



Paul Butler Associates

Planning, Development & Heritage Consultants

Mr Zvi Portnoy

17 Belle Vue Terrace, Bury, BL9 0SY

Planning Statement

20 February 2025

Paul Butler Associates, 31 Blackfriars Road, Salford, Manchester M3 7AQ
t. 0161 835 3530 | e. pba@paulbutlerassociates.co.uk | w. www.paulbutlerassociates.co.uk

Professional Planning, Development & Heritage Advisors since 1992.

Our professional staff are Members of the Royal Town Planning Institute (RTPI) or the Chartered Institute for Archaeologists (CIfA)

© Paul Butler Associates Ltd. All Rights Reserved.

Job Number: 23.1958

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

Client: Mr Zvi Portnoy

File Name: Planning Statement

Document Preparation/Checking Record:

	Name and Qualifications	Position	Date
Prepared by:	Lynsay Ewart BSc (Hons) MSc MRTPI	Principal Planner	19.02.2025
Checked by:	Ralph Taylor BSc (Hons) MPLAN MRTPI	Associate Director	20.02.2025
Issued by:	Lynsay Ewart BSc (Hons) MSc MRTPI	Principal Planner	20.02.2025

Document Revision Record:

Issue No.	Date	Details of Revisions

Contents

1. Introduction
2. The Application Site and Surrounding Area
3. The Proposals
4. Planning Policy Context
5. Planning Appraisal
6. Conclusion

Appendix 1: Photos of the existing HMO accommodation

1. Introduction

1.1 This Planning Statement has been prepared by Paul Butler Associates on behalf of our client, Mr Zvi Portnoy, in support of a full planning application for the conversion of a 6 bed HMO (use class C4) to an 8 bed HMO (Sui Generis) at 17 Belle Vue Terrace, Bury, BL9 0SY. The application is a resubmission of application 71156, which was refused on 29.11.2024. This application seeks to address the reasons for refusal of application 71156.

1.2 The application description of development is '*Change of use of a 6 bed HMO to an 8 bed (single occupancy) HMO. Resubmission of application 71156*'.

1.3 To provide a clear understanding of the application proposal this statement includes:

- A description of the application site and surrounding area;
- A review of the site's relevant planning history;
- A description of the proposed scheme;
- A review of national and local planning policies of relevance to the scheme;
- An appraisal of the scheme against relevant planning policies and an assessment of the scheme in relation to its immediate and surrounding context; and,
- A conclusion.

2. The Site and Surrounding Area

- 2.1 The application site is located at 17 Belle Vue Terrace, Bury, BL9 0SY (see figure 2.1 below). The site comprises a mid-terrace property fronting Belle Vue Terrace and it is bounded by a service road to the south and residential properties to the east and west. The site is rectangular in shape and approximately 0.02 hectares in size.



Figure 2.1: Aerial view of application site (outlined in red)

- 2.2 The application property is a traditional mid-terrace property, constructed with brick and a slate roof. To the rear, the property has been extended with a single storey outrigger and a rear dormer has been created utilising permitted development rights. Accommodation is provided across basement, ground, first and second floor levels.
- 2.3 The property occupies an elongated plot which spans from Belle Vue Terrace to the service road at the rear of the site. To the front, the house is set back from the pavement by a generously sized front garden and enclosed with a low rise brick wall with copings to the front boundary and post and panel fencing to the shared side boundary. The primary access

to the site is via Belle Vue Terrace, with a secondary access via the rear site boundary. The rear yard accommodates space to park two cars and bin storage, with external amenity space accommodated at on a raised area of decking.



53.589439853785244°, -2.302456556037272°



53.589709871498485°, -2.302268911155222°



53.58968677935525°, -2.3024648800513727°



53.589665363592644°, -2.3024791292867643°

Figure 2.2: Application property, front elevation.

- 2.4 The lawful use of the application building is a 6 bed HMO (C4 use), having previously been converted from C3 dwellinghouse to HMO use via permitted development rights. The applicant has received a high level of demand for the HMO accommodation, and the 6 bedroom HMO is at full occupancy. The applicant therefore wants to make more efficient use of the property by providing additional bedrooms within the unused rooms of the building.

