

Case for an Immediate Article 4 Direction in Aintree -

C3 (dwellinghouses) to C4 (Houses in Multiple Occupation)

An Article 4 Direction (A4D) is a planning tool used by local authorities to remove certain permitted development rights, which typically allow for minor alterations or changes of use without needing planning permission.

The Council are issuing an Immediate Article 4 Direction in Aintree as follows:

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), being development comprised with Class L of Part 3 of Schedule 2 to the said Order and not being development comprised with any other Class.

Case for the Article 4 direction.

Paragraph 54 of the National Planning Policy Framework (The Framework) sets out that Article 4 Directions can only be used under the following circumstances:

54. The use of Article 4 directions to remove national permitted development rights should: a) where they relate to change from non-residential use to residential use, 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 which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre) b) in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities) c) in all cases, be based on robust evidence, and apply to the smallest geographical area possible.

Part a) does not apply as the proposal is from a residential use.

Parts b) and c) do apply and the case for the article 4 is considered to meet these requirements as set out below.

Background

Aintree Village is a suburban large village/town on the north end of the Liverpool built up area. Whilst part of the larger conurbation it acts like a self-contained community being bounded in the south by the Leeds to Liverpool canal and the Aintree racecourse; to the southwest is a large employment area; to the east is the Leeds-to Liverpool canal and countryside separating Aintree from Liverpool; and to the north is the Green Belt separating Aintree from Kirkby, Melling, and Maghull with the M57 and the river Alt forming the effective northern boundary.



Housing in Multiple Occupation (HMOs) are shared accommodation where the residents share at least one amenity. They typically consist of single room bedsits with a shared kitchen and lounge and sometimes shared bathrooms. HMOs are versatile accommodation that are typically used by single person households as they are relatively cheap to rent compared with self-contained flats and dwellinghouses.

The Council has a “[Conversions to HMOs and Flats Supplementary Planning Document](#)”. The SPD sets out standards to make HMOs high-quality and avoid damaging the character of an area or impacting negatively upon the amenity of neighbouring properties or on the living conditions of future occupiers.

The Character of the Area

Aintree is characterised by low density suburban accommodation with semi-detached properties with their own driveways being typical. There are few apartments in Aintree outside of the units above the shops in the village centre. Few buildings are terraced and very few are more than two-storey in height.

The area is a place frequented by families with comparatively few single person households. This is evidenced by the 2011 census that indicated that 25% of households were occupied by just one person (Sefton was 32%, the Northwest was 32%, and England 30%).

There has not been traditionally a demand for HMOs within the Aintree area and up to now there is not believed to be many instances of homes being converted into HMOs. However, there has been recent interest and work to convert homes to HMOs using permitted development rights and this has caused considerable concern amongst the local community. This is because the suburban semi-detached housing does not lend itself to conversion to HMOs and because of the character and demographics of the area.

It is considered that even modest numbers of HMOs could have a seriously adverse impact upon the character of the area if not carried out in an appropriate way. This is for a number of reasons.

HMOs will adversely impact upon the family character of the area. HMOs are often occupied by 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 often leads to comings and goings at extended hours through the night in a way that is not typical in family-orientated, suburban neighbourhoods. This can lead to noise and disturbance, through people coming and going and the slamming of car and taxi doors at anti-social hours. This can cause considerable disturbance and resentment 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) and as such, a



proliferation of HMOs could change and harm the character of the village, impact upon the residential amenity and living conditions of residents, if not planned appropriately.

Unplanned HMOs can also have an adverse impact the streetscape and character of the area. Aintree typically has front gardens with driveways. It is common with unplanned HMO conversions across the country for front gardens to be removed and replaced with the whole of the frontage of properties being covered by car parking. If a number of these happen in a street, it starts to alter the character and appearance of an area and give a harder more urban feel rather than a softer suburban village feel. It is accepted that conversions of front gardens into driveways can happen anyway, as has happened in some cases in Aintree, but they tend to be more prevalent with conversions to HMOs due to the need for more car parking where there are multiple, unrelated residents in one household.

