

Ward: Bury East - Redvales

Item 01

Applicant: CM Properties (NW) Ltd

Location: Rose And Crown Inn, 36 Manchester Old Road, Bury, BL9 0TR

Proposal: Change of use from pub (Sui Generis) to 3no. self-contained apartments

Application Ref: 73392/Full

Target Date: 27/08/2026

Recommendation: Approve with Conditions

Description

The application property is an end terraced building on the western side of Manchester Old Road and the northern side of Barker Street. Previously, the building has been used as a public house. The boundary to the rear is formed by timber fencing, and it is open to the front onto the pavement.

Previous application 73003 with the description to change the use of the property from a pub (Sui Generis) to a 12 bed (single occupancy) HMO (House in Multiple Occupation) (Sui Generis) together with the erection of a rear dormer extension was refused in June 2026. This current application is now proposed to change the use of the pub (sui generis) to 3no apartments.

The proposal includes 1no apartment at ground floor and 2no apartments at first floor. At ground floor, the proposed apartment would be approximately 96.2sqm in size and would feature two bedrooms for the maximum occupancy of 2 people.

At first floor, the apartments would be 40.5sqm and 52.5sqm, each with one bedroom. The apartment 40.5sqm in size would be for single occupancy with the 52.5sqm apartment for double occupancy. In total there, the proposed would accommodate a maximum of 5 people. Each apartment would also have a living room. kitchen and bathroom.

Cycle storage is provided with 4 cycle spaces provided. No parking is provided for the property. A small rear yard measuring approximately 20sqm is provided, with space allocated within this area for 2 x 600L waste bins and 1 x 1100L waste bin.

The area is residential in nature, with parking on the street common however it is restricted, with residents requiring permits.

Relevant Planning History

73003 - Change of use from Pub (Sui Generis) to 12 bed (single occupancy) HMO (House in Multiple Occupation) (Sui Generis); rear dormer extension - Refused 03/06/2026

Publicity

22 neighbouring properties were consulted on 07.07.2026. Due to the amendment of the description from 4no apartments to 3no apartments, amended neighbour letters were re sent on 27.08.2026.

6 objection comments from 5 neighbouring properties have been received detailing the following concerns:

- Too many shared houses in the area already
- Impact on services
- Impact on parking
- Anti-social behaviour concerns
- Impact on the road network, particularly during school hours due to proximity to schools
- Lack of outside amenity space for future residents
- The proposal is for an HMO
- Residents will not want to integrate into the community
- The pub allowed people to socialise
- Issues with fly tipping
- Overlooking into neighbouring properties

All respondents have been notified of the Planning Control Committee Meeting.

Statutory/Non-Statutory Consultations

Traffic Section - commented that whilst parking may be cited as an issue within this locality, the existing lawful use of the building was as a pub and had living accommodation on the first floor and therefore would not be able to object on parking grounds.

Parking Services - commented that residents would be able to apply for parking and visitor permits for the street. They were not aware of any recent complaints regarding lack of available parking on this street but did suggest that they did not see how the introduction of further addresses could compromise the availability.

Waste Management - made the following comment:

- We would allocate 1 x 1100ltr general waste bin, 1 x 660l paper/card bin and 1 x 660ltr glass/can/plastics bin. All to be emptied on a 3 weekly basis.
- The landlord/managing agent would be responsible for purchase of the bins and they should be in place before tenants move in.
- Gate would need to be wide enough to facilitate the sizes of bins.
- Access would be required into rear yard for our operatives to retrieve and return the bins for collections.

Pre-start Conditions - Not relevant

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-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

SPD11	Parking Standards in Bury
SPD15	Residential Conversions
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 (Residential)

The proposed is to change the use of an existing pub (sui generis) into 3no apartments (Class C3). Given the site is located within a predominantly residential street, a residential use within this area would be considered acceptable.

Loss of a Community Asset

Within the NPPF, Paragraph HC6 states that development proposals should not result in the loss of community facilities unless:

- a. It can be demonstrated that there is no reasonable prospect of the use being retained, either due to there being insufficient community support for the service it provides, or because it is no longer viable or feasible to operate (in the case of shops and public houses where commercial viability is an issue, evidence should be provided that reasonable steps have been taken to market the property for its existing use without success, for a period of at least 12 months); or
- b. The loss resulting from the proposed development would be replaced by equivalent or better provision, in a location which offers comparable or improved accessibility for the community it serves; or
- c. The decision-maker is satisfied that there is sufficient alternative provision of the type of use concerned in the local area, such that its loss will not diminish access to key community facilities and public service infrastructure.

Within the submitted planning statement, the applicant states that they do not seek to rely solely upon an assertion that the Rose & Crown is commercially unviable. The applicant therefore provides no evidence that HC6.1(a) is applicable in this case.

