



**HOUSES IN MULTIPLE OCCUPATION
SUPPLEMENTARY PLANNING DOCUMENT**

Updated January 2018

1 Introduction

- 1.1 Houses that provide private rented accommodation for at least 3 people who are not all members of the same family are known as 'houses in multiple occupation' (HMOs). These properties provide affordable and convenient living accommodation for many people, including students, young professionals and those on low incomes.
- 1.2 Some HMOs are purpose built, e.g. student accommodation, but many are created through the conversion of buildings, both in residential and other uses, which can cause notable physical and social changes in an area.
- 1.3 This document sets out how the city council intends to manage the development of HMOs and will be used in the determination of any planning application for the development of these properties within the city's administrative boundary.

2 Purpose, scope and status of this document

- 2.1 This document outlines the criteria that will be used to determine planning applications for the development of HMOs within the city. From 1 March 2016, this includes development comprising the change of use from a use falling within Class C3 (dwelling houses) of the Town and Country Planning (Use Classes) Order 1987, as amended; to a use falling within Class C4 (houses in multiple occupation) of that Order. Proposals for large HMOs, which are regarded as Sui Generis uses, already require planning permission.
- 2.2 The purpose of the Article 4 direction relating to HMOs and this document is not to restrict the supply of HMOs, rather they are intended to manage the future development of HMOs to ensure such developments will not lead to or increase existing over-concentrations of HMOs which are considered harmful to local communities.
- 2.3 In addition to standard material planning considerations such as the potential impact of a proposed development on residential and visual amenity, noise and disturbance, and the character of the area; this document outlines how the issue of whether a proposal will lead to or increase an existing over-concentration of HMOs within a community will be assessed. Exceptional circumstances where this and/or other criteria may not apply are also set out.
- 2.4 The assessment criteria outlined in this document supplement policies LP26 'Design and Amenity' and LP37 'Sub-division and multi-occupation of dwellings within Lincoln' of the Central Lincolnshire Local Plan (Adopted April 2017), which form the planning policy framework for HMOs in the city (see Appendix 1).
- 2.5 Following approval by the council's Executive committee on 25 January 2016, this document forms a material consideration in the determination of any planning application for the development of HMOs within the city's administrative boundary.

3 Policy background and context

3.1 What is a house in multiple occupation (HMO)?

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 facilities (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.

3.2 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.

3.3 Between April and October 2010, conversion from a dwelling house (Class C3) to a HMO (Class C4) required planning permission. Prior to that an HMO of up to 6 people was classed as a dwelling house (Class C3), and therefore did not require planning permission. However in October 2010, following changes in national government, the legislation was amended to allow changes of use from dwelling houses (Class C3) to houses in multiple occupation (Class C4) without the need for planning permission.

3.4 Why does the development of HMOs needs to be managed?

In recent years, the population of Lincoln has grown at a faster rate than the national average. Internal and international migration flows have become increasingly important drivers of population growth, and have led to a notable increase in the number of residents aged between 18 and 34 in the city. This increase also reflects the growth of higher education institutions, including the University of Lincoln and Bishop Grosseteste University, and the enlargement of the European Union. Conversely, a fall in the number of children and residents aged 30 to 40 suggests a reduced number of families in the city.

3.5 These demographic changes, coupled with economic factors that have made it increasingly difficult for younger people and those on lower incomes to obtain mortgages, have enabled the growth of the private and social rented sectors, and led to a notable increase in the number of properties being converted into HMOs. For communities in those areas where HMO growth has been most marked, there are increasing concerns about the changing nature of their communities and the impacts of increasing numbers of HMOs. Such concerns include the loss of or imbalance in the community arising from HMO residents often being more transient in nature, loss of services and facilities (schools may be less used, local shops only used at certain times of the year), problems with noise and anti-social behaviour, properties falling into disrepair, the almost permanent presence of ‘To Let’ boards, etc.

3.6 In August 2014, Full Council considered a petition from residents of Carholme ward, which called on the authority to take action to limit the growth of HMOs. Subsequently, the council undertook a city-wide consultation exercise to seek the views of residents, elected members and interested parties on the issues raised by

the growth of HMOs. The outcome of that consultation, along with detailed business cases on the options available to the council for managing HMOs, were considered by the council's Executive in December 2014, when the decision was made to pursue the consideration of an Article 4 direction to remove permitted development rights relating the houses in multiple occupation.