Quality of HMOs

Housing is of a relatively high price in Aintree compared with large areas of Liverpool and south Sefton. The average semi-detached property in Aintree cost £218,229¹ in the last year. In comparison the average price for a semi-detached house in Bootle was £176,209 and in Walton, £161,401. The danger with higher housing cost is that this could require owners to cut costs elsewhere, or over-populate HMOs, in order to ensure a good return on investment. An Article 4 Direction would mean that planning permission was required and that HMOs would be required to meet a certain standard to be permitted.

There is currently a petition running in Aintree that states:

“We the undersigned petition the council to We, the residents of Aintree Village, request that Sefton Council be proactive and introduce an Article 4 Direction to remove permitted development rights for HMO conversions (from Class C3 to Class C4).

This will help preserve family housing, and protect the character of our community”.

At the time of writing, the petition has 458 signatures. This demonstrates that there is significant concern in the community about the potential for future HMOs and the impact that it may have on the character of the area and the importance of that character to the local community.

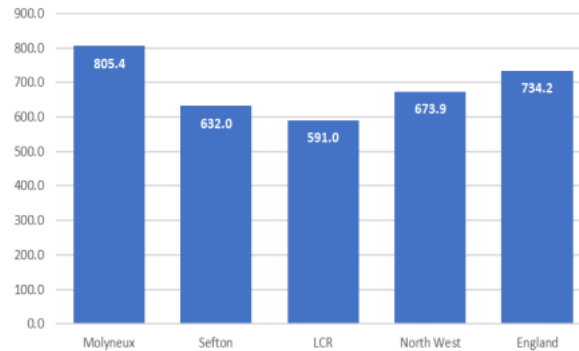
It is therefore concluded that an immediate Article 4 direction is needed to prevent a loss of amenity to the community through adverse changes to the character of the village.

¹ Taken from Rightmove



Other factors

The Aintree area has very high car ownership, (as evidenced by below). The number of car ownerships are high in Aintree, perhaps due to the peripheral location of the village.



Number of car registrations (2019) (Molyneux ward for which Aintree is a significant part)²

The main junction out of the village onto the A59 at Old Roan is well over capacity at peaks times and it makes getting in and out of the village challenging. Converting dwellinghouses into HMOs will increase the number of single-person households and many of these will have cars. This will be likely to increase the pressure on the Old Roan junction.

Whilst Old Roan has a good train and bus services, most of the village has really poor bus services. Only the 345 bus goes through the village, and this does not travel through the evening. The lack of good transport through the village limits accessibility for residents without vehicles.

There is also a concern that encroachment of HMOs in Aintree will start to erode into the local housing stock and will result in the loss of family housing that is so important to the local community.

Aintree area is further away from many services than would be typical of a more densely populated urban location. These services might include doctors, dentists, libraries, supermarkets, secondary schools, sixth-form colleges and other institutions. As discussed above, car ownership amongst HMOs residents tends to be lower than average. This means that again parts of Aintree might not be appropriate location for HMOs

In addition, the recent changes to the NPPF in December 2024 and how housing figures are calculated have resulted in Sefton's housing figure more than doubling and there is

² Taken from the Molyneux ward profile [Molyneux Ward Profile](#)

a need to retain as much housing stock as necessary. Further eroding of family homes in Aintree to HMOs will be damaging at a time when more sites for housing are required.

