

**Case for Non-Immediate
Article 4 Direction
for shopping parades in Bootle
(commercial to residential)**

JUNE 2026

Introduction

Why is there an issue?

There are long-standing issues in Bootle with vacant shops, particularly those on shopping parades, due to poor quality, size restrictions, oversupply and low demand. In many cases these have been converted to poorly designed flats which detract from the area and provide inadequate living conditions. Changes in shopping habits and the way that people shop have made these parades more vulnerable. Changes to the Use classes order may further threaten the viability of parades in Bootle and result in a proliferation of poorly designed, poor-quality homes.

What are the permitted development rights affecting Bootle's shopping parades?

The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (known as the GPDO) grants planning permission to a number of specified forms of development. The forms of development for which permission is granted are set out in Schedule 2 of the GPDO. These are known as permitted development rights (referred to as 'PDR'). Some forms of PDR are subject to the Local Planning Authority's prior approval.

Part 3 of Schedule 2 of the GPDO contains various different rights which involve a change in the planning Use Class. Class M and Class MA rights (within Part 3 of Schedule 2 of the GPDO) are the ones that are likely to have an adverse impact on the shopping parades in Bootle:

Class M	Certain uses (laundrette, betting office, payday loan shop, hot food takeaway, or a mixed-use combining use as a dwellinghouse, with a laundrette, betting office, payday loan shop, or hot food takeaway) to dwellinghouses
Class MA	Class E uses (commercial, business, and service) to dwellinghouses

For the purposes of Class MA rights, Class E consists of the following:

Use, or part use, for all or any of the following purposes –

- a) Shop other than for the sale of hot food
- b) Food and drink which is mostly consumed on the premises
- c) the following kinds of services principally to visiting members of the public
 - i. financial services
 - ii. professional services (other than medical services)
 - iii. any other services which it is appropriate to provide in a commercial, business or service locality

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- d) Indoor sport and recreation (not swimming pools, ice rinks or motorised vehicles or firearms)
- e) Medical services not attached to the residence of the practitioner
- f) Non-residential creche, day centre or nursery
- g) i) office ii) the research and development of products or processes or iii) any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area)

Use Class E includes many of the uses found within the shopping parades. Our shopping parades also include many of the uses listed under the Class M PDR.

Prior approval process

Prior approval means that a developer has to seek approval from the LPA that specified elements of the development are acceptable before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts of the GPDO.

The Class M and Class MA rights are both subject to a prior approval process. This allows the LPA to assess the acceptability of certain aspects of the development and can refuse the application accordingly. However, consideration of the impact on shopping areas (e.g. vitality, viability, provision of local services – with the exception of launderettes) is not included in the prior approval processes. Consequently, Class M and Class MA PDRs circumvent Local Plan policies which seek to protect the health of shopping parades and restrict the ability of the Council to secure good quality, well-designed conversions.

What is an Article 4 direction?

An Article 4 direction is a direction made by a LPA or the Secretary of State under Article 4 of the GPDO, which withdraws specific permitted development rights granted by that Order (in this case Class M and Class MA as described above) across a defined area.

An article 4 direction is normally needed where it is considered that certain forms of permitted development will, or may, cause considerable harm to the area without appropriate planning controls. The purpose of this report is to consider whether the Class M and Class MA permitted development rights might cause that harm.

Paragraph 54(a) of the National Planning Policy Framework (NPPF) sets out that where Article 4 directions relate to the change from non-residential use to residential use, as this proposed Article 4 direction would, they should be 'limited to situations

where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area that would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre)’.

An article 4 direction works by publishing the intention to have the direction. There are two types of article 4 direction, immediate and non-immediate. An immediate article 4 direction has the advantage of addressing the issue straight away, however developers can claim compensation for development opportunities that have been lost due to the direction. Alternatively, a non-immediate article 4 direction does not come into effect immediately and instead specifies a later date when it takes effect, which is at least 28 days and at most 2 years after the last notice is served. In practice, this is usually at least 12 months after the last notice of making the direction is served to avoid the liability for compensation. Although the risk of compensation claims is removed as sufficient notice is given to property owners, the disadvantage of a non-immediate article 4 direction is that some detrimental developments may take place in those twelve months.

Paragraph 54(c) of the NPPF requires that article 4 directions should be based on robust evidence and apply to the smallest geographical area possible. The article 4 direction being considered here is for the identified commercial parades (see Appendix 1) in the Bootle area. The [Bootle Area Action Plan](#) is a document adopted by the Council to guide development and regeneration in the wider Bootle area. Whilst some of the issues may apply to other areas of Sefton, they are considered to apply more to Bootle for the reasons set out in the report below.