- 2.5 The site is located within the Bridge Road/Buckley Wells area of the Town Centre, as identified on the UDP policy map. No other site-specific policy designations apply. The site is not located within a conservation area and does not contain any statutorily or locally listed buildings.
- 2.6 There are no trees within the application site. The application site is situated within flood zone 1 (lowest level of risk).

The Surrounding Area

- 2.7 The immediate vicinity of the site is residential in nature, comprising primarily terraced houses. The site is located within the boundary of Bury Town Centre and is in an area where land uses transition from housing to more community and civic uses, to the north of Belle Vue Terrace is a public car park, while to the west there is a railway line with playing fields and educational uses beyond. The wider area is therefore mixed in character, reflective of the site's town centre location.
- 2.8 In terms of amenities, the application site is a short walk from the core of Bury Town Centre. It is therefore a sustainable and accessible location with convenient access on foot to a full range of shops, services, amenities, and employment opportunities available in Bury Town Centre.
- 2.9 The site is close to various green open spaces which include Whitehead Garden, Manchester Road Park and Pyramid Park. In terms of public transport, Bury Metrolink stop is located 500 metres (7-minute walk) away from the site and provides services to destinations including Manchester City Centre. Additionally, bus stops are located on Jubilee Way 750 metres (10-minute walk) from the site with services to destinations including Shudehill, Tottington and Walshaw.

3. The Proposed Scheme

- 3.1 The lawful use of the application building is as a six bed HMO (use class C4). Existing HMO bedrooms are located at basement level, first floor and second floor as shown on the submitted floorplans. These bedrooms are not changing and are excluded from the application as annotated on the submitted drawings.
- 3.2 This application seeks consent for the provision of two additional HMO bedrooms on the ground floor of the property, within rooms which are currently void/vacant. The application therefore seeks to convert the property from a 6 bed-6 person HMO (C4 use) to an 8 bed-8 person HMO (sui generis). The HMO will continue to provide a high standard of accommodation and be targeted at young professionals and key workers. All bedrooms will be for single occupation, and benefit from an ensuite. All bedrooms exceed Bury's space standards for both single and double occupation rooms. The submitted floorplans clearly show the proposed HMO bedrooms, and the existing HMO bedrooms (shaded in grey) which are excluded from this application.
- 3.3 The existing 6 bed-6 person HMO is currently at full occupancy with all six bedrooms being occupied. Photographs of the HMO accommodation are provided within Appendix 1 of this Statement, and demonstrate the high quality of accommodation that the applicant provides for his tenants. The additional two bedrooms would enable more efficient use of the property, to provide much needed affordable accommodation for single occupiers.
- 3.4 Vacant floorspace on the ground floor will also provide additional communal living space / lounge area, and a secure internal cycle store to accommodate 100% cycle storage. The bike store will be accessed directly from the rear yard via a new door in the side elevation of the outrigger. A small extension to the existing raised decking will be required to facilitate the new access to the proposed bike store.
- 3.5 An area of communal outdoor seating will be provided on the raised element of the rear yard for residents to sit out and socialise. The lower portion of the rear yard is occupied by

two existing off-road car parking spaces, and bin storage. The number of bins will be increased to reflect the increase in occupancy by two persons.

3.6 The application proposals have been amended to respond to the reasons for refusal of application 71156. The changes are summarised below:

Reason for Refusal	Application Response
1). Over intensification and inadequate living conditions	The proposed capacity of the HMO has been reduced from 9 persons to 8 persons. This reduces the level of intensification and also means that the previously proposed bedroom on the ground floor has been given over to additional shared living accommodation and secure cycle storage. All proposed bedrooms and living spaces are served by adequately sized windows which provide natural light and a good level of outlook. Tenancy agreements for bedrooms 1 – 6 have been submitted in support of this application to confirm that these rooms are occupied and hence excluded from this application. Consideration of rooms 1 – 6 is beyond the scope of this application.
2). Conflicting information	The floorplans have been updated to identify bedrooms 1 – 6 are existing HMOs and excluded from this application. The Planning Statement explains the existing and proposed situation throughout and is consistent with the floorplans.
3). Inadequate car parking provision	The off-road car parking provision has been increased to 2no. spaces within the rear yard, which has been achieved by reconfiguring the bin and bike layout. This means 100% car parking provision is made for the 2no. proposed HMO bedrooms, or 25% car parking provision if considering the HMO as a whole. An updated Highways Technical Note has been prepared to fully justify the parking provision.
4). Lack of information on bin storage / refuse arrangements	The arrangement of the bin storage has been amended so that 2no. car parking spaces can be accommodated in the rear yard. Bins to be collected will be left on footpath outside of the site as per the existing situation for the application property and neighbouring properties.
5). Precedent for similar developments and resultant cumulative impact on the	This is a wholly unreasonable reason for refusal. It is well established that each application should be assessed on its own merits, taking into account site specific circumstances. This application is supported by a Highways Technical Note informed by parking surveys which confirm there is excess capacity for the forecasted off-street car parking demand.

