns about the potential for odour nuisance, citing previous experiences of strong and persistent smells from slurry spreading in the area. These concerns include health-related complaints such as headaches and respiratory irritation, as well as impacts on local businesses and the enjoyment of outdoor spaces.
20. The appellant submitted an odour assessment (the OA) prepared by Royal Haskoning DHV. The OA concludes that, with the proposed mitigation of an impermeable UV-stabilised plastic floating cover, the potential for odour effects at all nearby receptors is “not significant.” The appellant also highlights that the Council’s Environmental Health Officer (EHO) did not object to the proposal and deferred to the findings of the report. Additionally, the Environment Agency (EA) has not raised any objection, and the proposed cover is said to comply with DEFRA and EU guidance.
21. However, the OA is qualitative in nature and has some limitations. It does not address the frequency or nature of maintenance activities, such as opening the cover, which are likely to present the greatest risk of odour release. Furthermore, the contents of the slurry are not clearly defined, raising questions about the reliability of the assessment and its applicability to the specific circumstances of the site.
22. The comments of interested parties further reinforce these concerns. While some interested parties have raised broader concerns about site management and historical practices, these are not substantiated and do not form part of the evidence before me. Nevertheless, in this case, the presence of nearby receptors, whose use and sensitivity are clearly evidenced, reinforces the need for a robust and detailed understanding of the potential impacts of odour arising from the proposed development. As such, although the OA carries some weight, its limitations and the absence of robust, site-specific evidence mean that it cannot be relied upon to demonstrate that the development would not result in unacceptable impacts on living conditions.
23. It is acknowledged that the site lies within an active agricultural setting, where some odour and activity are to be expected. This is reflected in the supporting comments from some interested parties. However, the proposed lagoon is a substantial facility for concentrated slurry storage, which introduces a materially different potential for odour impacts compared to routine agricultural spreading. Given the proximity of sensitive receptors, the effects of such a facility must be assessed with particular rigour. While it is possible that further information and

controls could make the proposal acceptable, the decision must be based on the evidence currently before me, which do not enable me to reach such a finding with confidence.

24. On this basis, I conclude that the proposal fails to demonstrate that it would safeguard the living conditions of nearby occupiers, and it would therefore conflict with Policies JP-S5 and JP-S1 of the JDP, and Policies OL4/5 and EN1/2 of the UDP, which collectively seek to ensure a high standard of amenity and protect sensitive receptors from pollution.

Highway and pedestrian safety

25. JDP Policies JP-C5, JP-C6 and JP-C8, and UDP Policies RT3/3 and RT3/4 seek to ensure that development supports safe, inclusive, and well-connected transport networks, and protects the integrity of public rights of way.
26. The proposed slurry lagoon would be accessed via a combination of adopted highways, private tracks, and public rights of way (PROW). The Council raises concerns that insufficient information has been provided to assess the impact of additional vehicle movements on these routes, particularly in relation to pedestrian safety and the structural integrity of a “weak bridge” on the approach. It notes that the submitted Construction Traffic Management Plan lacks detail on the frequency, timing, and routing of slurry transport, and that no formal comments were received from the Local Highway Authority or the PROW Officer.
27. Several interested parties also raise concerns about increased traffic, potential conflict with pedestrians and recreational users, and the condition of the access routes. These concerns are relevant given the mixed-use nature of the access and the presence of walkers, cyclists, and local residents.
28. However, the site’s context as a working farm is an important consideration. Although the submitted information contains limited detail on current and projected vehicle movements, the appellant’s assertion that slurry must currently be spread frequently due to the absence of on-site storage, resulting in regular tanker trips, is plausible. There is no substantive evidence to suggest that the proposal would lead to a significant increase in traffic. On the contrary, based on the nature of the development and the operational changes it would enable, there is a reasonable prospect that vehicle movements could decrease.
29. Paragraph 116 of the Framework sets a high threshold for refusal on highways grounds. It states that development should only be refused if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios. In this case, I am presented with no substantive evidence to demonstrate that the proposal would result in either an unacceptable safety risk or severe cumulative impacts. The concerns raised, while relevant, do not breach the Framework’s threshold of demonstrable harm.
30. Although it would have been beneficial for the appellant to provide more comprehensive transport information, the available evidence does not indicate that the proposal would result in highway impacts that meet the threshold for refusal under paragraph 116 of the Framework. The site is already in agricultural use, and the proposed lagoon would not fundamentally alter the nature or intensity of access.

31. In conclusion, the proposal would not conflict with the aims of the relevant development plan policies listed above or the provisions of the Framework. Although there is a notable absence of detailed transport information, the available evidence does not persuade me that the development would result in harm on highway or pedestrian safety grounds.