3.7 Article 4 direction

Further to the council's decision to pursue the consideration of an Article 4 direction relating to houses in multiple occupation for the council's administrative area, an Article 4 direction was made on 15 December 2014. The direction relates to development comprising the change of use from a use falling within Class C3 (dwelling houses) of the Town and Country Planning (Use Classes) Order 1987, as amended; to a use falling within Class C4 (houses in multiple occupation) of that Order, and removes permitted development rights for this type of development. The Article 4 direction was confirmed by the council's Executive on 25 January 2016. Planning permission will, therefore, be required for any change of use from Class C3 to C4 from 1 March 2016.

3.8 In accordance with the relevant legislation, the city council allowed a period of time for representations concerning the direction to be made by any individuals, groups or organisations with an interest. Representations and comments were invited between 27 February and 20 March 2015, and the results reported to the city council's Executive on 15 June 2015. The representations and comments received during this consultation have contributed towards the preparation of this document.

3.9 National policy and guidance

Relevant policies and guidance are contained within the National Planning Policy Framework (NPPF), and accompanying Planning Practice Guidance (PPG), including Paragraph 50 which seeks to "*deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities*" and Paragraph 58 which seeks to ensure that developments "*will function well and add to the overall quality of the area ... respond to local character and history, and reflect the identity of local surroundings and materials*".

3.10 The NPPF also states "*Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development*" (Paragraph 153). By setting out the criteria that will be used to determine planning applications for the development of HMOs, this document informs applicants of the information required to meet the relevant policy requirements for this type of development. From 17 January 2018 a fee of £462 will be charged for planning applications which arise as a consequence of an Article 4 direction, which is the standard fee for a change of use application. This fee will also apply to an application for a Certificate of Lawful Use.

3.11 Local planning policy

This document accompanies policies LP26 'Design and Amenity' and LP37 'Sub-division and multi-occupation of dwellings within Lincoln' of the Central Lincolnshire Local Plan (Adopted April 2017).

The relevant parts of the policies state:

“The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Proposals should demonstrate, where applicable and to a degree proportionate to the proposal, how the following matters have been considered, in relation to both the construction and life of the development:

- (m) Compatibility with neighbouring land uses*
- (r) Adverse noise and vibration;*
- (t) Adequate storage, sorting and collection of household and commercial waste, including provision for increasing recyclable waste”*

– Policy LP26.

The conversion or change of use of existing dwellings and buildings in other uses to self-contained flats or shared accommodation including houses in multiple occupation will be supported where:

- (a) the existing dwelling or building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;*
- (b) in the case of an existing dwelling, it can be demonstrated there is an established lack of demand for the single family use of the property concerned;*
- (c) the development will not lead to or increase an existing over-concentration of such uses in the area*
- (d) adequate provision is made for external communal areas; bin storage and collection; and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre ” – Policy LP37.*

3.12 A supplementary policy approach is needed as the city council has confirmed an Article 4 direction to remove permitted development rights relating the houses in multiple occupation. From 1 March 2016, planning permission will be required for development comprising a change of use from a traditional dwelling house (Use Class C3) to a house in multiple occupation for between 3 and 6 unrelated people (Use Class C4).

3.13 This document outlines how the city council intends to implement the Article 4 direction and manage the development of houses in multiple occupation by setting out criteria that will be used in the determination of any planning application for the development of these properties within the city’s administrative boundary.

4 Community and stakeholder consultation

4.1 In accordance with the relevant legislation, the city council allowed a period of time for representations concerning this supplementary planning document to be made by any individuals, groups or organisations with an interest. Representations and comments were invited between 14 September and 16 October 2015, and the results reported to the city council’s Executive on 25 January 2016. The representations and comments received during this consultation have contributed towards the preparation of this document.

5 Assessment criteria

The following criteria will be used to determine planning applications for the development of HMOs:

5.1 *Housing needs*

Notwithstanding shared accommodation needs, proposals comprising the conversion of existing residential property to an HMO must demonstrate there is an established lack of demand for the single family use of the property concerned, based on local housing market circumstances at the time. Evidence that the property has been openly marketed at a reasonable purchase or rental price for a period of at least six months shall be submitted with the application and verified by a suitable person in a relevant profession, such as an estate agent.

Proposals for the conversion of other buildings will be considered favourably provided they are in a suitable location, and a satisfactory relationship with adjoining land uses can be maintained.