4. National and Local Planning Context

4.1 Planning policy guidance of relevance to the proposed scheme, and which provides the context for its assessment, is set out within the following:

- The National Planning Policy Framework (NPPF); and,
- The Development Plan for Bury

National Planning Policy Framework

4.2 The National Planning Policy Framework (NPPF) was revised in December 2024, and sets out the government's planning policies and how these are expected to be applied. It replaces the Framework published in December 2023, however a presumption in favour of sustainable development continues to be at the heart of the NPPF which ensures that development is pursued in a positive way.

4.3 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, 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.

- 4.4 Paragraph 8 confirms that there are three dimensions to sustainable development; economic, social and environmental. To achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

Delivery Sustainable Development

- 4.5 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. These sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in the framework. The NPPF is split into 17 chapters, the chapters of relevance to this development are discussed below.
- 4.6 Delivering a sufficient supply of homes (Chapter 5) – paragraph 61 explains that in order to support the government’s commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.7 Paragraph 73 highlights that small to medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. Paragraph d) emphasises the importance of windfall sites and states local authorities should support their development through giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 4.8 Building a strong and competitive economy (Chapter 6) - emphasises that the government is committed to ensuring that the planning system should help to support economic growth. It recognises that a poor environment and a lack of housing can act as a potential barrier to investment.

- 4.9 Promoting healthy communities (Chapter 8) - the planning system should aim to achieve healthy, inclusive and safe communities. Planning decisions should aim to achieve places which promote, amongst other things, safe and accessible developments, where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 4.10 Promoting sustainable transport (Chapter 9) - to protect and exploit opportunities for the use of sustainable transport modes, development should be located and designed to give priority to pedestrian and cycle movements and have access to high quality public transport facilities.
- 4.11 Paragraph 116 advises that 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, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 4.12 Making effective use of land (Chapter 11) – the NPPF recognises the need for the planning system to promote an effective use of land in meeting the need for homes and other uses. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land. Paragraph 125 (c) explains that the planning system should specifically give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. Further, sub-section (d) of this paragraph explains that planning should also promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 4.13 The chapter goes on to discuss how appropriate densities can be achieved. Paragraph 129 sets out that the planning system should support development that makes efficient use of land, taking into account the following:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

4.14 Achieving well-designed places (Chapter 12) - this chapter sets out at paragraph 135 that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- Are visually attractive as a result of good architecture and appropriate landscaping.
- Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation.
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks.
- Create places that are safe, inclusive and accessible and which promote health and well-being.

- 4.15 Meeting the challenge of climate change, flooding and coastal change (Chapter 14) - this chapter emphasises the importance of securing reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change; and, in terms of flooding, development should be made safe without increasing flood risk elsewhere.
- 4.16 Conserving and enhancing the natural environment (Chapter 15) - the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the wider benefits of ecosystem services and minimising impacts of biodiversity and providing net gains in biodiversity where possible. It should also prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- 4.17 Decision making – guidance in paragraph 39 states that local planning authorities should approach decisions in a positive and creative way, making use of the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants. Decision - makers at all levels should seek to approve applications for sustainable development where possible.

The Development Plan for Bury

- 4.18 The Development Plan for Bury comprises the following documents:
- Places for Everyone;
 - Saved policies of the Bury Unitary Development Plan;
 - Bury Local Plan; and,
 - Supplementary Planning Documents.