Other considerations

32. The appellant has advanced a number of considerations in support of the proposal. These include the operational benefits of slurry storage for the efficient running of the farm, the environmental advantages of reducing reliance on chemically produced fertiliser, and the potential reduction in vehicle movements associated with slurry spreading. The appellant also points to the absence of objections from statutory consultees such as the EA and EHO, and expresses a willingness to accept planning conditions to address matters of detail.
33. These considerations are acknowledged and carry some weight. The operational need for slurry storage is a legitimate aspect of agricultural practice, and the potential environmental benefits of improved nutrient management are consistent with broader sustainability objectives. However, these benefits must be weighed against the harm identified in relation to the main issues.
34. As set out above, the proposal constitutes inappropriate development in the Green Belt. It has not been demonstrated that the development would preserve the openness of the Green Belt or avoid conflict with its purposes. This harm carries substantial weight in accordance with national policy. In addition, the proposal fails to demonstrate that it would not result in harm to the character and appearance of the area, or to the living conditions of nearby occupiers, particularly in relation to odour. These harms also attract significant weight.
35. While no harm has been identified in relation to highway and pedestrian safety, this is a neutral factor in the planning balance and does not weigh in favour of the proposal.
36. Paragraph 153 of the Framework confirms that inappropriate development in the Green Belt should not be approved except in very special circumstances. Such circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
37. In this case, the other considerations put forward by the appellant, while acknowledged, do not clearly outweigh the cumulative harm identified. The level of harm to the Green Belt, in particular, is substantial and determinative. Accordingly, the other considerations advanced do not amount to the very special circumstances necessary to justify the development.

Conclusion

38. For the reasons given above, I conclude that the appeal should be dismissed.

P Storey

INSPECTOR



Appeal Decision

Site visit made on 28 November 2025

by K Mansell BA (Hons) MPhil TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2025

Appeal Ref: APP/T4210/D/25/3374183

Hope House, 177 Bolton Street, Ramsbottom BL0 9JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Husband against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 72009.
 - The development proposed is proposed replacement windows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character or appearance of the Ramsbottom Conservation Area (RCA).

Reasons

3. The appeal property at Hope House is a substantial detached three-storey Victorian-era residential villa. Its principal elevation fronting Bolton Street features a front gable detailed with ornate timber barge boards and double-height bay windows, which flank a decorative entrance porch. The property is constructed in stone with a slate roof and timber windows throughout. These mainly comprise traditional sliding sash windows with the exception of 3 casement windows to the rear. The surrounding area is primarily residential in character. Whilst the architectural style of dwellings within the wider area is somewhat varied, many properties immediately surrounding Hope House are of a similar period. The appeal scheme would replace all the existing timber windows in Hope House with double glazed uPVC units. These would be heritage type 'legacy' frames.
4. Hope House lies within the RCA where s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. The boundary of the RCA as a whole extends to a reasonably large area, incorporating Ramsbottom Town Centre to the west of the appeal property and surrounding streets and spaces. From the information before me and my observations on site, it is the concentration of 19th-century buildings and the traditional architectural vernacular, including the use of natural materials such as stone, slate and timber, as well as decorative elements to elevations and the form and detail of fenestration treatment, that contribute positively to the character and appearance of the RCA as a whole, and thus its special interest and significance.

5. I acknowledge that the proposed replacement uPVC sash units would reflect the sash format and glazing styles of the existing windows. The appeal scheme would similarly provide casement replacements to the three rear openings. The heritage-style profiles would also offer a reasonably slimline appearance, and the inclusion of run-through horns where present on the existing sash windows would imitate an existing detail. However, whilst the building is not listed nor within the setting of any listed buildings, the use of uPVC would not fully replicate the appearance of timber framed windows. Even with a white grained finish, compared to wood, uPVC typically has a more uniform appearance. It would also introduce contemporary materials into what is presently a largely intact historic property in terms of window form and detailing. The appeal scheme would consequently appear as a modern insertion and it would be sufficiently noticeable from the public realm to constitute harm to the character and appearance of the building and, therefore, to the RCA.
6. Furthermore, the appeal scheme would remove part of the traditional fabric of the building and consequently, it would not represent a truly like for like replacement. I also have no substantive evidence before me, in terms of large-scale plans or sections of the existing windows to confirm that the replacement windows would entirely replicate the frame depth and proportions of the current fenestration. The introduction of uPVC windows would consequently detrimentally alter the appearance of Brook House and fail to make a positive contribution to the RCA.
7. The appellant has referred to similar heritage-style uPVC sash windows being permitted within other CAs across the UK, including Bath, York, Oxford and Greater Manchester, as well as a specific planning appeal decision in Bedford¹ where the Inspector observed that conservation-style uPVC sash windows in that case would, from normal viewing distances, be difficult to distinguish from traditional timber sash windows. However, I have not been provided with the appeal decision in full, nor to any specific examples elsewhere, so I cannot be certain as to the detailed considerations that applied in those cases. I attach limited weight to them as a result. In any event, I am required to reach conclusions based on the individual circumstances and merits of this appeal and its impact on the immediate locality, which cannot be directly comparable.
8. The appellant has also drawn my attention to the presence of uPVC windows in a number of nearby properties, and I observed several of these during my site visit. Nonetheless, I have not been provided with any details of the planning permissions or circumstances relating to those installations. I therefore cannot be certain what they replaced or what considerations applied in those cases. I also saw that some of these modern interventions confirmed that such alterations are detrimental to the character and appearance of the CA. My assessment must also relate solely to the proposal before me.
9. For these reasons, I consider that the proposal would fail to preserve or enhance the character or appearance of the RCA. Given its modest scale, in terms of the National Planning Policy Framework (the Framework), the harm to the significance of the RCA as a whole would be less than substantial. However, having regard to Paragraph 215 of the Framework, such harm should then be weighed against the public benefits of the appeal scheme, including, where appropriate, securing its optimal viable use.

