

Ward: Bury East - Redvales

Item 05

Applicant: Edward Clifford

Location: 52 Manchester Road, Bury, BL9 0SX

Proposal: 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

Application Ref: 71638/Full

Target Date: 21/04/2025

Recommendation: Approve with Conditions

Description

The application relates to a mid-terrace property on Manchester Road located opposite Whitehead Gardens, Knowsley Street/ Manchester Road, Bury. The application site is located within the terraced properties located between Maudsley Street and Horton Street.

The proposal is to change the use of the property from a single 3 bedroom dwellinghouse (Use Class C3) to an 8 bedroom House in Multiple Occupation (HMO) (Sui Generis use).

The proposed 8 bedrooms would be located on each floor of the property as follows:

Ground floor - 2 no. bedroom with en suites and a communal kitchen-diner

First floor - 4 no. bedrooms with en suites .

Second floor - 2 no. bedrooms with en suites.

The smallest bedroom would be 10.2sqm plus a 3sqm ensuite, with the largest bedrooms being on the ground floor measuring 15.5sqm and 14.5sqm respectively. Secure covered cycle storage would be included within the existing rear yard area. The rear yard area would also accommodate bin storage. The existing rear yard area already has a large enough opening to accommodate 1100 litre bins.

The external alterations to the property include one rooflight on the front roof slope and two flat roof dormers are proposed to the rear. The proposals initially sought one large flat roof dormer but the plans have been amended to provide two smaller flat roof dormer additions, to ensure the dormer(s) are both set up from the eaves and down from the roof ridge, in the interests of securing well-designed development so that the dormer did not consume the existing rear roof slope.

Relevant Planning History

None to report.

Publicity

23 neighbours have been notified by letter. 13 representations have been received objecting to the proposal for the following reasons:

- Increased noise levels and disturbances - increased number of occupants and from foot and vehicular traffic would adversely affect residential amenity and quality of life

- Impact on "stretched" public services
- Insufficient on-street parking facilities available in the vicinity
- Concerned an additional HMO to the one at no. 46 will cause parking chaos to the rear and sides of the site
- This row of properties has housed families for many generations, the character of this area is being eroded by the allowance of HMOs.
- Disproportionate amount of HMO's in the immediate locality, affecting the amenity of existing residents due to an increase in Anti-Social Behaviour in the locality occurring and eroding the family-oriented character of the neighbourhood, leading to transient tenancies, less community cohesion, and more noise disturbances. The proposal would add to this issue that is harming the amenity of existing residents and detracting from this area.
- Asserting another facility could cause additional strain on the local community and its resources.
- Asserting the current infrastructure around the area cannot sustain the increase in traffic volume or parking spaces for residents currently and asserting an increase of potentially 8 spaces is not sustainable.
- Advising waste collection is already problematic in the locality, and asserting increased residents will exacerbate the problem.

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

Statutory/Non-Statutory Consultations

Traffic Section - Raises objections due to the lack of parking available in the vicinity.

Waste Management - No comments or observations received.

Housing - Public Protection - Recommends soundproofing to the boundary wall and advises the applicant of the need to apply for a HMO licence.

Adult Care Services - No comments or observations received.

Greater Manchester Police - design for security - Recommends that the development should be designed to minimise its vulnerability to crime.

Pre-start Conditions - Not applicable

Development Plan and Policies

Area	Bridge Road/Buckley Wells
BY2	
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
EN2/3	Listed Buildings
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
EN7/2	Noise Pollution
JP-C1	Our Integrated Network
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling

JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle of Development

The property is currently a dwellinghouse (Use Class C3) which would have a 'permitted development fallback' to form a 6 person HMO, under current regulations. The permitted development position indicates that the principle of a conversion to a HMO is acceptable.

The conversion of houses to HMO's can often make an important contribution to local housing stock. However, it is recognised that such conversions can put pressures on the amount of accommodation provided, put demands on parking and have an adverse effect on residential amenity and the character of an area.

The main issues with this proposal are what impact the clear intensification of the residential use of the premises would have in planning terms and in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues.

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.

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' 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.

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 with this proposal are what impact the clear intensification of the residential use of the premises would have in planning terms and in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues.

Character of the Area and concentration of flats and HMOs

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

Officers have obtained information from the Council's HMO Officer as to where existing licensed HMOs are located in relation to the existing application site. With the exception of the property forming the northern end of the terrace, 48 Manchester Road which is in use as a 5 bedroom HMO, there are no other HMOs in close proximity to the application site. It is therefore considered that this proposal would not cause an over concentration of HMO or flat/ apartment development in this location and thus the proposal is considered to accord with the relevant criteria within UDP Policy H2/4.

Impact on the setting of Listed Buildings

The Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66(1) of the Act states that in considering whether to grant planning permission for development that affects a listed building or its setting, (my underlining) the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The application forms part of the red brick terraces on Manchester Road and Knowsley Street that enclose the majority of Whitehead Gardens in which a Grade II listed clock tower and Grade II listed war memorial sit at either end of Whitehead Gardens. The uniformity of the terraces which surround the memorial gardens contribute greatly to the setting of the listed buildings.

