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**Local Development Framework Working Group****6 September 2010**

Report of the Director of City Strategy

**Student Housing****Summary**

1. In response to recent changes in Houses in Multiple Occupation (HMO) legislation, the City Development team, alongside colleagues in Development Control have been exploring a planning response to the issue of HMOs and specifically student housing, including the possibility of Article 4 Directions being used with regard to emerging government policy. This paper provides Members with an update of this work and identifies further work that could be undertaken.

**Background***Historical context*

2. Previously, Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended 2005) provided no distinction between a dwelling occupied by one household, such as a family, and that of a dwelling occupied by up to 6 unrelated people, such as students. Shared houses where there are 6 or more residents did not fall within Class C3, and were defined as Houses in Multiple Occupation. Accordingly, the City Council as the local planning authority had very limited control over the occupation of dwellings in the private rented sector by groups of up to 6 people – a key characteristic of student housing in York.
3. It was within this context that policies H7 'Residential Extensions' and H8 'Conversions' of the City of York Draft Local Plan were written to control the conversion of properties to flats and for Houses in Multiple Occupation (for more than 6 people). These policies, appended for information, essentially seek to ensure that residential amenity is protected.

*Legislative changes*

4. New local powers to control HMOs were introduced on the 6 April 2010 with a new Use Class Order coming into force meaning that any change of use to an HMO requires planning permission. The new Use Class Order effectively splits the old C3 class into two classes C3 (Dwellinghouses) and C4 (Houses

in Multiple Occupation). As set out in Circular 05/2010, the new C4 class covers shared dwelling houses occupied by between 3 and 6 unrelated individuals who share basic amenities. Properties containing the owner and up to two lodgers do not constitute HMOs for these purposes. To classify as an HMO, a property does not need to be converted or adapted in any way.

### *Further proposed changes to legislation*

5. Following the formation of a new Coalition Government, further amendments to HMO legislation have been proposed, whereby the need for planning permission for changes from C3 to C4 uses will not be required. Instead, they are proposed to be covered by permitted development rights. This was outlined in a statement by the Housing Minister on 17 June 2010 and should be taken as a material consideration when determining planning applications, in particular for those planning applications submitted on or after 17 June 2010. The proposed changes mean that should Local Authorities wish to exert tighter planning controls on the development of HMOs, permitted development rights would have to be removed through an Article 4 Direction. An Article 4 Direction would mean that planning permission, within a given area, would then be required for a change of use from a dwelling house to an HMO. It should be noted that the effect of an Article 4 Direction is not to prohibit development, but to require a planning application to be submitted for development proposals, to which it applies, in a particular geographical area. As such, there would be a requirement to develop a policy response to provide guidance for determining planning applications.

### *Current policy position in York*

6. Whilst there is no up to date policy guidance in the Local Plan on HMOs City Development have been advising that DC Officers take into consideration the provisions of Policy H8 'Residential Conversions' (attached at Annex One for information). In assessing an application for the change of use of a dwelling to an HMO consideration should be given to the impacts of the proposed change of use on the streetscape and residential amenity, alongside the impact the additional residents may have on parking provision. The impacts of the proposal should be considered both in respect of the change of use itself, but also the cumulative impact an additional HMO may have where concentrations of HMOs exist. Should the application involve external alterations such as an extension, the provisions of Policy H7 'Residential Extensions' should be taken into account, assessing whether the proposed alterations would cause harm to the character or appearance of the building or area, ensuring that the proposed extension would not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.
7. It should be noted that shared housing in the private rented sector in the form of HMOs is by no means limited to students or recent graduates. Its role varies across the city and tenants come from a huge variety of backgrounds and with a wide range of income levels. Private landlords through the provision of HMOs thus make a valuable contribution to meeting housing

needs in the city. This report recognises that students form just one part of this wider sector.

8. In response to Member and residents concerns we are currently considering student housing, undertaking work to explore the impact of concentrations of student housing in certain parts of the city. The outcomes of this work may result in an Article 4 Direction, should the evidence suggest this is necessary. Should an Article 4 Direction be implemented we would need to consider the production of a development management policy. This would differ from a strategic level Core Strategy policy and could take the form of a Supplementary Planning Document, or an interim planning policy statement in the short term.

#### **Article 4 Directions**

9. An Article 4 direction is a decision made by a Local Planning Authority (LPA) or the Secretary of State preventing certain specified development from enjoying the benefit of permitted development rights that are granted under the Town and Country Planning (General Permitted Development) Order (GPDO) 1995.
10. An overview of the Article 4 process is provided below. If the proposals are implemented this could be the Council's principal method of controlling changes of use from dwellings to HMOs.

