



Article 4 Direction

Removal of permitted development rights for the change of use from Use Class C3 (dwelling houses) to C4 (HMOs)

Background Document: Context, Proposals and Evidence and Justification

11 September 2025

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Part 1: Context

Introduction

This paper provides the evidence base and policy context for the introduction of an Article 4 Direction within the Borough of Halton, which will remove the permitted development (PD) rights allowing the

conversion of dwelling houses (Use Class C3) into Houses of Multiple Occupations (HMOs) for up to six residents (Use Class C4). The Article 4 direction would be made under the provisions of the Town and Country Planning (General Permitted Development) Order 2015¹ (as amended) and would apply to the defined areas highlighted in Appendix B of this document. Its introduction will enable the council to have greater control in managing conversions of dwellings into HMOs.

National Policy and Legislative Context

In 2010 the Government introduced *The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010*² which allowed the conversion of a dwelling house (Use Class C3) into what was then a new use class of C4, which is a small, shared, house or flat which is occupied by three to six unrelated individuals who share basic amenities. This legislation was amended through *The Town and Country Planning (General Permitted Development) (England) Order 2015* and still continues to allow the conversion of dwellings (C3) to small HMOs (C4) in class L of schedule 2.

Proposals for Houses of Multiple occupation for seven or more residents continue to require full planning permission.

Although the Government has granted permitted development rights to convert dwellings (C3) to small HMOs (C4), it is recognised that local circumstances will sometimes require that this permitted development right be restricted. These restrictions can be introduced, on a temporary or permanent basis, through an **Article 4 direction**, which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area.

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. Any decision to introduce an Article 4 direction can still be judicially reviewed.

The National Planning Policy Framework (NPPF) advises that Article 4 directions should be applied in a measured and targeted way, and should be limited to situations where the direction is necessary to protect the local amenity or the wellbeing of the area (Paragraph 54). Article 4 directions must be based on robust evidence and apply to the smallest geographical area possible. Article 4 Directions which apply to large areas (such as those which cover the majority of a local planning authority) need to have a particularly strong justification.

The council has two options of WHEN to enact an article 4 direction:

1. **Immediate** Article 4 directions take effect on the date of the direction.
2. A **non-immediate** article 4 direction would allow for a consultation period. In order to avoid the compensation, a 12 months' notice period is required.

¹ [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015](#)

² [The Town and Country Planning \(General Permitted Development\) \(Amendment\) \(England\) Order 2010](#)

Regional Context

Several local planning authorities in the close proximity to Halton have already introduced Article 4 directions which restrict permitted development rights for HMO conversions.

- **Sefton** issued a 'non-immediate' Article 4 direction in September 2017 which covered parts of Bootle, Litherland, Seaforth, Waterloo, and Southport. The Council also implemented an 'immediate' Article 4 Direction in the Aintree area on the 2nd July 2025. Policy HC4 of the Sefton Local Plan states that development involving the conversion of buildings to HMOs will be permitted if it does not cause significant harm to the character of the area or the general amenity of occupiers/neighbours.
- **Liverpool** issued an article 4 direction in 2020 that covered the Anfield, Central, Greenbank, Kensington and Fairfield, Picton, Princes Park, Riverside, Tuebrook and Stoneycroft and Wavertree wards. The Liverpool Local Plan, adopted in 2022, included Policy H11 which explained how to protect residential character and amenity and how in designated neighbourhoods where number of HMOs exceed a certain threshold, further planning applications will not be supported.
- **Cheshire West and Chester** have an Article 4 direction for the areas Garden Quarter, Newry Park, and King Street. To support this Cheshire West have adopted a Houses in Multiple Occupation and Student Accommodation SPD, which provides guidance on how the authority will assess and deal with planning applications associated with Houses in Multiple Occupation and Purpose Built Student Accommodation.
- **Blackburn with Darwen** introduced an Article 4 direction in February 2012 which covered a small number of wards. 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. Policy DM06 in the local plan adopted in January 2024 states any application for a new HMO will be refused.
- **Salford** has an Article 4 direction covering inner areas which came into effect in 2018. From November 2024 a new Article 4 came into effect which covers further areas of the city. The recently adopted Part 1 of Salford's Local Plan includes Policy H10 which limits the granting of permission to HMOs if they will have a negative impact on the residential character of the surrounding neighbourhood.
- **Wigan** Introduced two Article 4 directions in 2020 covering small areas in Leigh and Swinley. They went to cabinet on the 3rd July 2025 with an Article 4 direction for the whole borough after the evidence suggested a displacement effect following the direction introduced in 2020. Wigan has an SPD on HMOs which outlines policy on avoiding high concentrations of HMOs in specific areas when deciding whether to grant permission.
- **Knowsley, St Helens, Wirral and Warrington** do not currently have Article 4 directions which restrict conversions from dwellings (C3) to HMOs (C4).

