

Ward: Bury East - Moorside

Item 02

Applicant: True Estates Ltd

Location: 156 Walmersley Road, Bury, BL9 6LL

Proposal: 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)

Application Ref: 71619/Full

Target Date: 24/04/2025

Recommendation: Approve with Conditions

Description

The application relates to a mid terraced property located on Walmersley Road. The premises is currently a residential dwelling undergoing renovations to become a 6no. bed HMO.

Planning permission is sought to for a change of use from a 6-bed House in Multiple Occupation (HMO) (Class C4) to 8-bed, 9 person House in Multiple Occupation (HMO) (Sui Generis). The proposal seeks alter the internal layout to utilise bedroom 1 as a 2no. person bedroom, and convert the existing loft living room to a bedroom.

Relevant Planning History

None

Publicity

The immediately adjoining neighbours were notified by letter on the 28th February 2025.

3 objections received in relation to:

- This part of Walmersley is saturated with HMO rooms and hasn't the facilities to expand.
- Waste removal is a big issue due to so many using bins.
- Lacks school places, GP and dentist appointments.
- Lack of parking.
- What about infrastructure for water, gas etc being used?
- Whilst this accommodation is often what folk can afford it is time to expand into other areas of Bury or into Ramsbottom where there isn't areas saturated by HMOs.
- Was told it was going to be for 6 bedrooms.
- Would like assurances about who will be living in the accommodation.
- Back road already a dumping ground.
- How will they monitor noise levels with 9 people in the house.
- Who will keep the front and rear of the property clean?
- Concern in relation to close proximity of en-suites to shared walls. Will additional soundproofing be added?

Additional letters were sent to neighbours within the vicinity of the site on 25th March 2025. No further representations received.

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

Statutory/Non-Statutory Consultations

Traffic Section - No response to date. Any update to be reported within Supplementary Report.

Waste Management - No response

Housing - Public Protection - Property falls within scope of mandatory HMO licensing. A fire risk assessment will need to be provided as part of the licence. Plans look suitable in terms of shared amenities for the kitchen. Advice given in relation to wash hand basin sizing.

Environmental Health - No comments to make

Greater Manchester Police - designforsecurity - No response

Pre-start Conditions - Not relevant

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-P1	Sustainable Places
JP-S5	Clean Air
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
NPPF	National Planning Policy Framework
SPD13	Conversion of Buildings to Houses in Multiple Occupation
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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 (Residential)

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions and emphasises the Government's objective of significantly boosting the

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

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

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

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PfE housing requirement.

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

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

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

As a result of the latest published HDT result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

NPPF paragraph 80 requires the latest published HDT results to be used. However, the Government is currently operating to a delayed publication timetable for the HDT, and although the latest published results for 2023 are below 75%, based on the current HDT

rulebook Bury's result for 2024 will be above 75% and the tilted balance will no longer be triggered by the housing delivery test result.

The proposal would create an HMO through the change of use of an existing residential property. As such the proposal would not contribute to the housing supply through the provision of an additional dwelling.

Principle (HMO Sui Generis Use)

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

UDP Policy H2/4 - Conversions, has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene 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. This document also seeks to ensure that HMO's are located in suitable locations.

SPD 13 is rather dated in absolute terms (adopted in May 2007) and in some of the assumptions expressed (e.g. HMO's tend to attract residents in their teens and twenties who by their nature can be a little more energetic than older people, leading to a more active social life in the evenings). However, the general factors against which proposals should be assessed at UDP Policy H2/4 remain relevant, which include assessment of the type of premises, scale and concentration of uses, location, character of the area, amenity and parking provision.

PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

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

For clarification, a house in multiple occupation is a form of housing tenure, where occupants live together forming more than one household (i.e. where facilities such as kitchen, bathroom or bathrooms can be shared with other tenants).

The conversion of properties to multiple occupation can often make an important contribution to local housing stock. However, it is recognised that such conversions can put pressures on buildings, sites and areas depending upon the amount of accommodation to be provided, demands created from parking etc and thus have an adverse effect on residential amenity and the character of an area.

The main issues in relation to this proposal is the consideration of the impact of the proposed accommodation in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues. These

issues are discussed in more detail below and in light of the policies set out above.

Character of the area

Whilst there is no specific policy in relation to HMOs within the UDP, Policy H2/4 - Conversions takes into consideration the concentration of building conversions for multiple 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.

12 HMOs were registered on Walmersley Road itself in March 2025. 1 HMO was also registered on Chesham Road. No HMOs were registered on Russel Street, Hilton Street, Eldon Street, Ruth Street or Regent Street. In order to appear on the register an HMO has to have 5 more occupants.

Along the row within which the property is located, 164 - 136 Walmersley Road (row between Chesham Road and St Marks Square) there are a total of 14 properties. 3no. properties are currently registered as HMOs, 4no. further properties have been subdivided into flats. Should the proposal be approved in total 8 properties within the row would no longer be in single occupancy ownership and 28% of row would be HMOs.

It should be noted that the property can operate as a 6 person HMO without the need for planning permission. Given that this is an established fall back position, and that the property is located at the opposite end of the row in terms of existing HMOs it is considered an additional 2no. bedrooms, and 3no. persons would not detrimentally impact on the character of the area.

Layout and Design

In addition to the policies set out above 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 Sustainable Places aims to promote a series of beautiful, healthy and varied places. UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development, provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finish materials.

No external alterations to the existing building are proposed to facilitate the change of use.

The proposed site plan shows a yard area to the rear of the site for cycle storage, refuse storage off the adopted highway and an area for sitting outside for future residents. This yard area can be accessed from the property and via a gate to the rear.

