



Residential Conversion & Houses in Multiple Occupation

SUPPLEMENTARY PLANNING GUIDANCE

CONSULTATION DRAFT



HYNDBURN

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1. Introduction

- 1.1 Houses in multiple occupation (HMOs) can be defined in a number of different ways, but broadly speaking they are considered to be properties occupied by unrelated individuals (forming more than 1 household) who share basic amenities such as kitchen or bathroom. HMOs provide a form of low-cost housing, particularly for younger people and those on low incomes. They also provide flexible accommodation for people with short-term housing requirements. This includes people in-between properties, people employed on short-term contracts and people who are saving to purchase a home. They also provide housing for those that simply prefer to live with a large number of other people.
- 1.2 Residential conversions have an important role to play in the supply of small HMOs (between 3 and 6 residents) in Hyndburn. It is acknowledged that conversion and change of use of existing dwellinghouses to form flats, houses in multiple occupation (HMOs), and specialist accommodations have also added supply of reasonably affordable private rented accommodations and the specialist HMOs and care units within Hyndburn.
- 1.3 In recently years, Hyndburn has witnessed notable increase in Houses in Multiple Occupation in most established residential areas, and the social and economic issues associated with the concentration of HMOs. It is also noted that, in some circumstances, residential conversions to HMOs have been providing poor or inadequate accommodation for tenants and leading to problems and issues for adjoining residents for wider local areas. Experience has also shown that an over concentration of HMOs can have an unacceptable impact on the local amenity and balanced communities due to issues such as:
- Increased noise and nuisance;
 - Imbalanced and unsustainable communities, with higher levels of transient population;
 - The replacement/displacement of local facilities by transient populations;
 - The marginalization and polarization of local families;
 - The gradual loss of family-oriented public and private services;
 - The formation of new sense of place, and a different type of ambience in the neighbourhood;
 - Dilapidated external residential facades, and the disrepair of housing (depending on the landlords);
 - Increase car parking and congestion;
 - Change in the character of the use as a result of increased day-to-day activity.
- 1.4 This Supplementary Planning Guidance (SPG) has been produced to better manage the provision of HMOs throughout the Borough, improve the standards of the accommodation that is provided and reduce detrimental impact on the amenity of the local communities. It assists in the interpretation of policies within the Hyndburn Development Plan and Hyndburn Local Plan 2040, and sets out guidance and good

practice for planning applicant's to enable the delivery of better planning outcomes. This Supplementary Planning Guidance will be of no concern to existing HMOs, but it is an important material consideration in determination of planning application for new and expanded HMOs and is applicable throughout the borough. It applies to planning applications for:

- HMO created through conversions and change of use
- Purpose-built HMOs
- The expansion of existing HMOs

1.5 The initial draft of this Supplementary Planning Guidance has been submitted to the Council's Cabinet meeting on 04th December 2024, and will be subject to six weeks consultation together with the Council's HMO Article 4 Direction Evidence Report. The representations received and our responses, will be set out in a consultation statement that is published alongside this document. Article 4 Direction removes the permitted development rights for the change of use from C3 residential dwelling to small HMOs (Class C4) in nine wards of Hyndburn. By requiring operators to apply for planning permission for the formation of small HMOs in those wards, the Council's is able to ensure that such provision is established in appropriate properties in suitable locations.

1.6 This Policy Guidance has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and Town & Country Planning (Local Planning) (England) Regulations 2012 has been informed by national and local planning policies, guidance and evidence. The supplementary planning guidance is intended to expand upon policy or provide further detail to policies in Development Plan Documents and the emerging Hyndburn Local Plan 2040. This document will be afforded considerable weight as a material planning consideration in determination of planning applications.