Instead, the applicant has provided examples of 6 other public houses within an approximate 800m radius to comply with HC6.1(c). The applicant states that all these public houses are open. These include:

1. Staff of Life (approx 537m from the site)

2. The Knowsley (approx 600m from the site)
3. The Art Picture House (approx 540m from the site)
4. The Robert Peel (approx 775m from the site)
5. Old White Lion (approx 750m from the site)
6. The Clarence (approx 730m from the site)

Given the above, and the proximity of the site to Bury Town Centre and sustainable transport links, it is considered in this instance that the proposal complies with the requirements of Policy HC6 of the NPPF.

Housing Density

PfE Policy JP-H4 requires new housing developments to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design.

Policy JP-H4 sets out minimum densities that should be considered and the site falls in an area where a minimum density of 70 dwellings per hectare should be had regard to.

The proposed would introduce 3no apartments within a site approximately 0.0157 hectares in size. This would lead to a dwellings per hectare (dph) value of approximately 191.1. This exceeds the 70 dph outlined within Policy JP-H4 and therefore the proposed would be considered acceptable.

Visual Amenity

In terms of visual amenity, an additional window is proposed on the ground floor of the southern side elevation. Given this would match the size and design of the existing windows, this would not create an unacceptable visual amenity impact.

A small northern side outrigger is also proposed to be demolished, as well as the bricking up of a small window on the northern side elevation. Given these are contained within the rear garden area of the building, this would not have an impact on the visual amenity of the street scene.

No other amendments are proposed, and given most of the alterations are internal, the visual amenity of the streetscape is unlikely to be impacted, the proposals are considered to be compliant with Policies EN1/2 - Townscape and Built Design and 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.

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

SPD 6 provides guidance on interface distances between existing residential properties and new development.

The proposed would introduce habitable room windows at ground and first floor on the

eastern and southern side elevations.

In terms of the habitable windows introduced on the front elevation, the interface distance would be approximately 13.5m between habitable rooms. Despite this being less than the 19.5m considered the minimum standard in SPD 6, terraced streets of this nature often do not meet this, and the existing relationship of the street is below this standard. The habitable rooms to the front also do not encroach further than the existing property and so it would be acceptable in this instance.

In terms of the habitable rooms to the southern side elevation, 10m is the interface distance which is slightly below the 12m that would be required however, given this is an existing relationship, it would again be considered acceptable.

Any windows proposed on the western or northern side elevations, which directly face neighbouring properties and garden areas are either proposed to be non-habitable or obscure glazed which would lessen any future impacts.

Therefore, in respect of the amenity of neighbouring properties, the proposal is considered to be acceptable.

Future Residents

The Nationally Described Space Standards (NDSS) sets out minimum requirements for floor space within new dwellings. The guidance within this document is a minimum standard and is detailed below:

1 bedroom, 1 person dwellings (with a bathroom) - 39sqm
1 bedroom, 2 person dwellings - 50sqm
2 bedroom, 3 person dwellings - 61 sqm
2 bedroom, 4 person dwellings - 70 sqm

A double bedroom should also have a minimum floor area of 11.5sqm.

The proposed apartment sizes are as below:

Apartment 1 (ground floor apartment) - 96.3sqm
Apartment 2 - 40.5 sqm
Apartment 3 - 52.5sqm

Given the above, each apartment meets the requirements outlined within the NDSS. Furthermore, each bedroom proposed as a double bedroom also exceeds the 11.5sqm requirement.

The proposed floor plans also indicate that living/dining/kitchen areas will be sited above and below one another as will the proposed bedrooms in order to reduce any acoustic impacts between the proposed apartments between floors.

SPD 15 relates to Residential Conversions. Paragraphs 3.24 and 3.25 of SPD 15 state the below:

3.24 Applicants for residential conversion will need to demonstrate that the proposal would provide an adequate amount of external amenity space for its residents where the opportunity exists. This should be at least in the form of a yard or a garden at the rear of the property. The exact amount of garden/yard space should be directly related

to the needs of the likely residents.

3.25 Generally, the amenity space provided should allow:

- occupants to be able to sit outside in the fresh air;*
- for ease of accessibility for all residents; and*
- for a safe and secure environment (secure by design).*

The amenity space proposed in the rear yard of the property is approximately 20sqm in total size, which will be reduced by the need for waste bins and the cycle storage proposed. Given this, there is a very limited private amenity space proposed for the proposed apartments.

When considering Paragraph 3.24 however, it notes that external amenity space should be provided 'where opportunity exists'. Given the consultee comments from colleagues within Waste Management, as well as the requirements regarding cycle storage within SPD 11, as well as the existing size restriction of the yard area at the site, it is considered that the opportunity does not exist to create a larger private amenity space.

It is also considered that due to the location of the site in close proximity to sustainable transport links (270m to the nearest bus stop, and approximately 570m to the nearest tram stop and bus interchange), as well as being located within walking distance (approx. 287m) of public amenity space, a lack of private amenity space at this property would be considered acceptable in this instance.

