

Salford City Council

Houses in Multiple Occupation - planning

Growth and Prosperity Scrutiny Panel

23 May 2022


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Planning)

Introduction

Presentation will cover the following:

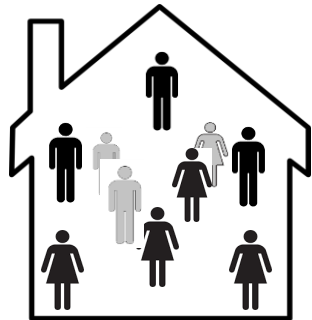
- Background to HMOs
- HMO designations - planning and licensing
- Article 4 Directions - current area in Salford and a review of it
- Planning policy
 - Context
 - Saved Unitary Development Plan
 - Emerging local plan

Background to HMOs

- Historically concerns focus on student housing
- Remains an issue in student areas, but change in housing allowance in 2012 led to a growth in HMOs in other areas:
 - Under 35 years old single persons rate = a room in a shared house =>  demand for HMOs
 - Five-person HMO = potentially five households
 - Fewer HMOs = more 1-bed flats? Always a planning challenge to meet growing demand for housing

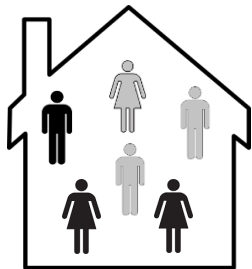
HMO Designations

Planning



Large HMO

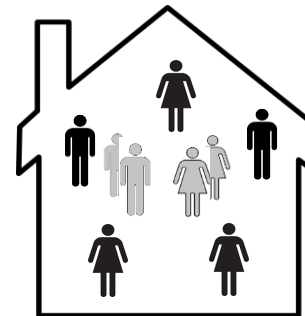
- 7+ residents
- Sui generis
- Always needs pp



Small HMO

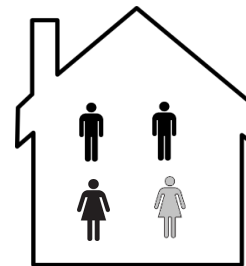
- 3-6 residents
- C4 use class
- PD unless A4D

Licensing



Mandatory Licensed HMO

- 5+ residents



Additional HMO Licensing

- 3-4 residents



Minimum residents



Potential additional residents

Article 4 directions - background

- Allows an LPA to remove permitted development rights
- Planning application required
- Normally used across the country in conservation areas, but increasingly for small HMOs
- Protect local amenity and wellbeing of an area
- Need evidence to justify a direction
- ‘Particularly strong justification’ for applying to a wide area – smallest geographical area
- Secretary of State can block article 4 directions
- Immediate and non immediate directions

