

**Conversions to Flats and
Homes in Multiple Occupation
Supplementary Planning
Document**

**Strategic Environmental
Assessment / Habitats
Regulations Assessment**

Draft Screening Statement

August 2022

1. Introduction

1.1 This report has been produced to determine the need for a:

- I. **Strategic Environmental Assessment (SEA)** in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 as amended.
- II. **Habitats Regulations Assessment (HRA)** in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 as amended (the habitats regulations).

For the proposed Conversions to Flats and Houses in Multiple Occupation (HMOs) Supplementary Planning Document (SPD).

2. Policy context

2.1 Government policies and the 2021 National Planning Policy Framework (The NPPF) permit conversions to flats and homes in multiple occupation (HMOs) as long as they do not have a significant effect on neighbouring properties or the character of the local area. This is reflected in the fact that nationally many conversions are now permitted development and do not require planning permission, although Sefton has an article 4 direction¹ to require planning permission for conversion to an HMO in many parts of the borough.

2.2 Conversions to flats and HMOs can allow more homes to be provided but have the potential, if not properly designed, to negatively impact on neighbouring properties and the character of the local area potentially resulting in poorer living conditions for neighbours.

2.3 The Sefton Local Plan (2017) www.sefton.gov.uk/localplan includes a policy relating to conversions; Policy HC4- House Extensions, Alterations and Conversions to Houses in Multiple Occupation. The 2019 Formby and Little Altcar Neighbourhood Plan, Lydiate Neighbourhood Plan, Maghull Neighbourhood Plans do not include detailed policies regarding conversions to Flats and HMOs.

2.4 The proposed Conversions to Flats and HMOs SPD will update and replace the existing SPD and expand upon policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) of the Sefton Local Plan. (The policy is shown in Appendix B). It deals only with the part 2 of Policy HC4 relating to conversions to flats and HMOs. More detail on the scope of the SPD is set out below.

¹ See [Article 4 Direction for Houses in Multiple Occupation \(sefton.gov.uk\)](http://www.sefton.gov.uk/article-4-direction-for-houses-in-multiple-occupation)

Introduction and Context

2.5 Flats and HMOs can provide good quality, affordable homes for people but can have a negative impact on the residential amenity of neighbouring properties if poorly designed or sited. This Supplementary Planning Document is intended to provide developers and the public with clear guidance on the standards that the Council will apply for proposals for conversions to flats and HMOS.

Purpose and aims

2.6 The aim of the Supplementary Planning Document is to provide clear guidance to local residents and others on how the Council will deal with planning applications for conversions to flats and HMOs.

2.7 The document will set out principles and standards that conversions are required to meet to prevent harm to neighbours and the character of the local area.

Part 1- SEA Screening

3. SEA Screening

3.1 The requirement for a Strategic Environment Assessment (SEA) is set out in the “Environmental Assessment of Plans and Programmes Regulations 2004”.

3.2 Previously all Development Plan Documents and Supplementary Planning Documents required Sustainability Appraisal. Sustainability Appraisal incorporated the requirements for SEA². However, the regulations were amended in 2009³. These amendments removed the requirement for the sustainability appraisal of supplementary planning documents. These changes were confirmed in the 2012 regulations⁴

3.3 Despite no longer requiring sustainability appraisal, SPDs may still require SEA if it is concluded that it would have significant environmental effects⁵. This report screens the draft Conversions to Flats and HMOs SPD to determine if it may have significant environmental effects and therefore a Strategic Environment Assessment is required.

² The Town and Country Planning (Local Development) (England) Regulations 2004

³ The Town and Country Planning (Local Development) (England) (Amendment) Regulations

⁴ The Town and Country Planning (Local Planning) (England) Regulations 2012

⁵ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#full-publication-update-history>, paragraph: 008 Reference ID: 11-008-20140306