Local Policy Context

Nowhere within the borough of Halton is currently covered by an Article 4 direction relating to HMOs.

Halton have recently adopted a Houses in Multiple Occupation Supplementary Planning Document (SPD) which will continue to be used to demonstrate the standards expected by the Council for HMOs. This is to ensure the impact on the amenity of occupiers/neighbours is controlled and the residential character of places within the borough is protected.

In September 2022 the Environment & Urban Renewal Policy and Performance Board (PPB) resolved to form a Working Party of Members to consider policy to address the proliferation and standards in Houses of Multiple Occupation. The HMO working party developed an action plan that was endorsed by the Environment and Urban Renewal PPB in February 2023. Most of those actions have subsequently been implemented and include;

- the adoption of HMO Amenity Standards for licensed HMO’s
- the production of a HMO Supplementary Planning Document (SPD)

The Halton Corporate Plan, specifically Priority 6 which provides that ‘Supporting Halton’s residents to live in decent and affordable homes, surrounded by safe and thriving communities’, is applicable to the standards of HMOs. It ensures that there is a delivery of suitable homes which meets every resident’s needs. This means providing homes for families who may live in a single dwelling, as well as single people who may rely on HMOs.

It is important to note that an Article 4 direction will not stop the conversion of a dwelling into small HMO. It will only mean that such conversions would require an application for planning permission to be made to the Council for determination. As previously mentioned, Halton has recently adopted a Houses in Multiple Occupation SPD, which will continue to provide guidance. The article 4 direction identifies the areas where property owners will not benefit from permitted development rights and will require planning permission for any type of HMO.

Wider Licensing Context

Separate to planning requirements is the system of licensing requirements for HMOs in England. Licensing requirements ensure that HMOs meet safety, amenity and management standards.

A mandatory license is required for HMOs which will be occupied by five or more unrelated people. HMO licenses are issued by the Environmental Health department as part of the councils housing standards function. The council has adopted a HMO licensing requirements and amenity standards documents setting out the standards licensed HMO’s are expected to reach. This will be reviewed to provide guidance on the standards applicable to smaller unlicensed HMO’s.

Part 2: Evidence and Justification

Houses in Multiple Occupation

Definition of an HMO: A HMO is a property in which three or more unrelated people live and share basic amenities which can include kitchens and bathrooms.

The Number of HMOs in England:

The Office for National Statistics estimate that, on the 2021 census day, out of a total dwelling stock of 26,394,778 that 182,552 dwellings were HMOs.

The Number of HMOs in Halton:

Since 2018, the number of licenced HMOs in Halton have gradually increased, with the number increasing from 32 in 2018 to 129 in 2025. The council is aware of an additional 73 smaller unlicensed HMO’s. The total of known HMO’s in Halton is 202.

2018	2019	2020	2021	2022	2023	2024	2025

Ne w	Tot al	Ne w	Tot al	Ne w	Tot al	Ne w	Tot al	Ne w	Tot al	Ne w	Tot al	Ne w	Tot al	Ne w	Tot al
8	32	16	48	17	65	44	109	7	116	5	121	0	121	8	129

Table 1: Licensing Application for HMOs 2018 - 2025

The data on known HMO's is sufficient to demonstrate a sustained increase in recent years and as can be seen from the data below this increase has been concentrated in certain wards.