Places for Everyone (PfE)

4.19 PfE is a joint Development Plan Document being prepared by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). It identifies the quantum of new housing and employment development, supports the delivery of key infrastructure, and protects environmental assets. The joint plan determines the kind of development that takes place in their Boroughs, maximising the use of brownfield land and urban spaces while protecting Green Belt land from the risk of unplanned development. The Places for Everyone Plan took effect and became part of the statutory development plan for each of the nine PfE authorities on March 21, 2024.

4.20 The policies which are relevant to the application proposals are listed below:

- Policy JP-S1: Sustainable Development: To help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously.
- Policy JP-P1: Sustainable Places: This policy sets out various criteria including that development should be socially inclusive, safe, functional and convenient and well connected.
- Policy JP-S2: Carbon and Energy: This policy sets out objectives for meeting Manchester's carbon neutrality commitments.
- Policy JP-C8: Transport Requirements of New Development: This policy states that new development will be required to be located and designed to enable and encourage walking, cycling and public transport use.
- Policy JP-H1: Scale, Distribution and Phasing of New Housing Development: Bury Council needs to deliver 7,678 homes during the plan period, with an annual average of 452 homes per year.
- Policy JP-H3: Type, Size and Design of New Housing: Development across the plan area should seek to incorporate a range of dwelling types and sizes to meet local

needs and deliver more inclusive neighbourhoods. Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.

- Policy JP-H4: Density of New Housing: New housing development should 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.

Saved Policies of the Bury Unitary Development Plan (Adopted August 1997)

4.21 The Unitary Development Plan (UDP) for Bury was adopted on 29 August 1997 and is the key Development Plan Document against which proposals should be judged. UDP objectives and policies of particular relevance to the proposed scheme are summarised below:

- Policy H1/2 'Further Housing Development' states that the Council will have regard to the following factors when assessing proposals for housing development on sites not identified on the Proposals Map:
 - the need to direct development towards the urban area;
 - the availability of infrastructure;
 - the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration;
 - the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;
 - other policies and proposals of the Plan.
- Policy H2/4 'Conversions' states that conversion of a building into a house of multiple occupation need to ensure that dwelling standards are maintained and to ensure that, generally, an over provision of such property does not adversely affect the need to

maintain a good mix of housing types, or adversely affects the character and amenity of residential areas.

- Policy EN7/2 'Noise Pollution' states in seeking to limit noise pollution the Council will not permit:
 - development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
 - development close to a permanent source of noise.
- Policy HT2/4 'Car Parking and New Development' states that in considering the location of new or intensified development, the Council will encourage proposals which supports the principles of sustainable development.
- Area BY2 – 'Bridge Road/Buckley Wells' states that the Council will consider favourably proposals for the enhancement of the Bridge Road/Buckley Wells area of the town centre for education, residential, car parking and railway related uses. The change of use from residential to other uses will not be supported.

4.22 The detailed assessment of the scheme within the following planning appraisal section confirms that the proposal accords with the above UDP policies.

Bury Local Plan

4.23 Bury Council is currently in the process of preparing a new Local Plan, and once adopted it will replace the existing UDP document. A Call for Sites exercise was undertaken between 25 March to 6 May 2024. The Plan is not yet adopted, therefore limited weight can be given to policies within it.

Supplementary Planning Documents (SPDs) and Guidance

- 4.24 There are also various Supplementary Planning Documents of relevance to the proposed scheme, which include:
- SPD 11: Parking Standards in Bury (May 2007);
 - SPD 13: Conversion of Buildings to Houses in Multiple Occupation (January 2020); and,
 - SPD 6: Alterations and Extensions to Residential Properties (May 2007).
- 4.25 The proposed development scheme has been designed in accordance with the policies of the UDP, PFE and the above SPDs.

5. Planning Appraisal

5.1 Having regard to the relevant planning policy guidance in the previous section, the key material considerations against which the proposed scheme should be considered, and which are discussed in this section, include:

- Principle of Development
- Potential Impact on Amenity
- Sustainable Development: Economic, Social and Environmental Benefits
- Highways, Accessibility, and Parking
- Waste Management

Principle of Development

5.2 The application site comprises a mid-terrace residential property located at Belle Vue Terrace, Bury. The principle of converting the existing property from a 6 bed HMO (C4 use) to an 8 bed HMO (sui generis) is wholly appropriate since the building is already in use as a HMO. The proposed 8 bed HMO would retain the residential use of the property. Given that the application building is located in a residential area, adjacent to residential properties and located in a sustainable/accessible location in proximity to amenities and public transport, this further reinforces that the proposals are acceptable in principle.