#### *Article 4 process*

11. Changes to the Article 4 procedure were recently implemented in April 2010 giving greater power to Local Planning Authorities. Now, the Secretary of State's role is altered from determination (i.e. where the Secretary of State's approval is required) to oversight (where the Secretary of State may intervene). The changes are important because it is now possible to make Article 4 Directions that come into effect immediately and which can be confirmed by the Local Planning Authority (rather than having to be submitted and then confirmed by the Secretary of State within 6 months – a process which could be time consuming.)

#### *Procedure for Article 4 Directions*

12. Detailed procedure is contained in Article 5 of the 1995 GPDO (as amended by SI 2010/654). A summary of the key points is below:
  - The permitted development to be removed is identified and the area within which the direction will take effect.
  - A direction is made by the LPA.
  - As soon as practicable after the direction is made, notice must be given by the LPA by local advertisement, on site (at least two locations for at least six weeks) and by serving notice on owners and occupiers (unless individual service is impracticable).

- The notice must contain information specified under legislation and it must give a period of 21 days within which representations concerning the direction may be made to the LPA.
- If the direction is not one, which is to have immediate effect, the notice must specify the date on which it is proposed it will come into force.
- A copy of the direction, notice and map defining the area to which the direction relates must be sent to the Secretary of State.
- The Secretary of State has the power to cancel or modify any LPA Article 4 Direction before it is confirmed.
- In deciding whether to confirm the direction, the LPA has to take into account representations it has received during the specified period.
- If the Local Planning Authority confirms the direction, a further notice must be given and the confirmed direction must be sent to the Secretary of State.

*Other relevant points about Article 4 Directions*

13. The following additional points should be noted:

- Ministerial guidance suggests that the boundaries of land subject to directions should be drawn as tightly as possible having regard to the circumstances of the case.
- Wide area directions will not normally be approved.
- An Article 4 Direction cannot be used to withdraw permitted development rights in respect of a development, which has already been carried out.
- However, under Article 3(5) of the GPDO, permitted development rights are excluded in relation to unlawful uses, for so long as enforcement action may still be taken in respect of the breach.
- There is no right of appeal against the making of an Article 4 direction.
- An Article 4 direction is registered as a Local Land Charge.

*Guidance on Article 4 Directions*

14. Circular 9/95 provides guidance on Article 4 Directions. Although Circular 9/95 was published prior to the changes giving LPAs more power to confirm their own directions, it is still of relevance to LPAs making and confirming directions under the new arrangements introduced in April 2010. The Circular suggests that the following should be provided:

- a full statement of the LPA's reasons and grounds for making the direction must be submitted, including a description of the site and/or area covered by the direction and of the character and surroundings;
- the LPA would need to identify any known proposals to carry out development which could damage an interest of acknowledged importance and address the harm which might arise from the exercise of permitted development rights, referring in particular to any rights exercisable for limited periods. The nature of the proposal should be stated and an explanation given of its likely effect;

- where the direction is not aimed at an immediate threat, the measures taken to inform those with an interest about the proposed direction and of any representations received;
- where visual considerations are important, photographs of the site and its surroundings; and
- where there is urgency, the reasons for urgent treatment and the period within which a decision is needed.

*Liability for compensation*

15. A right to claim for compensation can arise under Section 108 of the Town and Country Planning Act 1990 for people who have an interest in land and suffer loss as a result of withdrawal of their permitted development rights. The right to compensation arises if an application is made specifically for planning permission for development formerly permitted by the GPDO and no more, and this is refused, or granted subject to conditions other than those in the GPDO. It is the LPA that has to pay compensation if the right arises. The right can be claimed for:

- Abortive expenditure (this would include expenditure incurred in the preparation of plans for the purpose of any development). If a landowner, with a view to acting on his existing permitted development rights, commissioned an architect to prepare plans, he may be able to claim compensation if those existing PD rights are subsequently withdrawn, and his subsequent planning application is refused, or granted subject to conditions more onerous than those in the GPDO.
- Other loss or damage directly attributable to the revocation or modification of the permitted development rights. This includes depreciation of land value in certain circumstances, where permitted development rights are taken away and loss is suffered which is directly attributable to their removal. "Directly attributable" suggests a close causal link e.g. a claimant can show that they had an established business, and that as a result of removal of PD rights, they have lost future profits.