2. Aims and Objectives of Supplementary Planning Guidance

Purpose

- 2.1 The Council's aim is to ensure good quality accommodation is available in appropriate premises and locations within the Borough to meet the needs for HMOs in the private renting and specialist housing sectors, and the needs of looked-after children within the care of Lancashire County Council and other authorities, without resulting in undue harm to the character and amenity of local communities.
- 2.2 The Council has produced a report that evidences the need for an Article 4 Direction in nine wards. The evidence demonstrates that these areas already suffer deprivation, low house prices and a high concentration of houses in multiple occupation. It is considered that the further development of HMO's in these areas would further add to the problems already being experienced.
- 2.3 The policy framework that is proposed seeks to prevent the development of further HMO's within the nine Article 4 wards, unless exceptional circumstances can be demonstrated.
- 2.4 In addition to the restrictions within the 9 wards identified the Council had identified the following principal objectives to the development of large HMOs outside the Article 4 areas:
- Ensure that new large HMOs are delivered in suitable locations;
 - Prevent concentrations of HMOs in the Borough in order to safeguard communities and to protect their local character and amenity; and
 - Ensuring the occupants of HMO's have satisfactory amenity and that the development of HMO's does not impact on the amenity of neighbours.
- 2.3 The Supplementary Planning Guidance is intended to expand upon policy or provide further detail to policies in Development Plan Documents and the emerging Hyndburn Local Plan 2040. This document does not have development plan status, but it will be afforded weight as a material planning consideration in determination of planning applications. This Supplementary Planning Guidance remains a consultation draft until it has been consulted on and taken back to Council to be adopted.

Scope

- 2.4 In Hyndburn, planning permission is required for all large Houses in Multiple Occupation (Sui Generis use). These are properties shared by 7 or more unrelated people. For smaller HMOs (properties shared by 3 to 6 people, the government allows the charge of use of dwellinghouses to small HMOs under permitted development rights. However, these rights can be removed by councils through the introduction of an Article 4 Direction. It should be noted that the change of use from a small HMO (use class C4) to dwelling house is permitted development and does not

require planning permission. However, permission is still required for the change of use from large HMO (sui generis) into a dwelling house.

- 2.5 An Article 4 Direction relating to small HMOs came into force in parts of Hyndburn in 2025. It covers a total of 9 wards including Barnfield, Central, Church, Clayton-le-Moors, Netherton, Peel, Rishton, Spring Hill and St. Andrew's. Figure 1 showing the areas of the borough covered by the 2025 Article 4 Direction. Full details of the Article 4 Direction can be viewed on the website of Hyndburn Borough Council.