5.2 *Housing standards*

In March 2015, as part of a wider housing standards review package, the Government issued a nationally described space standard¹. Local planning authorities can adopt this standard if it will address an evidenced need and the viability implications of introducing it have been adequately considered. Currently, there is no intention to formally adopt the national described space standard due to the impact it may have on development viability, however, proposals which voluntarily include the standard would be supported, provided other relevant criteria can be met.

5.3 *Proposed layout*

Proposals must demonstrate due consideration to the relationship with adjoining and neighbouring land uses, with particular reference to the proposed internal arrangements of the HMO development. In cases where adjoining uses are residential, proposed communal areas such as kitchens and living areas must not be positioned adjacent to existing bedrooms, to safeguard the amenities of neighbours.

5.4 *Character and appearance*

The impact of the proposed HMO development on the character and appearance of the area will be assessed as part of the planning application process, with reference to the Lincoln Townscape Assessment (LTA), which identifies and describes 108 Character Areas within and around the city.

5.5 *Sound insulation*

Where necessary, proposals must include details of noise mitigation measures, having regard to recognised standards, to be incorporated into the proposed HMO development, to protect the amenities of future occupants and neighbours.

¹ <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

5.6 *Parking provision*

The city council operates a Resident's Parking Scheme to manage on-street parking within certain areas of the city. The scheme is in force from Monday to Saturday, between 8am and 6pm, during which time valid permits are required to be displayed in vehicles parked on specific streets. A maximum of three annual permits is available to each eligible property within the scheme, including HMOs, although an HMO permit costs more than the first standard residential permit. Each street covered by the scheme is also part of a zone, to enable residents to park within the vicinity of their property, if they cannot park directly outside of it.

5.7 Currently, there is no intention to revise the Resident's Parking Scheme nor adopt specific parking standards for residential developments. In the absence of adopted parking standards, proposals will be considered on a case by case basis, with reference to location, site specific circumstances and relevant policies and guidance. Consideration of parking provision should have regard to surrounding conditions and cumulative impact and clear reasoning should be set out in a statement submitted with the application.

5.8 Opportunities for HMO developments to share off-street parking should be considered, particularly in those areas where on-street parking is limited.

5.9 *Cycle parking*

Where it is deemed necessary, proposals must make adequate provision for the secure parking of cycles.

5.10 *Storage and collection of waste and recycling*

Proposals must include appropriate details of how waste and recycling will be stored and presented for collection. Depending on the scale and nature of the HMO development, details of how refuse vehicles will access and egress a site to collect communal refuse bins may be required.