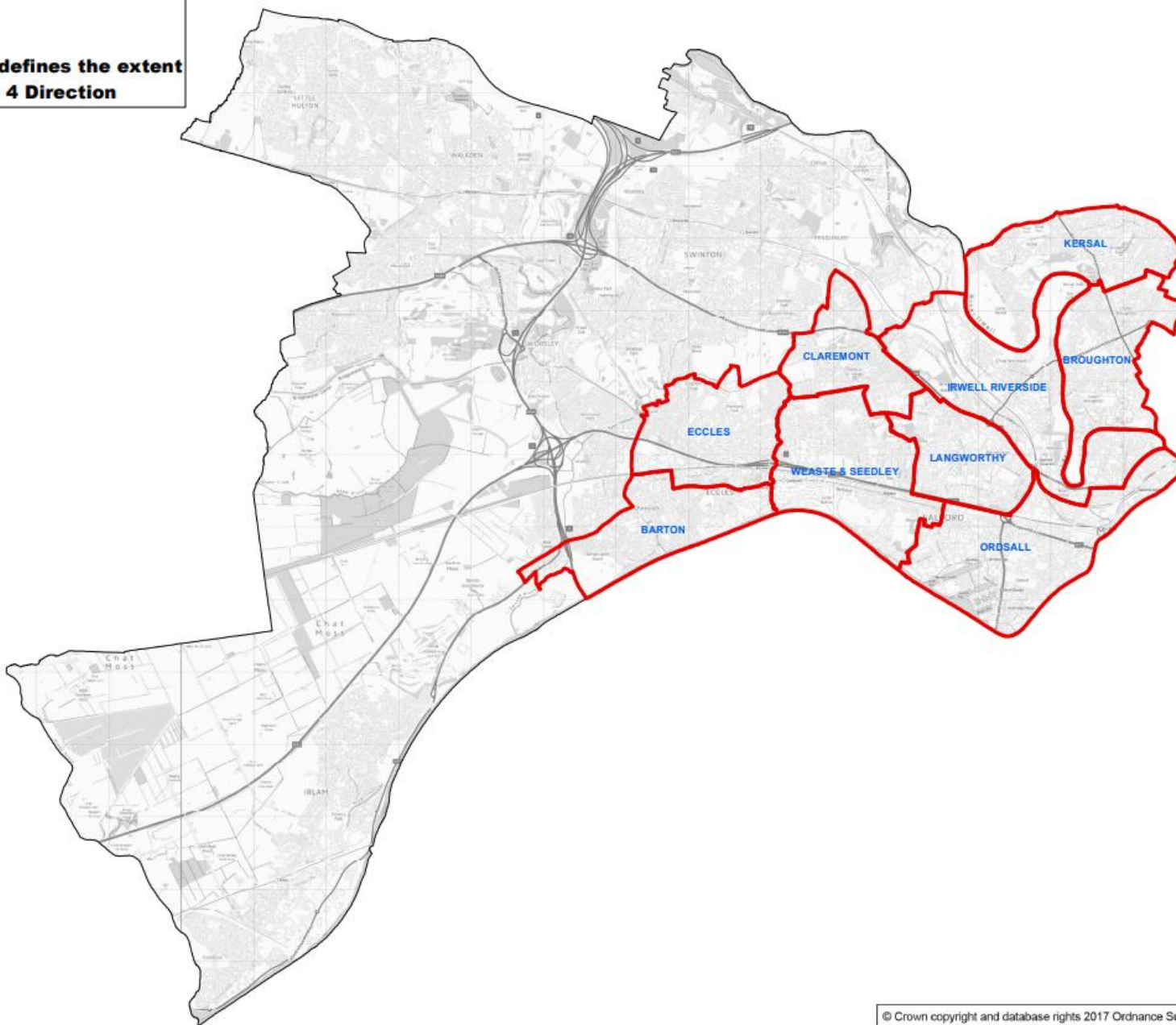
Salford article 4 HMO direction

- Concerns from local communities and councillors about HMOs
- Evidence prepared to justify purpose and extent of direction
 - Licensing data, council tax, large HMOs, crimes, environmental complaints
 - Central Salford and wards of Barton and Eccles
- City Mayor / Cabinet agreed to make a non-immediate article 4 direction in November 2017 – sealed 22 November 2017
- Consultation on intention to bring in direction (6 weeks to January 2018)
- Direction confirmed by City Mayor / Cabinet in October 2018 - came into force on 25 November 2018