16. If Article 4 Directions are made removing the right to convert from a dwelling to a HMO, there is a risk that the Council would receive claims for compensation. Currently, local authorities are liable to pay compensation for the 12 months following the effective date of making all directions. The Government propose to change the law so that compensation only has to be paid if a direction is made with immediate effect, or with less than 12 months notice.

**Current Evidence Base**

17. It is important to establish whether there are student housing issues in the city requiring further control through an Article 4 Direction and policy approach. Below is a summary of our ongoing work exploring student housing in the city.

*The spatial extent of student housing*

18. In order to understand the spatial extent of student housing within the city a mapping exercise has been undertaken to explore where students live. Given that ONS Census data is nine years out of date we have chosen to use Council Tax records. Households made up entirely of students can seek exemption from Council Tax and the Council holds the address of each exempt property. These have been collated to show the proportion of student households as a percentage of all households. This applies to properties occupied only by one or more students either as full time or term time accommodation. Properties falling within 'Halls of residence' on campus have not been included. It does however include some accommodation owned or managed by the universities off campus. The findings are shown below in Table 1:

**Table 1: Proportion of student council tax exemption as a percentage of all households**

<b>Ward</b>	<b>Proportion of student council tax exemptions as a percentage of all households</b>
<b>Heslington</b>	<b>27.77%</b>
<b>Hull Road</b>	<b>14.82%</b>
<b>Fishergate</b>	<b>10.53%</b>
Guildhall	6.42%
Clifton	5.07%
Heworth	4.48%
Osbalwick	3.31%
Micklegate	2.89%
Fulford	2.36%
Holgate	0.65%
Westfield	0.38%
Dringhouses and Woodthorpe	0.37%
Huntington and New Earswick	0.35%
Bishopthorpe	0.34%
Heworth Without	0.34%
Rural West	0.21%
Skelton	0.19%
Acomb	0.19%
Haxby and Wiggington	0.15%
Wheldrake	0.12%
Strensall	0.03%
Derwent	0%

**Source: Council Tax Data 2009**

19. This exercise has shown that student housing is dispersed across the city. The wards with the highest concentrations of student households, as a proportion of all households, are Heslington (27.77%), Hull Road (14.82%) and Fishergate (10.53%). Given that these concentrations are significantly higher than for the rest of the city our research has initially focussed on these three wards to start to explore the impact of high proportions of student housing. Albeit, we recognise that data at ward level may mask more localised concentrations of student housing. We are currently undertaking

further work to explore the spatial extent of student housing at a more localised level. Whilst this work is ongoing and needs further refinement it has initially highlighted pockets of concentrations in the Guildhall, Clifton, Heworth and Osbaldwick wards.

20. Recently, there have been attempts by other Local Authorities to establish what constitutes a large student proportion and the threshold at which a community can be said to be/or becoming imbalanced. Best practice has been established in Glasgow and Fife (no more than 5% HMOs in a street), Belfast (30% per street) and more recently Charnwood Borough Council has adopted a threshold in Loughbrough of 20%. Albeit, these are in relation to the Unitary Development Plan Process rather than the Local Development Framework, which focuses much more on, polices being evidence based. The National HMO Lobby suggests that communities lose balance using the parameters of when HMOs exceed 10% of households.

*Exploring the impacts of student housing*

21. The impacts of large numbers of student housing can be social, cultural, physical and economic. However is it often the social element and the replacement/displacement of established residents with a transient, generally young and single social grouping that is a primary factor in concerns regarding student housing. Particularly that this replacement/displacement can result in unbalanced communities. However, there is no formal definition of what constitutes a 'balanced community'.
22. The perceived indicators of the potential effects of large numbers of student housing often cited by local residents in student areas comprise:
  - higher incidences of anti social behaviour;
  - increased levels of crime and the fear of crime;
  - poorer standards of property maintenance and repair;
  - littering and accumulation of rubbish;
  - noise between dwellings at all times and especially music at night, alongside late night street disturbance;
  - decreased demand for some local services, particularly local schools;
  - increased parking pressures arising from shared households;
  - changes in type of retail provision, particularly local shops becoming take-aways; and
  - lack of community integration and 'community spirit' resulting in less commitment to maintain the quality of the local environment.
23. It is important to acknowledge that large numbers of student housing may potentially lead to the above issues, but it does not necessarily follow that these issues will be created. This is particularly pertinent given the widening participation in higher education, which means that the characteristics of the student body have diversified and that a single characterisation of the idea of a 'student' is no longer possible. In addition it is important to recognise that these are only potential impacts and that students as a population should not in anyway be stigmatised. This is especially important given the numerous

benefits the city enjoys by having several Higher Education Institutions located within it and a large student population. The universities in particular are rooted as institutions and have long standing physical, social, cultural and economic relationships with the city and play a pivotal role in the city's economy.