Character

In Widnes, the wards Appleton, Central & West Bank have the highest percentage of their dwelling stock acting as HMOs. In Halebank there are early signs of clustering of HMOs. The buildings in Appleton are often Victorian, and suited to families. The density of houses is quite high, given the town centre location, and properties are affordable. In Central & West Bank these houses are terraced and also suited to families. The area has seen a loss of some of these traditional family homes to HMOs and this has started to impact on the general character of these areas. In Halebank the density of housing is again quite high and of a similar age and size to properties in Appleton and Central and West Bank.

These wards have on-street parking, with limited off-street parking. This coupled with high-density neighbourhoods can mean limited parking provision. HMOs with 3-6 unrelated individuals is likely to lead to a higher parking demand compared to the existing use of a single dwelling. Therefore, this can impact on the amenity of the local community and lead to community tension.

In Runcorn, there is a mixture of old and new town properties, built over many years, ranging from the Victorian period through to the 1980s. Once again, these properties are typical family homes, with some being former social housing. In some of the older areas of Runcorn, the same would apply as stated above i.e. parking provision. In the New Towns, parking tends to be outside individual boundaries within shared parking areas.

Again, like terraced areas this parking is limited, meaning HMOs with 3-6 unrelated individuals are likely to lead to a higher parking demand compared to the existing use of a single dwelling. Therefore, this can impact on the amenity of the local community and lead to community tension.

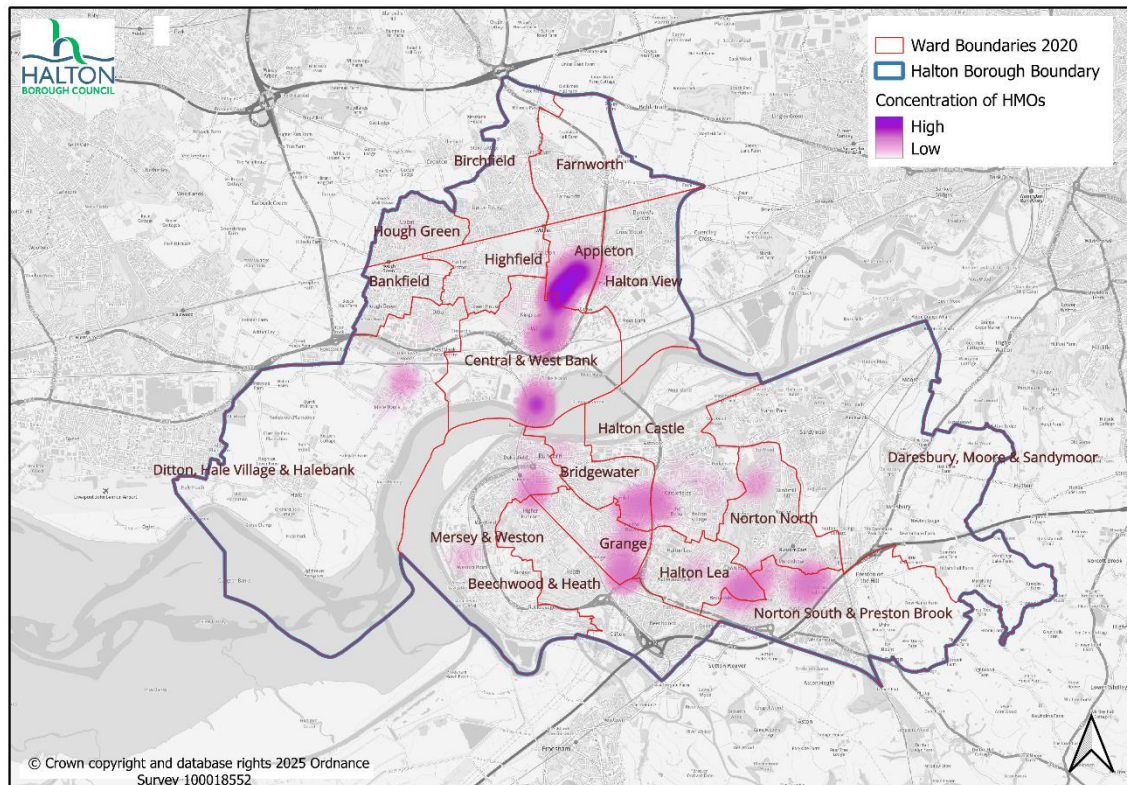
Changes to the character of the area and the cohesion and resilience of the local community. Negative impacts on the amenity of neighbours through the greater intensity of use of HMOs, Pressure on parking provision, Waste storage and litter, Negative impacts on the physical environment and streetscape and the provision of inadequate living accommodation for occupiers.