5.11 *Defining over-concentration*

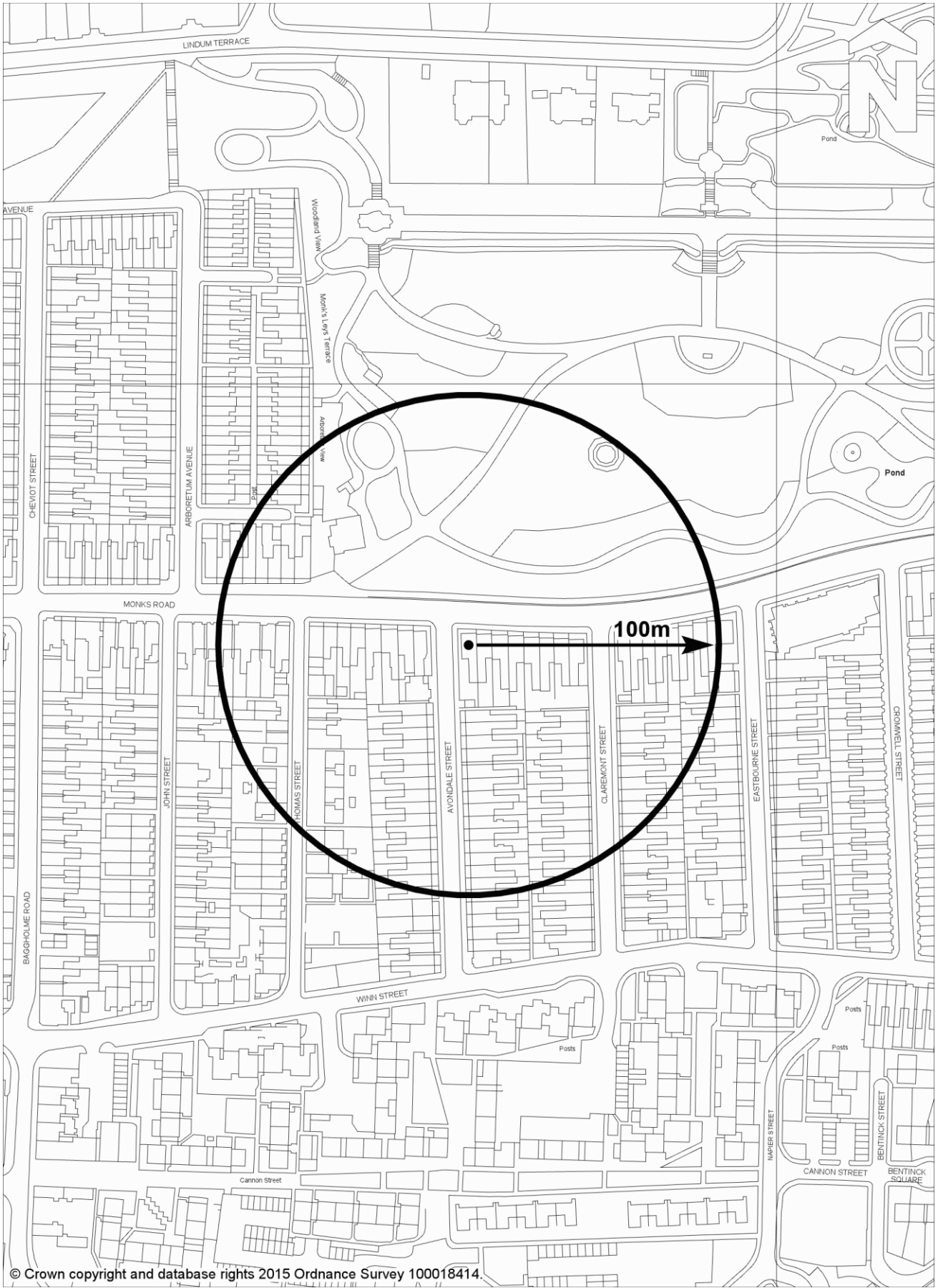
HMO concentration is commonly expressed as a percentage of the total number residential properties within a certain area. A high concentration or percentage of HMOs can lead to an imbalance in the community. There is no widely accepted numerical model to indicate if balance or imbalance exists, therefore assessments of balance or imbalance must rely, to some extent, on the presence of symptoms of imbalance and comparison with other communities and housing markets.

5.12 In 2003, as part of a study on student housing within the city, Fordham Research Ltd. identified the symptoms of imbalance as:

- High levels or absence of any specific tenure
- High levels of turnover of housing vacancies
- Abnormally high or low house prices and rents
- A population that is highly fixed or transient
- A local economy that is largely dependent upon a large group of people
- Falling school rolls or changes in the nature of the school roll

And the perception of local people that their neighbourhood is changing in such a way as to threaten their quality of life. Evidence gathered as part of a corporate project relating to HMOs suggests there is some correlation between increasing numbers of HMOs and the above symptoms of imbalance within parts of the city.

- 5.13 For community balance or imbalance to be assessed as part of a planning application for HMO development, it is necessary to identify the geographical area that most appropriately represents the community, and the maximum concentration of HMOs that would be considered acceptable within that area.
- 5.14 *a) Defining the community*
The city council will use a radius approach to define the community for the purposes of assessing applications for HMO developments. Although the community could be identified as the ward or street within which an HMO development is proposed, variations between the size/length and townscape characteristics of such areas could lead to inconsistencies between assessments and conceal high concentrations of HMOs.
- 5.15 When deciding the appropriate radius to use, the city council tested a number of different lengths. During testing, a 100m radius captured an average of 92 properties, which is considered to be representative of the local community and manageable in terms of assessing the impact of a proposed HMO development. The city council will, therefore, apply a 100m radius in assessing applications for HMO developments. (Figure 1).
- 5.16 The proposed HMO will be located at the centre of the 100m radius. The council's Geographic Information System (GIS) and Local Land and Property Gazetteer (LLPG) will be used to identify the total number of properties which falls within the defined 100m radius. Properties will only be included if their geographical location point falls within the defined radius. The number of existing HMOs which falls within the defined 100 radius will be identified using a GIS layer linked to the city council's HMO database.
- 5.17 For the purposes of assessing applications for HMO developments, dwelling houses and HMOs that are located within blocks of flats or subdivided properties will be counted as single properties i.e. only the first address point will be counted. This will ensure calculations of HMO concentration are not skewed by high numbers of properties in either use.