Furthermore, when considering Paragraph 3.25, the amenity space would be easily accessed by residents, and would be safe and secure environment.

The proposal is therefore considered to comply with the requirements set out in UDP Policy H2/4 - Conversions and H2/1 - The Form of New Residential Development, as well as the guidance outlined within SPD 15.

Highways Issues/Parking

Highways

Highways Engineers were consulted and had no objections to the proposed. They commented that whilst parking may be constrained within the area, the existing use as a pub and living accommodation at the first floor meant that it would not be reasonable to object.

Parking

SPD 11 provides guidance on parking provision for developments within the borough.

In terms of SPD 11, it states that there should be a minimum of 1 space per dwelling for apartments within Zone 2. This would equate to a parking provision of 3 spaces for the proposed. SPD 11 also states that there should be 0.25 spaces per dwelling allocated for visitors, which would equate to 0.75 spaces for this development. Together, this would mean the minimum parking provision for this development should be 4 spaces. As the proposed does not indicate any off road parking provision, this is therefore a shortfall.

It is necessary however to consider the existing parking provision for the pub. SPD 11 states that there should be 1 space allocated per 20sqm of floor area which would equate to over 9 spaces.

Given this, the proposed use requires a lesser parking provision than the existing use. Furthermore, parking services were consulted as part of this application who noted that residents would be able to apply for parking permits for the street. They also noted that they have not received any complaints recently regarding limited available parking space on this street.

Given the above, and that the site is within walking distance to sustainable transport links such as Bury Tram Stop and Bury Interchange, the LPA cannot reasonably object to the lack of parking in this instance.

Cycle Spaces

The proposed plans indicate there would be 4 cycle spaces available at the property. SPD 11 states that 1 cycle space should be provided for each unit, meaning the property should have a minimum of 3. Given the above, this is considered acceptable.

Waste Management

Waste Management colleagues were consulted and made the below comments:

- We would allocate 1 x 1100l general waste bin, 1 x 660l paper/card bin and 1 x 660l glass/can/plastics bin. All to be emptied on a 3 weekly basis.
- The landlord/managing agent would be responsible for purchase of the bins and they should be in place before tenants move in.
- Gate would need to be wide enough to facilitate the sizes of bins.
- Access would be required into rear yard for our operatives to retrieve and return the bins for collections.

On the submitted proposed site plan, there is space allocated within the rear yard for the bins necessary above. This is therefore considered acceptable. Furthermore, the gate at the rear yard has been widened on the proposed plans in order to allow the bins to move in and out freely.

Subject to an approval, an informative would be added that to advise that the landlord/managing agent would be responsible for purchase of the bins and they should be in place before tenants move in as well as informing the landlord that access would be required into rear yard for operatives to retrieve and return the bins for collections.

Carbon and Energy

JP-S2 of PfE aims to deliver a carbon neutral Greater Manchester no later than 2038 and aims, amongst other things, to ensure residential developments achieve energy demand reductions and should be consistent with 2022 Part L Building Regulations.

Within the supporting information, the applicant states the below:

In compliance with Policy JP-S2 of the Places for Everyone (PfE) plan, our development prioritises the minimisation of energy demand and maximisation of energy efficiency.

The following will be done to the property to ensure the guidance within JP-S2 is met:

- 1) Cavity Wall Insulation: Any empty cavity walls will be fully filled, subject to a check for suitability from an accredited installer and approval by local authority building control.
- 2) Loft Insulation: loft spaces will be checked and filled with appropriate insulation.
- 3) Floor Insulation: uninsulated suspended timber floors, where easily accessible from

underneath will be insulated.

4) HVAC (Heating controls) will be upgraded with central heating that has a programmable timer, room thermostat or thermostatic radiator valves.

5) Energy efficient lighting will be used throughout

These measures align with the 2022 Part L Building Regulations and underscore our dedication to creating a sustainable and energy-efficient development.

Given the above, the proposed is considered compliant with Policy JP-S2 of PfE.

Digital Connectivity

Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections.

The supporting information submitted alongside this application states that the premises will have an internet provider such as BT and Sky. This will be full fibre optic connectivity. The premises' wifi will only be for the residents, and would not be accessible to the public.

This is therefore considered acceptable.

Response to Objection Comments:

Most objection comments have been discussed within the body of the report.

Objections based on who will live there, and whether they will integrate into the community, are not material planning considerations.

There is no evidence that the introduction of apartments in an existing residential area would lead to an increase in anti-social behaviour.

The proposal is not for an HMO, the proposed plans clearly show self-contained apartments with no shared facilities, other than the rear garden area. This does not constitute a development considered an HMO. Furthermore, there is currently an Article 4 Direction in place restricting the lawful change of use of properties from Class C3 dwellings to Class C4 HMOs, and therefore if the proposed was to change to an HMO, it would require the benefit of planning permission.