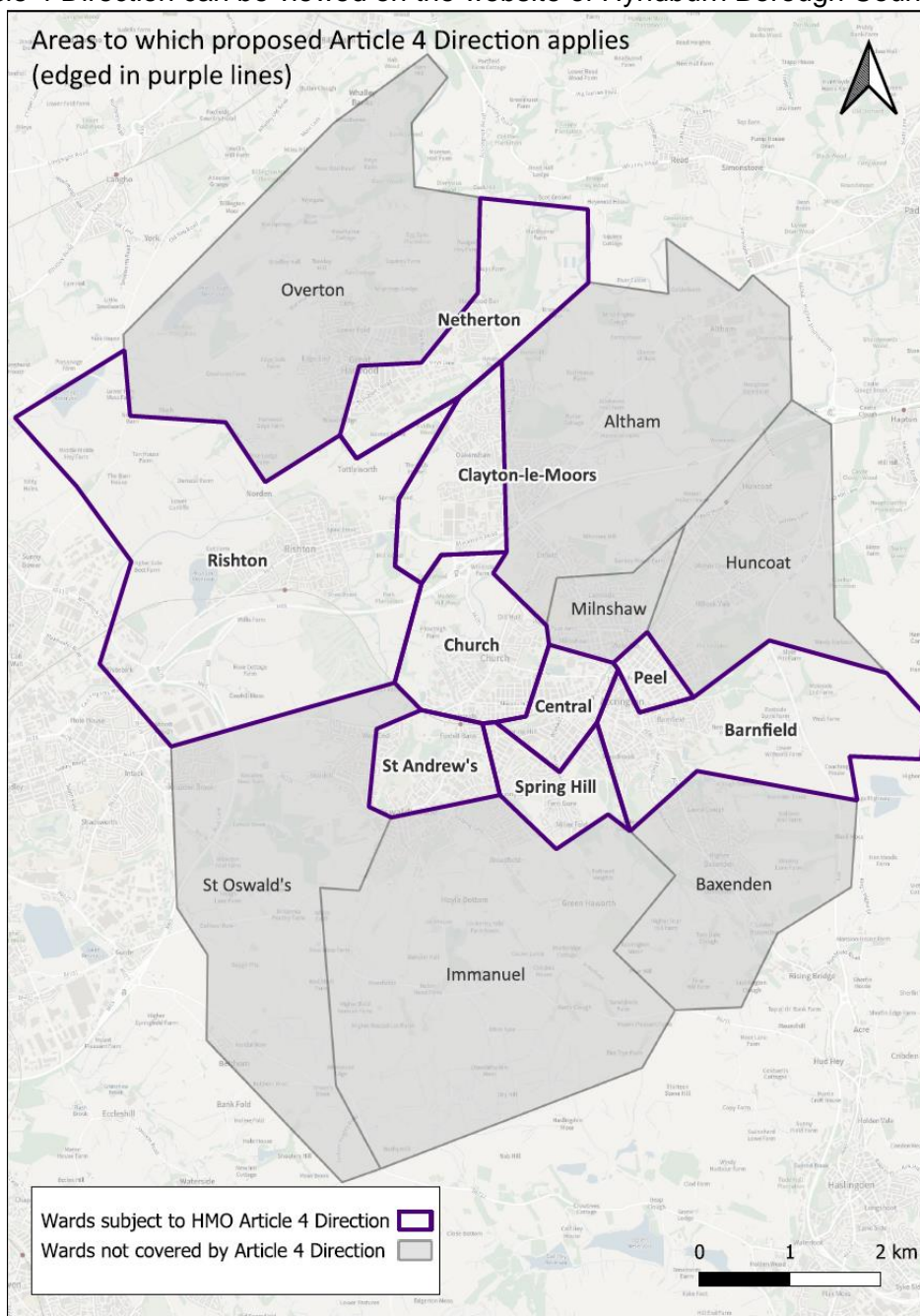


Figure 1 Areas affected by HMO Article 4 Direction 2025

- 2.6 The Supplementary Planning Guidance will apply to all planning application for development consisting of a change of use of a building from a use falling within the

Use Class C3 (a family dwelling or flat for example) to Use Class C4 (small HMO) with the areas as shown at Figure 1. It will also apply to planning applications for the change of use from Use Class C3 to 'sui generis' large HMOs in the whole Local Authority Area. Please see Section 3 below for further information with regard to what constitutes an HMO.

- 2.7 The guidance will not apply retrospectively to existing HMOs. It should be noted that change of use from a small HMO (class C4) to dwelling house is permitted development is permitted development and does not require planning permission. However, permission is still required to change a large HMO (sui generis) into a dwelling house.
- 2.8 In addition to this guidance, other considerations and policies from the Hyndburn Development Plan documents and the emerging Hyndburn 2040 Local Plan may also be relevant to the consideration of a planning application for an HMO, depending on individual circumstances.

3. Relevant Policy and Legislative Background

Definition

- 3.1 In planning terms, an HMO is a dwelling (house or flat) that is occupied by a certain number of unrelated individual who share one or more basic amenities such as a kitchen or bathroom. They are commonly known as shared houses.
- 3.2 In April 2020, amendments were made to the Use Class Order and General Permitted Development Order to introduce a new Class C development – C4 (Houses in Multiple Occupation). It is commonly referred as ‘small HMOs’. Sui Generis HMOs where there are 7 or more unrelated people are still considered as HMOs, but these are now commonly referred to as ‘large HMOs’ which in broad terms, consist of more than six occupants.
- Use Class C4 – accommodating between 3 and 6 unrelated individuals, or;
 - Sui Generis – accommodating 7 or more unrelated individual
- 3.3 Within the Town and County Planning (Use Classes) Order 1987 (as amended), C4 HMOs have the same meaning as that given in the Housing Act 2004. Schedule 14 of this Act identifies buildings which are not considered to be HMOs. This includes building which are controlled or managed by:
- Registered social landlords and housing associations
 - Educational establishments
 - Religious communities
 - Public bodies such as local authorities, health authorities and people
- 3.4 Any properties falling into the above categories cannot be identified as a HMO and therefore they are categories as ‘exempt properties’. There are three possible Use Class categories defined with the Use Classes Order which the above properties can be identified within:
- Class C3(b) – for properties with no more than six residents living together as a single household and where care is provided for residents; or
 - Class C3(b) –for properties with no more than six residents living together as a single household where no care is provided to residents;
 - Sui Generis, which is a category for any uses which do not fit within the other classes.