Reasons why the article 4 is needed.

1. To prevent poor quality housing in an area which already has a history of sub-standard homes and in an area where this housing be used by a community with a high number of people on low incomes, poor health and low mobility.
2. To prevent further damage and fragmentation to shopping parades that will be harmful to a local community.
3. To allow effective planning for the Bootle area, reflecting the policies introduced in the Bootle Area Action Plan.

Each of these issues will be considered below.

1. Living standards and Poor Quality Accommodation

The Bootle area features some of the most deprived neighbourhoods in the country. The majority of the wards that are included in the Bootle Area Action Plan area are in the most deprived 10% nationally. As shown in the map provided in Appendix 2 much of the area covered by the Article 4 direction is in the most deprived 1% or 5% nationally. Furthermore, as shown in Appendix 3, the Bootle Area Action Plan area contains a disproportionate number of wards in the most deprived 10% nationally when compared to the rest of the Borough.

The reasons for the high levels of deprivation are varied and historic. However, it has manifested itself in some poor-quality housing stock and a wide range of deprivation statistics.

In 2017 the Council decided to introduce selective licensing in order to address some of the issues in the private rented housing sector. The selective licensing found the following for Bootle:

Deprivation

- Being within the top 1-5% of the most deprived areas across the country
- Contains the highest rate of Private Rented Sector (PRS) properties across the Borough at approximately 25%
- Suffers high levels of unemployment, low level educational achievement with low skill and low paid occupations
- Highest rate of lone parents across the Borough
- Average household incomes of £22,600 are the lowest in the borough and compare to an average £29,000 for the whole borough
- Over a third of people aged 16 and over in Bootle have no qualifications, compared to a quarter for the whole borough

In the 2021 Ward profiles for Linacre Ward, it can be seen that a high percentage of residents are claiming benefits. The rate for people of 16yo+ is 14.5% which is well above the Sefton (9%), Liverpool City Region (8.3%), Northwest (7.8%) and English (6.3%) averages. The figure for Derby ward is 11% and 9.4% for Litherland.

Bootle also has significantly higher levels of fuel poverty compared to the rest of the Borough and the country. There are three important elements in determining whether a household is fuel poor: household income, household energy requirements and fuel prices. According to the 2024 English sub-regional fuel poverty statistics (based on 2022 data); 21.3% of households in Bootle (approximately 2,658 households) were living in fuel poverty. This compares to 13.9% across Sefton, 14.1% in the North West, and 13.1% across England overall.

In most statistics on deprivation the Bootle area scores poorly. This is particularly concerning given the current cost of living crisis and particularly with soaring energy bills.

The area also has low levels of car ownership and therefore more limited mobility. Given the number of people on benefits and in poor health, this may also restrict access to some public transport.

Property conditions

The number of service requests from tenants living in privately rented homes recorded by the Housing Standards team on a range of issues; from poor housing conditions and disrepair to overcrowding can accurately identify local concentrations of poor property conditions.

The Council currently has a Selective Licensing scheme for all private rented properties in the Derby and Linacre wards in Bootle, intended to help improve property conditions. The area covered by this Selective Licensing scheme has some of the poorest property conditions in the Borough, contributing to 40.7% of all 'Total Housing Standards Service Requests' for Sefton between March 2018 and August 2021.

Planning has supported the selective licensing scheme by introducing an article 4 direction for changes of use from single dwelling houses to HMOs across the Borough. The particular concerns that informed the HMOs article 4 directions were twofold:

- Concerns about adverse changes to the character of existing areas due to numbers of change of use applications to HMOs.
- There were concerns about the poor quality of HMO accommodation being created and the resulted impact upon living conditions of residents.

Particular concerns with some of the conversions that have taken place have been through poor quality, or no outdoor amenity space for residents and rooms that are inadequate.

Changes in Use from commercial to residential, if not done appropriately, have the potential to create poor quality accommodation. The conditions within Class M and Class MA of the GPDO do not give protections for living standards of residents, for example with regard to inadequate outdoor amenity space, poor quality outlook and prospect, and small, cramped room sizes. Although 'the provision of adequate natural light in all habitable rooms' was introduced as something that the Local Planning Authority was able to assess in the Prior Approval process, this is not considered enough to fully ensure that PDR conversions will not result in poorer quality homes.