The proposals initially sought to remove the traditional red brick chimney stack from the roof of this property to facilitate the dormer extension proposed at the rear. Such proposals would have caused harm to the uniformity of the terraces on this part of Manchester Road,

which is clearly seen from Knowsley Street, Whitehead Gardens and from the opposite side of Manchester Road to the application site and would have detracted from the setting in which the listed buildings are experienced. Therefore, during the course of this application Officers have secured the retention of the brick chimney stack that also forms part of the shared chimney stack to the neighbouring property, no. 50 Manchester Road.

The proposed single rooflight to the front roof slope is considered to cause less than substantial harm to the setting of the listed buildings within Whitehead Gardens opposite the site. The public benefit of providing additional housing accommodation would outweigh the low level of harm that would be caused by the insertion of a rooflight, particularly as another property within the terrace row already has both rooflights and solar panels on the front roof slope.

To conclude this section, the proposal accords with the requirements of the NPPF and the Act.

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.

Neighbouring Properties

The existing property fronts onto a very busy road and has residential properties on either side, to the rear and across the road to the front. One of the adjoining residential properties, no. 50 Manchester Road, already adjoins a 5 bedroom HMO.

Houses in Multiple Occupation tend to operate as a normal house, however, due to this proposal seeking 8 single occupants, the use of the property, over and above the former occupancy of the dwelling (3 bed) would intensify the use of the property demonstrably and thus, given it is to be sited adjacent to residential properties, it is recommended that a condition securing the imposition of soundproofing to the party walls be secured by planning condition.

Subject to the recommended condition, the proposed internal arrangement is unlikely to generate additional noise, disturbance and activity to cause serious harm to neighbour amenity.

In respect of the amenity of neighbouring properties the proposal is therefore considered to be acceptable and thus complies with UDP Policy and guidance relating to HMO's.

The amenity of future occupants

The application has been amended to provide a greater level of communal space in the property in the form of an enlarged kitchen area, lounge and dining areas and to provide a study/ working from home area. The amended kitchen and communal areas satisfies HMO licensing standards and each bedroom includes their own bathroom facilities. All bedrooms would also accord with the National Space Standards. Overall the internal layout of the development is considered to provide satisfactory living accommodation for future occupiers of the site.

Externally, there would be little change to the existing arrangements and facilities. Secure covered bike storage would be located within the former garage. Suitable bin storage provision would be located to the rear of the yard area. There would be sufficient space left for drying clothes and incidental recreation/sitting out areas.

The proposed layout, with 8 bedrooms, and amended elevations would provide good

internal communal space and bedroom space which will result in well-designed living accommodation for future occupiers and would also provide sufficient space within the rear yard area to provide sufficient bin and covered and secure cycle storage and a small amenity area. The proposal is therefore considered to accord with the requirements set out in UDP Policy H2/4 - Conversions and H2/1 - The Form of New Residential Development.

Visual Amenity and Streetscape

The application site is located on a main thoroughfare, the A56 Manchester Road.

Amended plans, received on the 07 April 2025 clarifying the chimney stack is to be retained and the proposed rear dormer has been amended to create two smaller flat roof dormers that are both set up from the eaves, down from the main roof ridge and set away from the chimney stack. These amendments provide a more subordinate roof extension which would not overly dominate the roof.

As a result of the amendments received, there would be no significant impact on the character and appearance of the building or streetscapes at both the front and rear of the dwelling. The property would still appear as a 2 storey residential brick terraced property. The necessary level of refuse storage bins would be accommodated within the rear yard area so should not cause particular concern. The rear yard gate that is accessible from the highway at the rear of the property is sufficiently wide enough to enable 1100 litre bins to be wheeled in and out of the site to ensure bins do not cause harm to the visual amenity to the street scene.

In terms of visual amenity, the proposal is considered to be acceptable and complies with UDP Policy and guidance in relation to HMOs. The external alterations proposed, as amended, are therefore acceptable and accord with Policy H2/1 - 'The Form of New Residential Development' of the Bury Unitary Development Plan and Section 12 (Securing well-designed development) of the National Planning Policy Framework.

Highway Safety and Servicing

There are no specific car parking standards for HMO's in SPD11: 'Parking Standards in Bury'. SPD 13: 'The Conversion of Buildings to Houses in Multiple Occupation' gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

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. In this regard, the application site is in a highly accessible area on a main road and bus route in Bury Town Centre. The site is also within walking distance of the Bus and Tram Stations within Bury Town Centre and the shops and services occupants would require for their day-to-day living requirements. The site is therefore suitably located for development such as this.

The public car park off Belle Vue terrace, is positioned approximately 100m to the north of the application site. Any future occupants would need to pay for a Council parking permit to park on this public car park.

