

DELEGATED REPORT

Report by Helen Pressley	Date of report: 19/08/2025	Ref: 72104/FUL
Registration: 24/06/2025	LDfC: 16/08/2025	Expiry Date: 19/08/2025
Site Visit: 23/07/2025	Site Notice: 23/07/2025	Press Date: 24/07/2025
Objections: 3	Con Area: RAMS	Adv Type: CA
Reason for Delay: N/A		EIA: NA Dec Level: DEL Stat Class: COUS

Proposal: Conversion of existing dwelling into 2 no. separate dwellings

Location: 5-7 Milton Street, Ramsbottom, Bury, BL0 9HA

Description

The application relates to a dwelling house located on Milton Street. The premises is currently a 3no bed property with no. external parking or garden space. The site is located within Ramsbottom Conservation Area.

Planning permission is sought to subdivide the existing property into 2no. separate dwellings. It is proposed to create 2no. 1 bedroom properties with bin storage proposed on the opposite side of Milton Street. No external changes are proposed.

Relevant Planning History

28257 - Conversion of one dwelling into 2 dwellings - Refused 22/04/1993. Appeal dismissed 14/09/1993. Refused due to no off street parking.

Publicity

Neighbour letters 16/07/2025

Site Notice 23/07/2025

Press Notice in the Bury Times 24/07/2025

3no. objections, from 2 addresses received in relation to:

- Lack of parking within vicinity of the site
- Subdivision would double the occupancy potentially adding 2 to 4 additional vehicles.
- Local main road parking is already dangerous.
- Local Authority has recently updated road markings to protect pedestrians and sightlines. Approving this scheme would undermine this.
- Emergency Access would be restricted/obstructed.
- Lack of public transport infrastructure.
- Increased pressure on the traffic flow and local access.
- Applicant is a business that appears to operate a short-term holiday let accommodation. Short stay accommodation would significantly increase turnover and disruption and may require a change of use.
- Milton Street is very narrow and steep.
- Conversion work may require large delivery and construction vehicles.
- Increase in noise.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection

Traffic Section - Condition requested in relation to the implementation of bin storage

Waste Management - No response

Pre-start Conditions - Not relevant

Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P2	Heritage
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-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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.

Principle (Residential)

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

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

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

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

Following the adoption of Places for Everyone, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury

due to past under delivery) when assessed against the adopted PfE housing requirement.

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

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

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

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

NPPF paragraph 80 requires the latest published HDT results to be used. However, the Government is currently operating to a delayed publication timetable for the HDT, and although the latest published results for 2023 are below 75%, based on the current HDT rulebook Bury's result for 2024 will be above 75% and the tilted balance will no longer be triggered by the housing delivery test result.

The site is located within an established urban area, and would constitute a subdivision of an existing dwelling. As such the proposal is considered to be acceptable in principle.

Layout, Design and Heritage

PfE Policy JP-H4 - Requires new housing development 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. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 70 dwellings per hectare at this site. The application form states that the site is 108 square metres which is 0.0108 hectares. Based on a total of 2no. dwellings would result in a density of 185 dwellings per hectare. The proposal would therefore make efficient use of land.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. 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.

In addition to this UDP Policy H2/4 has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from

external changes on the street scene and car parking and servicing requirements.

The application site is located within Ramsbottom Conservation Area. As the site is located within the Conservation Area it is necessary to consider the proposal in terms of UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the UDP in that the Council will take action as appropriate to preserve or enhance the character or appearance of the Borough's Conservation Areas. PfE Policy JP-P2 - Heritage also applies, and ensures that the LPA will work proactively to conserve, sustain and enhance our historic environment.

No external alterations are proposed and the existing property has 2no. front doors that open onto Milton Street. Externally the property currently appears to be 2no. separate properties and as such the proposal would preserve the character and appearance of the Conservation Area. The existing, larger residential property does not have any external parking or private residential amenity space and this would be replicated in the subdivided property. This form of development can be seen at the rear of the site (68 - 76 Tanners Street) and as such would be in keeping with the locality.

PfE Policy JP-H3 also states that all new dwelling must:

1. Comply with the nationally described space standards (NDSS); and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

No.5 would be converted into a 1 bed, 2 person dwelling. This dwelling would comply with minimum gross internal area standards. The proposed bedroom would comply with minimum areas, and widths. Storage proposed through a bedroom, and under stairs storage would also comply with minimum standards.

No. 7 would be converted into a 1 bed, 2 person dwelling. As above the proposed dwelling would comply with minimum standards for floor areas, room widths and storage.