The proposal would require minimal amendments to facilitate the change of use, limited to the arrangements of the existing rear yard area. As such it is considered that the proposal would comply with the Development Plan Policies set out above.

Amenity

Neighbouring Properties

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.

Decisions on such applications will depend upon the particular characteristics of each scheme, and its impact on the amenity and character of the neighbourhood. The LPA

however cannot condition who the tenants of the property would be and the management of the property would be undertaken by the landlord who would be required to obtain an HMO licence. The licensing of HMOs is required for landlords to ensure these properties are kept to the required standards and are adequately managed.

The internal layout would not be amended significantly to that shown on the existing plans. The proposal would replace an existing living room within the roof space, with a bedroom. Bedrooms and living rooms are both considered to be habitable rooms and therefore residential amenity would be maintained as existing in terms of location of habitable room windows.

Future Occupiers

UDP Policy H2/4 that seeks to consider the impact of any proposals on the amenity of the occupants. Policy JP-P1 further reinforces this by stating that developments should offer comfortable and inviting indoor and outdoor environments. UDP Policy EN7/2 - Noise Pollution does not permit development which would lead to an unacceptable noise and environmental nuisance to nearby occupiers and/or amenity users.

The proposal is located within a terraced row. As stated above the site can be used for a 6 bed HMO without the need for planning permission and the existing floor plans shows this configuration of accommodation. It is considered that the addition of one bedroom and ensuite within the loft, and an additional person within bedroom 1 would not increase noise levels significantly to warrant refusal of the scheme. Environmental Health have been consulted as part of the application process and have not raised any concerns or asked for any additional noise insulation as part of the proposal.

Highways and Parking

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way and UDP Policy H2/4 that requires consideration of the impact of parking areas on the amenity of neighbouring properties, and the consideration of car parking and servicing requirements. 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.

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 provides parking standards for developments. PfE Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

There are no specific car parking standards for HMO's or buildings of multiple occupation in SPD11 Parking Standards in Bury. However, SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted. Car parking provision should meet the requirements of the likely occupants and, where possible, should be provided off-street.

The site is located within a sustainable location within walking distance to the shopping precinct to the north of the site. There is also a bus stop located directly to the front of the site. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or

the residual cumulative impacts on the road network would be severe. The proposal would see 3no. additional persons living at the site, compared to the number of persons that could live within the property utilising PD rights. It is not considered that an additional 3 persons would have a significant impact on the parking provision within the vicinity of the site to have a cumulative impact on the road network, and as set out above the site is located in a highly sustainable location. As such the proposal is considered to be acceptable.

Carbon and Energy

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

The applicant has confirmed that they would comply with Part L of the building regulations, as this is mandatory. Installation of low carbon technology and renewable energy have been discounted due to the scale of development. As the proposal would comply with Part L it is considered to comply with Policy JP-S2.

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 the existing HMO already benefits from existing internet connections and fast fibre cables will be provided at the property complying with the policy consideration set out above.

Response to representations

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

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

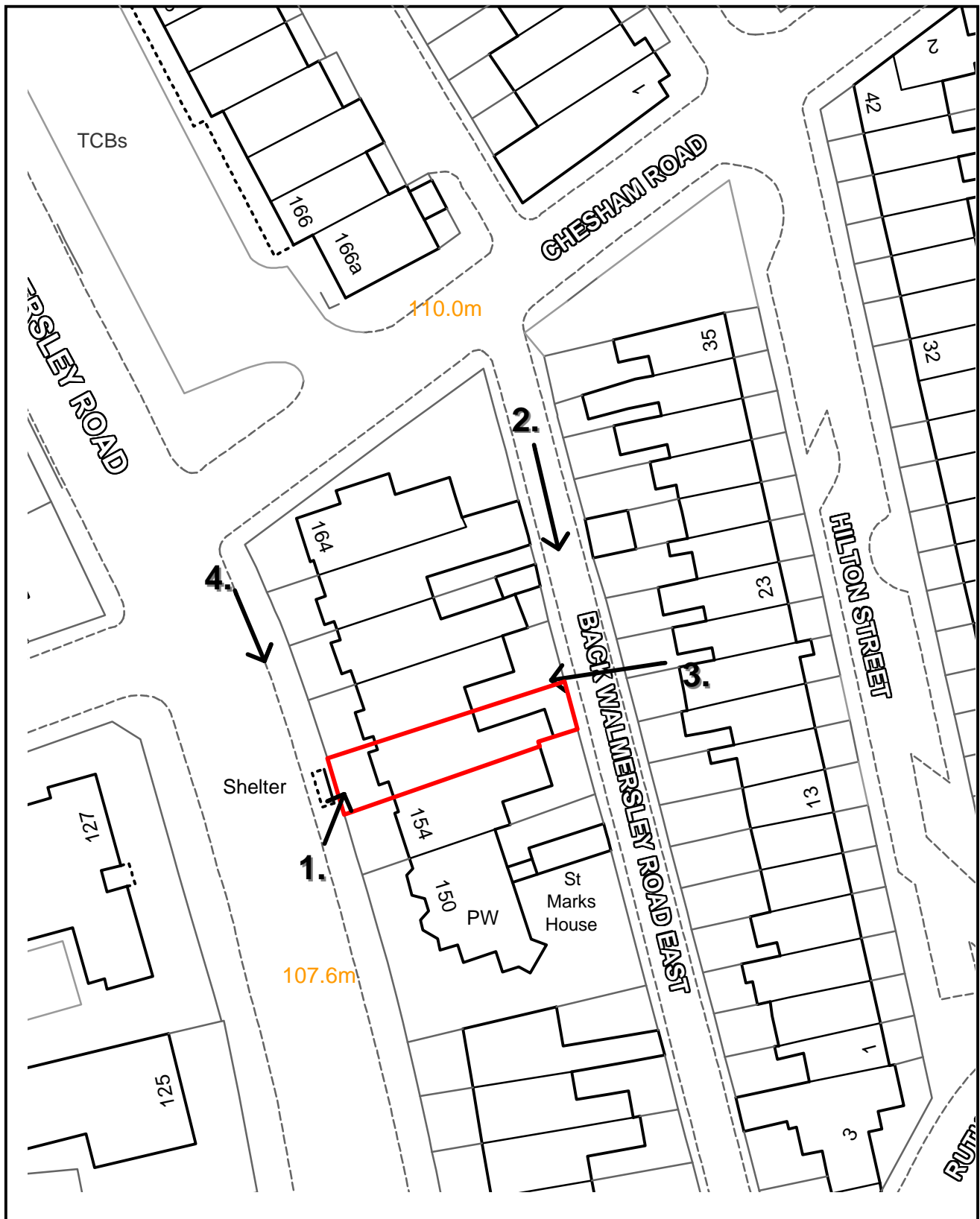
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 156WR/200/BR/ C1, 156WR/203 BR C3, 156WR/204 BR C2, 156WR/302/PL, 156WR/301/PL and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.
3. The cycle and bin storage facilities indicated on the approved plans shall be made

available prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate cycle storage arrangements and provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway, in the interests of highway safety pursuant to Development Plan policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, H2/4 - Conversions, JP-C5 Streets For All and JP-C6 Walking and Cycling.

4. The premises to which this approval relates shall be used as an HMO for a maximum of 9no. persons within 8no. bedrooms.
Reason. To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which could cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, H2/4 - Conversions, HT2/4 - Car Parking and New Development, JP-P1 - Sustainable Places, JP-C5 Streets for All, JP-C6 -Walking and Cycling and JP-C8 - Transport Requirements of New Development.

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

71619 - Viewpoints



ADDRESS: 156 Walmersley Road, Bury, BL9
6LL



Bury
Council

Planning, Environmental and Regulatory Services

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71619

Photo 1



Photo 2



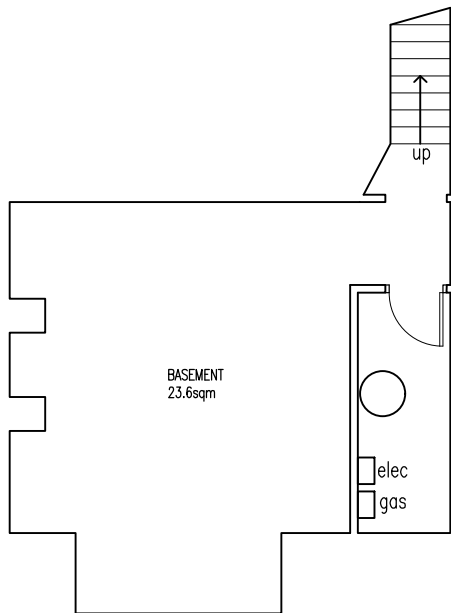
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Photo 3

