Flats and Houses in Multiple Occupation

Supplementary Planning Document

June 2018
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Introduction

1. Flats and Houses in Multiple Occupation provide small, affordable, flexible and safe accommodation for a wide variety of people including single people, students, low paid and seasonal workers, those on short term contracts and unemployed people on housing benefits and are an essential part of the housing market. They can also offer temporary accommodation for people who are saving to purchase a home.

2. Houses that provide accommodation for at least 3 people who are not all members of the same family are known as ‘Houses in Multiple Occupation’ (HMOs). A few HMOs are purpose built, but the overwhelming majority in Sefton are created through the conversion of buildings, either currently residential or other uses.

3. Poorly designed Flats and HMOs can lead to problems, both for the occupants and for neighbours, due to the large number of people living within relatively small places. These issues can include, noise, disturbance, loss of privacy and inadequate living accommodation. Similarly an over-concentration of HMOs, or those that are poorly located, can be detrimental to residential amenity and harm the character of the area.

4. This document sets out how the Council intends to manage the development of Flats and HMOs and will be used in the determination of any planning application for the development of these properties within Sefton.

5. A Supplementary Planning Document (SPD) is intended to provide further detail to policies in the Local Plan. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Policy Context and Background

National

6. The National Planning Policy Framework sets out a need to provide a mix of housing supply to provide for current and future generations and to ‘create sustainable, inclusive and mixed communities’.

7. The definition of what constitutes an HMO primarily relies on legislation concerning the private rented sector i.e. Housing Act 2004. In simple terms, an HMO is defined as a property where occupants share one or more basic amenities (i.e. a toilet, personal washing facilities or cooking facilities), and is occupied by 3 or more people who do not form a single household and occupy the property as their only or main residence. There is also a requirement that rent is payable by at least one occupant of the property.

8. For planning purposes, HMOs are identified within the Town and Country Planning (Use Classes) Order 1987, as amended, as “use of a dwelling house by 3-6 residents as a “house in multiple occupation” (Use Class C4) or a large HMOs (more than 6 people sharing) (Sui Generis). HMOs are not defined within the Order, which instead relies upon the definition given within the Housing Act 2004.
9. In October 2010 permitted development rights were amended to allow changes of use from dwelling houses (Class C3) to houses in multiple occupation (Class C4) without the need for planning permission.

Local

10. On September 20th 2017 the Council issued an Article 4 Direction to remove the permitted development rights to convert a residential property into a small HMO (C4) in parts of Bootle, Seaforth, Waterloo and Southport. The area covered by the article 4 direction is shown in appendix A. This will come into force on 20th September 2018.

11. On 21st September 2017, the Council approved the designation of a selective licensing scheme for all privately rented properties within parts of Bootle.

12. Selective licensing requires landlords who privately rent out properties in the designated area to obtain a licence from the Council. Landlords will be required to meet a range of licence conditions, and show that they have appropriate management arrangements in place.

13. On the same date, the Council approved the designation of an ‘Additional (HMO) Licensing’ scheme for all privately rented Houses in Multiple Occupation within parts of Seaforth, Waterloo, Brighton-le-Sands and Southport. Additional licensing requires landlords who privately rent out Houses in Multiple Occupation within designated areas to obtain a licence from the Council. Additional (HMO) licensing will be applicable to all types of HMO situated within the designated licensing area (with the sole exception of those that fall within the remit of the current national ‘Mandatory HMO Licensing regime).

14. Both these designations come into effect on 1st March 2018 and will last for a period of 5 years up until 28th February 2023.

15. The Local Plan for Sefton was adopted on 20th April 2017. This sets out how the Council will manage development in the borough to ensure it meets housing need and secures sustainable development’. Policy HC4 (part 2) of the Local Plan states that:

*Development involving the conversion of buildings to Houses in Multiple Occupation or flats will be permitted where it will not cause harm to:*

  a. *The character of the area*
  b. *The living conditions for either the occupiers of the property or for neighbouring properties.*
Part A Flats

16. This section of the guidance deals with flatted accommodation that is self-contained and falls within Class C3 of the Use Class Order. The guidance applies to new build flats and conversion of existing buildings into flats. This guidance also applies to self-contained flats situated within premises that contain a mix of self-contained and non self-contained accommodation.

