

Classification	Item No. 7
Open	

<b>Meeting:</b>	Planning Control Committee.
<b>Meeting date:</b>	27 January 2026
<b>Title of report:</b>	Article 4 Direction proposal – Houses in Multiple Occupation
<b>Report by:</b>	Chief Planning Officer
<b>Decision Type:</b>	<b>Non Key Decision</b>
<b>Ward(s) to which report relates</b>	<b>Boroughwide</b>

#### **Executive Summary:**

This Report seeks authorisation for the making of an immediate Article 4 Direction to give greater planning controls over proposals for any material change of use from Use Class C3 (dwellinghouse) to Use Class C4 (HMO).

The effect of an Article 4 Direction is that planning permission would be required for conversion from a Use Class C3 (dwellinghouse) to a Use Class C4 (small HMO) if there is a material change of use. This change would not otherwise require planning permission as a result of being classed as permitted development. Proposals for HMOs for 7 or more people already require planning permission and will continue to do so and therefore would be unaffected by this Direction.

The report was due to be considered by the Planning Committee on 16 December 2025 but was withdrawn by the Monitoring Officer for further consideration.

#### **Recommendation(s)**

**That:** Planning Control Committee is recommended to:

1. 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.

2. Authorise the Director of Legal and Governance to issue the relevant Direction and Notices to support the Article 4 Direction.
3. To note the content of the Houses in Multiple Occupation report: Background Evidence report, as appended to this report, that has been prepared to support the making of the proposed Direction.
4. Authorise the Executive Director (Place) to consider comments received in relation to the Notice and to confirm the Direction.

## **1. Key considerations**

- 1.1 The effect of introducing an Article 4 Direction would be to remove permitted development rights to convert a Use Class C3 dwellinghouse to a Use Class C4 House in Multiple Occupation for between 3 and 6 occupants. The Article 4 Direction would not prevent the conversion of dwellings to small HMOs but would mean that property owners / landlords proposing to convert a dwelling to a Class C4 HMO would need to apply for planning permission where such development constitutes a material change of use.
- 1.2 The proposal is to introduce an immediate Boroughwide Article 4 Direction. The implication of an immediate Article 4 Direction is that the Council would be liable to claims for compensation. The alternative would be to have a 12 month run in period before the Article 4 Direction would come into effect and this would avoid compensation claims.

## **2. Background**

- 2.1 Houses in Multiple Occupation (HMOs) are properties that are rented out by at least three unrelated individuals who do not form a single household (such as a family) but share facilities such as a kitchen or bathroom.
- 2.2 HMOs form part of the Borough's housing supply and contribute to meeting housing needs. They can provide a cost-effective form of accommodation for younger people and those on low incomes. They also provide flexible accommodation for people with short-term housing requirements, and a social environment for those seeking to live with other people. They can be home to young professionals, people on low incomes, students and those on short-term contracts.
- 2.3 HMOs can be purpose-built, but most in the Metropolitan Borough of Bury have been created through the conversion of existing properties that were previously in residential or other uses. Most HMOs in the Borough are well managed and provide decent homes, but poorly managed or poorly located properties and over

concentrations of such properties in certain areas have the potential to lead to issues for both occupants and neighbours.

- 2.4 Under current legislation, dwelling houses (Use Class C3) can be converted to small HMOs with between three and six residents (Class C4) without the need for planning permission. This means that the Council, as Local Planning Authority (LPA), has no control over the numbers or locations where these occur. HMOs for three or four occupants also fall below the threshold for mandatory HMO licensing, so the location and accommodation standards of such properties is unknown unless complaints are received by the Council.
- 2.5 Local Planning Authorities can remove permitted development rights where they can provide evidence to justify such a restriction. This is done through the introduction of an Article 4 Direction. This has been done by an increasing number of neighbouring councils, including Bolton MBC, Rossendale BC, Blackburn with Darwen Council, Manchester City Council and Salford City Council in recent times. The effect of introducing an Article 4 Direction is that within the area in which the Direction applies, conversions to small HMOs require full planning permission, where such development constitutes a material change of use.
- 2.6 The number of HMOs in the Borough has been increasing. When an area has a high concentration of HMOs, this can negatively impact upon the amenity of the area and lead to a lack of available properties for families, couples and individual occupiers. Introducing an Article 4 Direction would help manage the concentration of HMOs and support the delivery of homes that are better regulated and controlled by the planning process, therefore issues such as space standards, amenity, management and quality can be assessed and considered by planning officers as part of any planning application, with a view to ensuring high standards across the Borough.
- 2.7 If an Article 4 Direction is considered appropriate, it can be implemented as an immediate Direction or a non-immediate Direction. The implications of these options are set out below.

### **3. Scope of an Article 4 Direction**

- 3.1 An Article 4 Direction cannot apply retrospectively. It would have no effect on any existing HMOs and would not require landlords of existing HMOs to do anything. They could, however, choose to apply for a Lawful Development Certificate (LDC) under section 191 Town and Country Planning Act 1990 (as amended) to confirm that the use as an existing HMO is lawful although this is not mandatory and as such the Council has no control over whether any such applications may come forward.

3.2 Although each case shall be assessed on the particular merits, if the works to create a new HMO have already commenced and are substantially advanced to the point that the building is capable of occupation and such works can be evidenced as taking place BEFORE an Article 4 Direction comes into effect then these will generally be accepted by the Council as permitted development. This can be confirmed through the planning process and documented by obtaining a LDC for the site.

How is an application for a lawful development certificate determined?

3.3 A local planning authority needs to consider whether, on the facts of the case and relevant planning law the specific matter is or would be lawful. Planning merits are not relevant at any stage in this particular application or appeal process.

3.4 The need to secure a LDC would be a matter for the land owner/applicant to determine. It would confirm that the use was lawful.

3.5 It is important to note that the onus / burden of proof would always rest with the applicant to demonstrate that the use existed prior to the introduction of the Article 4 Direction.

3.6 Details of what must be included in each type of lawful development certificate can be found in [section 191\(5\)](#) or [192\(3\)](#) of the Act. In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

What may be Required?

3.7 Precision in terms of any certificate is vital, so there is no room for doubt about what was lawful at a particular date, as any subsequent change may be assessed against it.

3.8 It is important to note that a certificate for existing lawful use must include a description of the use, operations or other matter for which it is granted regardless of whether the matters fall within a use class. But where it is within a "use class", a certificate must also specify the relevant "class". In all cases, the description needs to be more than simply a title or label, if future problems interpreting it are to be avoided. The certificate needs to therefore spell out the characteristics of the matter so as to define it unambiguously and with precision. This is particularly important for uses which do not fall within any "use class" (i.e. "sui generis" use);

3.9 For the avoidance of doubt and without pre-empting any future applications and their content, a simple 'rip-out' would not be considered sufficient evidence of implementation. Implementation would be considered at the point of 'going forward' following rip-out, i.e. once the building is ready to receive internal division/renewal and the works are in fact underway in subdividing. If this is phased in some way, this too could be perceived as implemented.

3.10 The burden of proof would rest entirely with the applicant and they would need to provide evidence accordingly. Such evidence may comprise

- proven dates that works to implement the change were commenced, following rip-out, in laying out the internal arrangements and spacings such as new walls, the formation of new openings were implemented;
- dated photographic evidence;
- works corresponding with descriptions and proposals submitted to Building Regulations Inspectors/Building control;
- implementation of drainage works;
- contractual evidence;
- delivery details of materials/orders
- proof of invoicing and payments made;
- tenant rental agreements;
- a HMO licence (for properties of 5 or more people);
- sworn affidavits or signed statements of evidence.

3.11 If the local planning authority is satisfied that the appropriate legal tests have been met, it will grant a lawful development certificate. Where an application has been made under section 191, the statement in a lawful development certificate of what is lawful relates only to the state of affairs on the land at the date of the certificate application. As such it is vital for an applicant to demonstrate (and support by evidence) what has actually taken place, where, when and how.

3.12 For information, the key statutory framework for such applications and their determination is set out in [sections 191-193 of the Town and Country Planning Act 1990 \("the Act"\)](#) and guidance on Lawful Development Certificates can be found at [Lawful development certificates - GOV.UK](#).

3.13 It is also important to note that proposals that do not amount to a *material* change of use, would remain outside of the local authority's control. There is no statutory definition of 'material change of use', however, it is linked to the significance of a change and the resulting impact on the use of land and buildings. Whether a change of use from a dwelling house to use as a Use Class C4 House in Multiple

Occupation amounts to a material change of use is a matter of fact and degree and this will be determined on the individual merits of the particular case.

3.14 It is also possible for any applicant who is proposing an HMO to submit an application for a Certificate of Lawful Development (Proposed Use) under section 192 of the Town and Country Planning Act 1990 (as amended) to seek formal confirmation as to whether planning permission is required in any particular case.

#### 4. HMO evidence base

4.1 A separate background evidence document has been prepared and is provided as a background paper alongside this report (see Appendix). Given that planning permission is not currently required for conversion of a dwellinghouse to a small HMOs occupied by up to six residents, and licences are not required for HMOs housing less than five residents, it is not possible to determine the exact number of existing small HMOs and their distribution within the Borough.

4.2 In order to establish as good an understanding as possible of the number and distribution of HMOs, data has been collected from various sources, including data on licensed HMOs, knowledge of the Private Rented Sector enforcement team, Council Tax data, planning application data and Local Land and Property Gazetteer data. The evidence shows that there has been a significant increase in the number of new HMOs in recent years.

4.3 Small HMOs for fewer than seven people represent 69% of all licensed HMOs, and it is reasonable to assume that if three and four person HMOs (that fall below the threshold for licensing) were included, this proportion would be considerably higher.

4.4 In terms of the location of HMOs, whilst there are concentrations in parts of the Borough (particularly around Bury and Radcliffe town centres), HMOs are not restricted to specific areas. The HMO Background Evidence report illustrates a broad spread of HMOs across many parts of the Borough. In those parts of the Borough where concentrations are lower, the importance of ensuring the quality of HMOs, preventing future over concentration, protecting the amenity of neighbours and character of the area remains.

#### 5. Proposal

5.1 The proposal is to introduce an immediate Boroughwide Article 4 Direction to remove permitted development rights to convert a Use Class C3 dwellinghouse to a Use Class C4 House in Multiple Occupation for between 3 and 6 occupants. The Article 4 Direction would not prevent the conversion of dwellings to small HMOs but would mean that property owners / landlords proposing to convert a dwelling to

Commented [PB1]: [Town and Country Planning Act 1990](#)  
56Time when development begun.

(1)Subject to the following provisions of this section, for the purposes of this Act development of land shall be taken to be initiated—  
(a)if the development consists of the carrying out of operations, at the time when those operations are begun;  
(b)if the development consists of a change in use, at the time when the new use is instituted;  
(c)if the development consists both of the carrying out of operations and of a change in use, at the earlier of the times mentioned in paragraphs (a) and (b).  
(2)For the purposes of the provisions of this Part mentioned in subsection (3) development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out.

a Class C4 HMO would need to apply for planning permission where such development constitutes a material change of use.

5.2 The key advantage of an immediate Article 4 Direction is that following the making of the Article 4 Direction, new conversions from dwellings to small HMOs would immediately require planning permission where such development constitutes a material change of use, bringing more control over the location and quality of HMOs in the Borough. The Council is also bringing forward an updated supplementary planning document which, upon adoption, would apply to all planning applications for HMOs. Together with the Article 4 Direction, this would enable the LPA to ensure that proposals provide a good standard of accommodation for their occupants, as well as seeking to avoid unacceptable impacts on the amenity of neighbours or the character of the area. Bringing forward the Article 4 Direction on an immediate basis would avoid the risk of property owners rushing to bring forward potentially sub-standard HMOs ahead of the requirement for planning permission.

5.3 A key risk of introducing an immediate Article 4 Direction is that within the first 12 months after the direction is introduced, property owners may be potentially eligible for compensation if they have planning permission refused for a conversion which would otherwise be permitted development or if conditions are attached to a planning permission which make the conversion more onerous than it would have been were it to have been undertaken under permitted development rights. Claims for compensation would be limited to applications submitted within 12 months of the direction coming into force. The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

5.4 As set out in Section 3 of this report, the Council considers that, although each case shall be assessed on the particular merits, if the works to create a new HMO have already commenced and are substantially advanced to the point that the building is capable of occupation and such works can be evidenced as taking place BEFORE an Article 4 Direction comes into effect, then these will generally be accepted as permitted development and would therefore not be eligible for compensation. Equally, if planning permission is granted to convert a C3 dwelling to a C4 HMO and not subject to conditions that would make it more onerous than it would have been under permitted development rights, then the developer would not be eligible for compensation.

5.5 In assessing any potential planning applications for Houses in Multiple Occupation that arise as a result of the Article 4 Direction being in place, the financial implication to the Council is a material planning consideration that the Council are entitled to have regard for in the planning balance. The financial implications of an immediate effect Article 4 Direction can (subject to consideration of merits in any

specific case) be mitigated through subsequent development management decisions.

