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AGENDA FOR PLANNING CONTROL COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Website: www.bury.gov.uk

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, 27 January 2026
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 16TH DECEMBER 2025

(Pages 3 - 6)

The Minutes of the meeting held on Tuesday the 16th December 2025 are attached.

4 PLANNING APPLICATIONS *(Pages 7 - 76)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 77 - 92)*

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

6 PLANNING APPEALS *(Pages 93 - 116)*

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

7 ARTICLE 4 DIRECTION PROPOSAL- HOUSES IN MULTIPLE OCCUPATION *(Pages 117 - 176)*

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).

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:	16 th December 2025
Present:	Councillor G McGill (in the Chair) Councillors D Berry, C Boles, U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn, G Staples-Jones, D Vernon and M Walsh
Public Attendance:	16 members of the public were in attendance at the meeting alongside 1 member of the press.

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor D Duncalfe.
Councillor D Berry acted as a substitute representative for Councillor Duncalfe.

PCC.2 DECLARATIONS OF INTEREST

There were no reported declarations of interest.

Councillor M Walsh placed on record in relation to the planning application on the agenda, 71426, Land adjacent to Bealey Industrial Estate, Dumers Lane, Radcliffe, that she lived close to the site. She had not pre-determined the application or cast pre judgement, therefore she would remain in the meeting during deliberation of this application and take part in the determination and voting.

Councillor G McGill placed on record in relation to the planning application on the agenda, 72127, 25 Thomas Street, Radcliffe, that he worked close to the location. He had not pre-determined the application or cast pre judgement, therefore he would remain in the meeting during deliberation of this application and take part in the determination and voting.

PCC.3 MINUTES OF THE MEETING HELD ON THE 18TH NOVEMBER 2025

Delegated decision:

That the Minutes of the meeting held on the 18th November 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 71426, 72240 and 72327.

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 be **Minded to Approve** 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: -

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

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

2. 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: -

25 Thomas Street, Radcliffe, Manchester, M26 2UH

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

3. That the Committee be **Minded to Approve** 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: -

Spurr House, Pole Lane, Bury, BL9 8QL

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

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 with condition 6 listed in the supplementary report being amended to read condition 7 and subject to all other conditions included: -

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

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 3bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4)

5. 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: -

8 Stephen Street South, Bury, BL8 2NT

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)

PCC.5 ARTICLE 4 DIRECTION PROPOSAL - HOUSES IN MULTIPLE OCCUPATION

A report from the Head of Development Management was submitted in relation to 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).

Before any discussions took place, the Council's Legal Advisor withdrew this agenda item from the business of the meeting on behalf of the Director of Law and Democratic Services for further consideration.

Delegated decision:

That the report be withdrawn.

PCC.6 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.7 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.8 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 8.55pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	27 January 2026
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: Ramsbottom	App No. 72368
	Location: Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ	
	Proposal: Construction of 2 no. industrial units (Use Class E(g)(iii) - Industrial processes)	
	Recommendation: Approve with Conditions	Site Visit: N
03	Township Forum - Ward: Bury East - Moorside	App No. 72554
	Location: 12 Monmouth Avenue, Bury, BL9 5DU	
	Proposal: Change of use of existing residential dwellinghouse (Class C3) to 6 bedroom (6 person) house in multiple occupation (HMO) (Sui Generis); Loft conversion with rear dormer extension/new roof/rooflights and external alterations	
	Recommendation: Approve with Conditions	Site Visit: N
2	Township Forum - Ward: Bury West	App No. 72460
	Location: 157 Bolton Road, Bury, BL8 2NW	
	Proposal: Change of use from commercial (Use Class E) to 5-bedroom, 6-occupants House in Multiple Occupation (HMO) (Use Class C4) and associated external alterations (including new doors/windows, removal of advertisement hoarding/roller shutter along front elevation, and new access gate along rear boundary)	
	Recommendation: Minded to Approve	Site Visit: N

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Ward: Ramsbottom

Item 01

Applicant: Mr Andrew Warburton

Location: Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ

Proposal: Construction of 2 no. industrial units (Use Class E(g)(iii) - Industrial processes)

Application Ref: 72368/Full

Target Date: 11/12/2025

Recommendation: Approve with Conditions

Description

The application relates to a vacant site that previously comprised of a two storey saw mill building. The two storey building was located along the boundary with Back Spring Street and access to the site is taken from Caltha Street, which is an unadopted street and unmade street. The buildings have been demolished and the site has been cleared.

Permission was granted in July 2023 (68578) for the demolition of the existing buildings on site and the erection of 5no. dwellings. Permission was granted for 4no. semi detached dwellings located in the north western part of the site, and 1no. detached dwelling within north eastern part of the site. A further consent (71343) was granted in January 2025 to revise the layout of the site to increase the garden areas for the 4no. semi-detached dwellings.

Planning permission is sought for the construction of 2 no. industrial units (Use Class E(g)(iii) - Industrial processes). The proposed units would be located in the north western part of the site with access gained to the site from Springs Street via Caltha Street. The existing concrete block retaining wall would be retained along the north west and south west boundaries. The proposed units would reach a maximum height of 4500mm, with an overall footprint of both units being 279 square metres. Parking would be provided to the front of the unit with 2 no. car spaces, 2 no. van spaces and 2no. disabled parking spaces shown.

Relevant Planning History

70229 - Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations - 24/09/2024

03028/E - Amendment to our approved site plan, planning reference 68578, from 4 dwellings in a row plus 1 detached; to 3 dwellings in a row plus 1 detached. - Enquiry completed 12/11/2024

54544 - Demolition of existing sawmill and associated out-building, and construction of 5 no. three bed dwellings. - Approve with Conditions 21/12/2011

63957 - Outline application for 5 no. dwellings with details of access (all other matters reserved - Withdrawn by Applicant 16/05/2019

68578 - Demolition of existing sawmill and associated outbuilding and construction of 5 no. dwellings - Approve with Conditions 26/07/2023

70175 - Joining the two pairs of semi-detached houses, to create 4 no. terraced houses. Removal of the proposed dormers and increasing the eaves height by 865mm, to be

replaced by attic trusses with roof lights. - Withdrawn - Invalid 07/11/2023

70229 - Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations - Refused 22/12/2023 Appeal Dismissed due to the design having a harmful impact on the character and appearance of the local area, and Conservation Area, failure to comply with National Designated Space Standards and Density.

71343 - Variation of Condition 2 (approved plans) of planning permission 68578 (Demolition of existing saw mill and associated outbuilding and construction of 5 no. dwellings) - revised site layout - Approve with Conditions 29/01/2025

71673 - Application to discharge conditions on planning permission 71343: 4 & 5 (contaminated land), 10 (landscaping), 12 (drainage), 13 (water main) - Split Decision 17/09/2025 The conditions of application 71343 listed below are approved:

Condition 4 - Contaminated Land

Condition 10 - Landscaping

Condition 12 - Drainage

Condition 13 - Water main

The following condition of application 71343 is refused:

Condition 5 - Contaminated Land (remediation). A verification report detailing all remedial actions should be submitted and approved prior to occupation. This condition can therefore not be discharged at this time.

Publicity

Neighbour letters sent 30/10/2025

Site notice 06/11/2025

Press notice 06/11/2025

12 objections received in relation to:

- The site is located in a Conservation Area and the buildings are not in stone.
- Trees have been removed by the developer without permission
- Access is too narrow for modern lorries and vans, spring street is narrow and already littered with pot holes.
- The site is unsuitable for an industrial unit.
- The original saw mill was described as disused; it was not. Smithy Garage is described as disused. It is not.
- Noise and disturbance from proposed units.
- Potential light pollution
- Increased vehicular movements.
- Future occupiers of units are unknown.
- Loss of privacy
- Loss of property value
- No room for vehicles to manoeuvre on site.
- Lack of existing parking.
- The preliminary risk assessment excludes asbestos, and no asbestos survey has been completed. Asbestos is known to be present due to the age of the saw mill.
- The applicant has not provided details of the intended remediation for contamination
- The applicant should be required to complete a baseline noise survey prior to planning being granted, as industrial units would increase noise and require mitigation.
- The applicant has provided no evidence of a legal right of access over land not in their ownership.
- The existing drainage system is privately owned by residents and is not designed to

accommodate increased usage from industrial development or any other additional development.

- The land has sink holes which is not mentioned how bad they are.
- I disagree with the consultation with GMEU. The applicant cleared far more than 25m² of vegetation and the impacted watercourse is far longer than 5m, thus de minimus does not apply.
- Whether or not planning is granted, the applicant should be required to replace vegetation they have cleared.
- The previous building housed bats, a protected species under UK law. The demolition proceeded without the required ecological assessments or mitigation.
- The current application still lacks a bat survey, ecological appraisal or any assessment of wildlife impact, making it non-compliant with national and local biodiversity requirements.
- A separate application relates to the demolition of the adjacent Smithie Garage building to existing properties, the current owners have not been consulted, have not given consent and the developer does not own the building.
- Concerns in relation to developer conduct.

Following amended plans that included a reduction in the number of units at the site from 3 units, to 2 units further neighbour letters sent 05/01/2026

3 further objections received in relation to:

- Preliminary Conceptual Model of the Site Investigation Report identifies a moderate risk of harm from several contaminants, including asbestos. It is unclear from the testing results whether all contaminants were tested for. My main concern is asbestos, as any dust generated during the works would reach my property.
- Planting is now shown on the revised plan. However, 1no Rowan and 1no Silver Birch is not sufficient to screen the industrial units or replace the screening that has been lost.
- There is no lawful right of access and no proof has ever been provided, making the development undeliverable.
- Industrial units would not be in keeping with the surroundings or other properties.
- No room for vehicles to manoeuvre in the area causing unnecessary risk to pedestrians.
- Access in and out of the Caltha street is not designed or appropriate to be used for industrial use or large vehicles visiting the property.
- No clear line of sight when exiting Caltha Street causing more unnecessary risk to pedestrians and vehicles passing on Spring Street.
- Increased noise to local residents from proposed industrial units dependent on the tenants.
- The revised plans are requesting larger industrial units than previous. Similarly the vehicle turning circle is larger. This suggests larger scale use and that larger or more vehicles will be encouraged into the area.
- Landscaping is minimal and does not replace the trees that the applicant has already felled on the site.
- The site plans references a planning application for the alteration to Smithie Garage - the applicant does not, according to current the Land Registry records, own this premises to alter.

Statutory/Non-Statutory Consultations

The Coal Authority - The Coal Authority has no objection to the proposed development subject to the imposition of the conditions to secure intrusive site investigations and any remediation works and or/mitigation measures to address land stability arising from coal mining as may be necessary.

Traffic Section - To be updated in supplementary.

Waste Management - No response

Drainage Section - No objections to the proposed development subject to a condition in relation to the submission of a surface water drainage proposal.

Environmental Health - Contaminated Land Conditions requested in relation to unexpected contamination and imported soil.

As this is a commercial development and there are less than 10 spaces proposed it is not proportionate to recommend a condition for electric vehicle charging, but we would recommend that the applicant provides this as good practice.

Environmental Health - Pollution Control - Condition requested to ensure noise from or associated with the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.

The ambient noise levels shall be determined by survey, by the applicant, to the satisfaction of the Local Planning Authority (LPA) and a copy of the survey report shall be provided to the LPA before any development takes place.

Conservation Officer - No objections raised.

Greater Manchester Ecology Unit - The only potential issue is biodiversity net gain. Given the site was cleared legitimately under the previous permission, I accept that less than 25sqm of vegetation will be permanently lost.

United Utilities (Water and waste) - 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. Condition also requested in relation to ensuring the protection of the water main within the site.

Pre-start Conditions - Agreed by agent.

Outstanding Traffic Conditions to be reported and agreement confirmed in Supplementary Report.

Development Plan and Policies

EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN7/3	Water Pollution
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
H3	Incompatible Uses in Residential Areas
H3/1	Assessing Non-Conforming Uses
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places

JP-P2	Heritage
JP-C6	Walking and Cycling
JP-C5	Streets For All
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

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 (Use)

UDP Policy EC4/1 confirms that proposals for small businesses will be acceptable where the scale of the development is appropriate to and the use environmentally compatible with the surrounding area in which it is to be located. This is further supported by UDP Policy EC6/1 that considers factors including impacts on the environment, scale of use, access and parking provision, effect on neighbouring properties and safety of employees and visitors.

Use Class Eg(iii) - any industrial processes is defined within The Town and Country Planning (Use Classes) Order 1987 Schedule 2, Part A as *being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit*. Examples of this could be a small scale workshop, research and development light product assembly.

The updated planning statement received on the 16th December 2025 confirms that the proposal seeks a scheme to accommodate light industry rather than a heavier industrial/manufacturing use (B2) that was previously on site when the site was operational as a saw mill. Legislation confirms that Use Class Eg(iii) is an acceptable use in a residential area the proposal is therefore considered to be acceptable in principle. A condition could therefore be imposed limiting the unit to Use Class E, or specifically for use class E(g)iii if applicable. There are however other considerations that need to be fully analysed to ensure that the proposal would not have a detrimental impact on the surrounding land uses.

These issues are discussed further below.

Layout and Design

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 aims to promote a series of beautiful, healthy and varied places.

The proposed units would be of a simple, and unobtrusive design typical of buildings utilised

for the proposed end use. The units would be sited to the rear of the site to allow parking and manoeuvring of associated vehicles to the front of the site. An area of amenity grassland would be located within the site adjacent to Caltha Street. The proposal seeks to introduce 1.8 metre timber fencing to the boundary with Caltha Street and along the south west boundary which would replicate the boundary treatments previously approved for the residential scheme.

The entrance to the site from Spring Street site, along Caltha Street is partially located within the Ramsbottom Conservation Area, however the area to be developed is not. Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the Unitary Development Plan seek to preserve or enhance the Character of Conservation Areas. This is further supported by PfE Policy JP-P2 that seeks to pro actively manage and work with partners to positively conserve, sustain and enhance the historic environment and heritage assets and their settings.

The Conservation Area encompasses Ramsbottom town centre and its surrounding streets and open spaces. The part of the Conservation Area closest to the appeal site primarily consists of rows of two-storey stone and slate built terraced dwellings abutting the pavements' back edge. The roads between the terraces are narrow, creating an enclosed sense of place. Consequently, the significance of the Conservation Area is its historic and aesthetic values.

The proposed units would not be located within the Conservation Area, but would be visible from the rear of the residential properties along Spring Street and Bolton Street that are within the Conservation Area. However, any public views of the site from the Conservation Area would be limited to views from the access, namely Caltha Street.

The proposed units would be located within the north western part of the site and would be approximately 3.8 metres lower than the ridge height of the previously approved new build dwellings. Prior to site clearance however the site was occupied by an industrial use with a building that comprised of a two storey stone built property, with a single storey flat roof buff brick extension with metal sheeting roof at the rear that was approximately 17 metres long and projected along the south west boundary. A flat roof building, with metal sheeting walls and roof also fronted Caltha Street in the north eastern part of the site.

Given the composition and location of the previous industrial buildings on site, the very limited views of the area of the site to be occupied by the proposed industrial units from the Conservation Area, and the reduction in height of built form from what was previously on site and what has been previously approved it is considered that the proposed units would have a neutral impact on the character of the Conservation Area and therefore are in compliance with the Policy considerations set out above.

Amenity

UDP Policy EN1/2 considers the relationship of the proposal to the surrounding area. 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 Policy H3/1 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.

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 lean and play, where there are impacts on the green infrastructure network and where air quality targets are not being met. UDP Policy EN7/2 - Noise Pollution that restricts development that would lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users.

Industrial processes within an E use class, would suggest a less intensive use that can be carried out in any residential area without detriment to the amenity. As confirmed above the Use Class Order confirms that the proposed use can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. It is however acknowledged that neighbours have raised concerns in relation to the proposed use, and the noise that may be created. To ensure that any potential noise from the end users of the proposed units would not impact the adjacent users a condition has been requested by Environmental Health to ensure noise from or associated with the proposed activity/development does not increase the prevailing ambient noise levels as measured at the boundary of the site.

The ambient noise levels shall be determined by survey, by the applicant, to the satisfaction of the Local Planning Authority (LPA) and a copy of the survey report shall be provided to the LPA by condition.

It is also considered appropriate to restrict opening hours of the proposed units by condition to between 8am and 6pm to prevent any undue disturbance to the neighbouring residential uses.

The proposed units would be approximately 1.5 storeys in height at their highest point, and 3.8 metres lower than the previously approved two storey dwellings. There would be 9.2 metres from the rear elevation of Nos. 20, 18 and 16 Spring Street to the side elevations of the proposed units at this point. As established through previous applications at this site, and through the topographical plan supplied the proposed units would also be set between 2.4 and 1.7 metres lower than the access track at this point. As such it is considered that the proposal would not be unduly overbearing.

No windows or openings are proposed within the side or rear elevations of the units. The proposed front openings would face towards the car parking and servicing area and would be screened by boundary fencing. As such no undue loss of privacy is foreseen from the units.

Access

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. 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 proposed development would maintain access to the existing properties that front onto Bolton Street and Spring Street. The access to the site would be via Caltha Street which was how the previous Saw Mill was accessed. Tracking has been provided that shows that a "transit" size vehicle can turn within the site. The Traffic Section has no objections, subject to the inclusion of conditions which will be reported within the Supplementary Report.

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 in Zone 3. SPD 11 requires 1 space per 100sqm for light industrial uses.

Rounded up the proposal would therefore require need 3 spaces, plus one disabled parking space. The proposed site plan shows 2no. car parking spaces, plus 2no. disabled parking spaces and 2no. van spaces which would therefore be compliant with SPD 11.

Ecology

Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by 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. Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement 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.

Ecological issues were assessed as part of the previous application and the baseline agreed and mitigation proposed. As the site was cleared under the previous permission, Greater Manchester Ecology Unit (GMEU) accept that currently there is no need for updated ecological survey. Previous conditions/informatives relating to proximity to the watercourse and invasive species should be reapplied.

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).

Mitigation was previously agreed. The revised layout includes bat boxes and new native trees, and GMEU are satisfied that these proposals are adequate given the value of the site prior to clearance

With regards BNG, the developer has claimed exemption under the de minimis rule. Given the site was cleared legitimately under the previous permission, GMEU accept that less than 25sqm of vegetation will be permanently lost through this particular scheme. Theoretically as the development is within 10m of a watercourse, the river metric also needs to be considered. However, there are no actual negative changes in the broad habitat within 10m of the watercourse ie it is currently developed to be replaced with development. GMEU are therefore satisfied that the development is exempt from statutory BNG.

The proposed tree planting and bat boxes can be conditioned.

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.

In terms of a drainage solution for the site, as with the previously approved developments at the site a condition would be included to provide a drainage scheme which will need to be carried out in accordance with the hierarchy for drainage and will also require details for the protection of the watercourse. United utilities and the Council's drainage engineer have raised no objection in principle subject to conditions.

Contaminated Land and Mining

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.

The site was previously considered for a residential end use under approval 71343, and condition discharged. The submitted report brings together all previous site assessments alongside a current site walkover to consider the revised end use of industrial units. No visual or olfactory evidence of contamination was noted during the walkover survey.

Site investigations have been previously carried out in April and November 2024 and considered by the Council's Environment Section in relation to condition discharges for previous residential consents at the site. The second phase of investigation was carried out to characterise the potential issues with mercury in site soils.

The analysis results were reassessed against a commercial end use. One exceedance of lead was reported in location TP106. A statistical assessment concluded that this was not a risk to human health. It is also noted that this location is within a tarmacked surface.

Given the history of the site, it is recommended that a watching brief be undertaken during development and any imported material should be appropriately tested to demonstrate it is suitable for use and free of contaminants. These requirements can be conditioned.

Part of the application site also falls within the Coal Authority's defined Development High Risk Area. The planning application is accompanied by a Coal Mining Risk Assessment Report (25-10-04 Revision 0, October 2025) prepared for the proposed development by Demeter Environmental Ltd. The report authors concur with the Coal Authority's records and state that currently there is a potential risk to the proposed development as a result of possible unrecorded shallow coal mining. In order to mitigate the risk, recommendations have been made that intrusive site investigations are required. The findings should inform the extent of any remedial works and / or mitigation measures required to ensure the proposed development is made safe and stable, as required by the NPPF and the Coal Authority have requested that these investigations and remedial/mitigation measures are conditioned.

Carbon and Energy

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

The applicant has confirmed that the proposal would be fully compliant with 2022 Part L of the building regulations.

Digital Connectivity

PfE Policy JP-C2 requires all new development to have full fibre to premises connections unless technically infeasible and / or unviable. The applicant has confirmed that internet connections would be operational when occupiers move into the premises.

Response to representations

It is considered that material planning considerations have been assessed within the main body of the report.

As set out above The Environment Section have reviewed the site investigation reports in relation to land contamination and recommended conditions.

As reported within the Planning Control Committee report for application 68578 bat reports and surveys were undertaken in relation to the Saw Mill Building that has since been demolished.

The site was cleared in relation to a planning permission, that was granted prior to the introduction of statutory biodiversity net gain enhancements. Greater Manchester Ecology

Unit (GMEU) have confirmed that they are satisfied that the proposal is exempt from Statutory biodiversity net gain. The Planning Practice Guidance on biodiversity net gain confirms that it would be inappropriate for decision makers to continue to give weight to aspects of existing local policies related to biodiversity gains which are inconsistent with the statutory framework for biodiversity net gain. As such, the LPA can not impose further conditions on the applicant in relation to BNG when the legislation confirms that the site is exempt.

Private issues between neighbours e.g. land/boundary disputes, private rights of access, covenants etc are non-material planning considerations that are not relevant to the decision. The Local Planning Authority cannot intervene on these private, civil matters.

The amended layout reduced the number of units at the site from 3, to 2 to allow for adequate turning space within the site for transit sized vehicles and the required parking which the previous site layout could not accommodate. Whilst the retained 2no. units have increased in floor area by 27square metres from the originally submitted layout the overall floor area for 3no. units would have been 352 square metres. As such the amended proposal would result in an overall reduction of floor space of 73 square metres compared to the originally submitted scheme.

Application 72383 relates to Smithie Garage and is currently out to consultation. Certificate B has been signed and notice served to landowners in relation to this site. This application will be assessed in due course.

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 numbered AW6-00, AW6-01, AW6-02B, AW6-03A 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. 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/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

4. 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).

5. 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 validation 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).
6. Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March

25. Details of proposed maintenance arrangements should also be provided
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 Bury 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.

7. No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.
Reason. In the interest of public health and to ensure protection of the public water supply pursuant to the principles of chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

8. No development shall take place unless and until a B24142 noise assessment has been carried out to determine the ambient noise levels of the existing site. A copy of the report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any further works. Noise from or associated with the proposed activity/development hereby permitted shall not increase the prevailing ambient noise levels as measured at the boundary of the site.
Reason. To prevent nuisance from noise to the occupiers of the adjacent residential properties pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.

9. The use hereby permitted shall not be open outside the following times: 08:00 to 18:00 Monday to Friday, 09:00 to 14:00 on Saturdays and at no time on Sundays and Bank Holidays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.

10. The tree planting and bat box scheme shown on drawing AW6-02B hereby approved shall be implemented not later than 12 months from the date the building is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

11. The development shall be constructed in accordance with the programme of mitigation for bats and owls in trees approved under condition 8 of application 68578. All mitigation measures shall be fully implemented prior to the

commencement of the works and remain in situ on site for the agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 – A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

12. No works to trees or shrubs shall occur 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 to the Local Planning Authority that no active bird nests are present.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 – A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

13. No development, further site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the unnamed watercourse from accidental spillages, dust and debris has been supplied to and approved in writing by the Local Planning Authority. All the approved measures must be implemented before construction commences and maintained for the duration of the construction period. Details of the protection of the watercourse from surface water drainage post development shall also be submitted for approval.

Reason. No details have been provided at application stage. To ensure a safe and satisfactory development of the site and ensure the protection of the watercourse from any pollutants and construction disturbance which may cause risk, pursuant to chapter 15 - Conserving and enhancing the natural environment of the NPPF.

14. No development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 & 197 of the National Planning Policy Framework.

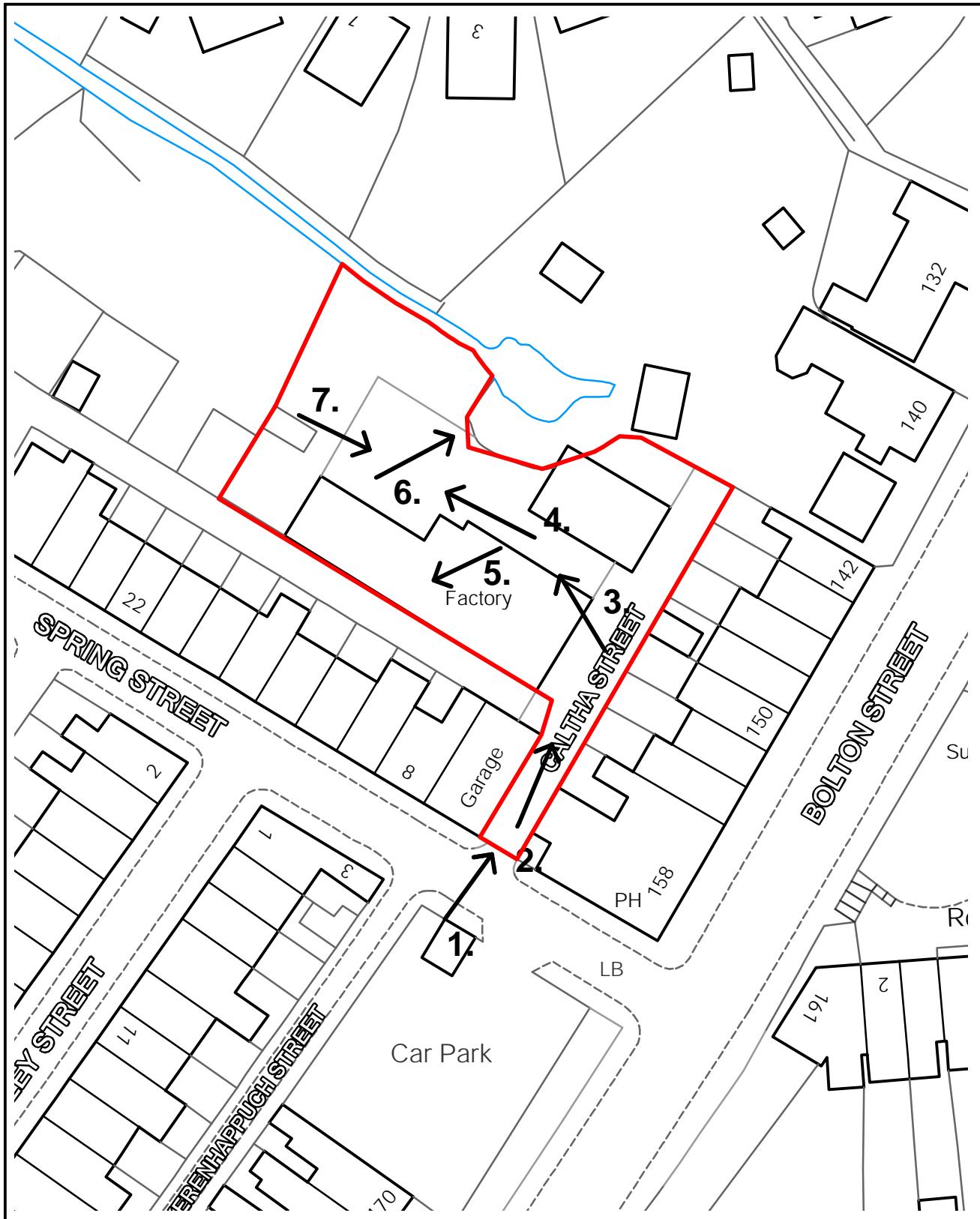
15. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in

writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 187, 196 & 197 of the National Planning Policy Framework.