24. The above indicators have been investigated for the wards identified as having the highest proportion of student households; Fishergate, Heslington and Hull Road. Summaries of our findings are presented overleaf at Table Two. It has only been possible to investigate the indicators at this stage at ward level, as this is the level that data has historically been collected and is therefore the scale that data is most readily available across a range of topics to allow for comparisons to be made. If we were to take the work further, similar indicators would have to be explored at a more local level.

**Table Two: Summary of Existing Evidence Base**

	<b>Population<sup>1</sup> (All People)</b>	<b>Incidences of Anti Social Behaviour in 2009</b>	<b>Percentage of Residents Who Think That Anti Social Behaviour is a Problem in Their Local Area</b>	<b>Incidences of Reported Crime in 2009</b>	<b>Incidences of Burglaries in 2009</b>	<b>Incidences of Littering in 2009</b>	<b>Incidences of Noise Complaints in 2009</b>	<b>Percentage of residents who think that drunk and rowdy behaviour is a problem in their local area</b>	<b>Percentage of residents who agree that their local area is a place where people from different backgrounds get on well together</b>	<b>Percentage of residents who think there is a problem with people not treating each other with respect and consideration in their local area</b>	<b>Proportion of homes in disrepair<sup>2</sup> in the private rented housing stock</b>	<b>Proportion of households in the private rented housing sector who are very satisfied or quite satisfied with their local area</b>
<b>York Average</b>	<b>181,094 (193,307)</b>	<b>606</b>	<b>11%</b>	<b>661</b>	<b>79</b>	<b>25</b>	<b>113</b>	<b>18%</b>	<b>79%</b>	<b>23%</b>	<b>23%</b>	<b>97%</b>
Fishergate Ward	7,921	733	5%	682	76	32	136	5%	78%	26%	21%	94%
Heslington Ward	4,122	55	8%	190	18	2	13	16%	95%	0%	17%	100%
Hull Road Ward	8,269	536	10%	617	83	22	182	12%	68%	23%	37%	91%

**Sources: Safer York Partnership; City of York Council Neighbourhood Services; Place Survey (2009); Private Sector House Conditions Survey (2008)**

1 Relates to 2001 ONS Census data. York population in brackets relates to ONS mid year 2007 experimental projections.

2 Dwellings where one or more of the key building components are old and because of their condition, need replacing or major repair; or dwellings where two or more of the other building components are old and, because of their condition need replacing or major repair

Other considerations

25. Although primary school age pupil numbers have been decreasing since 2004 in all wards (Hull Road and Heslington at a faster than average rate). Colleagues in Learning, Culture and Children's Services have indicated that whilst there are low numbers of school age pupils in the catchment areas of schools within our case study wards, it is not necessary for pupils to attend the schools to live in the catchment area. As such, the primary schools are not being seriously affected despite there being few school age pupils actually living in the surrounding area.
26. Parking Services generally receive very few specific complaints about parking in student areas, such as Fishergate, Heslington and Hull Road wards. This is because many areas of student housing are in Residents' Priority Parking Scheme areas also known as 'ResPark' zones. The ResPark scheme gives priority to residents and their visitors. It does not guarantee you a space but gives you priority over other vehicles. Permits are required for every vehicle (except motorbikes and bicycles).
27. Unfortunately, we currently have no information on historic retail provision, as such, it has not been possible to assess whether there has been a change in retail provision as student numbers have increased. This could be investigated further.

**Analysis**

28. Changes to HMO legislation in April 2010 gave Local Authorities greater control over HMOs by introducing a requirement for planning permission to change a property from a dwelling (C3) to an HMO (C4). Following concerns regarding HMOs in relation to student housing, raised by residents, Members and Parish Councils through the Development Control process, City Development have explored the spatial extent of the student population and the potential indicators of large numbers of student housing.
29. Information collected to date does not indicate any significant deviations from the average across the city across a wide range of indicators such as crime, littering and noise. Nor are there significant concerns regarding school roles and parking pressures. However, it has only been possible to collate information at ward level. We acknowledge this may be masking more localised issues, supported by initial work focussing on a lower than ward scale. Accordingly, data collected on a more localised level is required, complemented where necessary through street surveys and questionnaires.
30. The new Coalition Government proposes to grant permitted development rights for all changes from C3 to C4. Informal consultation is underway, with a view to implementing these changes on 1 October 2010. If these changes are implemented, the only way to ensure prospective HMO landlords must still submit a planning application, is to implement an Article 4 Direction for the area in question, which will withdraw the permitted development right. This is a complex process, and one that should only be entered into should there be