Room Sizes

17. To ensure that self-contained flats are large enough to provide suitable accommodation for residents the following minimum size standards should be met:

Minimum gross internal floor area for flats (m²)

<table>
<thead>
<tr>
<th></th>
<th>Total size of accommodation</th>
<th>Minimum main bedroom size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio flat</td>
<td>25</td>
<td>n/a</td>
</tr>
<tr>
<td>1 bedroom flat</td>
<td>37</td>
<td>8.5 (10.5 if the room is to be considered a double)</td>
</tr>
<tr>
<td>2 Bedroom flat</td>
<td>61</td>
<td>10.5</td>
</tr>
<tr>
<td>3 Bedroom flat</td>
<td>74</td>
<td>10.5</td>
</tr>
</tbody>
</table>

2 A studio flat is accommodation which has all the living accommodation (bedroom, kitchen, living room) within a single room/space

3 A main bedroom is the only bedroom in a one bedroom flat or the largest bedroom in flats with two or more bedrooms

18. In flats that have two or more bedrooms it is considered that at least one of the bedrooms should be a double (i.e. able to accommodate a double bed or two single beds).

19. The space within the flat can be used flexibly so that new flats can be designed to meet local market needs or conversions can take account of existing layouts. However, rooms should be of sufficient size for their purpose.

Outlook, Prospect and Privacy

20. In flats each habitable room should have at least one window with a reasonable outlook and prospect. There should be a minimum distance of 12 metres between a main window in a habitable room and a blank wall (or a wall with a window of a non-habitable room). To ensure privacy there should be a minimum distance of 21 metres between a main window in a habitable room and another window of a habitable room.

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1 These standards are based on the Technical Housing Standards – nationally described space standards (DCLG, March 2015)

2 That is a room were residents will spend a lot of time, such as a bedroom, living room, dining room or kitchen
21. In many urban parts of Sefton these standards may not be achievable. This may be particularly the case in conversions and infill development. In these instances we will consider the outlook and prospect of the accommodation as a whole. We will also consider the previous use of the rooms with a conversion schemes and determine whether the proposal will have any greater harm. We will assess each case on its merits.

**Basement Accommodation**

22. For basements, we will only grant planning permission where there is a reasonable outlook from all habitable room windows. We will also only grant planning permission where there is no known flood risk, or where flood risk has been managed to the satisfaction of both the Environment Agency and the Council. In most cases basements are unlikely to be considered acceptable for conversion to habitable rooms.

23. When considering whether there is a reasonable outlook from window in a habitable room in a basement the Council will consider the function of the space to which it looks onto. For example it would not be considered appropriate if the window looks directly onto a bin storage area or an area for parking.

24. More generally, internal floor levels should not be more than 1 metre below the existing ground level from outside (it will not be acceptable to excavate land in order to provide a reasonable outlook). This is to prevent accommodation from being dark, gloomy and damp. Basements can be used for storage, laundry rooms, bicycles or other uses. This restriction on excavation to provide a reasonable outlook from a basement applies especially to ‘heritage assets’ as additional excavation can affect the appearance of the building.

**Roof Space Accommodation**

25. The same principles apply to roof space accommodation as to other accommodation in the main building.

26. When calculating the floorspace of rooms or flats in a roof space the Council will not include space that has a floor to ceiling height of 1.5m or less. It is considered that these spaces would not provide useable accommodation. Applicants must identify on submitted plans the floorspace area that has a floor to ceiling height of 1.5m or more.

27. Habitable rooms within the roof space area must provide a reasonable outlook. Roof lights that face the sky are not considered to provide a reasonable outlook and prospect.

