



ST HELENS
BOROUGH COUNCIL

Houses in Multiple Occupation

Supplementary Planning Document

Scoping Report

May 2024

Contents

1. Introduction	3
1.1 What is this document?	3
1.2 What is a House of Multiple Occupation?	3
1.3 SPD Links with National Policy and Legislation	4
1.4 SPD Links with St Helens Borough Local Plan up to 2037 (2022)	4
2. Scope of the Houses in Multiple Occupation SPD	6
2.1 Proposed SPD Contents	6
3. Time Schedule of SPD Preparation and Next Steps.....	8
3.1 Timescale for SPD preparation and adoption.....	8
3.2 Next Steps	8
4. How to get involved	9
5. Consultation Questions	10

1. Introduction

1.1 What is this document?

This scoping report is the first step in preparing a Houses in Multiple Occupation Supplementary Planning Document (SPD). The SPD will provide detailed guidance on the interpretation and implementation of policies within the St Helens Borough Local Plan up to 2037 (2022) (Local Plan).

The purpose of this document is to engage key stakeholders in considering the scope and content of the SPD.

The responses on this scoping report will inform the preparation of a draft SPD, which will then in turn be published for consultation before it is then adopted. Once adopted the SPD will carry full weight as a material consideration in the determination of planning applications.

1.2 What is a House of Multiple Occupation?

In planning terms, a House in Multiple Occupation (HMO) is a dwelling (house or flat) that is occupied by a certain number of unrelated individuals who share one or more basic amenities such as a kitchen or bathroom. They are sometimes known as shared houses or house shares.

The Town and Country Planning (Use Classes) Order 1987 (as amended) classifies HMOs as:

Use Class C4 - accommodating between 3 and 6 unrelated individuals, or;
'Sui Generis' - accommodating 7 or more unrelated individuals.

Under the Housing Act 2004, the following types of property are all defined as houses in multiple occupation (HMO):

- An entire house or flat which is let to three or more tenants who form two or more households and who share a kitchen, bathroom or toilet.
- A house which has been converted entirely into bedsits or other non-self-contained accommodation and which is let to three or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats, which are not wholly self-contained (i.e. the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by three or more tenants who form two or more households.
- A building, which is converted entirely into self-contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats, are let on short-term tenancies.

It is acknowledged that HMOs play an important role in meeting housing needs and contribute to housing choice. They provide low-cost and flexible housing for people whose housing options may be limited. They can be home to people on low-incomes, young professionals, students and those on short-term work contracts.

However, a saturation of HMOs in a particular location can have negative impacts upon that area, for example the number of homes available for families or those wanting to purchase their first home may reduce due to a high demand for investment properties to be rented out as HMOs. In addition, the occupation of dwellings as HMOs by a higher number of adults compared to a typical family home can place additional demands on services and infrastructure, for example increased waste generation and demand for on-street parking. Further, poorly managed HMOs can often have some of the worst housing conditions, for example cramped and over-crowded living conditions for tenants.

1.3 SPD Links with National Policy and Legislation

The Houses of Multiple Occupation SPD will be produced so it is consistent with the National Planning Policy Framework (NPPF) and The Town and Country Planning (Local Planning) (England) Regulations 2012. Regard will also be had to the PPG.

1.4 SPD Links with St Helens Borough Local Plan up to 2037 (2022)

The Houses of Multiple Occupation SPD will be prepared to provide further guidance in relation to the interpretation and implementation of the policies in the Local Plan, in particular, Policy LPC01: Housing Mix, which states:

Policy LPC01: Housing Mix

1. New market and affordable housing should be well designed to address local housing need and include a range of types, tenures and sizes of homes as informed by up-to-date, relevant evidence including the Borough's latest Strategic Housing Market Assessment (SHMA).
2. Where a proposal for new housing would be on a greenfield site on which the site as a whole would deliver 25 or more new homes, the Council will apply optional standards as set out in Parts M4(2) and M4(3)(2)(a) of the Building Regulations 2010 (as amended) so that:
 - a) at least 20 % of the new dwellings across the whole site must be designed to the "accessible and adaptable" standard set out in Part M4(2); and

- b) at least 5% of the new dwellings across the whole site must be designed to the “wheelchair user adaptable” dwellings standard set out in Part M4(3)(2)(a). If the standards in Part M4(2) or Part M4(3)(2)(a) are amended or superseded by new standards, the Council will apply the relevant amending or superseding provisions in the same proportions as set out above.
3. Exceptions to paragraphs 1 and 2 of this Policy may be made where the applicant has submitted an independent viability assessment, prepared by a suitably qualified person, which clearly demonstrates that meeting the requirements would render the scheme un-viable. In such cases the Council will weigh any benefits of allowing the scheme in the form submitted against the extent of any failure to meet the requirements in full.
 4. The Council will work with partners to facilitate the provision of bungalows, and specialist and supported housing for elderly and vulnerable people. Provision of sheltered housing, extra care housing, retirement accommodation and residential care homes should be easily accessible by walking and public transport to a suitable range of services to meet the needs of future occupiers.
 5. The Council will support the delivery of suitably designed and located self-build and custom-build schemes in the Borough where they would conform with all relevant local and national policies.
 6. Proposals for the change of use or sub-division of existing buildings to form flats or Houses in Multiple Occupation (HMOs) will be granted permission provided they would:
 - a) retain a suitable mix of housing types to meet needs in the area;
 - b) avoid harming the character and / or appearance of the area;
 - c) avoid harming the amenities enjoyed by occupiers of neighbouring residential properties;
 - d) provide satisfactory levels of amenity for their future occupier(s) in terms of outlook and natural light; and
 - e) comply with parking standards referred to in Policy LPA06 and to be set out in the future review of the Council’s Ensuring a Choice of Travel Supplementary Planning Document.

