



Bury MBC Planning Services
Business, Growth & Infrastructure
3 Knowsley Place
Duke Street
Bury
BL9 0EJ

9th June 2025

Dear Sir / Madam,

Re: Certificate of Lawfulness Application for proposed change of use of dwelling house (Class C3) to House in Multiple Occupation (Class C4) at 80 Alfred Street, Bury, BL9 9ED

William McCall Architectural Services have been instructed by Mr A Hussain to submit a Certificate of Lawfulness application to Bury MBC for the above-mentioned proposed development at 80 Alfred Street, Bury, BL9 9ED. The application is being made under provisions of Section 192 of the Town and Country Planning Act 1990 (as amended by Section 10 of the Planning and Compensation Act 1991).

The applicant is seeking a legal determination from the LPA to confirm that a potential proposed development to be undertaken at the property is permitted development, lawful and therefore does not require prior planning permission from the Council.

80 Alfred Street is a two-storey end terraced single dwelling house, and it has private garden areas situated to the front and rear. The Council has recently granted planning permission on 29th May 2025 under application Ref. 71814 for the applicant to extend and improve the property and the approved development works include the addition of a hip to gable loft conversion and a single storey rear extension. The applicant is intending to implement the planning permission and carry out the approved works in the near future, and he also wants to explore another potential option for the property.

This option includes converting the single dwelling house into a small House in Multiple Occupation (HMO) comprising of 6no. bedrooms (for 6 residents) utilising the previously approved developments (hip to gable loft conversion and a single storey rear extension).



The proposed HMO use would take place over the three floors in the building (ground, first and second / loft floors) and it would provide 6no. en-suite bedrooms and some shared communal facilities. There would be two bedrooms and a kitchen / dining room on the ground floor, and a further two bedrooms on each of the first and second floors.

The applicant is aware that an HMO of this size would be subject to mandatory licensing by the Council's Housing Standards Service under the Housing Act 2004 due to the number of potential occupants and floors in the building. All the bedrooms have been designed to comply with the Council's HMO standards, and they are of a good size, and each contains an ensuite bathroom.

William McCall Architectural Services have been appointed to prepare the necessary drawings for the proposed development, and the plans that are being submitted with the application include site location, site layout and existing and proposed elevations and floor plan layouts.

We would wish to highlight that the property is not a Listed Building, it is not located on Article 2(3) land and it is not located in an area of Bury where there is an Article 4 Direction in place which restricts the change from a C3 dwelling to a C4 HMO, so therefore we consider that the proposed change of use to a C4 HMO is permitted development under Schedule 2 Part 3 Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). Class L enables the change of use of small HMOs to dwelling houses and vice versa.

For the reasons explained, we would please request the Council to grant / issue a Certificate of Lawfulness under the provisions of Section 192 of the Town and Country Planning Act 1990 (the Act) (as amended) to confirm that the proposed development is permitted development and lawful.

Should the Council have any queries on this application, please feel to contact us.

Yours faithfully,

William McCall Architectural Services acting on behalf of Mr A Hussain