Powers under Planning Legislation to Manage the Spatial Distribution of HMOs

- 3.5 On 01st October 2010, changes were introduced to permitted development rights to allow the change of use of C3 dwellinghouses to the new C4 use (small HMOs) without the requirement of planning permission, as set out in the General Permitted Development Order (Paragraph A of Class I, Part 3, Schedule 2). Should Local Planning Authorities wish to exert tighter planning control on the development of HMOs, permitted development rights would have to be removed through a planning mechanism of Article 4 Direction of the GPDO (2015). Under an Article 4 Direction,

planning permission, within a given area, would then be required from dwelling to HMOs. It should be noted that an Article 4 Direction is not to prohibit development, but to require a planning application to be submitted for development proposals, to which it applies, in a particular geographical area.

- 3.6 The change of use of a dwelling (Use Class C3) to a large HMO (Use Class: Sui Generis) always require planning permission. The same applies in reverse – the change of use a large HMO (sui generis) back to a dwelling (Use Class C3) will require planning permission.
- 3.7 Intensifying or expanding an existing HMO may also require planning permission. For example, an existing small HMO with 6 people would require planning permission for the occupation of 1 further residential where this represents a material change of use. Planning permission will be required for the change of use of an existing small HMO (Use Class C4) to larger HMO (sui generis).
- 3.8 Existing large HMOs may require planning permission for the occupation of further residents if they have previous planning permission that states the number of residents within the application description, or they have a restrictive condition. External alterations or extensions to existing HMOs may also require planning permission. Furthermore, a change of use to an HMO (large or small) from other use such as a shop or office, or vice versa, will require planning permission.

Planning Policy Context

- National Planning Policy Framework (NPPF)
- 3.9 The NPPF sets out the Government’s planning policies for England and how these should be applied. To achieve sustainable development, the NPPF expects the planning system to support strong, vibrant and healthy communities as a key social objective. There is no specific reference to shared housing within the NPPF but local planning authorities are required to made provision for size, type and tenure of housing needs for different groups in the community, including for those who require affordable housing, families, and people rent their homes, etc.
 - 3.10 Chapter 5 of the NPPF supports local planning authorities to ensure that the delivery of new housing seeks to meet locally identified needs and that the needs of groups with specific housing requirements are addressed.
 - 3.11 Chapter 11 of the NPPF promotes making ‘effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living condition.’

- 3.12 Chapter 12 of the NPPF emphasizes the importance of creating high quality, beautiful and sustainable buildings and places ‘which promote health and well-being, with a high standard of amenity for existing and future use.’
- 3.13 Provision of guidance on HMO development will help to ensure mixed and balanced communities and a high standard of accommodation and amenity support the adopted development plan policies and the emerging local plan policies as set out below.