5.3 Housing Objectives 1 and 2 of the UDP relate to meeting housing demand within the Borough, and developing housing stock which is related to the urban area. The proposed change of use to provide two further bedrooms to form an 8 bed HMO directly responds to these two objectives, and will make a small but meaningful contribution to addressing the chronic housing shortage and demand for affordable accommodation. The proposed HMO properties will provide a valuable source of accommodation which is attractive to a range of occupiers including young professionals and key-workers.

- 5.4 Housing Objective 3 of the UDP states that a wide range of housing stock should be provided to reflect the demands and needs of the Borough. This includes the provision of smaller housing units and provision for those unable to compete financially in the housing market sector. The Council recognise that properly managed and regulated HMOs can offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing. The proposals therefore directly respond to Housing Objective 3.
- 5.5 Policy JP-H4 of the Places for Everyone Joint Plan states that new housing development should 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. The policy sets out minimum densities for new housing developments. In town centre locations, a minimum of 120 dwellings per hectare should be achieved. This application is for the conversion of a six bed HMO to an eight bed HMO, therefore the density standard is not applicable to this development. Nonetheless, the proposals comply with the general principles of the policy. Paragraph 7.8 of PfE states that there is a strong focus on directing new housing towards previously-developed sites within the existing urban area. This will help to address existing dereliction and poorly used sites, as well as reducing the need to release greenfield and Green Belt land for development. Paragraph 7.11 stresses that it will be important to make the most of existing housing stock. The proposals will result in a more efficient use of an existing house which is located in a highly sustainable and accessible town centre location.
- 5.6 Saved UDP Policy H2/4 'Conversions' is the key policy relating to HMO accommodation. The policy states that applications for the conversion of a building into a HMO will be considered against various factors. These factors are set out below, and addressed in greater detail in the following sections of this appraisal:

a) the effect on the amenity of neighbouring property through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;

- 5.7 The proposed residential use will not result in conflict with neighbouring properties in relation to noise or visual intrusion. The increase in capacity of the property by two additional persons is not considered to result in a materially greater level of noise generation than the existing use. The proposed new door providing access to the cycle store will not give rise to visual intrusion. The car parking arrangements will remain as per the existing.

b) the general character of the area and the existing concentration of flats;

- 5.8 The immediate vicinity of the site is residential in nature, comprising primarily terraced houses. The site is located within Bury Town Centre and is located in an area where land uses transition from housing to more community and civic uses, to the north of Belle Vue Terrace is a public car park, while to the west there is a railway line with playing fields and educational uses beyond. The wider area is therefore mixed in character. Reviewing Bury's online Register of Licensed HM's, there are no HMOs present on Belle Vue Terrace or on Maudsley which is the street to the south backing onto Belle Vue Terrace properties. This confirms that there is not a concentration of HMOs in the surrounding area.

c) the amenity of occupants;

- 5.9 All occupants will have a high standard of amenity. The proposed HMO will be delivered to a high quality standard of design in terms of living accommodation, sound proofing, natural lighting and ventilation. This matter is discussed in greater detail later in this chapter of the statement.

d) the effect on the street scene of any changes to the external appearance of the building; car parking and servicing requirements

- 5.10 Only very minimal external alteration – the insertion of a side door and a small extension to the raised decking – is proposed to facilitate the change of use. Car parking and servicing arrangements will remain as per the existing, and will be accommodated within the application site.