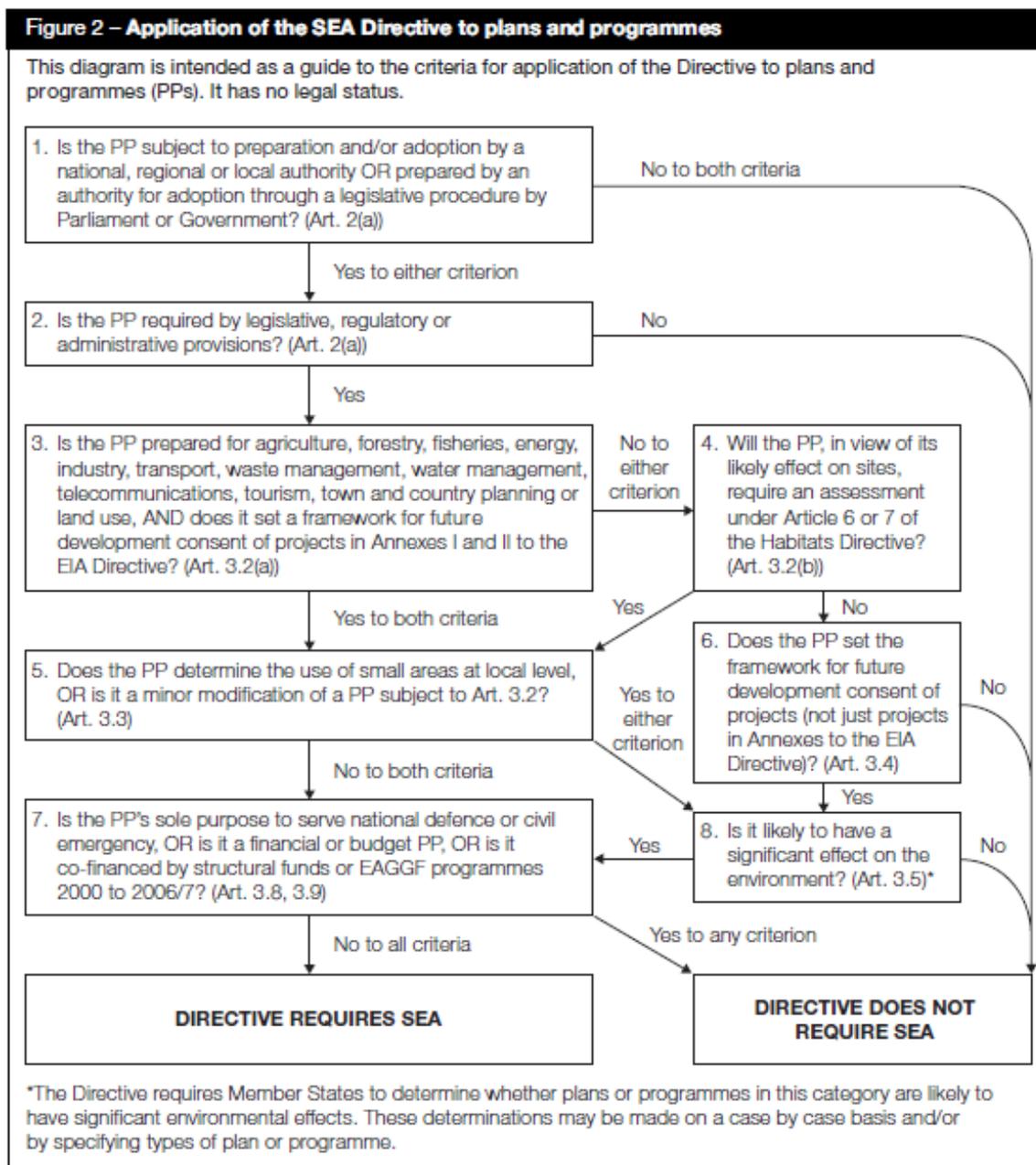


Table 1: Establishing the need for SEA

Stage [from the flowchart above]	Answer	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament of	Yes	SPD to be adopted by Sefton Council

Stage [from the flowchart above]	Answer	Reason
Government? (Article 2(a))		
2. Is the SPD required by legislative, regulatory or administrative provisions? (Article 2(a))	Yes	The detail that the Council wish to provide to the local plan policy can only be given due weight if it is contained in a Supplementary Planning Document.
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	No	The SPD is for town and country planning purposes but does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive.
4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Article 3.2(b))	No	The draft screening statement concludes that an assessment under the Habitats Directive is not required. (<i>*see part 2</i>)
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Article 3.4)	Yes	Although the local plan policies will set the overall framework, the SPD will provide additional guidance on the interpretation of these policies.
8. Is it likely to have a significant effect on the environment? (Article 3.5)	No	See ' Table 2 ' below 'Determining the likely significance of effects'

Table 2: Determining the likely significance of effects on the environment

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
<i>The characteristics of plans and programmes, having regard, in particular, to:</i>	
1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating	The SPD will be providing additional guidance on existing policies that set the broad framework.

