

Design & Access and Supporting Planning Statement – 157 Bolton Road, Bury BL9 2NW

Site and Surrounding Area

The application site is located at no. 157 Bolton Road in Bury and contains an existing two storey end of terrace property with a basement (overall 3 floors). The building is currently vacant and has been for a number of years due to lack of market interest. The previous owner confirmed that the property was last used as a family-run accountancy business (use class E) but it was already vacant when they purchased the property in June 2022. Despite various marketing exercises, the property has been vacant for at least over 3 years.

The site contains a small rear garden which is covered by hardstanding and backs onto Back Bolton Road South.

The site is located within a designated Local Shopping Centre along Bolton Road, which is a busy artery road (A58) into Bury Town Centre characterised by a mix of residential and business / commercial uses. The site offers a sustainable location from both public transport and local amenities perspectives; in close proximity to Bury Town Centre (20 minutes walking distance) as well as Bury Tram and Bus Interchange (within 20 minutes walking distance). There are also a number of bus stops located within close proximity to the property.



Figure 1 The application site

Proposed Development

Planning permission is sought for the change of use of the existing vacant business unit (use class E) to a 5-bedroom, 6-occupants HMO (use class C4) and associated external

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works including the removal of roller shutter and advertisement hoarding along the front elevation and new windows and doors along the front and rear elevations.

The proposals seek to internally refurbish the property to high quality standards to create 5 bedrooms with designated en-suites and a generous communal kitchen/ dining area.

The proposals will also include a new secure and covered cycle parking facility for 6 bikes in the basement which can be accessed from the back garden via the rear access gate, and a bin storage area to accommodate the required capacity of waste storage (general and recycling).

Planning Assessment

Principle of Development

Loss of Employment Use

The application site is located in a designated Local Shopping Centre (UDP Policy S1/4 - LC05 - Bolton Road / Bury Bridge).

UDP Policy S1/4 Local Shopping Centres states that “the Council will seek to maintain and enhance local shopping centres and will encourage the provision of a range of shopping facilities required to serve purely local needs.”

UDP Policy S2/4 Control of Non-Residential Uses in All Other Areas’ states that outside the main shopping areas of town and district centres, change of use or redevelopment from retail shop to a non-retail use will be permitted subject to the following consideration:

- that the proposal is appropriate in scale and character to the requirements of the area and necessary to serve local needs which would not otherwise be met;
- that the new non-retail use would not result in an over concentration or grouping of uses which could result in a long term loss of trade from a centre compared with a continued Class A1 use;
- the length of time the unit has remained vacant and the viability of a continued Class A1 use;
- whether or not the locality is adequately served by alternative local shopping facilities within reasonable walking distance;
- that a display window is retained or provided, where appropriate;
- that access is provided for the mobility impaired, where appropriate;
- that adequate provision is made for car parking and servicing.

The property has been vacant since June 2022 and is located within a block of 7 properties that are in either residential use (2 properties) or commercial use (3 properties) or vacant (2 properties). The properties are generally in a run-down state in need of refurbishment and modernisation on the edge of the local shopping centre, which could be a contributing factor to the lack of market interest. The property was last

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marketed in May 2024 but received no interest for either a business /commercial use or a mixed-use development.

It is considered that following the loss of this vacant property to HMO, the locality would continue to be adequately served by alternative shopping facilities within the Bolton Road/ Bury Bridge Local Shopping Centre, which stretches for another c. 450 metres north.

The site is located within the urban area close to the town centre and in an area of mixed commercial and residential uses and the NPPF advocates the principles of sustainable development and encourages a mix of uses within the urban area in order to bring back into use vacant buildings.

There is also the fallback position that a change of use for residential purposes would fall under permitted development. The property currently has a use for offices/commercial which falls under use Class E. Under Part 3 Class MA of the General Permitted Development Order a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order can change use to residential subject to certain restrictions. The property could therefore be utilised as a dwelling house for a large family under permitted development rights.

It is therefore considered that given the length of time the property had been vacant and the lack of market interest, together with the fallback position of permitted development for residential use, it is considered that the loss of commercial/business use within the Local Shopping Centre would be acceptable in principle.