The application proposes a single car parking space. The Council's Highways department has raised objections due to the increase in the number of residents over and above the existing 3 bedroom dwelling, and the lack of available parking provision, firstly on site and on the adjacent highways, especially due to the waiting restrictions on the very busy Manchester Road to the front of the application site, and on the back street that, as well as the number of accesses, limits the availability of space on-street causes them to object on

the grounds of highway safety.

Whilst the concerns of the Local Highway Authority are noted, the permitted development fallback position of this house which enables it to be turned into a 6 -bedroom HMO without needing planning permission is a material consideration which must be taken into account in the assessment of this application. Two additional occupants, over and above the Permitted Development allowance would not cause demonstrable harm to highway safety to justify refusal of this application. The proposal is therefore acceptable in this regard.

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 1100 litre 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 necessary refuse storage provision to be provided is therefore recommended.

The concerns of residents relating to the Council's Refuse Collection vehicle struggling to access the back street are noted, however, the Council's Waste Management team has not provided any comments or observations on this application, thereby indicating they have no objections to this application.

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

Fallback Position

Under 'Permitted Development' dwellinghouses can change to a 6-bed HMO without needing planning permission. The critical issue is whether the two additional bedrooms would make a significantly material and detrimental impact on residential amenity and highway safety. In view of the above it is considered that the development would not cause demonstrable harm to either residential amenity or highway safety for the reasons outlined above.

Response to objections

Many of the points raised have been responded to within the main report. In relation to the character of the character and building, the building is in a good state of repair and presents itself appropriately to the street. In respect of the issues relating to lack of off-street parking provision, this has been explained within the Highway Safety and Servicing section of this report. In terms of the type of persons who would potentially occupy the building, this is not a planning consideration.

Conclusion

The property has permitted development rights to convert from a dwellinghouse to a 6 person HMO without planning permission. This is therefore the permitted fallback position and has been taken into account in assessing the appropriateness of the proposal.

The addition of two more occupants at the property would not result in conditions that would be demonstrably worse than the fallback position allowed under Permitted Development regulations given the sites location in close proximity of Bury Town Centre on a main transport route.

The proposed external changes, and which have been secured, will ensure the proposal will not demonstrably harm the setting of the listed buildings within Whitehead Gardens. The proposals will also ensure that future occupants have a satisfactory level of amenity. The

number of residents is also unlikely to cause amenity issues to the neighbouring properties on either side of the application site or those neighbours existing on streets to the rear. It has also been concluded that subject to its highly accessible location the proposal would not result in conditions detrimental to highway safety.

Taking account all of the above and 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 the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

Drawing no. 52MR/199/BR: Location Plan; Existing Site Plan
Drawing no. 52MR/203/BR Rev. C1: Proposed Floor Plan Layouts
Drawing no. 52MR/204/BR Rev. C1: Proposed Section and Elevations
Drawing no. 52MR/200/BR: Proposed Site Plan

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the National Planning Policy Framework.