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Figure 1 Example of 100m radius around HMOs

5.18 *b) Defining a maximum concentration*

The city council will apply a 10% maximum concentration of HMOs threshold to the defined 100m radius for the purposes of assessing the impact of a proposed HMO development. HMO developments that would lead to or increase an existing over-concentration of HMOs within a defined 100 radius, i.e. exceed the 10% threshold, will generally be considered inappropriate, although exceptional circumstances may apply (see Section 5.24 on page 13).

5.19 The council will identify the location and type of HMOs within the city using the following;

- Licensed HMOs
- Council tax data including student exemptions and benefit claimants (3 or more unrelated tenants)
- Planning applications and permissions for C4 and Sui Generis HMOs
- Declared HMOs
- Other HMOs made known to the council

However, it is important to emphasise that this may not provide a complete and accurate record of all HMOs within the city, as some properties may never be formally identified or made known through the HMO declaration 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.



5.20 *c) Avoiding smaller concentrations of HMOs*

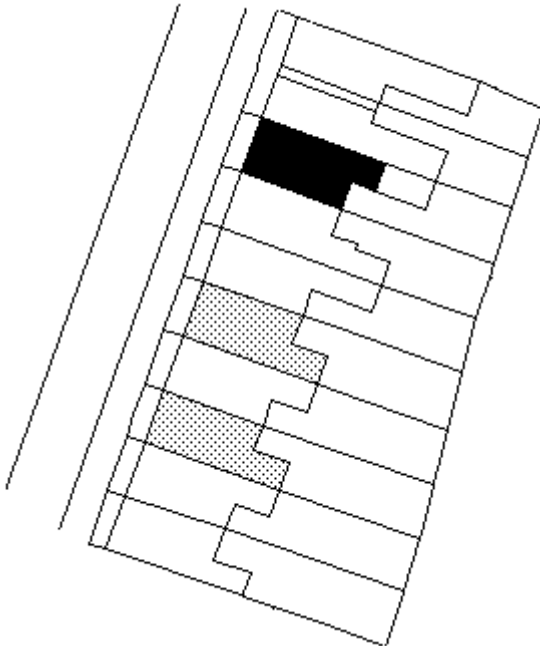
Assessments of balance or imbalance must also consider the potential impact of smaller concentrations or clusters of HMOs that may be not be revealed by the aforementioned method of defining over-concentration. The council will, therefore, apply the following additional restriction to prevent clusters of HMOs from being formed.

5.21 Proposals shall not result in three adjacent HMOs, unless the application property is located between two existing HMOs (Figure 2). HMO developments that would result in three adjacent HMOs would generally be considered inappropriate, although exceptional circumstances may apply (see Section 5.24 on page 13).

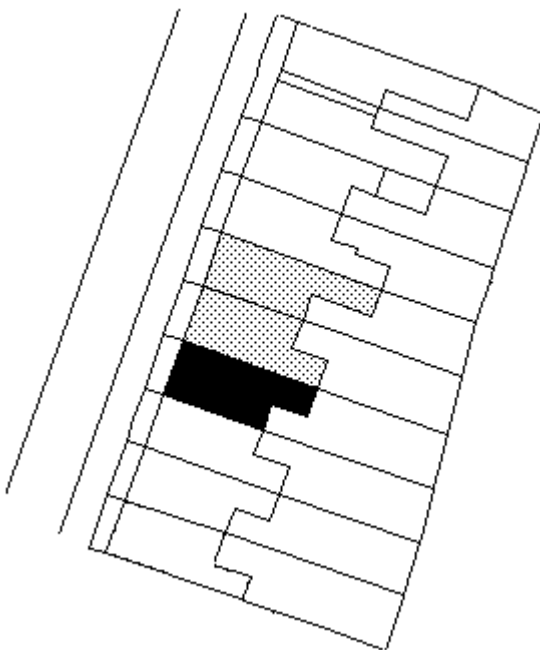
**** The following images are used for illustrative purposes only and do not represent any proposed or permitted HMO development ****