28. Rooms within the roof need will need to be thermally insulated from excess cold or heat

29. Developers should be aware that large numbers of roof lights can spoil the appearance of a building, especially where the building is a heritage asset, and such proposals are unlikely to be acceptable.
Outdoor Amenity Space

30. It is important that residents have access to an area of private outdoor amenity space. For flats this is usually provided as a communal area that is available for all residents of the flats to use. This space should be designed to provide an area for residents for informal recreation, gardening, drying clothes and socialising.

31. The minimum standard for outdoor amenity space for flats is as follows:

<table>
<thead>
<tr>
<th>Amenity Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>20m² per flat</td>
</tr>
</tbody>
</table>

32. The amenity space must be accessible to all residents and be of high quality. The standard can be met either by provision of a communal area (such as a rear garden or roof terrace), a private space (such as a balcony) or a combination of these. Areas to the front of a building that are not private and areas intended for parking and bin stores will not be included in the calculation. Long narrow spaces will not be included in a calculation of available amenity space as they are not considered to provide useable space.

33. The Council may, in limited exceptional circumstances, accept a lower amount of amenity space if it is not possible to meet these standards. This will assessed case by case. Under no circumstances will the Council accept the provision of no amenity space or space that is significantly below the standard. Some of the factors that may be relevant to whether a lower standard is acceptable include:

- The proposal is within easy walking distance to a local centre, where the benefits of being close to community facilities and public transport are significant
- The re-use of an otherwise vacant building has wider significant community or regeneration benefits

34. If it difficult to meet the required amenity space standard, applicants must take all opportunities to maximise amenity space within the proposals. This may include the removal of existing extensions and outbuildings and/or the inclusion of appropriate roof terraces. The Council will not permit insufficient amenity space if all opportunities to maximise the amount of space have not been taken. Extensions to properties to increase accommodation will not be permitted if this would result in an inadequate amount of amenity space.

35. If it is not possible to meet the full amenity open space standard it is the responsibility of the applicant to clearly demonstrate why a lower standard should be accepted.
Bin stores

36. A suitable space for refuse and recycling bins must be provided, for all of the occupants of the building. The bin storage area must be within 25m of a publicly accessible pavement for ease of collection. Where possible, the bin store should be to the side or rear of the property out of public view and where it will not be a nuisance. Where it is necessary for bins to be stored at the front of the property, the bin store should be designed to fit in with the street scene. Bin stores should not create dark recessed areas which could encourage misuse, vandalism or pest control problems.

37. Where a development affects a heritage asset, the bin store should, where possible, be out of sight from the road.

Access and parking and cycling

38. The Council’s guidance ‘Ensuring Choice of Travel’ sets out the principles of making sure that new developments are accessible by different means of transport, which in turn encourages more sustainable travel choices.

39. The Applicant will need to consider how many car parking spaces, if any, are required, and provide a plan of the site showing the layout of the spaces as part of any planning application.

40. The Applicant must also include secure cycle parking facilities within the site unless the developer demonstrates to the Council’s satisfaction that this is not possible. One secure cycle parking space should be provided for every flat within the proposal, plus one additional visitor cycle parking space for every ten units. Details should be provided as part of any planning application.

41. Car parking areas can spoil the appearance of heritage assets, particularly where they are at the front of buildings. Where this is unavoidable, car parking should be sensitively designed and kept to the minimum. In accessible locations, on-site parking may not be necessary.
Part B Houses in Multiple Occupation

42. This section sets out how the Council intends to manage the provision of HMOs within the borough so that they adhere to Policy HC4 of the Local Plan. Please note that this section sets out planning requirements. It should not be assumed that the Housing Act standards, HMO management regulations and Mandatory HMO Licensing (if applicable) are also met. Applicants should contact the housing standards team (see Appendix B) to ensure any additional requirements are met.

43. An HMO can broadly be defined as:
A house occupied by unrelated individuals, some of whom share one or more of the basic amenities. Commonly shared amenities include: bathrooms, toilets, shower rooms, kitchens and living rooms.

44. A building defined as a HMO may consist entirely of bedsit unit type accommodation (where some or all amenities are shared) or a combination of both bedsits and fully self-contained flats.