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

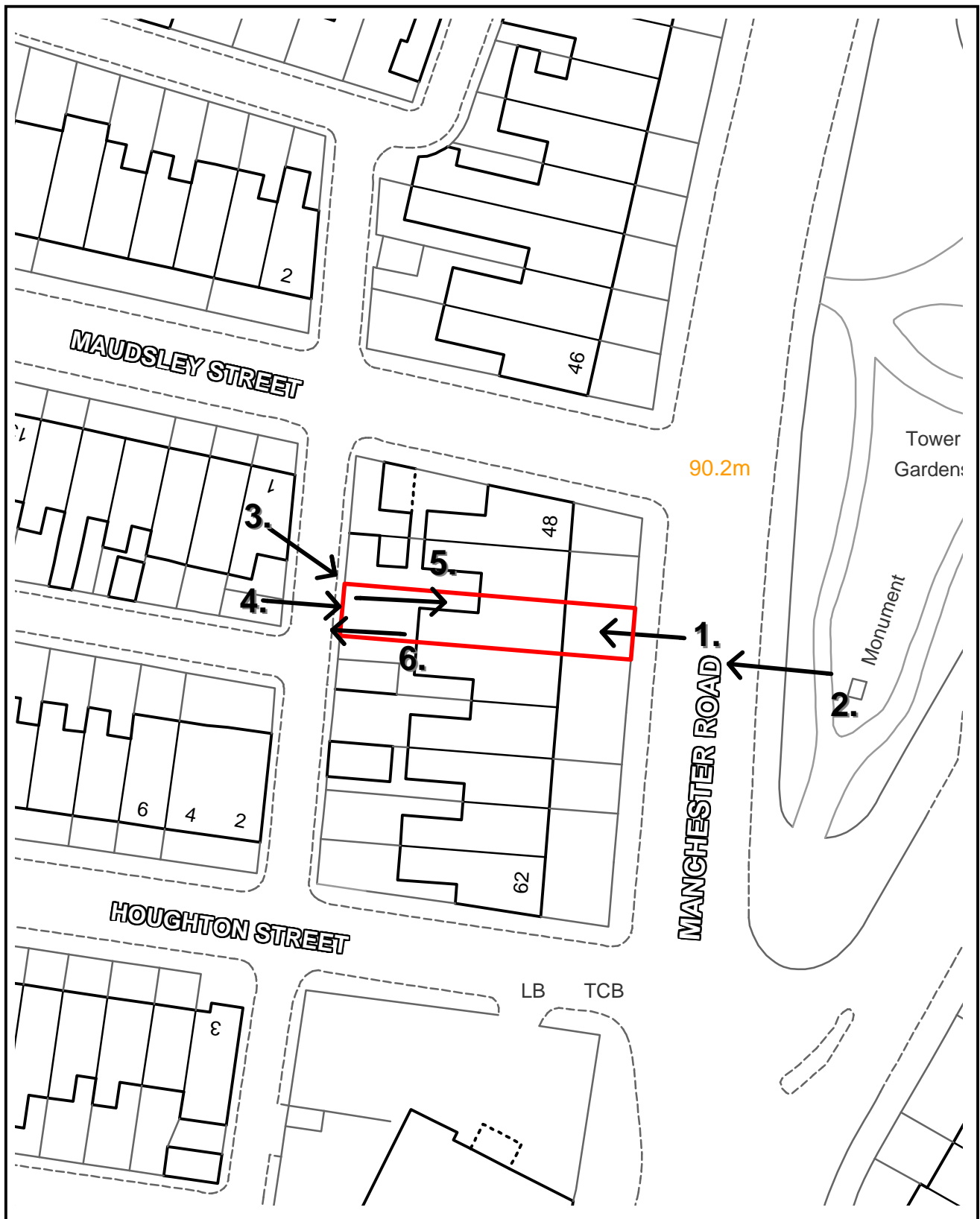
Reason: To reduce nuisance from noise to the occupiers of the adjoining dwelling pursuant to the Policy EN7/2 Noise Pollution of Bury Unitary Development Plan and the National Planning Policy Framework.

4. The refuse storage facilities indicated on the approved plans reference 52MR/200/BR shall be implemented and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Development Plan.

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

71638 - Viewpoints



ADDRESS: 52 Manchester Road, Bury, BL9
OSX



Bury
Council

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

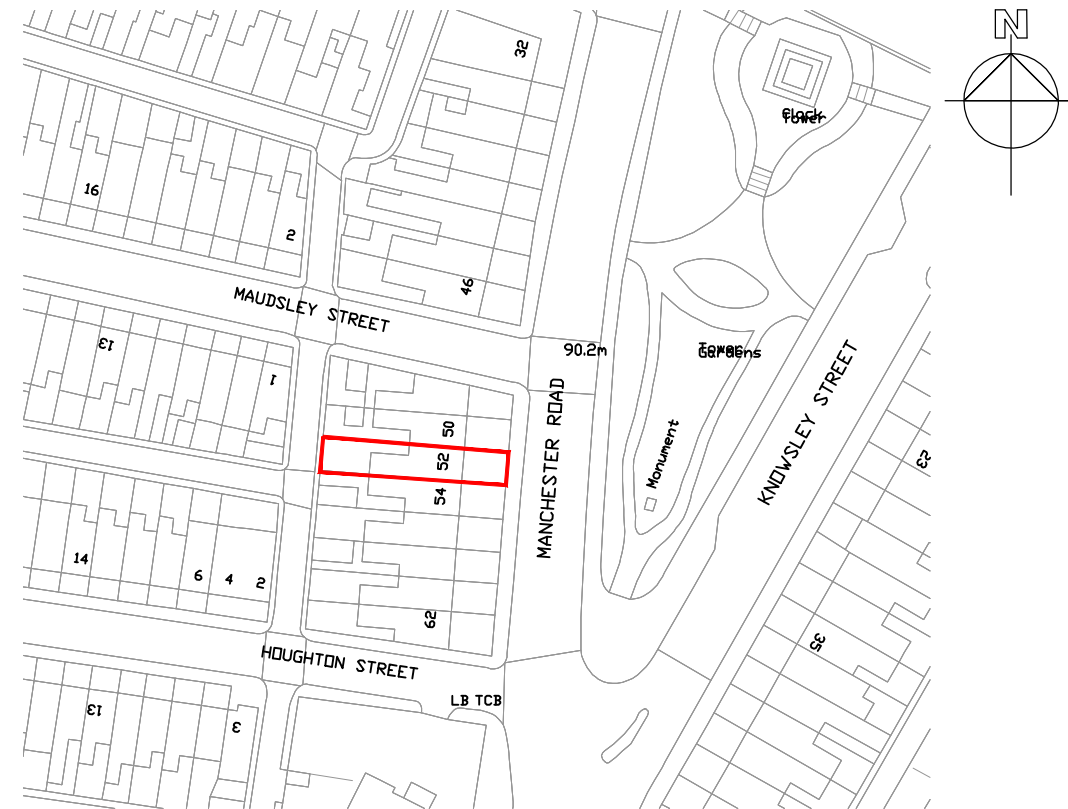
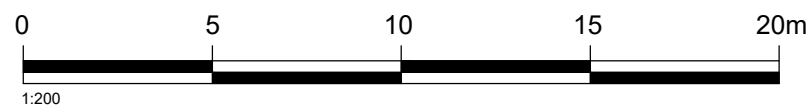