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

Viewpoints 72368



ADDRESS: Saw Mills, off Spring Street,
Ramsbottom, Bury, BL0 9JQ



Planning, Environmental and Regulatory Services

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Photo 1



Photo 2



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Photo 3



Photo 4



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Photo 5



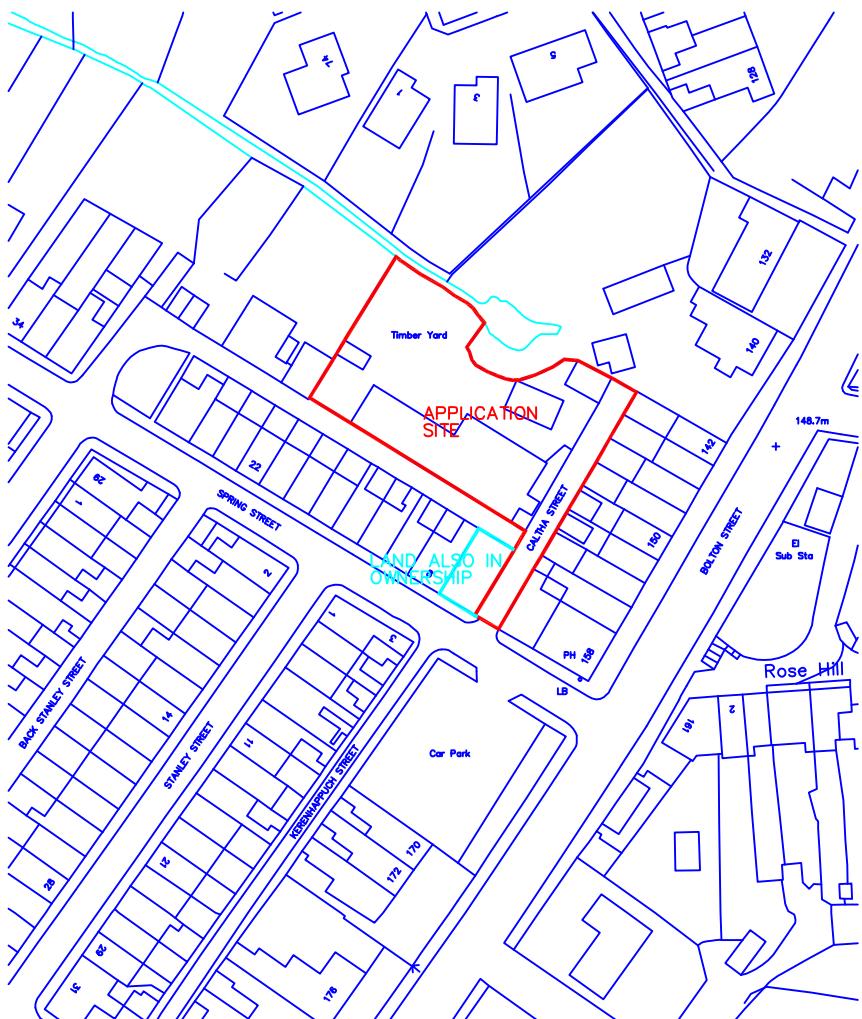
Photo 6



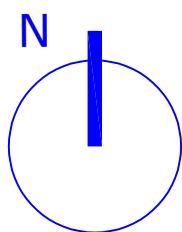
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Photo 7





0 20 40 60 80 m



Former Spring Street Sawmills

Spring Street

Ramsbottom

BL0 9JQ

scale 1:1250@A4

August 2025

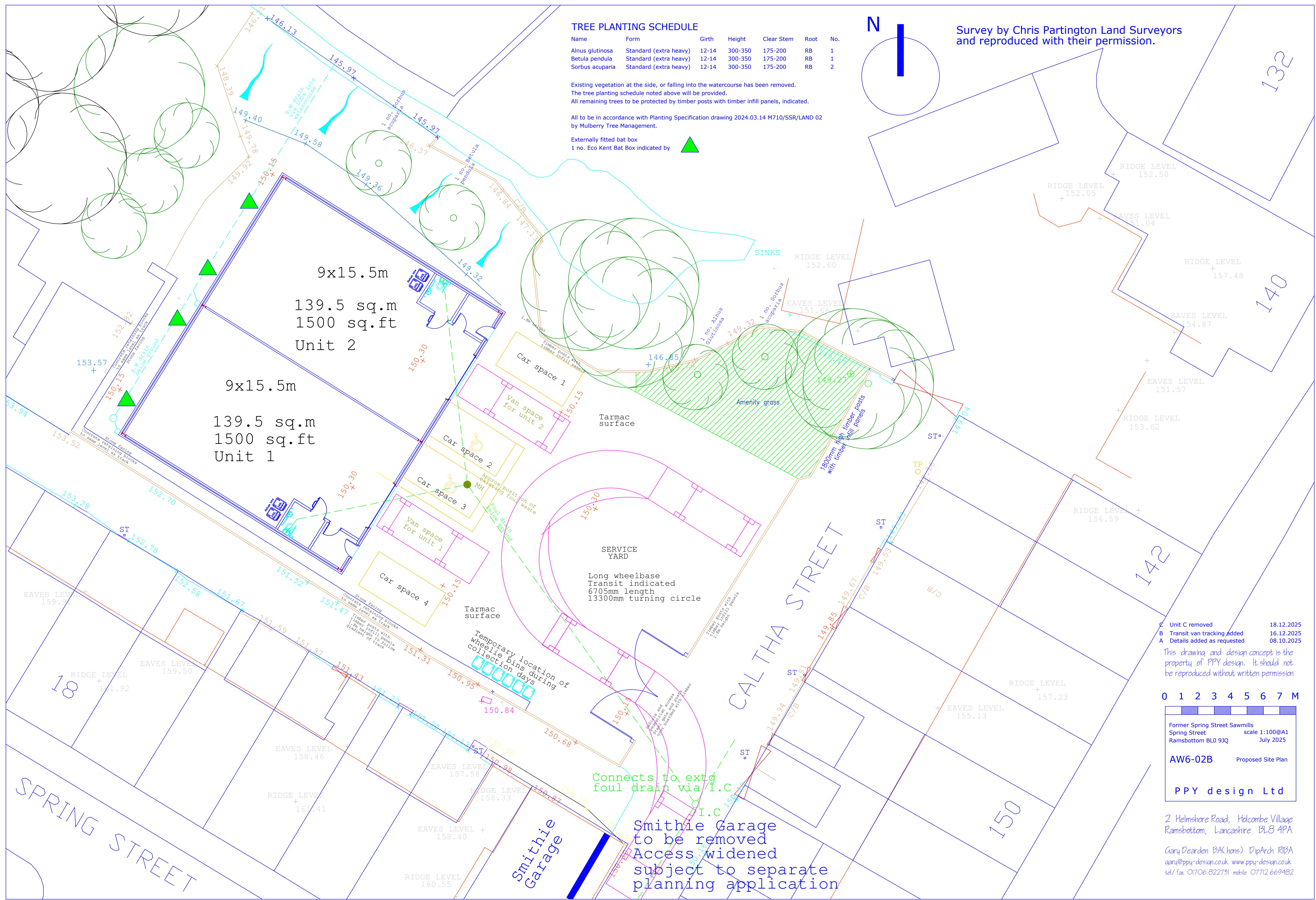
AW6-00

Location Plan

P P Y d e s i g n L t d

Survey by Chris Partington Land Surveyors
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Former Spring Street Sawmills
Spring Street scale 1:50@A1
Ramsbottom BL0 9JQ July 2025

AW6-03A Proposed Units 1 & 2

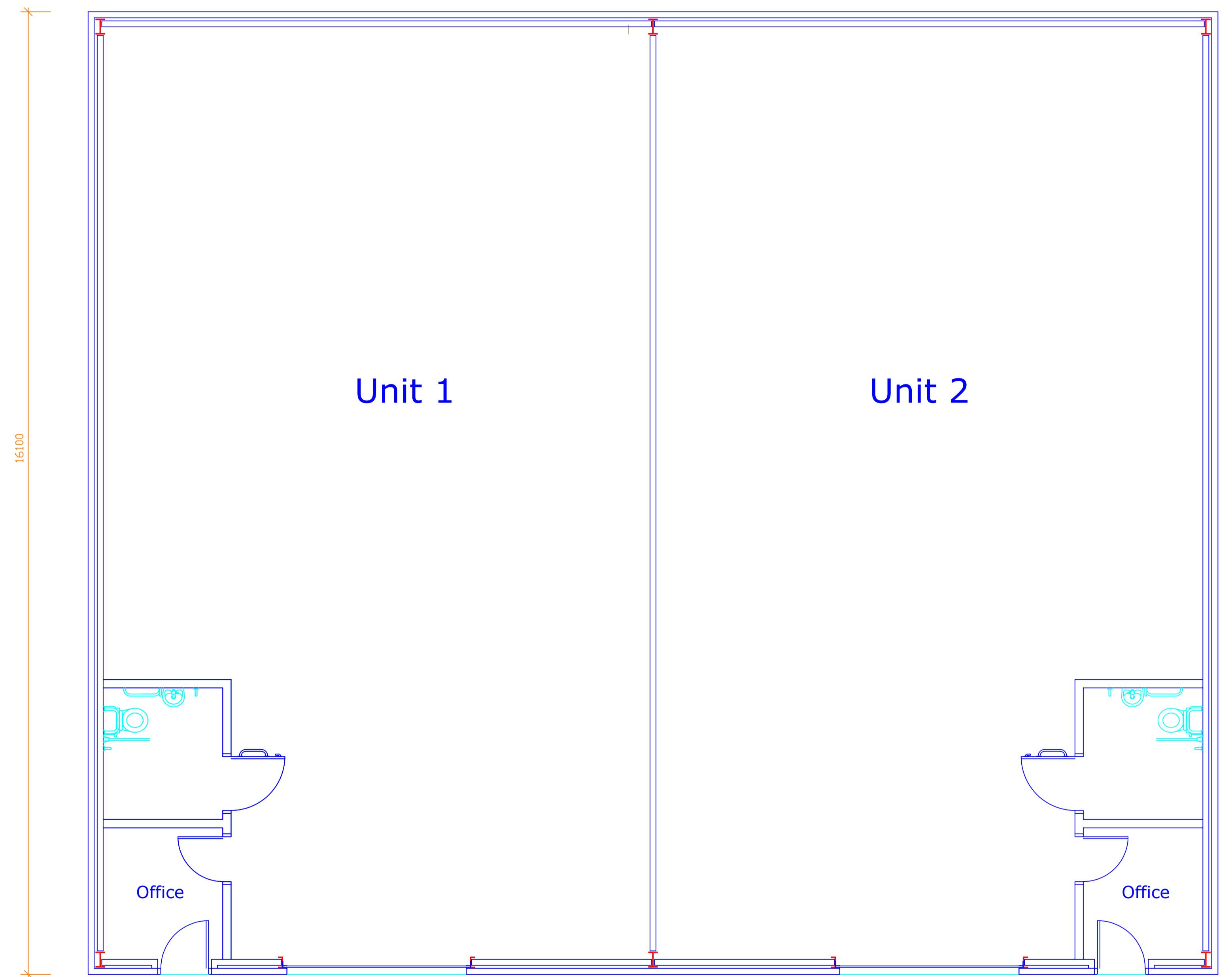
PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

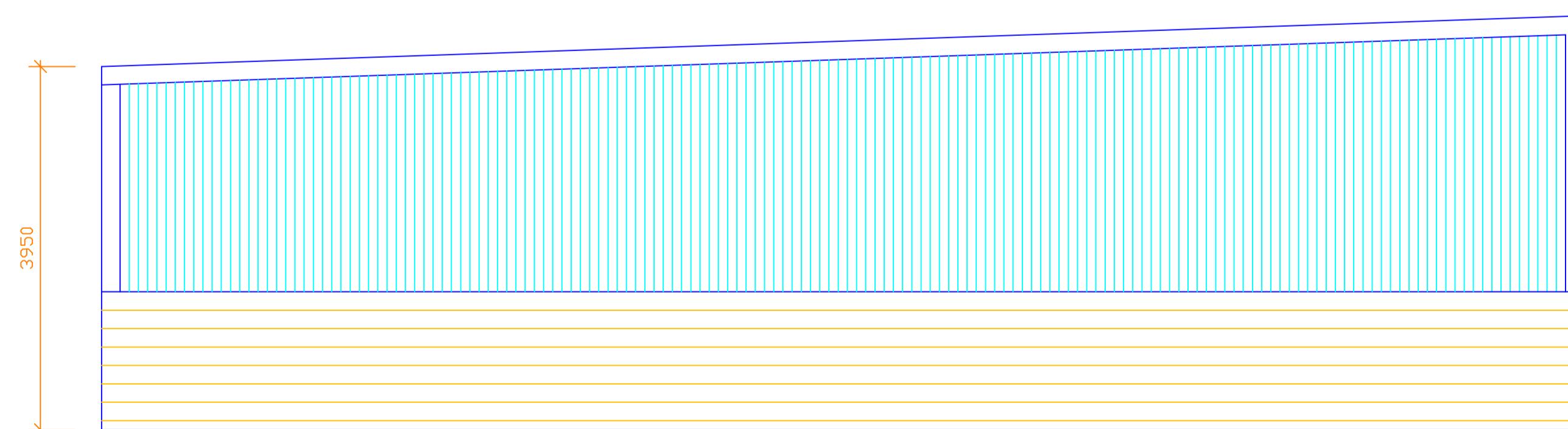
Gary Dearden BA(hons) DipArch RIBA
gary@ppu-design.co.uk www.ppu-design.co.uk
tel / fax 01706 822731 mobile 07712 669482

A Length increased 1500mm 18.12.2022

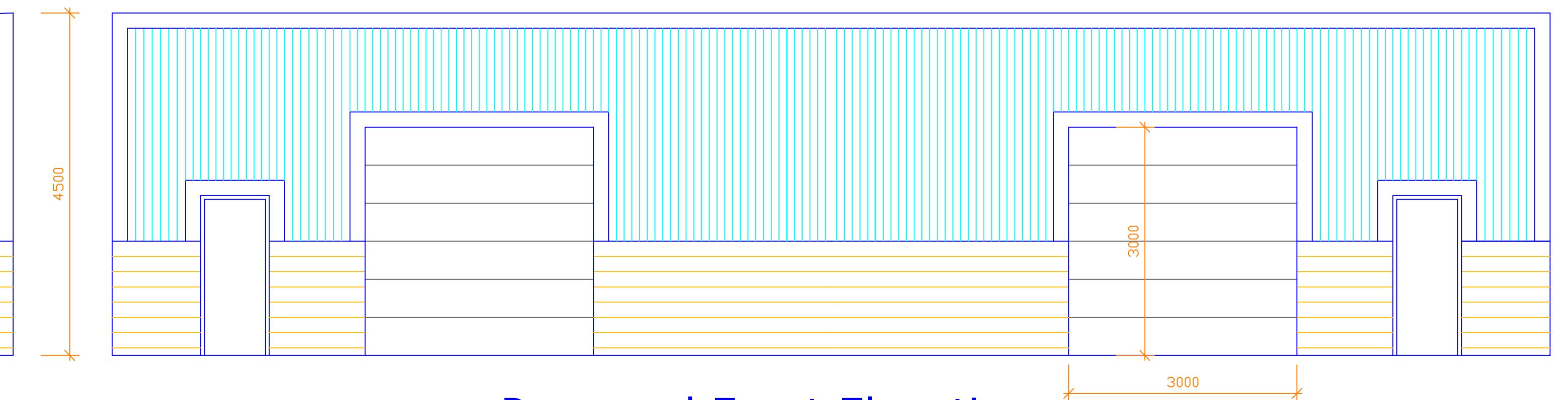
Page 34



Proposed Side Elevation



Proposed Front Elevation



Ward: Bury West

Item 2

Applicant: Abad Homes Ltd

Location: 157 Bolton Road, Bury, BL8 2NW

Proposal: Change of use from commercial (Use Class E) to 5-bedroom, 6-occupants House in Multiple Occupation (HMO) (Use Class C4) and associated external alterations (including new doors/windows, removal of advertisement hoarding/roller shutter along front elevation, and new access gate along rear boundary)

Application Ref: 72460/Full

Target Date: 08/12/2025

Recommendation: Minded to Approve

Recommendation

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement relating to the compensatory loss of employment land under UDP Policy EC2/2. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Description

Following refusal of application 71992 planning permission is again sought for the change of use from commercial (Use Class E), formerly Use Class B1, to a 5-bedroom, 6 no. occupants, House in Multiple Occupation (HMO) (Use Class C4) and for associated external alterations, including new doors/windows, removal of advertisement hoarding/roller shutter along front elevation, and installation of a new access gate along rear boundary of the application site.

The application relates to an end terrace property within an allocated Local Centre, as defined within the adopted Development Plan. The application property is a vacant Accountants Office (Use Class E).

The property forms the northern end terrace of a row of commercial development located between the junctions of Bolton Road with Buxton Street and Fountain Street. The property is two-storeys high at the front and three storeys high at the rear. It has a staggered rear elevation by virtue of the presence of a three storey projection. The property has a yard area at the rear. The property has traditional brick boundary walls to its rear yard area. The rear wall of which appears unsightly with a UPVC door forming the gate to the rear of the property, which is accessed from the road that runs around the rear of the terrace to which this application forms part.

Planning permission is sought to change the use of the property to form a 5 bedroom, 6 person House in Multiple Occupancy (HMO). The accommodation proposed is as follows:

Basement Level: The Basement of the property appears to be in two parts, with a Basement existing within the front third of the property and a Basement area existing within the rear third of the property. The front part of the Basement Area is proposed to remain vacant. The rear part of the Basement Area proposes to accommodate cycle parking for 3 bicycles. The Proposed Elevations Plan indicates that a single width door in the rear elevation of the two storey rear projection to serve this basement area will be upgraded/

replaced.

Ground Floor Level: Access to the proposed HMO would remain from the front of the property where it is proposed to remove the external roller shutter and shop front and replace these with a window and a door.

The proposed kitchen-dining area would be located within the rear portion of the property. It is proposed to change an existing window on the rear elevation of the building to a door. 2 en-suite bedrooms are also proposed at this level.

First Floor Level: 3 ensuite bedrooms are proposed. The front room on this level is proposed to accommodate 2 occupants.

External

The following external alterations are proposed:

- The existing shop front is to be removed and replaced with a window;
- Vents seek to be added to all elevations, to provide sufficient ventilation within the proposed bedrooms;
- It is proposed to replace the UPVC door and cladding along part of the rear boundary of the property with a set of double gates; and,
- Standard size bins are proposed within the rear yard area of the property.

No plans of the roof space of this property have been submitted.

Relevant Planning History

71992 - 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) - Refused, 28/07/2025

41542: Change of Use from Shop (Class A1) to Office (Class B1). Approved with Conditions, 06/12/2013

Publicity

The application has been advertised by Site Notice, erected 07/11/2025.

9 nearby neighbouring properties have also been consulted by letter on the 29/10/2025.

11 representations have been received which object to the proposal for the following reasons:

- Asserts there are too many HMO properties in the local vicinity, referencing HMO properties on Stephen Street South and Belbeck Street.
- Concerned about the proposals increasing anti-social behaviour and the safety of the locality - advises drug taking is occurring on street corners in broad daylight and crime has risen in the locality. Advise children on the park are being approached by dealers offering drugs
- Assert transient occupants do not care for their surroundings
- Raises concern about litter and bins being left out on the street, worsening the rear street scene which is already suffering from a couple of bins being stored on street.
- Concerned about noise and disturbance from the proposed occupants coming and going at all times of the day and night advising any noise from across the road either day or night echo's loudly that it feels like people are talking outside their front door.
- Concerned about who would occupy the proposed HMO.

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

Statutory/Non-Statutory Consultations

Adult Care Services - No comments or observations received.

Traffic Section - No objections, subject to conditions requiring the bin and cycle storage provision being provided prior to occupation of the property.

Environmental Health - Pollution Control - No objections, subject to condition securing the mitigations submitted being incorporated into the development.

Greater Manchester Police - designforsecurity - No objections, subject to secure by design measures being incorporated into the proposal.

Waste Management - No comments or observations received.

Housing - Public Protection - No objections, subject to the noise mitigation measures within Section 5 of the submitted Noise Report being installed within the property.

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
- No comments or observations received.

Pre-start Conditions - Not applicable.

Development Plan and Policies

S1/4	Local Shopping Centres
EC2/2	Employment Land and Premises
EN1/2	Townscape and Built Design
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C1	Our Integrated Network
JP-C8	Transport Requirements of New Development
SPD11	Parking Standards in Bury
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
SPD13	Conversion of Buildings to Houses in Multiple Occupation
SPD14	Employment Land and Premises
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.

Background

The previous application, 71992/Full, for the same development was refused by the Council for the following reasons:

1. Marketing and prospect of continued employment use.
2. Lack of details showing the protection of future occupant's amenity.
3. Access for future occupants to dispose of waste within the rear yard area.
4. Lack of details relating to secure bike storage provision.
5. Dimensions of accessway within the rear boundary.
6. Lack of details relating to around carbon emissions, as required by Policy JP-S2 - Carbon and Energy of the Places for Everyone Joint Development Plan
7. Insufficient information relating to high quality digital infrastructure, as required by Policies JP-C1: 'An Integrated Network' and JP-C2: 'Digital Connectivity' of the Places for Everyone Joint Development Plan.

The following report assesses whether the proposal has addressed all of the previous reasons for refusal within the relevant sections of the report.

Principle of Development

Loss of employment generating use - Previous Reason for Refusal no. 1

The property is located in a Local Centre (Shopping and Servicing area) (Bolton Road/ Bury Bridge), as allocated within the adopted Local Plan, within a row of other commercial shops, including a takeaway, some with flats at first floor level. To the north/ north-west of the application property is a car wash business. The property is adjacent to another Class E use, which in turn is next to a Chinese Takeaway and other Class E units present in this block of properties.

The application site is located within an allocated Local Centre (an area containing shopping and servicing uses) referred to as the Bolton Road/ Bury Bridge Local Centre. UDP Policy S1/4 seeks to maintain and enhance Local Centres.

In terms of the previous office/ Accountant's office use, the acceptability of the principle of the proposed change of use also needs to be considered against Bury's Unitary Development Plan (UDP) Policy EC2/2: 'Employment Land and Premises Outside the Employment Generating Areas' and its accompanying Supplementary Planning Document (SPD)14: 'Employment Land and Premises'.

UDP Policy EC2/2 seeks to protect existing employment land and premises unless it can be clearly demonstrated that the land and premises are no longer suited, in land use terms, to continued employment use.

In support of UDP Policy EC2/2 the Council has also developed SPD14 which again, in

basic terms, seeks to retain sites that are suitable in land use terms although it does allow for a greater degree of flexibility than Policy EC2/2 insofar as it considers viability issues as well as assessing the suitability of the site from a purely land use perspective.

The application site is in a sustainable location within a local centre (Bolton Road / Bury Bridge). The site is suitable in land use terms for continued employment use.

One of the key factors in determining whether there is a reasonable prospect of the site being reused for employment purposes, is to show that there is a lack of market demand. Paragraphs 3.10-3.17 of SPD14 give advice on what will normally be expected from any marketing of an existing employment site.

SPD paragraph 3.10 states that where it is proposed to redevelop an existing site that is considered suitable, in land use terms, for continued employment use, applicants will be expected to clearly demonstrate that the site has been actively and robustly marketed at a realistic price that reflects the employment use.

The applicant is required to demonstrate that the retention of the site in employment use is not viable and that there is no realistic prospect of the site being used for that purpose. To demonstrate this, the application is supported by a Marketing Report which provides evidence to demonstrate that the site has been actively and comprehensively marketed at a realistic value and for a minimum of 12 months. As this is the case, in accordance with the requirements of SPD14, if there is clear commercial and market evidence that there is not currently any realistic prospect of the site being retained in employment use, then the Council may consider alternative uses subject to a one-off commuted sum payment to compensate for the loss of the employment site so that alternative office accommodation can be provided elsewhere in the borough. The application site area is 0.0097ha and therefore the one-off commuted sum payment would equate to £3,783. The applicant has agreed to pay this contribution and has thus provided their Solicitors details so should Committee be minded to support this application, a S106 agreement can be drafted and secured accordingly.

Location of Development

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.

Being within an adopted Local Centre on Bolton Road, a main transport and bus route, the property is suitably located for the proposed residential occupation of the building. The proposal therefore complies with the locational requirements of PfE Policies JP-C1: 'An Integrated Network', JP-C5: 'Streets for All' and JP-C6: 'Walking and Cycling'.

Given the above, the proposal to use this property for HMO purposes is acceptable in principle.

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.

According to the HMO database held by the HMO Licensing team and the Planning database held by the Planning Authority, within 100m of the application site, there is one HMO - 8 Stephen Street South, which was granted permission as a 6 bedroom, 8 occupants HMO by application. Approximately 200m north of the application site are no. 55 Belbeck Street (no. of occupants unknown) and 240 Bolton Road (8 bedrooms).

Given the number of properties in use as a HMO is limited, the proposal would not result in the over-concentration of HMO uses in this locality.

Impact on neighbouring businesses

NPPF paragraph 200 states:

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

The proposal is to be fitted with new windows to protect future occupants from surrounding noise sources including the main road, the property fronts and flues that are present on the two nearby takeaway uses. These windows also work in reverse. In addition, it is recommended that the party wall with the adjoining business (and occupiers of the first floor flat) are fitted with soundproofing. This could be secured by condition. Securing both aspects would ensure neighbouring businesses would not suffer from undue noise from future occupiers of the property.

Subject to the recommended conditions, future occupants of the development would not result in restrictions being put on the neighbouring businesses, as a result of the proposed development, in accordance with the requirements of the NPPF.

Impact on neighbouring occupiers

UDP Policy H2/4; Conversions specifically has regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and 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.

Although the representations received assert that the locality is suffering with crime and disorder, GM Police have raised no objections to the proposed development. For this reason, Officers have no sound grounds on which to resist the proposal on this basis.

Flats in residential occupation live above the adjoining shops/ Class E units. To ensure the amenity of the occupants of the adjoining apartment are not adversely affected, a condition requiring a scheme of sound proofing along the party walls, will be secured.

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 proposal also seeks to install a set of gates within the rear boundary wall of the site which would enable bins to be easily moved in and out of the application site on bin collection days.

A covered and secure cycle store for up to 6 bikes is also 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.

Taking account of the above, the proposed development would not have an adverse impact upon the future occupiers of the proposed development and would be in accordance with Policies H2/4 and EN1/2 of the Bury Unitary Development Plan.

Parking, Highway Safety Matters and Sustainable Transport Measures

HMO's are best located in sustainable areas well served by public transport and close to amenities, services and facilities, which can reduce the demand of parking.

The site, whilst outside Bury Town Centre, but is within an allocated Local Centre on a main road used by buses going to and from Bury and Bolton Town centres and a bus that goes to and from Manchester City Centre and is therefore in a reasonably accessible location.

SPD11: 'Parking Standards in Bury' defines the amount of parking provision developments should provide determined on a site's location. The amount of parking for cars and cycle storage to be provided is based upon parking standard zones. These zones have been derived based on local evidence, consideration of Places for Everyone Policy JP-H4: Density of New Housing and by using Greater Manchester Accessibility Levels (GMAL)3 which measure the accessibility of locations across Greater Manchester by walking and public transport. The location of the application site is within Parking Zone 2 given its distance from Bury Town Centre but also recognising it is in a Local Centre which has local services and that this part of Bolton Road is well served by Public Transport - Buses.

The SPD acknowledges that the level of car parking provision for HMO's acknowledges that HMOs and shared housing tend to attract occupiers with lower-than-average levels of car ownership compared to the general population. It requires HMO developments to provide 0.25 of a car parking space per bedroom. $0.25 \times 5 = 1.25$, therefore 2 car parking spaces should be provided off-street. This proposal provides no car parking space.

Notwithstanding this, an area of marked out car parking spaces runs along the rear of the terrace. The former Accountants use would have utilised one or two of these spaces and given that there are no houses in close proximity to the application site. On-street car parking also appears to be available on the neighbouring roads, particularly in the evenings, when neighbouring businesses are closed. Given the site is located in an accessible location by virtue of its position within the allocated Local Centre the proposed development and its lack off of-street car parking provision, is considered to be acceptable, for this particular development.

In terms of sustainable transport measures, SPD11 requires covered and secure cycle

parking provision to be provided with all developments to enable occupants to travel short journeys by sustainable means. The provision of good quality cycle storage is an important means of encouraging more people to cycle and therefore reduce pressure on the highway both in terms of congestions and car parking demand. The SPD states cycle parking should not be considered as mitigation, but as a basic requirement on all sites. HMO proposals require 1 secure, covered cycle storage space per bedroom (If no garage or secure area is provided within curtilage) to be provided. Sufficient cycle parking provision is shown to be located within the Basement area of the property and suitably accessible.