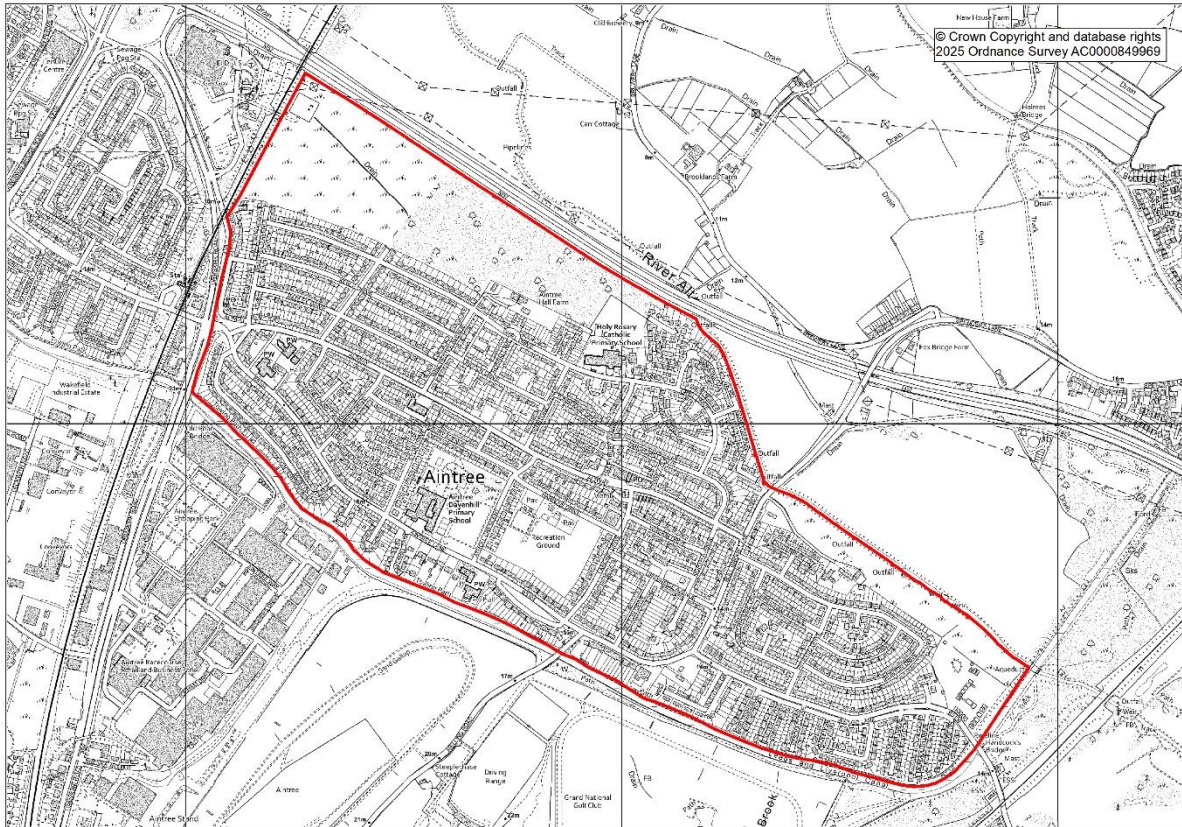
Role of an Article 4 direction in managing HMOs in Aintree Village

Given the concern of residents and current interest from developers, it is considered that an immediate article 4 direction is required rather than non-immediate one that would take one year to come into force.

The Article 4 direction would allow the Council to consider planning applications on their merit and assess any future HMO against the criteria set out in the SPD. This would mean that HMOs are only approved where they will not harm the character of the area, the amenity of existing residents or the living conditions of future occupiers of the HMO. By having an article 4 direction, it would also mean that local residents would get an opportunity to comment on any future planning application.

Geographical Scope

The area covered by the Article 4 direction is the area set out below. It is considered to be the smallest possible area to which the factors above apply to. It is considered that the A59 (to the west), the Leeds-Liverpool canal (to the south and east) and a combination of the River Alt and the M57 motorway (to the north) provide strong geographical boundaries of Aintree.



Area to be included in the Immediate Article 4 Direction

Conclusions

It is considered that an article 4 direction is necessary in Aintree Village so that HMOs will require planning permission and are approved where they:

- Protect the physical character and appearance of the village,
- Protect the residential amenity and well-being of residents,
- Are appropriate in location for accessibility,
- Protect the living conditions of future occupants of the HMOs.

It is considered that the article 4 direction covers the smallest possible geographical area required and it is considered that it is needed immediately to protect the village from inappropriate HMOs due to current interest from developers.