Article 4 Direction

The area edged in red defines the extent of the attached Article 4 Direction



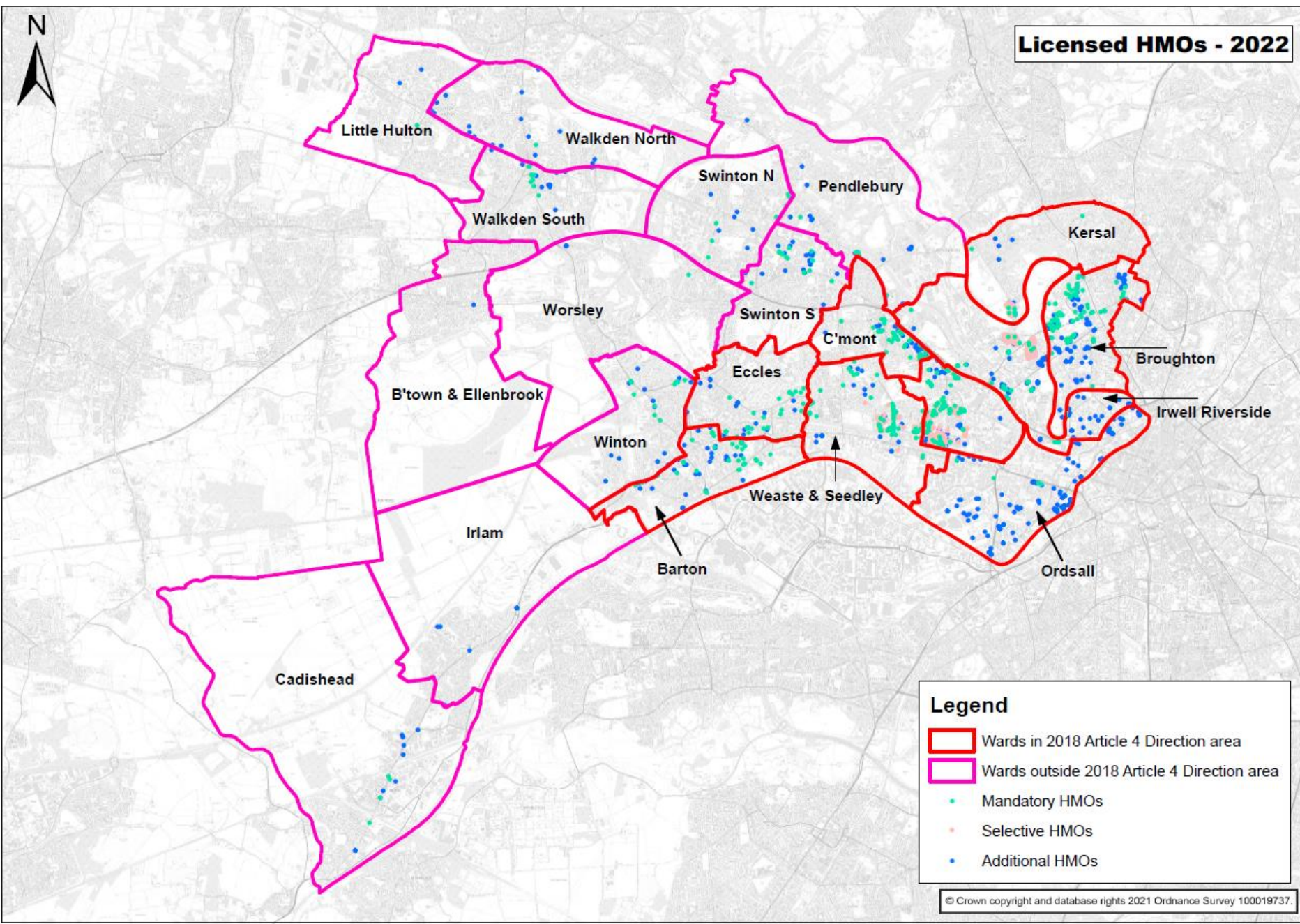
Review of article 4 direction

- Concerns around small HMOs in areas not covered by article 4 direction
- Review underway as to whether there is evidence to apply the direction to a larger area
- 2022 data compared to that from 2017 that was used to justify the current direction area
- More data available on location of HMOs now from landlord licensing
 - Change to Mandatory HMO rules
 - Additional HMO licensing – 3 or 4 persons
- Process to follow to bring in any new direction