External Alterations

The proposals seek to replace the existing shop frontage with a window. This aspect, acknowledging that the domestication of this frontage will detract somewhat from the character and appearance of the allocated Local Centre, is considered to be sensitive to the building itself.

Ventilation grills are proposed on all three elevations of the building. These are proposed to be small in nature and thus would not cause demonstrable harm to the appearance of the building or the visual amenity of the street scene.

The final external alterations proposed to the application site, is the proposed alterations to the rear boundary wall of the site, which currently contains an unsightly UPVC door and grey concrete panel fencing. It is proposed to replace the door and concrete panels with a pair of metal gates, to enable 1100 litre bins to be pulled easily into and out of the rear yard area. The replacement of the existing rear boundary treatment would be a visual improvement to the rear street scene.

Taking account of the above, the proposal accords with UDP Policy EN1/2: Townscape and Built Design.

Carbon and Energy

The Council's in Greater Manchester aim is to ensure all new development is carbon neutral by 2038. PfE Policy JP-S2: 'Carbon and Energy' promotes, amongst a range of other things, the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling.

In compliance with local and national policy, the proposed development prioritises the minimisation of energy demand and maximisation of energy efficiency through the following measures:

- **High Insulation Standards:**

The development will feature highly insulated walls and ceiling cavities to reduce heat loss and enhance thermal efficiency.

Double glazing will be installed throughout the property to further improve insulation and reduce energy consumption. This ensures compliance with Part L Building Regulations.

Passive performance will be enhanced through improving the fabric efficiency with double glazing and insulation as well as the efficiency of the existing internal layout.

- **Renewable Energy Sources:**

Due to the building orientation and lack of solar gain on the roof, the installation of solar PV panels is not feasible.

The building will use a conventional boiler with water tank system due to the high demand for hot water from six separate hot water stations. ASHP is not viable under the current

design.

The applicant commits to opting for renewable energy sources when selecting gas and electricity suppliers for the building, ensuring a greener energy supply.

- **Smart Thermostats:**

Smart thermostats will be installed throughout the property to enable precise control over heating and cooling, enhancing energy efficiency and user comfort. This improves thermal regulation and supports sustainability goals.

- **Energy Performance Certificate (EPC) Rating:**

The applicants aim to achieve a high EPC rating of C or above, demonstrating our commitment to energy efficiency and environmental sustainability.

- **Regular Maintenance:**

The property will undergo regular maintenance, with bi-annual reviews to ensure all energy-saving measures are functioning optimally and to identify opportunities for further improvements. These measures align with the 2022 Part L Building Regulations and underscore our dedication to creating a sustainable and energy-efficient development.

Due to all of the above, the proposals therefore comply with Places for Everyone Policy JP-S2.

Digital Connectivity

PfE Policy JP-C2: Digital Connectivity requires, amongst other things, all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple-ducting compliant with telecoms standards, to facilitate future-proof gigabit-capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into properties.

In compliance with PfE policy JP-C2: Carbon and Energy, the proposed development will support high-quality digital infrastructure through the following measures:

- Fibre optic cables are to be installed to the property, ensuring superfast internet connections with a minimum speed of 500 Mbps.
- A mesh Wi-Fi system is to be deployed throughout the property, guaranteeing consistent high-quality internet coverage in every corner and on every floor.
- Category 6 network points are to be installed on each floor, providing robust and reliable wired internet connections for high-speed data transfer.

By implementing these measures, the proposed development will ensure compliance with Policy JP-C2, delivering superior digital connectivity that meets the demands of modern living and enhances the overall functionality of the property.

Response to Objectors

It is considered that the material planning considerations raised within representations have been addressed within the main body of the report and conditions recommended in accordance with the above assessment.

Conclusion

The loss of the former office use is regrettable; however, the applicant has demonstrated

that through sufficient marketing of the property that currently and within the last 12 - months there has been no demand to use this property for office or commercial business purposes.

The site is suitably located on a strategic highway in a Local Centre for a development of this nature.

The accommodation proposed also provides sufficient space internally and externally to meet the needs of 6 future occupiers and to provide a satisfactory standard of living accommodation for future occupiers. A condition will also be proposed to ensure the refuse storage for both general rubbish, paper and plastic/ glass recycling will be imposed.

A planning condition is proposed to secure a satisfactory level sound proofing to all walls adjoining adjacent business uses and to secure windows with the glazing and ventilation necessary to achieve appropriate internal noise levels. These conditions would safeguard adjoining business/ office uses from noise and disturbance but will also protect the amenity of future occupiers who are likely to be disturbed by the noise generated by Traffic along Bolton Road.

Subject to the above-mentioned planning conditions, and the applicant meeting the requirements of a S106 agreement securing £3,783.00 commuted sum to support employment provision off site elsewhere in the borough, the pffocer recommendation is that the application is minded to approve, subject to the completion of the aforementioned s106 agreement.

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 permission relates to the following plans:

Drawing no. 157BR/199/BR-C1: Location Plan: Existing Site Plan;
Drawing no. 157BR/200/BR C1: Proposed Site Plan;
Drawing no.157BR/201/BR: Existing Floor Plans;
Drawing no. 157BR/203/BR C3: Proposed Plan Layouts; and,
Drawing no. 157/BR/204-BR-C2: Proposed Elevations

Reason. For the avoidance of doubt and to ensure a satisfactory standard of

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

3. The building shall not be occupied by any tenants unless and until a scheme to soundproof the party wall with the adjoining property, no. 159 Bolton Road, within the communal kitchen area has been submitted to and approved in writing by the Local Planning Authority. The duly approved soundproofing scheme shall thereafter be implemented in full before any occupation of the development hereby permitted first takes place.

Reason. To reduce nuisance from noise to the occupiers of the adjoining business from the proposed communal space (kitchen/ diner) to neighbouring occupiers of the development, pursuant to the Policy EN7/2 Noise Pollution of Bury Unitary Development Plan and the National Planning Policy Framework.

4. The proposed rear boundary treatment alterations indicated on approved plan reference 157BR/200/BR Revision C1, incorporating inward opening gates, the demarcation of the limits of the adopted highway and all associated footway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development/boundary treatment alterations, shall be implemented to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and thereafter maintained at all times.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety, and in the interests interests of improving the visually amenities of the street scene, in accordance with Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan and policies JP-C1: 'An Integrated Network', JP-C5: Streets for All and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

5. The bin storage facilities within the rear yard area and cycle storage provision within the basement of the building 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 use hereby approved commencing and thereafter be available for use 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 Joint Development Plan.

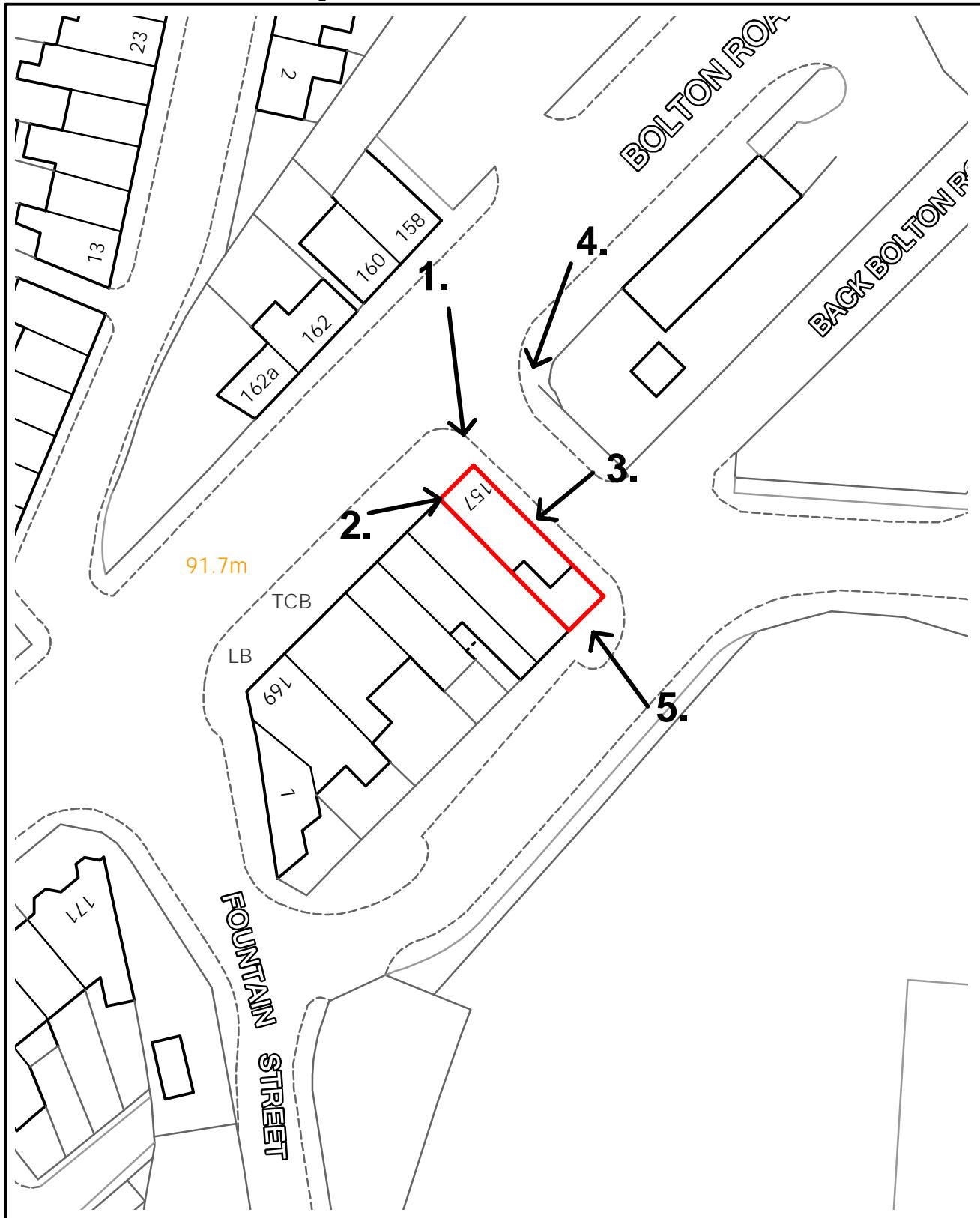
6. The noise attenuation measures identified in table 5.2 of the Noise Assessment by Acoustic & Engineering Consultants Limited (report reference P5666/R01a/WJK, dated 29 September 2025) shall be implemented in accordance with the details in the report before the dwelling on each associated plot is first occupied. The duly implemented attenuation measures shall be retained as such thereafter.

Reason. To ensure the implementation of appropriate noise attenuation measures for the proposed dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of Policy EN1/7: Noise Pollution and EN1/2: Townscape and Built Design of the Bury

Unitary Development Plan and Policy JP-S5: Clean Air of the Places for Everyone
Joint Development Plan.

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

Viewpoints 72460



ADDRESS: 157 Bolton Road, Bury, BL8
2NW



Planning, Environmental and Regulatory Services

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Photo 1 Front Elevation – taken from Google Street View



Photo 2



72460

Photo 3: Side Elevation

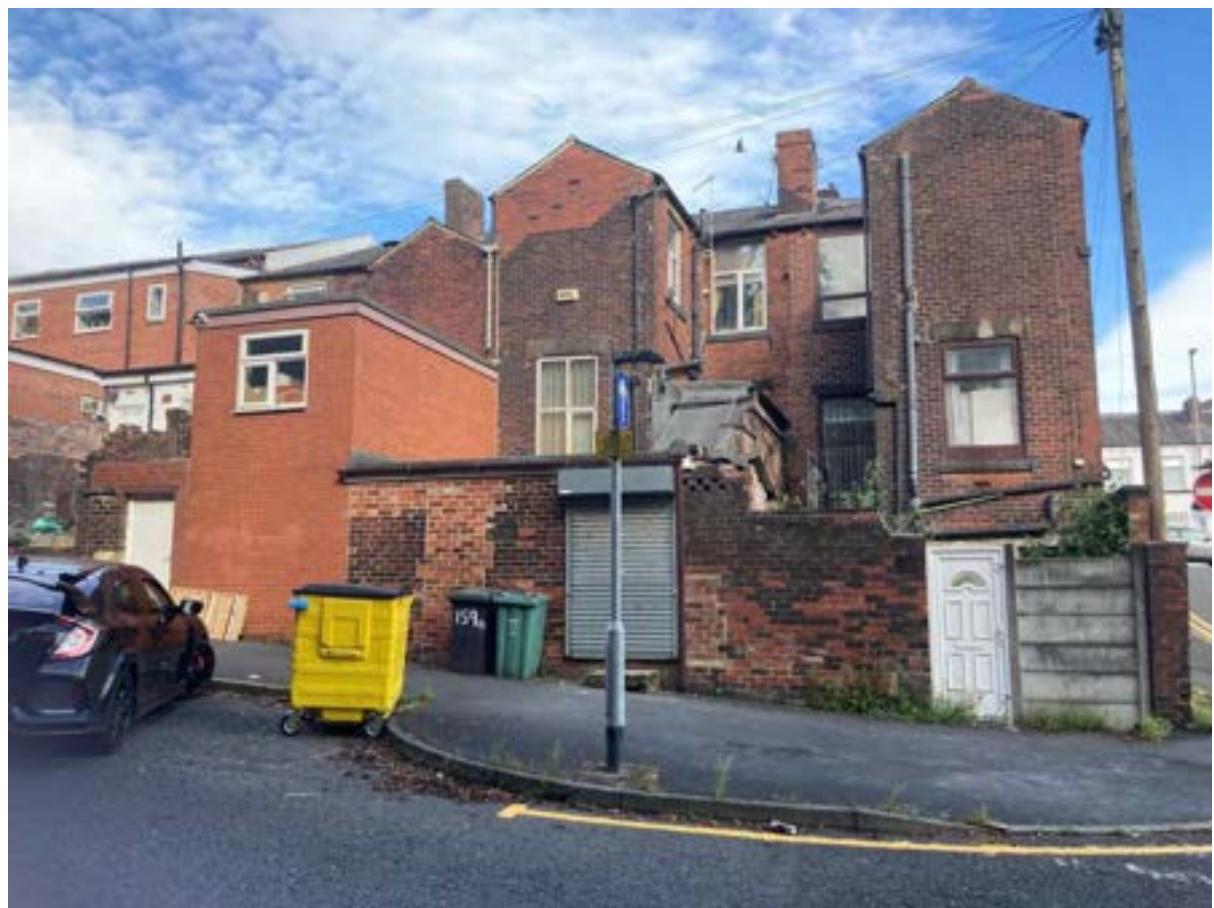


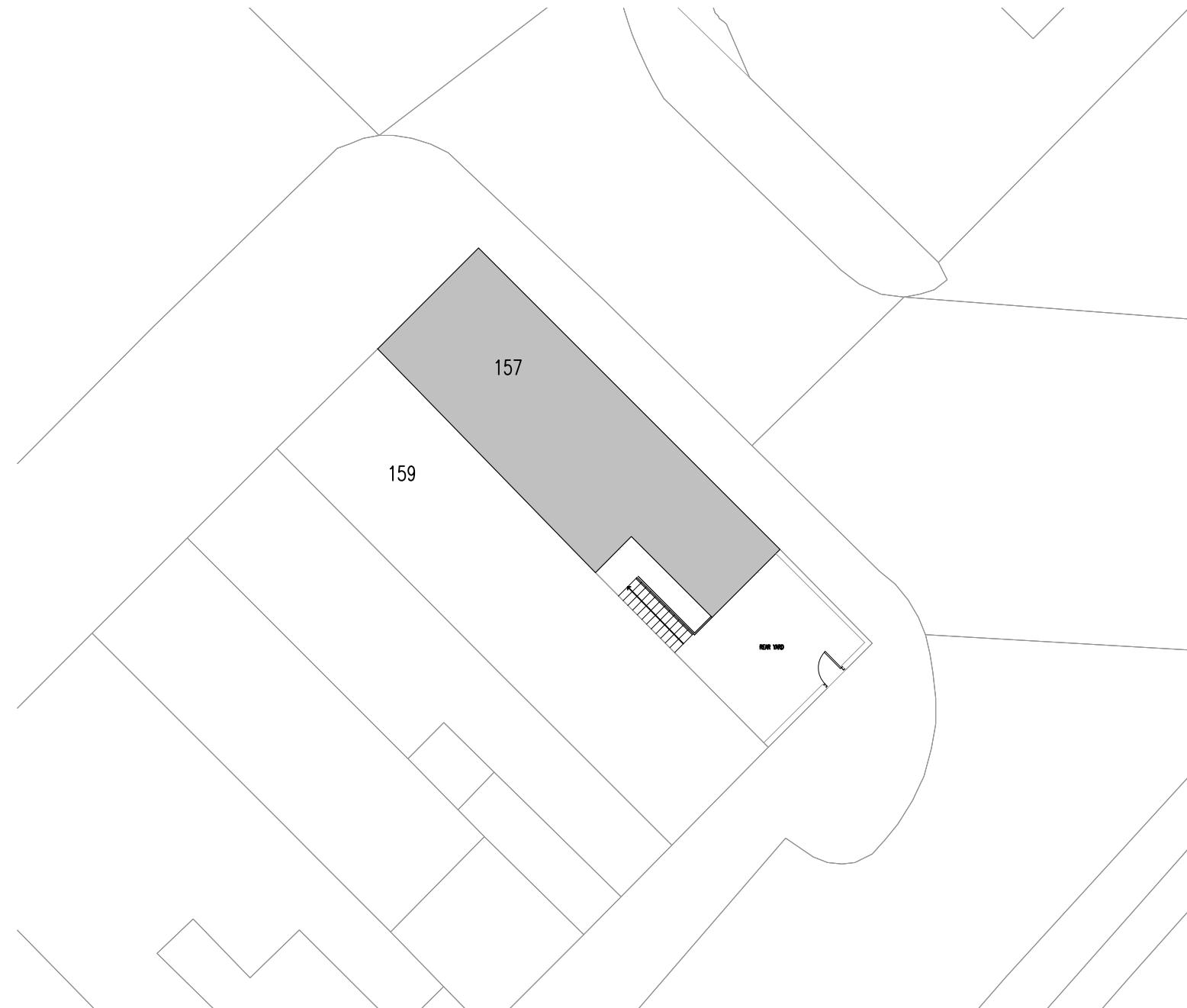
Photo 4: Google Street View image of existing side elevation



72460

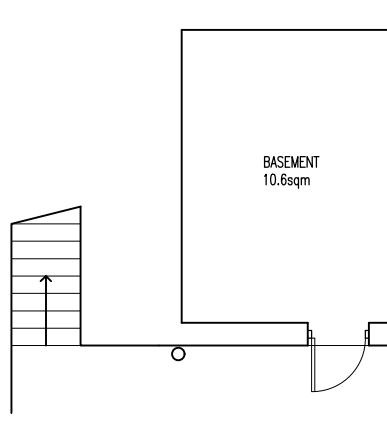
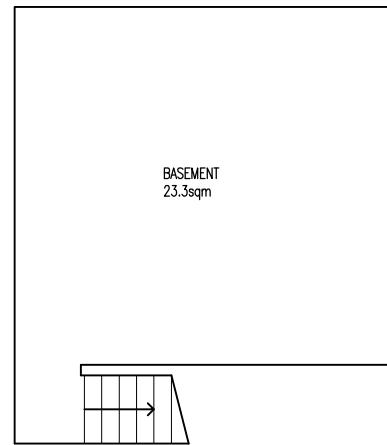
Photo 5: Rear Elevation



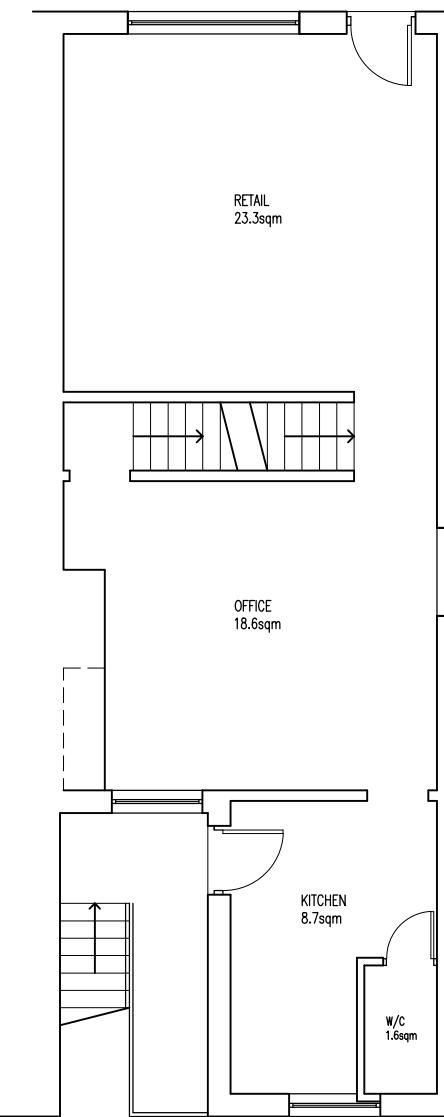


SITE LOCATION PLAN (97sqm AREA)
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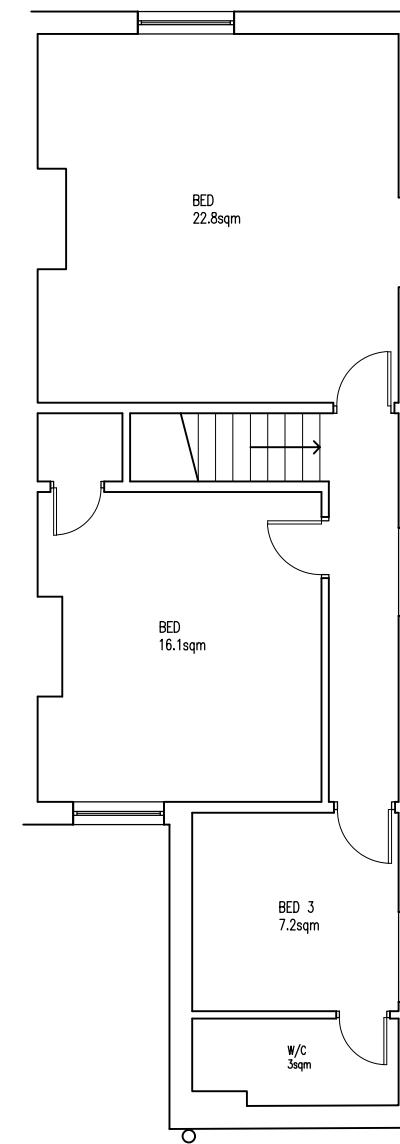
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Project			
157 BOLTON ROAD, BURY. BL9 2NW			
Drawing Title SITE LOCATION PLAN EXISTING BLOCK SITE PLAN			
Drawn MG	Checked _		
Date MAR 2025	Scale @ A3 1 : 100		
Drawing No. 157BR/199/BR			



EXISTING BASEMENT FLOOR PLAN
1:100 @ A3



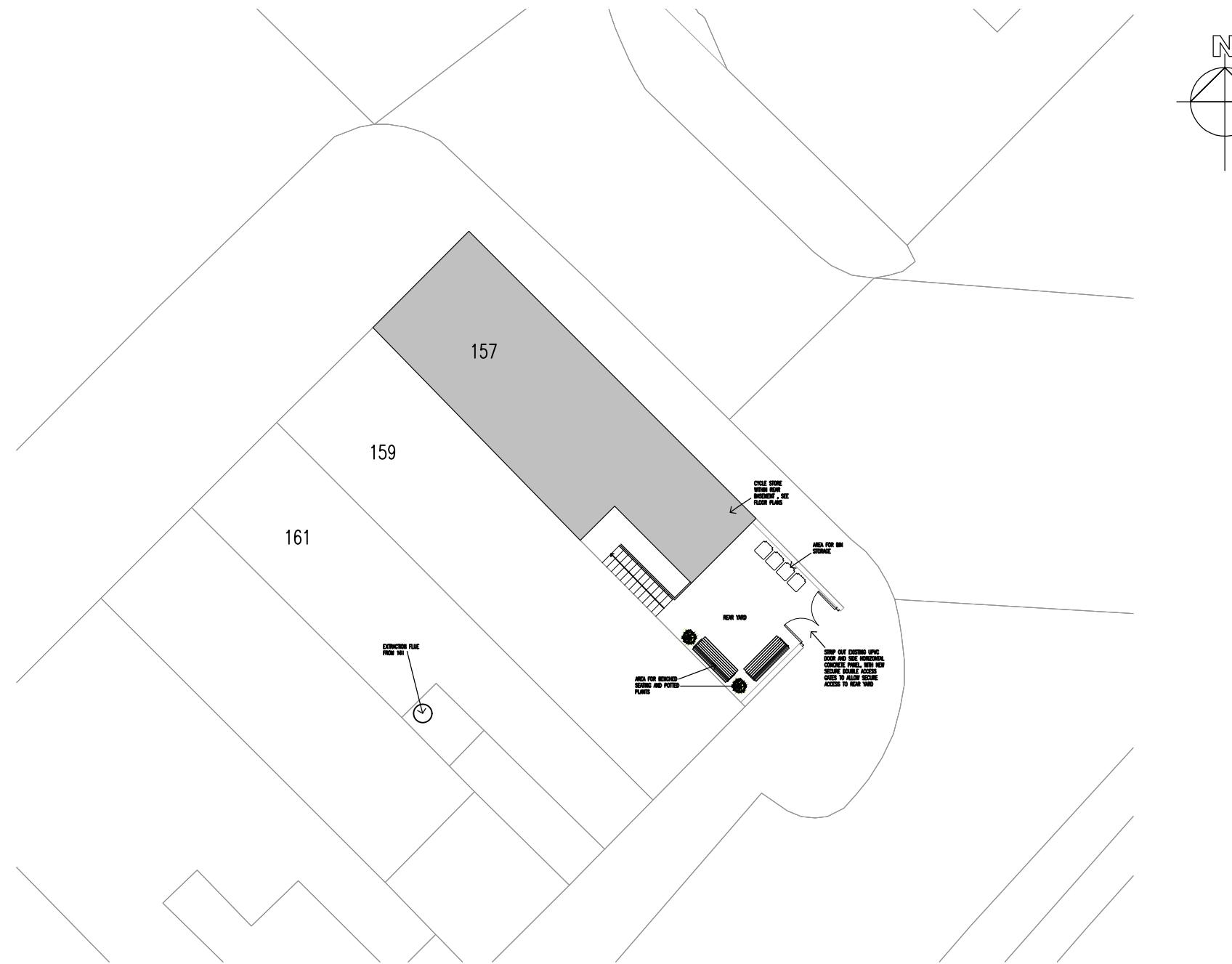
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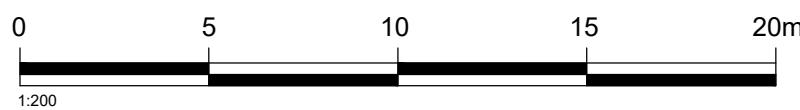
EXISTING FIRST FLOOR PLAN
1:100 @ A3