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 Sheet 2 of 3 Rev H and Sheet 3 of 3 Rev H and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. The external finishing materials for the proposal hereby approved shall match those of the existing building.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

4. The bin storage facilities indicated on the approved plans shall be made available prior to the occupation of the apartments hereby approved and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway and in the interests of good design, pursuant to Policy EN1/2: Townscape and Built Design, H2/4: Conversions, H2/2: The Layout of New Residential Development of the Bury Unitary Development Plan, Policies JP-P1: Sustainable Places, JP-C5: Streets for all, JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan, SPD11: Parking Standards in Bury and the National Planning Policy Framework.

5. The cycle storage arrangements indicated on the approved plans shall be provided and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure adequate off-street cycle storage arrangements and provision for this mode of transport, in the interests of promoting active travel modes, road and pedestrian safety, pursuant to Policy EN1/2: Townscape and Built Design of the Bury Unitary Development Plan, Policies JP-C5: Streets for All, JP-C6: Walking and Cycling, and JP-C8: Transport Requirements of New Development of the Greater Manchester Places for Everyone Joint Development Plan and Supplementary Planning Document 11: Parking Standards in Bury.

6. The apartments to which this approval relates shall be used for C3(a) use and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification)).

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation and in the interests of satisfactory accommodation and associated servicing and cycle parking provision, pursuant to Policy EN1/2 - Townscape and Built Design and H2/4 - Conversions of the Bury Unitary Development Plan,

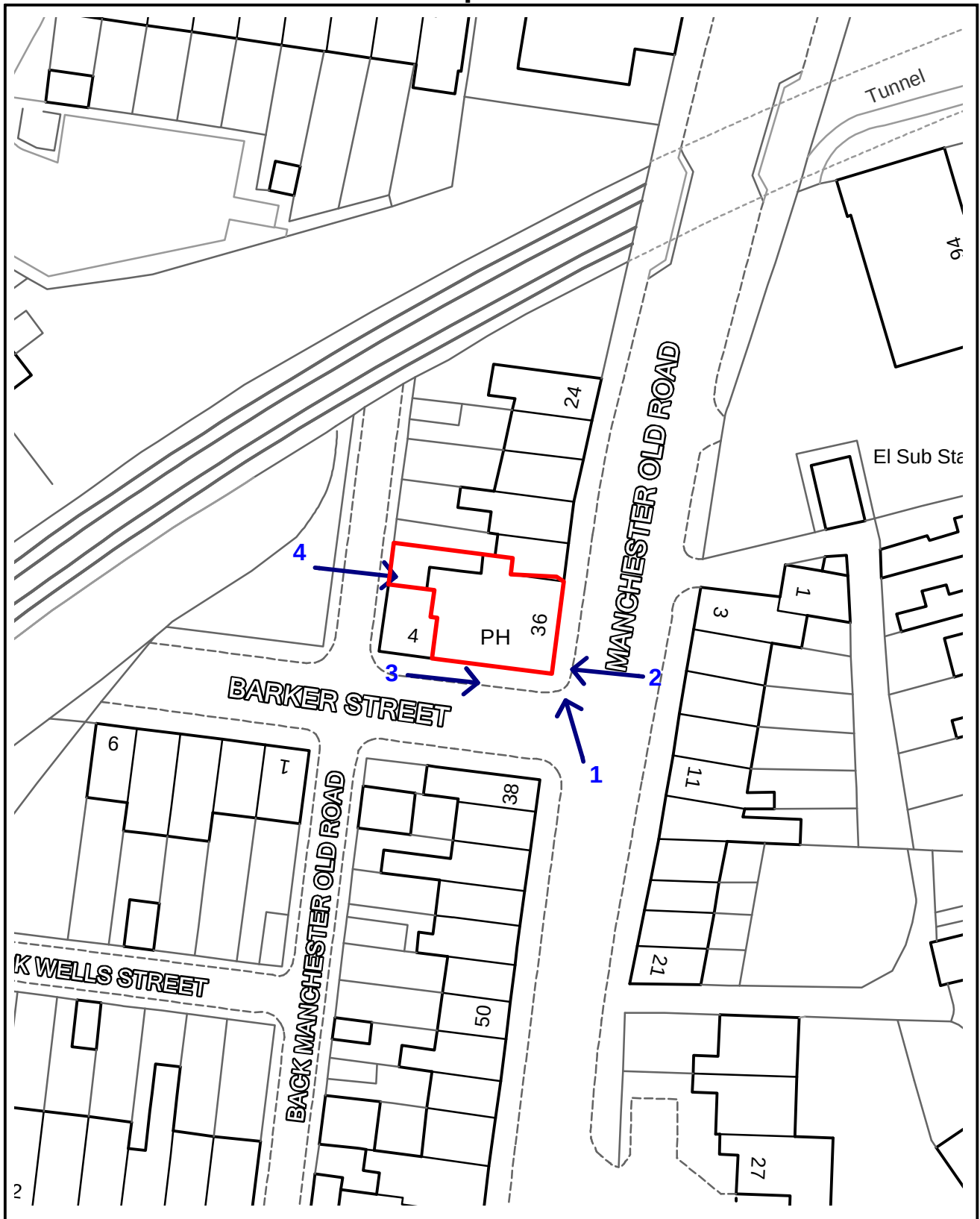
Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development of the Places for Everyone Joint Development Plan and Supplementary Planning Document 11: Parking Standards in Bury.