compelling reasons to warrant the removal of residents' permitted development rights. At this stage (subject to further Government Guidance being issued) it appears that it will not be possible to make very wide Article 4 directions (e.g. covering the whole of the city) forbidding the change of use from C3 to C4. Separate directions would be needed for specific areas and each will need to be justified.

### **Proposed Further Work**

31. As discussed, work undertaken has focused at ward level. We recognise that information at this level may be hiding more pronounced concentrations of student housing at a more local level, which may be impacting on neighbourhoods. Further work is needed to identify more localised concentrations of student housing. This would likely indicate pockets of concentrations in additional wards to the three wards with the highest proportion of student houses in proportion to all households (Fishergate, Heslington and Hull Road). We have begun to explore this and current work suggests the additional wards likely to have more local pockets of concentrations include Guildhall, Clifton, Heworth and Osbaldwick.
32. Once the more local level concentrations of student housing have been identified, to assess whether these concentrations are having a negative effect on their neighbourhoods it would also be necessary to collate information on some of the potential indicators of student housing discussed at paragraph 22, namely littering, crime and property maintenance. Given that data has historically been collated at ward level and is therefore more readily available at this scale, undertaking street surveys will be critical, as would obtaining resident's views through consultation.
33. Despite best practice approaches to establish a threshold at which a community can be said to be/or becoming imbalanced (discussed at paragraph 20) national evidence suggests that a universal and fixed cut-off point to restrict the concentration of student housing is not appropriate given that concentrations can have different impacts in different places. Instead, place-specific flexible thresholds, arrived at through an assessment of what constitutes a 'balanced community' should be carried out. The outcomes of this assessment will identify if the 'tipping point' has been reached upon which a community tips from balanced to unbalanced. This assessment is likely to include consultation on the following factors:
  - Residential amenity.
  - Appearance of properties and local environment.
  - Range of local services.
  - Parking pressures.
  - Fear of crime/safety.
  - Quality of life.
34. This would be part of the detailed consultation with residents described above, however students, Higher Education Institutions, Student Unions and

local businesses should also be consulted to explore what constitutes a balanced community and to identify a locally specific 'tipping point'.

### **Options**

35. The following options are available to Members:

**Option One:** Accept the findings of work undertaken at ward level and continue to monitor student housing numbers and HMO applications in the city, awaiting the outcomes of the Government's consultation on its proposed changes to HMO legislation.

**Option Two:** Instruct Officers to undertake the proposed further work identified in paragraph 31 to identify local concentrations of student housing and request a future report to the LDFWG setting out further work to be undertaken.

**Option Three:** Instruct Officers to undertake all of the proposed further work identified in paragraphs 31 to 34.

### **Analysis of Options**

#### *Option One*

36. The Government's proposed changes to HMO legislation is currently the focus of limited informal consultation with bodies such as the Planning Officers Society, the Royal Town Planning Institute and the National HMO Lobby. The outcomes of this consultation will inform the Government's decision on whether to implement the proposed changes. An announcement is due in October 2010. Within this context, Members could accept the existing work undertaken at ward level and instruct officers to continue to monitor student housing numbers, typically in the form of HMOs, utilising the provisions of the Local Plan, specifically Policies H7 and H8. However, selecting this option would not address Members and Parish Council's queries regarding the impacts of student housing at a more local level. Should the Government decide not to implement the proposed changes, thereby continuing to require planning permission for changes from a dwelling to an HMOs, it would still be necessary for the Council to implement an appropriate policy response for determining planning applications.

#### *Options Two and Three*

37. Under Option Two Officers would undertake further detailed city wide mapping to identify those areas with the highest concentrations of student housing at a more local level. The outcomes of this work could then be reported back to the LDF Working Group, along with a proposed methodology for undertaking further work, at an early stage. This report would allow Members to comment on the spatial extent of student housing on a more localised level, help prioritise further work and consider the need for an interim

policy response. This would include the consideration of overall work load implications.