Amenity of Occupiers

Room Sizes

45. To ensure that Houses in Multiple Occupation are large enough to provide suitable accommodation for residents, the following minimum room size standards should be met:

Single Room Bedsit (HMO) Accommodation\(^1\) – Minimum internal room sizes

<table>
<thead>
<tr>
<th></th>
<th>Accommodation that has communal living room/lounge area</th>
<th>Accommodation that does not have access to a communal dining room or lounge area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single room bedsit without kitchen facilities</td>
<td>10 m(^2)</td>
<td>15 m(^2)</td>
</tr>
<tr>
<td>Single room bedsit with integral kitchen facilities</td>
<td>13 m(^2)</td>
<td>19.5 m(^2)</td>
</tr>
</tbody>
</table>

\(^1\)These figures assume there is only one occupant. Were a single room bedsit unit within a HMO is intended for two occupants then these standards should be increased by 25%. These areas exclude bathrooms, toilets or shower rooms.

46. A self-contained flat within a HMO must meet the standards under section A on flats.

47. It is recommended that all residents in HMO schemes have access to communal areas in which they can spend time to relax, socialise, eat meals etc. This is particularly important as residents will otherwise only have one room to spend the majority of their time. However, if the rooms are provided are spacious (i.e. all bedsits meet the standards in the right-hand column above) then the Council recognises that communal rooms may not be required as
residents will have sufficient private space. It is considered this provides a flexible approach that will allow applicants to best use the available accommodation.

**Multi Room Bedsit Accommodation**

48. A HMO bedsit unit will occasionally have more than one private room for the use of the occupier. These additional rooms should also meet minimum standards as set out below.

49. The main room should meet the standards as set out above. Any additional room must meet the standards below depending on its function:

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Minimum Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Separate Bedroom</td>
<td>8.5m²</td>
</tr>
<tr>
<td>Living room</td>
<td>9m²</td>
</tr>
<tr>
<td>Combined living room/kitchen</td>
<td>11m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>5.5m²</td>
</tr>
</tbody>
</table>

**Shared Facilities**

50. Typically HMOs will share one or more key amenity, usually a kitchen, dining room, living room or bathroom. Shared bathrooms and kitchens should be no more than one floor up or down from the bedsit units that they are intended for. If bedsit accommodation is provided within a separate building or annex to the main building, these residents must have access to a suitably located bathroom and/or kitchen within that building. No resident will be expected to go outside or into another building, in order to access a bathroom or kitchen.

51. Shared facilities, where residents may be expected to socialise or a period of time, such a communal lounge or dining room (essentially rooms that have seating), should be located to minimise the impact on bedrooms, both within the building and adjoining properties. These typically may be best located on the ground floor.

52. The table below sets out the minimum size of the communal rooms if these are provided.

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Minimum Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Separate Kitchen</td>
<td>7m²</td>
</tr>
<tr>
<td>Lounge or Dining Room</td>
<td>11m²</td>
</tr>
<tr>
<td>Multi use communal area (e.g. kitchen/dining room or kitchen/lounge)</td>
<td>14m²</td>
</tr>
<tr>
<td>Bathroom/wc</td>
<td>No set standard – however must have a suitable internal arrangement to allow residents to use the facilities safely without resulting in a slip / trip/ collision or entrapment hazard.</td>
</tr>
</tbody>
</table>
53. These standards should be increased depending upon the number of occupants they are intended to serve. An appropriate number of bathrooms and/or WCs should be provided in relation to the number of units sharing those facilities. Applicants are advised to speak to the Council’s Housing Standards Team at the earliest opportunity to ensure that sufficient amenities are provided for future tenants.

**Outlook, Prospect and Privacy**

54. In HMOs each bedsit should have at least one window with a reasonable outlook and prospect. Similarly at least one window in communal habitable rooms should have a reasonable outlook and prospect. There should be a minimum distance of 12 metres between a main window in a habitable room and a blank wall (or a wall with a window of a non-hitable room). To ensure privacy there should be a minimum distance of 21 metres between a main window in a habitable room and another window in a habitable room.

