

Application for Lawful Development Certificate for Existing Use as 5-bedroom House in Multiple Occupation (Use Class C4)

Site Address: 92 Heywood Street, Bury, BL9 7EA

This supporting statement is submitted in support of an application for Lawful Development Certification (LDC) seeking confirmation from Bury Metropolitan Borough Council that the existing lawful use of the above property is a 5-bedroom House in Multiple Occupation (HMO) (Use Class C4) on the basis that the property had been converted to a HMO under Permitted Development Rights (pursuant to Class L of the GDPO) prior to the pending introduction of the Borough-wide Article 4 Direction in Bury.

Legal Background

Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to submit a planning application.

The change of use of a typical dwellinghouse occupied by a single household in Class C3, to a property used as a 'small' HMO that is shared by between three and six unrelated people in Class C4 can be generally undertaken without the need for planning permission under permitted development rights pursuant to Class L, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO) unless an Article 4 Direction is in force in the area.

On the 27th January 2026, the Bury Planning Committee had voted to authorise the making of an immediate direction under Article 4 of the Town and Country (General Permitted Development) (England) Order 2015 to remove the permitted development rights for the material change of use from Use Class C3 dwellinghouses to Use Class C4 small Houses in Multiple Occupation for the entire Borough of Bury as identified within the Direction.

However, the Article 4 Direction had not yet taken effect in Bury and as such, the conversion from Class C3 to Class C4 is still considered permitted development at the property at the time of the submission of this LDC application.

Evidence

The evidence enclosed to support this LDC application includes the following information:

- 1) HMO Layout (drawing ref. 92HS-203-BR-C1 – **Appendix 1**;
- 2) Domestic Landlord / Homeowner Gas Safety Record, dated 21 April 2026 – **Appendix 2**;
- 3) Fire Alarm Commissioning Certificate, dated 19 May 2026 – **Appendix 3**;
- 4) Electrical Installation Certificate, dated 30 April 2026 – **Appendix 4**;
- 5) Final Certificate (ref. BC/2025/1952) dated 9 June 2026 – **Appendix 5**;

The above provides sufficient factual, precise and unambiguous evidence to demonstrate that the change of use to a 5-bedroom HMO (use class C4) had occurred at the property prior to the introduction of the pending Article 4 Direction in Bury.

Conclusion

The supporting information enclosed with this LDC application contains sufficient factual, precise, and unambiguous evidence to demonstrate that the existing lawful use of the property is a 5-bedroom House in Multiple Occupation (use class C4) which benefitted from Permitted Development Rights under Class L of the GDPO prior to the pending introduction of the Article 4 Direction Area by Bury Council.

On this basis, the Local Planning Authority should be satisfied to confirm that the existing lawful use of the property at **92 Heywood Street, Bury, BL9 7EA** is a 5-bedroom House in Multiple Occupation (use class C4).