Hyndburn Development Plan Policies

- 3.14 The Vision of the Hyndburn Core Strategy states that “*High quality family homes will be developed to provide a more balanced housing market comprising traditional and modern house types*”. The Vision also states that “*The Core Strategy also seeks to raise standards [footnote 37 – To be no longer amongst the 100 most deprived areas in the Country] across the Borough in order to reduce disparities both within Hyndburn and the rest of the Country, ensuring that vulnerable groups and the needs of the different communities within the Borough are taken into consideration.*”
- 3.15 One of the strategic objectives of the Core Strategy is to provide a greater choice and quality of housing and Policy H3 sets out a framework for the delivery of larger properties as a means of rebalancing the Borough’s housing market that has a very high proportion (over 50%) of small, old, terraced properties.
- 3.16 Policy DM10 of Hyndburn Development Management DPD requires that the new housing development will have an unacceptable adverse impact on neighbouring development (including existing business) by virtue of it being over-bearing, or oppressive, overlooking, or resulting in an unacceptable loss of light or amenity). Policy DM29 also requires new development to protect, and where possible improve, the amenity of surrounding existing and future residents.
- 3.17 Whilst there are no specific policies within the Council’s current development plan documents that relate to the development of HMOs within the Borough, there is a concern that the number of HMO’s in the Borough is not only impacting on the quality and choice of housing available but is contributing towards the continued decline of the Council in the relative rankings of local authority deprivation, contrary to the vision and objectives of the Core Strategy.
- 3.18 For this reason “Supplementary Planning Guidance” is considered necessary to control the proliferation of Houses in Multiple Occupation. The absence of a specific policy framework on HMO’s in the Development Plan means that it is not possible to develop a “Supplementary Planning Document (SPD)” which would have development plan weight. Notwithstanding this, it is proposed to undertake consultation on the emerging policy framework to allow it to be given some weight in the decision making process.

Emerging Hyndburn Local Plan

- 3.19 The Hyndburn 2040 Local Plan (Strategic Policies and Site Allocations) is still at pre-submission stage. Policy SP11 (Suitable Range of Housing) particularly relates to the development of new apartments and Houses in Multiple Occupation (HMOs) in Hyndburn. It states that the Council will seek to ensure that an appropriate range of housing is delivered in the plan period. New apartment developments (including Houses of Multiple Occupation) will only be supported where they would maintain the prevailing character and setting of the local area and are either: a) within town centres or within walking distance (250m or closer) of town centres; b) part of high quality development in canal-side locations where the regeneration benefits of this type of development can be demonstrated; c) part of strategy housing development where there is a need to provide a wider range of housing types; d) in locations that are well served by public transport and the development would secure the efficient use of land; or e) part of a scheme that would involve the reuse or adaptation of a historic mill building in an appropriate location.
- 3.20 The explanatory text in paragraph 6.31 also notes that 'new apartment development and HMOs in Hyndburn will only supported in the appropriate locations set out in Policy SP11 where they are well designed in terms of their appearance, size, and setting. The Nationally Described Space Standards (NDSS), which set out minimum space standards and room sizes have been adopted by the Council for all housing development. Paragraph 6.31 of the Hyndburn 2040 Local Plan also states that the new housing developments, including conversion of existing building to flats, apartments and HMOs should comply with the NDSS unless there is sufficient justification to suggest otherwise.
- 3.21 The policy approach to determining planning applications for the formation of the HMOs will be guided by the emerging Local Plan with the intention to secure strong and balanced communities. It is particularly noted that Policy SP11 takes a relatively permissive approach towards the HMOs within the sustainable locations at town centres and edge of centres, canal-side locations with regeneration benefits, strategic housing sites, in locations well served by the public transport, etc. That said, Policy SP11 should be read in conjunction with Policy SP20 (Environmental Amenity and Air Quality), which requires that new development will be permitted only if it is demonstrated that the material impact arising by virtue of traffic, visual impact, noise, dust, emissions, pollutions, odour, over-looking or loss of light, or other nuisance will not give rise to unacceptable adverse impact or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards. New development should ensure that the occupiers of the new developments will enjoy an appropriate standard of amenity and will not be adversely affected by neighbouring uses.