55. In many urban parts of Sefton these standards may not be achievable. This may be particularly the case in conversions and infill development. In these instances we will consider the outlook and prospect of the accommodation as a whole, including communal habitable rooms. We will also consider the previous use of the rooms with a conversion schemes and determine whether the proposal will have any greater harm. We will assess each case on its merits.

**Basement Accommodation**

56. For basements, we will only grant planning permission where there is a reasonable outlook from windows in each bedsit and each habitable room within the basement. We will also only grant planning permission where there is no known flood risk, or where flood risk has been managed to the satisfaction of both the Environment Agency and the Council. In most cases basements are unlikely to be considered acceptable for conversion to HMO accommodation.

57. When considering whether there is a reasonable outlook from a window in a habitable room in a basement the Council will consider the function of the space to which it looks onto. For example it would not be considered appropriate if the window looks directly onto a bin storage area or an area for parking.

58. More generally, internal floor levels should not be more than 1 metre below the existing ground level from outside (it will not be acceptable to excavate land in order to provide a reasonable outlook). This is to prevent accommodation from being dark, gloomy and damp. Basements can be used for storage, laundry rooms, bicycles or other uses. This restriction on excavation to provide a reasonable outlook from a basement applies especially to ‘heritage assets’ as additional excavation can affect the appearance of the building.

**Roof Space Accommodation**

59. The same principles apply to roof space accommodation as to other accommodation.
60. When calculating the floorspace of bedsits and communal rooms in a roof space, the Council will not include space that has a floor to ceiling height of below 1.5m. It is considered that these spaces would not provide useable accommodation. Applicants must identify on submitted plans the floorspace area that has a floor to ceiling height of 1.5m or more.

61. Roof lights that face the sky are not considered to provide a reasonable outlook and prospect.

62. Rooms within the roof need will need to be thermally insulated from excess cold or heat.

63. Developers should be aware that large numbers of roof lights can spoil the appearance of a building, especially where the building is a heritage asset, and such proposals are unlikely to be acceptable.

**Outdoor Amenity Space**

64. It is important that residents have access to an area of private outdoor amenity space. This is usually provided as a communal area that is available for all residents of the HMO to use. This space should be designed to provide an area for residents for informal recreation, gardening, drying clothes and socialising.

65. The table below sets out the minimum requirement for amenity space for Houses in Multiple Occupation. These standards reflect that bedsits are almost always occupied by a single person and rarely will children live in them. The occupation level of a House in Multiple Occupation may not be much different than that in a three bedroom flat. Nevertheless the standards below will help ensure that occupiers of a HMO building will have sufficient private outdoor space.

<table>
<thead>
<tr>
<th>Size of HMO proposal</th>
<th>Amenity Space standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 bedsits</td>
<td>Minimum of 20m$^2$</td>
</tr>
<tr>
<td>Each additional bedsit above three</td>
<td>+10m$^2$ per bedsit</td>
</tr>
</tbody>
</table>

66. The amenity space must be accessible to all residents and be of high quality. The standard can be met either by provision of a communal area (such as a rear garden or roof terrace), a private space (such as a balcony) or a combination of these. Areas to the front of a building that are not private and areas intended for parking and bin stores will not be included in the calculation. Long narrow spaces will not be included in a calculation of available amenity space as they are not considered to provide useable space.

67. The Council may, in limited exceptional circumstances, accept a lower amount of amenity space if it is not possible to meet these standards. This will assessed case by case. Under no circumstances will the Council accept the provision of no amenity space or space
that is significantly below the standard. Some of the factors that may be relevant to whether a lower standard is acceptable include:

- The proposal is within easy walking distance to a local centre, where the benefits of being close to community facilities and public transport are significant
- The re-use of an otherwise vacant building has wider significant community or regeneration benefits

68. If it difficult to meet the required amenity space standard, applicants must take all opportunities to maximise amenity space within the proposals. This may include the removal of existing extensions and outbuildings and/or the inclusion of appropriate roof terraces. The Council will not permit insufficient amenity space if all opportunities to maximise the amount of space have not been taken. Extensions to properties to increase accommodation will not be permitted if this would result in an inadequate amount of amenity space.