A large influx of young, single people can have an impact on the family character of an area. HMOs are often occupied by people with contrasting living schedules to traditional families. This can manifest in people with jobs that have irregular working hours and /or younger people who have not settled down with families at this point of their lives. This can lead to comings and goings at extended hours in a way that is not typical in family-orientated, suburban neighbourhoods.

This can cause disturbance and tension amongst the local community. Whilst these characteristics can apply to some residents of family housing, they are far more associated with HMOs (and flat conversions). Clustering of these properties can really start to change the character of the area, as when HMOs are grouped in close proximity the difference in lifestyle between households can lead

to a loss of community cohesion. This can only happen if not planned appropriately, as an article 4 direction would give planners power to intervene if clustering starts to appear.

Figure 1: Heat Map of HMOs in Halton



Demographics

Population

The Office for National Statistics estimated Halton to have a population of 129,000 in 2021 (ONS, 2025, [Build a custom area profile - ONS](#))

Deprivation

Halton Borough is a deprived borough. The Indices of Multiple Deprivation provide statistics on relative deprivation which are reported at a small area level (called Lower Super Output Areas (LSOAs)) across 32,844 areas of England and 317 local authority areas. It uses 7 distinct domains, combined and weighted, which include income, employment, health, education, crime, barriers to housing and services, and the living environment.

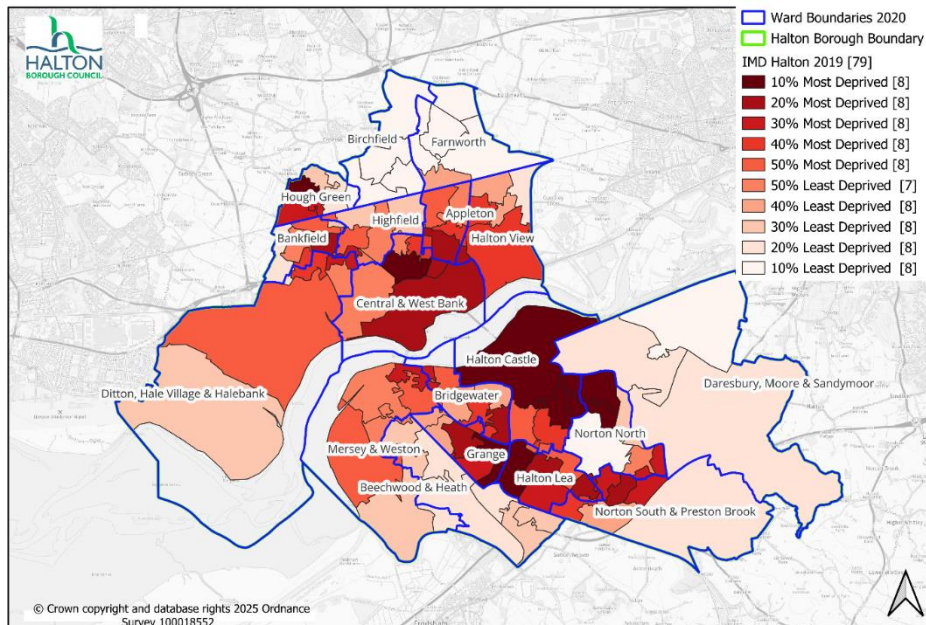
The most recent indices of Multiple Deprivation were published in 2019. It shows that 31.6% of Halton's LSOAs were in the most deprived 10% in the country. This was up from 26.6% in 2015 and was the 6th highest percentage point increase in the country ([The English Indices of Deprivation 2019](#))