4. Policy Approach

- 4.1 The report titled “*Small Houses in Multiple Occupation – Evidence to Justify the Purpose and Extent of an Article 4 Direction*” establishes a strong correlation between high concentrations of houses in multiple occupation in the nine wards identified, low property prices and a range of deprivation indicators. Within these areas there is already a high concentration of HMO’s and it is considered that allowing more HMO’s in these areas would only serve to further increase the cumulative impacts of HMO’s on these areas and contribute to further social, economic and environmental impacts of the type identified by this report. The following policy is therefore proposed:

Policy 1: HMO Development in the Article 4 Areas

Planning permission for the development of large or small HMO’s within the Article 4 wards identified will not be granted unless there are exceptional circumstances that support the development the HMO proposed.

In the event that exceptional circumstances are demonstrated, all HMO’s should satisfy criteria iii to xii inclusive of Policy 2 below.

- 4.2 For planning permission to be granted for the development of HMO’s within the Article 4 areas, it would be necessary for the applicant to identify the exceptional circumstances why they believe an HMO is needed or should be supported in that area, and for those exceptional circumstances to be accepted by the decision maker as exceptional i.e. the planning officer if the planning application is determined under delegated powers or Planning Committee if the application is determined by Planning Committee. If it is accepted that exceptional circumstances exist, all HMO’s should

Policy 2: Large HMO’s in areas outside the Article 4 Areas

Planning permission for the development of large HMO’s in areas outside the Article 4 areas will only be granted subject to the following criteria being satisfied:

- i. The HMO is not within 100m distance of an existing HMO.**
- ii. The development should be within walking distance (within 250m) of a town centre.**
- iii. The development has sufficient floor space to accommodate an increase number of residents¹ and complies with the relevant Nationally Described Space Standards;**

¹ Houses in Multiple Occupations (HMOs) in the areas subject to Article 4 Direction are expected to be well designed in terms of their appearance, size and setting. The Nationally Described Space Standards (NDSS), which set out minimum spaces standards and room sizes have been adopted by the Council for all new housing developments, which includes the new build of (and conversion of existing buildings to) flats/apartments or HMOs.

- iv. **All bedrooms must possess at least one window and have sufficient natural light;**
- v. **The development has sufficient communal areas and garden areas in accordance with the Council's Policies for Licencing Houses in Multiple Occupation.**
- vi. **There is sufficient off-street car-parking and the development will not increase highway safety concerns (applicable to large HMO's only);**
- vii. **There is sufficient space within the curtilage for the provision of sufficient secure cycle parking;**
- viii. **There is sufficient space storage provision for waste/recycling containers in a suitable enclosure area within the curtilage of the property;**
- ix. **The condition of the property is of a high standard that contributes positively to the character of the area and that the condition of the property will be maintained following the change of use to HMO;**
- x. **The increase in number of residents will not have an adverse impact (i.e. noise level, vehicular movements during late hours, etc) on the level of amenity neighbouring residents can reasonably expect to enjoy;**
- xi. **The change of use and increase in number of residents will not result in the loss of front garden for hardstanding for parking and refuse areas which would detract from the existing street scene, and;**
- xii. **Surveillance is introduced when this is considered necessary by the Police Liaison Officer.**

- 4.3 In areas outside the wards affected by the Article 4 Direction planning permission will not be required for the development of small HMO's because permitted development rights will continue to apply.
- 4.4 Planning applications for large HMO's outside the Article 4 areas should meet all the criteria set out in Policy 2 above.
- 4.5 The first criteria (i) is considered necessary to prevent an over-concentration of HMO's in any particular area. It would be necessary for the Council to produce a plan that illustrates the relevant buffer zones that would be within 100m of an existing HMO. It is proposed that this be done on an annual basis. It is important to note that the plan would not identify specific addresses of HMO's.
- 4.6 Criteria (ii) seeks to ensure that large HMO's are located within proximity of town centres consistent with Policy H1 of the Hyndburn Core Strategy. This recognises that HMO's represent a high density form of development that should be located in proximity to shops and services and that the occupants often do not have access to their own car.