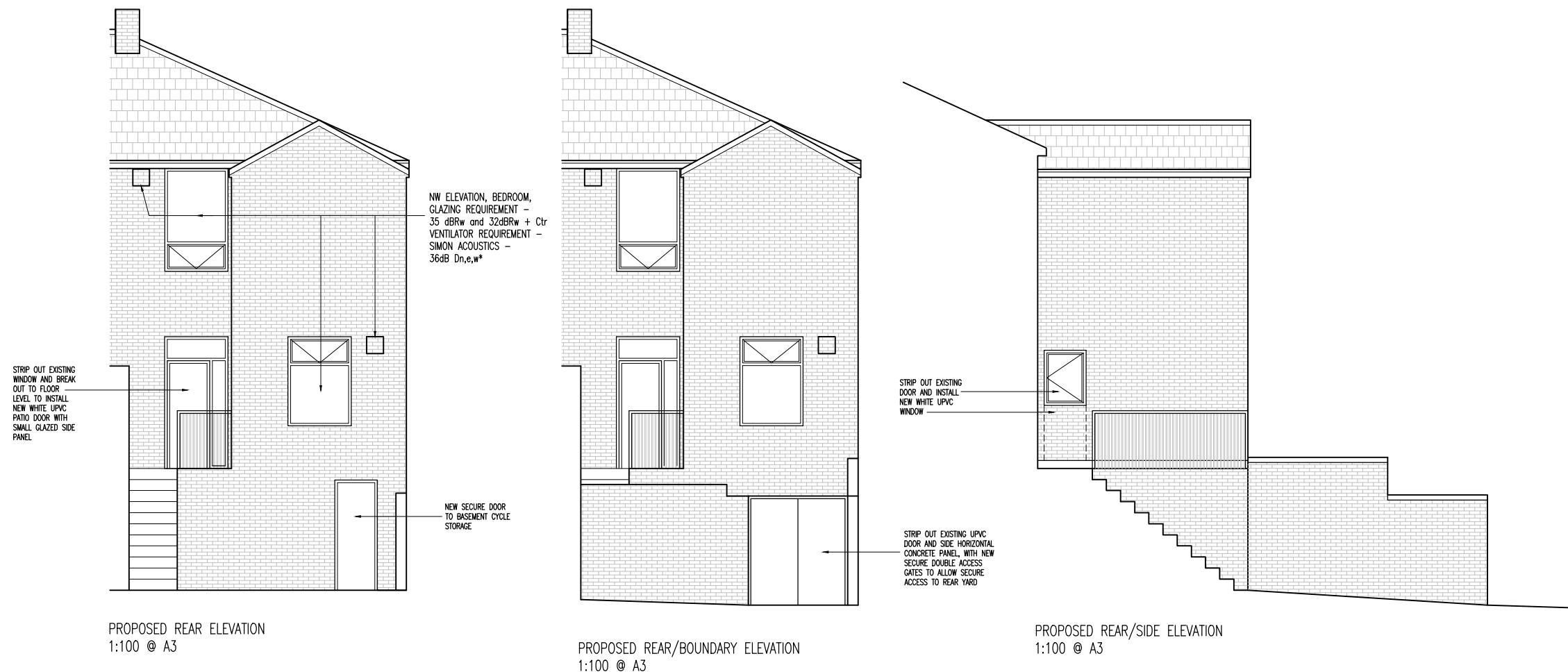
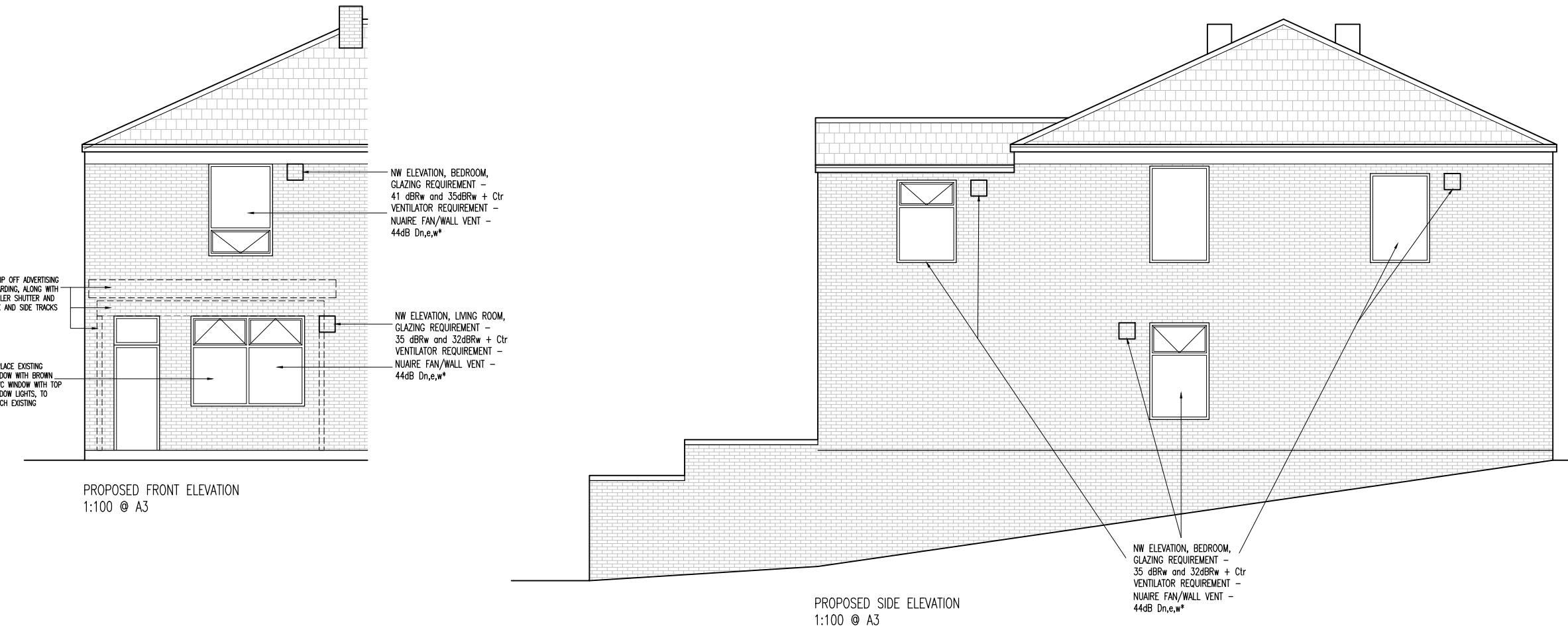
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157 BOLTON ROAD, BURY. BL9 2NW			
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Drawing No. 157BR/201/BR		Rev.	



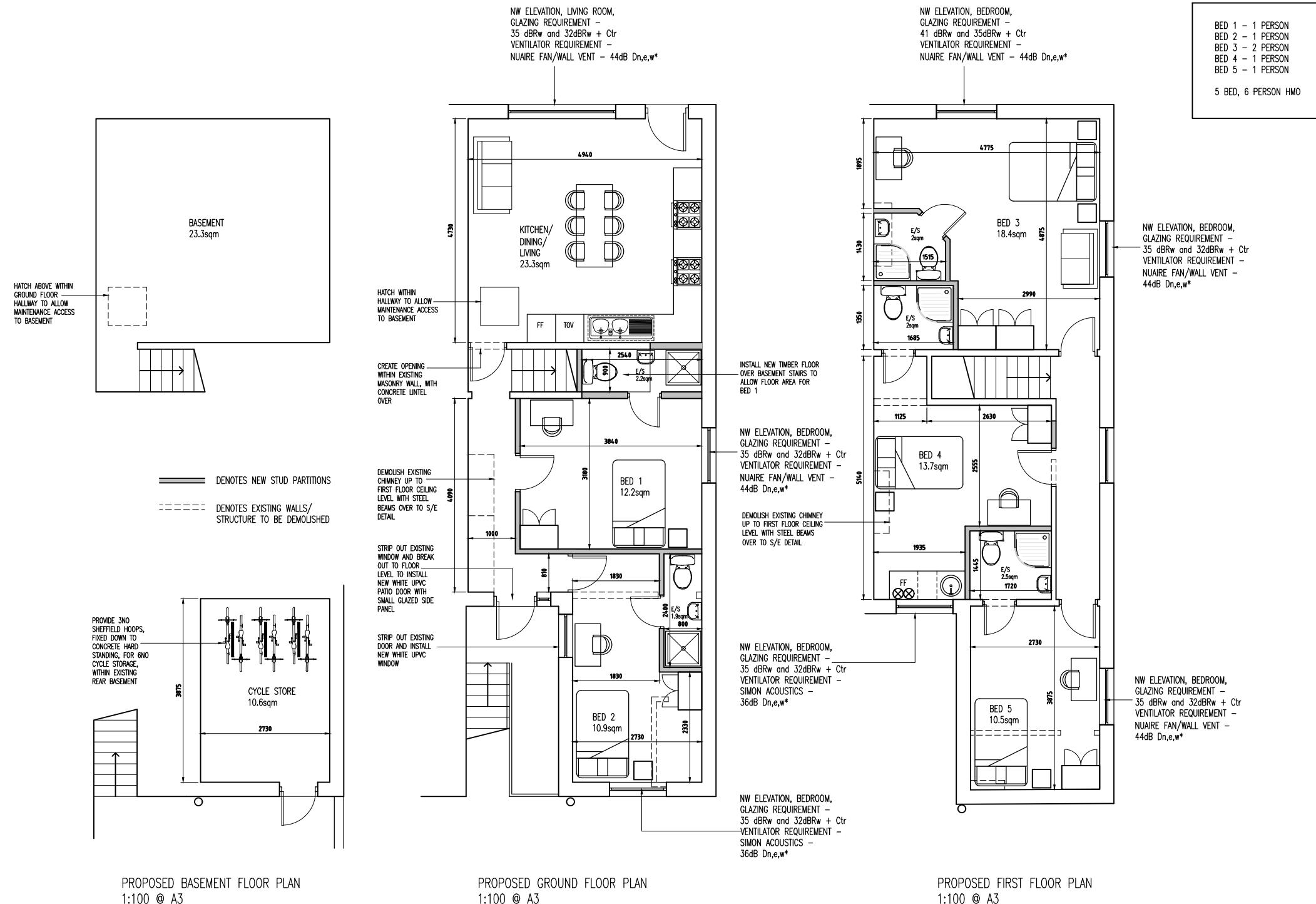
PROPOSED BLOCK SITE PLAN
1:200 @ A3



C1	Amendments to new rear double gate	04.08.25	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
157 BOLTON ROAD, BURY. BL9 2NW			
Drawing Title PROPOSED BLOCK SITE PLAN			
Drawn MG Checked _ Date MAR 2025 Scale @ A3 1 : 100			
Drawing No. 157BR/200/BR Rev. C1			



C2	Glazing and Vent requirements added	11.12.25	MG
C1	Rear and rear/side boundary elevations added	04.08.25	MG
Rev	Amendments	Date	Ints
			
Project			
157 BOLTON ROAD, BURY, BL8 2NW			
Drawing Title PROPOSED ELEVATIONS			
Drawn	MG	Checked	—
Date	APR 2025	Scale	@A3 1 : 100
Drawing No.	157BR/204/BR		
Rev	C2		



157 BOLTON ROAD,
BURY. BL9 2NW

Drawing Title

Drawn	MG	Checked	—
Date	MAR 2025	Scale@A3	1 : 100
Drawing No.	157BR/203/BR		

Ward: Bury East - Moorside

Item 03

Applicant: JAMM Holdings Ltd

Location: 12 Monmouth Avenue, Bury, BL9 5DU

Proposal: Change of use of existing residential dwellinghouse (Class C3) to 6 bedroom (6 person) house in multiple occupation (HMO) (Sui Generis); Loft conversion with rear dormer extension/new roof/rooflights and external alterations

Application Ref: 72554/Full

Target Date: 12/01/2026

Recommendation: Approve with Conditions

Description

The application site is a mid-terrace property located on the northern side of Monmouth Avenue. This avenue is located off Walmersley Road.

The application site sits between a property in use as a Class C3 (dwellinghouse) and a property that appears to be in use as four self-contained flats, as four doorbells exist on the front door. It sits opposite no. 9 Monmouth Avenue which is in use as a 6 bedroom HMO.

The application site has a rear yard area and gate leading onto Back Monmouth Street, a cobbled street, Back Monmouth Street that runs along the rear of the Monmouth Street.

Planning permission was initially sought for a 9 bedroom HMO, along with a rear dormer extension on the rear roof slope of the dwelling and the roofscape of the existing two storey outrigger. During the course of the application, the applicant has amended the proposal and is now proposing a 6 bedroom, 6 person, HMO and the rear dormer has been amended so it is now proposed to sit solely on the main rear roof slope of the property.

The accommodation proposed would be as follows:

Ground Floor Level: The main access into the property would be via the front door. The proposed kitchen-dining area would be located within the central area of the of the property with two en-suite bedrooms, one within the front room and one within the rear projection.

First Floor Level: 3 ensuite bedrooms are proposed, ranging between 13m and 14.1m in size. These sizes do not include the en-suite bathrooms proposed.

Second Floor/ Loft Space: one bedroom 20.2 sq.m in size and en-suite bathroom..

External Alterations:

The following external alterations and outbuildings are proposed.

- Two roof lights are proposed within the front roof slope.
- A rear flat roof dormer extension is also proposed.
- Within the rear yard area, a timber flat roof covered and secure bike store is proposed, which would sit against the rear boundary wall of the application site. An outside seating area is also proposed, and four refuse bins are proposed.

Relevant Planning History

None.

Publicity

Letters have been sent to 16 neighbours. 13 representations have been received which raise the following concerns:

Over Concentration of HMO's

- Neighbours assert that there are already 3-5 HMOs on Monmouth Avenue which they consider is detrimental to the family housing character of the area and asserts this additional HMO will make the situation worse.
- Concerned about the number of HMOs and the damaging impact on the local area.
- Concerned that there would be a high turnover of occupants leading to community instability.
- Assert, the current HMOs on the street and the proposed HMO has and would have a negative impact on the surrounding community.

Lack of car parking provision

- Neighbours raise concern about the proposed occupation of the dwelling as HMO would put undue pressure on the lack of on-street parking provision on the street which is already over-subscribed.
- Advises, the street parking is already at full capacity, and the proposal would place further unacceptable pressure on parking provision.
- Advise that residents are severely struggling with space in the street and deliveries and visitors have a nightmare trying to get near the houses.

Impact on residents amenity

- Advise noise and disturbance experienced from an existing adjoining HMO and that having a HMO directly opposite, would worsen their amenity over and above their existing amenity issues.
- Assert that the number of occupants in a single small family home would inevitably lead to increased noise, disturbance, and frequent comings and goings, causing harm to the amenity of neighbouring residents who live and work in this area as family households.
- Concerned about the noise and disturbance caused within the house next door to the application property from an increase in the number of occupants proposed over and above a standard household resulting in people coming in and out, doors slamming, people going up and down stairs, toilets flushing all the time, parties etc, plus visitors to occupants of the HMO.

Safety and fear of crime

- Neighbours, consisting of families with young children and women, have stated they are worried for both leaving their house or opening their door in the dark and the safety of their children due to being unable to park outside their house given the car parking increase they have dealt with from the existing HMO properties on the street.

Waste Management and Collection issues

- Advise that waste collectors are already having a difficult time accessing residents waste.
- Concerned about the proposal to open up the back yard onto an already busy back street that is all cobbled and uneven which is hard enough for the bin men to come down and some times they miss if there are cars on the back street leading to further complaints to the Council.

Other Matters

- Assert that the developer(s) do not care about living conditions, local residents or the

- standard of living in Bury and that their motive is just greed and profit.
- Urges the council to see sense, and stop this from happening, as it will ruin local communities in an area full of private family houses

Statutory/Non-Statutory Consultations

Adult Care Services - No comments or observations received.

Traffic Section - No comments or observations received.

Environmental Health - Pollution Control - No comments or observations received.

Greater Manchester Police - designforsecurity - No objections. They do make some recommendations for the applicant. These are recommended be inputted into an Informative, where members are minded to support the application.

Waste Management - No comments or observations received.

Housing - Public Protection - Advise a HMO Licence will be required by the applicant and that the proposal will need to comply with the HMO Licensing Standards.

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
- No comments or observations received.

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
JP-C1	Our Integrated Network
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation

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.

Fallback Position

Under 'Permitted Development' dwellinghouses can change to a 6-bed HMO without needing planning permission. Under Permitted Development the applicant can also erect the proposed rear dormer extension.

A permitted fallback position is a significant material planning consideration, often given substantial weight because it represents a realistic, deliverable alternative that avoids the need for further permission, meaning the planning authority must assess the harm of the proposed development and also take into account any planning harm that may be caused by the permitted fallback position. In this instance the applicant could implement a material change of use to a 6 bed HMO without the need for planning permission, meaning that if this application was refused, the applicant could go ahead with a 6 bed HMO in any event. harm caused by the fallback.

Article 4 Direction

Members will be aware that the Council is considering the introduction of an Article 4 Direction that would withdraw Permitted Development rights (thereby necessitating planning applications) for any HMO development. At present, there is no Article 4 Direction in place and this planning application must therefore be considered in this context and treated on the planning merits in the usual way.

Character of the area - concentration of HMOs

Whilst there is no specific policy in relation to HMOs within the UDP, Policy H2/4 - Conversions takes into consideration the concentration of conversions for multiple occupation and the impact this can have on the character of an area.

The representations received assert that at least 3-5 properties on Monmouth Avenue are in use as small-scale HMOs.

Officers have investigated this by both viewing the information held by the HMO Licensing Section who deal with all licensable HMOs; i.e. those that have 5 bedrooms and above and by checking the street and locality at the time of the site visit.

The following flats and other HMOs on the Avenue have been found, as follows:

- 2 Monmouth Avenue - 6 beds
- 5 Monmouth Avenue - 5 beds
- 9 Monmouth Avenue - directly opposite the application site - 6 beds
- 14 Monmouth Avenue - adjoining the application site - 4 Flats
- 213 Walmersley Road - 3 Flats

There is also a residential care home, 'Rockwood Residential Care Home', present at 219 Walmersley Road which backs onto the entrance of Back Monmouth Street.

Monmouth Avenue is a condensed terraced street located between Walmersley Road and Hornby Street.

It is clear that there is a concentration of both HMO and flat/ apartments properties in this particular location which does detract from the residential, family housing, nature of this street. This proposal would thus lead to an over-concentration of such properties in this location to the detriment of the residential character of the locality.

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. 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.

Although the representations received assert that the locality is suffering with crime and disorder, Greater Manchester Police has raised no objections to the proposed development. For this reason, Officers have no sound grounds on which to justify refusal of the proposal on this basis.

Neighbours adjoining and opposite the application site have advised that they are already experiencing occupants of neighbouring properties in use as a HMOs, entering and leaving their properties at all times of night and disturbing their sleep and children sleeping - children of primary school age, and standing out side the HMO (no. 9 Monmouth Avenue) talking and smoking at all times of day and night, which has a negative impact on the amenity of residents, through noise and disturbance and the fear of anti-social behavior and intimidation.

The application site is located between a property containing 4 flats/ apartments and a Class C3 dwelling house and is directly opposite no. 9 Monmouth Avenue which is in use a 6 bedroom HMO. The change of use of this property to create a 6 bedroom, single person, property would increase the comings and goings and noise disturbance experienced by neighbouring residents, which when taking account the other HMO property directly opposite and the 4 flats in the property adjoining the application site, and which adjoins a Class C3 dwelling. This proposal would therefore result in conditions detrimental to the amenity of neighbouring residents.

Layout and Amenity of Future Occupants

UDP Policy H2/2: The Layout of New Residential Development and Policy H2/4: Conversions both concern themselves with, amongst other things, the layout of development and the effect of proposals on the amenity of occupants.

All bedrooms proposed would comply with the national prescribed space standards. The applicant has not stated that the proposal would

A bedroom, Bedroom 2, is proposed of the communal kitchen-dining area which is not usually acceptable to Officers as the future occupant of that room would suffer from noise and odours generated within this communal space. Moreover, two washing machines are proposed against the wall of this bedroom/ en-suite shower room. Kitchens are also a fire risk. in response, the applicant has amended the plan to put the proposed en-suite shower against the wall of the bedroom adjoining the kitchen to go some way to mitigating the issues identified and created a small access hallway between the kitchen, staircase and the door to proposed Bedroom 2.

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 6 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 as well as. Access into this rear yard area would be via a set of patio doors proposed in the Kitchen-Diner area. The rear boundary wall of the site has a gate on to the back street where bins are collected from. This leads Officers to conclude that sufficient which would enable bins to be easily moved in and out of the application site on bin collection days.

A covered and secure cycle store for up to 6 bikes is also proposed in the corner of the rear yard area. This would accord with the cycle parking provision requirements set out within SPD11.

An outside seating area is within the rear yard area, which would provide an appropriate level of external amenity space.

Taking account of the above, with the exception of Bedroom 2, the proposed development would not have an adverse impact upon the future occupiers of the proposed development and would be in accordance with Policies H2/4 and EN1/2 of the Bury Unitary Development Plan.

Highway Matters

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 on a street off Walmersley Road. Walmersley Road is a main throughroute within the borough. The application site is within approximately 350m of Chesham Shopping Precinct, and allocated Neighbourhood Centre with Development Plan, and is therefore within walking distance of the application site.

Walmersley Road is a main bus route with buses going to and from Bury Town Centre, Ramsbottom Town Centre, Burnley, Blackburn and Rawtenstall Town Centres every 20 minutes or so.

The application site is thus in an accessible location to enable future occupiers to not have to rely on a car for basic services and amenities and for access to jobs. The proposal therefore complies with the locational requirements of PfE Policy JP-C1.

Car Parking provision

SPD11: 'Parking Standards in Bury' advises that the level of parking provision for HMO's acknowledges that HMOs and shared housing tend to attract occupiers with lower than average levels of car ownership compared to the general population.

The SPD identifies this locality is within accessibility zone 4 due to its distance from Bury Town Centre. This sets out car parking provision for new development. Within Zones 3 and 4 HMO proposals should provide 0.5 car parking spaces per bedroom. A 6 bedroom property should therefore provide 3 off-road parking spaces. This property provides none.

The SPD does say that alternative provision levels can be considered on a case-by- case basis. The permitted development fallback position that without permission, this house can be turned into a 6 person HMO is therefore a material consideration. Therefore whilst street

parking provision already appears to be over-subscribed, given the proposal could be done without planning permission, as 'Permitted Development', and given the sites location in walking distance of an allocated Neighbourhood Centre, on a key bus route, it would not be reasonable to resist the application on parking and highway safety grounds.

Servicing

In terms of servicing the site, the Council's Waste Management Service has indicated that the level of occupancy would necessitate the need to provide 4 x standard size refuse bins; 2 to be used for general rubbish and 2 to be used for the paper and plastic recycling service offered by the Council. The applicant has demonstrated that this level of refuse storage provision can be accommodated within the rear yard area. A planning condition requiring the refuse storage provision submitted to be provided prior to the use commencing is therefore recommended.

Subject to the recommended planning condition the proposal would accord with UDP policies H2/4, HT2/4 and SPD13 with regard to HMO development.

Visual Amenity

The proposals involve two roof lights within the front roofslope and the provision of a new rear dormer.

The proposed front roof lights would not detract demonstrably from the front roof slope of this property and the front roof slope of the full terrace, particularly as two or three other properties on the northern side of Monmouth Avenue have single roof lights within the roofscape.

The proposed rear dormer would comprise slate cladding to the faces and cheeks of the dormer and would have a flat roof. It would be set down from the main roof ridge and set up from the eaves of the property by approximately 200mm and set in off the verges of the roof. Windows proposed on the new dormers will comprise white uPVC which will match the existing windows. The proposed dormer would sit close to an existing rear dormer present on an adjoining property, no. 10 Monmouth Avenue, so would not appear discordant within this immediate locality.

The external alterations are therefore considered to be in keeping with the character of the existing properties and surrounding context.

One of the representations asserts this proposal seeks to remove the rear boundary of the site. However, the rear yard is bounded by a timber panel fence with a single gate and the Proposed Site Plan shows this is to remain. In addition, the proposed covered and secure timber clad flat roof cycle parking store is proposed to sit against the existing/ proposed rear boundary fence. This element of the proposal would primarily be screened from the rear streetscape by the existing rear boundary of the site and thus would cause negligible harm to the visual amenity of the rear highway.

For the above reasons, the proposal accords with UDP Policy EN1/2: Townscape and Built Design.

Carbon and Energy

The Council's in Greater Manchester aim is to ensure all new development is carbon neutral by 2038. PfE Policy JP-S2: 'Carbon and Energy' promotes, amongst a range of other things, the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling.

In compliance with local and national policy, the proposed development prioritises the

minimisation of energy demand and maximisation of energy efficiency through the following measures:

- **High Insulation Standards:**

The development will feature highly insulated walls and ceiling cavities to reduce heat loss and enhance thermal efficiency.

Double glazing will be installed throughout the property to further improve insulation and reduce energy consumption. This ensures compliance with Part L Building Regulations.

Passive performance will be enhanced through improving the fabric efficiency with double glazing and insulation as well as the efficiency of the existing internal layout.

- **Renewable Energy Sources:**

Due to the building orientation and lack of solar gain on the roof, the installation of solar PV panels is not feasible.

The building will use a conventional boiler with water tank system due to the high demand for hot water from six separate hot water stations. ASHP is not viable under the current design.

The applicant commits to opting for renewable energy sources when selecting gas and electricity suppliers for the building, ensuring a greener energy supply.

- **Smart Thermostats:**

Smart thermostats will be installed throughout the property to enable precise control over heating and cooling, enhancing energy efficiency and user comfort. This improves thermal regulation and supports sustainability goals.

- **Energy Performance Certificate (EPC) Rating:**

The applicants aim to achieve a high EPC rating of C or above, demonstrating our commitment to energy efficiency and environmental sustainability.

- **Regular Maintenance:**

The property will undergo regular maintenance, with bi-annual reviews to ensure all energy-saving measures are functioning optimally and to identify opportunities for further improvements. These measures align with the 2022 Part L Building Regulations and underscore our dedication to creating a sustainable and energy-efficient development.

Due to all of the above, the proposals therefore comply with Places for Everyone Policy JP-S2.

Digital Connectivity

PfE Policy JP-C2: Digital Connectivity requires, amongst other things, all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple-ducting compliant with telecoms standards, to facilitate future-proof gigabit-capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into properties.

In compliance with PfE policy JP-C2, the proposed development will support high-quality digital infrastructure through the following measures:

- **Full Fibre Connections:**

Fibre optic cables are to be installed to the property, ensuring superfast internet connections

with a minimum speed of 500 Mbps.

A mesh Wi-Fi system is to be deployed throughout the property, guaranteeing consistent high-quality internet coverage in every corner and on every floor.

Category 6 network points are to be installed on each floor, providing robust and reliable wired internet connections for high-speed data transfer. By implementing these measures, the proposed development will ensure compliance with Policy JP-C2, delivering superior digital connectivity that meets the demands of modern living and enhances the overall functionality of the property.

Response to Objectors

It is considered that the material planning considerations raised within representations have been addressed within the main body of the report and conditions recommended in accordance with the above assessment.

The matters not addressed in the report are as follows:

Bin Collection issues

As with a lot of back streets in the borough access for bin collection can be a problem at times. However, the Waste Management service does not view this as a consistent or serious issue in this location and advise this is not an area which they are currently looking at in terms of alternative arrangements, such as having collection points

Excess Waste/Overflowing Bins - This application site is in a locality where the Waste Management service does have issues with littering, fly tipping and excess waste - see the site photographs attached to this report. However, the application street is on the outskirts of this locality and as a service the Waste Management section do not consider this is a justifiable reason for a recommendation of refusal for this application as the proposed development would not demonstrably worsen these issues.

Conclusion

The property has permitted development rights to convert from a dwellinghouse to a 6 person HMO without planning permission. Officers consider this proposed use of the dwelling as a 6 person HMO is a permitted change within the Town and Country Planning (Use Classes) Order Regulations, as amended. Officers also consider that the proposed roof dormer and front roof lights could be erected and installed utilising the permitted development rights afforded by Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, as amended.

As this is the case, whilst the proposal would contribute to the concentration of HMO and flat development in this area, the fact is that the proposals do not actually require planning permission and would be lawful. It would therefore be unreasonable of the Council to resist the application for any of the issues identified. Therefore, subject to the recommended planning conditions, it is recommended the application be approved.