- 5.6 It is unknown how many planning applications will be received and the outcome of these planning applications. It is therefore not possible to accurately quantify the potential liability resulting from this decision. Any claim would divert resources. No budget has been identified to cover the cost of any subsequent potential compensation claims. It is equally to be noted that of the two Local Planning Authorities who introduced immediate Article 4 Directions relating to HMOs more than 12 months ago (Trafford MBC and the London Borough of Merton) Trafford received no compensation claims, and the London Borough of Merton received one compensation claim outside of the claim period.
- 5.7 Immediate Article 4 Directions have recently been introduced for Bolton MBC, Rossendale BC and Tameside MBC, and Oldham MBC and Wigan MBC have both given less than 12-months notice for their new direction. At this stage, it is too early to tell whether these areas will have to make any compensation payments. Bolton's immediate Article 4 Direction took effect on 13 June 2025, and to date no known claims for compensation have been received. However, it is possible that HMO developers are increasingly aware of the ability to claim compensation and may well be seeking legal advice in this regard, and are likely to await the outcome of any relevant planning appeal decisions before making a claim, so it may still be too early to expect any formal claims to have been submitted.
- 5.8 The Article 4 Direction would also generate planning fees, with a planning fee of £568 currently being payable for a change of use application. For illustration purposes, in the past 12 months 40 new licences have been issued for small HMOs for 5 or 6 people. If 40 change of use applications were submitted, this would amount to planning fee income of £22,720. This would cover the financial burden of having to process the additional applications that the Council would potentially be required to assess.
- 5.9 Immediate Directions require evidence that the permitted development presents an immediate threat to local amenity or prejudices the proper planning of an area. This is a higher threshold to cross than the evidence base needed for a non-immediate Direction, where the Council only need prove that the Article 4 Direction is necessary to protect local amenity or the well-being of the area. In view of the continuing growth in the number of HMOs, public concerns about the impact on amenity and local character, and the need to ensure that new HMOs provide suitable living standards for future occupants, the Council considers that there is sufficient evidence to justify an immediate Article 4 Direction.
- 5.10 In accordance with NPPF, any Direction must be based on robust evidence and apply to the smallest geographical area possible. A Boroughwide Article 4

Direction is considered necessary in order to ensure that all new HMOs across the Borough provide an appropriate standard of accommodation and to seek to avoid detrimental impacts on the amenity of HMO occupants and neighbours or the character of the area. An area specific Article 4 Direction would risk low quality (Use Class C4) HMOs being developed in areas outside the boundary of the Direction.

5.11 A Boroughwide Article 4 Direction will also enable the Council to better control the spread of concentrations of HMOs beyond those areas where they are currently concentrated. This has been seen in a number of areas, where localised Article 4 Directions have subsequently been broadened to include a wider area or made Boroughwide. The risk of introducing the direction Boroughwide rather than in a geographically focused area is that it increases the potential number of compensation claims, as well as the risk of legal challenge or intervention from the Secretary of State.

## 6. Procedure

6.1 The process of introducing an immediate Article 4 Direction is as follows:

- The Local Planning Authority (Bury Council) makes the Direction and notifies the Secretary of State.
- The Article 4 Direction is publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website.
- The Article 4 Direction comes into effect on the date on which the notice is first published or displayed as above.
- The notice must specify a period of at least 21 days within which any representations concerning the direction may be made to the LPA (which must be considered before formal confirmation).
- After the representation period has ended and at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State, and within six months of the date on which it comes into force, the Direction needs to be formally confirmed, otherwise it will expire.

6.2 The Secretary of State has the power to make a direction cancelling or modifying an Article 4 Direction at any time before or after its confirmation. The Planning Practice Guidance states that the Secretary of State will not use their powers unless there are clear reasons why intervention at this level is necessary.

6.3 The legislation requires notice to be served on the owner and occupier of every part of the land within the area, unless the local planning authority consider that -

- (a) individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person or
- (b) the number of owners or occupiers within the area to which the direction relates makes individual service impracticable.

6.4 It is considered impracticable to serve individual notices on every owner or occupier in the Borough, due to both the difficulty of identifying or locating those people and the number of owners or occupiers.

## 7. Other alternative options considered

### Option 1: Not to authorise the making of an Article 4 Direction

7.1 The decision not to authorise the making of an Article 4 Direction would allow conversion of C3 dwellings to C4 HMOs to continue without the need for planning permission. The Council would be unable to restrict the concentration of HMOs or ensure that they meet appropriate standards. HMOs for five or more occupants would continue to be subject to mandatory licensing, and smaller HMOs are duty bound to adhere to the requirements laid out by the Management of Houses in Multiple Occupations (England) Regulations 2006. However, the Council would not be aware of most small HMOs for 3 or 4 occupants unless they receive complaints from either tenants (for example regarding housing standards) or the local community. Concentration of HMOs in certain areas could continue.

### Option 2: Non-immediate Boroughwide Article 4 Direction

7.2 For non-immediate directions, the Council must publicise the direction as soon as possible and give a period of at least 21 days for representations to be made on the direction. They must also specify the proposed date for bringing the Direction into force, which can be up to two years after notice has been given.

7.3 A non-immediate Article 4 Direction that gives 12 months' notice before it comes into effect would remove the risk of compensation claims. If less than 12 months' notice is given, claims for compensation could still be made for whatever remains of the 12-month period.

7.4 A non-immediate direction would reduce the risk of legal challenge on whether the evidence base was sufficient. Immediate Article 4 Directions require evidence that the permitted development presents an immediate threat to local amenity or prejudices the proper planning of an area. This is a higher threshold to cross than the evidence base needed for a non-immediate direction, where the Council only

need prove that the Article 4 direction is necessary to protect local amenity or the well-being of the area.

7.5 Taking a non-immediate approach means that in the period before the Direction takes effect, property owners could continue to exercise their permitted development rights to change the use of dwellings to small HMOs without the need for planning permission and may be incentivised to do so at an increased rate ahead of the Direction taking effect. This could have potential negative impacts on local areas and a lack of oversight of housing standards for those that fall below the requirement for a mandatory HMO licence. That is not to say that if an immediate Article 4 Direction was pursued that these properties would not be converted to HMOs, but they would require planning approval, so the Council would be aware of their location and have the opportunity to assess their impact and ensure appropriate standards are met as part of processing any relevant planning application.

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## **8. Community impact/links with Community Strategy**

8.1 The Let's Do It Strategy sets out the Council's corporate priorities. This Article 4 Direction will support the Local element of the strategy: Ensuring future proposals for HMOs provide suitable living standards for future occupants and the potential for detrimental impacts on local communities is reduced will help to ensure sustainable communities and support community cohesion.

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## **9. Equality Impact and considerations:**

9.1 A full Equality Impact Analysis has been completed. The analysis has identified several potential impacts across multiple characteristics however these impacts are not anticipated to cause disadvantage or detriment directly or indirectly due to a protected characteristic or circumstance but instead drive up accommodation standards for dwellings that persons having some protected characteristics are proportionately more likely to live in.

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## **10. Environmental Impact and Considerations:**

10.1 The Article 4 Direction is not expected to give rise to any significant environmental effects.

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## 11. Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
If the Council proceeds with an Article 4(1) Direction without allowing a 12-month lead in period, then there is a risk of compensation claims from property owners and / or developers who have incurred abortive expenditure or losses due to the withdrawal of permitted development rights.  The level and nature of compensation is broadly unknown due to the lack of data on current levels of conversion from C3 to C4 through permitted development rights.	The only way to mitigate this risk is for the Council to opt for a non-immediate Article 4 direction with a lead-in time of 12 months before it comes into effect. There is no recourse to compensation after 12 months.  However, a non-immediate Article 4 Direction comes with a risk of an acceleration in HMO development ahead of the Article 4 Direction coming into force, with the associated risk that properties may not meet appropriate standards.
There could be other unintended risks related to an Article 4 Direction coming into effect in terms of an increase in the cost of HMO rents or potential reduction in the delivery of HMO properties that are used by groups such as single homeless or low-income people, or by key workers in sectors such as health care.	The effect of the Article 4 Direction is to bring such properties into planning control and ensure they meet appropriate standards, not to prevent their development.
Risk of the Secretary of State making a direction cancelling or modifying the Article 4 Direction at any time before or after its confirmation.	The guidance states that the Secretary of State will only intervene when there are clear reasons for doing so. The Council considers that there is sufficient evidence to justify the proposed immediate Boroughwide Article 4 Direction.
As with any decision of a public body, there is a risk of Judicial Review. A successful Judicial Review challenge would result in the quashing of the decision and a requirement for a new decision to be taken, addressing the grounds on which the initial decision had been found to be unlawful.	The Council's Monitoring Officer has provided comments below.  All legal requirements will be complied with.
Risk of increase in planning appeals where applications for HMOs are refused.	The Council cannot avoid the risk of planning appeals, however all decisions are made in accordance with adopted planning policies and other material considerations.

Risk / opportunity	Mitigation
	Appeals also carry the potential for cost claims where the LPA has acted unreasonably. This is not a new risk per se but obviously introduces the risk where appeals are involved.
Risk of increase in enforcement enquiries regarding new and existing HMOs. Potential for enforcement officers to be diverted from other areas of work.	Planning enforcement enquiries will be investigated in line with the Council's customer charter for planning enforcement.
Reputational risk if residents think that an Article 4 Direction will prevent all HMOs, however it will only remove permitted development rights. Applications for small HMOs may generate significant neighbour concern.	The Article 4 Direction gives the Council a greater degree of control over the development of HMOs, reducing the risk of negative impacts on local communities.

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## 12. Consultation:

12.1 The Article 4 Direction will be subject to a statutory representation period for a minimum of 21 days. The Article 4 Direction will be publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website.

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## 13. Legal Implications:

13.1 The recommendation in the report is within the legal powers of the Council.

13.2 The statutory process in making and bringing into effect the Article 4 Direction will be followed.

13.3 It is to be noted that the boroughwide and immediate nature of the proposed Article 4 Direction introduces a right to compensation and although officers are satisfied that the evidence base is sound, it is at least possible that could be subject to legal challenge.

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## 14. Financial Implications:

14.1 There is a potential risk with regard to the receipt of compensation claims from purchasers of properties in the 12 months following the Direction. This is limited to directly attributable losses where an application is refused or conditions applied

under the Direction. This risk is anticipated to be low in regard to both number of claims and their financial value in the 12 month period.

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**15. Background papers:**

Houses in Multiple Occupation Background Evidence – January 2026 (Appendix to this report).

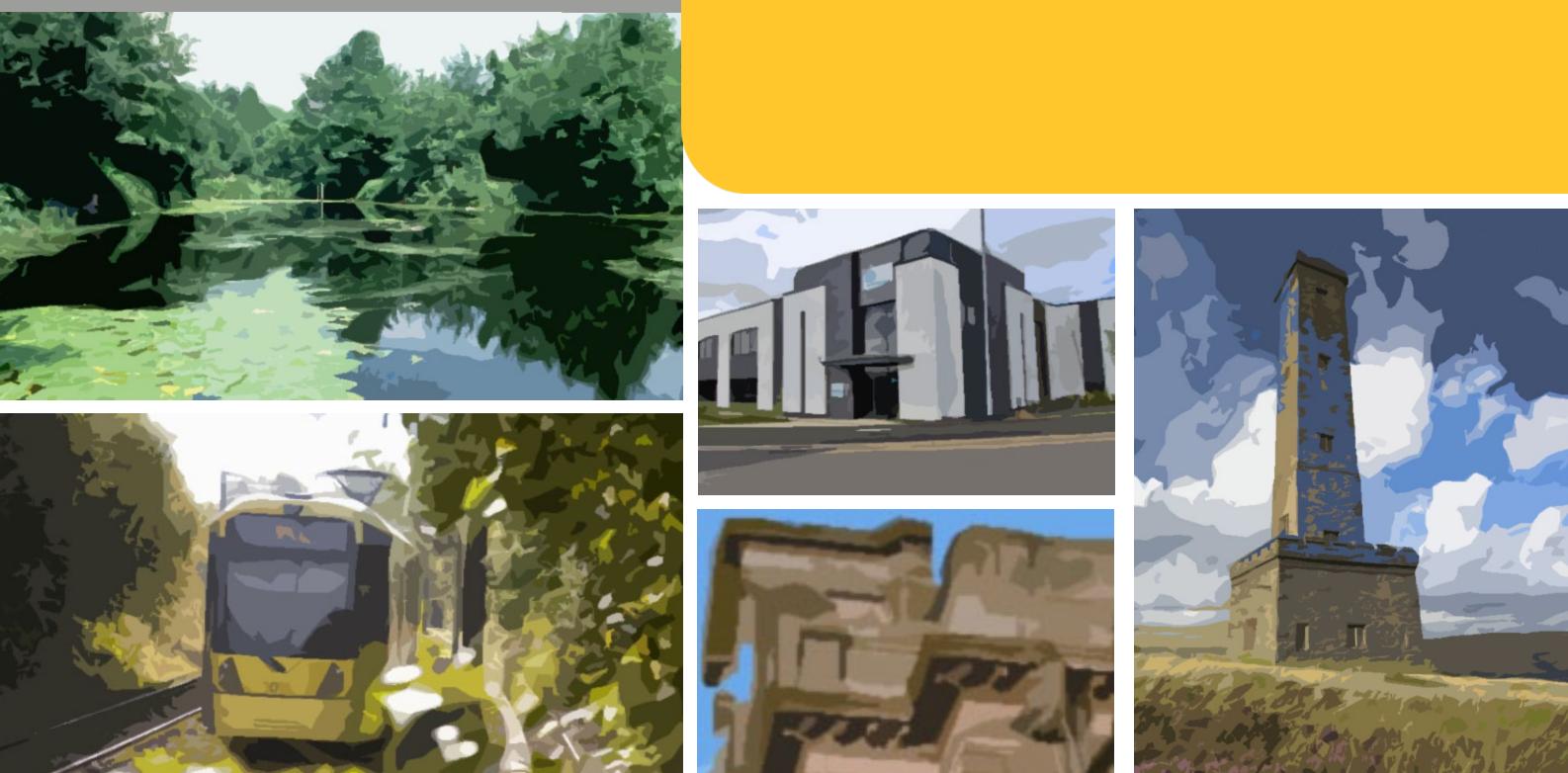
**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
HMO	House in Multiple Occupation
LPA	Local Planning Authority
LDC	Lawful Development Certificate