Proposed Conversion to HMO

The NPPF advocates a presumption in favour of sustainable development. It is the role of the planning system to support strong, vibrant and healthy communities by providing the supply of housing needed to meet the needs of present and future generations and by creating a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

HMOs can make an important contribution to the availability of a diverse housing stock that serves the needs of a large segment of society including graduates, young professionals, key workers, young entrepreneurs, single-households saving for a deposit or unable to get on the housing ladder.

Saved UDP Policy H2/4 however recognises that it is necessary to ensure that HMO conversions do not adversely impact the general character of the area, the amenity of future occupants or neighbouring properties in terms of noise, visual intrusion, or car parking. These matters are addressed further in the below assessment.

Paragraph 3.12 of Bury's SPD 13 states that HMOs are often best located in vibrant areas that are near a relatively busy highway, well served by public transport, cycle routes and a range of services including shopping and leisure. The application site is situated in close proximity to the services, amenities and local transport connections

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available along Bolton Road and within Bury Town Centre. The application site is therefore considered to be wholly appropriate for a HMO use.

As discussed above, the property could also be converted to a residential dwellinghouse under permitted development rights via Class MA, for a large family house with a similar level of occupancy.

On this basis, it is considered that the proposals for a change of use to a HMO (use class C4) is consistent with the existing mixed use character of Bolton Road and would not undermine the viability or vitality of the existing Local Shopping Centre. The proposed use will also bring back a long standing vacant building into active use which will add additional footfall to the local high street.

Overall, the principle of the development is considered to be acceptable, and the proposals are in accordance with considerations for Saved UDP Policy H2/4, the guidance within SPD 13 and the NPPF.

Residential Amenity

Amenity of future occupiers

The proposals include 5 x generous en-suite bedrooms with double beds and a large shared communal area including kitchen / dining room (20.5 sqm). All bedrooms and communal rooms will be served by an appropriately sited and sized window which will provide an adequate amount of daylight and outlook for future occupants. The proposed scheme will be of a high standard of design in terms of living accommodation, natural lighting and ventilation.

The proposed accommodation meets and exceeds the required HMO licensing standards with bedrooms varying in size between 10.5 sqm and 18.4sqm (plus a separate en-suite bathroom) in order to cater for a diverse range of product and price points.

Future occupants will also have access to a small garden space to the rear of the property and secured cycle storage in the basement.

The developer has a proven track record of delivering high-quality HMOs, designed for long-term occupation by working professionals. **Appendix 1** includes photographs of similar projects, demonstrating the high-quality fit-out and finishes. The target market is working professionals, ensuring a stable, long-term tenant profile and contributing to the local community. A professional property management company will oversee tenant selection, ensuring responsible occupation and maintenance.

It is therefore considered that future occupants of the HMO would be provided with satisfactory living conditions and the proposals are deemed acceptable in terms of residential amenity.

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Neighbouring Occupiers

The application site is located on the end of a terrace and is bounded by a vacant commercial property along the southern elevation. Further along this row of terrace, there is a takeaway shop, a beauty salon, 2x residential properties and another take away shop.

It is noted that the property can be converted to a large family house under Permitted Development Rights via the prior approval process. It is therefore considered that for a property of this type and size and in this location, providing accommodation for 6 occupiers would not cause any more noise or disturbance or generate significant concerns than could be generated by a commercial business or other type of residency.

The applicant would be happy to accept a noise condition prior to the commencement of development to determinate the appropriate levels of soundproofing required for the scheme to safeguard against road traffic and commercial noise.

Overall, the proposed conversion from commercial to a 5-bed HMO is not considered to have a detrimental impact on the existing local businesses nearby or the future occupants of the scheme, and as such complies with Saved UDP Policy H2/4 part a and part c, and the guidance within SPD 6 and SPD 13.

Impact on Transport and Highways Safety

The site is located in a sustainable and accessible location along a local high street and in close proximity to Bury Town Centre with access to local businesses, amenities and services within the surrounding area. The site also benefits from good public transport links, including frequent bus services and close proximity to Bury Metrolink and Bury Interchange. This is confirmed by the site's allocation as an 'Area of High Accessibility in Bury' as per the map included at Appendix 1 of SPD 11 (Parking Standards in Bury).