However, the indices are relative, not absolute, as they are ranked in order nationally and so a change in ranking does not necessarily mean a worsening in performance. However the general direction is that Halton became relatively more deprived between 2015 and 2025.

Figure 2 shows a deprivation map of Halton, sourced from the 2019 Indices of Multiple Deprivation (By MHCLG). The borough is split into 79 Lower-layer Super Output Area (LSOA). All

neighbourhoods in England are then ranked according to their level of deprivation relative to that of other areas. The 79 LSOAs have been equally grouped (apart from '50% Least Deprived' due to uneven total no. of LSOAs) into 10 different categories showing the 10% Most Deprived to the 10% least deprived areas. When comparing the deprivation data with the heat map of HMOs within Halton, there is a clear correlation between where HMO properties are located and the areas which are experiencing high levels of deprivation.

Figure 2: Indices of Multiple Deprivation 2019 Map for Halton



Housing

The ONS states that the average house price in Halton was £187,000 in May 2025. This represents a 6.6% increase from May 2024 ([ONS: House prices in Halton](#)). Despite the increase, this figure is low compared to the average English House Price which stood at £306,000.

The average monthly private rent in Halton was £693 in June 2025, which represents an 4.7% increase from June 2024. However, again, in spite of the increase, the average private rent price in Halton remains low when compared to the average private rent price in England of £1,344.

With lower house prices and private rental prices Halton is an attractive prospect for buy to let landlords.

Amenity/ Crime/ Anti-Social Behaviour HMOs and Crime/ Anti-Social Behaviour

During the public consultation on the HMO SPD, complaints included issues surrounding noise, anti-social behaviour, car parking and waste. This can be found in the Consultation Statement on the Council website³. Such complaints demonstrate that some HMOs may negatively affect the amenity of the areas in which they sit. Any further HMOs, or new clusters of HMOs, could cause further harm to the amenity of areas.

Summary of Evidence

There has been a sustained increase in the numbers of HMOs within the borough from the years 2018 to 2025. Low house prices make Halton an attractive place for the private rented sector to

³ [Halton Borough Council - Supplementary Planning Documents](#)

invest in properties and convert them into HMOs. The planning department currently does not have control over the impacts of small HMOs that are used by 3-6 unrelated individuals, with negative impacts often stemming from when HMOs are clustered in close proximity with each other. The Council have identified areas of clustering within wards in both Widnes and Runcorn. The Council is aware of the importance of HMOs within the dwelling stock. However, there is a concern around the impact of clustering on local character, community cohesion and residential amenity. It is evidenced by the complaints found in the SPD public consultation that HMOs may negatively affect the amenity of the area. Furthermore, clustering of these properties can really start to change the character of the area, as when HMOs are grouped in close proximity the difference in lifestyle between households can lead to a loss of community cohesion and suburban feel. With planning control, facilitated by an Article 4 direction, development management teams can mediate the issues that may come from HMO applications. Without this control, the Council risks development that would be prejudicial to the proper planning of the area or constitute a threat to residential amenity. This could have adverse effects on the local character and community cohesion. Therefore, it is recommended to introduce an article 4 in the identified areas, to manage the location of future HMOs and prevent clustering of these properties.

Part 3: Proposals

New Article 4 Direction

In order to protect amenity and ensure Halton's communities remain sustainable with a mix of dwellings including those for families and single occupiers it is recommended an immediate Article 4 direction, in the areas shown in Appendix B, to remove the permitted development right to convert a dwellinghouse (C3) into a small HMO (C4).