5.22

-  Proposed HMO
-  Existing HMO

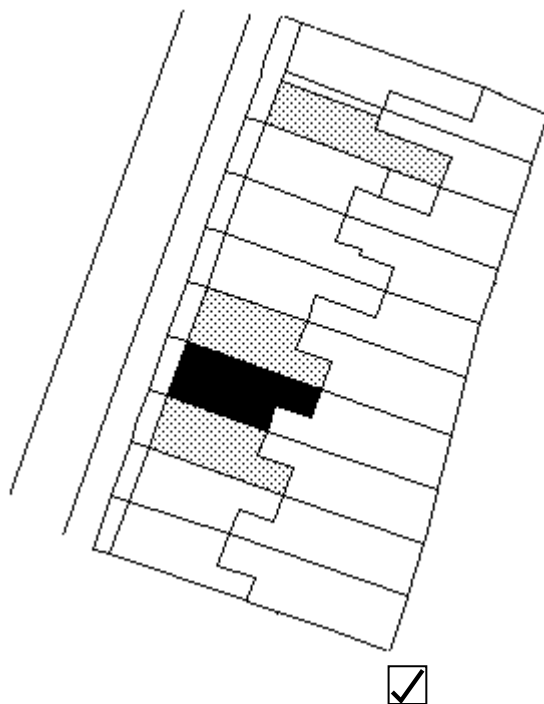


Example of HMO development not resulting in three adjacent HMOs



Example of HMO development resulting in three adjacent HMOs

- Proposed HMO
- ▨ Existing HMO



Example of HMO development between two existing HMOs

Figure 2 The HMO development shall not result in three adjacent HMOs (illustrative examples)

5.23 *HMO declaration*

In cases where planning permission is required for change of use to a HMO, but the property concerned has a history of HMO use, relevant information provided by the applicant, e.g. HMO Declaration, tenancy agreements, billing information, photographs, floor plans etc., would form a material planning consideration in determining whether to grant planning permission.

5.24 Exceptional circumstances

Existing over-concentration of HMOs

Proposals in areas where there are existing over-concentrations of HMOs will be assessed against all criteria, and may be granted planning permission if evidence can prove there is an established lack of demand for the single family use of the property concerned.

5.25 *Intensification of existing HMOs*

In cases where proposals comprising change of use from a C4 HMO (for 3-6 unrelated people) to a Sui Generis HMO (more than 6 unrelated people); or the intensification or enlargement of an existing Sui Generis HMO require planning permission, applications will not be assessed against the criteria relating to HMO concentration. This is because the existing HMO will already be identified, and the proposal will not result in a net increase in the number of HMOs within the city.

Proposals will, therefore, be assessed against all other criteria, as well as relevant policies and guidance.

5.26 *Flexible planning conditions*

In cases where planning permission is required to change the use of a C3 dwelling house to a C4 HMO, and the Planning Manager / members of the Planning Committee are minded to approve an application, the use of a flexible planning condition to allow the lawful use of the property to change between C4 and C3 for a specified period of time after planning approval is given will be considered. Giving landlords and property owners the ability to respond to changing local housing market circumstances by letting their properties as either single family dwelling houses or HMOs, without the need to apply for planning permission.

The council has set the maximum period for this flexible planning use at 10 years, after which the occupied use would become the lawful use, unless the applicant was to apply for a new planning permission to continue the flexible use.

This flexible planning condition would only apply to proposals for C4 HMOs, and not Sui Generis HMOs. In cases where a property is already occupied as a C4 HMO, it will be possible to obtain planning permission for this flexible planning use, if it can be demonstrated that the property was established as a HMO prior to the date the Article 4 direction was brought into effect, 1 March 2016.

6 **Implementation**

6.1 Planning enquiries and applications

This document will be used to respond to planning enquiries, provide pre-application advice and determine planning applications for HMO developments, including:

- Change of use or new development applications for C4 HMOs
- Proposals for flexible C3/C4 uses
- Change of use or new development applications for Sui-Generis HMOs
- Proposals to intensify or enlarge an existing HMO (where planning permission is required)

6.2 Where it is deemed necessary, proposals will be considered by members of the Planning Committee. Details of the council's Planning Committee procedures are available on the council's website at: www.lincoln.gov.uk/planning.

6.3 Planning application requirements

Planning applications for HMO developments will be required to include the following information:

- Planning application form and fee (£462)
- Site location plan
- Existing floor plans (conversions/changes of use only)
- Proposed floor plans, including details of internal and external communal areas, parking provision, cycle storage, waste and recycling storage
- Existing elevations
- Proposed elevations (conversions/changes of use only in cases where external alterations are proposed)

- Supporting statement, including verified evidence of the application property being openly marketed at a reasonable purchase or rental price for a period of at least six months and/or evidence of the application property being previously used as a HMO e.g. HMO declaration, tenancy agreements, billing information, photographs, floor plans etc.