The site can therefore be considered to be located in a sustainable location, thereby reducing reliance upon private car use.

Bury Council has no specific car parking standards for HMO use. Due to the site's high level of sustainability and accessibility, it is not considered necessary for future residents to own a car, furthermore SPD 11 states that lower parking thresholds will be applied to areas of high accessibility. The nature of the accommodation also means that it will be less likely that future residents will own a car as HMO uses tend to have a lower level of car usage than a single residential dwelling and it is generally expected that town centre living would not necessarily or automatically provide parking and any future occupiers would be aware of this fact before taking up residence.

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The property can be occupied as a large family house under Permitted Development Rights (via Class MA prior approval route) which could result in a similar level of occupancy to the proposed 5-bed, 6-person HMO.

The existing row of mixed use properties (including the application site) is served by a public car parking area to the rear along Back Bolton Road South and along Fountain Street. There are currently 3 x operational commercial units (take away shops and beauty salon) and a couple of residential properties, with the rest of the buildings being vacant. As these facilities are located within the Local Shopping Centre which “*primarily serve the day to day needs of residents who live nearby*” it can be expected that a large number of customers would arrive on foot, but for those needing a car parking space, there is good availability of parking along the rear or on Fountain Street.

The proposals will accommodate a secure and covered cycle store (6 spaces) in the basement as indicated on the submitted drawings. This will promote cycling as a viable and attractive means of travel. The level of provision proposed within the scheme will also help to support a reduction in reliance upon the private car and help to encourage use of more environmentally friendly and sustainable modes of transport amongst future residents.

In terms of assessing highways matters paragraph 116 of the NPPF is relevant which advises ‘*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*’. This is a high policy test and it is not considered that the development for a 5-bedroom, 6 persons HMO would be associated with severe adverse highway impacts which would warrant a refusal.

It is therefore considered that the proposed development accords with the transport requirements of the NPPF; Saved Policy HT2/4, and would be acceptable when assessed against part e of Saved Policy H2/4 and the relevant guidance within SPD 11.

Energy and Sustainability

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

- High Insulation Standards:
 - The development will feature highly insulated walls and ceiling cavities to reduce heat loss and enhance thermal efficiency.
 - Double glazing will be installed throughout the property to further improve insulation and reduce energy consumption. This ensures compliance with Part L Building Regulations.

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- Passive performance will be enhanced through improving the fabric efficiency with double glazing and insulation as well as the efficiency of the existing internal layout.
- **Renewable Energy Sources:**
 - Due to the building orientation and lack of solar gain on the roof, the installation of solar PV panels is not feasible.
 - The building will use a conventional boiler with water tank system due to the high demand for hot water from six separate hot water stations. ASHP is not viable under the current design.
 - We commit to opting for renewable energy sources when selecting gas and electricity suppliers for the building, ensuring a greener energy supply.
- **Smart Thermostats:**
 - Smart thermostats will be installed throughout the property to enable precise control over heating and cooling, enhancing energy efficiency and user comfort. This improves thermal regulation and supports sustainability goals.
- **Energy Performance Certificate (EPC) Rating:**
 - We aim to achieve a high EPC rating of C or above, demonstrating our commitment to energy efficiency and environmental sustainability.
- **Regular Maintenance:**
 - The property will undergo regular maintenance, with bi-annual reviews to ensure all energy-saving measures are functioning optimally and to identify opportunities for further improvements.

These measures align with the 2022 Part L Building Regulations and underscore our dedication to creating a sustainable and energy-efficient development. The proposals will therefore comply with Places for Everyone Policy JP-S2.

Digital Connectivity

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

- **Full Fibre Connections:**
 - Fibre optic cables will be installed to the property, ensuring superfast internet connections with a minimum speed of 500 Mbps.
- **Mesh Wi-Fi System:**
 - A mesh Wi-Fi system will be deployed throughout the property, guaranteeing consistent high-quality internet coverage in every corner and on every floor.
- **Cat 6 Network Points:**
 - Cat 6 network points will be installed on each floor, providing robust and reliable wired internet connections for high-speed data transfer.