The Council currently has a 'Conversions to Flats and Houses in Multiple Occupation' Supplementary Planning Document that sets out how to ensure that conversions are not poorly designed, including standards on room sizes, outlook and privacy, private outdoor space, and bin stores. The Council consider these standards

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to be necessary in preventing poor-quality accommodation, however they are not able to be considered in the Prior Approval process. Homes in converted shops typically have front doors opening directly onto the street, no defensible outside space, and front windows often lack outlook because they are obscured to improve privacy.

2. Impact upon Local Parades

Although Class M and Class MA PDRs do not allow for the consideration of vitality and viability of local parades, these are an important consideration and the impacts of a change of use need to be considered. There are a high number of vacancies on the identified shopping parades in the Bootle Area (shown in Appendix 1). Although this has been an issue for a number of years, the change in retail patterns over the last couple of decades, in addition to the COVID-19 pandemic, has seen an increasing number of vacancies on parades and a reduction in the diversity and function of these parades. Bootle has a large number of parades of varying sizes, with some of the larger parades in particular having been particularly impacted.

The parades were visited in 2026 and when viewed, there were a very high number of shops that were shuttered when viewed. Important context for the majority of these visits is that they were conducted between the hours of 10:00 and 15:00 and therefore many businesses that operate primarily outside of this time period, most notably hot-food takeaways, may have been shuttered at the time of the visit but would have opened later in the evening.

The Council have identified a 'core area' that is protected for local shopping and service provision in the Bootle Area Action Plan on several of the longer shopping parades that are no longer considered to be an appropriate size for their current function. These parades are:

- Hawthorne Road (south of Balliol Road)
- Knowsley Road
- Linacre Road
- Seaforth Road
- Stanley Road (south of Balliol Road)

Whilst it is not the intention of this report to go into detail on all of the shopping parades in Bootle, it is important to look at these longer ones in particular.

Hawthorne Road (south of Balliol Road)

There is a prominent parade at the south end of Hawthorne Road, north of the Liverpool City Council Boundary and Kirkdale railway station. This is a long parade with already a high degree of segmentation with the parade divided into two separate stretches of retail units.

The southern stretch of the parade in particular is now defined by an overwhelming proportion of vacant units, many of which have already been converted into poor quality residential accommodation. On this stretch of parade, only three of the fifteen units are in use, with the remaining 12 units being either shuttered or appearing to be a poor quality residential conversion.



Hawthorne Road (south of Balliol Road) – units between Ursula Street/Benedict Street, and Antonio Street/Olivia Street

Knowsley Road

The Knowsley Road parade is situated to between the Southport to Liverpool railway line and Gray Street, Bootle. It serves the large residential communities east the docks and the west and northwest of the town centre. Compared to many of the other longer parades in Bootle, this parade has, until recently, remained relatively vibrant with a low number of vacant units, particularly in the identified core area.

Although the middle and western end of the parade continue to offer a reasonable retail provision, the Council has previously reduced the size of the parade due to a high number of vacancies and poor-quality residential conversions. What previously formed the eastern end of this parade, particularly the area after passing under the railway line, has become fragmented and characterised by a higher number of vacant units than the remainder of the parade.



Knowsley Road – Residential conversion on previous eastern end of the parade

Linacre Road

The Linacre Road parade extends from the site of the former Johnsons Cleaners complex up to the dis-used railway line (Aintree branch).

This parade was once the main local shopping area for the large residential areas at the north end of Bootle and south Litherland, however there are now whole stretches of the parade that have significant amounts of vacancies. At the northern end of the parade there were some blocks with only one unit open at the time of the site visit, with the remaining five units of the block being vacant.

It is unlikely that the parade will attract enough businesses in the future to return to prosper in the way it once did. The sheer number of available units, in addition to changes to retail patterns, means that the return of this parade to its previous level of prosperity is not realistic. Furthermore, it is apparent that the large number of solid roller shutters on vacant units, derelict buildings, poor quality conversions and lack of greenery makes the area appear to be very unsightly and it does not reflect well on the adjacent neighbourhood. It also detracts from some of the fine quality buildings that are in the locality including the Pacific Public House, Linacre Methodist Mission, former Wesleyan Methodist Sunday school and St Andrews Church.

Without the implementation of this article 4 direction, the Class M and Class MA PDRs are likely to cause further damage and fragmentation to this parade.