# Houses in Multiple Occupation Background evidence

January 2026



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# 1 Introduction

- 1.1 Houses in Multiple Occupation (HMOs) are properties that are rented out by at least three unrelated individuals who are not from one household (such as a family) but share facilities such as a kitchen or bathroom.
- 1.2 HMOs form part of the Borough's housing supply and contribute to meeting housing needs. They can provide a cost-effective form of accommodation for younger people and those on low incomes. They also provide flexible accommodation for people with short-term housing requirements, and a social environment for those seeking to live with other people. They can be home to young professionals, people on low incomes, students and those on short-term contracts.
- 1.3 HMOs can be purpose-built, but most in Bury have been created through the conversion of existing properties that were in residential or other uses. Most HMOs in Bury are well managed and provide decent homes, but poorly managed or located properties and over concentrations of such properties have the potential to lead to issues for both occupants and neighbours.
- 1.4 This paper provides the evidence base and policy context for the proposed introduction of an Article 4 Direction to remove the permitted development (PD) right which allows the conversion of dwelling houses (Use Class C3) into Houses of Multiple Occupation (HMOs) for up to six residents (Use Class C4) without the need for a planning application<sup>1</sup>. An Article 4 Direction would not amount to a ban on the creation of new HMOs, but it would bring them into Local Planning Authority control. Applications for HMOs could only be refused where they are contrary to planning policy or other material planning considerations that would justify their refusal.
- 1.5 The Article 4 Direction would be made under the provision of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The proposed Article 4 Direction would apply to the whole borough of Bury and would enable the Council to have greater control in managing conversions of dwellings to HMOs.

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<sup>1</sup> Planning permission is already required for HMOs for seven or more residents.

## 2 Policy Context

### National policy and legislative context

- 2.1 In 2010 legislation was introduced allowing the conversion of a dwelling house (Use Class C3) into a small HMO (Use Class C4) without the need to apply for planning permission. Use Class C4 covers small shared houses or flats which are occupied by three to six unrelated individuals who share basic amenities. The current legislation is set out in Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.2 Larger HMOs occupied by seven or more individuals are classed as *sui generis* HMOs and require full planning permission.
- 2.3 Although conversion of a dwelling (C3) to a small HMO (C4) is classed as permitted development, local circumstances may require that this permitted development right be restricted. Local planning authorities have the power to remove specified permitted development rights across a defined area through a direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2.4 Although Article 4 Directions introduced by local planning authorities do not require approval from the Secretary of State, the Secretary of State for Housing, Communities and Local Government can intervene to stop Article 4 directives taking effect should they deem it appropriate. Both the type of restriction and the extent of the area the restriction is being applied to must be justified.
- 2.5 The National Planning Policy Framework (NPPF) paragraph 54 advises that Article 4 directions should be limited to situations where the direction is necessary to protect the amenity or local wellbeing of the area, and in all cases be based on robust evidence and applied to the smallest geographical area possible. Article 4 directions should be applied in a measured and targeted way. The potential harm that the Article 4 direction is intended to address needs to be clearly identified, and if applied to large areas (such as the majority of a local planning authority) there needs to be a particularly strong justification. That said, Article 4 Directions relating to HMO development that cover an entire Local Planning Authority Area are not uncommon.
- 2.6 It is important to note that an Article 4 direction would not mean that conversion of C3 to C4 is not allowed – it only means that it cannot be carried out under permitted development and therefore needs a planning application. This gives the local planning authority the opportunity to consider the proposal in more detail.

## Exempt Accommodation (Properties that are not considered to be HMOs).

2.7 Within the Town & Country Planning (Use Classes) Order 1987 (as amended), C4 HMOs have the same meaning as that given in Section 254 of the Housing Act 2004. Certain types of shared properties are not categorised as HMOs, according to Schedule 14 of the Housing Act 2004. This includes the following:

- two person flat share: a property or part of a property, lived in by no more than two households each of which consist of just one person;
- a property where the landlord and their household is resident with up to two tenants;
- buildings managed or owned by a public body, such as the police, NHS, Local Housing Authority or Registered Social Landlord;
- where the residential accommodation is ancillary to the principal use of the building, for example; religious establishments or conference centres;
- student halls of residence, where the education establishment has signed up to an Approved Code of Practice;
- buildings controlled or managed by a co-operative society;
- buildings occupied by religious communities;
- buildings regulated otherwise than under the Act, such as children's homes, care homes and bail hostels<sup>2</sup>
- buildings entirely occupied by freeholders or long leaseholders.

2.8 Any properties falling into the above categories cannot be identified as a HMO and therefore cannot be considered as falling with Use Class C4.

## Regional Context

2.9 Other local planning authorities in the immediate vicinity of Bury have already introduced Article 4 directions which restrict permitted development rights for HMO conversions.

Local Authority	Status
Bolton	Immediate Boroughwide Article 4 Direction came into effect on 13 June 2025.
Blackburn with Darwen	Article 4 direction introduced in February 2012 which covered a small number of wards.

<sup>2</sup> As set out in [Schedule 1 of the Licensing and Management of Houses in Multiple Occupation and Other Houses \(Miscellaneous Provisions\) \(England\) Regulations 2006](#) (as amended).

Local Authority	Status
	<p>In August 2023 an Article 4 direction covering all urban areas of Blackburn and Darwen (excluding only more rural areas of the borough) was introduced.</p> <p>Policy DM06 in the local plan adopted in January 2024 states that proposals for new HMOs will not be permitted in any part of the Borough during the plan period.</p>
Rossendale	Immediate Boroughwide Article 4 Direction made 19 September 2025.
Salford	<p>Non-immediate Article 4 direction covering inner areas came into effect in 2018. From November 2024 a new Article 4 came into effect which covers further areas of the city. There are 3 remaining wards which are not covered by HMO Article 4 Directions.</p> <p>Additional licensing was introduced on 19 July 2021 requiring small HMOs with 3 or 4 tenants to obtain an HMO licence.</p>
Manchester	<p>Non-immediate Article 4 direction which covers the whole city came into force on 8th October 2011. The primary reason for introducing the Article 4 direction was issues caused by student housing. The Article 4 direction covers the whole city in order to prevent HMOs spreading into other areas.</p> <p>Selective licensing applies in some parts of the city which requires landlords of all types of private rented homes to apply for a licence.</p>
Oldham	On 22 September 2025 Oldham Council resolved to introduce a boroughwide non-immediate Article 4 Direction, which came into effect on 1 January 2026.
Tameside	Immediate Boroughwide Article 4 came into effect on 2 October 2025. Representation period from 2 October – 24 October 2025.
Trafford	Immediate Boroughwide Article 4 direction came into force in December 2017. Primarily implemented to mitigate the potential impacts of students moving into the borough following proposed opening of University Academy 92, avoid overconcentration and ensure student accommodation is of good quality.
Wigan	<p>Introduced two Article 4 directions in 2020 covering small areas in Leigh and Swinley.</p> <p>On 15 July 2025 a Boroughwide non-immediate Article 4 Direction was made removing permitted development rights for changes of use from individual dwellinghouses to small houses in multiple occupation (HMOs).</p> <p>Consultation was held from 22 July to 12 August 2025. The Article 4 Direction was then confirmed on 21 August 2025 and came into force on 31 August 2025.</p>

Local Authority	Status
	This means from 31 August 2025 all HMOs, regardless of size, will need planning permission in the Borough of Wigan.
Hyndburn	Non-immediate Article 4 Direction for 9 selected wards – will come into effect on 15 March 2026, subject to confirmation by the Council.
Halton	Immediate Article 4 Direction for parts of the Borough brought in with effect from 11 September 2025.
Chorley	Immediate Boroughwide Article 4 Direction took effect from 24 September 2025.
Burnley	Non-immediate area specific Article 4 Direction came into effect 14 October 2024.

2.10 Rochdale and Stockport do not currently have Article 4 directions which restrict conversions from dwellings (C3) to HMOs (C4).

## Local Policy Context

2.11 There are not currently any parts of the Borough covered by an Article 4 Direction relating to HMOs.

2.12 UDP Policy H2/4 – Conversions relates to the conversion of buildings to into two or more self-contained units, or the conversion of a building into an HMO.

2.13 Bury SPD13 – Conversion of buildings to houses in multiple occupation relates to HMOs, however it was adopted in May 2007 and is currently in the process of being updated.

2.14 The Draft Bury Local Plan (March 2025) Policy LP-H11 sets out proposed requirements for applications for HMOs, seeking to avoid over-concentrations of such uses, ensure they do not have an unacceptable impact on the local area, and provide suitable living standards for future occupants.

2.15 It is important to note that an Article 4 Direction will not stop the conversion of dwellings into small HMOs. It will simply mean that such conversions would require a full planning application, which will need to be determined in accordance with adopted planning policies and other material considerations. The updated HMO SPD and future local plan policies will help to ensure that applications for new HMOs meet certain standards.

## HMO Licensing

2.16 Mandatory Licensing of HMOs was introduced under the 2004 Housing Act. HMOs which need to have a licence are those where there are five or more

tenants, forming two or more households, which use shared facilities such as toilets, bathrooms, kitchens and so on. Under HMO licensing legislation, a lack of planning permission is not a relevant factor when making a decision on whether to grant or refuse an HMO licence. Conversely, having planning permission in place (or not requiring it) does not mean a premises is licensed to operate an HMO and this may need to be applied for separately.

- 2.17 Unlicensed HMOs relate to those smaller HMOs of 3 or 4 unrelated people, or where there is an exemption to licensing under Schedule 14 of the Housing Act 2004. Exemptions include properties owned or managed by a public body (such as the NHS or police), a local housing authority or a registered social landlord; student accommodation managed directly by an educational establishment; and buildings which are already regulated (and where the description of the building is specified in regulations), such as care homes and bail hostels.
- 2.18 Although smaller HMOs do not require a licence, they are duty bound to adhere to the requirements laid out by the Management of Houses in Multiple Occupations (England) Regulations 2006. These regulations stipulate management arrangements for all HMO's and where those in control of the HMO are found to be failing to meet their duty/ies, the Council has powers to issue civil penalty notices up to £30,000 per offence.
- 2.19 Under Part 2 of the 2004 Housing Act, local authorities are able to introduce an 'Additional HMO licensing scheme' which requires owners of all smaller HMOs (3 or 4 people) within the designated area to be licensed as HMO by the authority, just like the larger (5 or more people) mandatory HMO licensed properties. To justify having an additional licensing scheme, the council must be satisfied that a significant proportion of 3 and 4 person HMOs across the Borough are being managed sufficiently ineffectively as to give rise, or to be likely to give rise to one or more particular problems either for those occupying the HMOs or members of the public.
- 2.20 The use of additional licensing must be consistent with the Council's housing strategy and should be co-ordinated with the local authority's approach on homelessness, empty properties and antisocial behaviour. Although fees would be payable for licences, there would be significant cost to the local authority in setting up such a scheme.
- 2.21 Local authorities also have the power to introduce 'selective licensing' of privately rented homes in order to tackle problems in their areas, or any part or parts of them, caused by:
  - low housing demand (or is likely to become such an area);
  - a significant and persistent problem caused by anti-social behaviour;
  - poor housing conditions;

- high levels of migration;
- high level of deprivation; or
- high levels of crime.

2.22 Subject to certain exemptions, selective licensing would require all private landlords in a designated area to have a licence from the local housing authority to rent out a privately-rented property (unless the property is a House in Multiple Occupation to which mandatory or additional licensing already applies). Properties let by registered social landlords or managed directly by an educational establishment would be exempt. Selective licensing can only be introduced in a limited range of circumstances, and in conjunction with other measures to help address the problems.

2.23 As a landlord, failure to obtain the necessary licences can lead to severe consequences:

- fines up to £30,000 through a Civil Penalty Notice (CPN), or prosecution, which could result in an unlimited fine;
- The Council may apply for a banning order, preventing rogue landlords from letting residential properties;
- tenants could claim up to 12 months' rent back through a Rent Repayment Order (RRO).

2.24 It is important to note that HMO licensing (be that mandatory, additional or selective licensing) can only consider whether the individual property meets prescribed standards and it is suitably managed – it cannot be used to address issues such as a concentration of HMOs resulting in changes to the character of an area.