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

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Places for Everyone

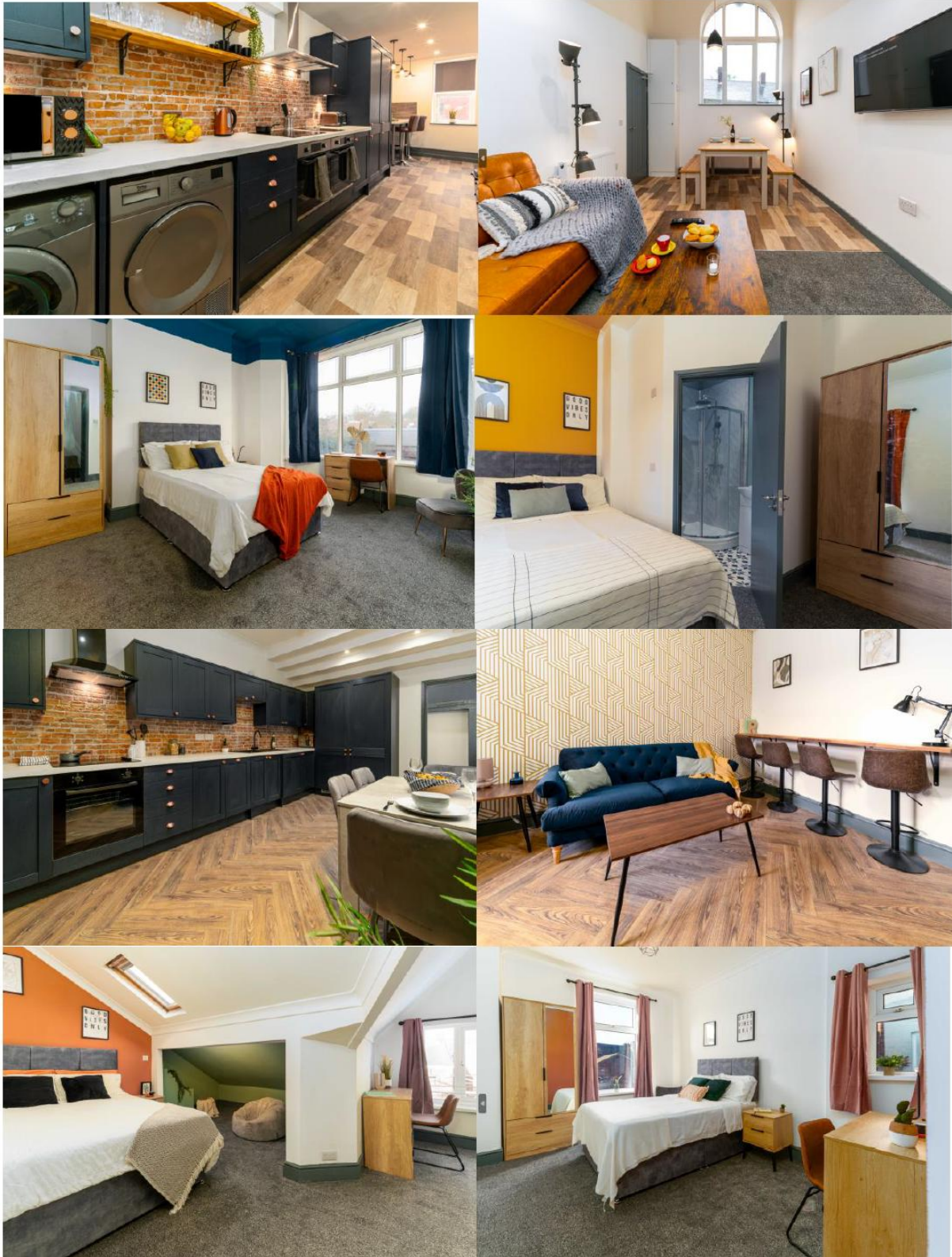
Places for Everyone policies required to be assessed for HMO development is contained in **Appendix 2** of this planning statement.

Conclusion

The proposed development to convert the existing vacant commercial property to a 5-bedroom, 6-occupants HMO (use class C4) is considered to comply with local and national planning policy as demonstrated in the above planning assessment and should therefore be granted planning permission.