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
conditions or by allocating resources	
1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD can only expand on existing policies and should not introduce new policies not contained in higher order plans.
1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The SPD will promote sustainable development through encouraging appropriate conversions whilst seeking to minimize any potential negative effects such as on the amenity of neighbouring properties or the local environment.
1d) Environmental problems relevant to the plan or programme	The SPD will seek to mitigate potential environmental issues from conversions such as loss of privacy/light/amenity and harm to the character of the local area. However, the impact is not likely to be significant given the local nature of the issues.
1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The SPD is unlikely to be directly relevant in regard to this criterion.
<i>Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</i>	
2a) The probability, duration, frequency and reversibility of the effects	The anticipated effects on the sustainability of the areas covered by the SPD are expected to be positive by limiting possible negative impacts associated with poorly designed conversions. The duration of impacts is likely to medium to long term as once a conversion has occurred this is likely to remain so unless converted back or building is redeveloped.
2b) The cumulative nature of the effects	The cumulative nature of effects on the environment is likely to be positive although relatively minor other than at a local level.
2c) The trans-boundary nature of the effects	None identified.
2d) The risks to human health or the	The SPD will seek to address issues of

SEA Directive Annex II: Criteria for determining likely significance of effects referred to in Article 3(5)	Sefton Comment
environment (e.g. due to accidents)	amenity and living conditions and the impact it may have on the health and wellbeing of neighbours.
2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the borough of Sefton although the SPD is likely to be relevant to small sites in the existing urban area only, therefore the impact of the SPD will be at a limited local level.
2f) The value and vulnerability of the area likely to be affected due to: I. Special natural characteristics or cultural heritage, II. Exceeded environmental quality standards or limit values III. Intensive land-use	The SPD will only apply to individual buildings which are not likely to cause significant environmental effects. Other guidance and policies related to environmental and heritage issues are covered in the Local Plan, SPD guidance and heritage guidance such as Conservation Area Appraisals.
2g) The effects on areas or landscapes which have a recognized national, Community or international protection status	None identified. Any conversion in, for example a conservations area, will need to satisfy the relevant planning policies for protecting the character of the area before permission is granted.

4. Consultation

4.1 The Council consulted with the three statutory environmental bodies [see below] on this screening report and the determination. The table below provides their responses.

Statutory Body	Comments
Environment Agency	No comments received during consultation
Historic England	We would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing policies which have already been subject to a Sustainability Appraisal. As a result, we would endorse the conclusions that it is not necessary to undertake a Strategic Environmental Assessment of the document.
Natural England	Natural England has no detailed comments to make on this Supplementary Planning Document for Conversions to flats and homes in multiple occupation. We agree with the HRA/SEA

Statutory Body	Comments
	conclusions.

5. Conclusion and statement of reasons

5.1 The SPD is supplementing and will provide further guidance on Policy HC4 of the Local Plan. Any impacts on the environment are likely to be local and small scale and positive in nature.

5.2 The views of the statutory consultees are set out above.

5.3 It is considered that the House extensions SPD will not give rise to any significant environmental effects. Therefore, it is considered that a Strategic Environmental Assessment **is not required** for the proposed Conversions to Flats and Houses in Multiple Occupation Supplementary Planning Document.

Part 2- HRA Screening

6. HRA Screening

6.1 The requirement for a Habitats Regulations Assessment (HRA) in accordance with article 6 of the EC Habitats directive 1992, as interpreted by Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). An assessment of the “likely significant effects” of a plan or project on sites of international nature conservation importance is required. These are now referred to as the national sites network⁶, although were formerly known as Natura 2000 sites. This part of the document sets out Sefton Council’s screening of the draft Conversion to Flats and HMO Supplementary Planning Document (SPD) in accordance with the Habitats Regulations

6.2 The Sefton Local Plan (2017) had was subject to HRA assessment produced by AECOM (formerly URS) (January 2015) that assessed in combination effects taking into account other plans and projects, Local Plan site allocations and policies. The Publication Draft HRA Report (January 2015)⁷ was produced by AECOM (formerly URS) included an assessment of in combination effects taking into account other plans and projects as well as Local Plan site allocations, policies and objectives and the impact of the plan as a whole. The Sefton Local Plan (2017) was also subject to a second HRA assessment produced by AECOM (May 2016) at Modifications Stage⁸.