69. If it is not possible to meet the full amenity open space standard it is the responsibility of the applicant to clearly demonstrate why a lower standard should be accepted.

**Bin stores**

70. A suitable space for refuse and recycling bins must be provided, for all of the occupants of the building. The bin storage area must be within 25m of a publicly accessible pavement for ease of collection. Where possible, the bin store should be to the side or rear of the property out of public view and where it will not be a nuisance. Where it is necessary for bins to be stored at the front of the property, the bin store should be designed to fit in with the street scene. Bin stores should not create dark recessed areas which could encourage misuse, vandalism or pest control problems.

71. Where a development affects a heritage asset, the bin store should, where possible, be out of sight from the road.

**Access and parking and cycling**

72. Residents of HMOs are less likely to own a car than the others residents, and so it is important that HMOs are located in areas that have good access to a variety of means of travel including walking, cycling and public transport. The Council’s guidance ‘Ensuring Choice of Travel’ sets out the principles of making sure that new developments are accessible by different means of transport, which in turn encourages more sustainable travel choices.

73. The Applicant will need to consider how many car parking spaces, if any, are required, and provide a plan of the site showing the layout of the spaces as part of any planning application.
74. The Applicant must also include secure cycle parking facilities within the site. This is especially important due to the low levels of car ownership associated with HMOs. Unless the developer demonstrates to the Council’s satisfaction that this is not possible, one secure cycle parking space should be provided for every HMO bedsit unit or self-contained flat within the building. Details should be provided as part of any planning application.

75. Car parking areas can spoil the appearance of heritage assets, particularly where they are at the front of buildings. Where this is unavoidable, car parking should be sensitively designed and kept to the minimum. In accessible locations, on-site parking may not be necessary.

**Living condition of neighbours and character of the area**

76. Permitting the conversion of a building into a House in Multiple Occupation can help bring back into viable use an otherwise vacant property. However, they also have the potential to cause a nuisance to existing neighbouring residents. Additionally, an over proliferation of conversions to HMOs in a local area can have a negative impact on residential amenity and change the character of an area for the worse.

**Reducing impact on neighbouring properties**

Note: The following section applies across the borough

77. The conversion of a property into a HMO has the potential to adversely impact on its immediate neighbours. The sub-division of a single family home into accommodation for a number of households could have a detrimental impact on noise, parking, waste etc. The following restrictions are intended to reduce the potential harm on existing properties/neighbours within close proximity to a proposal for a HMO.

78. The Council will not permit the following when considering applications for conversions to HMOs:

- A non-HMO property will not be allowed to be ‘sandwiched’ between two HMOs.
79. In the example above the proposed HMO (at number 22) would result in a neighbouring non-HMO property (number 20) being sandwiched between two HMOs. **This would not be acceptable.**

80. However, in the example above the proposed HMO (at number 18) would not result in a non-HMO property being sandwiched between two HMOs. **This would be acceptable in principle.**

- Proposals shall not result in three adjacent HMOs, unless the application property is located between two existing HMOs
81. In the example above the proposed HMO would result in a row of three HMOs. This would not be acceptable.

82. In the example above, whilst the proposed HMO (at number 20) would result in a row of three consecutive HMOs, the property is sandwiched between two existing HMOs. It is considered that allowing this property to convert to a HMO would solve an existing problem.
of a single home being sandwiched between two HMOs. **This would be acceptable in principle.**

83. These restrictions apply to all house types, including terraced, semi-detached and detached properties. These restrictions will not apply if the properties (including the curtilage) are separated by a road (minimum of 5.5m) suitable for vehicles or an area of undeveloped land (that is at least 5.5 wide).