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

Reason. To secure the satisfactory accessible and adaptable development of the site, pursuant to Policy HT5/1: Access for Those with Special Needs of the Bury Unitary Development Plan and Policy JP-H3: Type, Size and Design of New Housing of the Places for Everyone Joint Development Plan.

For further information on the application please contact **Charlotte Orrell** on **0161 253 5426**

Viewpoints



Application 73392

36 Manchester Old Road, Bury,

ADDRESS: BL9 0TR



Bury
Council

Planning, Environmental and Regulatory Services

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73392

Photo 1



Photo 2



73392

Photo 3



Photo 4



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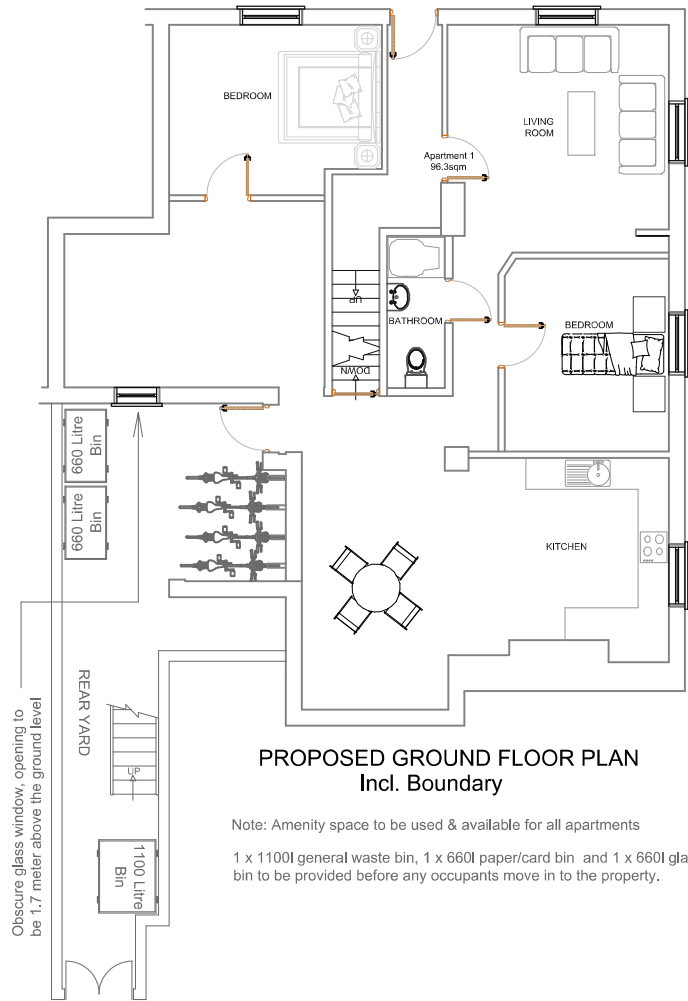
Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architects for clarification.

All materials and workmanship to be accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