### 3 Evidence and Justification

3.1 As set out in National Planning Practice Guidance, Article 4 Directions restricting permitted development rights must be justified by evidence, and applied to the smallest geographical area possible. In view of this guidance, quantitative and qualitative data from various sources have been analysed to allow the Council to determine whether an Article 4 Direction is justified, and for which geographical area.

#### Locations and numbers of HMOs

3.2 Given that planning permission is not currently required for small HMOs occupied by up to six residents, and licences are not required for HMOs housing less than five residents it is not possible to determine the exact number of existing small HMOs and their distribution within the Borough.

3.3 In order to establish as good an understanding as possible of the number and distribution of HMOs, data has been collected from various sources, including data on licensed HMOs, reports to the Private Rented Sector enforcement team, Council Tax data, planning application data, and Local Land and Property Gazetteer data. There is some overlap between the sources of data, so summing each source will not equate to the total number of HMOs.

#### Licensed HMOs

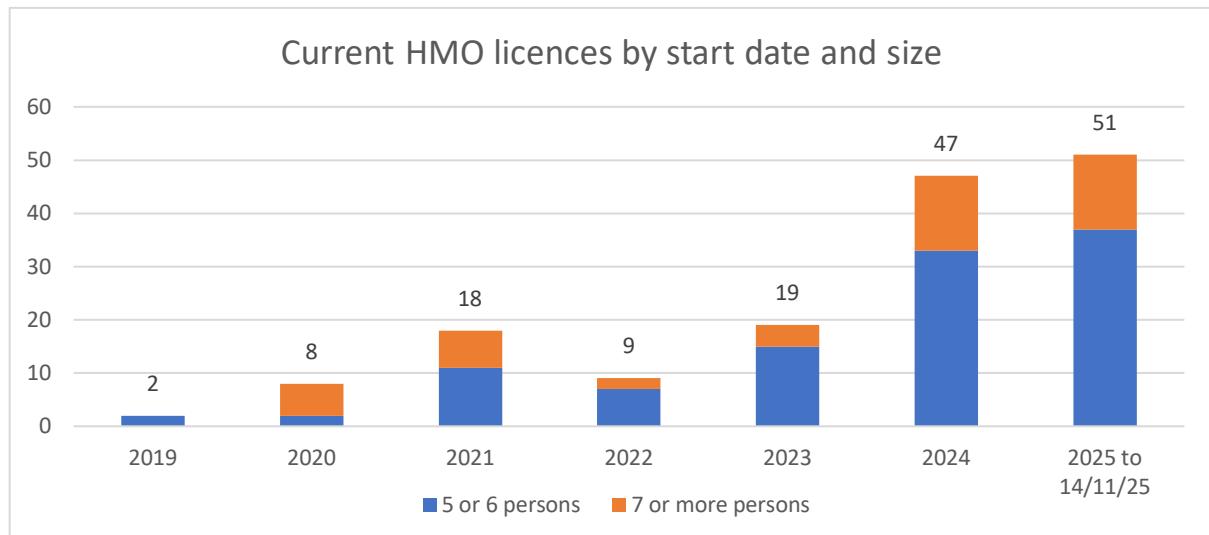
3.4 There are currently (as of 14/11/2025) 154 licensed HMOs in the Borough as set out in Table 1 below. These licensed HMOs have the ability to accommodate a total of 978 households / 981 people.

**Table 1: Current HMO licences by start year and size**

Licence start year	5 or 6 people	7 or more people	Total	Cumulative total
2019	2	0	2	2
2020	2	6	8	10
2021	11	7	18	28
2022	7	2	9	37
2023	15	4	19	56
2024	33	14	47	103
2025 to 17/11/25	37	14	51	154
<b>TOTAL</b>	<b>107</b>	<b>47</b>	<b>154</b>	

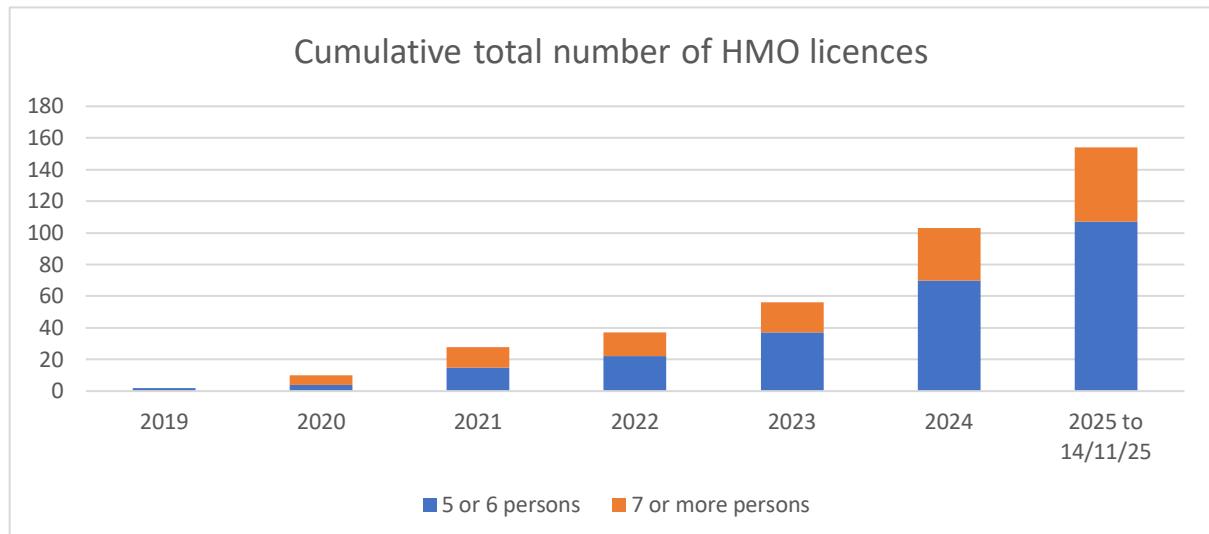
3.5 Figure 1 illustrates the increase in the number of licensed HMOs in recent years.

**Figure 1: Licensed HMOs by licence start date<sup>3</sup>**



3.6 Figure 1 illustrates the continuing growth in the number of HMO licences issued annually, including those for 5 or 6 people. 69% of currently licensed HMOs are for 5 or 6 people and therefore fall below the threshold for requiring planning permission for change of use from C3 to C4. It is important to remember that HMOs for three or four people do not require a licence so will not be included in these figures.

**Figure 2: Cumulative total number of HMO licences**



<sup>3</sup> 2025 figures are for the year to 14/11/2025. The figures include renewals of existing licences as well as new HMO licences.

3.7 A further 73 HMOs have been identified by the Council's Private Rented Sector enforcement team. These are likely to be small HMOs and properties that are otherwise exempt from licensing requirements. The team's view is that this will only represent a small proportion of all unlicensed HMOs. Potential additional properties have been identified from housing benefit data, however further investigation is required to confirm whether these are HMOs, so they are not included in the mapping or total numbers.

### Council Tax Data

3.8 For Council Tax purposes from 1 December 2023 all HMOs are valued as a single property, and legal liability for paying the bill rests with the owner of the HMO.

3.9 As of May 2025, a total of 162 HMOs were identified on the Council Tax register. Of these, 102 were licensed HMOs and 60 were not licensed (these are included within the number of unlicensed HMOs known to the Private Rented Sector enforcement team).

### Planning application data

3.10 Applications relating to HMOs are typically submitted as full applications or a request for a lawful development certificate. A Lawful Development Certificate (LDC) is a legal document issued by the Council that confirms that an existing or proposed use (or proposed building work) is lawful under current planning legislation (and therefore does not require full planning permission). It is important to note that the conversion of a dwelling to an HMO for six people or fewer would not currently require a full planning application, so would not be included in the table below unless an LDC application had been approved. Conversions from other non-C3 uses to an HMO for six people or fewer would require planning permission so will be included.

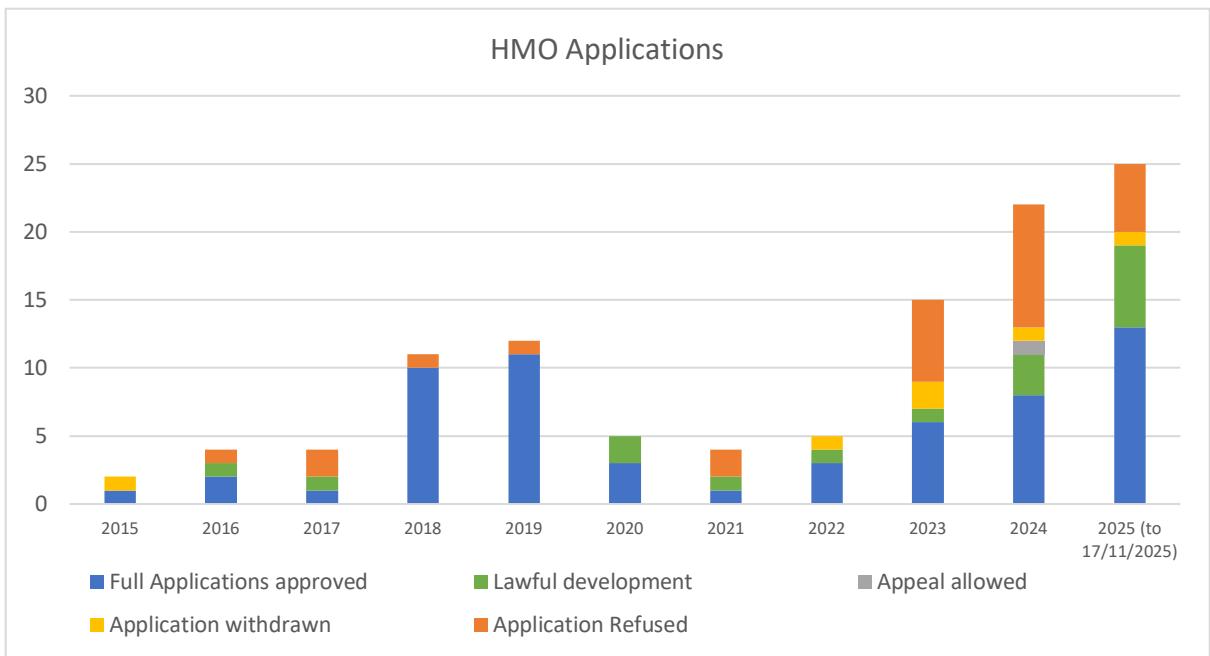
3.11 The table below illustrates the increase in HMO applications in recent years, following a fall around the time of the Covid pandemic. Since 2015 a total of 76 HMO approvals and lawful development certificates have been granted – this includes applications to increase the number capacity of existing HMOs, as well as some alternative permissions on previously approved sites.

**Table 2: HMO Planning and LDC applications**

Year	Full Applications approved	Appeal allowed	Lawful development	Total approvals	Application withdrawn	Application Refused	Total HMO applications
2015	1	0	0	1	1	0	2
2016	2	0	1	3	0	1	4
2017	1	0	1	2	0	2	4
2018	10	0	0	10	0	1	11

Year	Full Applications approved	Appeal allowed	Lawful development	Total approvals	Application withdrawn	Application Refused	Total HMO applications
2019	11	0	0	11	0	1	12
2020	3	0	2	5	0	0	5
2021	1	0	1	2	0	2	4
2022	3	0	1	4	1	0	5
2023	6	0	1	7	2	6	15
2024	8	1	3	12	1	9	22
2025 (to 17/11/2025)	13	0	6	19	1	5	25
TOTAL	59	1	16	76	6	27	109

**Figure 3: HMO applications**



**Figure 4: HMO approvals and LDCs**



## **HMO Locations**

3.12 A total of 274 individual HMOs have been identified from the data sources above and are plotted on Figure 5 below. It is important to note that this will not represent a complete picture of all HMOs, given the limited data particularly for small three or four person HMOs. Figure 6 illustrates the number of known HMOs in each lower super output area.

