

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 13/03/2026	Ref: 72775/FUL
Registration: 05/02/2026	LDfC: 27/02/2026	Expiry Date: 02/04/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

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

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

Description

The application relates to a mid-terraced property, stated by the applicant as currently a 6 no. bed House in Multiple Occupation (HMO) which is located on Belle Vue Terrace. This street comprises 11 properties - 10 terrace houses and a block of apartments at the end of the street where the road terminates at a turning head.

Belle Vue Terrace is designated as residents permit parking only on the south side leaving a single lane to access the rest of the street.

Manchester Road Car Park is located directly opposite the front of the houses and to the rear is a cobbled back street which serves the rear of the houses and those on Maudsley Street.

The application property is 2 storey with a bay fronted window and a rear outrigger and rear dormer. Part of the rear yard is decked and elevated above the back street and the lower part of the yard has two parking spaces and where bins are stored.

The existing plans show that there are two rooms in the basement (unlabelled), two bedrooms, communal kitchen/diner and store rooms at ground floor, two bedrooms and kitchen at first floor and two bedrooms at the 2nd floor in the roofspace.

The application is to change the use from a 6 bed HMO to an 8 bed HMO (single occupancy).

It is proposed to allocate the two basement rooms as communal areas, one room as a cinema room and the other a co-working space with utility area formed off it. one of the additional bedrooms would be formed at the ground floor to replace the store areas at the back of the property. The communal kitchen/diner and two existing bedrooms remain. The other additional bedroom would be located on the first floor and replace the communal kitchen.

Externally, one parking space would be provided with a covered secure cycle store for 8 cycles and bin storage.

Relevant Planning History

71641 - Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis) - Refused 25/4/25, Appeal Dismissed 12/12/2025
71156 - Change of use from a 6 bed House in Multiple Occupation (HMO) to a 9 bed (single occupancy) House in Multiple Occupation (HMO) - Refused 29/11/2024
71641 - Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed

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(single occupancy) HMO (Sui Generis) - Refused 25/04/2025

72361 - Lawful development certificate for existing use as small HMO (Use Class C4) - Refused 03/11/2025

20/0074 - Conversion of property into 9 no. flats - 26/03/2020

22/0137 - Works to roof - 02/05/2022

23/0349 - Change of use of property to house of multiple occupation - 29/12/2023

24/0214 - Change of use to house of multiple occupation - 10/09/2024

24/0478 - Change of use from 6 bed house of multiple occupation to 9 bed house of multiple occupation - 04/02/2025

Publicity

Letters sent to 23 properties on 5/2/26.

Two objections received with the following issues -

- As previous rejected applications, still has rooms not up to living standards.
- Still has full parking
- Still has over flowing waste every single week which the council enforcement are already doing nothing about, leading to vermin in the area.
- Main entrance is through the unlit back which isn't safe.
- To allow any more people in this already overcrowded house would be irresponsible.
- Parking is already an issue in Belle Vue Terrace mainly because of residents from Manchester Rd having to park here too because of the cycle lane they have no choice.
- The increase in rooms could add to this problem as potentially more possible cars from number 17.
- Also more bins possibly if there are more residents. The property already have 11 bins, some are at the back of the property, some are permanently placed outside a neighbours property and 3 are in the front garden.
- The washing machine and dryer are often on late and through the night which with more people will become even more of an annoyance than it already is.

Those who made representations were reconsulted on revised plans on 5/3/26 to show the removal of one parking space and revised location and provision of bin and cycle store.

No further representations received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Waste Management - No response received.

Adult Care Services - No response received.

Housing - Public Protection - No objection subject to compliance with HMO licensing standards

Greater Manchester Police - designforsecurity - No response received.

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF National Planning Policy Framework

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-C2 Digital Connectivity

JP-C5 Streets For All

JP-C6 Walking and Cycling

JP-C8 Transport Requirements of New Development

JP-S2 Carbon and Energy

JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
Area	Bridge Road/Buckley Wells
BY2	

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.

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, it is 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 material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

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

UDP Policy H2/4 - Conversions, has regard to factors including effect on the amenity of neighbouring properties, impact on the general character of the area and existing concentration of flats, amenity of occupants, effect on the street scene of any changes to the external appearance 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

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

Principle

The property already functions as an HMO for 6 people (which under Class C4 is permitted development) and as such the principle of the type of residential accommodation is already established, the assessment being whether two additional occupiers would significantly intensify the use of the property to a significant degree to either be detrimental to the occupiers, existing or future occupiers or those living nearby in terms of amenity impacts, the general character of the area, effect on streetscene by external alterations and car parking and servicing requirements.

These issues are covered in the report below.

Layout

There would be 8 bedrooms provided over 3 floors with a communal kitchen/diner at ground floor which would be slightly reduced in size due to a small lobby area which would be formed to the entrance of bedroom 5 to provide a separation between communal living space and private bedroom.

The new bedroom at the first floor would replace the kitchen at the first floor. However, two additional communal rooms in the basement would be provided which would give occupiers other areas to use outside of their bedrooms.

All bedrooms apart from the new bedroom on the first floor would have en-suites. The new bedroom (annotated as 011 on the plan) would have an en-suite WC and basin and access to a single shower off their landing. As each occupier would have access to their own toilet and shower facility, this arrangement is considered acceptable.

All bedrooms would have an acceptable outlook from habitable room windows.