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:

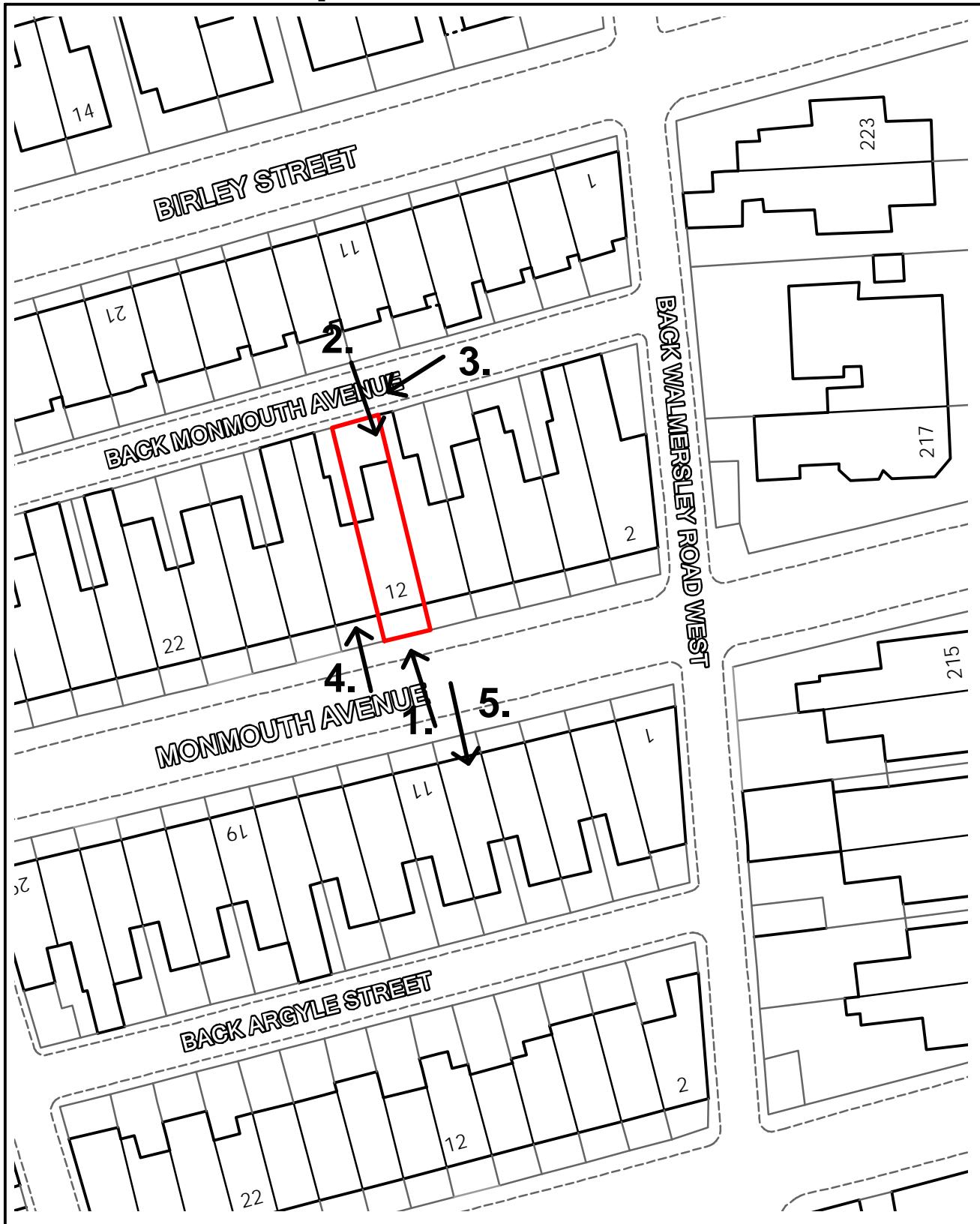
Drawing no. 12MA/299/PL: Location Plan and Existing Site Plan;
Drawing no.12MA/300/PL Rev.C2: Proposed Site Plan;
Drawing no.12MA-303-PL-C1: Proposed Plan Layouts; and,
Drawing no.12MA-304-PL-C1: Proposed Section and Elevations

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan.

3. The building shall not be occupied by any tenants unless and until a scheme to soundproof the party wall with the adjoining residential property has been submitted to and approved in writing by the Local Planning Authority. The duly approved soundproofing scheme shall thereafter be implemented in full before any occupation of the development hereby permitted first takes place.
Reason. To reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to the NPPF and UDP Policy EN7/2 Noise Pollution.
4. The bin storage and covered and secure cycle parking facilities within the rear yard area 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 use hereby approved commencing and thereafter be available for use 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 Joint Development Plan.

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

Viewpoints 72554



ADDRESS: 12 Monmouth Avenue, Bury, BL9
5DU



Planning, Environmental and Regulatory Services

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Photo 1: Front Elevation



Photo 2: Rear Elevation



72554

Photo 3: Rear Street outside the application site

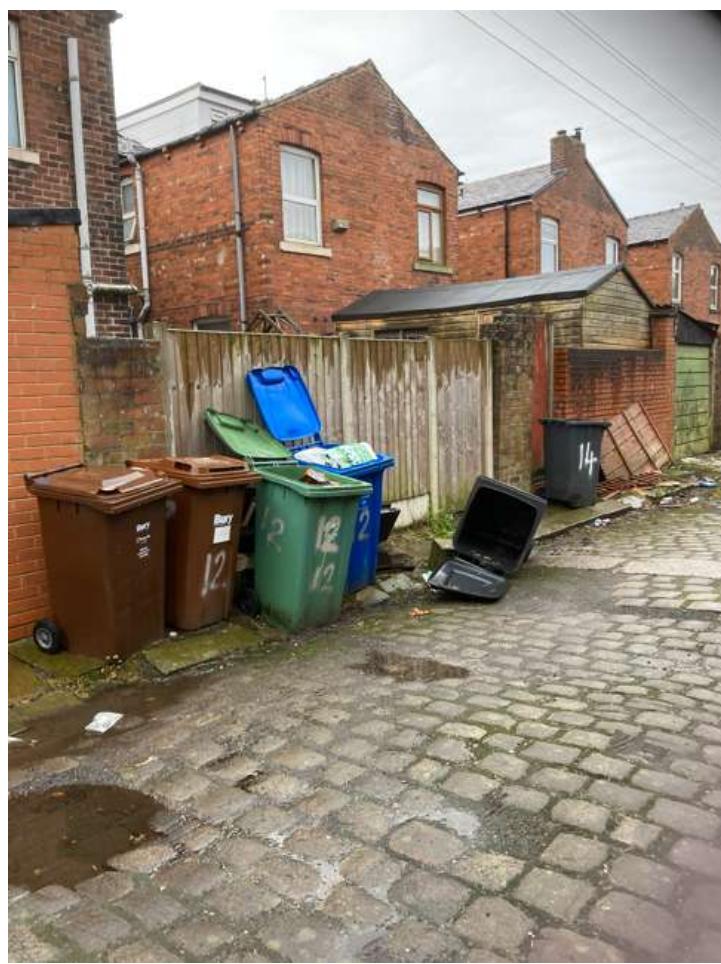


Photo 4: No. 14 (sharing a party wall with application site – appears to be in use as 4 apartments



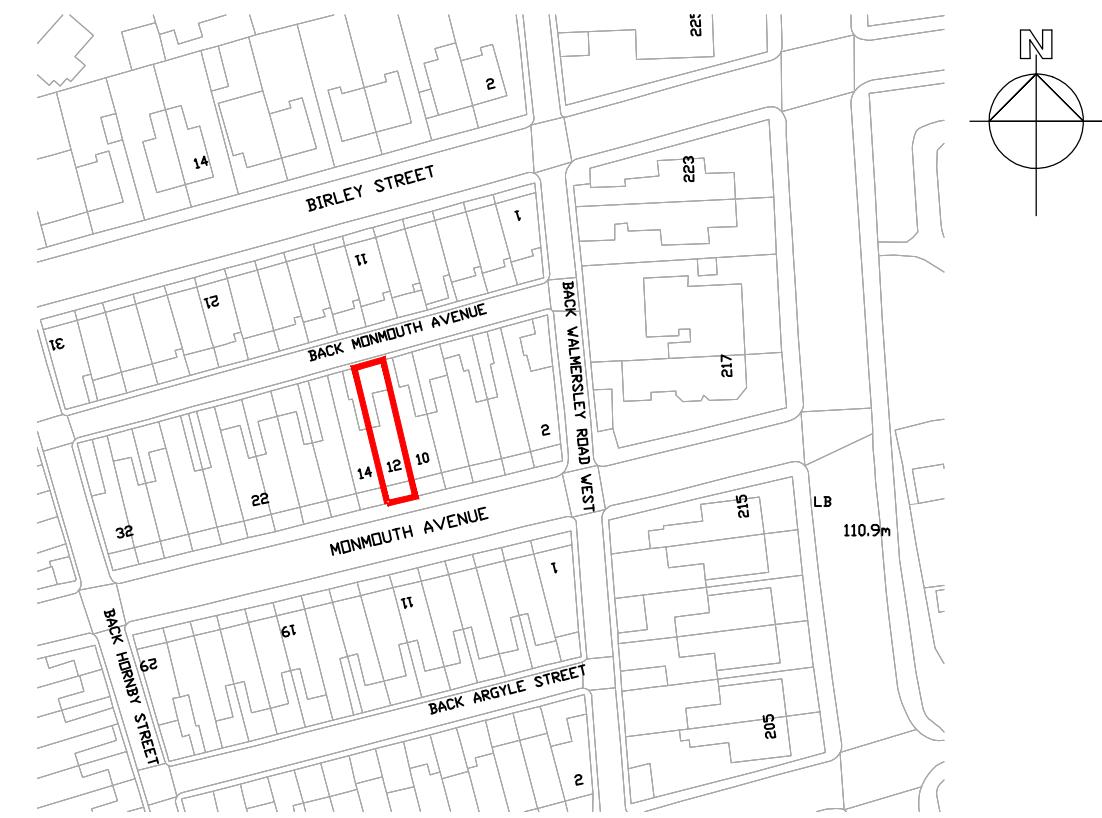
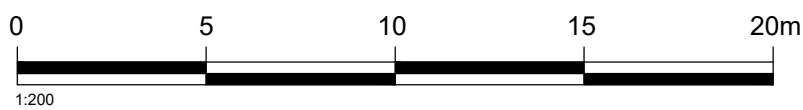
72554

Photo 5: No. 9 – opposite, in use as a 6 bedroom property:





EXISTING BLOCK SITE PLAN
1:200 @ A3

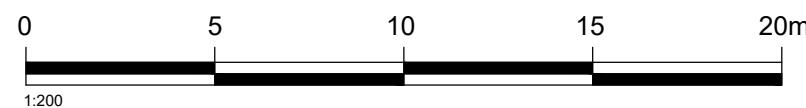


SITE LOCATION PLAN (117sqm) 1:1250 @ A3

ev	Amendments	Date	Ints
			
Project			
12 MONMOUTH AVENUE BURY, BL9 5DU			
Drawing Title			
SITE LOCATION PLAN EXISTING SITE PLAN			
Drawn MG		Checked -	
Date AUG 2025		Scale @A3 1 : 100	
Drawing No.			Rev.
12MA/299/PL			



PROPOSED BLOCK SITE PLAN
1:200 @ A3



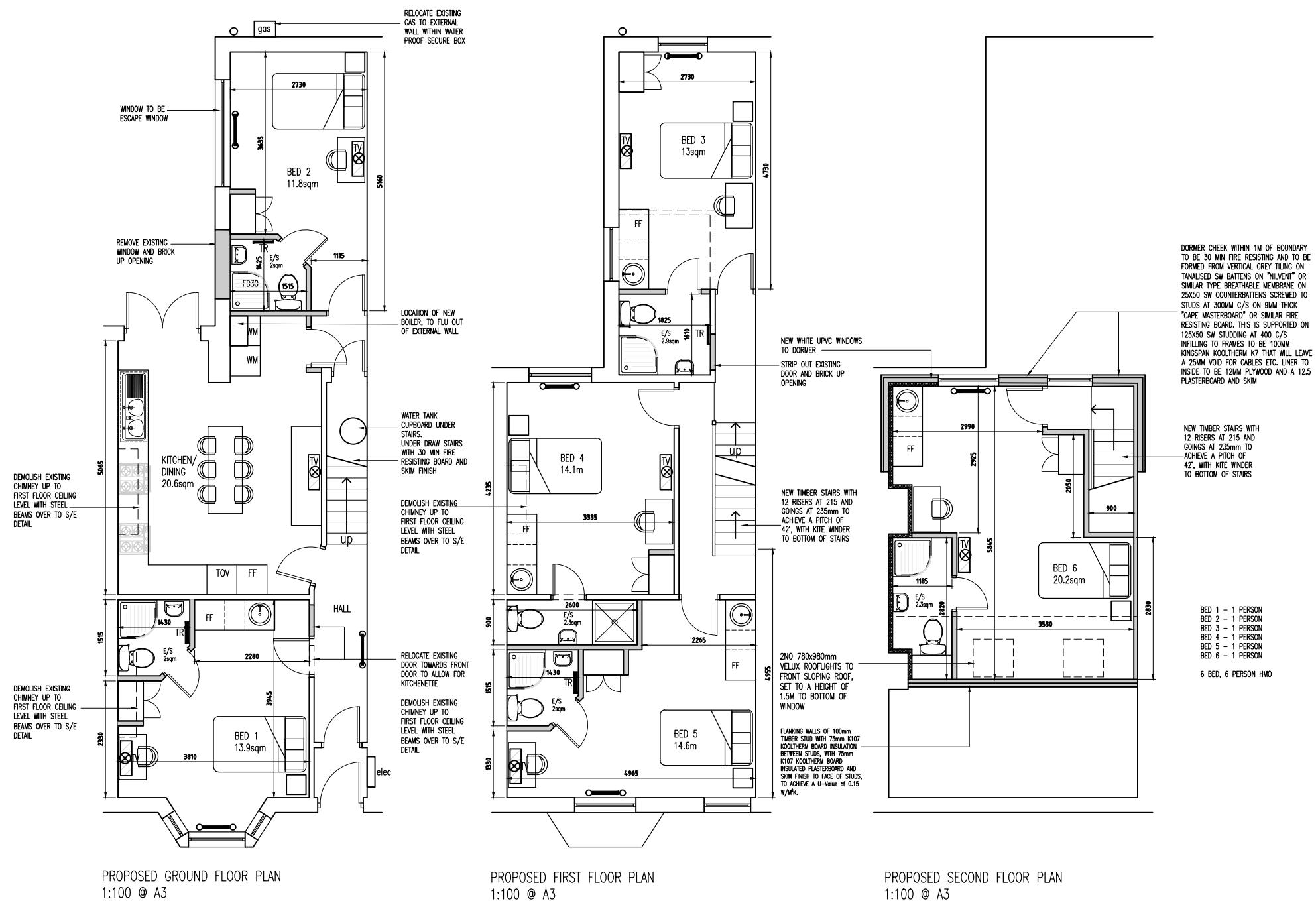
TRINITY TIMBER WOODEN BIKE SHELTER FOR SECURE SAFE STORAGE FOR 6 CYCLES.
MADE FROM 50x50x3mm MILD STEEL BOX FRAME, WITH ROUGH SAWN TIMBER CLADDING,
AND DOUBLE DOOR OF TIMBER CLADDING WITH 3 HINGE ANTI-LIFT DOORS.
BEING 2350mm DEPP AND 2650mm WIDE, AND A HEIGHT OF 2150mm HIGH.
WITH 3 NO SHEFFIELD TOAST RACK, SECURE DOWN TO CONCRETE BASE.



C2	Amendment to cycle storage	23.12.25	MG
C1	Amendment to cycle storage	28.10.25	MG
Rev	Amendments	Date	Ints

Mark Gordon
Design + Associates

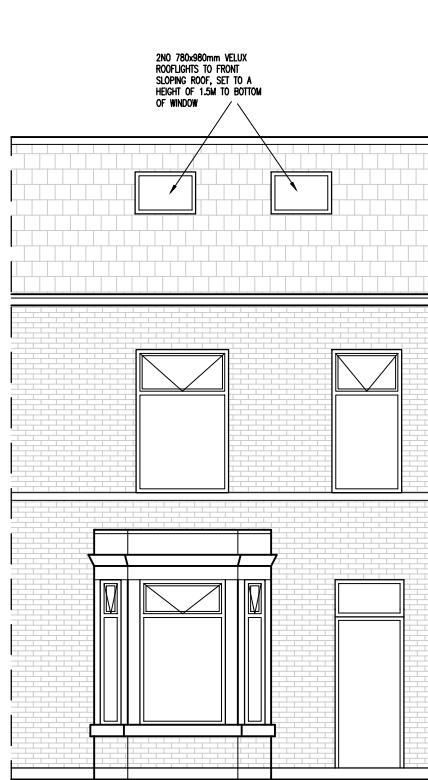
Project	
12 MONMOUTH AVENUE BURY, BL9 5DU	
Drawing Title PROPOSED SITE PLAN	
Drawn MG	Checked _
Date AUG 2025	Scale@A3 1 : 100
Drawing No. 12MA/300/PL Rev C2	



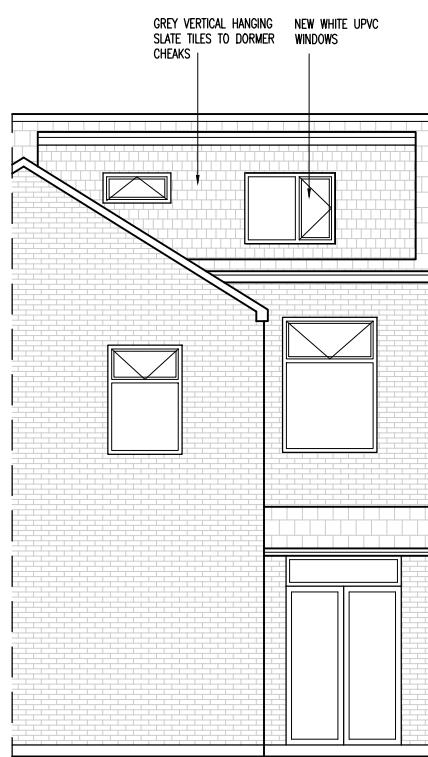
C1 HMO reduced to 6 bed, 6 person, with 23.12.25 MG
Rev Amendments Date Ints

Mark Gordon
Design + Associates

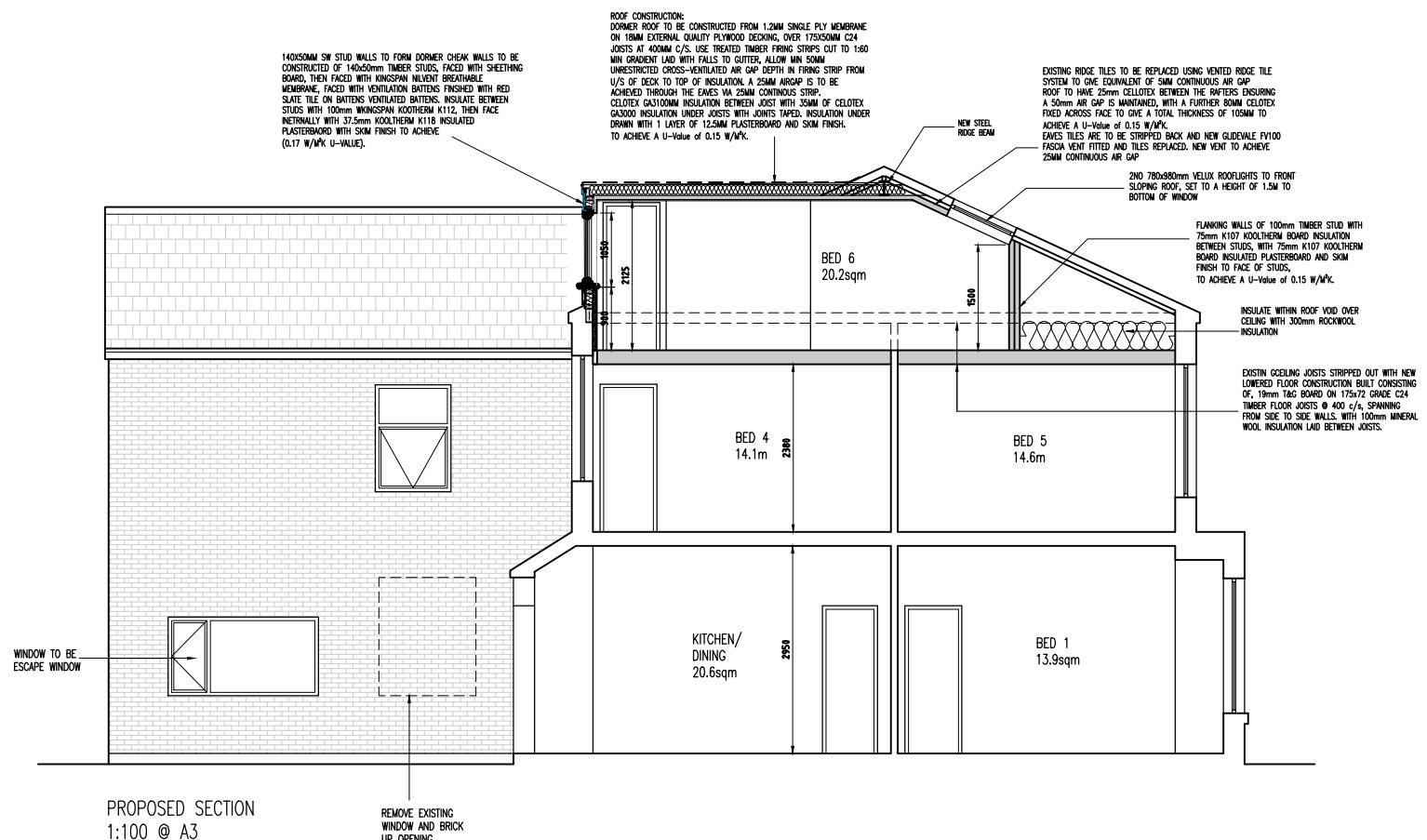
Project	
12 MONMOUTH AVENUE BURY, BL9 5DU	
Drawing Title PROPOSED PLAN LAYOUTS	
Drawn MG	Checked _
Date AUG 2025	Scale@A3 1 : 100
Drawing No. 12MA/303/PL Rev C1	



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3



0 2 4 6 8 10m
1:100

C1	HMO reduced to 6 bed, 6 person, with outrigger dormer omitted	23.12.25	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
12 MONMOUTH AVENUE BURY, BL9 5DU			
Drawing Title PROPOSED SECTION AND ELEVATIONS			
Drawn MG Checked _ Date AUG 2025 Scale @ A3 1 : 100			
Drawing No. 12MA/304/PL Rev. C1			

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REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	27 January 2026
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 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:-**

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5291
Email: d.marno@buryscouncil.gov.uk

Planning applications decided using Delegated Powers

Between 08/12/2025 and 18/01/2026



Ward:

Application No.: 71697 **App. Type:** CONDIS 11/12/2025 **Approve**

Location: Land at Springside Road, Bury

Proposal: Application to discharge conditions on planning permission 68055:
Condition 4 (Validation Report) and condition 10 (Knotweed Eradication Completion Certificate)

Approved **Application No.:** 72147 **App. Type:** CONDIS 14/01/2026 **Approve**

Location: Former Tarmac Building Materials Ltd, Stopes Road, Little Lever, Bolton, BL3 1NR

Proposal: Application to discharge condition 3 (highway works), condition 4 (construction traffic management plan) & condition 6 (remedial works) on p/p 70350

Approved **Application No.:** 72323 **App. Type:** CONDIS 11/12/2025 **Approve**

Location: Land adjacent 41 Bury Old Road, Ainsworth, Bolton, BL2 5PF

Proposal: Application to discharge condition 3 (contaminated land) and condition 4 (remediation strategy) on planning permission 70951

Raised **Application No.:** 72357 **App. Type:** CON 24/12/2025 **Raise No Objection**

Location: Land off Mottram Old Road Hyde SK14 3BE

Proposal: Article 18 Consultation from Tameside MBC (ref 21/01171/OUT) - Outline application, with all matters reserved other than access, for the demolition of certain existing building and structures, and the redevelopment of the site for a residential-led, mixed-use development comprising; residential dwellings (Use Classes C3 and C2); local centres including retail, commercial and community uses (Use Classes E(a)-(g)(i); F1; F2 and Sui generis); Education Land/ Facilities and Community Facilities (Use Classes F1, F2(b)-(d); E(d)-(f)); new bridge connection to Hattersley; and associated infrastructure, open space and landscaping

Approved **Application No.:** 72510 **App. Type:** CONDIS 19/12/2025 **Approve**

Location: Former Castlecroft Caravan Centre, Eton Hill Road, Radcliffe, Manchester, M26 2ZT

Proposal: Application to discharge condition nos. 3 (materials); 14 (Japanese Knotweed); 15 (landscaping) and 18 (external lighting) on planning permission 71775

Approved **Application No.:** 72536 **App. Type:** CONDIS 18/12/2025 **Approve**

Location: Site of Whittaker House, Whittaker Street, Radcliffe, Manchester, M26 2TD

Proposal: Application to discharge condition 3 (remediation strategy/site verification report) and condition 4 (contamination/risk assessment) on planning permission 71563

Split **Application No.:** 72544 **App. Type:** CONDIS 18/12/2025 **Split Decision**

Location: Land adjacent to 62 Springside Road, Bury, BL9 5JQ

Proposal: Application to discharge condition 3 (contaminated land), condition 5 (EV charge point), condition 8 (BEMP) and condition 17 (sprinkler system) on planning permission 68815

Raised **Application No.:** 72550 **App. Type:** REG5 10/12/2025 **Raise No Objection**

Location: Pavement junction of 153 Heys Road and Merton Road, Prestwich, Manchester, M25 1QJ

Proposal: Regulation 5 notice of intention to install 1 no. 9M light wooden pole (ref.1337159)

Application No.: 72560 **App. Type:** REG5 10/12/2025 Raise No Objection

Location: Pavement adj 10 Hunt Fold Drive, Tottington, Bury, BL8 4QG

Proposal: Regulation 5 notice (ref. OGEEA3553603) of intention to install fixed line broadband electronic communications apparatus consisting of a 10M light pole

Application No.: 72561 **App. Type:** REG5 10/12/2025 Raise Objections

Location: O/S 15 Nuttall Hall Road, Ramsbottom, Bury, BL0 0AS

Proposal: Regulation 5 Notice of intention to install 1 no. 12m medium wooden pole

Application No.: 72562 **App. Type:** REG5 19/12/2025 Raise No Objection

Location: Pavement o/s 104-126 Baguley Crescent, Prestwich, Manchester, M24 4GU

Proposal: Regulation 5 notice (ref. WGNMVR1C) of intention to install fixed line broadband electronic communications apparatus, as 9M light wooden pole

Application No.: 72563 **App. Type:** CONDIS 22/12/2025 Approve

Location: Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ

Proposal: Application to discharge condition 2 (EV charging point) on planning permission 72026

Application No.: 72564 **App. Type:** CONDIS 19/12/2025 Approve

Location: Brook Bottom Farm, Bury Old Road, Shuttleworth, Ramsbottom, Bury, BL0 0RZ

Proposal: Application to discharge condition 4 (landscaping scheme and bird boxes) on planning permission 72027

Application No.: 72575 **App. Type:** CONDIS 16/01/2026 Approve

Location: 131 Radcliffe New Road, Radcliffe, Manchester, M45 7RP

Proposal: Application to discharge condition 3 (materials), condition 4 (construction traffic management plan (CTMP)) and condition 10 (surface water drainage) on planning permission 71264

Application No.: 72589 **App. Type:** REG5 23/12/2025 Raise No Objection

Location: Rear of Pike Farm, Bury Old Road, Ramsbottom, Bury, BL9 6SY

Proposal: Regulation 5 notice (ref. COL.MOD.UK.0006602_1) of intention to install electronic communications apparatus comprising:

- 3No. ANTENNAS AT 18.69m MEAN;
- 3No. CABINETS TO BE REFRESHED WITHIN INTERNAL ROOM 2;
- 3No. ANTENNAS & ANCILLARY EQUIPMENT AT 18.00m MEAN HEIGHT;
- 2No. CABINETS WITHIN INTERNAL ROOM 2;
- 3No. ANTENNAS & ANCILLARY EQUIPMENT AT 18.69m MEAN HEIGHT TO BE REMOVED; and,
- 3No. ANTENNAS & ANCILLARY EQUIPMENT AT 18.00m MEAN TO BE REMOVED

Application No.: 72592 **App. Type:** CONDIS 14/01/2026 Split Decision

Location: 221 Walmersley Road, Bury, BL9 5DF

Proposal: Application to discharge condition 1 (start by date), Condition 2 (approved drawings), condition 3 (car and cycle parking), Condition 4 (bin storage facilities) and Condition 5 (use of basement), on planning permission 71644

Application No.: 72597 **App. Type:** REG5 19/12/2025 Raise No Objection

Location: Pavement adj to 8, 11, 40 Baguley Crescent, Prestwich, Manchester, M24 4GT

Proposal: Regulation 5 notice of intention to install 3 no. 9M light wooden pole (ref.WGNWD69Z)