Figure 5: Location of known HMOs

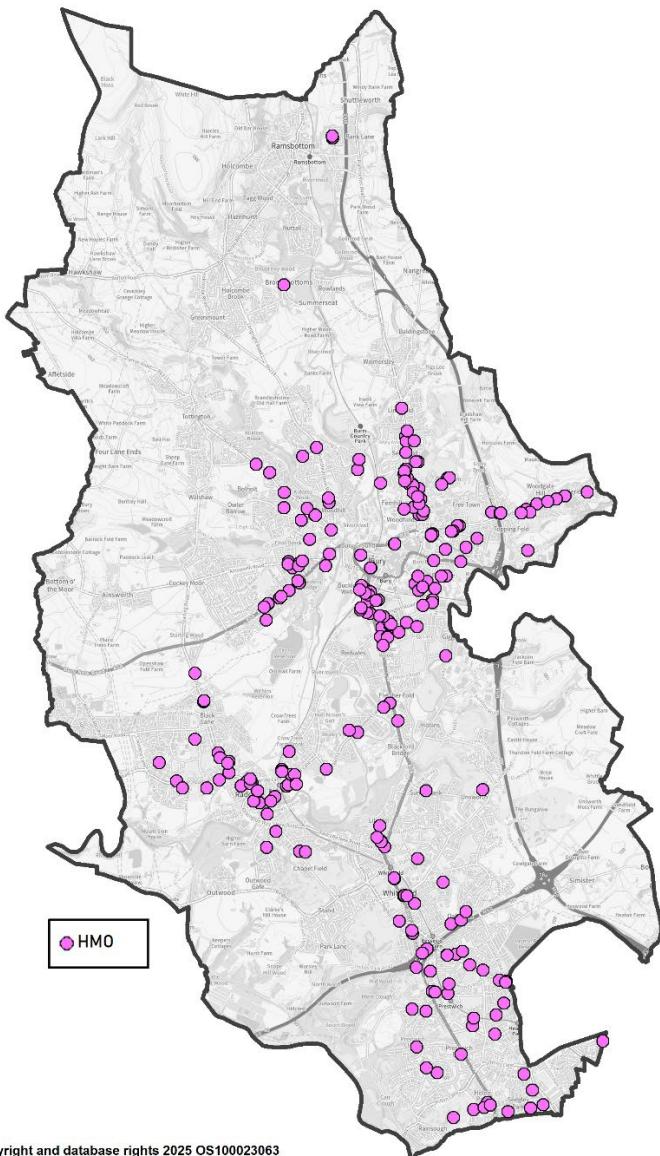
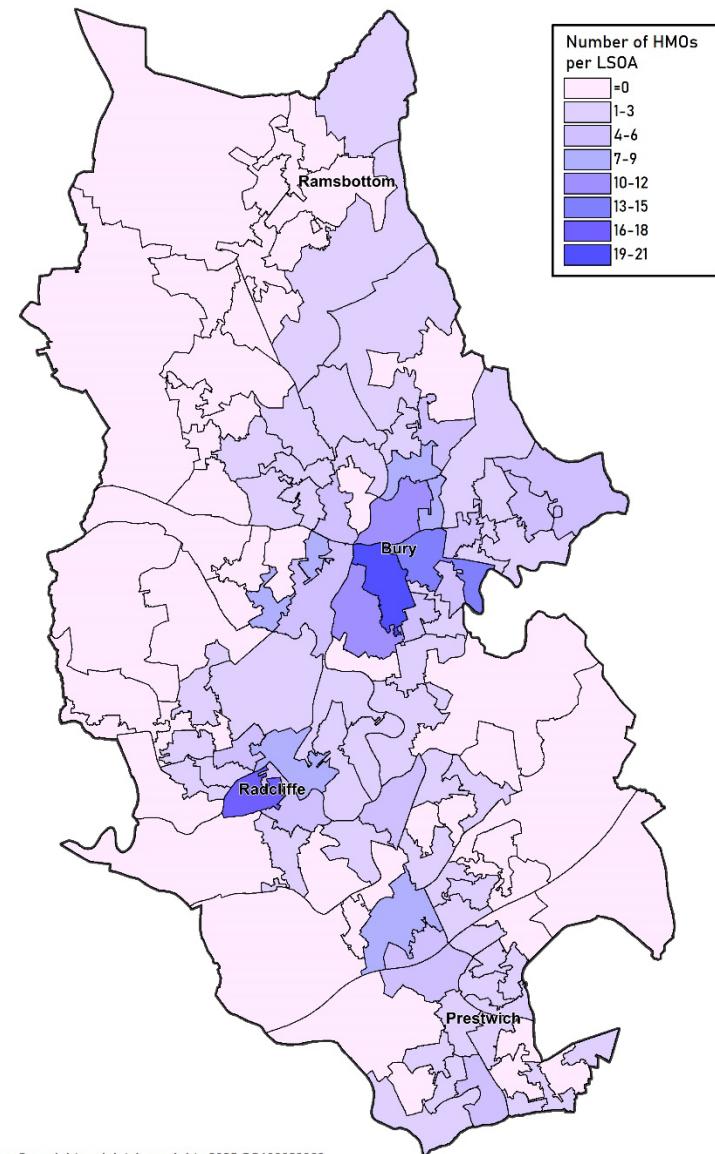
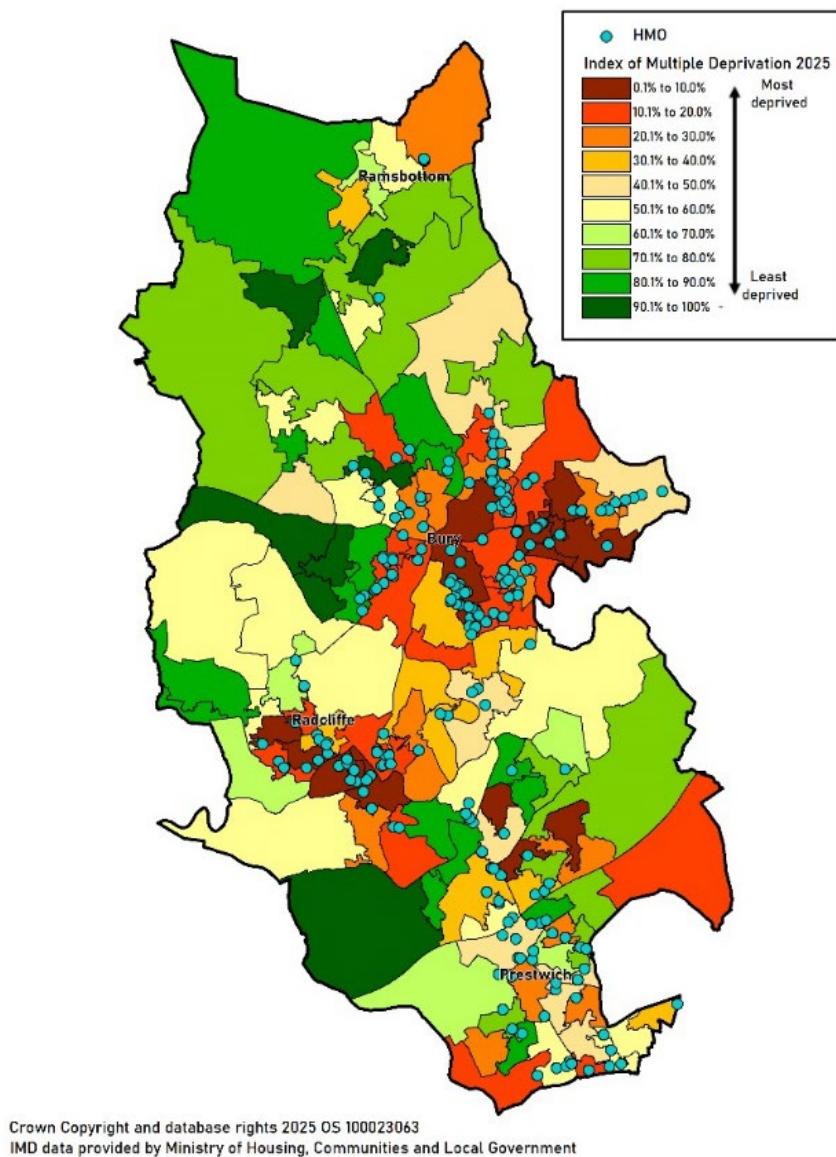


Figure 6: Number of known HMOs per LSOA



3.13 Figure 7 shows the Index of Multiple Deprivation 2025. Whilst there are concentrations of HMOs in deprived areas, they are not restricted to these areas.

**Figure 7: Index of Multiple Deprivation 2025**



## Other data sources

### Census data

3.14 The 2021 Census provides data on the number of dwellings that are houses in multiple occupation. The Census definition of an HMO is a dwelling where unrelated tenants rent their home from a private landlord and at least three unrelated individuals live there, forming more than one household and sharing toilet, bathroom or kitchen facilities with other tenants. The Census defines a small HMO as shared by 3 or 4 unrelated tenants, and a large HMO as shared

by 5 or more unrelated tenants (so is not consistent with Planning definitions). Census data for HMOs is not available below local authority level.

3.15 Although the 2021 Census data will not reflect the more recent increase in the number of HMOs, it does provide comparable data with other local authorities, regionally and nationally. However, investigations by Bolton Council found Census data to be a significant under-estimate of the current number of HMOs in the area, with their 2025 investigations identifying 720 HMOs. Similarly, 2022 research by Blackburn with Darwen Council identified a total of 390 HMOs (compared to the 2021 Census total of 29).

**Table 3: 2021 Census data on the number of HMOs**

Area	Small HMOs	Large HMOs	Total HMOs	% of total dwelling stock
Bolton	88	29	117	0.09%
Bury	75	14	89	0.11%
Manchester	3,739	1,789	5,528	2.37%
Oldham	83	5	88	0.09%
Rochdale	33	8	41	0.04%
Salford	1,137	273	1,410	1.13%
Stockport	129	15	144	0.11%
Tameside	68	11	79	0.08%
Trafford	167	27	194	0.19%
Wigan	94	13	107	0.07%
GM total	5,613	2,184	7,797	0.62%
Blackburn with Darwen	25	4	29	0.05%
Rossendale	15	2	17	0.05%
North West	10,653	4,717	15,370	0.46%
England	130,733	44,928	175,661	0.70%

3.16 The private rented sector (PRS) has experienced significant national growth in recent years, becoming the second-largest tenure in England and accommodating 19% of all households. Bury reflects this national trend; within the borough, the PRS is also the second-largest tenure, accounting for 17% of households, second only to owner-occupiers who dominate at 67%. Analysis of census data from 2011 and 2021 shows a 32% increase in the size of the sector in Bury over 10 years, rising from 10,774 properties to 14,249. In reality, in 2025, it is reasonable to assume that the actual figure is even higher.

## HMOs provided and managed by Government Partnership

3.17 It is understood that certain Government partnerships acquire properties within the Borough to provide temporary accommodation. Whilst we are unable to access data on all such arrangements, we are aware that as of September 2025 one such provider had contracted 41 HMOs in Bury with less than 5 service users.

### Lettings data

3.18 A search of rooms to rent on [www.openrent.co.uk](http://www.openrent.co.uk) provides a snapshot of available HMO properties. The search revealed that of 18 properties with advertised rooms available on 24/09/2025, only one had more than 6 bedrooms. Of 18 with advertised rooms available on 18/11/2025, four had more than six bedrooms. In most cases the total number of occupants of the property was not provided, but the majority of rooms were for single occupiers and are therefore likely to fall below the current large HMO threshold for requiring planning permission.

3.19 Details of properties are provided in Appendix 2.

3.20 The website [HMO Sales](#) suggests that 70% of HMOs have six bedrooms or fewer, and there are around 13,500 licensed HMOs in Greater Manchester. The website notes that peripheral areas are seeing rising demand from HMO investors due to Article 4 restrictions in central zones.

### Housing Need and Demand

3.21 The 2025 Housing Need and Demand Assessment provides the latest available evidence of housing needs across the Borough. The HNDA does not specifically identify the need for HMOs. It does, however, identify that in terms of bedroom numbers, the lowest level of need is for 1-bedroom properties (10-15%). The greatest needs are for 3-bed properties (35-40%), followed by 2-bed (30-35%) and 4+ bed (15-20%). Overall, the HNDA identifies a need for 50-60% of new properties to be built in the Borough to be three or four+ bedroom properties, illustrating the strong need for family housing. For market housing specifically (which HMOs would be classed as), the HNDA indicates a need for only 2-5% 1-bedroom properties, compared to 30-35% 2-bed, 35-40% 3-bed and 20-25% 4-bed.

3.22 Across Bury, the proportion of households renting increased from 8.5% in 2001 to 17.8% in 2021 (ONS Census data), illustrating the importance of the rental sector in meeting housing need.

3.23 The HNDA considers the comparative cost of renting different types of properties in the Bolton and Bury broad market area (BRMA) and the Central

Greater Manchester BRMA<sup>4</sup> compared to the Local Housing Allowance rate that can be claimed by eligible households for assistance with rental costs.

**Table 4: Broad rental market area LHA rates (April 2024) - Bolton and Bury BRMA**

No. of bedrooms	Monthly LHA rate	2024 lower quartile (LQ) rent – Bolton and Bury BRMA	Variance between LQ rent and LHA
Shared accommodation	£341	£650	-£309
1 bedroom	£474	£598	-£124
2 bedroom	£573	£802	-£229
3 bedroom	£698	£997	-£299
4 bedroom	£947	£1,311	-£364

**Table 5: Broad rental market area LHA rates (April 2024) - Central Greater Manchester BRMA**

No. of bedrooms	Monthly LHA rate	2024 lower quartile rent – Central Greater Manchester BRMA	Variance between LQ rent and LHA
Shared accommodation	£410	£849	-£439
1 bedroom	£773	£724	£49
2 bedroom	£873	£901	-£28
3 bedroom	£947	£1,192	-£245
4 bedroom	£1,346	£1,599	-£253

3.24 The tables show that shared accommodation (such as HMOs) are not necessarily providing an affordable form of accommodation for those in need. This is also illustrated by the advertised rents for the properties listed in Appendix 2. Market rented HMOs would not fall within the NPPF definition of affordable housing.

## Amenity, crime and anti-social behaviour

3.25 With regard to matters of amenity, it is unlikely that small scale HMOs, on an individual basis, would lead to detriment to the surrounding area. Indeed, there are existing HMOs in the Borough which have no adverse impact on their surroundings. However, a concentration or concentrations of properties in HMO use by between three and six unrelated individuals has the potential to result in undue disturbance to residents of neighbouring and nearby dwellings. In particular, this could be through increased noise levels, an increased number of comings and goings and general disturbance caused by

<sup>4</sup> Broad Rental Market Areas are used to set Local Housing Allowance (LHA) rates. The Borough of Bury is located within both the Bolton and Bury BRMA and the Central Greater Manchester BRMA.

patterns of use which are more intensive than could normally be expected at a C3 dwellinghouse.