The Article 4 direction will have the direct impact of making all future HMO proposals subject to planning control. This will allow better regulation and monitoring of HMOs, as conditions can be attached to planning permission. Halton has a supplementary planning document on HMOs and could potentially explore developing a HMO policy in the next Local Plan. However, an Article 4 direction is needed to ensure that all conversions go through the planning process. Without an Article 4 direction the Council would not be able to apply any policy on HMOs to conversions from dwelling houses to small HMOs for up to six people.

It is proposed that the new Article 4 direction will apply only to the areas specified in Appendix B. Evidence from other local authorities suggests that when an Article 4 direction is introduced in a smaller area, that this merely shifts the problem to other areas of a borough. However, the NPPF advises that Article 4 directions should be applied in a measured and targeted way, and should be limited to situations where the direction is necessary to protect the amenity or local wellbeing of the area (Paragraph 54). Article 4 directions which apply to large areas (such as those which cover the majority of a local planning authority) need to have a particularly strong justification. Halton Borough Council has the evidence of clustering of HMOs within certain neighbourhood in the borough. However, we currently do not believe there is the sufficient evidence to suggest a borough-wide implementation of an Article 4. However, if evidence of displacement is brought to the Council's attention after enacting this Article 4, the issue can be revisited.

Appendix A - Draft Article 4 Direction

IMMEDIATE ARTICLE 4 DIRECTION Halton Borough Council

COUNCIL TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

WHEREAS Halton Borough Council (the "Council") being the appropriate local planning authority within the meaning of article 4 and schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (the "Order"), are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged red on the attached plans (the "Land"), unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Order hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with paragraph 2(6) of Schedule 3, shall remain in force until X February 2026 (being six months from the date of this direction) and shall then expire unless it has been confirmed by the appropriate local planning authority in accordance with paragraphs 1(9) and (10) of Schedule 3 of the Order before the end of the six month period.

SCHEDULE

Development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouse) of the Schedule to Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (Houses in Multiple Occupation) of that Schedule, being development comprised within Class L(b) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 and not being development comprised within any other Class.

The Article 4 Direction will come into force on the date below.