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High number of vacant units in two blocks at the northern end of Linacre Road parade



Existing residential conversions on Linacre Road

Seaforth Road

Seaforth Road/Seaforth Centre is another important parade, covering a large area in the north end of the Bootle AAP. Whilst there are a number of current vacancies, it is not in the same poor health that some other parades find themselves in. Seaforth is a significant distance from the centre of Bootle, and this centre is therefore important for local residents, especially given the low car ownership rates.

Most of the units in the centre do not have an obvious potential to provide outdoor amenity space if converted.

Stanley Road (south of Balliol Road)

Stanley Road (south of Balliol Road) is a parade from the boundary with Liverpool to the south, to Balliol Road at the north end. Although it has traditionally been a busy parade with a wide range of businesses, recent years have seen a decline in the number of occupied units. The recent site visit saw vacancy rates for the parade at around 40% of all units. Several of the blocks at the northern end of the parade, close to Balliol Road, had vacancy rates of over 50%.

Many of the shop units are in the original Victorian three-storey blocks but a few of them were newly built in the last fifteen years and included purpose-built apartments above. Most of the upper floors of retained Victorian blocks have previously been converted to flats. The units served a wide area of South Bootle, particularly the very tightly packed traditional terraces that were typical of the area.



Vacant units in the two northern blocks on Stanley Road, opposite Stanley Garden

3. To allow effective planning for the Bootle area

The issues identified in this report demonstrate a clear need to ensure alternative uses on many of Bootle's local shopping parades are properly planned for. It is considered that, if left to the market, through the use of PDRs, this could exacerbate existing social problems that are prevalent in the area.

Bootle Area Action Plan policy BAAP7 (see Appendix 4) sets out that the Council would support the redevelopment/remodelling of the 'non-core' areas of the longer shopping parades previously identified. This policy sets out that whilst the Council is supportive in principle of the redevelopment of these non-core areas of shopping parades, this redevelopment should only be done on a block by block or in a multi-block approach and would only consider the remodelling of the blocks to be acceptable if it was of a 'very high quality and innovative design and should be designed to face onto a public highway'. Redevelopment of these non-core areas could include 'proposals for entirely new residential blocks, other uses appropriate for a residential location, or a mix of both'.

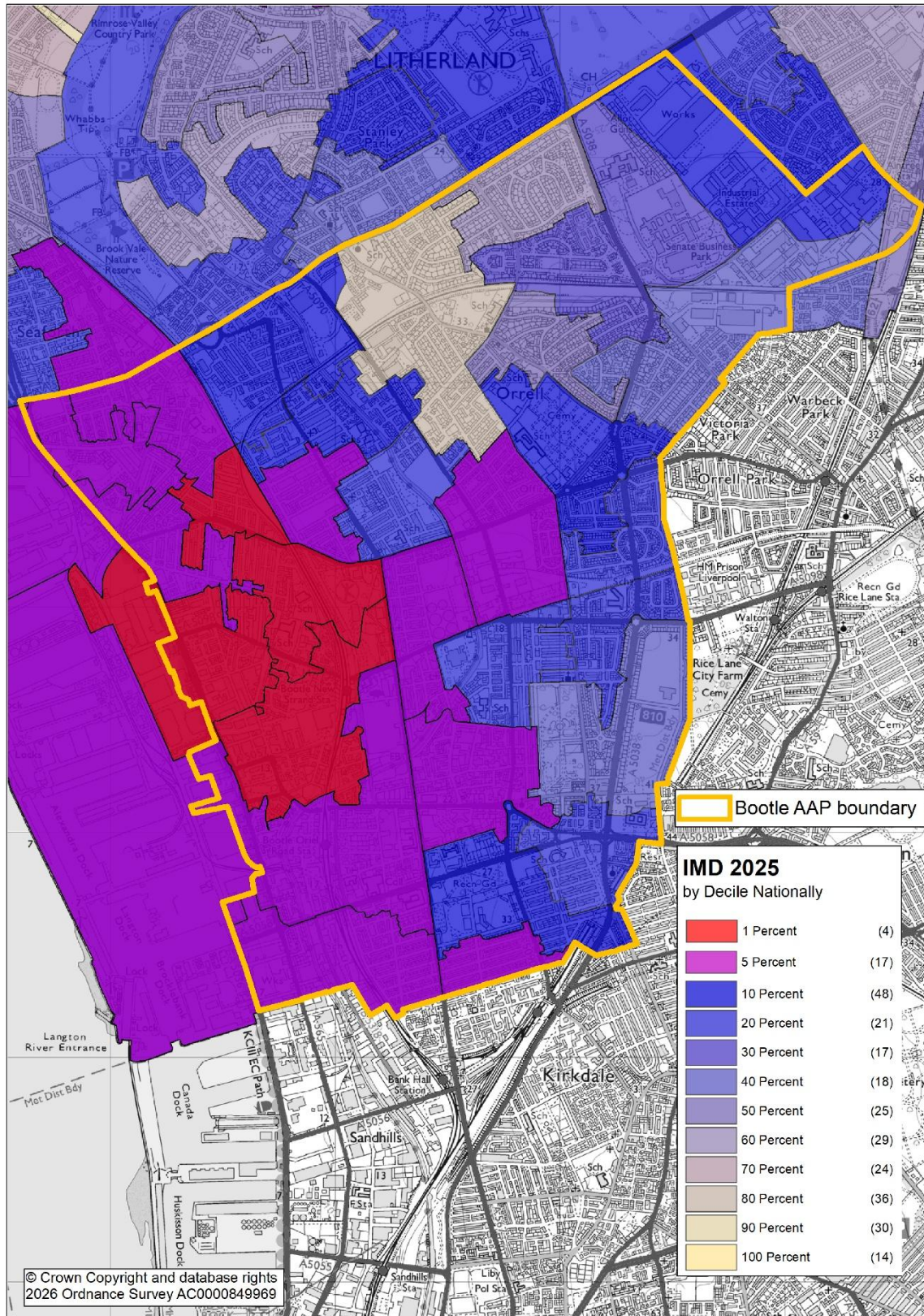
The proposed article 4 direction would assist the Council in the delivery of policy BAAP7, reducing the possibility of potentially poor-quality housing conversions and instead promoting a coordinated approach to redevelopment that would ensure a higher standard of housing.

