

DELEGATED REPORT

Report by Sam Summers	Date of report: 31/07/2025	Ref: 72047/LDCP
Registration: 10/06/2025	LDFC:	Expiry Date: 05/08/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development certificate for proposed change of use of dwelling (Class C3) to 6 person House in Multiple Occupation (Class C4)

Location: 80 Alfred Street, Bury, BL9 9ED

Description

Lawful development certificate for proposed change of use of dwelling (Class C3) to 6 person House in Multiple Occupation (Class C4)

Relevant Planning History

71814 - Hip to gable loft conversion; Single storey rear extension - Approve with Conditions 29/05/2025

Publicity

None

Statutory/Non-Statutory Consultations

None

Pre-start Conditions - None

Development Plan and Policies

Issues and Analysis

Part 3, Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows a permitted change of use between dwellinghouses in Use Class C3(a) and small HMOs in Use Class C4 (up to 6 persons living as a single household) and vice versa

Permitted development:

Development consisting of a change of use of a building—

(a) from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use

Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b) from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

Development not permitted

L.1 Development is not permitted by Class L if it would result in the use—

(a) as two or more separate dwellinghouses falling within Class C3 (dwellinghouses) of the Schedule

to the Use Classes Order of any building previously used as a single dwellinghouse falling within

Class C4 (houses in multiple occupation) of that Schedule; or

(b) as two or more separate dwellinghouses falling within Class C4 (houses in multiple occupation) of that Schedule of any building previously used as a single dwellinghouse falling within Class C3 (dwellinghouses) of that Schedule.

There is no planning history or any other evidence that the building has only ever been in lawful use as single dwellinghouse. As such on the balance of probability the building is in domestic use class C3(a) and so would qualify for the permitted development right. Permitted Development Rights have not been removed.

Application 71814 was previously approved which extended the house both at ground floor and second floor, that application allowed for three bedrooms as part of a standard family home. These plans now show an additional 3 bedrooms and ensuites for all six total bedrooms along with other communal spaces and facilities retained. As such the building would capable of being occupied by up to 6 individuals as a single household. Therefore the proposed change of use would be lawful.

Having regard to the above the proposal would be lawful as it falls within the limitations of Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Recommendation: LAWFUL

Conditions and Reasons:

- 1 The proposal, described in the First Schedule, is deemed to be 'Permitted Development' having regard to Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in that it falls within the limitations of Part 3, Class L

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	31/07/2025	DM -	04/08/2025