- 5.11 Paragraph 3.12 of 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 located in Bury Town Centre, close to Manchester Road which is busy route, and the site is well connected to public transport facilities and a range of services and amenities within the town centre. Notwithstanding that the use of the site as a HMO is established by the existing C4 use, the location of the site further reinforces that the proposed use as an 8 bed HMO is wholly appropriate.
- 5.12 The conversion of 17 Belle Vue Terrace, an existing 6 bed HMO, to a HMO which will provide an additional two units of accommodation would be wholly compliant national policy provided at paragraph 125 of the NPPF which states planning should promote and support the development of under-utilised buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.
- 5.13 Paragraph 11 of the NPPF states that for decision taking, applying a presumption in favour of sustainable development means: d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides 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 this Framework taken as a whole, 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.*
- 5.14 Footnote 8 of the NPPF states that for applications involving the provision of housing, policies most relevant for determining applications are considered to be out of date where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78). Bury Council do not have a published housing land supply position, however it is confirmed in the 'Housing Monitoring Report: North

West England' (December 2023) published by Turley that Bury could only demonstrate 2.3 years supply housing land. The publication of the latest NPPF means that Bury Council should make this information publicly available. On the basis that Bury cannot demonstrate a 5 year land supply, the presumption in favour of sustainable development (the 'titled balance') as set out at Paragraph 11 of the NPPF is engaged.

- 5.15 The remaining sections of this chapter demonstrate that there are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework. Particular regard should be given 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. The proposals wholly fulfil the objectives of policies which seek to make efficient use of an existing building in a sustainable location, to provide high quality, lower-cost accommodation for people who cannot or choose not to buy or rent on their own.
- 5.16 Overall, the principle of the development is considered to be entirely acceptable, and the proposals are in accordance with considerations for Saved UDP Policy H2/4, the guidance within SPD 13 and the NPPF.

Potential Impact on Amenity

- 5.17 With regards to the scheme's potential impact on residential amenity, two issues require consideration: whether the proposed scheme will maintain a satisfactory level of amenity for neighbouring uses; and, whether the design will ensure that future occupants are able to enjoy a satisfactory level of amenity.

Neighbouring Uses

- 5.18 The application site is bounded on both sides by residential dwellings. The proposed 8-bed HMO is considered to be compatible with the neighbouring uses given the property will also remain in residential use. It is accepted that there may be some additional activity

associated with two extra occupants, however this is likely to be negligible and there is no evidence to substantiate that any additional noise and disturbance would be so great as to materially impact the residential character of the area or have an unacceptable impact on the amenity of neighbouring occupiers.

5.19 Whilst it is acknowledged that HMO uses are sometimes associated with increased noise and comings and goings, the property is a be a high end, high specification HMO which is targeted at young professionals and key workers. In addition, the applicant is experienced in converting and managing HMOs, and has put in place a robust lettings and management strategy which ensures the operation of the HMO is compatible with neighbouring uses. The lettings and management strategy ensures that prospective tenants are subject to a referencing process, whilst tenancy agreements include a clause relating to ensuring good neighbourliness and procedures for dealing with anti-social behaviour. The existing HMO is currently managed by 'The HMO Guys' on behalf of the applicant.

5.20 It is also worth highlighting that the officer report for application 71156 states *"in terms of additional noise, disturbance and activity likely created by three additional occupiers, it is questionable as to whether there would be a significant harm to those living nearby"*. It is therefore supported that an additional two tenants living at the property would be negligible in terms of potential impact on neighbouring amenity.

Proposed Accommodation

5.21 All of the proposed bedrooms exceed the space standards for single occupancy rooms set out in the Bury Council HMO Licensing Conditions document. The existing property has a generous provision of communal space, including a large kitchen / dining / living area on the ground floor and an additional kitchen / diner on the first floor.

5.22 Reason 1 for refusal of application 71156 cited *"significant intensification of the use of the building which would provide poor and inadequate living conditions for existing and future occupiers by virtue of restricted outlooks, small windows, limited daylight"*. In order to

address this reason for refusal, the proposals have been reduced from a 9 bed-9 person HMO, to an 8 bed-8 person HMO. This means that there will be reduced pressure on the communal spaces, and moreover some of the floorspace that was previously proposed to provide the 9th bedroom and ensuite has been given over to communal living space, further increasing this provision from 27sqm under application 71156 to 32.2sqm.