Appendix 1: Shopping Parades in Bootle



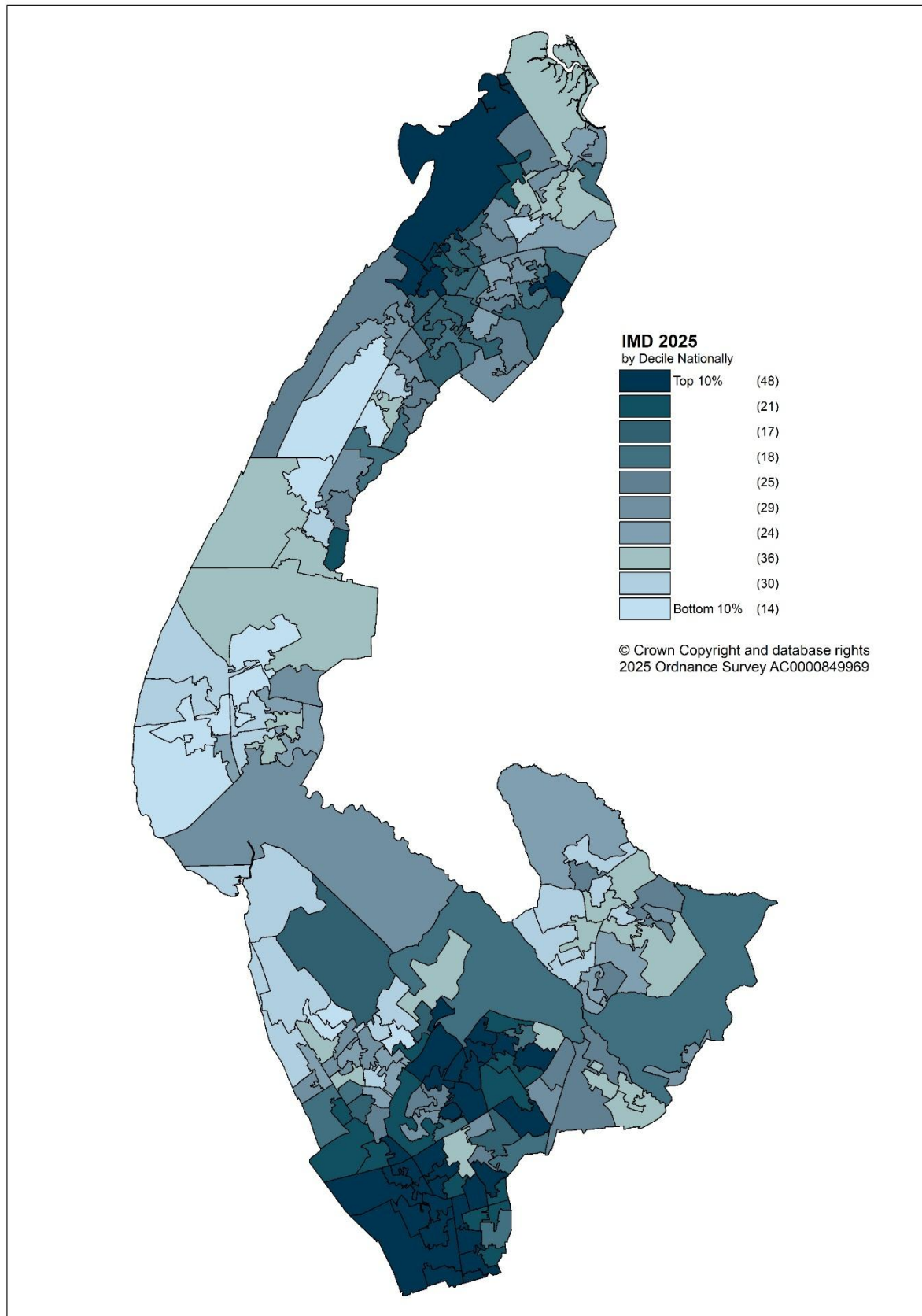
Appendix 2

Map of Index of Multiple Deprivation in Bootle Area Action Plan area



Appendix 3

Map of Index of Multiple Deprivation in Sefton



Appendix 4: Bootle Area Action Plan policy BAAP7 ‘Local Shopping Parades’

BAAP7 Local Shopping Parades

General

1. The Local Shopping Parades identified in figure 12 below are identified for local small-scale shopping and service provision and are suitable for the Class E uses (i.e. Commercial, Business and Service uses).
2. Other uses will only be permitted, subject to permitted development rights, if it can be demonstrated that they would:
 - complement the range of uses on the shopping parade and
 - improve the general street scene, and
 - would not harm the living conditions of any nearby residents.
3. Converting the ground floors of units in shopping parades to residential will be unacceptable, subject to permitted development rights, unless the premises were:
 - i) clearly originally designed as residential properties, and
 - ii) the conversion both re-introduces key detailing and window/door proportions of the original dwelling and a suitable internal arrangement to ensure satisfactory living conditions for residents.
4. Residential uses on upper floors in shopping parades are likely to be acceptable in principle subject to other policies in this AAP (specifically Policy BAAP19) and the Local Plan.

Consolidating longer shopping parades

5. Several of the longer shopping parades in the Bootle AAP are no longer an appropriate size for their current function. These are:
 - Hawthorne Road (south of Balliol Road)
 - Knowsley Road
 - Linacre Road
 - Marsh Lane
 - Seaforth Road
 - Stanley Road (south of Balliol Road)
6. For each of these parades, the Council have identified a core area that is protected for local shopping and service provision as set out in Parts 1 to 4 of this policy.