6.3 In terms of the draft SPD, the “parent policy” is policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) of the Local Plan. This policy was assessed as part of the HRA of the Local Plan. The policy was “screened out” meaning that there would not need to be an additional HRA assessment. The HRA comments on policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) are shown below.

2015 HRA Report:

- *“HRA implications but screened out.*
- *This policy outlines development guidance for extension and alterations of houses, and conversions to multiple occupation and flats*.*
- *This policy could result in increases in population within the area of conversions to multiple occupancy. It is considered that this will be a small increase.*
- *However, Policy NH2 (Protection and enhancement of natural sites, priority habitats and species) includes for the protection of European designated sites via the need for HRA if required.”*

2016 HRA Report

- *“This policy has not been modified as such it has not been re-assessed”.*

⁶ See <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>

⁷ See <https://www.sefton.gov.uk/media/1763/jan-2015-hra-of-submission-local-plan-web.pdf>

⁸ See [Habitats Regulations Assessment of the Proposed Modifications to Sefton Local Plan](#)

6.4 The Conversion to Flats and HMOs SPD will not lead to any development additional to that permitted by Policy HC4 as it merely expands upon and provides more detailed guidance on conversions in relation to policy HC4 of the Sefton local plan. It merely seeks to provide guidance on what conversion are acceptable without having a negative effect on neighbouring properties or the character of the local area.

6.5 The SPD will cover the borough of Sefton although the SPD is likely to be relevant to small sites in the existing urban area only, therefore the impact of the SPD will be at a limited local level. Any impacts on the environment are likely to be very localised and small scale.

6.6 In any case, more generally, policy NH2 'Nature' , which has also been subject to HRA, sets out more detailed requirements in relation to national site network sites and supporting habitats and to planning application stage site-specific HRA where relevant.

6.7 The following Natura 2000 sites are located within Sefton:

- Sefton Coast SAC
- Ribble and Alt Estuaries SPA which is also a Ramsar site
- Mersey Narrows & North Wirral Foreshore SPA which is also a Ramsar site (small part of site is at Seaforth Nature Reserve, the rest is approx. 1km+ away on Wirral).

6.8 In addition the following national site network sites are located outside of Sefton but were "screened in" to the Local Plan HRA Reports.

- Liverpool Bay SPA
- Manchester Mosses SAC -
However, Sefton's Local Plan HRA Report concluded that Sefton is not adjacent to the M62; that the Local Plan includes proportionate measures to minimise its contribution to M62 vehicle movements; and that Sefton's effect on atmospheric nitrogen deposition on Manchester Mosses SAC is effectively inconsequential. Thus this site is not considered further in this HRA screening document.

6.9 Below is an assessment of potential pathways for impacts to the national sites network site taking into account the Local Plan HRA Reports.

Table 3: Assessment of likely significant effects (taking into account HRA Report for Publication Draft Local Plan (2015))

Potential pathway and national site network sites affected	HRA assessment regarding likely significant effects	Further comments
Recreational pressure /	No significant impacts.	SPD has no influence on

Potential pathway and national site network sites affected	HRA assessment regarding likely significant effects	Further comments
<p>disturbance</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA & Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site • Liverpool Bay SPA (in-combination disturbance of birds through increase in ship movements and recreational pressure) 		<p>location or number of new homes proposed (and hence on recreational pressure); only the design of the conversion of existing buildings to homes. SPD has no influence on ship movements. SPD will have no additional impacts compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.</p>
<p>Disturbance to qualifying species</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	<p>No significant impacts.</p>	<p>SPD will have no additional impacts compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.</p>
<p>Coastal squeeze</p> <ul style="list-style-type: none"> • Sefton Coast SAC • Ribble and Alt Estuaries SPA and Ramsar site • Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	<p>No significant impacts.</p>	<p>SPD has no influence on location or number of new homes proposed (and hence on recreational pressure); only on the quality of conversions. Without the SPD conversion would still occur, but not to the high quality the Council would like. SPD will have no additional impacts compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.</p>
<p>Direct habitat loss through expansion of the Port at Seaforth</p>	<p>No significant impacts</p>	<p>SPD has no influence on Port expansion.</p>