Photo 6





EXISTING SITE PLAN
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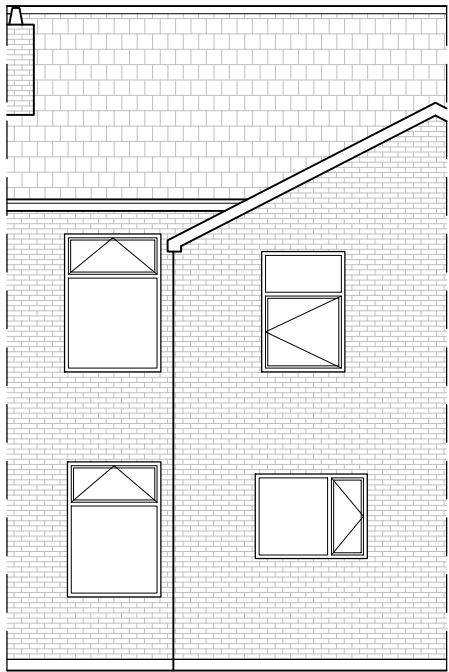


SITE LOCATION PLAN (164sqm)
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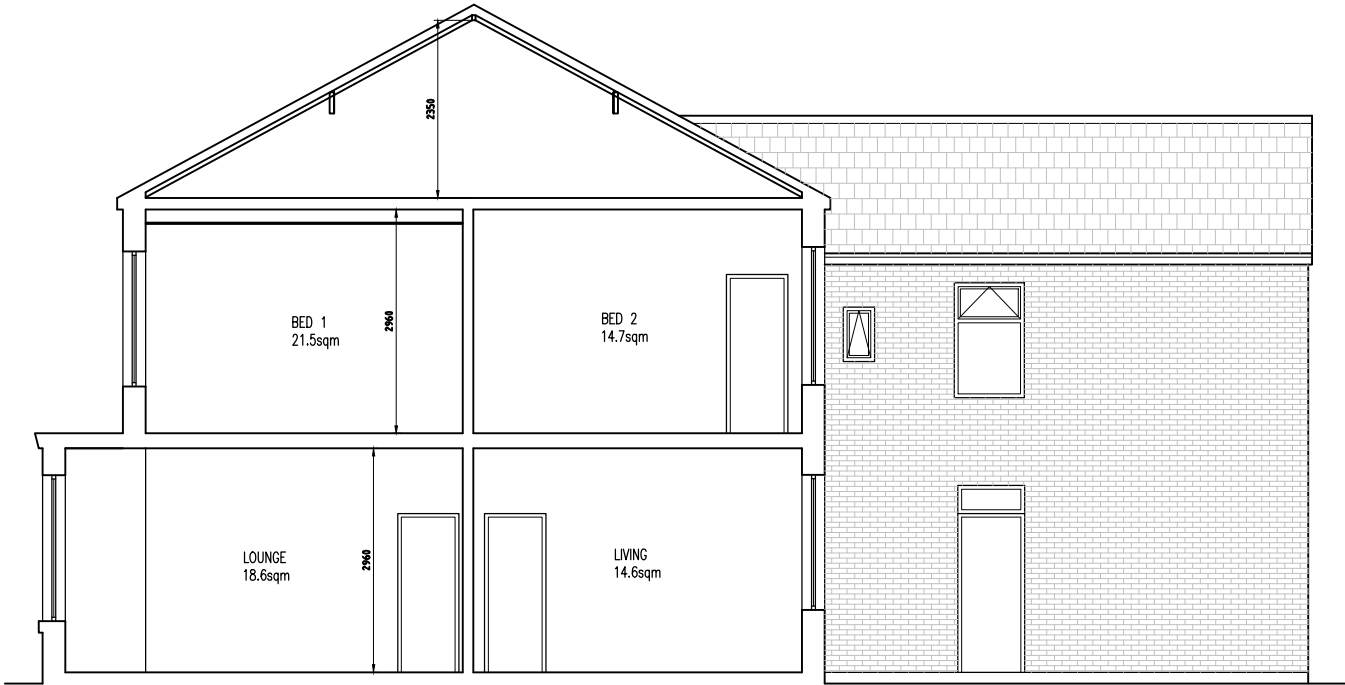
Rev	Amendments	Date	Ints
			