Made under the common seal of **HALTON BOROUGH COUNCIL**

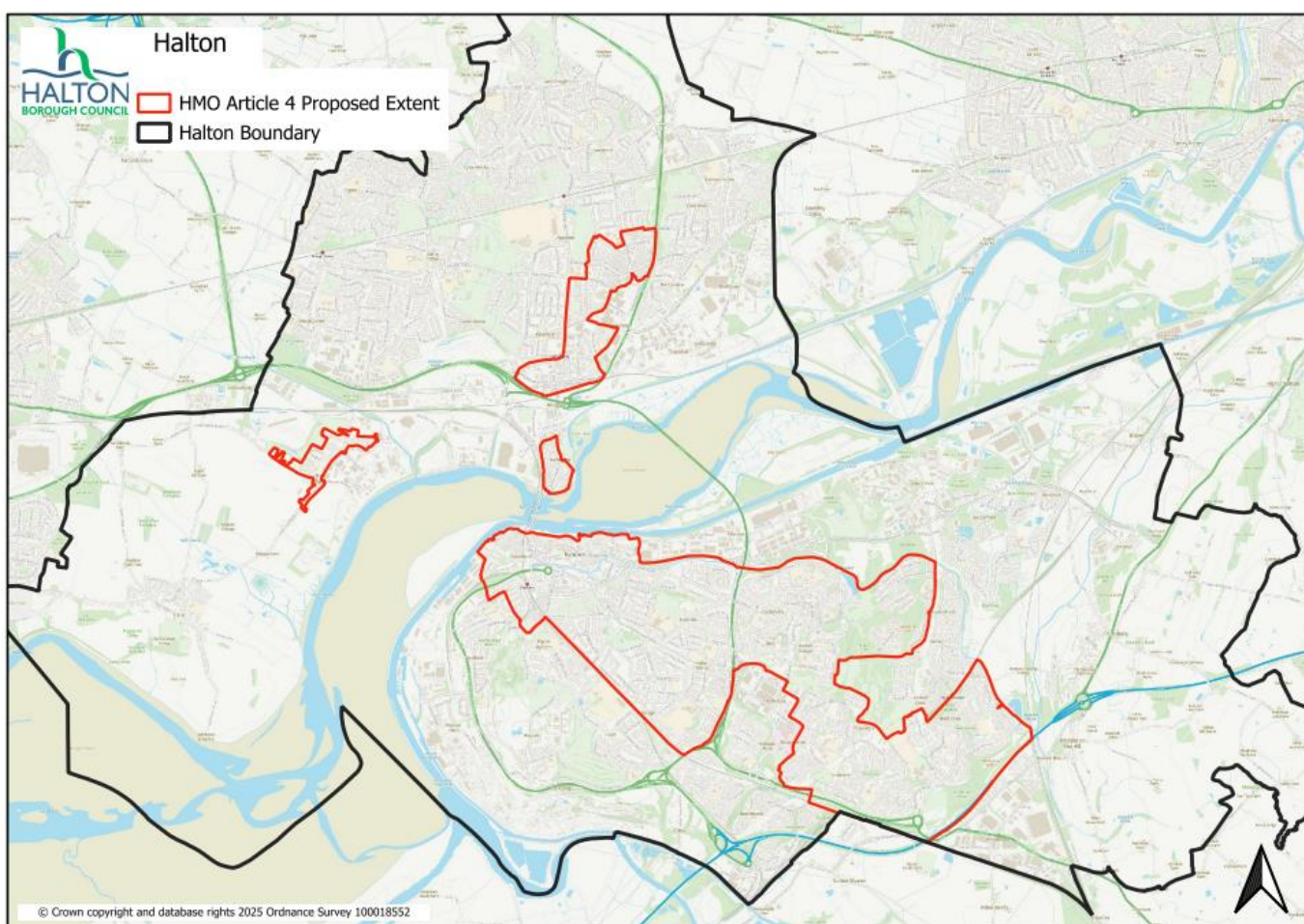
thisday of September. 2025

The common seal of Halton Borough Council was affixed to this Direction in the presence of:-