## Accommodation Standards

- 3.26 The Council has very limited data on the location and quality of smaller HMOs with three or four occupants that fall below the mandatory licence requirements. The Council has no means of proactively ensuring that such properties are providing a safe and suitable environment for their occupants and may only become aware of them when complaints are received. Existing occupants may be less likely to report poor conditions if they only intend to stay for a relatively short period.
- 3.27 Whilst many HMOs are providing a high standard of accommodation, when inspecting unlicensed HMOs, the PRS enforcement team have found issues relating to layout and fire risk, possible overcrowding and provision of insufficient bathroom and kitchen facilities for the number of occupiers. Whilst it will not address standards in existing HMOs, requiring planning applications for proposals for conversion from C3 to C4 where such development constitutes a material changes of use will help to ensure standards are met in new C4 HMOs.
- 3.28 Examples from elsewhere also suggest that HMOs are not always meeting appropriate standards. For example, Rochdale Council introduced additional licensing for three and four person HMOs in October 2024 after finding that a significant number of smaller HMOs fell seriously short of fire safety requirements, were overcrowded or lacked suitable management arrangements.
- 3.29 The Article 4 direction will have the direct impact of bringing proposals for small HMOs into planning control where there is a material change of use. This will allow for better regulation and monitoring.

## Conclusion

- 3.30 There is a need to appropriately manage the delivery of small HMOs to ensure the provision of good quality accommodation and to minimise and potential adverse effects on local communities.
- 3.31 The change of use of a large number of dwellinghouses to C4 HMOs would have a significant impact on the supply of family homes in the Borough. The loss of existing C3 dwellinghouses to C4 HMOs would reduce the supply of the house types that the Housing Need and Demand Assessment suggests are in greatest need, and would be detrimental to meeting identified housing needs.

- 3.32 The evidence demonstrates a recent increase in the number of HMOs in the Borough, and in view of the number of surrounding districts where Article 4 Directions have already been introduced there is a prospect of numbers increasing further if landlord demand is displaced.
- 3.33 A Boroughwide Article 4 Direction will also enable the Council to better control the spread of concentrations of HMOs beyond those areas where they are currently most heavily concentrated. This has been seen in a number of areas, where localised Article 4 Directions have subsequently been broadened to include a wider area or made Boroughwide. An immediate Boroughwide Article 4 Direction would enable the Council to proactively manage HMO standards and concentrations, rather than waiting for issues to arise.
- 3.34 A Boroughwide Direction would also ensure that all new HMOs across the Borough provide an appropriate standard of accommodation and seek to avoid detrimental impacts on the amenity of HMO occupants and neighbours or the character of the area. An area specific Article 4 Direction would risk low quality (Use Class C4) HMOs being developed in areas outside the boundary of the Direction.

## 4 Process of Making an Article 4 Direction

- 4.1 Where it considers it necessary, a local planning authority can make a direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (known as an Article 4 direction) to override the national granting of permission from permitted development rights.
- 4.2 An Article 4 Direction is a planning tool that can be adopted for all or part of an area by a local planning authority to remove specific permitted development rights for a particular type of development. This would mean that in future, planning permission would be required from the local planning authority for this specific type of development.
- 4.3 Article 4 Directions can only be used in exceptional circumstances where it is considered necessary to protect the local amenity and wellbeing of an area, and there is a legal process that needs to be undertaken to introduce them.
- 4.4 The introduction of an Article 4 Direction does not mean that the proposed development would not be able to take place or would automatically be refused. However, it does provide the local planning authority with an opportunity to apply its local plan policies to determining whether the development is acceptable and should be granted permission.

## Immediate and non-immediate directions

4.5 There are two types of directions under the General Permitted Development Order: non-immediate directions and directions with immediate effect.

### Non-Immediate Directions

4.6 A 'non immediate' Article 4 Direction means that permitted development rights would only be removed upon confirmation of the direction by the local planning authority following local consultation. This would take place at least 28 days and at most 2 years after notice of the direction is served. A non-immediate Article 4 Direction would enable consultation comments to be considered prior to confirming the direction.

4.7 If a non-immediate article 4 direction is made and 12-months' notice is given from the time the Article 4 Direction is made to the time it comes into effect, then liability for compensation is avoided (see below for further details of compensation). A non-immediate direction could also be made giving less than 12-months' notice, but would still leave the Council open to compensation claims for the remainder of the 12-month period.

### Immediate Article 4 Direction

4.8 An immediate direction can withdraw permitted development rights straight away; however it must be confirmed by the local planning authority within 6 months of coming into effect to remain in force. Confirmation occurs after the local planning authority has carried out a local consultation. The Local Planning Authority will take account of comments made before deciding whether to confirm the Direction (but cannot make changes to the direction in response to comments).

4.9 The circumstances in which an immediate direction can restrict HMO development are limited - development must present an immediate threat to local amenity or prejudice the proper planning of an area.

4.10 If a local planning authority makes an Article 4 direction, it can be liable to pay compensation to those whose permitted development rights have been withdrawn, but only if it then subsequently:

- Refuses planning permission for development which would otherwise have been permitted development; or
- Grants planning permission subject to more limiting conditions than the General Permitted Development Order.

4.11 Claims for compensation would be limited to applications submitted within 12 months of the direction coming into force. The grounds on which compensation can be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. Compensation provisions are set out in [sections 107 and 108 of the](#)

[Town and Country Planning Act 1990](#) and the [Town and Country Planning \(Compensation\) \(England\) Regulations 2015](#) (as amended).

4.12 Immediate Article 4 Directions have recently been introduced for Bolton, Rossendale and Tameside, and Wigan and Oldham have both given less than 12-months notice for their new directions. At this stage it is too early to tell whether these areas will have to make any compensation payments.

## Boroughwide or area-specific Article 4 Directions

4.13 Article 4 Directions can be introduced to cover specific areas, or if appropriate, as a Boroughwide direction. Boroughwide Article 4 Directions for HMOs are not uncommon, for example they are in place in Wigan, Bolton, Manchester, Trafford, Rossendale and Tameside.

4.14 Evidence from other districts shows that when an Article 4 Direction is introduced in a smaller area that this displaces demand and moves the focus of potential issues to other areas of a borough. For instance, in 2024 Salford expanded its Article 4 Direction to cover a much wider area, recognising the displaced demand that had subsequently arisen following the original direction that came into force in more limited parts of Salford in 2018. In 2023 Blackburn introduced a new Direction to cover all urban areas of the Borough, having first introduced restrictions in limited parts of the Borough in 2013. Wigan introduced an Article 4 Direction in January 2020 for Swinley and central Leigh, but in July 2025 it authorised the making of a Boroughwide direction citing growth in HMOs across all but five wards and overspilling in areas surrounding the original direction.

## Notice and representation procedures

4.15 An Article 4 Direction must be subject to a statutory representation period for a minimum of 21 days. The Article 4 Direction would need to be publicised by placing a notice in the Bury Times, displaying Article 4 Direction site notices in at least two locations in the Borough and placing a notice on the Council's website. The LPA must also send a copy of the direction, notice and map of the area to which it relates to the Secretary of State.

4.16 The legislation requires notice to be served on the owner and occupier of every part of the land within the area, unless the local planning authority consider that -

- (a) individual service on that owner or occupier is impracticable because it is difficult to identify or locate that person or
- (b) the number of owners or occupiers within the area to which the direction relates makes individual service impracticable.

- 4.17 It is considered impracticable to serve individual notices on every owner or occupier in the Borough, due to both the difficulty of identifying or locating those people and the number of owners or occupiers.
- 4.18 In the case of an immediate Article 4 Direction, after the representation period has ended and at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State, the Direction needs to be formally confirmed within six months of the date on which it comes into force otherwise it will expire. Any representation submitted must be considered before formal confirmation.
- 4.19 For non-immediate directions, the Council must publicise the direction as soon as possible and give a period of at least 21 days for representations to be made on the direction. They must also specify the proposed date for bringing the Direction into force, which can be up to two years after notice has been given. In order for the non-immediate Article 4 Direction to come into effect on the date specified in the notice, it must be confirmed by the LPA, taking into account any representations received during the specified period. The notice cannot be confirmed until at least 28 days after all notices have been published or such longer period as may be specified by the Secretary of State
- 4.20 For both immediate and non-immediate Article 4 Directions, as soon as practicable after a direction has been confirmed the local planning authority must give notice of confirmation (via press notice, site notices in at least two locations and on the Council's website); and send a copy of the direction as confirmed to the Secretary of State.
- 4.21 The Secretary of State has the power to make a direction cancelling or modifying an Article 4 Direction at any time before or after its confirmation. The Planning Practice Guidance states that the Secretary of State will not use their powers unless there are clear reasons why intervention at this level is necessary.

# Appendix 1: Table of HMO planning applications (2015-2025)

Decision: WDN = withdrawn; AC = approved with conditions; A = approved; LD = lawful development; R = refused.

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
59180	1 Glenmere Close, Prestwich, Manchester, M25 3BH	Single storey side extension to link existing garage with main house to increase existing 6 bed HMO to 8 bed HMO; New roof to garage and creation of 2 no. new car parking spaces and 6 no. new bicycle storage spaces	WDN	04/11/2015	1	8	8	0	2	2
59333	2 Cook Street, Bury, BL9 0RP	Change of use of second floor from offices to residential (HMO)	AC	20/11/2015	1	4		1	4	
59951	1 Glenmere Close, Prestwich, Manchester, M25 3BH	Change of use from 6 bed HMO to 8 bed HMO with creation of additional car parking space and 6 no. cycle spaces	AC	26/10/2016	1	8	8	0	2	8
60490	132 Walmersley Road, Bury, BL9 6DX	Change of use from social club (Sui Generis) to 8 bed HMO (Class C4 - House in Multiple Occupation)	R	03/11/2016	1	8		1	8	
60643	414 Bury Old Road, Prestwich, Manchester, M25 1PZ	Lawful Development Certificate for the existing use of 414 Bury Old Road, Prestwich as a house in multiple occupation (HMO) (Class C4)	LD	09/11/2016	1			1		

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
60654	Laburnum House, 1- 3 Wells Street, Bury, BL9 0TU	Change of use of existing nursing/care home (Class C2) to an 11 bedroom house in multiple occupation (HMO) (Sui Generis)	AC	21/12/2016	1	11	11	1	11	11
61596	79 Bury New Road, Whitefield, Manchester, M45 7EG	Conversion and extensions to existing dwelling house to form 8 bed House in Multiple Occupation (HMO)	R	28/07/2017	1	8	8	1	8	8
61785	146 Chesham Road, Bury, BL9 6EL	Lawful development certificate for proposed change of use from dwellinghouse (Class C3) to 5 bed House of Multiple Occupancy (Class C4)	LD	07/09/2017	1	5		1	5	
61850	29 Knowsley Street, Bury, BL9 0ST	Change of use from community centre/radio station (Class D2) to 9 bed house of multiple occupation (HMO) (Sui Generis)	AC	25/10/2017	1	9	9	1	9	9
61924	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use from shop and residential accommodation to 8 bedroomed HMO (Sui Generis) together with external alterations	R	02/11/2017	1	8		1	8	
62218	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use of ground floor/rear, first and second floors to 6 person House in Multiple Occupation (HMO) (Sui Generis); New shop front and window and new doorway to rear; Bin store at rear.	AC	22/01/2018	1	6	6	1	6	6
62596	9 Stand Lane, Radcliffe, Manchester, M26 1NW	Change of use of ground floor/rear, first and second floors to 7 person House in Multiple Occupation (HMO) (Sui Generis); New shop front and window and new doorway to rear; Bin store at rear	AC	20/04/2018	1	7	7	1	7	7

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
62615	1 Inman Street, Bury, BL9 0TP	Change of use from single dwelling to 6 bed House of Multiple Occupation (HMO) with conversion of garage at rear to living accommodation and erection of pitched roof	AC	23/05/2018	1	6	6	1	6	6
62632	506 Bury New Road, Prestwich, Manchester, M25 3AN	Change of use from a B1 Office to an 8 Bed House in Multiple Occupation including installation of lightwell to front garden as escape route to basement and two storey extension at rear	AC	23/05/2018	1	8		1	8	
62634	4 Glebelands Road, Prestwich, Manchester, M25 1NE	Change of use from residential care home (C2) to 11 bed house of multiple occupation	AC	23/05/2018	1	11		1	11	
62660	46 Manchester Road, Bury, BL9 0SX	Certificate of lawfulness for proposed use from existing C4 (HMO) to C4 (Large HMO) for 7 persons.	R	23/05/2018	1	7	7	1	7	7
62850	506 Bury New Road, Prestwich, Manchester, M25 3AN	Change of use from office (Class B1) to 9 bed House in Multiple Occupation (HMO) (Sui Generis), installation of lightwell to front garden as escape route to basement and two storey extension at rear	AC	09/08/2018	1	9	9	1	9	9
62888	46 Manchester Road, Bury, BL9 0SX	Change of use from a six person house in Multiple Occupation (HMO) (Class C4) to a seven person house in Multiple Occupation (HMO)	A	19/07/2018	1	7	7	0	7	1
63191	4 Glebelands Road, Prestwich, Manchester, M25 1NE	Change of use from House of Multiple Occupation (Class C4) to a nursery (Class D1 non-residential Institution); External alterations for vehicular access to a rear car park and drop off area;	AC	14/11/2018	-1			-1		