M4(2) compliance can be secured by condition.

Amenity

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. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

The existing front ground floor windows would be retained in habitable room use. The existing rear ground floor kitchen and store/utility windows would be retained in use at no.7. The existing rear ground floor living room window would be amended to a kitchen window which is non-habitable.

At first floor the existing front bedroom windows would be retained in their existing use. The rear bedroom window at no. 7 would be converted to a study which is non-habitable. Bathroom windows would be retained in their existing use.

No. 5 also has access to an attic with an existing roof light that would be utilised as a study.

The proposal would therefore not introduce any new habitable room windows compared to the existing layout of the single dwelling.

The proposal would retain the existing residential use, with less bedrooms and as such it is not envisioned that the future occupants of the 1 x 1no. bed dwellings would create any

more noise and disturbance than would be expected from 1 x 3no. bed dwelling.

Highways and Access

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements . Supplementary Planning Document 11 provides parking standards for developments. The site is located within Zone 3 as defined by SPD11.

No off street parking or cycle storage is proposed as part of the development, however the existing 3no. bed property also provides no off street parking and no cycle storage.

SPD11 would require the existing property to provide 3 secured cycle storage spaces (1 per bedroom) and 2 parking spaces.

SPD11 would require the proposed subdivided units to provide 2 secured cycle storage spaces (1 per bedroom) and 2 parking spaces (1 space per 1 bed dwelling).

The existing and proposed parking requirements are therefore the same for both sizes of dwelling. The existing parking requirements would have to be accommodated on street and it would therefore be unreasonable to refuse the proposed sub-division on this basis given the parking needs of both the existing and proposed residential properties. The proposed application however does include the provision of cycle storage for both uses complying with SPD 11. Off street bin storage for 8no. bins is also proposed which would meet the bin storage thresholds for 2no. properties.

Biodiversity Net Gain

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain.

The development involves the conversion of an existing building. As such the development is subject to the de minimis exemption (development below the threshold) and BNG is not required.

Carbon And Energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions. The applicant states that the proposed internal refurbishment of the properties will prioritises the minimisation of energy demand and maximisation of energy efficiency through the following measures:

- New insulation to reduce heat loss and enhance thermal efficiency.
- New efficient boilers and heating system
- Smart thermostats to enable precise control over heating and cooling, enhancing energy efficiency and user comfort. This improves thermal regulation and supports sustainability goals.
- Targeting EPC rating of C or above, demonstrating our commitment to energy efficiency and environmental sustainability.

The applicant states that these measures would be in accordance with Part L of the Building Regulations. The proposal would therefore be in compliance with Policy JP-S2.

Digital Connectivity

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

Fibre optic cables will be installed to the property complying with this policy.

Permitted Development Rights

Given the constrained nature of the site, within a Conservation Area, with no external parking or garden space associated with the property it is considered necessary to restrict permitted development rights. As parking standards have been assessed on a C3 use it is also considered necessary to restrict the change of use of the property from C3 to other uses within the C Use Class

Response to Representations

Parking has been assessed within the main body of the report against the existing and proposed parking requirements for dwellings within SPD 11.

Permitted Development rights have been restricted at the site.

The house is existing and any future occupant may renovate the property, which may require delivery and construction vehicles. An informative has been added in relation to The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites

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 numbered 5-7MS/199/PL - Rev P1, 5-7MS/200/PL - Rev P1, 5-7MS/201/PL, 5-7MS/202/PL - Rev P1, 5-7MS/203/PL - Rev P1, 5-7MS/204/PL - Rev P1 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 bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Development Plan Policies En1/2 - Townscape and Built Design, H2/4 - Conversions, H2/2 - The Layout of New Residential Development, JP-C5 Streets for all, JP-C6 Walking and

Cycling and JP-P1 Sustainable Places.

- 4 The cycle storages arrangements indicated on approved plan reference 5-7MS/203PL Rev P1 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 good highway design and adequate off-street cycle storage arrangements and provision, in the interests of road and pedestrian safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and Supplementary Planning Document 11: Parking Standards in Bury.
- 5 The premises to which this approval relates shall be used for C3 use and for no other purpose (including any other purpose in Part 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 Development Plan Policies EN1/2 - Townscape and Built Design, H2/4 - Conversions, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development, HT2/4 - Car Parking and New Development and Supplementary Planning Document 11: Parking Standards in Bury.
- 6 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP - 19/08/2025		DM - 19/08/2025	