Project			
52 MANCHESTER ROAD, BURY, BL9 0SX			
Drawing Title			
SITE LOCATION PLAN EXISTING SITE PLAN			
Drawn MG		Checked -	
Date FEB 2025		Scale@A3 1 : 100	
Drawing No.		Rev.	
52MR/199/BR			



EXISTING FRONT ELEVATION
1:100 @ A3



EXISTING REAR ELEVATION
1:100 @ A3



EXISTING SECTION
1:100 @ A3



C1	Chimneys identified on elevations	07.04.25	MG
Rev	Amendments	Date	Ints



Project

52 MANCHESTER ROAD,
BURY, BL9 0SX

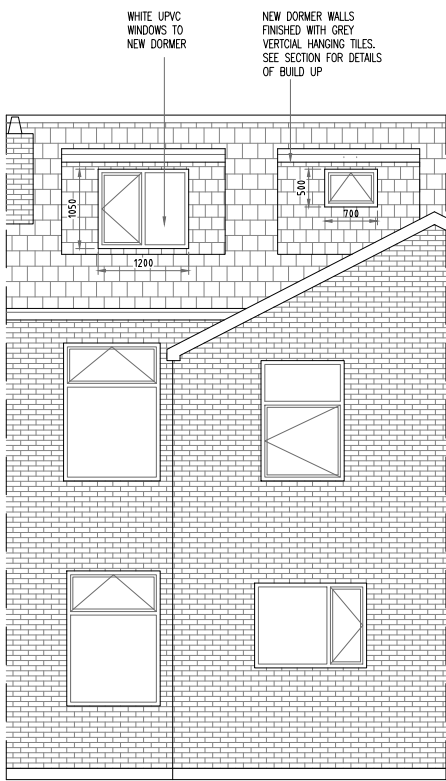
Drawing Title

EXISTING SECTION
& ELEVATIONS

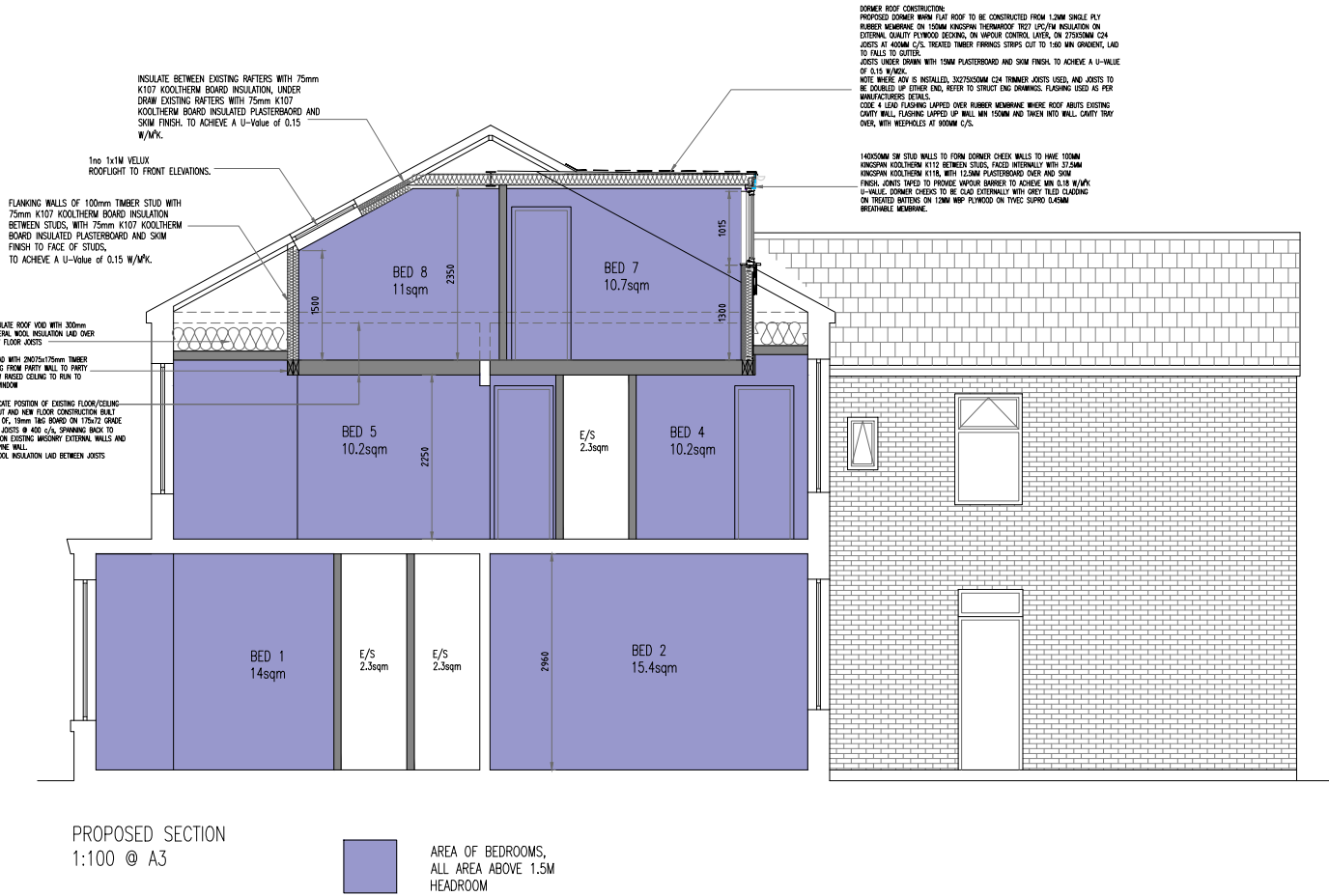
Drawn MG	Checked —
Date FEB 2025	Scale A3 1 : 100
Drawing No. 52MR/202/BR	Rev. C1