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		Resurfacing of car park and landscaping to gardens								
63286	96 Manchester Road, Bury, BL9 0TH	Change of use of single dwellinghouse (C3) to an 8 bed HMO (sui generis) with external alterations	AC	08/11/2018	1	8		1	8	
63312	35 Heywood Street, Bury, BL9 7EB	Change of use from residential (Class C3) to 7 bed/9 person house of multiple occupation (HMO) (Sui Generis)	AC	14/11/2018	1	7	9	1	7	9
63520	14-16 St Marys Place, Bury, BL9 0DZ	Change of use from massage institute (Class D1) to 2 no. 7-bed houses of multiple occupation (HMO); External alterations to include replacement windows/doors, bicycle/bin storage at rear and boundary wall/gates at rear	AC	20/02/2019	2	14		2	14	
63651	Castle House, 7 Wellington Street, Bury, BL8 2AL	Change of use from bed & breakfast (Class C1) to 8 no. bed house in multiple occupation (HMO) (Sui Generis)	AC	01/03/2019	1	8		1	8	
63764	Acorn Business Centre, Fountain Street North, Bury, BL9 7AN	Change of use of first and second floors from office to 28 no. person house in multiple occupation (HMO) (Sui Generis)	R	10/11/2021	1	28		1	28	
63782	243 Bolton Road, Bury, BL8 2NZ	Change of use from residential (Class C3) to 7 bedroom (7 person) house in multiple occupation (HMO)	AC	24/04/2019	1	7	7	1	7	7
64222	18 North Circle, Whitefield, Manchester, M45 7AT	Change of use from 6 no. person HMO (C4) to 7 no. person HMO (sui generis) with single storey extension at rear and alterations to existing flat roof	AC	01/07/2019	1		7	0		1

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
64387	96 Manchester Road, Bury, BL9 0TH	Variation of condition no. 2 (approved plans) of planning permission ref. 63286 for Change of use of single dwellinghouse (C3) to an 8 bed HMO (sui generis) with external alterations; Amendment to design of single storey outrigger at rear	AC	23/09/2019	1	8		0	0	0
64450	31 Parkhills Road, Bury, BL9 9AS	Change of use from residential (Class C3) to 9 bed/10 person house of multiple occupation (HMO) (Sui Generis)	AC	09/10/2019	1	9	10	1	9	10
64534	21-23 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Class B1a) to 2 no. 8 bed HMOs (Sui Generis) with external alterations	AC	03/10/2019	2	16		2	16	
64559	13-15 Parsons Lane, Bury, BL9 0LY	Change of use to 2 no. 8 bed/person houses of multiple occupation (HMO) (Sui Generis) with new window openings	AC	25/10/2019	2	16	16	2	16	16
64570	69 Blackburn Street, Radcliffe, Manchester, M26 1WG	Change of use of former public house/retail unit to 2 no. 5 & 6 bed houses of multiple occupation (HMO) (Class C4) with two storey rear extension and external alterations	AC	18/12/2019	2	11	11	2	11	11
64617	9 Dales Lane, Whitefield, Manchester, M45 7RL	Change of use from dwellinghouse (Class C3) to 4 no. bedroom house in multiple occupation (HMO) (Class C4)	AC	11/11/2019	1	4	4	1	4	4
64719	79 Bury New Road, Whitefield, Manchester, M45 7EG	Change of use from existing 6 bed HMO (Class C4) to 8 bed (8 person) house in multiple occupation (HMO) (Sui Generis)	R	15/11/2019	1	8	8	0	2	2

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
64721	221 Manchester Road, Bury, BL9 9HJ	Change of use from dwellinghouse (Class C3) to 7 person house in multiple occupation (HMO)	AC	18/12/2019	1	7	7	1	7	7
65271	37 & 37a Bolton Road, Bury, BL8 2AB	Change of use from shop and flat to 4 person house in multiple occupation (HMO) (Class C4) with alterations to front elevation	AC	21/04/2020	1	4	4	1	4	4
65395	151 Bell Lane, Bury, BL9 6DF	Change of use from dwelling (Class C3) to 7 bed, 8 person HMO (house in multiple occupation) (Sui Generis) with basement conversion and upgraded front basement escape/lightwell	AC	05/06/2020	1	7	8	1	7	8
65482	Ferngrove House, 1 Ferngrove, Rochdale Old Road, Bury, BL9 7LS	Change of use from house in multiple occupation (HMO) for five persons (Class C4) to HMO for seven persons (Sui Generis), loft conversion with rear dormer and alterations to external elevations	AC	25/06/2020	1	7	7	0	2	2
65975	17 Turf Street, Radcliffe, Manchester, M26 3SZ	Lawful development certificate for proposed change of use from a residential dwelling (Class C3a) to a house in multiple occupation for up to 6 unrelated individual (Class C4) with installation of a new first floor window to side elevation	LD	07/12/2020	1	5	6	1	5	6
66013	166 Dumers Lane, Radcliffe, Manchester, M26 2GF	Lawful development certificate for proposed change of use from a residential dwelling (class C3A) to a House of Multiple Occupation (HMO) for up to 5 unrelated individuals (Class C4)	LD	07/12/2020	1	5	5	1	5	5

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
66348	12A Whittaker Lane, Prestwich, Manchester, M25 1FX	Change of use of the first floor only to form a 4 bedroom/4 person house in multiple occupation (HMO) (Class C4)	AC	11/03/2021	1	4	4	1	4	4
67206	2 Monmouth Avenue, Bury, BL9 5DU	Lawful development certificate for existing use of a dwelling as a 6 person HMO (C4)	LD	18/08/2021	1	6	6	1	6	6
67542	181 Tottington Road, Bury, BL8 1RX	Change of use from 6 no. bedroom house in multiple occupation (HMO - Class C4) to 7 no. bedroom house in multiple occupation (HMO - Sui Generis)	R	17/12/2021	1	7	7	0	1	1
67867	206 Walmersley Road, Bury, BL9 6LL	Change of use to 8-bedroom HMO (Sui Generis) and formation of front and rear lightwells	AC	23/02/2022	1	8	8	1	8	8
67914	9 Belle Vue Terrace, Bury, BL9 0SY	Change of use from dwelling to 8 bedroom HMO; Loft conversion with rear dormer; Basement conversion with escape well and railing/gate	WDN	14/02/2022	1	8	8	1	8	8
68239	181 Tottington Road, Bury, BL8 1RX	Lawful development certificate for proposed change of use from small HMO (Use Class C4) to large HMO (sui generis) limited to 7 residents	LD	20/05/2022	1	7	7	0	1	1
68331	Heaton House, Brierley Street, Bury, BL9 9HN	Change of Use from Training Centre (Class E) to 6 no. HMO's comprising 23 bedrooms (single occupancy)	AC	17/08/2022	6	23	23	6	23	23
68542	79 Bury New Road, Whitefield, Manchester, M45 7EG	Change of use from 6 bed HMO (Class C4) to 8 bed HMO (Sui Generis)	AC	14/12/2022	1	8	8	0	2	2

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
69076	6 Sandford Street, Radcliffe, Manchester, M26 2PT	Change of use from mixed use; public house and 8 self-contained flats to 13 bed (maximum 20 person) HMO (sui generis); demolition of existing conservatory; formation of parking space / cycle store, entrance / exit at rear and alterations to ground floor window at rear	R	27/01/2023	1	13	20	1	13	20
69132	104 Ainsworth Road, Bury, BL8 2RS	Change of use from existing 6 no. bedroom house in multiple occupation (HMO - Class C4) to 7 no. bedroom (7 person) house in multiple occupation (HMO - Sui Generis)	R	15/03/2023	1	7	7	0	1	1
69329	281 Middleton Road Service Road, Prestwich, Manchester, M8 4LY	Change of use of existing public house (Sui Generis) to Podiatry Clinic(Class E(e)) on ground floor and 4 bed HMO (house in multiple occupation) at first floor (Class C4) including two storey extension at side/rear, alterations to roof layout of existing rear outbuilding; formation of new first floor access and door at rear with external staircase and render to external elevations	AC	17/04/2024	1	4		1	4	
69452	148 Walmersley Road, Bury, BL9 6LL	Change of use from dwelling (Class C3) to an 8 no. bedroom/ person House in Multiple Occupation (HMO) (Sui Generis)	AC	31/05/2023	1	8	8	1	8	8
69475	240 Walmersley Road, Bury, BL9 6NH	Change of use from dwelling (Class C3) to 10 no. bedroom HMO (single occupancy)	WDN	10/05/2023	1	10	10	1	10	10
69699	240 Walmersley	Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single occupancy, Class Sui Generis)	AC	26/07/2023	1	9	9	1	9	9

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
	Road, Bury, BL9 6NH									
69735	Rostrevor Hotel, 146-148 Manchester Road, Bury, BL9 0TL	Change of use from hotel (C1) to 2 no. 9 bedroom (single occupancy) HMOs (Sui Generis)	AC	31/08/2023	2	18	18	2	18	18
69777	14 Higher Lane, Whitefield, Manchester, M45 7FY	Lawful development certificate for proposed change of use from HMO (Class C4) to residential care home (Class C2)	LD	20/09/2023	-1			-1		
69794	5 Keats Crescent, Radcliffe, Manchester, M26 3GT	Change of use from residential dwelling (Class C3) to 10 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis)	R	11/12/2023	1	10	10	1	10	10
69815	1-7 Taylor Street, Bury, BL9 6DT	Change of use from existing offices (Class B1(a) to: 3 No. flats and 2 no. retail units (Class E) to ground floor, 4 no. flats to first floor and 3 no. flats to second floor; 7 Bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) to first/second floors; Conversion of roof space with dormers at front and rear to form second floor; External alterations including new windows/doors and shop front/entrances	R	19/12/2023	1	7	7	1	7	7
69826	45 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Use Class E) to 8 no. bedroom 8 person HMO (Sui Generis) with 2 no. front velux rooflights, and 2 no. rear velux rooflights to be	AC	23/08/2023	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		installed; Erection of 1.8m high boundary fence and gated access to rear.								
69981	15 Milner Avenue, Bury, BL9 6NG	Change of use from 6 bedroom HMO (Class C4) to 7 bedroom (single occupancy) HMO (Sui Generis)	AC	25/10/2023	1	7	7	0	1	1
70000	Hawthorn Hotel, 137-143 Stand Lane, Radcliffe, Manchester, M26 1JR	Change of use from hotel to 18 bedroom (single occupancy) HMO (Sui Generis) and single storey rear extension	R	25/10/2023	1	18	18	1	18	18
70102	78-80, Church Street West, Radcliffe, M26 2SY	Change of use from former showroom/workshop to 35 no. bedroom (double occupancy) building of multiple residential occupation (Sui Generis)	R	19/01/2024	1	35	70	1	35	70
70136	21 Church Street East, Radcliffe, Manchester, M26 2PG	Change of use of ground floor to 7 bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis); Single storey rear extension; Alterations to include new windows and doors	AC	21/02/2024	1	7	7	1	7	7
70178	27 Knowsley Street, Bury, BL9 0ST	Change of use from existing office to 8 bed (single occupancy) HMO (Sui Generis), with 4 no. velux rooflights installed to roof and erection of 1.8m high boundary fence and gated access to rear	AC	14/12/2023	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70187	193 Walmersley Road, Bury, BL9 5DF	Change of use from residential dwelling(Class C3) to 9 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front/rear dormers, enlargement of existing basement lightwell and external works	R	13/12/2023	1	9	9	1	9	9
70254	27 Knowsley Street, Bury, BL9 0ST	Change of use from existing vacant office to 9 bed (single occupancy) HMO (Sui Generis), installation of 4 no. velux rooflights, single storey rear extension and 1.8m high rear boundary fence and gated access	WDN	14/12/2023	1	9	9	1	9	9
70325	3 Ruth Street, Bury, BL9 6LU	Change of use from residential dwelling (Class C3) to 9 bed HMO (Sui Generis) to include single storey rear extension and loft conversion with front and rear dormers	WDN	04/03/2024	1	9	9	1	9	9
70341	Heaton House, Brierley Street, Bury, BL9 9HN	Alterations to existing first floor two HMO into one HMO to include an additional bedroom (single occupancy)	R	29/02/2024	1	6	6	-1	1	1
70343	147-155 Walshaw Road, Bury, BL8 1NH	Change of use from residential care home (Class C2) to 13 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works	AC	20/03/2024	1	13	13	1	13	13
70351	116 Church Street West, Radcliffe, Manchester, M26 2BY	Lawful development certificate for proposed - loft conversion with rear dormer and change of use from single house (C3) to 5-person 5-bed HMO (C4)	LD	22/03/2024	1	5	5	1	5	5