- 4.7 The third criteria (iii) seeks to ensure that there is sufficient floor space within proposed HMO's and that they meet the requirements of the Nationally Described Space Standard. This is already a policy requirement of the Development Management DPD [Policy DM xx).
- 4.8 Criteria (iii), (iv) and (v) are concerned with ensuring a satisfactory standard of amenity for occupants.
- 4.9 Criteria (vi), (vii) and (viii) are concerned with ensuring that the development incorporates sufficient space to accommodate off-street car-parking (where relevant) and that there is sufficient space for cycle and bin storage. The requirement for off street car-parking will not apply to small HMO's.
- 4.10 Criteria (ix), (x) and (xi) are concerned with ensuring that the development does not have an unacceptable adverse impact on local amenity.
- 4.11 Criteria (xii) is concerned with the need for surveillance and to ensure that developments incorporate the requirements of the Police Liaison Officer when recommendations are made by them.
- 4.12 It will be necessary to undertake consultation on this policy framework, and for representations to be taken into consideration, prior to the Council adopting this policy.
- 4.13 It should be stressed that the policy would not form part of the development plan, although there are elements of Policy 2 that are already addressed by existing policy.

5. Other Considerations

- 5.1 It is also acknowledged that permitted development rights under the General Permitted Development Order² allows certain type of development to proceed without the need for planning permission (e.g. Part 1 of the GPDO extends to HMOs in both Classes C4 and *Sui Generis*). As such, where it is considered to be reasonable to do so, the Council may decide that it is necessary to remove permitted development rights for properties benefiting from HMO planning permission. This could be achieved through attaching planning conditions to permission for change of use to C4 HMO. In the interest of residential amenity, such planning conditions would help resist inappropriate alteration or extension to properties and to avoid the hard surfacing of gardens. This will ensure that HMOs with gardens are able to revert back to dwelling houses for family occupation over the lifetime of the property.
- 5.2 If the proposed change of use from dwelling house to HMO also involves alteration, extension or subdivision of the existing property, detailed guidance is provided in the in the Hyndburn Design Guide SPD, which sets out the planning principles that the Council will use to assess such development proposals and in essence, seek to ensure that they do not have an adverse impact on residential amenity, including noise impact. They cover issues such as good design, appropriate extension to protect the character of an area and the residential amenity.
- 5.3 For those landlords wanting to let their properties to both families and groups of individuals, it is recommended that a flexible C3/C4 permission is sought under Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) Order 2015. A flexible planning permission allow landlords to switch between specified planning uses without the need for multiple planning permission. The right to switch lasts for ten years and the use in operation, at the end of 10 years period becomes the lawful use of the property from that date onwards. Application seeking a flexible permission will be assessed against the provision of this SPD and the relevant policies within the Development Plan documents. Properties benefiting from a flexible permission will be added to the HMO database and be taken into consideration in threshold calculations irrespective of whether the property is being let as a C3 dwelling house or C4 HMO. This provision would not apply to planning permission for C3 development.
- 5.4 Enforcement will play a key role in ensuring the provision of this guidance are implemented correctly. For more information on the Council's approach to planning enforcement and how to report an enforcement case, please see the Council's website. It should be noted that the Council can only take action on a breach of planning control when a material change of use has actually occurred, not when a property has been sold but remains unoccupied, or when it is in the process of conversion.

² Permitted development rights are provided by the Town and County Planning (General Permitted Development) (England) Order 2015

6. Monitoring and Review

- 6.1 Monitoring and review are key aspects of the Government's 'plan, monitor and manage' approach to the planning system. The implementation of this document and the Article 4 Direction will be monitored and reported on an annual basis as part of the Annual Monitoring Report (AMR).

Appendix 1 Customer First Analysis

Supplementary Planning Guidance on Houses in Multiple Occupation

1. Background

- 1.1 Since 1 April 2011, the Council has a legal duty under the Equality Act 2010, which applies to all public authorities. It covers these protected characteristics: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; gender; sexual orientation; and, for some aspects, marriage and civil partnerships.
- 1.2 The duty means that – as previously - we should analyse the effect of existing and new policies and practices on equality. It does not specify how we should do this. However, legal cases on the meaning of the previous general equality duties make it clear that we must carry out the analysis **before making the relevant policy decision**, and include consideration as to whether we can reduce any detrimental impact.
- 1.3 The framework overleaf – our Customer First Analysis - is suggested when making a written record of the analysis.
- 1.4 The Analysis should be **proportionate** to the policy decision being taken and included when a decision is being taken on the Policy. In some cases the written record will be a quick set of bullet points or notes under each heading, to deal with any questions which are relevant (or briefly explain why if they aren't). Others will need to be much more detailed. A meaningful Analysis will help the Council make the best decision or formulate a policy which best meets our customers' needs.