Application No.: 72601	App. Type: CONDIS 19/12/2025	Split Decision
Location:	Former Castlecroft Caravan Centre, Land at rear of Eton Hill Road, Radcliffe, Bury, M26 2ZT	
Proposal:	Application to discharge condition nos. 8,9,10,11 & 12 (all ground contamination) Condition no. 13 (drainage) on planning permission 71775 - Erection of 5no. covered padel courts, conversion of existing building to clubhouse, provision of accessible WC and shower unit and associated car parking, cycle parking and access works	
Application No.: 72612	App. Type: REG5 23/12/2025	Raise Objections
Location:	Pavement o/s St Andrews Church, Mersey Drive, Whitefield, Manchester, M45 8LA	
Proposal:	Regulation 5 notice (ref. BOLT-X-XT) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72613	App. Type: REG5 18/12/2025	Raise Objections
Location:	Pavement o/s Stand Lodge, 1 Stand Lane, Radcliffe, Manchester, M26 1JP	
Proposal:	Regulation 5 notice (ref. BOLT-X-XU-BOLTONWARD0106) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72615	App. Type: REG5 11/12/2025	Raise No Objection
Location:	Pavement o/s 29 Parkhills Close, Bury, BL9 9HB	
Proposal:	Regulation 5 notice (ref. BOLT-X-XR&BOLTONWARD0105) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72616	App. Type: REG5 23/12/2025	Raise Objections
Location:	Pavement at side of 2 Sanderson Street, Bury, BL9 6BP	
Proposal:	Regulation 5 notice (ref. BOLT-X-XQ) of intention to install above-ground cabinet (in order to house electronic equipment)	
Application No.: 72617	App. Type: REG5 19/12/2025	Raise No Objection
Location:	Pavement adj skip yard at junction of Fountain Street North & Back Manor Street, Bury, BL9 7AN	
Proposal:	Regulation 5 notice (ref. BOLTWARD0104) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72618	App. Type: REG5 19/12/2025	Raise No Objection
Location:	Pavement at side of 217 Ainsworth Road, Bury, BL8 2RU	
Proposal:	Regulation 5 notice (ref. BOLT-X-AF) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72619	App. Type: REG5 19/12/2025	Raise No Objection
Location:	Grass verge o/s 154-156 Church Street, Ainsworth, Bolton, BL2 5SJ	
Proposal:	Regulation 5 notice (ref. BOLT-X-AH) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72620	App. Type: REG5 10/12/2025	Raise No Objection
Location:	Pavement adj grassed area at junction of Spring Lane & Whittaker Street, Radcliffe, Manchester, M26 2TQ	
Proposal:	Regulation 5 notice (ref. BOLT-X-XV) of intention to install above-ground cabinets (in order to house electronic equipment)	
Application No.: 72667	App. Type: CONDIS 15/01/2026	Approve
Location:	Former Bury Police Office HQ, Irwell Street, Bury, BL9 0HE	
Proposal:	Application to discharge condition 5 (remediation validation report) on planning permission 70565	

Application No.: 72675 **App. Type:** CONDIS 23/12/2025 Approve

Location: Stone House, 1 Dorothy Street, Ramsbottom, Bury, BL0 9QJ

Proposal: Application to discharge condition 8 (remediation strategy) on planning permission 57515 and condition 6 (remediation strategy) of application 69389

Ward: Bury East

Application No.: 72308 **App. Type:** FUL 12/12/2025 Refused

Location: 195 Rochdale Road, Pimhole, Bury, BL9 7BB

Proposal: Change of use of part ground floor and first floor to form 4 no. bedroom (single occupancy) House in Multiple Occupation (HMO) (Use Class C4); part two storey/part single storey rear extension and loft conversion with front and rear dormers

Application No.: 72406 **App. Type:** FUL 19/12/2025 Approve with Conditions

Location: 36 Nuttall Street, Pimhole, Bury, BL9 7EW

Proposal: Replacement single storey rear extension

Application No.: 72428 **App. Type:** FUL 10/12/2025 Approve with Conditions

Location: 2 Pear Avenue, Bury, BL9 7NB

Proposal: Single storey rear extension and front porch

Application No.: 72445 **App. Type:** FUL 19/12/2025 Approve with Conditions

Location: Lester House, 21 Broad Street, Bury, BL9 0AW

Proposal: External alterations to building facade comprising of replacement windows and panels, alterations to existing access, new doorway to bin store and creation of upper floor private garden spaces to utilise existing balcony

Application No.: 72529 **App. Type:** LBC 19/12/2025 Approve with Conditions

Location: Bury Metro Arts Association Derby Hall, Market Street, Bury, BL9 0BW

Proposal: Listed Building Consent - 2 no. non-illuminated projecting / hanging signs; Vinyls to front glazing

Application No.: 72602 **App. Type:** ADV 08/01/2026 Refused

Location: Pavement o/s 30 Derby Way, Moorgate, Bury, BL9 0NJ

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72604 **App. Type:** ADV 09/01/2026 Refused

Location: Pavement at Derby Way, opposite entrance to The Rock multi-storey car park, Bury, BL9 0NS

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72605 **App. Type:** ADV 09/01/2026 Refused

Location: Pavement at junction of Derby Way & Rochdale Road, Bury, BL9 0NJ

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72606 **App. Type:** ADV 16/01/2026 Refused
Location: Pavement adj to entrance of Angouleme Retail Park, George Street, Bury, BL9 0PE
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72607 **App. Type:** ADV 16/01/2026 Refused
Location: Pavement at junction of George Street & South Cross Street, Bury, BL9 0RS
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72652 **App. Type:** FUL 15/01/2026 Approve with Conditions
Location: 77 Fairfield Drive, Bury, BL9 7SL
Proposal: New front porch and single storey extension at side

Ward: Bury East - Moorside

Application No.: 72253 **App. Type:** FUL 16/12/2025 Approve with Conditions
Location: Site of Car Time, Bell Lane, Bury, BL9 6BB
Proposal: Variation of condition no.2 (approved plans) on planning permission 70945:
Increase the floorspace of the retail unit

Application No.: 72370 **App. Type:** FUL 22/12/2025 Refused
Location: Land to rear of 29 Raven Street, Bury, BL9 5AU
Proposal: Demolition of former works and Erection of 1 no. single storey dwelling for persons in adult social care

Application No.: 72595 **App. Type:** FUL 14/01/2026 Approve with Conditions
Location: Bury Community Fire Station, Magdalene Road, Bury, BL9 0ES
Proposal: Installation of Air Source Heat Pump (ASHP) to replace gas fired boilers and associated works

Ward: Bury East - Redvales

Application No.: 72439 **App. Type:** FUL 19/12/2025 Approve with Conditions
Location: 691 Whitefield Road, Bury, BL9 9PL
Proposal: Single storey side extension

Application No.: 72515 **App. Type:** FUL 22/12/2025 Approve with Conditions
Location: 9 Wiltshire Close, Bury, BL9 9EY
Proposal: Loft conversion with front & rear dormers

Application No.: 72519 **App. Type:** FUL 12/01/2026 Approve with Conditions
Location: 37 Redvales Road, Bury, BL9 9PU
Proposal: Single storey rear extension and shop front/fenestration alterations.

Application No.: 72521 **App. Type:** FUL **14/01/2026** Approve with Conditions

Location: 112 Horne Street, Bury, BL9 9HS

Proposal: Single storey rear extension; Loft conversion with rear dormer

Ward: **Bury West**

Application No.: 72325 **App. Type:** FUL **10/12/2025** Approve with Conditions

Location: Higher Woodhill Farm, Woodhill Road, Bury, BL8 1BS

Proposal: Erection of an agricultural building to accommodate livestock and general purpose agricultural storage

Application No.: 72499 **App. Type:** FUL **16/12/2025** Approve with Conditions

Location: 76 Newington Drive, Bury, BL8 2EG

Proposal: Single storey rear extension

Application No.: 72581 **App. Type:** FUL **09/01/2026** Approve with Conditions

Location: 14 Glenboro Avenue, Bury, BL8 2PR

Proposal: Single storey side/rear extension

Ward: **Bury West - Elton**

Application No.: 72473 **App. Type:** FUL **16/01/2026** Approve with Conditions

Location: 6 Valley View, Bury, BL8 1WN

Proposal: Construction of detached outbuilding (garden room) at rear

Application No.: 72496 **App. Type:** FUL **19/12/2025** Approve with Conditions

Location: 44 Elterwater Close, Bury, BL8 1UW

Proposal: Two storey side extension, single storey rear extension and external alterations

Application No.: 72541 **App. Type:** FUL **14/01/2026** Approve with Conditions

Location: 12 Springside View, Bury, BL8 4LU

Proposal: Variation of condition 2 (approved plans) on planning permission 72296:
Amended roof design and material

Application No.: 72582 **App. Type:** FUL **13/01/2026** Approve with Conditions

Location: 38 Pickering Close, Bury, BL8 1UE

Proposal: Single Storey Rear Extension

Application No.: 72610 **App. Type:** ADV **09/01/2026** Refused

Location: Pavement at roundabout at Wood Street & Victoria Street, Bury, BL8 1LE

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Ward: **North Manor**

Application No.: 71987 **App. Type:** FUL 09/01/2026 Approve with Conditions

Location: Irwell View Farm, Touch Road, Bury, BL9 5QS

Proposal: Removal of 2 no. chimney stacks; Alterations to windows on the western elevation

Application No.: 72200 **App. Type:** FUL 18/12/2025 Refused

Location: 29 Hawthorn Avenue, Ramsbottom, Bury, BL0 9UZ

Proposal: Loft conversion with dormers at front and rear

Application No.: 72288 **App. Type:** FUL 17/12/2025 Approve with Conditions

Location: 863 Walmersley Road, Bury, BL9 5LE

Proposal: New front porch; single storey / two storey extension at side; single storey extension at rear and render to proposed extensions; Extension to existing decking

Application No.: 72291 **App. Type:** FUL 19/12/2025 Approve with Conditions

Location: 16 Tor Avenue, Tottington, Bury, BL8 4HG

Proposal: Front porch extension, additional dormer at front and single storey rear extension; External alterations and extension of existing rear terrace

Application No.: 72441 **App. Type:** FUL 16/12/2025 Approve with Conditions

Location: 5 Old Oak Cottages, Bolton Road, Tottington, Bury, BL8 4JB

Proposal: Single storey side extension

Application No.: 72458 **App. Type:** FUL 24/12/2025 Approve with Conditions

Location: 29 Park Road, Ramsbottom, Bury, BL0 9RZ

Proposal: Installation of wall mounted EV charging pod to front elevation

Application No.: 72490 **App. Type:** FUL 19/12/2025 Approve with Conditions

Location: Cragg Farm, 94 Bass Lane, Summerseat, Ramsbottom, Bury, BL9 5NS

Proposal: Retrospective application for replacement barn and ornamental garden pond

Application No.: 72491 **App. Type:** FUL 19/12/2025 Approve with Conditions

Location: Cragg Farm, 94 Bass Lane, Summerseat, Ramsbottom, Bury, BL9 5NS

Proposal: Retrospective application for garden pergola and decking

Application No.: 72507 **App. Type:** FUL 14/01/2026 Refused

Location: The former Waterside public house and car park, Kay Street, Summerseat, Bury, BL9 5PE

Proposal: Erection of 5 no. detached dwellings with associated access, parking and landscaping

Application No.: 72514 **App. Type:** FUL 07/01/2026 Approve with Conditions

Location: 21 Park Road, Ramsbottom, Bury, BL0 9RZ

Proposal: Single Storey Rear Extension

Application No.: 72516	App. Type: FUL	19/12/2025	Refused
Location:	Land adjacent to 62 Springside Road, Bury, BL9 5JQ		
Proposal:	Variation of condition no. 12 on planning permission 68815 - Outline application for 12 no. dwellings including means of access (all other matters reserved for appearance, layout, scale and landscaping) - to substitute the approved access		
Application No.: 72525	App. Type: FUL	19/12/2025	Approve with Conditions
Location:	Cragg Farm, 94 Bass Lane, Summerseat, Ramsbottom, Bury, BL9 5NS		
Proposal:	Retrospective planning permission for replacement driveway and installation of areas of hardstanding and associated landscaping		
Application No.: 72530	App. Type: PIP	15/12/2025	Refused
Location:	Land at Ivy Bank, Walmersley Old Road, Bury, BL9 6RU		
Proposal:	Application for permission in principle for the erection of 1 no. dwelling		
Application No.: 72532	App. Type: FUL	05/01/2026	Approve with Conditions
Location:	23 Southfield Road, Ramsbottom, Bury, BL0 9ST		
Proposal:	Demolition of garage; Two storey/single storey rear extension; Front porch		
Ward:	Prestwich - Holyrood		
Application No.: 72084	App. Type: FUL	19/12/2025	Approve with Conditions
Location:	343 Heywood Road, Prestwich, Manchester, M25 2RN		
Proposal:	New front porch and erection of outbuilding in rear garden to form children's play room		
Application No.: 72412	App. Type: FUL	13/01/2026	Approve with Conditions
Location:	19 Holyrood Road, Prestwich, Manchester, M25 1PD		
Proposal:	Change of use from dwellinghouse (Class C3 (a)) to residential children's home for up to 3 no. children (Class C2)		
Application No.: 72424	App. Type: FUL	19/12/2025	Approve with Conditions
Location:	40 Orange Hill Road, Prestwich, Manchester, M25 1LS		
Proposal:	Change of use from a single dwellinghouse (Class C3) to 2 no. self-contained apartments (Class C3)		
Application No.: 72469	App. Type: LDCP	08/01/2026	Lawful Development
Location:	32 Polefield Road, Prestwich, Manchester, M25 2GN		
Proposal:	Lawful development certificate for proposed use as a children's home for up to two children under the age of 18 (Class C2) in addition to its current use as a residential dwelling (Class C3)		
Application No.: 72555	App. Type: FUL	15/01/2026	Approve with Conditions
Location:	4 Glebelands Road, Prestwich, Manchester, M25 1NE		
Proposal:	Change of use from house in multiple occupation (HMO) (Sui Generis) to 1 no. residential dwellinghouse (Class C3)		

Ward: **Prestwich - Sedgley**

Application No.: 72184	App. Type: FUL	17/12/2025	Approve with Conditions
Location:	78 Kings Road, Prestwich, Manchester, M25 0FY		
Proposal:	First floor rear extension at rear, alterations to new side elevation and roof over existing single storey outrigger at the rear. Works to existing boundary wall.		
Application No.: 72350	App. Type: FUL	16/12/2025	Approve with Conditions
Location:	8 Carlton Avenue, Prestwich, Manchester, M25 0EB		
Proposal:	Single storey side extension; Loft conversion with rear dormer		
Application No.: 72386	App. Type: FUL	14/01/2026	Approve with Conditions
Location:	66, 66A & 68 Albert Avenue, Prestwich, Manchester, M25 0LX		
Proposal:	Extension to roof at sides / Loft conversions with front and rear dormer extensions; new front porches (66/66A/68 Albert Avenue) and single storey extension at rear with decking, handrail and steps to rear garden (68 Albert Avenue).		
Application No.: 72397	App. Type: FUL	11/12/2025	Approve with Conditions
Location:	3 Ravensway, Prestwich, Manchester, M25 0EU		
Proposal:	Hip to gable roof extension, including raising existing roof ridge height, with loft conversion and dormers at front/rear; Single storey extension at side/rear with new flat roof to existing rear extension; Alterations to parking area/vehicular access and boundary wall at front		
Application No.: 72434	App. Type: FUL	17/12/2025	Approve with Conditions
Location:	78 Windsor Road, Prestwich, Manchester, M25 0DE		
Proposal:	Two storey side and rear extension		
Application No.: 72493	App. Type: FUL	18/12/2025	Approve with Conditions
Location:	95 Albert Avenue, Prestwich, Manchester, M25 0LU		
Proposal:	Single storey rear extension, formation of accessible ramp at front/side and change of boundary treatment/fencing (to allow adequate access for wheelchair user)		
Application No.: 72494	App. Type: FUL	17/12/2025	Approve with Conditions
Location:	25 Bannerman Avenue, Prestwich, Manchester, M25 1DZ		
Proposal:	Erection of detached outbuilding at rear		
Application No.: 72508	App. Type: FUL	14/01/2026	Approve with Conditions
Location:	215 Middleton Road, Manchester, M8 4LR		
Proposal:	Change of use from Car Sales (Sui Generis) to Ritual Bath House (Sui Generis) with single storey side/rear extension; Alterations to front elevation		
Application No.: 72543	App. Type: FUL	07/01/2026	Approve with Conditions
Location:	12 Meadfoot Avenue, Prestwich, Manchester, M25 0AR		
Proposal:	Loft conversion over rear first floor extension		
Application No.: 72559	App. Type: FUL	24/12/2025	Refused
Location:	10 Cranbrook Drive, Prestwich, Manchester, M25 0JZ		
Proposal:	Raising of roof ridge height with hip to gable roof extension and loft conversion with dormers at front and rear; Front porch; Single storey rear extension		

Application No.: 72573	App. Type: FUL	09/01/2026	Approve with Conditions
Location:	3 Colchester Avenue, Prestwich, Manchester, M25 0LL		
Proposal:	Single storey extension at side; Single storey extension at rear to come flush to existing extension with parapet wall built to party wall side		

Application No.: 72596	App. Type: FUL	14/01/2026	Approve with Conditions
Location:	45 Brooklands Road, Prestwich, Manchester, M25 0FB		
Proposal:	Single storey side extension		

Application No.: 72635	App. Type: FUL	16/01/2026	Approve with Conditions
Location:	22 George Street, Prestwich, Manchester, M25 9WS		
Proposal:	Erection of 1.8m high fencing to front and rear gardens		

Ward: Prestwich - St Mary's

Application No.: 72298	App. Type: ADV	07/01/2026	Refused
Location:	Pavement adj to Aldi car park, 380 Bury New Road, Prestwich, M25 1AR		
Proposal:	Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet		

Application No.: 72470	App. Type: FUL	19/12/2025	Approve with Conditions
Location:	45 Agecroft Road East, Prestwich, Manchester, M25 9RQ		
Proposal:	Demolition of existing front porch/rear bays and erection of single storey extension at front/side and two storey extension at side/rear		

Application No.: 72481	App. Type: FUL	12/12/2025	Approve with Conditions
Location:	52 Mountside Crescent, Prestwich, Manchester, M25 3JH		
Proposal:	Conservatory extension at rear		

Application No.: 72487	App. Type: FUL	19/12/2025	Approve with Conditions
Location:	12 Beckley Avenue, Prestwich, Manchester, M25 9RR		
Proposal:	Change flat roof to a pitched roof with gable on existing two storey extension		

Application No.: 72539	App. Type: FUL	07/01/2026	Refused
Location:	Eastholme, St Anns Road, Prestwich, Manchester, M25 9LD		
Proposal:	Reinstatement of wall/coping stones and erection of new fence and entrance gates		

Application No.: 72548	App. Type: FUL	23/12/2025	Approve with Conditions
Location:	52 Woodward Road, Prestwich, Manchester, M25 9TU		
Proposal:	Single storey front extension		

Application No.: 72552	App. Type: FUL	14/01/2026	Approve with Conditions
Location:	142-144 Butterstile Lane, Prestwich, Manchester, M25 9TJ		
Proposal:	Conversion of 2 no. existing shops into 1 no. shop with alterations to shop front and new window/door; New external staircase at rear for access to existing first floor flat		

Application No.: 72556 **App. Type:** P3JPA 07/01/2026 Prior Approval Required and Granted
Location: 44 Rectory Lane, Prestwich, Manchester, M25 1BL
Proposal: Prior approval for proposed change of use from office (Class E) to 1 no. dwellinghouse (Class C3)

Application No.: 72567 **App. Type:** ADV 07/01/2026 Refused
Location: Pavement outside KFC, Bury New Road, Prestwich, Manchester, M25 3AJ
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommuncations cabinet

Application No.: 72568 **App. Type:** ADV 15/01/2026 Refused
Location: Pavement outside 516 Bury New Road, Prestwich, Manchester, M25 3AN
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72572 **App. Type:** FUL 16/01/2026 Approve with Conditions
Location: 62 Rectory Lane, Prestwich, Manchester, M25 1BL
Proposal: Two storey/single storey side/rear extension; Garage conversion; 2 no. bay windows to front elevation; Timber & metal cladding

Application No.: 72594 **App. Type:** GPDE 24/12/2025 Prior Approval Not Required - Extension
Location: 10 Carlford Grove, Prestwich, Manchester, M25 9TN
Proposal: Prior approval for proposed single storey rear extension

Application No.: 72642 **App. Type:** LDCP 19/12/2025 Lawful Development
Location: 149 St Anns Road, Prestwich, Manchester, M25 9QL
Proposal: Lawful development certificate for proposed single storey side extension

Ward: Radcliffe - East

Application No.: 72472 **App. Type:** FUL 11/12/2025 Approve with Conditions
Location: 25 Ripon Close, Radcliffe, Manchester, M26 2QL
Proposal: Single storey extension at front/side

Application No.: 72569 **App. Type:** ADV 08/01/2026 Refused
Location: Pavement adj Dale Street junction/Radcliffe Bus Station, Pilkington Way, Radcliffe, Manchester, M26 1AJ
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Ward: Radcliffe - North and Ainsworth

Application No.: 72376 **App. Type:** FUL 16/12/2025 Approve with Conditions
Location: Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT
Proposal: Variation of condition nos. 2 (approved plans), 3 (approve materials), 4/5 (ground conditions), 11 (drainage strategy) and 12 (traffic management) on planning permission 68661 (Erection of a dwelling and change of use and refurbishment of Gate House): to alter the design and layout of the house to include a new basement level, 2no. rear dormers swapped for 2no. rear outriggers; addition of 2no. single storey side extensions and an increase in floorspace

Application No.: 72495 **App. Type:** FUL 08/01/2026 Refused
Location: Land adjoining Plane Trees Farm, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR
Proposal: Erection of stables and menage

Application No.: 72538 **App. Type:** FUL 22/12/2025 Approve with Conditions
Location: 53 Bury Old Road, Ainsworth, Bolton, BL2 5SD
Proposal: Creation of vehicular access and driveway

Application No.: 72546 **App. Type:** FUL 22/12/2025 Approve with Conditions
Location: 35 Pilkington Road, Radcliffe, Manchester, M26 3PF
Proposal: First floor rear extension; Hip to gable roof extension; Loft conversion with rear dormer; Reposition of ground floor side window

Application No.: 72547 **App. Type:** FUL 23/12/2025 Approve with Conditions
Location: 58 Countess Lane, Radcliffe, Manchester, M26 3NH
Proposal: Hip to gable roof extension; Loft extension with rear dormer

Application No.: 72640 **App. Type:** FUL 15/01/2026 Approve with Conditions
Location: 427 Bury And Bolton Road, Radcliffe, Manchester, M26 4LJ
Proposal: Single storey front porch extension

Ward: **Radcliffe - West**

Application No.: 72435 **App. Type:** FUL 11/12/2025 Approve with Conditions
Location: 42 Chapeltown Road, Radcliffe, Manchester, M26 1YF
Proposal: Two storey rear extension

Application No.: 72570 **App. Type:** ADV 08/01/2026 Refused
Location: Pavement adjacent to 103-123 Water Street, Radcliffe, Manchester, M26 3BJ
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72609 **App. Type:** ADV 09/01/2026 Refused
Location: Pavement adj grassed area at junction of Bolton Road/Stopes Road/Countess Lane, Radcliffe, Manchester, M26 0TW
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72625 **App. Type:** ADV 09/01/2026 Refused
Location: Pavement at junction of Phoenix Way & Sion Street, Radcliffe, Manchester, M26 3SB
Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Ward: **Ramsbottom**

Application No.: 72122 **App. Type:** FUL 17/12/2025 Approve with Conditions

Location: Bleaholt Farm, Bury Old Road, Ramsbottom, Bury, BL0 0RX

Proposal: Erection of two cattery buildings

Application No.: 72506 **App. Type:** LBC 19/12/2025 Approve with Conditions

Location: 15 Barwood Lea, Ramsbottom, Bury, BL0 9AX

Proposal: Listed Building Consent for installation of stud wall in main bedroom to form en-suite bathroom; associated drainage connection and replacement of the existing external black metal rainwater pipe

Application No.: 72509 **App. Type:** FUL 16/01/2026 Approve with Conditions

Location: 32 Bolton Road West, Ramsbottom, Bury, BL0 9ND

Proposal: Change of use from a barber shop (Class E) to a residential dwelling (Class C3)

Application No.: 72557 **App. Type:** GPDE 19/12/2025 Prior Approval Not Required - Extension

Location: 19 Astley Hall Drive, Ramsbottom, Bury, BL0 9DF

Proposal: Prior approval for proposed single storey rear extension

Application No.: 72571 **App. Type:** FUL 23/12/2025 Approve with Conditions

Location: 1 Conway Close, Ramsbottom, Bury, BL0 9EZ

Proposal: Single storey front extension; Repositioning of side elevation door

Application No.: 72585 **App. Type:** FUL 23/12/2025 Approve with Conditions

Location: 83 Holcombe Old Road, Ramsbottom, Bury, BL8 4NF

Proposal: Demolition of existing single storey garage; Erection of single storey garage

Ward: Tottington

Application No.: 72333 **App. Type:** FUL 09/01/2026 Approve with Conditions

Location: 1 Bottoms Hall Cottages, Turton Road, Tottington, Bury, BL8 3QB

Proposal: Two storey side extension; Alterations to existing front porch

Application No.: 72400 **App. Type:** FUL 23/12/2025 Approve with Conditions

Location: Meadow Nook Farm, Turton Road, Tottington, Bury, BL8 3QE

Proposal: First floor extension at side / rear; partial render to elevations

Application No.: 72527 **App. Type:** FUL 14/01/2026 Approve with Conditions

Location: 1 Whittles, Turton Road, Tottington, Bury, BL8 3QQ

Proposal: Two storey side extension; Single storey front extension; Underground septic tank to rear

Application No.: 72549 **App. Type:** FUL 22/12/2025 Approve with Conditions

Location: 6 Booth Close, Tottington, Bury, BL8 3BU

Proposal: Attached single storey open sided gazebo/garden room canopy structure at side/rear with decking

Application No.: 72677 **App. Type:** LDCP 16/01/2026 Lawful Development

Location: 599 Walshaw Road, Bury, BL8 3AF

Proposal: Lawful development certificate for proposed removal of existing rear extension and construction of new single storey extension

Ward: **Whitefield + Unsworth - Besses**

Application No.: 72537 **App. Type:** FUL 05/01/2026 Approve with Conditions

Location: 82 Pole Lane, Bury, BL9 8PX

Proposal: Alteration to front extension from flat to pitched roof; Render to front elevation

Application No.: 72583 **App. Type:** FUL 16/01/2026 Approve with Conditions

Location: 45 Alexander Drive, Bury, BL9 8PF

Proposal: Two Storey Side/Rear Extension; Garage Conversion

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 72234 **App. Type:** FUL 09/01/2026 Approve with Conditions

Location: 169 Bury New Road, Whitefield, Manchester, M45 6AB

Proposal: Single storey rear extension with side access gate

Application No.: 72553 **App. Type:** FUL 22/12/2025 Approve with Conditions

Location: 16A Sergeants Lane, Whitefield, Manchester, M45 7TS

Proposal: Single storey extension at front with new porch and single storey rear extension; Alterations to existing windows

Application No.: 72628 **App. Type:** ADV 15/01/2026 Refused

Location: Pavement adj Morrisons, 5 Stanley Road, Whitefield, Manchester, M45 8QH

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Application No.: 72629 **App. Type:** ADV 15/01/2026 Refused

Location: Pavement adjacent to 214 Bury New Road, Whitefield, Manchester, M45 6GG

Proposal: Non-illuminated advertising panels to all 4 sides of existing telecommunications cabinet

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 72632 **App. Type:** FUL 15/01/2026 Approve with Conditions

Location: 11 Kilner Close, Bury, BL9 8AD

Proposal: Single storey side and rear extension

Total Number of Applications Decided: 129

REPORT FOR NOTING

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	27 January 2026
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
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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

Tel: 0161 253 5291
Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 08/12/2025 and 18/01/2026**

Application No.: 72321/FUL

Appeal lodged: 12/01/2026

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Garry Almond

Location: 15 Barnhill Road, Prestwich, Manchester, M25 9WH

Proposal: External escape staircase to side

Application No.: 72530/PIP

Appeal lodged: 16/12/2025

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr I Alexander

Location: Land at Ivy Bank, Walmersley Old Road, Bury, BL9 6RU

Proposal: Application for permission in principle for the erection of 1 no. dwelling

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 08/12/2025 and 18/01/2026**

Application No.: 71572/FUL

Appeal Decision: Dismissed

Decision level: DEL

Date: 09/12/2025

Recommended Decision: Refuse

Appeal type: Written Representations

Applicant: Wells

Location: 15 Bishops Road, Prestwich, Manchester, M25 0HT

Proposal: Loft conversion with raised ridge and front and rear dormers

Application No.: 71641/FUL

Appeal Decision: Dismissed

Decision level: DEL

Date: 12/12/2025

Recommended Decision: Refuse

Appeal type: Written Representations

Applicant: Mr Zvi Portnoy

Location: 17 Belle Vue Terrace, Bury, BL9 0SY

Proposal: Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)

Application No.: 71905/PIP

Appeal Decision: Dismissed

Decision level: DEL

Date: 12/12/2025

Recommended Decision: Refuse

Appeal type: Written Representations

Applicant: Mr Steven

Location: Land between 145 and 115 Holcombe Old Road, Bury, BL8 4NF

Proposal: Permission in principle for the removal of barn/storage shed and erection of 1 no. three bedroom detached dwelling

Application No.: 71982/FUL

Appeal Decision: Dismissed

Decision level: DEL

Date: 30/12/2025

Recommended Decision: Refuse

Appeal type: Written Representations

Applicant: Mr Dileep Singh Ahuja

Location: Land adjacent to 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Proposal: Erection of a two storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no. apartment on first floor (Class C3) and associated car parking, landscaping and boundary treatment

Application No.: 72186/FUL

Appeal Decision: Allowed

Decision level: DEL

Date: 09/01/2026

Recommended Decision: Refuse

Appeal type: Written Representations

Applicant: Mrs Sam Clague

Location: 84 Holcombe Road, Tottington, Bury, BL8 4AY

Proposal: Rear dormer; extension of the existing side dormer, and front canopy along with cladding to front & rear elevations



Appeal Decision

Site visit made on 25 November 2025

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Appeal Ref: APP/T4210/D/25/3375395

15 Bishops Road, Prestwich, Manchester M25 0HT

- 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 Wells against the decision of Bury Metropolitan Borough Council.
- The application Ref is 71572.
- The development proposed is the erection of a loft conversion, raised ridge and front and rear dormers.

Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

3. The appeal property is an altered 2-storey semi-detached dwelling situated on the west side of Bishops Road. There are community uses on the opposite side of the road. As identified by the appellant, the topography of the area is such that Bishops Road slopes from north to south with the ground floor levels of each pair of semi-detached dwellings being stepped. Consequentially, the eaves and ridge height of the pairs of semi-detached dwellings are also stepped rather than being of a consistent height.
4. The proposed development includes a roof extension which would raise the height of the property's eaves and ridge to match those of 17 and 19 Bishops Road. This neighbouring pair of semi-detached dwellings is sited at a higher ground level than the property and No. 13. The appellant claims that the height of the roof needs to be increased to create additional accommodation within the resulting roofspace to meet family needs and this would also be an efficient use of the property.
5. However, the effect of the proposed roof extension would be to visually and physically unbalance the pair of semi-detached dwellings comprising the property and No. 13. The ridge and eaves of the resulting property would be higher than those of No. 13 and this would result in an incongruous form of development within the streetscene. This difference in height would only be partially screened by neighbouring properties and would still be seen from the footways along both sides of Bishops Road.

6. It is noted that the council has not objected to the dormer extensions within the front and rear roofslopes and there are no reasons to disagree with this assessment. The front dormer would, however, contribute towards the unbalanced appearance of this pair of semi-detached dwellings.
7. Although other dwellings have been altered, there is a consistency to the height, rhythm and appearance of the stepped pairs of semi-detached dwellings within the streetscene along the west side of Bishops Road. This rhythm would be unacceptably disrupted by the proposed development. The use of matching external materials would not alter the physical difference between the roofs of the resulting property and No. 13.
8. The unacceptable harm which has been identified demonstrably is judged to demonstrably outweigh the creation of the additional accommodation within the roofspace.
9. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, as such, it would conflict with Policy H2/3 of the Bury Unitary Development Plan. This policy refers to house extensions and alterations being considered with regard to the external appearance of the proposal, and the character of the property in question and the surrounding area. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR



Appeal Decision

Site visit made on 24 November 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/T4210/W/25/3372781

17 Belle Vue Terrace, Bury BL9 0SY

- 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 Zvi Portnoy against the decision of Bury Metropolitan Borough Council.
- The application Ref is 71641.
- The development proposed is change of use of a 6 bed HMO to an 8 bed (single occupancy) HMO.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Zvi Portnoy against Bury Metropolitan Borough Council. The application is the subject of a separate Decision.

Preliminary Matters

3. I have taken the description of development in the banner heading above from the application form, but I have removed reference to 'resubmission of application 71156' as this is not an act of development.
4. The Council has recently refused an application for a Lawful Development Certificate (LDC) for use of the appeal property as a small House in Multiple Occupation (HMO) (Use Class C4). However, within the context of an appeal under s78 of the Town and Country Planning Act 1990 (as amended) (the Act), it is not within my remit to formally determine whether the existing use or development is lawful. I shall consider the evidence as to the existing use in so far only as it is material to this appeal. If the appellant wishes to ascertain whether the existing use is lawful, they may make an application under s191 of the Act.

Main Issue

5. The main issue is whether acceptable living conditions could be provided for existing and future occupiers of the proposed development, with regards to natural light, outlook and ventilation.

Reasons

6. 17 Belle Vue Terrace is a two storey mid-terrace property which is in use as a House in Multiple Occupation (HMO) arranged with nine bedrooms over basement, ground, first and second floor. I observed that, although furnished, the three bedrooms on the ground floor are currently unoccupied.

7. The appellant asserts that the basement accommodation is excluded from the application and can be occupied regardless of whether planning permission is granted. However, the proposal is to change the use of the appeal *property* from a 6 bed HMO to an 8 bed HMO (single occupancy). Although the proposed plans show that the two additional en-suite bedrooms would be located on the ground floor, the matter for consideration is whether acceptable living conditions can be provided for a total of eight unrelated people. This would mean that eight of the nine bedrooms would be occupied, including at least one of the bedrooms in the basement.
8. The two basement bedrooms are accessed off the ground floor hallway via a very narrow staircase with restricted headroom. Each room is of a reasonable size and there is sufficient space for a compact ensuite shower room. A single window would provide some limited ventilation. However, the outlook from the rear room is restricted by the depth and limited size of the lightwell. Although some sky can be seen, the outlook from this room is principally toward the retaining wall of the lightwell and upwards toward the external communal decking. Similarly, the outlook from the front room is restricted by the narrow lightwell with sky only visible when stood within the bay of the window.
9. These bedrooms do not benefit from adequate levels of natural light and would be heavily reliant on artificial lighting for large parts of the day. Consequently, I found them to be dark and quite oppressive, and they would be uncomfortable rooms in which to spend much time. In conflict with the guidance in 'Development Control Policy Guidance Note 13: Conversion of Buildings to Houses in Multiple Occupation' (May 2007), the proposal would fail to provide an acceptable standard of accommodation for existing and future occupants of the basement bedrooms.
10. The proposed plans show that part of the ground floor room within the rear outrigger of the property would be integrated into the existing communal kitchen, dining and living area. The remaining (rear) part of this room would be a cycle store accessed from an area of communal decking which is proposed to include benched seating. There is a second, smaller kitchen/dining area at first floor, and overall, the communal space is particularly generous. I also note that all bedrooms exceed the Council's space standards for single and double occupation, and that the amount of communal space would be greater than in other 8-bedroom HMOs in Bury, to which the appellant has referred.
11. However, the quantum of space provided does not sufficiently mitigate the poor standard of space within the basement bedrooms, despite the high-quality of fixtures and fittings. Further, given that two of the ground floor bedrooms (Bedroom 7 and 8) are of a similar size but are comfortable, bright and inviting, I am not persuaded that should the appeal fail, these would realistically remain unoccupied in the longer term, or that the use of the basement bedrooms would be preferred.
12. Therefore, I conclude that acceptable living conditions could not be provided for existing and future occupiers of the proposed development, with regards to natural light and outlook. Consequently, it would conflict with saved Policy H2/4 of the Bury Unitary Development Plan (1997) which requires the conversion of a building into an HMO are considered having regard to the amenity of occupants.

Other Matters

13. Whilst an increase in the number of occupiers would enable more efficient use of the appeal property and would provide much needed accommodation for single people, this should not come at the expense of the standard of accommodation provided. I acknowledge that the property would comprise brownfield land but given the harm I have found to the living conditions of occupiers, paragraph 125 c) of the National Planning Policy Framework lends little support to the proposal. Accordingly, these matters do not alter my conclusion on the main issue above.

Conclusion

14. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal is dismissed.

R Gravett

INSPECTOR



Costs Decision

Site visit made on 24 November 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Costs application in relation to Appeal Ref: APP/T4210/W/25/3372781

17 Belle Vue Terrace, Bury BL9 0SY

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr Zvi Portnoy for a full award of costs against Bury Metropolitan Borough Council.
- The appeal was against the refusal of planning permission for change of use of a 6 bed HMO to an 8 bed (single occupancy) HMO.

Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Awards against a local planning authority may be either procedural, relating to the appeal process or substantive, relating to the planning merits of the appeal. The PPG gives examples of the types of behaviour that may give rise to a procedural award against a local planning authority. These include a lack of co-operation with the other party. Examples which may give rise to a substantive award include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations, and vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. With reference to these examples, a full award of costs is sought by the applicant on both procedural and substantive grounds.
5. First, it falls outside the scope of this costs decision to determine whether the Lawful Development Certificate (LDC) submitted by the applicant was ambiguous, or whether it provided certainty that the appeal property operates as a lawful small House in Multiple Occupation (HMO). I have considered the evidence as to the existing use in my main decision only in so far as it is material to the main issue in dispute between the parties.
6. The evidence before me clearly shows that there was extensive and ongoing dialogue between the applicant and the Council throughout the planning application process, but no evidence that the Council failed to co-operate with the applicant or unreasonably resisted the application.

7. Further, although it is asserted that the Council sought reasons to delay determination of the application, based on the applicant's own 'Application Context and Chronology' a decision was made in a timely manner. Nevertheless, there was clearly disagreement between the parties about how the unoccupied ground floor bedrooms should be identified on the plans, but I do not find it unreasonable for the Council to seek clarification on this matter. To my mind, the amended plans more accurately reflect the existing ground floor arrangement of the property.
8. Although I appreciate the applicant's frustration in respect of the amendment sought to the description of development (to refer to the change of use from a dwellinghouse), the description on the decision notice is not substantively different to the one provided on the planning application form. Moreover, it is evident from the Officer Report that the application was not assessed on the basis of the loss of a dwellinghouse.
9. Finally, for the reasons given in my main decision, I do not find the Council to have erred in their assessment of the application. The matter for consideration should be whether the property can accommodate a quantum of 8 persons, which based on the plans and single occupancy of the rooms (as proposed) would necessarily include the use of at least one of the basement bedrooms. As they are entitled to do so, the Council has exercised a planning judgement as to whether the bedrooms in the basement provide acceptable living conditions for existing and future occupiers. Therefore, the Council's assessment of this matter and its finding of harm was not unreasonable, and it has adequately substantiated the reason for refusal. It did not prevent or delay development which should clearly have been permitted.
10. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

R Gravett

INSPECTOR



Appeal Decision

Site visit made on 4 November 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/T4210/W/25/3371830

Land between 145 & 115 Holcombe Old Road, Bury, BL8 4NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Mr Oliver Steven against the decision of Bury Metropolitan Borough Council.
- The application Ref is 71905.
- The development proposed is the removal of barn and storage shed and construct a three bedroom detached house.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The permission in principle procedure, under Section 58A of the Town and Country Planning Act 1990, is limited to matters of location, land use and the amount of development only. I have considered the appeal on this basis.

Main Issues

3. The main issues are whether the site is suitable for residential development having regard to its location, the proposed land use and the amount of development proposed, with particular reference to:
 - whether the proposal would be inappropriate development in the Green Belt, including the effect on the openness of the Green Belt, having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies;
 - whether the proposal would make effective use of land; and,
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriateness

4. The appeal site is situated in the Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5. The Framework establishes that development in the Green Belt is inappropriate unless one of the exceptions set out at paragraph's 154 / 155 of the Framework apply. This includes the development of homes in the Green Belt which should not be regarded as inappropriate where the development would use 'grey belt' land, and where various other criteria are met.
6. The main parties agree that the site meets the definition of grey belt provided in the Framework Glossary. This is land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of the purposes (a), (b) or (d) in paragraph 143 of the Framework¹.
7. Given the small size of the appeal site, the development would not fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan. It is also acknowledged by the Council that there is a demonstrable unmet need for housing as set out at paragraph 155 b) of the Framework.
8. Paragraph 155 c) of the Framework requires development to be in a sustainable location. The appeal site is referenced as being within Holcombe, but the linear group of properties that the appeal site forms part of, is separated by open areas of land from the core of the village, which is around the junction of Helmshore Road and Lumb Carr Road. To the south of the appeal site, further facilities can be found around the junction of Bolton Road West and Longsight Road. However, given the distances involved, which the Council has referenced as around 700m-900m, and that part of the route to either of these locations would entail walking along Holcombe Old Road that does not have a separate footway, the proposal would not provide a comfortable walking route to public transport connections and services. The changes in topography and the cobbled surface on Holcombe Old Road would also not make it suitable for cycling.
9. Ramsbottom provides a range of shops, schools and public transport connections, but for the reasons set out above, future occupants would be overly reliant on private vehicles to reach them. In relation to paragraph 155 c) therefore, the development would not be in a sustainable location, and it would not therefore contribute to the Framework's aim of actively managing patterns of growth in support of sustainable transport objectives.
10. Reference has also been made by the appellant to the development being considered under the exception at paragraph 154 e) of the Framework relating to limited infilling in villages. The Framework does not define a 'village', and nor have I been provided with a definition from the development plan.
11. Although the appeal site forms part of a linear area of development, given the separation created by open areas of land between this group of properties that the appeal site forms part of and development around the junction of Helmshore Road and Lumb Carr Road, there is a distinct physical break with the main area of the village as referenced by the Council.
12. The Appellant makes reference to an appeal decision², where an appeal site was found to have the characteristics of a village location despite it being detached

¹ but excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

² Appeal Ref: APP/B5480/W/18/3200843

from it by an area of open fields. Whether a proposed development is within a village for the purposes of the Framework is a question of planning judgement, and although limited information is before me on the circumstances of the referenced case it is evident from the extract of the appeal decision provided, that the Inspector had regard to the particular merits of that case including attributes that provided for a cohesive character.

13. In the case of the appeal proposal, whilst it would infill a gap between buildings on neighbouring sites, and Holcombe is defined as a village³, I have found that the appeal site would not be within a village for the purposes of paragraph 154 e) of the Framework.
14. I therefore conclude that the proposal would be inappropriate development. As such, it would conflict with Policy OL1/2 of the Bury Unitary Development Plan and paragraph 153 of the Framework, which state, amongst other matters, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
15. The proposal, whilst resulting in a more consolidated form of development, would also introduce a residential dwelling, and associated domestic parking and residential paraphernalia that would result in both a spatial and visual loss of Green Belt openness.

Effective use of land

16. The proposal would provide for a single dwelling following the removal of the existing buildings. Reference is made to Policy JP-H4 of the Places for Everyone Joint Development Plan Document (Place for Everyone DPD) which sets out that new housing development should be delivered at a density appropriate to its location. The appeal site is in a location where a minimum net residential density of 35 dwellings per hectare is sought.
17. The proposal would result in a development density of 11 dwellings per hectare that would not comply with the density sought by Policy JP-H4 of the Places for Everyone DPD. However, the policy states regard should be had to the minimum densities set out and that density should be appropriate to its location.
18. The submitted Proposed Block Plan, although indicative as the proposal is for permission in principle, provides an illustration of how the site could be developed. Given the need to make provision for parking, outdoor amenity space and biodiversity enhancements, I consider that on this relatively small site at 0.09ha, that the density would be appropriate. I am not persuaded that this quantity of development would necessarily have a negative impact on the character of the conservation area, as the design, had the development been otherwise acceptable, would be addressed at technical detail stage.
19. I acknowledge the location of the site in a conservation area does not necessarily preclude higher density development nor is limited infilling confined to a single dwelling. A terrace of cottages, providing more than one dwelling may be appropriate to the character of the area. However, I am required to determine the appeal proposal that is before me.

³ in the Holcombe Conservation Area Appraisal

20. I therefore conclude that the proposal would make effective use of land, and as such, it would not be contrary to Policy JP-H4 of the Places for Everyone DPD and Section 11 of the Framework, which seek, amongst other matters, to achieve appropriate densities and make efficient use of land.

Other considerations

21. The proposal would contribute positively economically to the area, both during the construction phase and through ongoing expenditure by future occupants. It would add an additional dwelling that would contribute to the delivery of housing in the area and sustain local services. These matters weigh in favour of the appeal, although as the development involves a single residential dwelling, they attract limited positive weight.

Other Matter

22. Reference has been made to the proposal adopting materials and detailing that would complement the surrounding area. These are not however matters that are before me for consideration under the permission in principle procedure.

Conclusion

23. The proposed development would be inappropriate development, which the Framework clearly sets out is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Although the proposal would consolidate built form within the appeal site, it would be overall harmful to openness for the reasons set out. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm, is clearly outweighed by other considerations.
24. I have attached limited weight in favour of the proposal in terms of economic and social benefits given it involves a small residential scheme. The acceptability of the proposal in terms of the effective use of land is a neutral consideration.
25. With this in mind, the substantial weight I have given to Green Belt harm and other harm is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances.
26. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR



Appeal Decision

Site visit made on 23 December 2025

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 December 2025

Appeal Ref: APP/T4210/W/25/3374427

49 Rainsough Brow, Bury, Prestwich M25 9XW

- 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 Dileep Singh Ahuja against the decision of Bury Metropolitan Borough Council.
- The application Ref is 71982.
- The development proposed is erection of 2 no. storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no apartment on first floor.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposed development upon the character and appearance of the area;
- the effect on the living conditions of neighbouring occupiers, with particular regard to outlook and privacy;
- the effect of the proposed development upon highway safety; and,
- whether the development would provide adequate storage for bicycles.

Reasons

Character and appearance

3. The appeal site is located within a car park serving an adjacent retail store. The store itself is a single-storey, flat-roofed building finished in grey painted brick and grey render. In the wider context, the built form along Rainsough Brow and Halliwell Walk to the rear of the site comprises residential properties. These are modest two-storey dwellings with simple side-facing gables, allowing their full roof profiles to be visible from Rainsough Brow. There is a significantly notable drop in levels along Rainsough Brow.
4. The proposed development would introduce a two-storey structure with a series of roof forms stepping down the slope of Rainsough Brow. This configuration would produce two excessively tall, steeply pitched roofs with their gables facing towards the highway. These gable roof forms would be linked by a flat-roofed section that would sit uncomfortably between them. Owing to its immediate proximity and

orientation to the public highway, the resulting massing would be unavoidably prominent.

5. When viewed as a whole, the building would present as an overbearing, visually discordant addition to the street scene, markedly at odds with the established character of the surrounding predominant built forms. Its fragmented form and disproportionate roofscape would create a harsh and intrusive presence within the public realm.
6. To conclude, the proposed development would conflict with Policies EN1/2, H2/1, EC4/1 and S2/1 of the Bury Unitary Development Plan 1997 (UDP). Collectively, these policies seek for development proposals to be of an appropriate design and appearance, where regard shall be had to design, scale, height and bulk, amongst other things.

Living conditions

7. The parties acknowledge that planning permission has been granted for a residential scheme on the adjoining land to the west of the appeal site, although this development had not been constructed at the time of my site visit. The appellant asserts that acceptable separation distances would be maintained. However, the plans before me are limited to a basic footprint of the approved neighbouring scheme. No information is provided regarding window positions, room layouts, or the orientation of habitable spaces.
8. The Council highlight that habitable room windows within the approved neighbouring scheme would be positioned in very close proximity to the proposed development. The proposed plans confirm that the proposed building would sit extremely near to the approved footprint, with an almost blank elevation. This would create a tight spatial relationship. In the absence of any convincing evidence to demonstrate otherwise, it is reasonable to conclude that this arrangement would result in a materially harmful impact on the outlook of the occupiers of the adjacent scheme. The degree of enclosure and visual dominance arising from such proximity would be wholly unacceptable and significantly detrimental to the living conditions of these neighbouring occupiers.
9. The Council further identify that an area of amenity space is proposed to the rear of the approved neighbouring development. Owing to the splayed configuration of the appeal site, the proposed building would be positioned close to the rear boundary and thus, close to this area of amenity space. The submitted floor plans show a first-floor bedroom window directly facing this amenity space. Given its function as a habitable room and its extremely limited separation from the adjoining amenity space, the proposal would result in a clear and significant loss of privacy for the future occupiers of this neighbouring scheme.
10. To conclude, the proposed development would conflict with Policies EN 1/2, H2/1 and H2/2 of the UDP. These policies seek for development to have appropriate regard to residential amenity, the local environment and surrounding land uses.

Highway safety

11. As previously noted, the appeal site is located within a car park which serves an existing retail store. An existing site plan for this retail store notes that eleven parking spaces are currently provided, several of which are located within the

proposed appeal site location. The Bury Development Control Policy Guidance Note 11 (SPD) sets out the parking requirements for the proposed development. The scheme includes four parking spaces to serve the ground-floor retail unit and one parking space for the first-floor residential unit. This provision accords with the standards outlined within the SPD.

12. Under the requirements of the SPD, the existing retail store should be served by ten parking spaces. However, the siting of the proposed development within an area currently used for car parking would result in a net loss of six spaces which serve the existing retail store, after accounting for the two additional spaces proposed at the front of the building. Following the proposed development, only five spaces would remain. This represents a substantial shortfall. Moreover, one of these new spaces would be positioned adjacent to a kerbed area, rendering it extremely difficult to access when the neighbouring space is occupied.
13. In addition, both the proposed retail unit and the neighbouring retail store would require servicing by delivery vehicles. Such vehicles are typically larger than those used by customers, yet the proposed site plan makes no provision for a dedicated servicing area. Consequently, delivery vehicles would be forced to utilise the oversubscribed parking spaces which would serve both retail units, or seek informal stopping points along the highway. Moreover, given the limited parking and turning space within the site, larger delivery vehicles entering the appeal site may be required to reverse onto Rainsough Brow to exit and locate alternative parking position. While the appellant asserts that a swept-path analysis would demonstrate that cars and delivery vehicles can manoeuvre within the site, no such evidence has been submitted.
14. As a result, during peak periods when demand for parking exceeds the limited number of available spaces, there would be increased pressure for vehicles to park in unsuitable locations, including along Rainsough Brow, when customers or delivery drivers are unable to park within the site's red line boundary. Parking in such locations would impede the free movement of traffic along the highway and create additional conflict. Vehicles attempting to leave the site if they fail to park within a space may also be required to reverse onto Rainsough Brow, further compromising highway safety. Consequently, the oversubscription of the constrained parking provision would have a significant adverse impact on both highway safety and the free flow of traffic.
15. The Council highlight that the application and submitted plans fail to provide the necessary information to assess the scheme's impact on visibility splays previously approved within the wider site. I agree that this omission represents a notable deficiency in the submitted material. Nevertheless, the access point serving the appeal site would remain largely unchanged as part of the proposal. Vehicles exiting the site would continue to stop at the established access point, which lies beyond the building line of the proposed development. Consequently, despite the lack of supporting visibility information, the siting of the proposed building would not, in this specific respect, give rise to an unacceptable impact on highway safety, beyond what is already experienced.
16. To conclude, the proposed development would conflict with Policies JP-C5, JP-C6, JP-C8 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024. It would also conflict with Policies EC4/1 and HT2/4 of the UDP and the

guidance found within the SPD. Collectively, these policies and guidance seek for development proposals to provide adequate parking, delivery and service provision, amongst other things.

Bicycle storage

17. The proposed upper-floor residential unit would be served by a single secure bicycle parking space located within the rear stairwell. However, the SPD clearly requires that the proposed ground-floor retail unit should be supported by two dedicated bicycle parking spaces. The appellant has provided no substantive or detailed information demonstrating how these required spaces would be accommodated. This omission represents a clear failure to comply with established bicycle parking standards.
18. The appellant contends that this shortfall in bicycle storage provision could be addressed through the imposition of a planning condition. In light of this suggestion, I acknowledge that it would be reasonable to impose a condition requiring the submission of detailed specifications for bicycle storage prior to the commencement of the development, enabling its suitability to be assessed. Subject to such a condition, the development could offer customers to the ground floor retail unit a secure and appropriate facility that promotes sustainable transportation, consistent with the objectives outlined in the SPD.
19. To conclude, following the imposition of a suitably worded planning condition, the proposed development would not conflict with Policy JP-C6 of The Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2024 and the guidance found within the SPD. This policy and guidance require development to create safe, attractive and integrated cycling infrastructure.

Planning Balance and Conclusion

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 outlines that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework indicates that a decision should be taken in accordance with the development plan.
21. I acknowledge that the proposed development would provide an additional unit of living accommodation in an accessible location. This would be a small, yet but positive contribution to the supply of housing. It would also provide economic benefits through employment and further retail provision once the development is operational. The proposal would also provide local economic benefits during the construction period. The future occupiers would also provide economic benefits to the local area once the development would be complete through their use of local shops and services. These elements are positive benefits which collectively attract moderate weight in my decision. The provision of EV charging provision and biodiversity enhancements is a policy requirement and therefore would be an absence of harm.
22. However, in my overall consideration of the scheme, these benefits are modest. They do not outweigh the harm I have found above in relation to the effect of the development upon the character and appearance of the area, the living conditions of neighbouring occupants to the appeal site and its effect upon highway safety.

There are no material considerations of such weight or significance before me as to justify a decision otherwise than in accordance with the development plan.

23. For the reasons given above, the appeal should be dismissed.

J Smith

INSPECTOR



Appeal Decision

Site visit made on 8 December 2025

by **E Fawcett BA (Jt Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal Ref: APP/T4210/D/25/3374779

84 Holcombe Road, Tottington, Bury BL8 4AY

- 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 Mrs Sam Clague against the decision of Bury Metropolitan Borough Council.
- The application Ref is 72186.
- The development proposed is described on the application form as “rear first floor dormer extension, new front canopy including material upgrades”.

Decision

1. The appeal is allowed and planning permission is granted for rear dormer, extension of the existing side dormer and front canopy along with cladding to front and rear elevations at 84 Holcombe Road, Tottington, Bury BL8 4AY in accordance with the terms of the application, Ref 72186, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 129BUR 100 (Location plan); 129BUR 101 (Block plan); 129BUR 107 (Proposed site and roof plan); 129BUR 108 (Proposed ground floor plan); 129BUR 109 (Proposed first floor plan); 129BUR 110 (Proposed elevations sheet 1); and 129BUR 111 (Proposed elevations sheet 2).

Preliminary Matters

2. The description of development on the application form does not include the extension to the side dormer. This is clearly shown on the plans before me and the appellant has acknowledged this in their appeal submission. Therefore, in my decision, I have used the Council’s description from the decision notice as it more accurately describes the proposed development. I am satisfied that the cases of the main parties would not be prejudiced by using this description.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the appeal property and the surrounding area.

Reasons

4. The appeal property relates to a detached dwelling situated within a large corner plot fronting Holcombe Road, with access off Oswestry Close. The dwelling is set

back from the highway with the frontage defined by a stone wall and hedgerow, and the side boundary along Oswestry Close by a combination of wall, fence, and gated access. The building is of a varied form, comprising both single and 2-storey elements that respond to a change in land levels. Its external appearance is characterised by white rendered walls beneath a grey tiled roof, punctuated by dormer windows of differing styles, including a distinct curved dormer at the front which gives the property a unique appearance. The immediate locality is predominantly residential in character, with dwellings of mixed age and architectural style, typically finished in stone, render, or brick. This varied built form and palette of materials contributes to the diverse context in which the appeal site is located.