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70354	388 Tottington Road, Bury, BL8 1TU	Change of use from residential care home (Class C2) to 16 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works	AC	20/03/2024	1	16	16	1	16	16
70368	1 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS	Demolition of existing garage at side and erection of 3 storey extension at side with roof lights at front and rear to provide 6 no. additional single occupancy bedrooms (13 no. in total) to existing HMO with associated parking and refuse storage	AC	09/08/2024	1	13	13	1	6	6
70439	193 Walmersley Road, Bury, BL9 5DF	Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works	AC	20/03/2024	1	8	8	1	8	8
70536	1-5 Porter Street, Bury, BL9 5DZ	Part change of use of former showroom/laundrette and 1no. flat (Use Class E/Sui Generis/Class C3) to form 1no. 7 bedroom (single occupancy) HMO (Sui Generis) and 1no. 8 Bedroom (single occupancy) HMO (Sui Generis) with associated parking and refuse storage and external alterations	R	12/04/2024	2	15	15	2	15	15
70557	2 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS	Change of use of existing 6 bedroom House in Multiple Occupation (HMO) (Class C4) to 10 bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis) together with external works and hard landscaping to create car parking spaces	AC	02/05/2024	1	10	10	0	4	4

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
70563	78-80 Church Street West, Radcliffe, Manchester, M26 2SY	Change of use from former showroom/workshop to 28 no. bedroom (single occupancy) building of multiple residential occupation (Sui Generis)	R	11/06/2024	1	28	28	1	28	28
70679	Heaton House, Brierley Street, Bury, BL9 9HN	Alterations to first floor to combine two existing House in Multiple Occupation units (HMO) into one 6 bedroom (single occupancy) House in Multiple Occupation (HMO)	R	11/06/2024	1	6	6	-1	1	1
70680	521 Manchester Road, Bury, BL9 9SH	Proposed conversion of basement to an existing 6 bedroom House in Multiple Occupation (HMO) to form a 7-bed HMO	R	23/07/2024	1	7		0	1	
70742	31 Grosvenor Street, Prestwich, Manchester, M25 1ES	Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling	R	18/07/2024	1	10	10	1	10	10
70798	5 Keats Crescent, Radcliffe, Manchester, M26 3GT	Lawful development certificate for proposed change of use of single dwelling to multiple occupancy use 6 bedrooms (Class C4)	LD	20/06/2024	1	6	6	1	6	6
70830	Flats 1-4, 1-3 Porter Street, Bury, BL9 5DZ	Lawful development certificate for proposed change of use from 4 no. flats (Class C3) to 4no. HMO's (C4)	LD	30/07/2024	4	12		4	12	
70842	29 Parliament Street, Bury, BL9 0TE	Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with rear	AC	16/08/2024	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		dormer, roof light at front and associated works								
71010	33 Knowsley Street, Bury, BL9 0ST	Change of use from an office (Class E) to a 7 bed/7 person house in multiple occupation.	R	24/03/2025	1	7	7	1	7	7
71023	1-5 Porter Street, Bury, BL9 5DZ	Part change of use of former showroom/laundrette and 1no. flat (Use Class E/Sui Generis/Class C3) to form 1no. 7 bedroom (single occupancy) HMO (Sui Generis) and 1no. 8 Bedroom (single occupancy) HMO (Sui Generis) with associated parking and refuse storage and external alterations	R	07/10/2024	2	15	15	2	15	15
71034	309 Walmersley Road, Bury, BL9 5EZ	Change of use of existing 6 no. bedroom House in Multiple Occupation (HMO) (Class C4) to 9 no. bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis) with erection of single storey outbuilding extension at rear (to be used as bedroom no. 9)	R	01/11/2024	1	9	9	0	3	3
71156	17 Belle Vue Terrace, Bury, BL9 0SY	Change of use from a 6 bed House in Multiple Occupation (HMO) to a 9 bed (single occupancy) House in Multiple Occupation (HMO)	R	29/11/2024	1	9	9	0	3	
71276	47 Knowsley Street, Bury, BL9 0ST	Change of use from offices (Use Class E) to 8 no. bedroom (single occupancy) HMO (Sui Generis) with 2 no. front velux rooflights and 2 no. rear velux rooflights; Erection of 1.8m high boundary walls at rear with gated access	AC	02/06/2025	1	8	8	1	8	8

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
71306	Railway Hotel, 427 Ainsworth Road, Radcliffe, Manchester, M26 4HN	Change of use from public house into a 10 bed House in Multiple Occupation (HMO) (sui generis)	AC	19/02/2025	1	10		1	10	
71330	12A Whittaker Lane, Prestwich, Manchester, M25 1FX	Change of use from restaurant (Use Class E) to 13 bed (single occupancy) House of Multiple Occupation (HMO) (Sui-Generis), excavations to part of rear yard area and installation of steps, insertion of a window and door on rear elevation at Basement level change of rear ground floor doorway to a window, and enlargement of a first-floor window on the side elevation	AC	30/05/2025	1	13	13	1	13	13
71353	25 Thomas Street, Radcliffe, Manchester, M26 2UH	Change of use from Public House (sui generis) to a 10 Bedroom (single occupancy) HMO	AC	29/01/2025	1	10	10	1	10	10
71405	8 Tenterden Street, Bury, BL9 0EG	Change of use from office (Class E) to 8 bed (single occupancy) HMO (sui generis), with 2 no velux rooflights at front and 2 no velux rooflights at rear and erection of wall to define yard side boundary	AC	11/07/2025	1	8	8	1	8	8
71438	53 Bury Street, Radcliffe, Manchester, M26 2GB	Change of use from care home (Class C2) to 9 bedroom (single occupancy) House of Multiple Occupation (HMO) (Sui Generis)	AC	25/06/2025	1	9	9	1	9	9

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
71449	31 Hilton Crescent, Prestwich, Manchester, M25 9NQ	Change of use from 5 bed/ 6 person House in Multiple Occupation (Class C4) to 7 bed/ 7 person House in Multiple Occupation (HMO) (Sui Generis) and loft conversion with rear dormer	AC	19/03/2025	1	7	7	0	2	1
71567	31 Grosvenor Street, Prestwich, Manchester, M25 1ES	Lawful development certificate for proposed change of use from a dwellinghouse (Use Class C3); the internal layout will be revised to allow the use of the property as a small house in multiple occupation 'HMO' for up to six individuals (Use Class C4).	LD	24/03/2025	1	6	6	1		6
71619	156 Walmersley Road, Bury, BL9 6LL	Change of use from existing 6-bed House in Multiple Occupation (HMO) (Class C4) to 8-bed, 9 person House in Multiple Occupation (HMO) (Sui Generis)	AC	23/04/2025	1	8	9	0	2	
71638	52 Manchester Road, Bury, BL9 0SX	Change of use from dwelling (Class C3) to 8 bed, 8 person, house in multiple occupation (HMO) (Sui Generis) with loft conversion including rear dormers and front velux rooflight	AC	23/04/2025	1	8	8	1	8	8
71641	17 Belle Vue Terrace, Bury, BL9 0SY	Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)	R	25/04/2025	1	8	8	0	2	
71644	221 Walmersley Road, Bury, BL9 5DF	Change of use of existing 6 bed house in multiple occupation (HMO) to 8 bed (single occupancy) HMO (Sui Generis)	AC	21/05/2025	1	8	8	0	2	
71755	89 Wood Street, Bury, BL8 2QU	Change of use from former hot food takeaway with first floor residential flat (Sui Generis/Class C3) to 3 no. bedroom (maximum 4 no. occupants) house in	AC	30/05/2025	1	3	4	1	3	4

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
		multiple occupation (HMO) (Class C4); External alterations								
71842	527 Manchester Road, Bury, BL9 9SH	Change of use from dwelling (Class C3) to 7 no. bedroom/ 7 person HMO (Sui Generis); Rear dormer extension; Fenestration alterations to rear and cycle storage	AC	03/09/2025	1	7	7	1	7	7
71944	44 Manchester Road, Bury, BL9 0SX	Change of use from dwelling (Class C3) to 8 bed (single occupancy) house in multiple occupation (HMO) (Sui Generis) with new velux rooflights to front/rear	R	10/07/2025	1	8	8	1	8	8
71992	157 Bolton Road, Bury, BL8 2NW	Change of use from commercial use (Class E) to 5 bed, 6 occupants house in multiple occupation (HMO) (Class C4) and associated external alterations (including new doors and windows and removal of advertisement hoarding)	R	28/07/2025	1	5	6	1	5	6
72047	80 Alfred Street, Bury, BL9 9ED	Lawful development certificate for proposed change of use of dwelling (Class C3) to 6 person House in Multiple Occupation (Class C4)	LD	04/08/2025	1	6	6	1		6
72133	459 Rochdale Old Road, Bury, BL9 7TB	Lawful development certificate for proposed loft conversion including dormer window to rear elevation, roof lights to front elevation and change of use from Dwellinghouse (C3) to 6 person HMO (C4)	LD	05/09/2025	1	6	6	1	6	6
72144	108 Rochdale Old Road, Bury, BL9 7LR	Lawful development certificate for proposed conversion of dwelling into HMO	LD	29/08/2025	1	6	6	1	6	6

Appn. number	Location	Proposal	Decision	Decision date	Total HMOs	Bedrooms	Occupancy (where known)	Net HMO change	Net bedroom change	Net change in occupancy
72181	44 Manchester Road, Bury, BL9 0SX	Lawful development certificate for proposed change of use from C3 dwelling, to 6 bed, 6 person HMO C4 use, with internal works and new velux roof lights to front and rear	LD	04/09/2025	1	6	6	1	6	6
72269	10 Irwell Street, Bury, BL9 0HE	Lawful development certificate for proposed change of use from C3 dwelling, to maximum 6 person HMO C4 use, with Loft Conversion including Dormer Extension to Rear Elevation and Roof Lights to Front Elevation.	LD	02/10/2025	1	6	6	1	6	6
72361	17 Belle Vue Terrace, Bury, BL9 0SY	Lawful development certificate for existing use as small HMO (Use Class C4)	R	03/11/2025	1	9	Application states 6 but plans show potential for 9.	1	9	
71978	240 Bolton Road, Bury, BL8 2PA	Change of use from dwelling (Class C3) to 8 bed house in multiple occupation (HMO) (sui generis) including extending/raising the roof over existing rear garage	AC	23/10/2025	1	8	11	1	8	11
71924	7-9 Annara House, Bury Road, Radcliffe, Manchester, M26 2UG	Change of use from offices (Use Class E) to 14 no. bedroom House with Multiple Occupants - HMO (Sui Generis) to include alterations to existing elevations/openings	WDN	17/11/2025	1	14	14	1	14	14

# Appendix 2: HMO rooms to let

## Rooms to let on [www.openrent.co.uk](http://www.openrent.co.uk) (24/09/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Heaton house, Brierley Street, Bury	5		£625	6 months
Irwell Street, BL9	6	6	£750 - £875	12 months
Stephen Street South, BL8	6		£695 - £725	6 months
Rochdale Road, BL9	5		£645 - £795	6 months
Pine Street South, BL9	3		£700	1 month
Manchester Road, BL9	5		£575 - £620	6 months
Walmersley Road, BL9	3	3	£595 - £725	6 months
Monmouth Avenue, BL9	6	6	£695 - £875	6 months
Walmersley Road, BL9	8		£650 - £750	6 months
Milner Avenue, BL9	4		£800	6 months
Lily Hill Street, M45	6	6	£650 - £760	6 months
Chaucer Avenue, M26	6		£695	6 months
Charnley Mews, M45	5		£650	6 months
Radcliffe, M26	3		£625	3 months
Oaks Close, M25	4		£320 Weekend let only	1 month
The Downs, M25	3		£650	1 month
Circular Road, M25	5		£770 (2 tenants)	6 months
George Street, Prestwich, M25	5		£800 (2 tenants)	10 months

## Recent let agreed listed on [www.openrent.co.uk](http://www.openrent.co.uk) (24/09/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
New Vernon Street, Bury, BL9	3		£495	6 months
Bell Lane, BL9	3	3	£575	1 month
Hazel Road, M45	3		£650	6 months
Parnham Close, M26	4		£550	3 months

## Rooms to let on [www.openrent.co.uk](http://www.openrent.co.uk) (18/11/2025)

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Heaton house, Brierley Street, Bury	5		£650	6 months
Irwell Street, BL9	6	6	£695	12 months
Mill Yard, BL9	5		£625	6 months
Parsonage Street, BL9	5		£500 - £850	6 months
Ruth Street, BL9	6		£657	6 months
Poplar Avenue, BL9	3	3	£500	6 months
Walmersley Road, BL9	8		£845	6 months
Walmersley Road, BL9	8		£600-£875	6 months
Ferngrove House, BL9	10		£695	6 months
Cromer Road, BL8	3	4	£550-£899	6 months

Location	Total bedrooms in property	Total tenants (if known)	Monthly rent	Min tenancy
Milner Avenue, BL9	4		£800	6 months
Market Street, BL8	4	4	£550 - £625	6 months
Chaucer Avenue, M26	6	6	£650 - £695	6 months
Charnley Mews, M45	8		£550 - £750	6 months
Livsey Street, M45	3	3	£750	6 months
The Downs, M25	3		£650	1 month
Circular Road, M25	5		£770 (2 tenants)	6 months
Prestwich, M25	5		£800 - £850 (2 tenants)	6 months

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