¹ APP/K0235/D/23/3318897

10. I am mindful of the appellant's assertion that the existing windows pose safety concerns and uPVC windows would be more thermally efficient than timber, reduce condensation and support the building's longevity. However, I have no substantive evidence before me to demonstrate that the existing windows are unsafe, nor that uPVC fenestration would noticeably outperform well installed and maintained timber windows that would also secure the building's future. I also have nothing before me to demonstrate that timber windows would not satisfy building regulation requirements. I attribute very limited weight to these potential benefits as a result.
11. On my site visit I did observe the condition of some of the existing windows, including peeling paintwork, but again, I have no substantive evidence that they are all beyond repair. Whilst uPVC may offer a lower maintenance solution in comparison to wood, this would be a private benefit rather than a public one. I am also mindful that paragraphs 212 and 213 of the Framework advise that great weight should be given to the conservation of a designated heritage asset and any harm to its significance should require clear and convincing justification. When taken together, the very limited public benefits that I have identified would not amount to that and consequently, they would not outweigh the less than substantial harm to the significance of the RCA that I have identified.
12. I therefore conclude that the proposal would have a harmful impact on the character and appearance of the RCA, which, it follows, would not be preserved or enhanced. Accordingly, it would be contrary to policies EN2/1 and EN2/2 of the Bury Unitary Development Plan (1997). These policies require, amongst other matters, that development proposals preserve or enhance the character and significance of conservation areas, including through consideration of design and materials.

Conclusion

13. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

K. Mansell

INSPECTOR

Appeal Decision

Site visit made on 27 November 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 December 2025

Appeal Ref: APP/T4210/W/25/3374284

El Carnero, 13 Peel Brow, Ramsbottom, Bury BL0 0AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr M Oliver against the decision of Bury Metropolitan Borough Council.
- The application Ref is 72100.
- The development proposed is retention of timber outbuildings for use as outdoor bar/seating areas and pizza bar.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form, decision notice and appeal form all utilise different property names. During my site visit, it was noted that signs had been erected at the premises which match those used on the appeal form. I have therefore utilised the address given on the appeal form.
3. The evidence before me indicates that the appeal is retrospective. This was confirmed during my site visit, and the development appears to conform with the plans before me. I have assessed the appeal on this basis.
4. The appeal site lies within the Ramsbottom Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area. I have had due regard to this duty within my decision.

Main Issues

5. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Ramsbottom Conservation Area and the wider area; and,
 - the effect of the development on highway safety.

Reasons

Conservation area

6. The site lies within the Ramsbottom Conservation Area (CA). The CA is situated on the lower slopes of the Irwell Valley where historically, the rivers and streams of the surrounding West Pennines provided water for textile processes. Its significance is derived from a dense and compacted urban form, typically

constructed from stone, which centres around the market area of the town against this natural backdrop of in an otherwise industrial context.

7. The appeal site is host to a semi-detached building which has been extended at single storey level to the side with a glazed addition which is visible from Peel Brow. Nevertheless, the predominant use of stone and overall traditional appearance of the host building within the CA provides a positive contribution to it. This is due to its overall visual similarity with the other buildings on the lower slopes of the Irwell Valley within Ramsbottom.
8. The development subject to this appeal comprises a substantial, dark, flat-roofed timber structure positioned parallel to the rear boundary of the site. A smaller, yet similar structure accommodates a pizza oven and kitchen area. Taken together, their combined scale in terms of length, height, and width, alongside the low boundary wall at the front of the site, results in a pronounced level of visibility from Peel Brow and the wider CA. The dark finish of the structures does little to mitigate their prominence within this open and exposed setting.
9. The materials used in the construction of the development stand in stark contrast to the light-coloured stone characteristic of the Irwell Valley. This discordance is further accentuated by the application of a dark finish across the full width of the structure. In addition, the flat-roofed design fails to integrate or harmonise with the host stone building on the appeal site, or with the prevailing architectural character of the CA, where pitched slate roofs are typical. Consequently, the development appears as an incongruous intervention, markedly at odds with the established materials and built forms of the CA and its wider setting. It therefore fails to preserve, or enhance, the character or appearance of both the CA and the surrounding area.
10. It is contended that a condition could be utilised to stipulate the colour and the materials used on the development. However, whilst these matters would address some areas of concern, it would not overcome my concerns with regard to its overall design.
11. The development is in conflict with Policies EN 1/2, EN 2/1, EN 2/2 and EC4/1 of the Bury Unitary Development Plan 1997 and Policies JP – P1 and JP – P2 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. Collectively, these policies seek for development which would be of an appropriate design and appearance which preserves or enhances conservation areas within the borough. They note that regard will be had to the nature of the development in terms of its bulk, height, materials, colour and design.