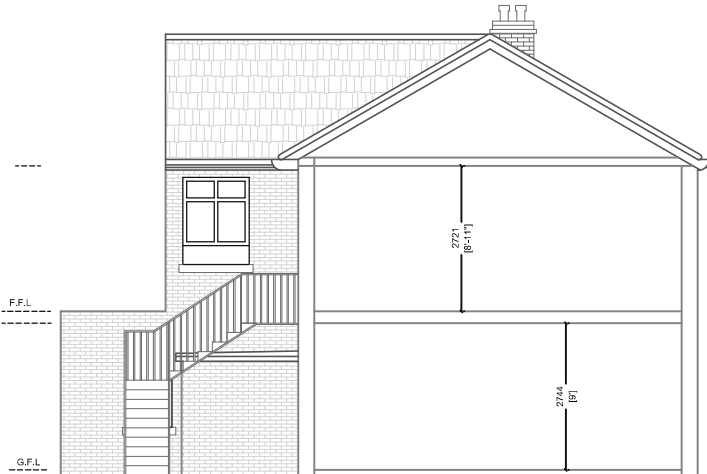


PROPOSED GROUND FLOOR PLAN
Incl. Boundary

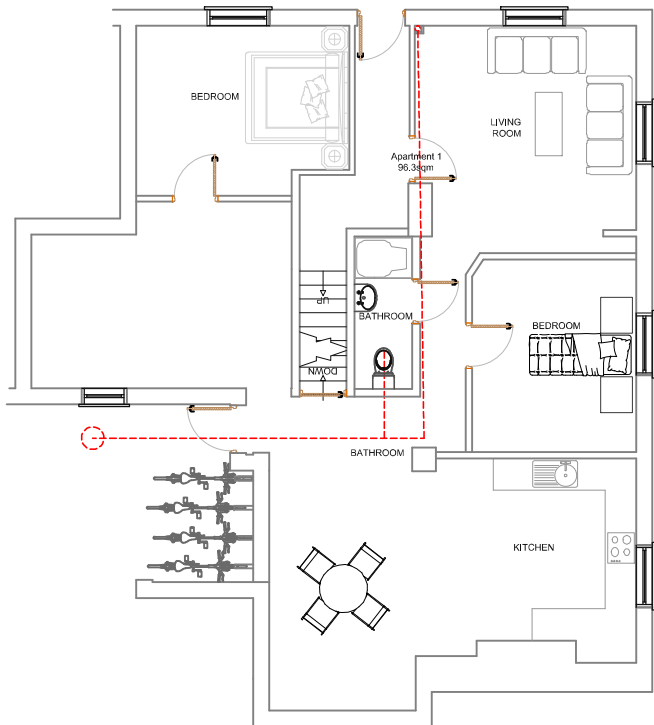
Note: Amenity space to be used & available for all apartments
1 x 1100l general waste bin, 1 x 660l paper/card bin and 1 x 660l glass/can/plastics bin to be provided before any occupants move in to the property.



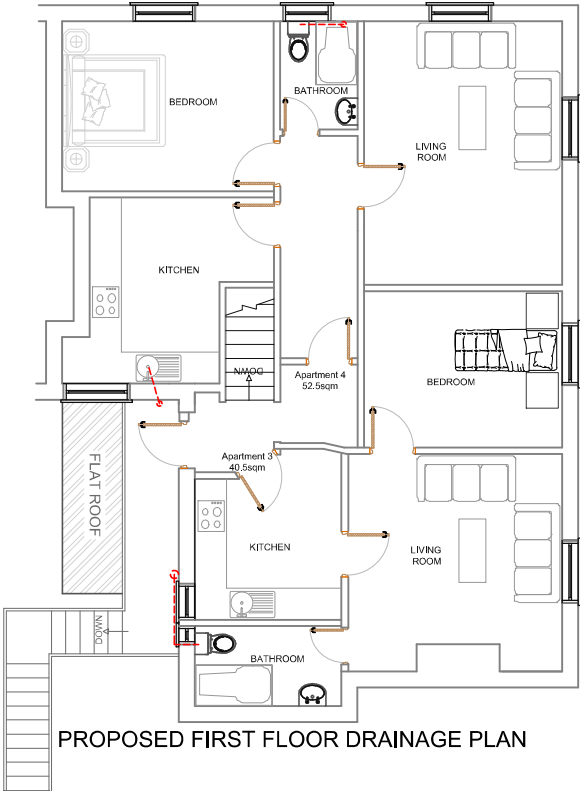
PROPOSED SITE PLAN



PROPOSED SECTION TO SHOW CEILING & LOFT HEIGHT



PROPOSED GROUND FLOOR DRAINAGE PLAN



PROPOSED FIRST FLOOR DRAINAGE PLAN



PROPOSED BLOCK/SITE PLAN @ Scale: 1: 200



PROPOSED BLOCK/SITE PLAN @ Scale: 1: 500



0 5m 10m

Planning Services 2A Cook Street, Bury, Lancashire, BL9 0RP, 0161 8717405 email: ipsuk@live.co.uk	Proposed Site, Block, Floor Plans and Section of 36 Manchester Old Road, Bury BL9 0TR	Scale :1 : 100 on A2 Ref.: IPS/R/36/BL90TR	All Dimensions in Meters Date : 10/02/2026	REV: A Date 30/07/2026	REV: E Date 12/08/2026	SHT 2 of 3
				REV: B Date 05/08/2026	REV: F Date 18/08/2026	
				REV: C Date 06/08/2026		Proposal
				REV: D Date 11/08/2026	REV: H Date 02/09/2026	