Potential pathway and national site network sites affected	HRA assessment regarding likely significant effects	Further comments
<ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 		
Direct habitat loss through mineral extraction <ul style="list-style-type: none"> Ribble and Alt Estuaries SPA and Ramsar site. 	No significant impacts	SPD has no influence on minerals expansion.
Loss of habitat / supporting habitat outside the <i>national site network</i> site boundary <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site 	No significant impacts	SPD will have no additional impacts compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.
Reduction in water quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA - potential for 'in combination' effects with other plans and projects (through sewage effluent discharges). 	No significant impacts	SPD has no influence on location or number of new homes proposed (and hence on recreational pressure); only on the quality of conversions. Without the SPD conversion would still occur, but not to the high quality the Council would like. SPD will have no additional impacts compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.
Reduction in air quality <ul style="list-style-type: none"> Sefton Coast SAC Ribble and Alt Estuaries SPA and Ramsar site Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on location or number of new homes proposed (and hence on recreational pressure); only on the quality of conversions. Without the SPD conversion would still occur, but not to the high quality the Council would like. SPD will have no additional impacts

Potential pathway and national site network sites affected	HRA assessment regarding likely significant effects	Further comments
		compared to its parent policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) which has been screened out.
Mineral extraction <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site 	No significant impacts	SPD has no influence on minerals expansion.
Dredging and disturbance of sediments/benthic habitats <ul style="list-style-type: none"> Mersey Narrows & North Wirral Foreshore SPA and Ramsar site Liverpool Bay SPA (following Port expansion) 	No significant impacts	SPD has no influence on dredging or disturbance of benthic habitats, or on Port expansion.

6.10 The SPD is unlikely to have any significant effects on any SAC, SPA (now the national site network) or Ramsar site above and beyond any significant effects that the Local Plan is likely to have, either individually or in combination with other plans and projects. The “parent policy “in the Local Plan was screened out meaning no further assessment is needed. The SPD is unlikely to give rise to impacts/significant effects on national site network sites.

7. Consultation

8.1 The Council consulted Natural England, the statutory body for the purposes of HRA. The table below provides their response.

Statutory Body	Comments
Natural England	We agree with the HRA conclusions.

8. Conclusion and statement of reasons

8.1 The SPD is supplementing and will provide further guidance on part 2 of Policy HC4 (House Extensions, Alterations and Conversions to Houses in Multiple Occupation) of the Local Plan. The SPD merely expands upon the policy HC4 to set out guidance how the council will assess applications for conversions. There are no significant effects on national site network sites in Sefton.

8.2 The comments of Natural England are set out above.

8.3 On the basis of the above information, Sefton Council is of the opinion and concludes that the proposed plan to which this screening opinion relates – Conversions to Flats and HMOs Supplementary Planning Document - :

a) is not directly connected with or necessary to the management of the site,

b) is not likely to have a significant effect on each of the following sites:

- Ribble and Alt Estuaries Ramsar site
- Ribble and Alt Estuaries Special Protection Area (SPA)
- Sefton Coast Special Area of Conservation (SAC)
- Mersey Narrows and North Wirral Foreshore Ramsar site
- Mersey Narrows and North Wirral Foreshore Special Protection Area (SPA).
- Liverpool Bay SPA.
- Manchester Mosses SPA.

either alone or in combination with other plans or projects.

And accordingly, **no “appropriate assessment” is required** to be made under Regulations 63, 64 and 65 of the Conservation (Natural Habitats &c) Regulations 2017 (as amended) before the Council decides to undertake, or give any consent, permission or other authorisation for this plan.

