

Draft Policy LP27- Houses in Multiple Occupation Policy

Link to draft policy and comments in full received from the draft consultation stage:

<https://west-norfolk.objective.co.uk/portal/lpr2019/lpr2019?pointId=s1542883836293#section-s1542883836293>

Summary of Comments & Suggested Response:

No comments were made in relation to this policy so therefore we proposed no change to take place. The Local Plan Task Group asked if further investigation could be made in reference to licensing requirements for a HMO could be added to the policy or supporting text and detail regarding higher quality standards. These points were taken on board and where was appropriate text has been amended and highlighted in yellow below.

Consideration of issues: N/A

Policy Recommendation:

- 7.4.1 HMO definition has been expanded upon in detail with footnotes
- 7.4.3 has reference to standards requirements and a link to the borough council's website
- 7.4.4 details the license requirement of large HMOS with a link
- LP27 Policy added a new clause 'd' emphasising need to be of a high-quality standard

LP27 Houses in Multiple Occupation Policy (previously DM4)

Introduction

7.4.1 Houses in Multiple Occupation (HMOs) were introduced under Class C4 in the Town and County Planning (Use Classes) (Amendment)(England) Order 2010 and is the use of a dwelling house by not more than six residents. Under Article 2 (4) of the order, purpose of Class C4 HMOs does not include a converted block of flats to which S.257 of the Housing Act 2004 applies¹. However, HMOs have the same meaning as S.254 of the Housing Act 2004 which defines them as: a building or part of a building that consists of one or more units of living accommodation, which is occupied by persons who do not form a single household and two or more of the households share one or more basic amenities such as a bathroom or kitchen².

¹ Town and County Planning (Use Classes) (Amendment)(England) Order 2010

<http://www.legislation.gov.uk/ukxi/2010/653/article/2/made>

² Housing Act 2004 <http://www.legislation.gov.uk/ukpga/2004/34/contents>

7.4.2 The number of HMOs in the Borough has increased markedly in recent years. HMOs make an important contribution to the mix and range of housing to meet the needs of a diverse community and workforce. In the Borough there is a particular concentration of HMOs within certain areas of King's Lynn, Hunstanton and Downham Market. This type of accommodation is associated with a number of issues and problems, particularly in areas of high concentration, including acceptable room size and living conditions, noise and anti-social behaviour, parking provision and waste storage and removal.

7.4.3 Planning permission may not always be needed, depending on circumstances, for a change of use to certain types of smaller HMOs. However, the Council considers it useful to have a clear policy in place for those situations, including larger HMOs, where planning applications are required. The standards expected to be provided among all HMOS are high and must comply with legislation as set out under the weblink: https://www.west-norfolk.gov.uk/info/20114/houses_in_multiple_occupation/413/what_is_an_hmo

7.4.4 Large HMOS as defined by the central government are required to have a mandatory license, if the household is occupied by five or more people, forming two or more households, with shared basic amenities. As defined on our website³, for the situation of purpose-built flats (those that were originally built as flats – not converted into flats):

- a) If a purpose built flat is occupied by five or more people, and it's in a block comprising of up to two flats, it **will** be licensable;
- b) and if a purpose built flat is occupied by five or more people, and it's in a block comprising three or more flats, it **will not** be licensable.
- c) Mandatory licensing applies to flats such as those above shops on traditional high street type locations, but not large purpose-built blocks of flats.

Further information on HMOS is provided within this weblink: https://www.west-norfolk.gov.uk/info/20114/houses_in_multiple_occupation

Relevant Local and National Policies

- National Planning Policy Framework: Delivering a sufficient supply of homes
- Strategic Policy LP16 Sustainable Development
- Strategic Policy LP32 Community and Culture

Policy Approach

7.4.4 A policy is proposed in order to regulate and manage this type of accommodation because of the pressures and problems mentioned above. In deciding applications for the conversion of existing dwellings and new developments of properties for multiple occupation, the views of Housing Services, Community Safety and Neighbourhood Nuisance, Building Control,

³ BCKLWN (2020) HMOS https://www.west-norfolk.gov.uk/info/20114/houses_in_multiple_occupation/675/apply_for_an_hmo

Licensing and any other relevant sections within the Borough Council will be sought and taken into account (insofar as they are planning matters).

Policy LP27- Houses in Multiple Occupation (HMOs)

1. The conversion of existing dwellings to and new development of properties for multiple occupation may be permitted where:

- a. there is no adverse impact on the amenity of existing and new residents and the historic and natural environment; **and**
- b. the development and associated facilities, including bin storage, car and cycle parking, can be provided without detriment to the occupiers of adjoining or neighbouring properties; **and**
- c. the site is within reasonable distances to facilities, public open space, supporting services and local employment.
- d. **the proposed scheme is of a high quality and meets the necessary standards set out in legal national requirements**