..... Authorised Signatory

Appendix B – Areas where the Article 4 direction will apply

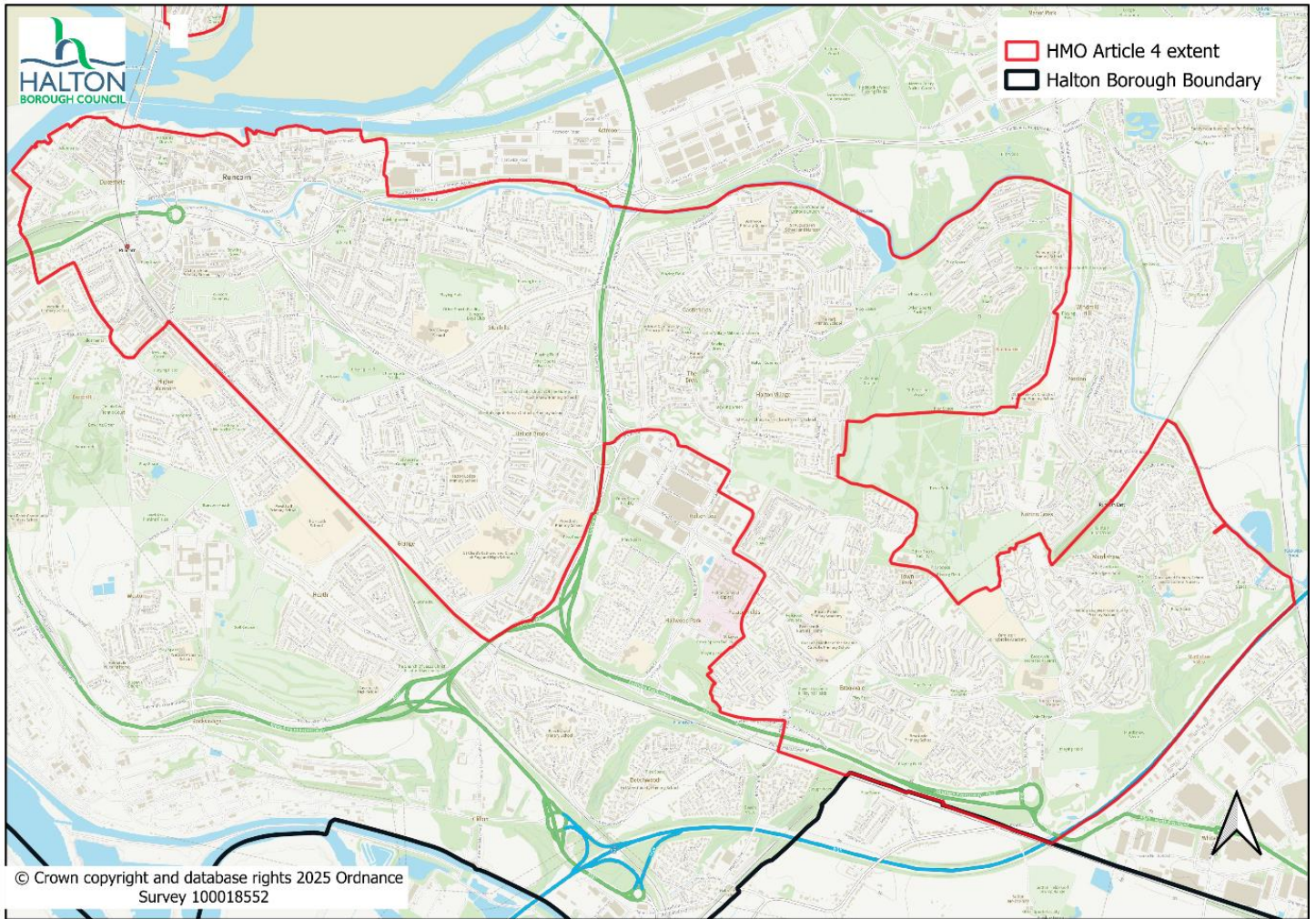
Halton Borough



Widnes



Runcorn



Appendix C - Draft Article 4 Direction Notice

HALTON BOROUGH COUNCIL TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED)

PUBLIC NOTICE

NOTICE OF MAKING AN IMMEDIATE DIRECTION UNDER ARTICLE 4 RELATING TO *Parts of Appleton, Central & West Bank, Halebank, Mersey & Weston, Beechwood & Heath, Grange, Bridgewater, Halton Castle, Halton Lea, Norton North and Norton South & Preston Brook*

NOTICE is hereby given that Halton Borough Council made an immediate Article 4(1) Direction on X September 2025 under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The Direction removes the permitted development rights for the change of use from a use falling within Class C3 (dwellinghouse) of the Schedule to Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (Houses in Multiple Occupation) of the said Order and not being development comprised within any other Class.

The Direction applies to *Parts of Appleton, Central & West Bank, Halebank, Mersey & Weston, Beechwood & Heath, Grange, Bridgewater, Halton Castle, Halton Lea, Norton North and Norton South & Preston Brook*, within the Borough of Halton as shown edged red on the Plan attached to the Direction. A copy of the Direction including the map defining the area can be viewed online: <https://www.halton.gov.uk/>

This Immediate 2025 Article 4 Direction shall come into force immediately on the day it is served (X September 2025), and if subsequently confirmed by the Council shall come into force permanently on X February 2026 (unless a different date is specified by the Secretary of State) subject to the consideration of any representations received during the consultation period.

Representations may be made concerning the Article 4 Direction to the local planning authority from X September 2025 to X February 2026, by emailing, representations can be sent by email to:

forwardplanningt@halton.gov.uk

Date of Notice September 2025