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3

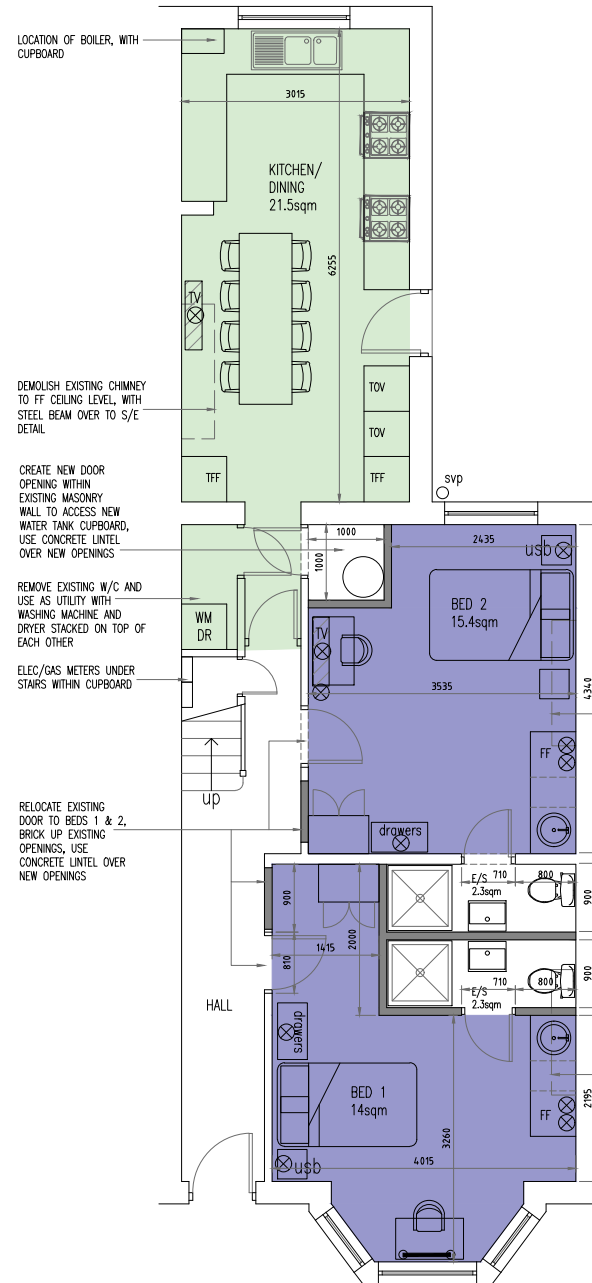


PROPOSED SECTION
1:100 @ A3

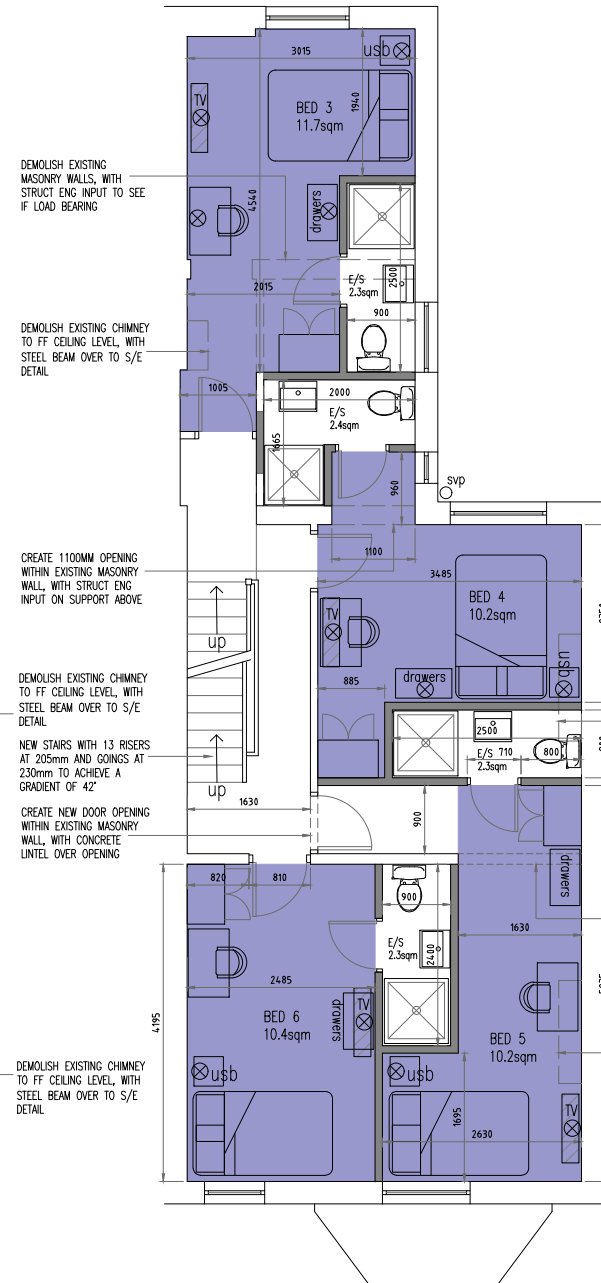
AREA OF BEDROOMS,
ALL AREA ABOVE 1.5M
HEADROOM



