

DELEGATED REPORT

Report by Helen Pressley	Date of report: 13/03/2026	Ref: 72875/LDCE
Registration: 19/02/2026	LDfC: 24/03/2026	Expiry Date: 16/04/2026
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 existing conversion of works to facilitate the lawful use as a C4 HMO commenced and were completed before the Article 4 Direction took effect. The property is completed as a 4-person HMO since completion.

Location: 33 Belbeck Street, Bury, BL8 2PX

Description

Lawful development certificate for existing conversion of works to facilitate the lawful use as a C4 HMO commenced and were completed before the Article 4 Direction took effect. The property is completed as a 4-person HMO since completion.

Relevant Planning History

None

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

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

DELEGATED REPORT

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 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 floor plans show a total of 4no. bedrooms 3 of which are ensuite and a communal room. As such the building is capable of being occupied by up to 4 individuals living a single household. Evidence has been submitted to support the applicant's assertion that works have been substantially completed prior to an Article 4 directive being in place including the submission of a building regulation final certificate dated 16th February 2026 for "material alterations to create 4 bed HMO". Therefore the existing 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 existing use as described in the First Schedule, is deemed to be 'Permitted Development' having regard Article 3, Schedule 2, Part 3, Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 13/03/2026		DM 13.03.2026	