- 5.23 The officer report for application 71156 refers to the existing basement accommodation and comments on the outlook from these rooms. It is re-iterated that these bedrooms are currently occupied (see submitted Assured Tenancy Agreements), and that the basement accommodation is excluded from this application. The bedrooms which are proposed to be occupied and to which this application relates are bedrooms 7 and 8 located on the ground floor. Future residents will be provided with a good level of amenity with the proposed bedrooms all achieving a good level of outlook and being free from overlooking. No issues were raised in the officer report for application 71156 in relation to the level of amenity afforded to occupiers of these bedrooms.
- 5.24 In order to increase the usable external amenity space on the raised decking area, the washing line has been relocated to the lower element of the yard. This will provide additional space for seating, notwithstanding that it is unlikely that all residents will be sitting outside at the same time. In addition, future residents will also benefit from access to nearby public open spaces and other sports/recreation facilities such as Whitehead Garden which is located opposite the site.
- 5.25 Policy JP-H3 of the Places for Everyone Joint Plan relates to the type, size and design of new housing. It states that all dwellings must comply with nationally described space standards (NDSS) and be built to the accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable. The NDSS apply to new dwellings. The NDSS are not directly applicable to HMO developments and do not set a standard for an eight bed HMO, therefore the NDSS cannot be applied to this development. This application is for conversion to a Sui Generis HMO which is subject to space standards set out in the 'Houses in Multiple Occupation Licensing conditions' document. Nonetheless

the space standard table has been completed where possible and provided in support of this application.

- 5.26 The proposed scheme will not result in any undue loss of amenity to neighbouring or existing occupiers, and future residents will be afforded a good level of amenity. The proposal complies with Saved UDP Policy H2/4 part a and part c, and the guidance within SPD 6 and SPD 13.

Sustainable Development: Economic, Social and Environmental Benefits

- 5.27 The proposal will comprise sustainable development as a result of the associated economic, social, and environmental benefits that it will bring.
- 5.28 Economic Benefits: The shortage of housing can act as a barrier to people accessing job opportunities, thus preventing the Borough from achieving its economic potential. The proposed HMO accommodation will help meet the needs of local people and those moving to the Borough, thereby contributing to Bury District' economy. Ministerial statements refer to the pressing need of ensuring that the planning system does everything it can to help sustain economic growth, urging planning authorities to make every effort to identify and meet the housing needs of their areas. It is accepted that house building is a driver of the local economy.
- 5.29 Social Benefits: The proposals will provide two additional HMO bedrooms, which are an important form of housing for a number of people, particularly young professionals, key workers and lower income groups. The site is located within an established residential area and has access to the amenities it has to offer, as well as being nearby to open space and recreation facilities which will provide for the needs of future occupants of the scheme. The proposed development will deliver good quality accommodation and contribute to the creation of a mixed and sustainable community.

- 5.30 Environmental Benefits: The proposals will provide additional accommodation within an existing building, in a sustainable urban location. The proposed scheme will have significant environmental benefits since it involves the redevelopment of a brownfield site, thereby reducing development pressure on greenfield sites. Future residents will benefit from the highly sustainable and accessible nature of the development, thereby reducing the need to travel by car and helping to reduce carbon emissions and air quality impact.
- 5.31 In addition, the submitted Energy Statement sets out the energy efficiency measures which have been implemented during the renovation works when the property was converted to a 6 bed HMO.

Highways, Accessibility and Parking

- 5.32 The site is located in a sustainable and accessible location in Bury Town Centre with access to a range of services, amenities, employment opportunities. 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).
- 5.33 The application is supported by a Highways Technical Note prepared by Axis. The Highways Technical note addresses reasons for refusal 3, 4 and 5 of application 71156. This reviews the accessibility of the site to confirm it benefits from a high level of accessibility. The report also assesses the potential parking demand resulting from the proposed additional bedrooms, informed by parking beat surveys and review of the TRICS database. Results of a parking beat survey on the local highway network and within a nearby public car park (Manchester Road Car Park) demonstrates that there would be sufficient on street parking capacity for the anticipated parking demand associated with the additional two proposed occupiers, and for the total proposed 8 HMO bedrooms. Reason 3 for refusal of application 71156 related to insufficient car parking provision. Not only has this been wholly justified through parking surveys to establish the on-street car parking capacity against the forecasted

demand, the proposals also address this reason by reducing the number of bedrooms proposed by one and increasing the number of off-road car parking provision by one space.

- 5.34 It is also worth highlighting the below planning approvals by Bury Council. This demonstrates that Bury Council has previously considered proposals for 8 bed HMOs within terraced properties, with the same or less car parking provision to be acceptable. This is a material consideration in the determination of this planning application.