Additional information may be requested at pre-application stage or during the process of application, including:

- Noise impact assessment
- Construction management plan, including details of measures to manage noise and vibration, hours of work
- Additional security measures

6.4 Planning application consultations

Any individual, business, organisation or group is able to make comments on any planning application. The following consultees will be invited to comment on planning applications for HMO developments:

Consultees	Considerations
Highways and Planning	<ul style="list-style-type: none"> • Highway safety and capacity • Parking provision
Environmental Health	<ul style="list-style-type: none"> • Pollution control (Noise/Disturbance, Light, Smells/Fumes etc.) • Potential contamination
Community Contracts Officers	<ul style="list-style-type: none"> • Waste and recycling provision • Cycle parking/storage
Lincolnshire Police	<ul style="list-style-type: none"> • Potential impact on crime and disorder
Housing Enabling Officer	<ul style="list-style-type: none"> • Housing needs
Ward Councillors	<ul style="list-style-type: none"> • Impact on the area • Concerns from local residents
City Archaeologist (new build proposals only)	<ul style="list-style-type: none"> • Potential for any archaeological remains and advice for dealing with this
Ad-hoc	
Lincoln Civic Trust	<ul style="list-style-type: none"> • Impact on the character and appearance of the area
Conservation Officer	<ul style="list-style-type: none"> • Impact on the character and appearance of the area, and any impact on or alterations to a Listed Building and/or Scheduled Ancient Monument

6.5 Unilateral agreements

In cases where planning permission is required for the development of HMOs, section 106 agreements may be used to prevent properties being occupied by students. To date, these agreements have only been used in Carholme Ward to prevent new households being occupied by students in the interests of maintaining a balance and mix of tenure types within that ward, which has previously been identified as having a large proportion of a certain type of property². The use of this approach has been successfully tested through various appeals and is considered

² See 'The Impact of Student Housing on parts of the City of Lincoln' Fordham Research Ltd. 2003

to be a robust approach to dealing with a specific, local issue where it is appropriate and reasonable to do so. It is considered that this approach remains a viable option for the council.

6.6 Planning enforcement

Planning enforcement is the means by which the council ensures the regulations are adhered to and complied with. In cases where it is suspected or reported that planning permission is required to change the use of a premises to an HMO but not obtained and the premises becomes occupied, enforcement officers will carry out an investigation to ascertain:

- The authorised planning use of the premises prior to any refurbishment or conversion works
- Any other previous uses
- The current use of the premises
- What works have been carried out and for what reason
- When those works were carried out and by whom
- The number of people residing in the property
- Whether there has been a change of use that requires planning permission
- Where an unauthorised use is identified, whether it is appropriate to invite a planning application to regularise an acceptable use or apply appropriate conditions
- Whether the unauthorised use is contrary to national or local plan policies or this document
- What is the most appropriate course of action

The council may use various solutions to resolve identified breaches of the regulations, ranging from requesting a retrospective planning application to negotiating compliance with the owner or taking formal enforcement action where appropriate and necessary. The decision regarding the most appropriate way to resolve an identified breach will be made by the Planning Manager and/or members of the Planning Committee and in consideration of national and local plan policies and this document.

6.7 Building regulations

Building Regulations play a key part in managing the standard of health and safety of dwellings. Building Regulations define single dwellings and houses occupied by unrelated individuals, but living as a family, as shared houses. Properties that fall within the planning category C4 may be classed as shared houses or houses in multiple occupation depending on the relationship and how the individuals use the property, on a shared basis or separately. Shared houses do not require building regulations approval unless there are internal alterations such as additional en-suite facilities. Houses in multiple occupation require building regulations approval and are required to meet increased standards of smoke detection, fire safety and noise transference.

6.8 HMO licensing and accreditation

Introduced by the Housing Act 2004, licensing is intended to provide greater protection for the health, safety and welfare of the occupants of HMOs and improve management standards. Mandatory licensing is designed to deal with the “high risk”

HMOs (3 storeys or more in which at least 5 people live and share an amenity).

As part of the application process the authority must be satisfied that the proposed licence holder and manager is a “fit and proper person” and the Act provides the framework for this determination. Upon receipt of a complete application the council will undertake a verification visit to ensure satisfactory management arrangements and, where necessary, apply further conditions, which would be in addition to the mandatory and discretionary conditions attached to the license.

- 6.9 Accreditation schemes aim to improve a tenant’s choice and raise standards of management and accommodation by requiring the landlord to meet specified standards in order to become a member. They are voluntary, open to all landlords and also provide the council with a record of good quality landlords and properties, allowing limited enforcement resources to then be directed at the substandard and dangerous properties. Details of the accreditation schemes available to landlords in Lincoln can be obtained from the council’s Private Sector Housing team at accreditation@lincoln.gov.uk.