Part 3- Appendices

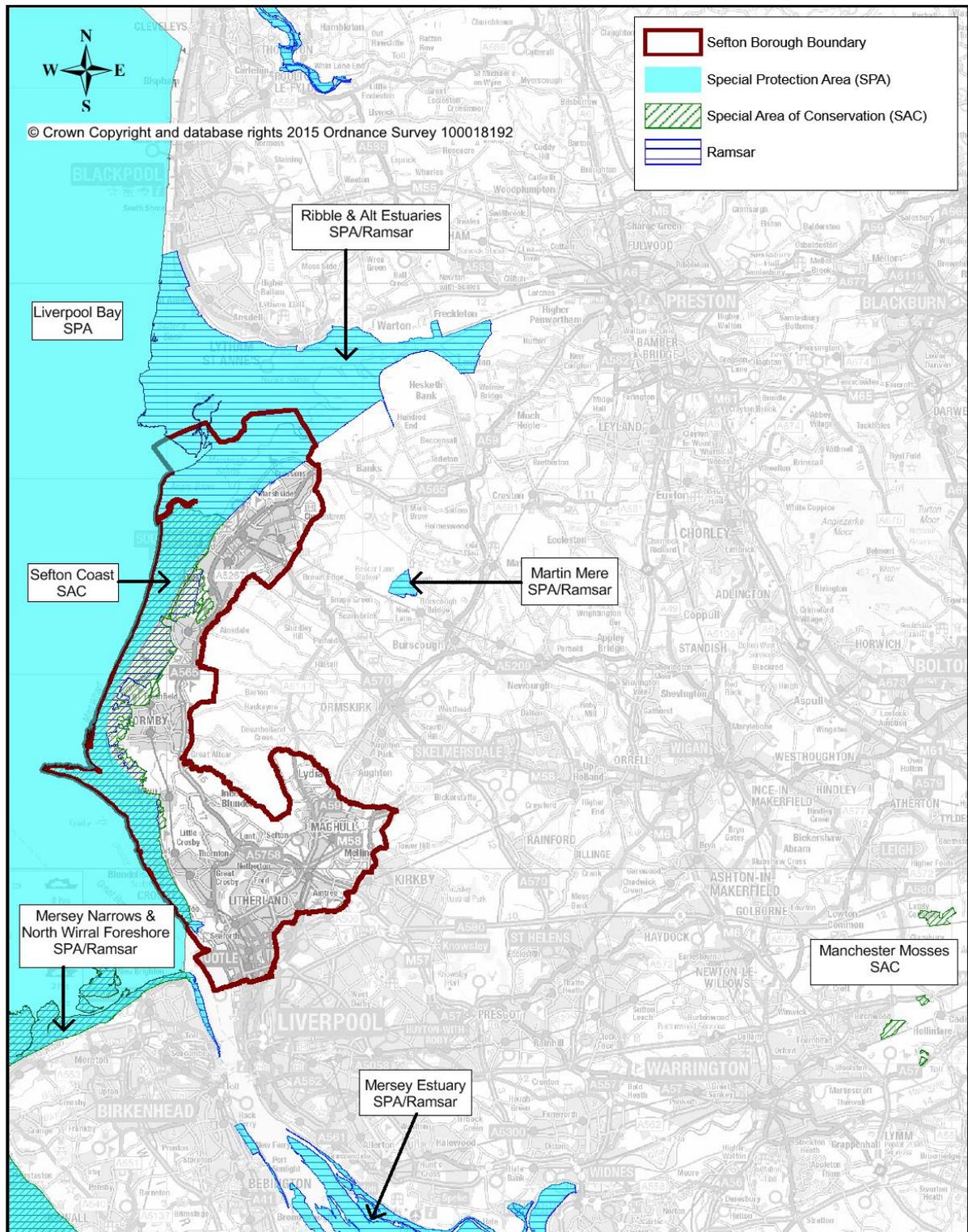
Appendix A- Contact details

local.plan@sefton.gov.uk

Appendix B- Extract from Sefton Local Plan (2017): Parent Policy text

<p>HC4 HOUSE EXTENSIONS, HOUSES IN MULTIPLE OCCUPATION AND FLATS</p> <p>1. Extensions and alterations to dwelling houses will be approved where:</p> <ul style="list-style-type: none">a. They are of a high quality of design that matches or complements the style of the dwelling and the surrounding area;b. The size, scale and materials of development are in keeping with the original dwelling and the surrounding area;c. The extensions and alterations are designed so that there shall be no significant reduction in the living conditions of the occupiers of neighbouring properties. In particular, extensions must not result in:<ul style="list-style-type: none">i. Loss of outlook, from the main windows of neighbouring habitable rooms,ii. A significant loss of light/overshadowing for neighbours,iii. An overbearing or over-dominant effect on the habitable rooms of neighbouring properties,iv. A significant loss of privacy for neighbouring residents. <p>2. Development involving the conversion of buildings to Houses in Multiple Occupation or flats will be permitted where it will not cause significant harm to:</p> <ul style="list-style-type: none">a. The character of the area orb. The living conditions for either the occupiers of the property or for neighbouring properties.

Appendix C – National Site network and Ramsar (formerly Natura 2000) sites in Sefton



Sefton Council

Department of the
Built Environment
 Derek McKenzie
 Interim Head of Planning Services

Natura 2000 Sites in and around Sefton

Date: 1st July 2015

Scale @ A4: 1:250,000