Externally, there is a raised decked patio which steps down to the rear yard area and one parking space, cycle and bin store within the curtilage of the property.

This is considered adequate to serve the needs of existing and future occupiers.

A scheme for an 8 bed HMO has previously been refused and dismissed on appeal (ref 71641). However that scheme sought to utilise the basement for bed room accommodation (2 No. bedrooms) which were considered to provide poor, inadequate and sub-standard living conditions for occupiers due to lack of light, outlook and ventilation.

This application proposes a layout where each bedroom would have an acceptable level of facilities, amenity and outlook and the use of the basements as communal spaces for a cinema room and workspace would be far more suited to being accommodated within the

basement space.

Whilst the occupation of the property would increase by two people, in terms of the layout and amount of accommodation to be provided, the proposed development would meet HMO space standards for bedrooms and make available adequate facilities, both private and shared for each resident.

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

HMO Licensing

The increased occupation would be subject to a new HMO license.

The Public Protection Housing Section have commented on the application and based on the initial submission and plans highlighted some points the applicant would need to address for a new HMO license.

- The ground floor rear bedroom would require a fire escape window, so occupants don't have to exit through the high risk room.
- The kitchen amenities aren't clear from the plans. The applicant would require additional kitchen facilities to account for increase of occupants, and removal of the 1st floor kitchen.
- Compared to the other room sizes, room 011 is small, but it meets standards as there is additional living space provided in the lounge/dining area, and the work space and cinema room downstairs.
- The basement requires an emergency escape window to the light wells, with adequate 'ladders' to allow escape.

The applicant has submitted a layout with escape windows to relevant windows and kitchen facilities for 8 occupiers and they have confirmed the FRA would be updated.

The Licensing Section have confirmed these revision would be acceptable.

Character of the area

The property is located within a residential setting and is already an established HMO for 6 occupiers. The property is a large terrace set over 3 floors and could accommodate a large family with a similar number of occupants.

It is also considered that there would not be significant activity, noise or disturbances as a result of two additional residents.

Apart from formalising the parking area, to provide the bin and cycle stores and parking, there would be no external alterations.

It is therefore considered the proposal would not be harmful to the amenity of adjacent residents and would comply with H2/4.

Highway issues

Under SPD11, the application site falls within Zone 1 for parking where disabled parking only is required.

The application proposes to provide 1 parking space at the rear of the property and there is a pay and display car park opposite the site. The site is also located in a sustainable area, close to the town centre where there is access to public transport and a variety of facilities, services and shops to meet the needs of residents. It is also recognised that car ownership tends to be lower than those who occupy HMO's compared to other households.

There is also the fallback position (in principle) that the property could operate as a 6 bed HMO without requiring planning permission (as it does now) and not provide any parking.

Given the highly sustainable area, it is considered the proposal would be acceptable.

SPD11 also requires secure covered cycle storage and this would be provided in the rear yard for the storage of 8 bikes. There would also be 2 bin store areas located in the rear yard.

The Highway Authority have raised no objection to the proposed development subject to conditions and as such would comply with SPD11.

Policy JP-S2: Carbon and Energy

In compliance with Policy JP-S2 of the Places for Everyone (PfE) plan, the applicant states that the development prioritises the minimisation of energy demand and maximisation of energy efficiency through measures which align with the 2022 Part L Building Regulations. The proposed development would therefore comply with JP-S2.

Policy JP-C2: Digital Connectivity

In compliance with Policy JP-C2 of the PfE plan, the applicant states the development would support high quality digital infrastructure and the property would be served by full fibre broadband.

The proposed development would comply with JP-C2.

Response to objectors

- In terms of parking and increased pressure on Belle Vue Terrace, this is a residents permit holder only parking street. The site would provide 1 space in compliance with SPD11 and given its sustainable location the development is considered acceptable.
- In terms of amenity and facilities, the property would deliver to HMO standards. There are also additional communal rooms available to the occupiers.
- The main entrance is at the front of the property which all residents have access to.
- Should more bins be required, these could be provided by waste management on request.
- The use of a washing machine is not a material planning consideration.

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 and 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 -

Revised proposed plan OP2 rev 4
Revised existing and proposed site plan 502 rev 3
Revised proposed elevations OP1 rev 1
Proposed bike store shelter DR_00-1 rev 00

Proposed section OP3

and the development shall not be carried out except in accordance with the drawings hereby approved.

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

- 3 The use hereby approved shall not be commenced unless and until the footway crossing indicated on approved plan reference GSS25219 502 Revision 3 has been implemented in a position to be agreed with the Highway Authority and completed.
Reason. To ensure good highway design and to maintain the integrity of the adopted highway pursuant to policies EN1/2, JP-C5 and JP-C6.
- 4 The car and cycle parking indicated on approved plan reference GSS25219 502 Revision 3 shall incorporate measures to prevent the discharge of surface water onto the adopted highway and be implemented prior to the use hereby approved commencing and thereafter maintained at all times.
Reason. To ensure adequate off-street car and cycle parking provision, in the interests of road safety pursuant to policies JP- C6 and JP-S4.
- 5 The bin storage facilities indicated on approved plan reference GSS25219 502 Revision 3 shall be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing 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 pursuant to policies EN1/2 and JP-C8.
- 6 The rooms in the basement shall be used as communal shared spaces only and not occupied as bedrooms.
Reason. To provide adequate shared facilities and protect the residential amenity of occupiers pursuant to policies H2/2 and H2/4.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	13/3/26		