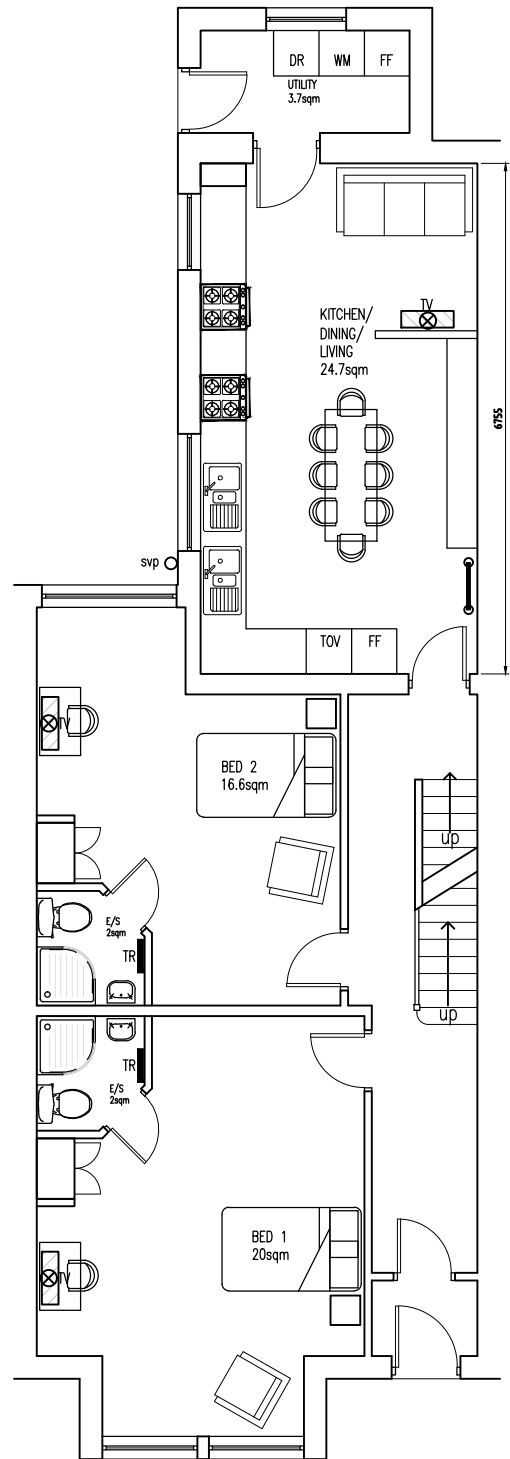


Photo 4

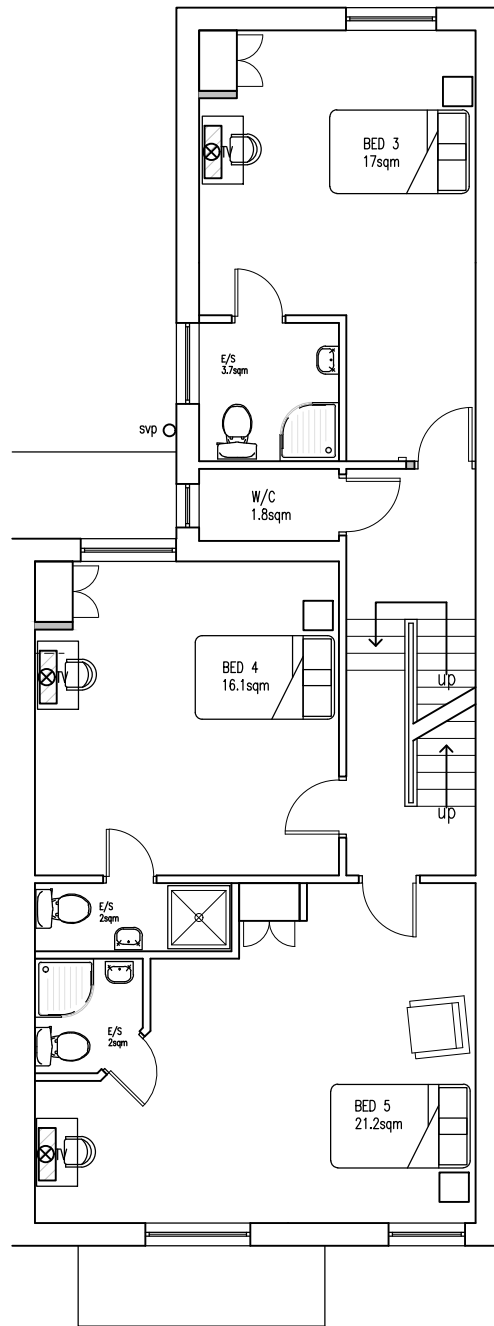




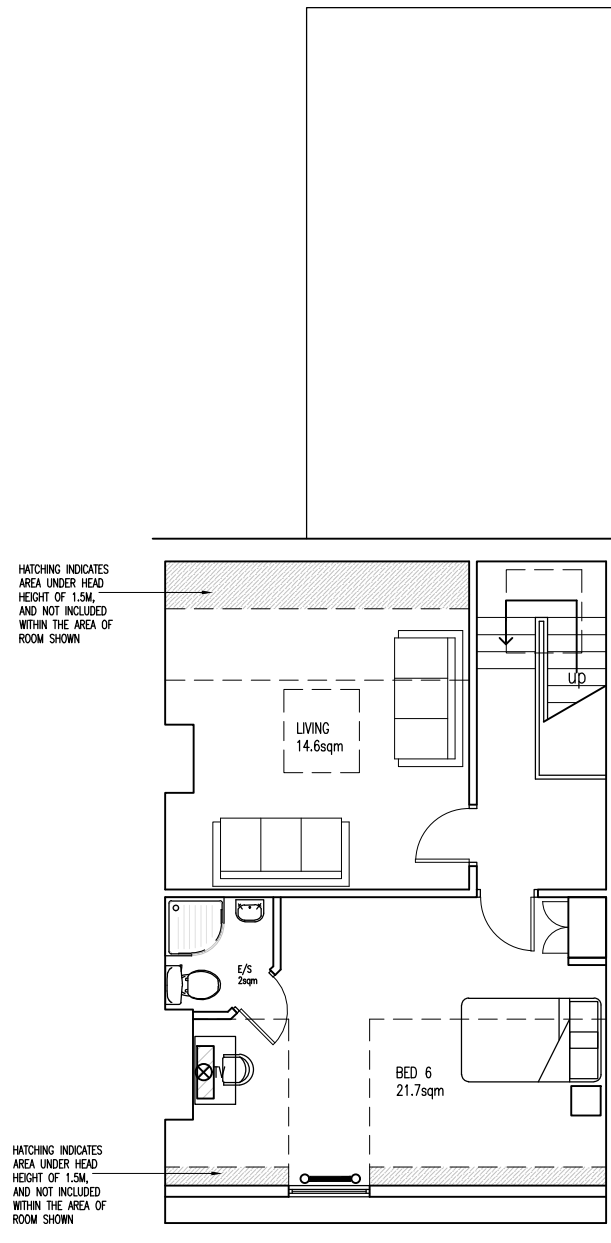
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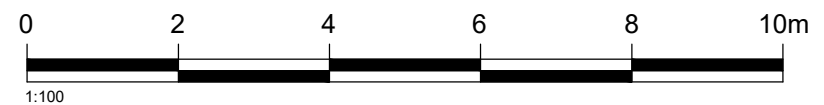
EXISTING GROUND FLOOR PLAN
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EXISTING FIRST FLOOR PLAN
1:100 @ A3