38. Option Three would involve Officers undertaking all of the further proposed work without updates to the LDF Working Group, only reporting the findings back to the LDF Working Group upon completion.
39. It should be noted that both Options Two and Three would have workload implications. Preparation of the LDF in relation to the Core Strategy and Allocations Development Plan Document is currently a Council priority. It is anticipated that work on student housing would need to be phased to fit in with existing LDF workloads. There is also a risk that the outcomes of the further work may still not make a compelling case for an Article 4 Direction.

### **Next Steps**

40. If Members were to approve the Officer recommendation below to instruct Officers to undertake further proposed work in accordance with the approach outlined in Option Two, it is anticipated that an initial report would be prepared on the outcomes of the work to identify more localised concentrations of student housing, alongside a proposed methodology for the consultation work as detailed in paragraphs 32, 33, and 34. This could be reported to the LDF Working Group in November 2010. The level of further work beyond that, including consultation, will be dependant on the outcomes of the initial report on more localised concentrations of student housing.

### **Corporate Priorities**

41. Exploring the impacts of student housing relates to the following Corporate Strategy Priorities:
  - The Sustainable City
  - Thriving City
  - The Learning City
  - The City of Culture
  - The Safer City
  - The Healthy City
  - The Inclusive City

### **Implications**

42. The implications are as listed below:
  - **Financial:** None
  - **Human Resources (HR):** None
  - **Equalities:** None
  - **Legal:** Yes (see body of report)
  - **Crime and Disorder:** None
  - **Information Technology (IT):** None

- **Property:** None
- **Other:** None

**Recommendations**

43. It is recommended that Members:

- (i) Instruct Officers to undertake further proposed work in accordance with the approach outlined in Option Two.

Reason: To explore if there is compelling evidence to justify an Article 4 Direction as a means of exerting tighter controls on the spatial extent of student housing and if required, develop a policy approach.

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**Report Approved**

**Date** 27/08/10

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

**Annexes:**

Annex One: Extract from City of York Local Plan 4<sup>th</sup> Set of Changes (April 2005)  
Policy H7 and Policy H8

**Annex One: Extract from City of York Local Plan 4<sup>th</sup> Set of Changes  
(April 2005) Policy H7 and Policy H8**

**Policy H7: Residential Extensions**

Planning permission will be granted for residential extensions where:

- a) the design and materials are sympathetic to the main dwelling and the locality of the development; and
- b) the design and scale are appropriate in relation the main building; and
- d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and
- e) proposals respect the spaces between dwellings; and
- g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

Justification for Policy H7

Residential extensions are generally acceptable provided they are sympathetically designed in relation to their host building and the character of the area in which they are located and do not detract from the residential amenity of existing neighbours. Particular care is needed, however, in the design of front extensions and dormer extensions. Pitched roofs on extensions will normally be the most appropriate with large, box-style roof extensions being resisted in most cases.

**Policy H8: Conversions**

Planning permission will only be granted for the conversion of a dwelling to flats or multiple occupation where:

- the dwelling is of sufficient size (min 4 bedrooms) and the internal layout is shown to be suitable for the proposed number of households or occupants and will protect residential amenity for future occupiers.
- external alterations to the building would not cause harm to the character or appearance of the building or area; and
- adequate off and on street parking and cycle parking is incorporated; and
- it would not create an adverse impact on neighbouring residential amenity particularly through noise disturbance or residential character of the area by virtue of the conversion alone or cumulatively with a concentration of such uses.
- adequate provision is made for the storage and collection of refuse and recycling.

Justification for Policy H8

Houses in multiple occupation (HMO's) are those occupied by a number of unrelated people who do not live together as a single household. They include

bed-sits, hostels lodgings and bed and breakfasts not primarily used for holiday purposes.

The Use Classes Order (1987) does not distinguish between a dwelling occupied by a conventional household, and that of a dwelling occupied by up to six residents living together as a single household. Therefore a change of use from a family dwelling to one occupied by no more than six individuals does not constitute as a change of use.

There is potential for the number of dwellings in the City to be increased by the sensitive conversion of large dwellings. Such conversion can ensure a continued life for properties and can contribute to meeting housing need. Nonetheless, in certain situations, a concentration of such conversions can have an adverse impact on the residential environment. In considering this impact, attention will be given to the character of the street, the effect on and the amount of available amenity space, parking requirements, traffic generation and any other material planning considerations particular to the case.

The number of residential conversions will be monitored to calculate the contribution that they make to the Local Plan's housing requirement and so that the cumulative impact of several conversions in any one location can be ascertained.