Application Reference: 70439

Address: 193 Walmersley Road, Bury, BL9 5DF

Proposal: Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works

Off-road car parking provision: two parking spaces

Distance from Bury Town Centre: 830 metres

Application Reference: 70178

Address: 27 Knowsley Street, Bury, BL9 0ST

Proposal: Change of use from existing office to 8 bed (single occupancy) HMO (Sui Generis), with 4 no. velux rooflights installed to roof and erection of 1.8m high boundary fence and gated access to rear

Off-road car parking provision: one parking space

Distance from Bury Town Centre: 0 metres

Application Reference: 69826

Address: 45 Knowsley Street, Bury, BL9 0ST

Proposal: Change of use from offices (Use Class E) to 8 no. bedroom 8 person HMO (Sui Generis) with 2 no. front velux rooflights, and 2 no. rear velux rooflights to be installed; Erection of 1.8m high boundary fence and gated access to rear.

Off-road car parking provision: one parking space

Distance from Bury Town Centre: 0 metres

- 5.35 The revised proposals also provide an internal cycle store which can be easily accessed directly from the garden area, accommodating eight bikes (100% provision). 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.

- 5.36 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”* This is a high policy test and it is not considered that the development would be associated with severe adverse highway impacts which would warrant a refusal.
- 5.37 It has been demonstrated that the scheme accords with the transport requirements of the NPPF; Saved UDP Policy HT2/4, and would be acceptable when assessed against part e of Saved UDP Policy H2/4 and the relevant guidance within SPD 11.

Waste Management

- 5.38 The proposals include the provision of eight bins within the rear garden area which will allow for the segregation of refuse and recyclable waste and ensures the storage of bins does not adversely impact on the street scene.
- 5.39 Reason 4 for refusal of application 71156 states *“The application and submitted plans contain insufficient information to enable the adequacy of the proposed bin storage/refuse arrangements to ensure that the adopted highway will not be used for the storage of bins to be properly assessed.”* As shown on the submitted site plans, the proposed bin provision can be accommodated within the curtilage of the property. On collection day, the relevant bins will be manoeuvred to the access road to the rear of the property and located on the footpath ready for collection.
- 5.40 The proposed servicing arrangements will be as per the existing situation for the property and for neighbouring properties (as shown below by the Google Street view imagery for the service road). Residents will ensure to leave bins clear of the access of any neighbouring

driveways and will return bins to the bin storage location within the rear yard following collection. As such it is confirmed that there would be a no detrimental effect on the safety and operation of the local highway network, as it would operate in the same manner as the existing site and nearby properties.



Figure 5.1: Google Streetview showing servicing arrangements.

6. Conclusion

- 6.1 This Planning Statement has been prepared by Paul Butler Associates on behalf of Mr Zvi Portnoy in support of a full planning application at 17 Belle Vue Terrace, Bury, BL9 0SY for the *'Change of use of a 6 bed HMO to an 8 bed (single occupancy) HMO. Resubmission of application 71156'*.
- 6.2 The proposed scheme accords with national and local planning policy guidance, conforming with saved policies of the UDP, PfE, and relevant supplementary planning documents/guidance. The proposals have sought to positively address the reasons for refusal listed on the decision notice for application 71156.
- 6.3 The proposed scheme will deliver a range of significant positive planning benefits as discussed within this report, including:
- The proposed conversion to provide an additional two bedrooms directly responds to housing demand in Bury, and will make a meaningful contribution to objectives to provide increased affordable accommodation.
 - The proposed HMO properties will provide a valuable source of accommodation which is attractive to a range of occupiers including young professionals and key-workers.
 - The proposed accommodation is furnished to a high standard and will provide housing in an accessible and sustainable location within walking distance of everyday services, amenities and employment opportunities within Bury Town Centre.
 - The provision of a development with high quality sustainability credentials that will deliver economic, social, and environmental benefits.
- 6.4 As evidenced in this statement, the site has been shown to be suitable and a sustainable location for a proposed 8 bed HMO with no known adverse impact arising from the development that would significantly and demonstrably outweigh its benefits. Indeed, it is

our view that no material planning considerations exist that would justify refusal of planning permission.

Appendix 1: Photos of the existing HMO accommodation