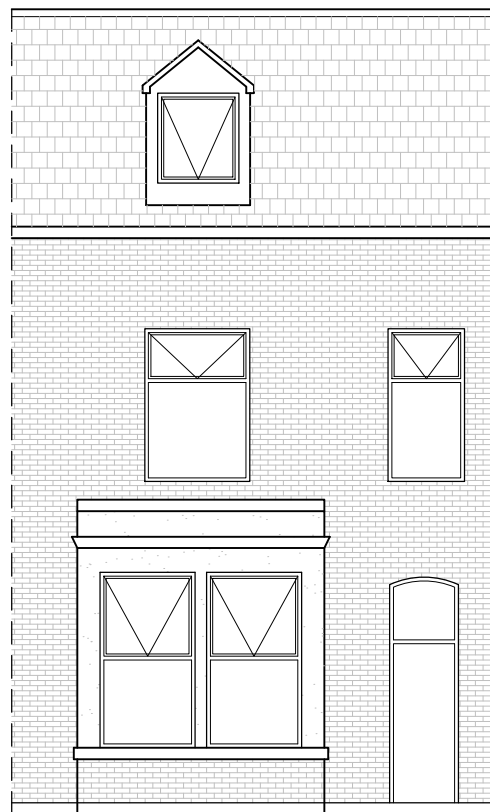
EXISTING SECOND FLOOR PLAN
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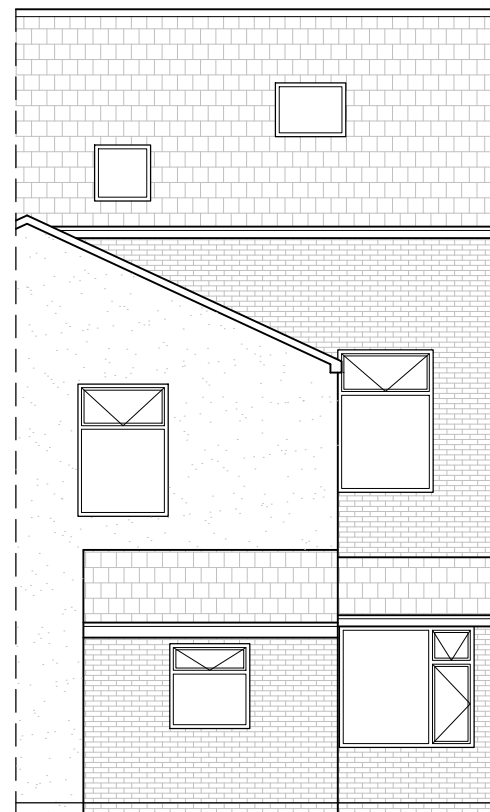
Rev	Amendments	Date	Ints
Project 156 WALMERSLEY ROAD BURY, BL9 6LL			
Drawing Title EXISTING PLAN LAYOUTS			
Drawn	MG	Checked	—
Date	AUG 2024	Scale	A3 1 : 100
Drawing No.	156WR/301/PL	Rev.	



EXISTING SECTION A-A
1:100 @ A3



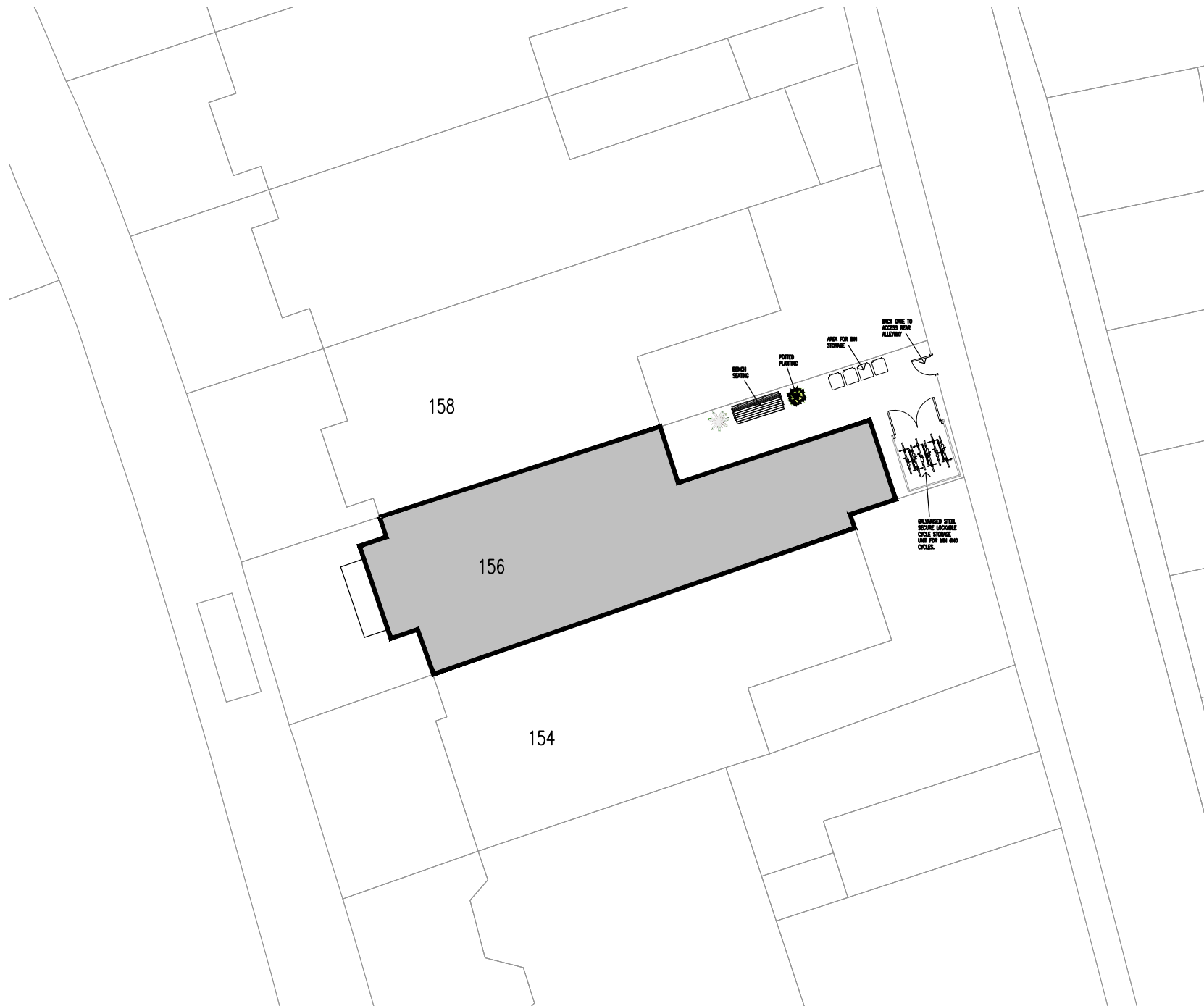
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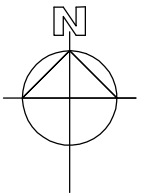
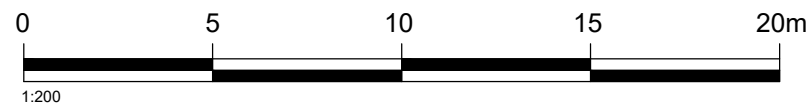
EXISTING REAR ELEVATION
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Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
156 WALMERSLEY ROAD BURY, BL9 6LL			
Drawing Title			
EXISTING ELEVATIONS AND SECTION			
Drawn	MG	Checked	—
Date	AUG 2024	Scale	A3 1 : 100
Drawing No.	156WR/302/PL		Rev.