7. The Council would support the redevelopment/remodelling of the ‘non-core’ areas (as identified in Appendix B) of the longer shopping parades above.

8. The redevelopment of the 'non-core' areas of these shopping parades should only be done on a block by block or in a multi-block approach. Redevelopment of these 'non-core' areas could include proposals for entirely new residential blocks, other uses appropriate for a residential location, or a mix of both. Whilst the redevelopment of any block does not need to provide an active, public use on the ground floor, any new building should be designed to front onto the primary public highway.

9. The Council would also consider the retention and remodelling of the 'non-core' areas of these shopping parades block by block or in a multi-block approach. The remodelling of the blocks could include proposals for new entirely residential blocks, other uses appropriate for a residential location, or a mix of both. However, the remodelling of the blocks would only be acceptable if it was of a very high quality and innovative design and should be designed to face onto the primary public highway.

10. Any proposals for the redevelopment or remodelling of the blocks in the non-core area should accord with other relevant policies in the Bootle AAP and the Sefton Local Plan.

11. In the absence of proposals for the redevelopment and remodelling of blocks in the 'non-core' areas of the longer shopping parades above, the Council will support proposals for new retail and/or service uses in line with the core areas.

12. Blocks within the core shopping parades can be redeveloped or remodelled but must provide sufficient commercial space to meet local shopping and service needs.

13. Plans of these parades, showing core and non-core areas, are provided at Appendix B of this document.