7 Monitoring and review

- 7.1 The implementation of this document and the Article 4 direction relating to houses in multiple occupation will be monitored and reported on an annual basis as part of the Authority’s Monitoring Report (AMR).

Appendices

Appendix 1 – Local planning policies

Background papers

'Houses in Multiple Occupation Article 4 Direction and Supplementary Planning Document' report to Executive 25 January 2016

'Houses in multiple occupation – Article 4 direction – Consultation results' report to Executive 15 June 2015

Article 4 direction relating to houses in multiple occupation and map defining the area covered by the direction

'Houses in multiple occupation' report to Executive 15 December 2014

'Houses in multiple occupation overview' report; 'Option' reports; Representation of Associations and Individuals; and Question and Answer session to Policy Scrutiny Committee 12 November 2014

'Houses in multiple occupation' report to Planning Committee 29 October 2014

'Issues arising from houses in multiple occupation' report to Policy Scrutiny Committee 24 September 2014

'Petition- West End Residents Association- Request for the Introduction of an Article 4 direction' report to Full Council 12 August 2014

'The Impact of Student Housing on parts of the City of Lincoln' Fordham Research Ltd. 2003

Central Lincolnshire Local Plan (Adopted April 2017) Extract

Policy LP26: Design and Amenity

All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Development proposals will be assessed against the following relevant design and amenity criteria.

Design Principles

All development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they:

- a. Make effective and efficient use of land;
- b. Maximise pedestrian permeability and avoid barriers to movement through careful consideration of street layouts and access routes;
- c. Respect the existing topography, landscape character and identity, and relate well to the site and surroundings, particularly in relation to siting, height, scale, massing, form and plot widths;
- d. Not result in the visual or physical coalescence with any neighbouring settlement;
- e. Not result in ribbon development, nor extend existing linear features of the settlement, and instead retain, where appropriate, a tight village nucleus;
- f. Incorporate and retain as far as possible existing natural and historic features such as hedgerows, trees, ponds, boundary walls, field patterns, buildings or structures;
- g. Incorporate appropriate landscape treatment to ensure that the development can be satisfactorily assimilated into the surrounding area;
- h. Provide well designed boundary treatments, and hard and soft landscaping that reflect the function and character of the development and its surroundings;
- i. Protect any important local views into, out of or through the site;
- j. Duly reflect or improve on the original architectural style of the local surroundings, or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style;
- k. Use appropriate, high quality materials which reinforce or enhance local distinctiveness, with consideration given to texture, colour, pattern and durability;
- l. Ensure public places and buildings are accessible to all: this should not be limited to physical accessibility, but should also include accessibility for people with conditions such as dementia or sight impairment for example.

Amenity Considerations

The amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Proposals should demonstrate, where applicable and to a degree proportionate to the proposal, how the following matters have been considered, in relation to both the construction and life of the development:

- m. Compatibility with neighbouring land uses;
- n. Overlooking;
- o. Overshadowing;
- p. Loss of light;
- q. Increase in artificial light or glare;
- r. Adverse noise and vibration;
- s. Adverse impact upon air quality from odour, fumes, smoke, dust and other sources;
- t. Adequate storage, sorting and collection of household and commercial waste, including provision for increasing recyclable waste;
- u. Creation of safe environments.

Similarly, proposals for development adjacent to, or in the vicinity of, existing 'bad neighbour' uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of criteria m to u above.

Policy LP37: Sub-division and multi-occupation of dwellings within Lincoln

The conversion or change of use of existing dwellings and buildings in other uses to self-contained flats or shared accommodation including houses in multiple occupation will be supported where:

- a. the existing dwelling or building is capable of conversion without causing harm to the amenities of future occupants, neighbours and the wider area;
- b. in the case of an existing dwelling, it can be demonstrated there is an established lack of demand for the single family use of the property concerned;
- c. the development will not lead to or increase an existing over-concentration of such uses in the area;
- d. adequate provision is made for external communal areas, bin storage and collection, and on-site parking and cycle storage unless it can be demonstrated that the site is sustainably located on a regular bus route or within walking distance of the City Centre; and
- e. for student accommodation, university/college facilities are accessible by walking, cycling and public transport.

Purpose built shared accommodation will be granted within appropriate locations where the criteria set out in c to e above are satisfied.