PROPOSED BLOCK SITE PLAN
1:200 @ A3



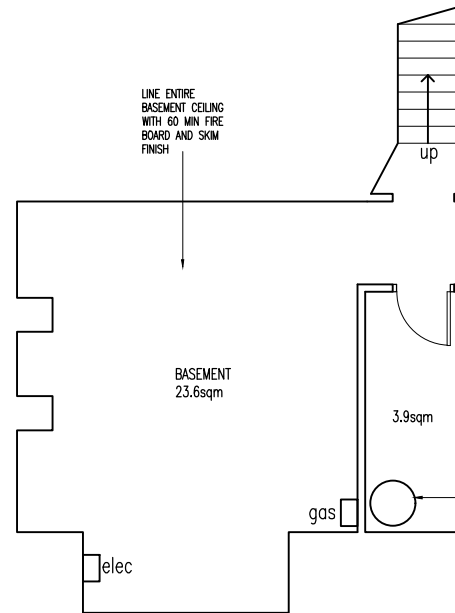
GALVANISED STEEL FRAMED CYCLE STORAGE SHELTER, FOR 6 CYCLES, 2150mm LONG x 2000mm WIDE x 2200mm HIGH, GATED FRAMES TO RECEIVE PERFORATED INFILL PANELS. PROVIDE 3no SHEFFIELD STANDS, FIXED TO TO HARD STANDING.

C1	Basement extended escape well omitted	10.03.24	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
156 WALMERSLEY ROAD BURY, BL9 6LL			
Drawing Title			
SITE LOCATION PLAN PROPOSED SITE PLAN			
Drawn	MG	Checked	—
Date	AUG 2024	Scale	A3 1 : 100
Drawing No.	156WR/200/BR	Rev.	C1

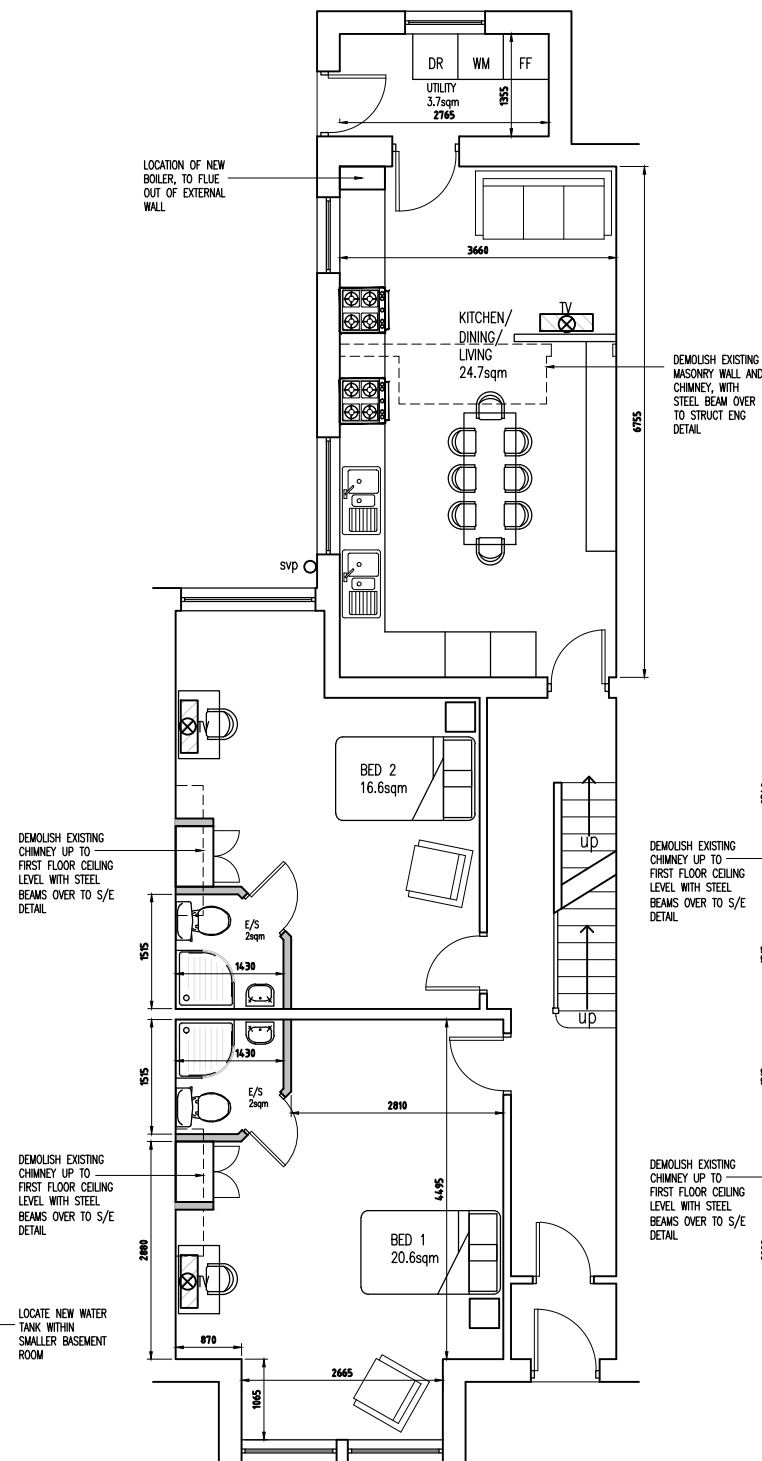
===== DENOTES NEW STUD PARTITIONS
----- DENOTES EXISTING WALLS/
STRUCTURE TO BE DEMOLISHED