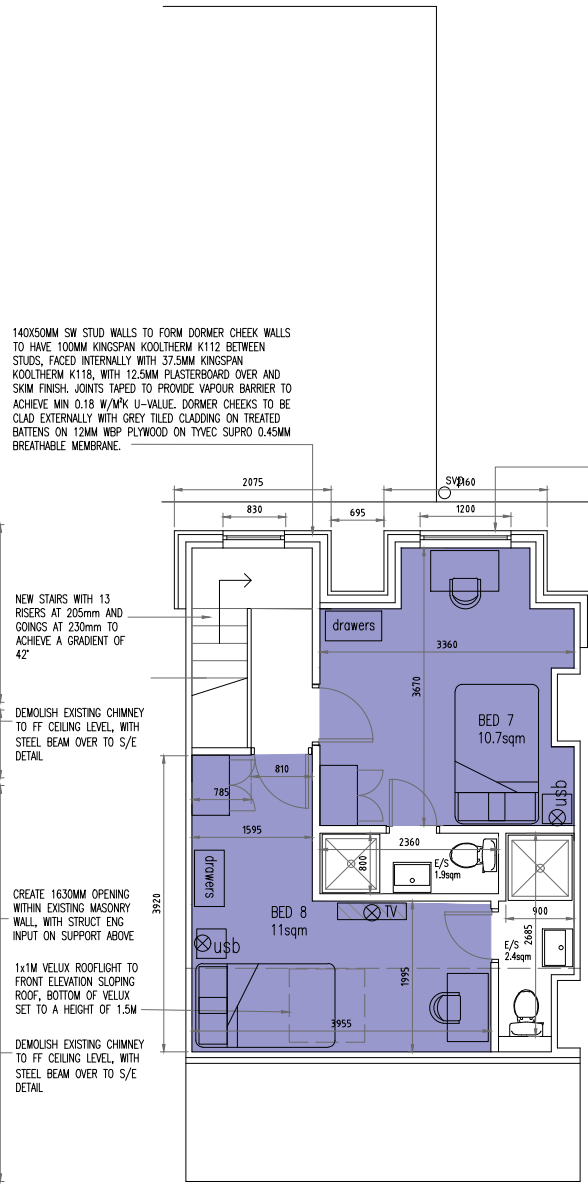
C1	Amendments after planning comments	07.04.25	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project			
52 MANCHESTER ROAD, BURY, BL9 0SX			
Drawing Title			
PROPOSED SECTION & ELEVATIONS			
Drawn	MG	Checked	—
Date	FEB 2025	Scale@A3	1 : 100
Drawing No.	52MR/204/BR	Rev.	C1



PROPOSED GROUND FLOOR PLAN
1:100 @ A3



PROPOSED FIRST FLOOR PLAN
1:100 @ A3



PROPOSED SECOND FLOOR PLAN
1:100 @ A3

- DENOTES NEW STUD PARTITIONS
- DENOTES EXISTING WALLS/STRUCTURE TO BE DEMOLISHED
- DENOTES CUPBOARD SPACE OF 1sqm
- AREA OF BEDROOMS, ALL AREA ABOVE 1.5M HEADROOM
- AREA OF COMMUNAL



C1	Amendments after planning comments	07.04.25	MG
Rev	Amendments	Date	Ints
Mark Gordon Design + Associates			
Project 52 MANCHESTER ROAD, BURY, BL9 0SX			
Drawing Title PROPOSED PLAN LAYOUTS			
Drawn	MG	Checked	—
Date	FEB 2025	Scale@A3	1 : 100
Drawing No.	52MR/203/BR	Rev.	C1