Policy LPC01 of the Local Plan, as noted above, advises that the change of use or sub-division of existing buildings to form flats or Houses in Multiple Occupation

(HMOs) will be granted permission provided that they meet the criteria as set out in the policy.

In addition to Policy LPC01, the Local Plan contains other policies that are relevant to this SPD which, amongst others, include:

- Policy LPA01: Spatial Strategy
- Policy LPA02: Development Principles
- Policy LPA04: Meeting St Helens Borough's Housing Needs
- Policy LPD01: Ensuring Quality Development
- Policy LPD02: Design and Layout of New Housing
- Policy LPD08: Advertisements

2. Scope of the Houses in Multiple Occupation SPD

2.1 Proposed SPD Contents

The Houses in Multiple Occupation SPD will aim to assist in maintaining and achieving a balance of households within the borough's neighbourhoods, ensuring that different housing needs are met. In order to help ensure mixed and balanced communities and to ensure that new development does not have an unacceptable adverse impact on amenity and quality of life, the Houses in Multiple Occupation SPD will aim to limit the

concentration of HMOs and to manage the siting of HMOs relative to other HMOs, as well as ensure satisfactory living conditions for both neighbouring residents and future tenants. This is in order to help retain local character, ensure a mix of house types and tenures, and reduce potential residential amenity issues.

The Houses in Multiple Occupation SPD will aim to:

- Explain what a HMO is, in planning terms, and identify the circumstances where planning permission could be needed
- Identify the national and local planning policies of relevance when considering planning applications for HMOs
- Set out more detailed policy guidance that will be used to assess planning applications for HMOs, including information requirements
- Avoid a concentration of HMOs within an area
- Provide an overview of other regulatory requirements for HMOs including licencing and relevant standards for HMOs

The broad context and coverage of the Houses in Multiple Occupation SPD will be as follows:

- Introduction and Aims/Objectives
- Policy Context – national and local
- Definition of a House in Multiple Occupation
- Requirement for Planning Permission
- Assessing Planning Applications for HMOs
 - Avoiding / Exacerbating Concentrations of HMOs
 - Achieving Good Standards of Accommodation
 - Waste Storage and Disposal
 - Car Parking
 - Cycle Storage
 - Outdoor Amenity Space
- Residential Amenity
- Impact on the Character and Appearance of the Area
- Display of Advertisements
- Licencing and Management

3. Time Schedule of SPD Preparation and Next Steps

3.1 Timescale for SPD preparation and adoption

Below is an indicative timescale for the preparation and adoption of the SPD.



3.2 Next Steps

This consultation will run for a minimum of four weeks. Following the consultation, Council Officers will review comments received, which will inform the drafting of the SPD. A public consultation will then be carried out on the draft SPD.

Following the consultation on the draft SPD, comments received will be reviewed with appropriate amendments made to the SPD before it is adopted at a St Helens Cabinet meeting. A Consultation Statement will be produced containing details of all those consulted when preparing the SPD, a summary of the main issues raised and how those issues have been addressed within the SPD.

4. How to get involved

This document has been prepared to identify the scope of the emerging Houses in Multiple Occupation SPD and raise awareness of, and interest in, the document. Comments are sought on the scope that has been set out through this document and the questions in Section 5 below.

A response form has been created which allows for comments and responses on the questions contained within this document, along with any additional comments if required. This can be found at <https://sthelens.gov.uk/SDP-Scoping-Consultation>

Answering the questions in Section 5 is optional and the Council will also accept other forms of written response.

You can complete the response form and return it by email or post to:

Email: planningpolicy@sthelens.gov.uk

Post: Planning Policy Team, Development Plans, St Helens Borough Council, PO Box 512, ST HELENS, WA10 9JX.

All comments on this scoping report should be submitted by Thursday 13 June 2024.

5. Consultation Questions

Q1: Do you support the proposal to prepare a Houses in Multiple Occupation SPD for St Helens? If not, what are the reasons as to why the Council should not prepare a Houses in Multiple Occupation SPD?

Q2: Do you agree with the broad context and coverage of the Houses in Multiple Occupation SPD, as set out in this document?

Q3: What level of detail should the Houses in Multiple Occupation SPD go into, for example general advice or specific guidance?

Q4: In order to avoid a concentration of HMOs, do you agree that the Houses in Multiple Occupation SPD should introduce a concentration threshold, restrict the 'sandwiching' of properties and restrict adjacent HMOs.

Q5: In order to achieve a good standard of living accommodation within HMOs, do you agree that the SPD should set out bedroom and amenity space standards?

Q6: Are there any other matters relating to Houses in Multiple Occupation that should be addressed through the Houses in Multiple Occupation SPD, beyond those set out in this document? If so, please explain why.

Q7: Are there any specific reports, documents, or guidance that you think we should be considering as part of the evidence base to inform the Houses in Multiple Occupation SPD?

Q8: If you believe a Strategic Environmental Assessment (SEA) or a Habitat Regulations Assessment (HRA) is required, please set out why (please see accompanying SEA and HRA Screening Report for further information).