BED 1 - 2 PERSON
BED 2 - 1 PERSON
BED 3 - 1 PERSON
BED 4 - 1 PERSON
BED 5 - 1 PERSON
BED 6 - 1 PERSON
BED 7 - 1 PERSON
BED 8 - 1 PERSON

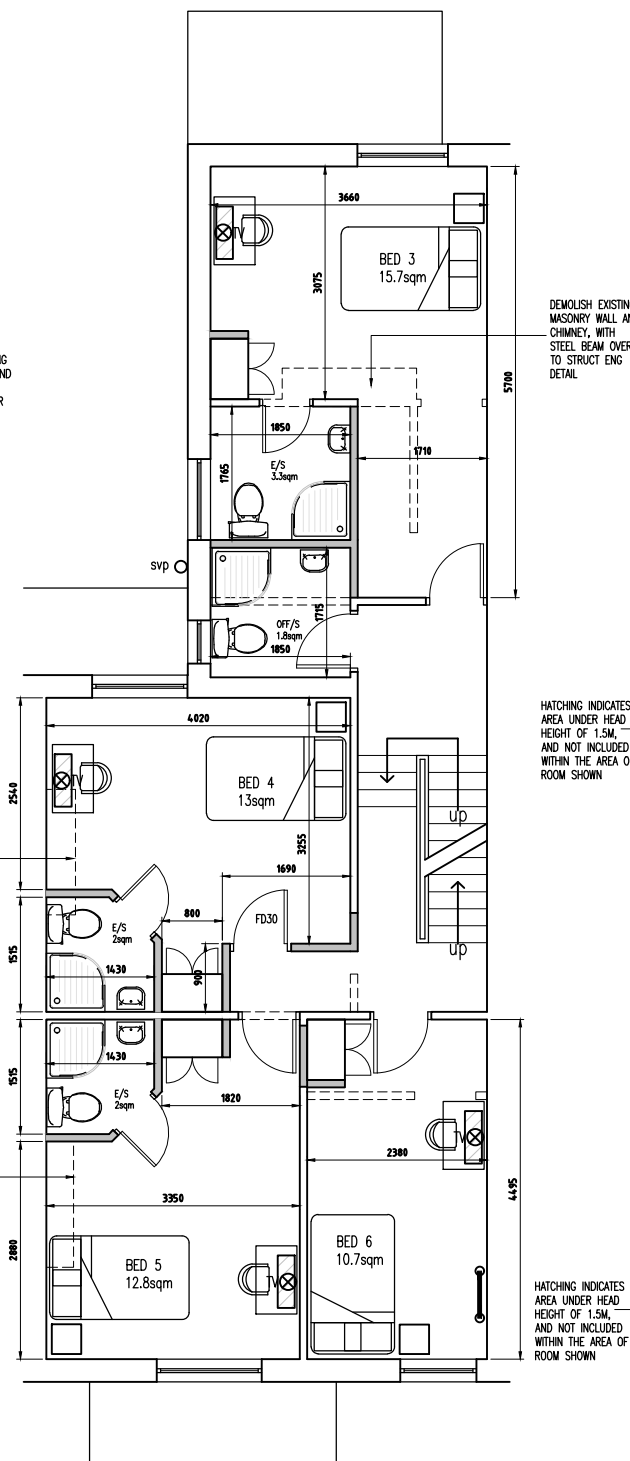
8 BED , 9 PERSON
HMO



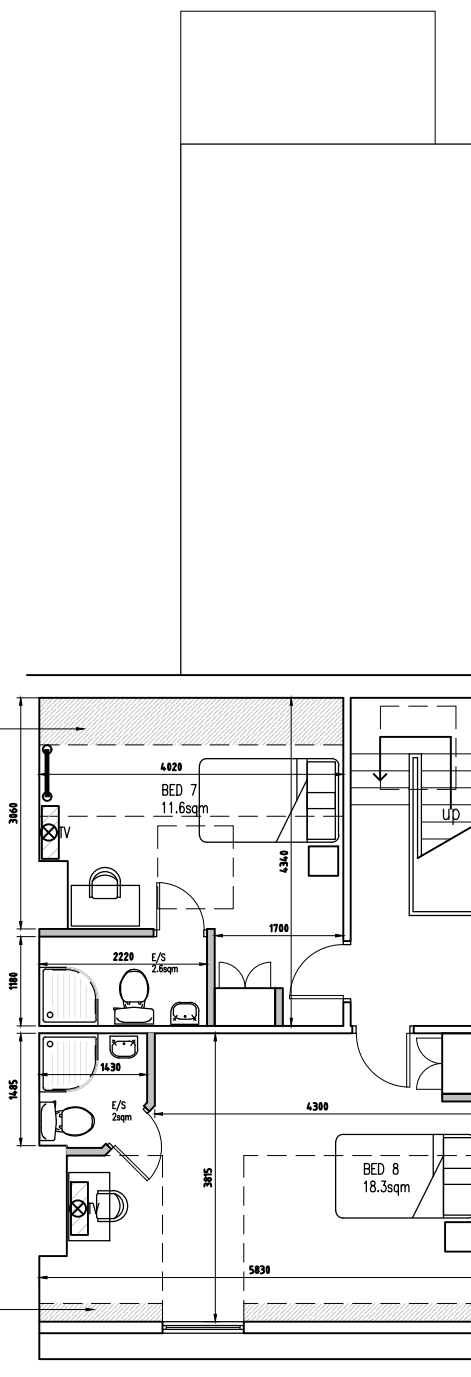
PROPOSED BASEMENT FLOOR PLAN
1:100 @ A3



PROPOSED GROUND FLOOR PLAN
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PROPOSED FIRST FLOOR PLAN
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PROPOSED SECOND FLOOR PLAN
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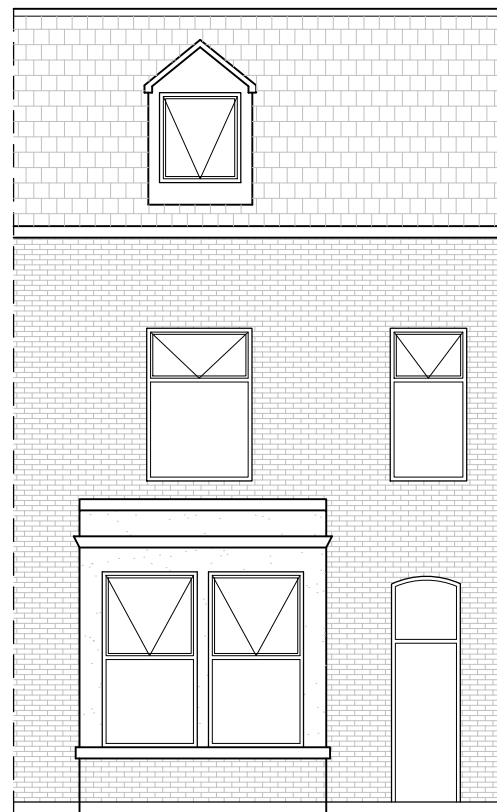


C3	Planning drawings created	17.03.25	MG
C2	Basement bed 9 omitted, now 8 bed, 9 person HMO	10.03.24	MG