84. Outside of the article 4 direction areas the Council cannot control the conversion of existing dwellinghouses to small Houses of Multiple Occupation (those classed as use class C4). These have permitted development rights. In these areas the Council will not be able to control these conversions and the above restrictions will not be able to be implemented. As HMOs however they will be subject to Housing Act standards, HMO management regulations and Mandatory HMO Licensing (if applicable)

85. Communal rooms, where residents would be expected to spend periods of time (kitchen, lounge etc.) or circulation areas (including stairwells), should be avoided where they would share a party wall with a bedroom in a neighbouring property. Communal rooms and circulation areas should be located so as to cause minimal nuisance to both future and existing residents. If locating a communal area next to a bedroom cannot be avoided, it may be necessary to secure sound insulation measures through a condition.

**Preventing an over-concentration of HMOs in article 4 areas**

| Note: The following guidance applies only in areas subject to an article 4 direction (see appendix A) |

86. The Council has implemented two article 4 directions for small HMOs. In these areas the Council has removed the permitted development rights to convert a dwellinghouse (C3 use) to a House in Multiple Occupation for 3 to 6 individuals (C4 use). In these areas permission is required for all HMOs. Elsewhere permission is only required if the HMO is to have 7 individuals or more. The article 4 areas cover Bootle, Seaforth, Waterloo and central Southport. These areas are identified in appendix A.

87. The rationale for the setting of an article 4 in these areas is set out in supporting evidence to the article 4 direction (available at [www.sefton.gov.uk/article4hmo](http://www.sefton.gov.uk/article4hmo)). This document identifies the social, environmental and economic issues that are prevalent in these areas that make them more susceptible to problems caused by an over-concentration of HMOs. These have been identified as high deprivation, high unemployment, higher crime, more homes in poor condition, low demand, low value housing, greater prevalence of environmental issues and higher instances of anti-social behaviour. As a result the Council considers it necessary to restrict the total number of HMOs in these areas. This will help to restrict significant harm to the character of the area and the living conditions of residents of neighbouring properties.
88. In the article 4 direction areas the Council will apply a **10% maximum concentration** of HMOs threshold within a 50m radius of a HMO proposal. HMO developments that would lead to or increase an existing over-concentration of HMOs within a defined 50 radius i.e. exceed the 10% threshold, will be considered inappropriate.

89. In determining whether there is or will be an overconcentration of HMOs the Council will undertake the following approach:

- **Step 1** - plot a 50m radius from the application property using the address point of the property, as defined by the Council’s Local Land and Property Gazetteer (LLPG). Properties that are within, or have more than 50% or more of the building curtilage within, the 50 metre radius buffer zone will be identified. This is demonstrated in an example below.

- **Step 2** - identify the total number of properties and the total number of existing HMOs within the defined area. This will be determined using the following sources of information:
  - information on licensed HMOs
  - previous planning permissions
  - enforcement information
  - other HMOs declared to the Council
  - information from residents
90. It is important to emphasise that this may not provide a complete and accurate record of all HMOs within the article 4 areas, as some properties may never be formally identified or made known through the HMO licensing process. Further HMOs may be revealed through consultation on planning applications for HMO development, and will be added to the council’s records provided their use can be verified.

- **Step 3** - Determine whether an over-concentration of HMOs already exists in the defined area, or the proposal would result in an over-concentration of HMOs.

91. In the example above there are 60 properties (light red) that are identified as being within the 50m radius (dotted circle) of the application property (dark red), based on the LLPG address points (blue dots). In this case, if there are already 6 or more HMO properties within the identified area the Council will not allow any more.
Appendix B

Useful contacts/information

Planning Department Pre Application service

https://www.sefton.gov.uk/planning-building-control/apply-for-planning-permission/pre-application-advice-on-development-proposals.aspx

Email: planning.department@sefton.gov.uk

Building Control

Web: https://www.sefton.gov.uk/planning-building-control/building-control.aspx

Email: building@sefton.gov.uk

Housing Standards

Web: https://www.sefton.gov.uk/housing/private-housing.aspx

Email: private.housing@sefton.gov.uk

Highways Development and Design