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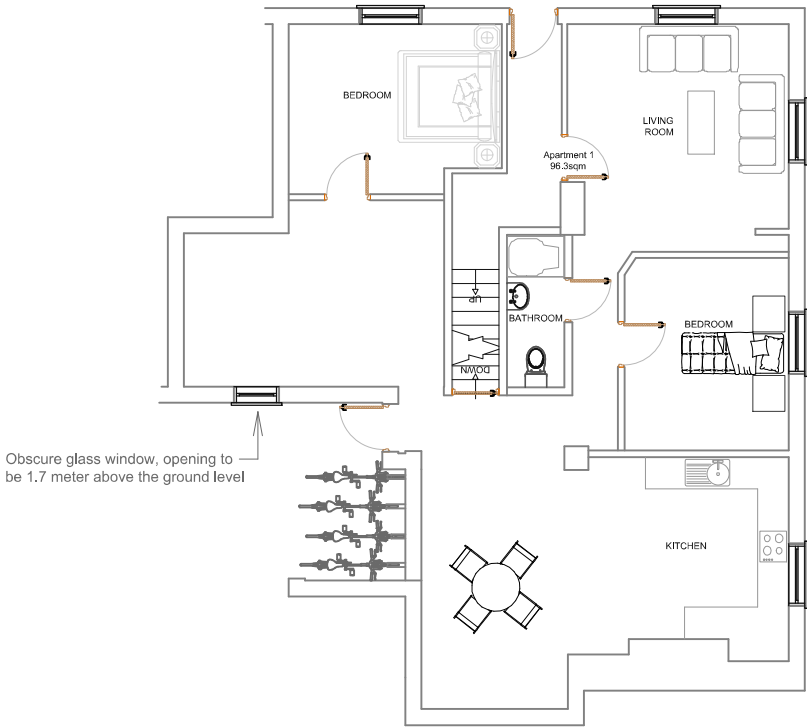
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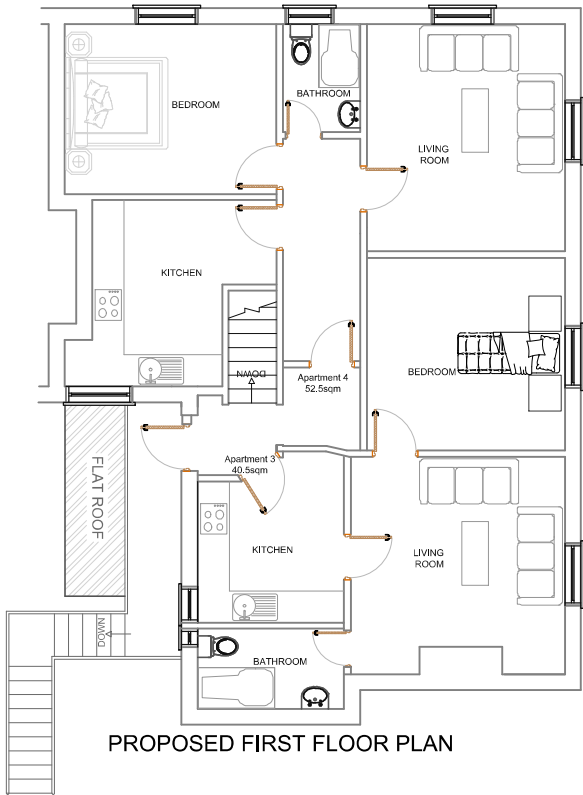
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All materials and workmanship to be accordance with the current British Standards and codes of practice.

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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

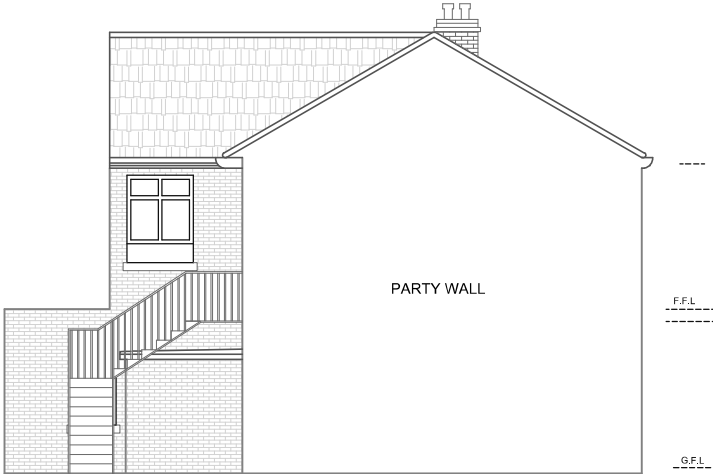
This application seeks planning consent for change of use from a vacant pub to four self contain apartments, two apartments are designed to accommodate one person and two apartments can accommodate two adults.

- Apartment 1 : Internal gross area 96.3sqm two bed apartment designed to accommodate two adult.
- Apartment 2 : Internal gross area 40.5sqm one bed apartment designed to accommodate one adult.
- Apartment 3 : Internal gross area 52.5sqm one bed apartment designed to accommodate two adults.