5. The proposal would introduce zinc cladding to the property, including to a significant proportion of the front wall, the curved dormer and a new porch. At the rear of the property, the roof would be extended with a large flat roofed dormer across much of the rear elevation, resulting in a 2-storey elevation that would also be clad in zinc panels.
6. The Council's Supplementary Planning Document 6 (SPD) provides guidance in respect of alterations and extensions to residential properties. It sets out that extensions will not normally be permitted unless they achieve a high standard of design and complement the original building by reflecting its design, massing, scale and finishing materials and do not have a detrimental impact on the character and appearance of neighbouring properties and general street scene.
7. Whilst the appeal property and other dwellings in the vicinity of the site are not finished in similar materials to those proposed, the zinc cladding would complement the existing building which already contains various details in a grey colour, including the roof, windows and doors and the detailing to the front dormer window. Much of the cladding will be largely screened from public viewpoints due to the set back from the highway and the existing boundary treatments, and areas of render would be retained. In combination, these factors mean the alterations will have a subtle and sympathetic impact. The expansive roof slope would remain the most dominant part of the building within the street scene.
8. In respect of the rear extension, in keeping with its secondary status, this would be mostly screened due to existing boundaries, vegetation and the neighbouring property to the rear. Its design, with a sloping tiled roof facing Oswestry Close would minimise views of the cladding to the rear. Whilst its clean lines reflect a more modern approach, the design of the appeal property is already unique within its immediate context, and such alterations would complement its form and add interest. As such, it would achieve a high standard of design in line with the SPD guidance.
9. Furthermore, due to the varied style and age of properties close to the site, the proposal would continue to provide an interesting architectural contrast, thereby avoiding harm to the character and appearance of the host dwelling or the wider area.
10. I conclude that the proposal would not have a harmful effect on the character and appearance of the appeal property or the surrounding area. It would therefore not conflict with saved Policy H2/3 of the Bury Unitary Development Plan (1997) which seeks to ensure that extensions and alterations are considered with regard to the

design and appearance of the proposal and the character of the property and surrounding area.

Conditions

11. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. The Council has indicated agreement to a condition requiring external materials to match those used in the existing building. However, the plans clearly show some materials that are different from those existing, and therefore this would not be reasonable or relate to the development proposed. The Council has not requested that details be provided of the zinc cladding and, as this and the relatively small area of tiled roof are detailed on the approved plans, I do not consider a condition to be necessary in this instance.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

E Fawcett

INSPECTOR

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Classification	Item No. 7
Open	

Meeting:	Planning Control Committee.
Meeting date:	27 January 2026
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 any material 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.

The report was due to be considered by the Planning Committee on 16 December 2025 but was withdrawn by the Monitoring Officer for further consideration.

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 material 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 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 making of the proposed 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 4 Direction 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 do not form a single 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 in certain areas 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 can 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 MBC, Rossendale BC, Blackburn with Darwen Council, Manchester City Council and Salford City Council 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 upon 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 as part of any planning application, with a view to ensuring high standards across the Borough.
- 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.

3. Scope of an Article 4 Direction

- 3.1 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 (LDC) under section 191 Town and Country Planning Act 1990 (as amended) to confirm that the use as an existing HMO is lawful although this is not mandatory and as such the Council has no control over whether any such applications may come forward.

3.2 Although each case shall be assessed on the particular merits, if the works to create a new HMO have already commenced and are substantially advanced to the point that the building is capable of occupation and such works can be evidenced as taking place BEFORE an Article 4 Direction comes into effect then these will generally be accepted by the Council as permitted development. This can be confirmed through the planning process and documented by obtaining a LDC for the site.

How is an application for a lawful development certificate determined?

3.3 A local planning authority needs to consider whether, on the facts of the case and relevant planning law the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process.

3.4 The need to secure a LDC would be a matter for the land owner/applicant to determine. It would confirm that the use was lawful.

3.5 It is important to note that the onus / burden of proof would always rest with the applicant to demonstrate that the use existed prior to the introduction of the Article 4 Direction.

3.6 Details of what must be included in each type of lawful development certificate can be found in [section 191\(5\)](#) or [192\(3\)](#) of the Act. In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

What may be Required?

3.7 Precision in terms of any certificate is vital, so there is no room for doubt about what was lawful at a particular date, as any subsequent change may be assessed against it.

3.8 It is important to note that a certificate for existing lawful use must include a description of the use, operations or other matter for which it is granted regardless of whether the matters fall within a use class. But where it is within a "use class", a certificate must also specify the relevant "class". In all cases, the description needs to be more than simply a title or label, if future problems interpreting it are to be avoided. The certificate needs to therefore spell out the characteristics of the matter so as to define it unambiguously and with precision. This is particularly important for uses which do not fall within any "use class" (i.e. "sui generis" use);

3.9 For the avoidance of doubt and without pre-empting any future applications and their content, a simple 'rip-out' would not be considered sufficient evidence of implementation. Implementation would be considered at the point of 'going forward' following rip-out, i.e. once the building is ready to receive internal division/renewal and the works are in fact underway in subdividing. If this is phased in some way, this too could be perceived as implemented.

3.10 The burden of proof would rest entirely with the applicant and they would need to provide evidence accordingly. Such evidence may comprise

- proven dates that works to implement the change were commenced, following rip-out, in laying out the internal arrangements and spacings such as new walls, the formation of new openings were implemented;
- dated photographic evidence;
- works corresponding with descriptions and proposals submitted to Building Regulations Inspectors/Building control;
- implementation of drainage works;
- contractual evidence;
- delivery details of materials/orders
- proof of invoicing and payments made;
- tenant rental agreements;
- a HMO licence (for properties of 5 or more people);
- sworn affidavits or signed statements of evidence.

3.11 If the local planning authority is satisfied that the appropriate legal tests have been met, it will grant a lawful development certificate. Where an application has been made under section 191, the statement in a lawful development certificate of what is lawful relates only to the state of affairs on the land at the date of the certificate application. As such it is vital for an applicant to demonstrate (and support by evidence) what has actually taken place, where, when and how.

3.12 For information, the key statutory framework for such applications and their determination is set out in [sections 191-193 of the Town and Country Planning Act 1990 \("the Act"\)](#) and guidance on Lawful Development Certificates can be found at [Lawful development certificates - GOV.UK](#).

3.13 It is also 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.

3.14 It is also possible for any applicant who is proposing an HMO to submit an application for a Certificate of Lawful Development (Proposed Use) under section 192 of the Town and Country Planning Act 1990 (as amended) to seek formal confirmation as to whether planning permission is required in any particular case.

4. HMO evidence base

4.1 A separate background evidence document has been prepared and is provided as a background paper alongside this report (see Appendix). 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.

4.2 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.

4.3 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.

4.4 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.

5. Proposal

5.1 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

Commented [PB1]: [Town and Country Planning Act 1990](#)
56Time when development begun.

(1)Subject to the following provisions of this section, for the purposes of this Act development of land shall be taken to be initiated—
(a)if the development consists of the carrying out of operations, at the time when those operations are begun;
(b)if the development consists of a change in use, at the time when the new use is instituted;
(c)if the development consists both of the carrying out of operations and of a change in use, at the earlier of the times mentioned in paragraphs (a) and (b).
(2)For the purposes of the provisions of this Part mentioned in subsection (3) development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out.

a Class C4 HMO would need to apply for planning permission where such development constitutes a material change of use.

5.2 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 where such development constitutes a material change of use, 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, upon 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.

5.3 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.

5.4 As set out in Section 3 of this report, the Council considers that, although each case shall be assessed on the particular merits, if the works to create a new HMO have already commenced and are substantially advanced to the point that the building is capable of occupation and such works can be evidenced as taking place BEFORE an Article 4 Direction comes into effect, then these will generally be accepted as permitted development and would therefore not be eligible for compensation. Equally, if planning permission is granted to convert a C3 dwelling to a C4 HMO and not subject to conditions that would make it more onerous than it would have been under permitted development rights, then the developer would not be eligible for compensation.

5.5 In assessing any potential planning applications for Houses in Multiple Occupation that arise as a result of the Article 4 Direction being in place, the financial implication to the Council is a material planning consideration that the Council are entitled to have regard for in the planning balance. The financial implications of an immediate effect Article 4 Direction can (subject to consideration of merits in any

specific case) be mitigated through subsequent development management decisions.

- 5.6 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 MBC 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.
- 5.7 Immediate Article 4 Directions have recently been introduced for Bolton MBC, Rossendale BC and Tameside MBC, and Oldham MBC and Wigan MBC have both 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 known claims for compensation have been received. However, it is possible that HMO developers are increasingly aware of the ability to claim compensation and may well be seeking legal advice in this regard, and are likely to await the outcome of any relevant planning appeal decisions before making a claim, so it may still be too early to expect any formal claims to have been submitted.
- 5.8 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. This would cover the financial burden of having to process the additional applications that the Council would potentially be required to assess.
- 5.9 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.
- 5.10 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 order to ensure that all new HMOs across the Borough provide an appropriate standard of accommodation and to seek to avoid detrimental impacts on the amenity of HMO occupants and neighbours or the character of the area. An area specific Article 4 Direction would risk low quality (Use Class C4) HMOs being developed in areas outside the boundary of the Direction.

5.11 A Boroughwide Article 4 Direction will also enable the Council to better control the spread of concentrations 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 or made 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 legal challenge or intervention from the Secretary of State.

6. Procedure

6.1 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.

6.2 The Secretary of State has the power to make a direction cancelling or modifying an Article 4 Direction at any time before or after its confirmation. The Planning Practice Guidance states that the Secretary of State will not use their powers unless there are clear reasons why intervention at this level is necessary.

6.3 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.

6.4 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.

7. Other alternative options considered

Option 1: Not to authorise the making of an Article 4 Direction

7.1 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

7.2 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 bringing the Direction into force, which can be up to two years after notice has been given.

7.3 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 given, claims for compensation could still be made for whatever remains of the 12-month period.

7.4 A non-immediate direction would reduce the risk of legal challenge on whether the evidence base was 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.

7.5 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 opportunity to assess their impact and ensure appropriate standards are met as part of processing any relevant planning application.

8. Community impact/links with Community Strategy

8.1 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.

9. Equality Impact and considerations:

9.1 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 that persons having some protected characteristics are proportionately more likely to live in.

10. Environmental Impact and Considerations:

10.1 The Article 4 Direction is not expected to give rise to any significant environmental effects.

11. Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
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. 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.	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. 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.
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.	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.
Risk of the Secretary of State making a direction cancelling or modifying the Article 4 Direction at any time before or after its confirmation.	The guidance states that the Secretary of State will only intervene when there are clear reasons for doing so. The Council considers that there is sufficient evidence to justify the proposed immediate Boroughwide Article 4 Direction.
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 grounds on which the initial decision had been found to be unlawful.	The Council's Monitoring Officer has provided comments below. All legal requirements will be complied with.
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 / opportunity	Mitigation
	Appeals also carry the potential for cost claims where the LPA has acted unreasonably. This is not a new risk per se but obviously introduces the risk where appeals are involved.
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.

12. Consultation:

12.1 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.

13. Legal Implications:

13.1 The recommendation in the report is within the legal powers of the Council.

13.2 The statutory process in making and bringing into effect the Article 4 Direction will be followed.

13.3 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.

14. Financial Implications:

14.1 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. 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: Crispian Logue

Position: Assistant Director of Strategy, Planning & Regulation

Email: c.logue@bury.gov.uk

15. Background papers:

Houses in Multiple Occupation Background Evidence – January 2026 (Appendix to this report).

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
HMO	House in Multiple Occupation
LPA	Local Planning Authority
LDC	Lawful Development Certificate



Houses in Multiple Occupation Background evidence

January 2026



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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	<p>Immediate Boroughwide Article 4 Direction made 19 September 2025.</p>
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>
Oldham	<p>On 22 September 2025 Oldham Council resolved to introduce a boroughwide non-immediate Article 4 Direction, which came into effect on 1 January 2026.</p>
Tameside	<p>Immediate Boroughwide Article 4 came into effect on 2 October 2025. Representation period from 2 October – 24 October 2025.</p>
Trafford	<p>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.</p>
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>

Local Authority	Status
	This means from 31 August 2025 all HMOs, regardless of size, will need planning permission in the Borough of Wigan.
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 and Stockport do not currently have Article 4 directions which restrict conversions from dwellings (C3) to HMOs (C4).

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

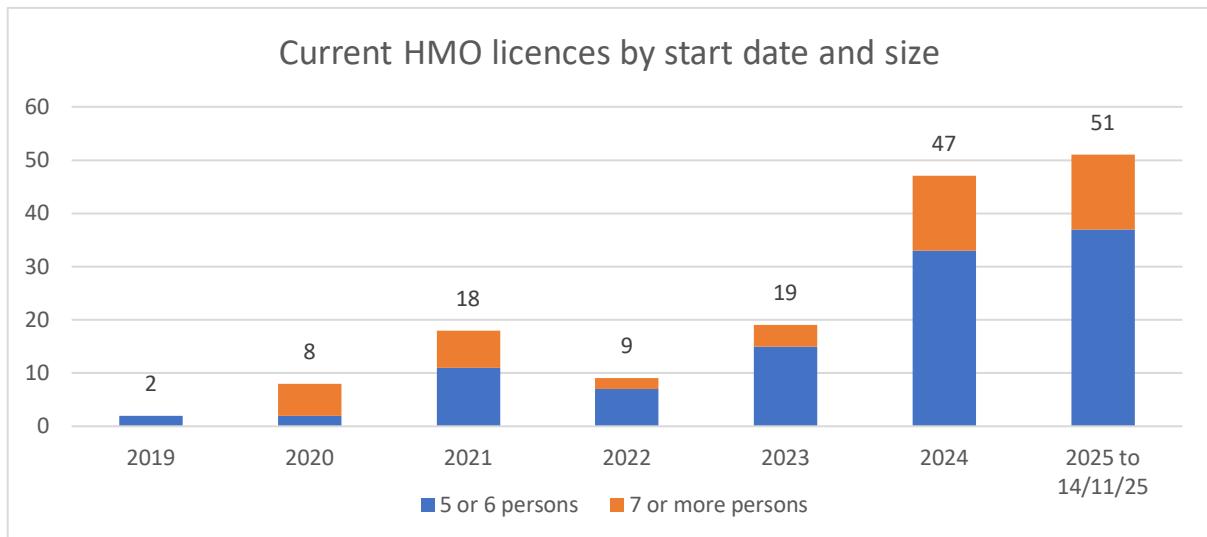
3.4 There are currently (as of 14/11/2025) 154 licensed HMOs in the Borough as set out in Table 1 below. These licensed HMOs have the ability to accommodate a total of 978 households / 981 people.

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	

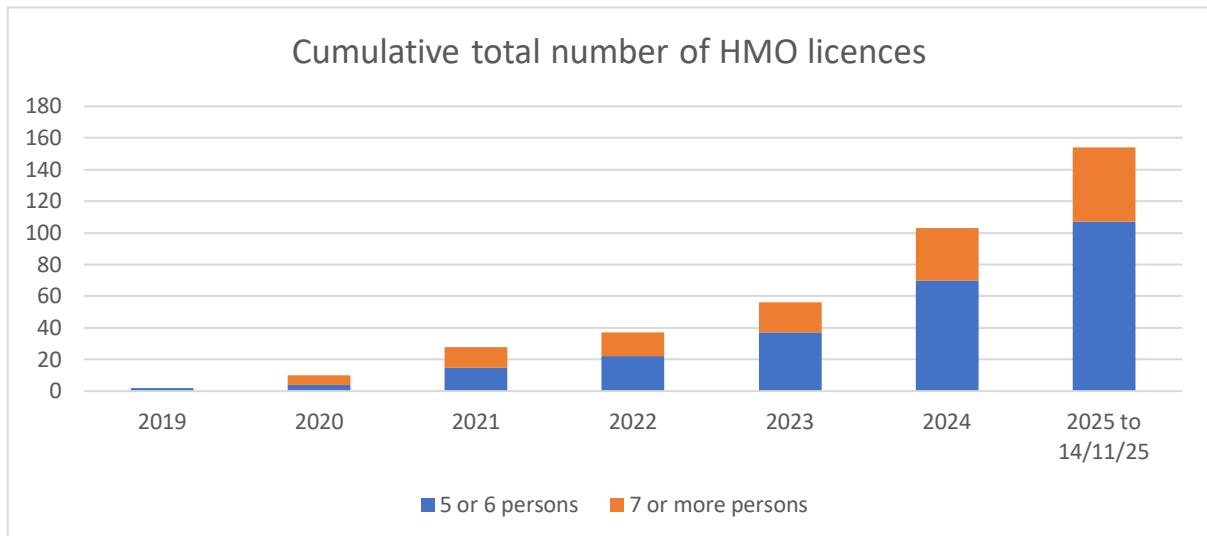
3.5 Figure 1 illustrates the increase in the number of licensed HMOs in recent years.

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 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

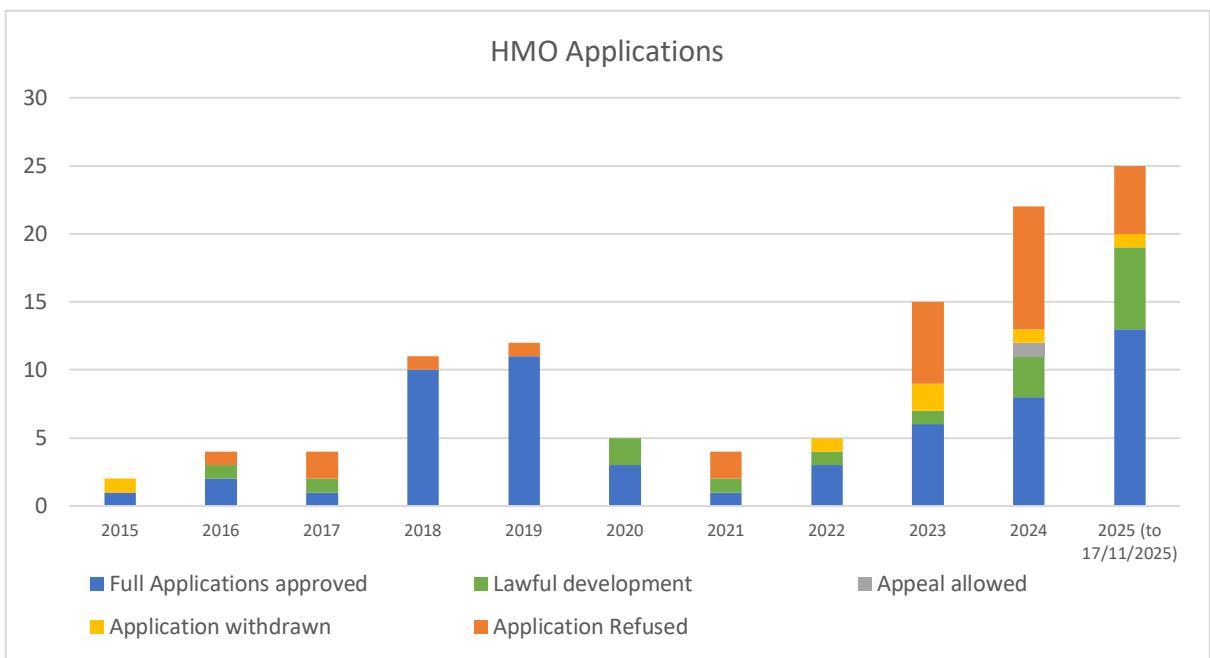


Figure 4: HMO approvals and LDCs



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

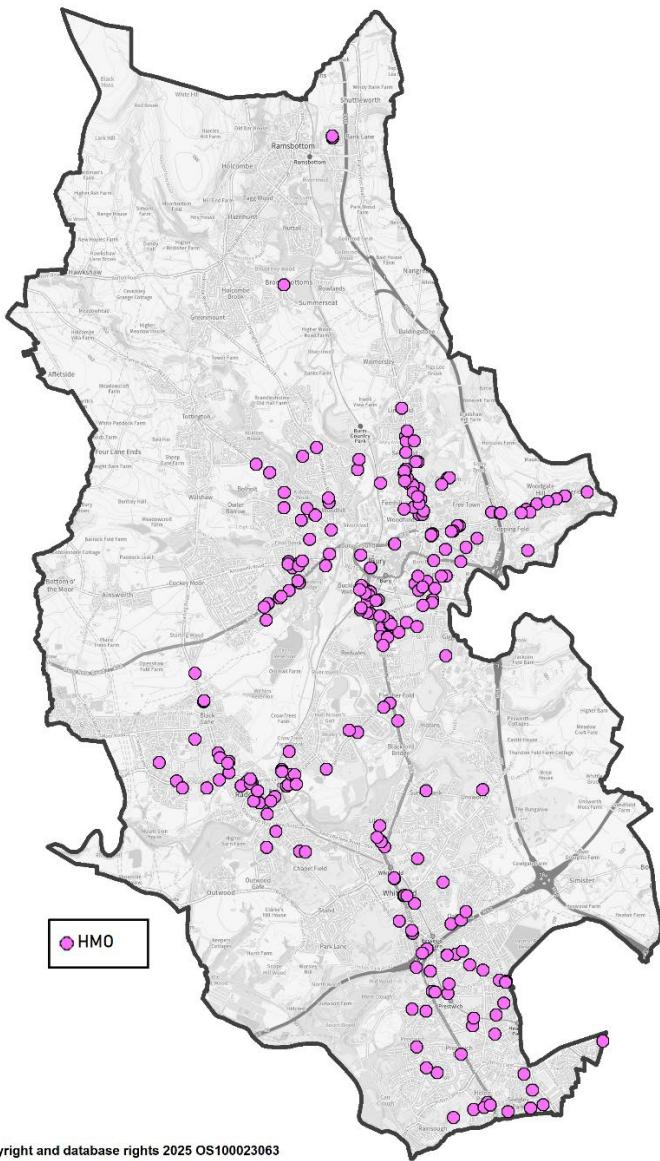
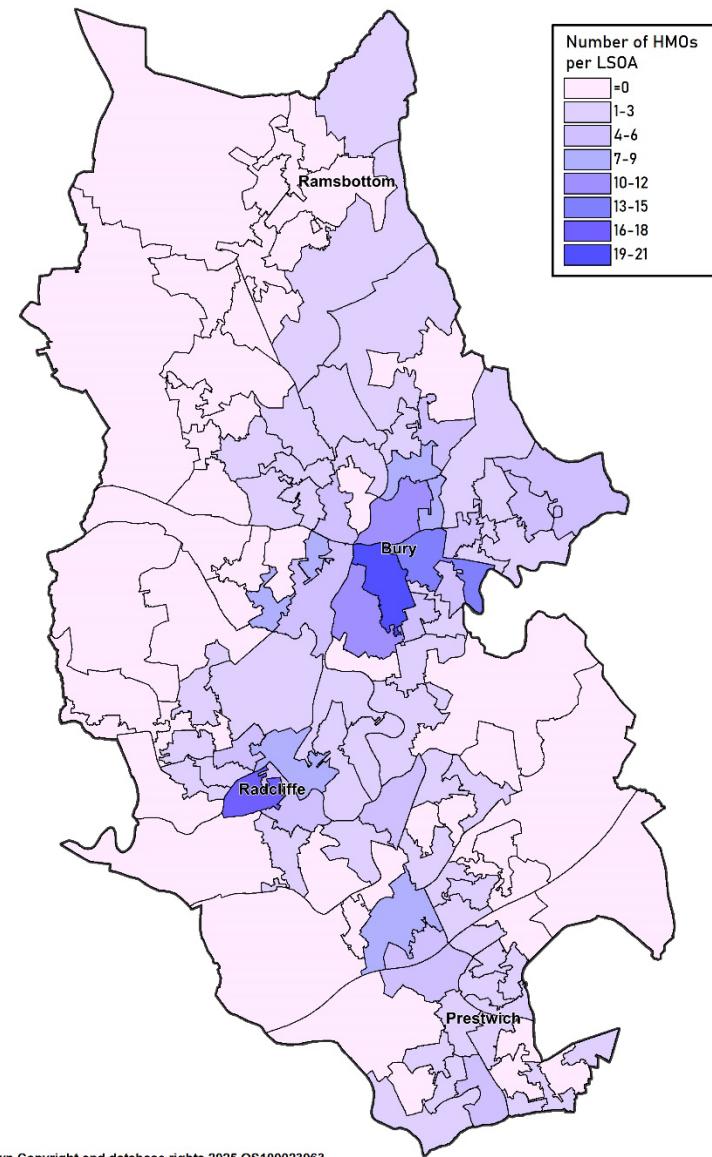
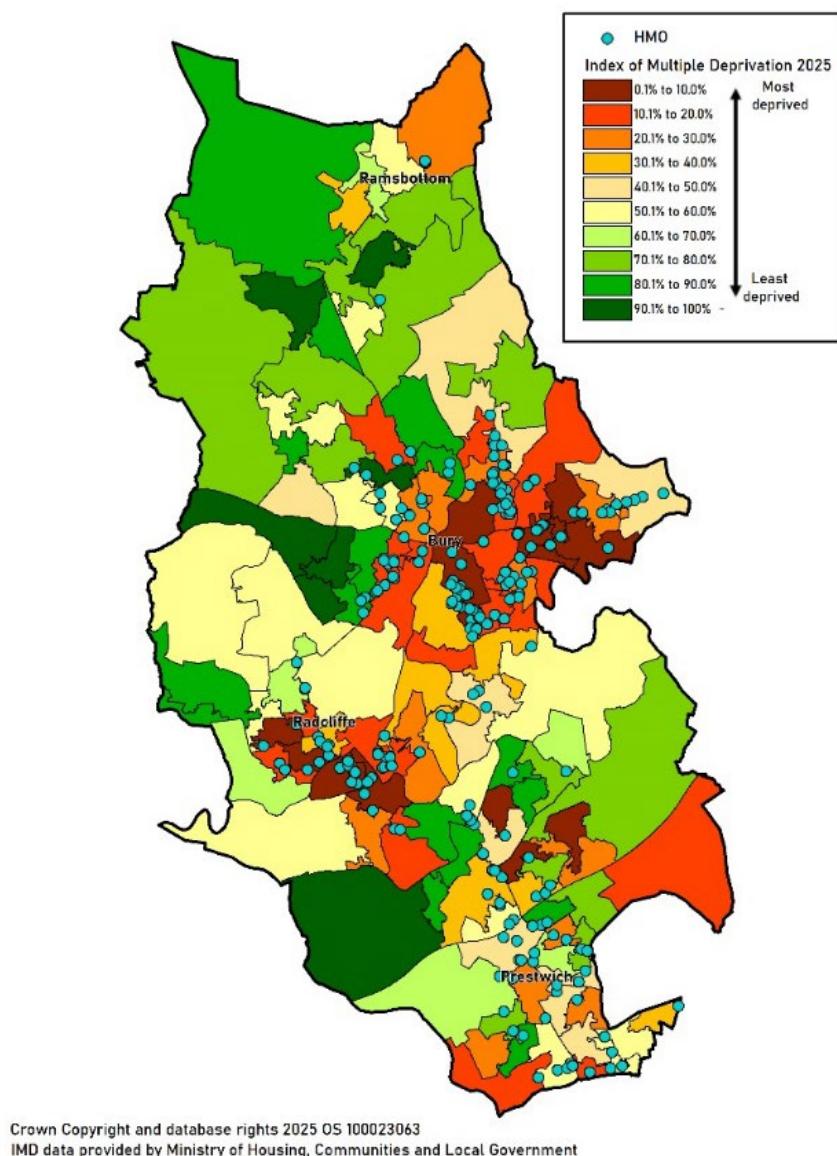


Figure 6: Number of known HMOs per LSOA



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 changes 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 will also enable the Council to better control the spread of 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 or made 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.
- 3.34 A Boroughwide Direction would also ensure that all new HMOs across the Borough provide an appropriate standard of accommodation and seek to avoid detrimental impacts on the amenity of HMO occupants and neighbours or the character of the area. An area specific Article 4 Direction would risk low quality (Use Class C4) HMOs being developed in areas outside the boundary of the Direction.

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 and Oldham have both given less than 12-months notice for their new directions. 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 bringing 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.
- 4.21 The Secretary of State has the power to make a direction cancelling or modifying an Article 4 Direction at any time before or after its confirmation. The Planning Practice Guidance states that the Secretary of State will not use their powers unless there are clear reasons why intervention at this level is necessary.

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 bedroomed 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 Dumers 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 Avenue, 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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