

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 22/01/2026	Ref: 72659/LDCE
Registration: 16/12/2025	LDFC:	Expiry Date: 10/02/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Lawful development for existing Change of use from a Dwellinghouse (Class C3) to a 5 bed HMO (Class C4)

Location: 322A Tottington Road, Bury, BL8 1TA

Description

Lawful development for existing Change of use from a Dwellinghouse (Class C3) to a 5 bed HMO (Class C4)

Relevant Planning History

n/a

Publicity

n/a

Statutory/Non-Statutory Consultations

n/a

Pre-start Conditions - Not relevant

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:

L. 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

DELEGATED REPORT

(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 to suggest that the building has been anything other than in lawful use as single dwellinghouse. As such on the balance of probability the building was in domestic use class C3(a) and so would qualify for the permitted development right. Permitted Development Rights have not been removed.

The submitted plans show a total of five bedrooms with en suite bathrooms and shared communal kitchen and dining area and a dressing/office room. As such the building is capable of being occupied by up to 5 individuals living a single household. Therefore the use of an HMO is lawful within the terms 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> JT 22/1/26	<u>Date</u>	<u>Sign off Officer</u> DM 23/01/2026	<u>Date</u>
-----------------------------------	-------------	--	-------------