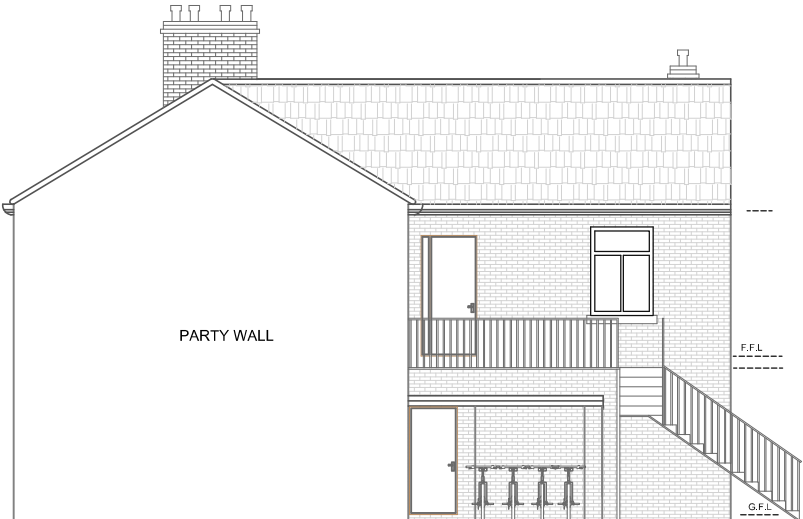
Amenity space has been provided in rear yard, bike storage has been created by demolishing the side wall of existing toilets, four bikes can be securely store in the proposed area.
Two 660 litre and one 240 litre bins can be stored in rear yard as shown in the site plan, one bin will take general waste and two bins for recycle waste
Amenity space has been provided in rear yard, bike storage has been created by demolishing the side wall of existing toilets, four bikes can be securely store in the proposed area.
Two 660 litre and one 240 litre bins can be stored in rear yard as shown in the site plan, one bin will take general waste and two bins for recycle waste



PROPOSED FRONT ELEVATION



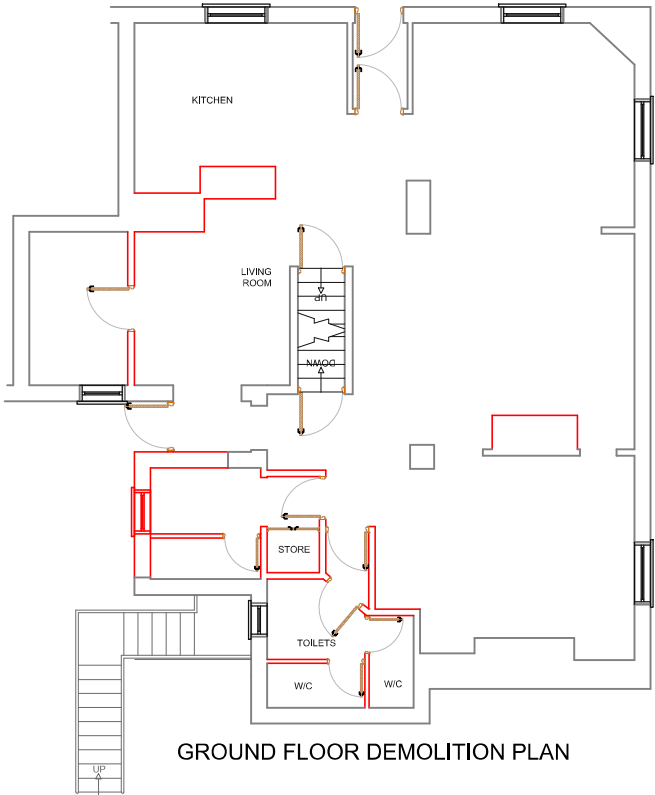
PROPOSED REAR ELEVATION



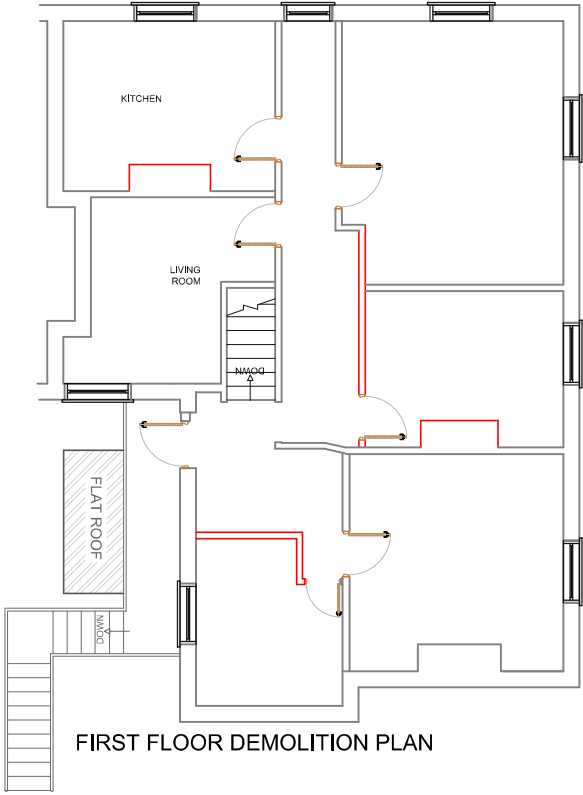
PROPOSED SIDE ELEVATION (NORTH)



PROPOSED SIDE ELEVATION(SOUTH)



GROUND FLOOR DEMOLITION PLAN



FIRST FLOOR DEMOLITION PLAN

Structure highlighted in red going to be removed