Location of known HMOs in Salford

Ward	Total licensed HMOs in 2017	Total licensed HMOs in 2022	Change in licensed properties between 2017 and 2022	HMOs as a % of total dwellings by ward / citywide - 2022	Within the Article 4 Direction Area?
Barton	24	80	56	1.2%	Yes
Boothstown and Ellenbrook	0	1	1	0.0%	No
Broughton	202	276	74	3.8%	Yes
Cadishead	0	14	14	0.3%	No
Claremont	26	91	65	2.0%	Yes
Eccles	21	48	27	0.8%	Yes
Irlam	0	6	6	0.1%	No
Irwell Riverside	84	404	320	5.1%	Yes
Kersal	13	61	48	1.2%	Yes
Langworthy	107	257	150	3.7%	Yes
Little Hulton	0	12	12	0.2%	No
Ordsall	3	337	334	2.2%	Yes
Pendlebury	1	19	18	0.3%	No
Swinton North	1	20	19	0.4%	No
Swinton South	5	33	28	0.7%	No
Walkden North	0	18	18	0.3%	No
Walkden South	0	21	21	0.4%	No
Weaste and Seedley	64	190	126	3.1%	Yes
Winton	2	28	26	0.5%	No
Worsley	0	3	3	0.1%	No
TOTAL	553	1919	1366	1.6%	

Licensed HMOs - 2022



Legend

-  Wards in 2018 Article 4 Direction area
-  Wards outside 2018 Article 4 Direction area
-  Mandatory HMOs
-  Selective HMOs
-  Additional HMOs

Planning policy - context

- Government default position - small HMOs are acceptable
 - Need to demonstrate material harm when applications are required
- Objective to significantly boost supply of new homes
- Size and type of housing needed for different groups to be reflected in planning policy
- Desire in Salford to promote a range of dwellings, including family and affordable housing
- However, new home projections over next 25 years:
 - 40% (1 person)
 - 20% family (1, 2, 3+ children)
 - 40% 2+ adults (2 sharers and HMOs)

Unitary Development plan policies

Current Development plan

- UDP does not include specific HMO policy – predates current issues
- Policy H1 applies to all new housing development
 - Criterion 1: ‘Balanced mix of dwellings’ in terms of size, type, tenure and affordability
 - Criterion 3: High quality residential environment and adequate level of amenity
- Policy DES7 – amenity of users and neighbours
 - Sunlight, daylight, privacy aspect, layout

Council’s HMO standards (minimum room sizes) – a material consideration

Local plan policy

Emerging development plan policy

- Local Plan policy H10 – can give it weight now
- Seeks to manage conversion of existing houses to:
 - Apartments; student housing; HMOs; hotels and guest houses; residential institutions; hotels and children’s homes; non-residential uses (e.g. offices)
- Sets criteria for when conversion of houses to above uses will be permitted - no defined threshold limits
- Proposals to be considered individually, but cumulative impact is a key issue
- Account to be taken of completed and consented schemes – licensing data for HMO locations important
- Site specific and area considerations will vary

Local plan policy criteria

1) Impact on positive residential character of the surrounding neighbourhood – consider potential increases in:

Criterion	Issues to consider
a) Noise and disturbance	Current noise levels (busy main road versus quiet cul-de-sac), other uses in the surrounding area, intensification of use
b) On-street car-parking	Parking restrictions, existing levels of off-street parking, parking pressure from wider activity, accessibility by other modes (e.g. City Centre, proximity to public transport), car ownership levels
c) Waste management	Property type, location of bin storage (street scene visibility), level of bin provision
d) Population turnover levels	Scheme quality, bedroom sizes, communal spaces

Local plan policy criteria

2) Result in the infrastructure capacity of the site or local area being exceeded

- Water supply, electricity, digital infrastructure, schools, medical facilities etc.
- Will have to demonstrate how new use would have unacceptable impact over and above use as house

3) Result in any house that is in use as a single dwelling being immediately adjacent to more than one property in any of the uses identified at the start of the policy (immediately adjacent properties include properties directly behind and opposite, as well as to either side).

Closing comments

- Salford has taken important steps to manage HMOs – article 4 direction and potential review/extension
- HMOs valuable form of housing, but emerging planning policy seeks to manage unacceptable impacts, including cumulative impacts
- Potential to explore further policy tools to supplement local plan
- Quality of city council HMO data will improve – result in clearer decision-making