2. Purpose

- 2.1 What are you trying to achieve with the policy / service / function?

To control the further increase in numbers of small HMOs within the wards affected by HMO Article 4 Direction, and to provide further policy guidance on development proposals for large HMOs in the whole borough.

- 2.2 Who defines and manages it?

HBC – Planning and Transportation; Housing Strategy; Environmental Health

- 2.3 Who do you intend to benefit from it and how?

The overconcentration of HMOs in the wards with high level of deprivation and low property prices have intensified the social and economic issues within those areas. The introduction of this Supplementary Planning Guidance (SPG) will enable the council to address those issues by controlling the provision and distributions of future HMOs.

Article 4 Direction and the SPG for HMOs will not only protect family dwellings and local amenity, but also enable the Council to tackle the issues such as deprivation, crime and anti-social behaviour.

- 2.4 What could prevent people from getting the most out of the policy / service / function?

Insufficient officer capacity, and lacking of accurate records on the number and location of existing HMOs in the whole Borough.

- 2.5 How will you get your customers involved in the analysis and how will you tell people about it?

Through the six weeks of public consultation on the Article 4 Direction Evidence Report and the HMO supplementary planning guidance, and the mechanism of pre-application enquiry.

3. Evidence

- 3.1 How will you know if the policy delivers its intended outcome / benefits?

Through Annual Monitoring Report of the Local Plan, and the database of the Council's Housing Strategy and Council Tax Teams.

- 3.2 How satisfied are your customers and how do you know?

It is too early to tell.

- 3.3 What existing data do you have on the people that use the service and the wider population?

N/A

- 3.4 What other information would it be useful to have? How could you get this?

More accurate mapping data of the existing HMOs in the Borough. The accurate mapping data would require regular updates from the Council's Housing Standards and Council Tax teams.

- 3.5 Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?

No.

- 3.6 Are you using partners, stakeholders, and councillors to get information and feedback?

Yes, the draft guidance will be subject to consultation with statutory undertakers, stakeholders and members of the public.

4. Impact

- 4.1 Are some people benefiting more – or less - than others? If so, why might this be?

The HMO Supplementary Planning Guidance would benefits local families, and the wellbeing and amenity of local communities. The outcome/impact of the Article 4 Direction and HMO SPD will be monitored and reviewed annually through the Local Plan Annual Monitoring Report.

5. Actions

- 5.1 If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?

It could potentially disadvantage landlords with a portfolio of the properties to convert those properties to small HMOs in the nine wards affected by the Article 4 Direction.

- 5.2 Is it discriminatory in any way?

There is no evidence to suggest it will be. The changes are intended to benefit residents by helping to ensure better quality housing provision.

- 5.3 Is there a possible impact in relationships or perceptions between different parts of the community?

It isn't envisaged but if the evidences suggests otherwise then it will be reviewed.

- 5.4 What measures can you put in place to reduce disadvantages?

Provision of clear information on the Council's planning webpage to raise the awareness of all sectors of the community.

- 5.5 Do you need to consult further?

Six weeks consultation following the approval by the Cabinet

- 5.6 Have you identified any potential improvements to customer service?

No.

- 5.7 Who should you tell about the outcomes of this analysis?

Members, members of public and the stakeholders through publication with the cabinet report.

- 5.8 Have you built the actions into your Business Plan with a clear timescale?

No.

- 5.9 When will this assessment need to be repeated?

When the Article 4 Direction for HMOs and Supplementary Planning Guidance on HMO's is confirmed / adopted.

Simon Prideaux
Chief Planning and Transportation Officer
December 2024