C1	Basement bed 9 added	27.08.24	MG
Rev	Amendments	Date	Ints

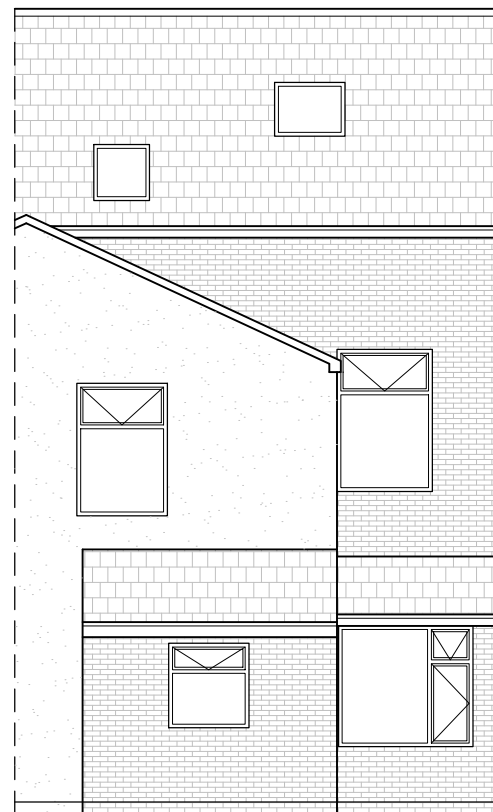
Project	
156 WALMERSLEY ROAD BURY, BL9 6LL	
Drawing Title	
PROPOSED PLAN LAYOUTS	
Drawn MG	Checked -
Date AUG 2024	Scale@A3 1 : 100
Drawing No. 156WR/203/BR	Rev. C3



PROPOSED SECTION A-A
1:100 @ A3



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3



C2	Basement bed 9 omitted, now 8 bed, 9 person HMO	10.03.24	MG
C1	Basement bed 9 added	27.08.24	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
156 WALMERSLEY ROAD BURY, BL9 6LL			
Drawing Title			
PROPOSED ELEVATIONS AND SECTION			
Drawn	MG	Checked	—
Date	AUG 2024	Scale	A3 1 : 100
Drawing No.	156WR/204/BR	Rev.	C2