Highway safety

12. The development is situated on land that previously formed part of the car park adjacent to the main host building. According to the submitted plans, the appeal site originally accommodated six marked parking bays prior to the construction of the development now under consideration. These bays remain positioned behind the boundary wall at the front of the site. In addition, although not formally delineated, the plans indicate that space was available to the rear and along the eastern boundary of the site. This area would have been used to facilitate a vehicle manoeuvring from the front bays, whilst also providing an informal parking area for additional vehicles.

13. The manoeuvring of vehicles into and out of the marked spaces located to the front of the appeal site, adjacent to the single-storey side extension, is impeded by the presence of the development and its associated paraphernalia. This difficulty would be exacerbated in circumstances where all spaces are occupied, a scenario that is likely given the limited parking provision within the site. Consequently, the development diminishes the availability of space for both vehicle manoeuvring and informal parking, thereby eroding the site's overall parking capacity.
14. Furthermore, the Council refer to the guidance contained within Development Control Policy Guidance Note 11: Parking Standards in Bury 2007 (SPD). The SPD specifies the level of parking provision required for a restaurant in this location. I acknowledge that an informal parking arrangement would remain along the eastern boundary of the appeal site, and that this area could be formally marked out through the imposition of a planning condition. This would supplement the six marked spaces already provided to the front of the site. Nevertheless, based on the evidence before me, I am not persuaded that the marking out of these additional spaces would achieve the level of provision required by the SPD.
15. Taking into account both the limited number of spaces and the constrained manoeuvrability of those located to the front of the site, it is foreseeable that drivers would seek alternative parking opportunities on-street, directly outside the appeal site. During busy periods, such on-street parking could result in an accumulation of vehicles in close proximity to the junction of Kenyon Street with Peel Brow, as well as the exit point of the car park.
16. For vehicles turning right from Kenyon Street towards Ramsbottom, visibility of traffic approaching from the direction of Bury New Road would be restricted unless drivers made a significant ingress onto Peel Brow. Similarly, for vehicles exiting the car park, the likely proliferation of on-street parking along Peel Brow during busy periods would further reduce visibility of traffic approaching from Ramsbottom, again necessitating notable ingress onto the highway.
17. Therefore, when considered collectively, the limited number of spaces resulting from the development would lead to the displacement of vehicles onto the highway during busy periods. Such displacement would have an unacceptable impact on highway safety. Moreover, the parking provision retained within the site would remain constrained, with certain spaces offering compromised manoeuvrability for vehicles entering or exiting them.
18. To conclude, the proposed development would conflict with Policies HT 2/4 of the Bury Unitary Development Plan 1997 and JP-C8 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. The development would also conflict with the guidance found within the SPD. Collectively, these policies and guidance seek for development to make adequate parking provision that is well integrated and unobtrusive which is reflective of its demand.

Heritage Balance and Conclusion

19. The harm to the CA as a result of the proposed development would be less than substantial in the terms of the National Planning Policy Framework (the Framework). Paragraph 215 of the Framework notes that where a development proposal will lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal.

20. It is acknowledged that the development provides additional seating to support a new food offering. Furthermore, economic benefits and employment opportunities would have arisen during its construction. The structure will also provide an employment requirement. This attracts limited, yet positive weight to these public benefits.
21. The Framework makes clear that great weight should be afforded to the conservation of heritage assets. In this case, the identified public benefits, taken together, do not outweigh the harm that would result to the character or appearance of the CA. In the absence of any significant public benefit, I conclude that, on balance, the proposal would fail to preserve or enhance the character or appearance of the CA. Accordingly, the scheme conflicts with the approach to heritage assets set out in Section 16 of the Framework. As such, the Framework does not lend support to the proposal.
22. I consider that the proposal conflicts with the development plan taken as a whole. Material considerations do not outweigh the conflict with the development plan. A decision should therefore be taken in accordance with it. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Smith

INSPECTOR