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Appendix 1 - Images of other HMOs managed by the Applicant



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Appendix 2 – Assessment against PfE Policies

Places for Everyone Joint Development Plan Document

JP-H3: Type, Size and Design of New Housing

All dwellings must:

- Comply with the nationally described space standards; and
- be built to the accessible and adaptable standard in Part M4(2) of the Building Regulations (which would be secured by a condition) unless specific site conditions make this impracticable. Provide a statement that the development would comply with Part M4(2).

Please complete the attached space standard table.

Please provide a statement/evidence to confirm compliance with the above and where impracticable state why.

Applicant's Response:

Policy JP-H3 relates to traditional housing (use class C3 - dwellinghouses) with a requirement to comply with NDSS and Part M of the Building Regulations. The policy notes that housing provision to accommodate specific groups will be addressed through district Local plans.

It is noted that the proposed development is for the change of use of a vacant commercial building to a 5 bedroom, 6-occupants HMO (use class C4).

HMO developments are governed by the LPA's HMO design and licencing standards and are not required to meet NDSS. HMO licensing standards are not planning policy and do not form a part of the development plan for Bury.

The proposed accommodation meets and exceeds the required HMO licensing standards with bedrooms varying in size between 10.5 sqm and 18.4sqm (plus a separate en-suite bathroom) in order to cater for a diverse range of product and price points.

Notwithstanding that this policy doesn't strictly apply to the proposed HMO development (use class C4), the proposed room sizes meet and exceed the minimum bedroom size (minimum 7.5sqm for single and 11.5sqm for double bedroom) and dimension requirements of the NDSS (at least 2.15m wide). Separate en-suite bathroom and storage cupboard will also be provided in each bedroom.

With regards to Part M, the proposed development will comply with Part M: Category 1 (Visitable Dwelling) of the Approved Document (M4(1)) and has incorporated reasonable provisions for people to gain access to and use the dwelling and its communal facilities along the ground floor, as well as a habitable room has also been provided on the ground floor.

Category M4(2) (Adaptable Dwellings) and M4(3) (Wheelchair user dwelling) of the Approved Document makes clear that this optional requirement applies to 'new dwellings'. Due to the retrofit nature of the development to convert an existing commercial unit (spread across 3 floors) to a 5-bed HMO, it is not feasible to comply with all provisions of Part M.

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JP-H4: Density of New Housing – Requires density appropriate to the location

New development should be delivered at a density appropriate to the location with regard to be had to minimum densities. Lower densities may be acceptable where there are site-specific issues such as wider landscape and green infrastructure policy requirements

Provide the proposed density on site. – ie numbers of dwellings per hectare of development.

Applicant's Response:

It is considered that Policy JP-H4 relates to traditional housing (use class C3 - dwellinghouses) with a requirement to not exceed 'minimum net residential density' which is described in 'dwellings per hectare' and therefore not relevant for the proposed 5-bedroom development (use class C4).

Notwithstanding, it is considered that the application site would count as 1 x additional dwelling following the proposed change of use from commercial to 5-bed HMO. This surrounding area is characterised by a mix of low-rise and low density commercial and residential building. The proposed development will be utilising the existing building envelop of the commercial property and will therefore not increase density on site.

JP-C2: Digital Connectivity

All new development to have full fibre to premises connections, unless technical infeasible and/or unviable.

This policy supports high quality digital infrastructure and requires new development to have full fibre to premises connections, operational internet connections and accessibility to network providers unless technically infeasible or unviable.

Please provide a statement to state how the development would comply with this policy.

Applicant's Response:

It is noted that the proposed development is for the change of use from vacant commercial property to a 5-bed, 6-persons HMO.

The property is not a "new development" and it is argued that this policy doesn't strictly apply.

Notwithstanding, the proposed HMO will be provided with internet connections and fast fibre cables.

JP-S2: Carbon and Energy

Energy statement to set out how the proposal complies with Policy JP-S2.

Development proposals should set out how they intend to minimise energy demand and maximise energy efficiency unless it can be demonstrated that it is not practicable or financially viable.

Development should comply with the 2022 part L Building regulations.

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The development should also include an EV chargepoint for each house (in line with Part S of Buildings Regs and where appropriate and practical).

Provide a statement to demonstrate how the development would comply with this policy (if not why not)

Applicant's Response:

See below with each part of the policy addressed separately.

Policy JP-S2 states that *"An expectation that new development will, unless it can be demonstrated that it is not practicable or financially viable;*

- (a). *Be net zero carbon which applies:*
- *from adoption– to regulated operational carbon emissions;*
 - *from 2028 - to all emissions 'in construction'.*

From 2025 development should also calculate and minimise carbon emissions from unregulated emissions alongside regulated emissions.

Development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy, which in order of importance seeks to:

- i. Minimise energy demand;*
- ii. Maximise energy efficiency;*
- iii. Use renewable energy;*
- iv. Use low carbon energy; and*
- v. Utilise other energy sources.*

From 2025 any residual carbon emissions that cannot be fully mitigated on-site should be offset, in agreement with the relevant local planning authority through a financial contribution to a carbon offset fund.

As an interim measure, development should be consistent with the 2022 Part L Building Regulations unless superseded by changes to building regulations and/or national or local planning policies.

Compliance with Part L of the Building Regulations is a mandatory requirement and a pre-construction SBEM assessment will be undertaken before works start on site to confirm to Building Control that the proposed design will meet the requirements of Approved Document L.

The installation of low carbon technology (ASHP/GSHP) or renewable energy (PV) is not viable for a scheme of this scale and nature and has therefore been discounted on this basis.

In summary, the proposed improvements are proposed to maximise fabric efficiency and minimise energy demand:

- External walls will be internally insulated with 37.5mm PIR insulated plasterboard
- All existing and proposed new windows are UPVC double glazed.
- The roof will be insulated to modern regulations with a u value of 0.15 W/m²K.
- The boiler will be an Eco Main 35KW combi boiler.
- The Showers will be fed from two 300L unvented hot water tanks
- The heating system will have a smart thermostat.
- All the radiators will have TVR's
- All the lighting will be low energy LED's
- All the ceilings between floors will be insulated with 100mm acoustic roll out insulation.
- Energy rating is proposed to achieve EPC rating C or better

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<i>(b). Incorporate adequate electric vehicle charging points, in line with Part S of the Building Regulations, unless superseded by relevant Local Plan policies, to future proof for the likely long-term demand, taking account of the potential maximum energy demand for the site;</i>	N/A – Part S of the Building Regulations specifically outlines the requirements for the provision of EV charging for ‘residential buildings’ and residential ‘dwellings’ (either new build, or following material change of use, or part of mixed use development, or undergoing major renovations). Appendix A of the approved document defines ‘dwellings’ as “a self-contained unit designed to accommodate a single household”. ‘Residential Building’ is defined as a “building which contains one or more dwellings”. This definition is consistent with the Town & Country Planning Act where a residential dwellinghouse fall within Use Class C3. It is noted that the proposed development is for the change of use of to a HMO (use class C4) and on this basis, Part S of the Building Regulations does not apply.
<i>(c). Where practicable, prioritise connection to a renewable energy/heating/cooling network in the first instance or a low carbon energy/heating/cooling network that is adaptable to non-fossil fuels at a later date;</i>	N/A – There is no district heating network available in the vicinity of the site which the scheme could connect to.
<i>(d). In residential developments, achieve energy demand reductions in terms of space heat demand; hot water energy demand and the delivery of on-site renewable energy generation, in accordance with Table 5.1.</i> <i>For renewable energy generation priority should be given to PV installation where technically feasible, alternative technologies will be appropriate where the equivalent generation is evidenced.</i>	This is linked to compliance with Part L of the Building Regulations which is a mandatory requirement. See comment at section a) above. The installation of low carbon technology (ASHP) or renewable energy (PV) is not viable for a scheme of this scale and nature and has therefore been discounted on this basis.
<i>(e). For non-residential developments, achieve at least BREEAM excellent standard (or equivalent) for the ‘Ene 01 – reduction of energy use and carbon emissions’ category rising to ‘BREEAM outstanding’ equivalent for ENE 01 from 2028.”</i>	N/A – BREEAM is typically used to assess the environmental performance standards of commercial and multi-residential buildings (e.g. student halls / sheltered housing etc) and it isn’t a suitable or practical assessment for low rise, low density accommodation. On this basis, and given the nature and scale of the proposed

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development, a BREEAM assessment is
not considered required.