

# Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Schedule of Main Modifications (March 2024) to the Published Submission Version (August 2023)

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The following format has been used to denote the modifications:

**Underlined bold text** = new text proposed for policy compared to the submission version.

~~Strikethrough text~~ = text proposed for removal compared to the submission version.

Underlined text = new text proposed for justification text compared to the submission version.

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Main Modification Reference	Plan Reference	Main Modification	Reason for Modification
Main Modification 01	Para 3.10 (Page 9)	<p><del>HMOs therefore currently require planning permission once they exceed six unrelated people if that change results in a material change in use. Large HMOs, formed from seven unrelated residents or more and no PD right exists to change a HMO with 7 or more residents from any use. Consequently, for the change of use of any premises to a HMO for seven or more residents, an assessment must be made as to whether a material change of use from the prior lawful use has occurred and, if it is determined that it has, then planning permission is required.</del></p> <p><u>Planning permission is required for a material change of use. Consequently, the local planning authority will make an assessment as to whether any proposed new HMO or intensification in the occupation of an existing HMO would represent such a change from the site's lawful use.</u></p>	To provide clarity for the interpretation of the DPD, in the interests of its effectiveness.
Main Modification 02	Policy HMO1 (Page 16)	<p>All proposals for the <b><u>conversion to or construction of HMO accommodation or the intensification of an existing HMO above its permitted occupancy threshold</u></b> provision of HMOs will be required to demonstrate that:</p> <p>a) there is good accessibility to local amenities and public transport;</p> <p>b) they accord with the emerging Accessible Homes standards<sup>1</sup> (or any future national equivalent) and provide satisfactory living conditions for the intended occupiers; and</p> <p>eb) there will be <b><u>sufficient capacity either off street or on street to meet the parking requirements of the proposed development</u></b>.<del>no demonstrably adverse</del></p>	<p>To make Policy HMO1 consistent with the scope set out in the justification text and Policy HMO4.</p> <p>To provide sufficient certainty to the reader about the policy requirements.</p>

<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/930274/200813\\_con\\_doc\\_-\\_final\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/930274/200813_con_doc_-_final_1_.pdf)

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		<p><del>impact on the amenity of neighbouring properties or the character of the area by way of character, appearance, highway safety, parking and historic assets and their setting. The proposal must also meet the criteria in policy HMO4.</del></p>	<p>Criterion (b) deleted to address unnecessary overlap with another consent regime and difficulties in practical application.</p> <p>To eliminate duplication between policies HMO1 and HMO4.</p> <p>All in the interests of the effectiveness of Policy HMO1.</p>
Main Modification 03	Justification Para 5.7 (Pages 16-17)	<p><del>It should be noted that the Council intends to introduce an Article 4 Direction requiring planning permission for a change of use from family dwellings (C3) to small HMOs for between 3 and 6 unrelated people (C4 dwellings) within specified wards of the city. At the current time, eleven wards have been proposed to be included as part of the Article 4 Direction area, albeit they should not be considered as being the only places in the city that have a concentration of HMO dwellings. These proposed wards are:</del></p> <ul style="list-style-type: none"> <li><del>• Cheylesmore</del></li> <li><del>• Earlsdon</del></li> <li><del>• Foleshill</del></li> <li><del>• Lower Stoke</del></li> <li><del>• Radford</del></li> <li><del>• St. Michaels</del></li> <li><del>• Sherbourne</del></li> </ul>	<p>Text deleted in response to the existing status of the Article 4 Direction.</p> <p>Additional text to provide clarity to the reader on how the policy criteria will be applied to assist in policy interpretation.</p>

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		<ul style="list-style-type: none"> <li>• Wainbody,</li> <li>• Whoberley</li> <li>• Westwood</li> <li>• Upper Stoke</li> </ul> <p><i>Please note: the Article 4 Direction was subject to a separate consultation process and is not being consulted on through this document.</i></p> <p><u>5.7 HMO proposals can relate to the change of use of an existing building, the erection of new purpose-built accommodation or the intensification of occupation of an existing HMO. This policy must be read in conjunction with the adopted development plan as a whole so that applicants are familiar and clear as to what will be required to ensure compliance with all relevant policies in any HMO related scenario’.</u></p> <p><u>5.8 The level of a HMO proposal’s accessibility will be determined primarily through an assessment of the proposal against the adopted Transport Strategy<sup>2</sup>, the Council’s Liveable Neighbourhoods approach to accessibility and the Coventry Green Space Strategy. Good access for HMO occupants to public transport is of environmental, social and economic importance. This extends to University of Warwick and Coventry University students given the parking restrictions operating on campus and in parts of the city centre. This policy therefore seeks to ensure that HMO proposals are within a reasonable walking distance of a bus stop. Furthermore, tools including Transport Assessments; Travel Plans; parking standards; parking capacity surveys and Urban Traffic Management and Control will assist in demonstrating and determining whether proposals will maintain the integrity of the local highway network. For further information about these matters,</u></p>	<p>In the interests of the effectiveness of Policy HMO1.</p>

<sup>2</sup> <https://www.coventry.gov.uk/transport-strategy-2/transport-strategy/print>

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		<p><u>please refer to the Coventry Connected SPD<sup>3</sup>. For further information regarding the HMO Article 4 designation, please visit the Councils webpage<sup>4</sup>.</u></p>	
Main Modification 04	Policy HMO2 (Page 18)	<p>Where there is an existing HMO concentration of 10% or more of all dwellings within 100 metres radius of the centre point of the application property, HMO applications will not be supported <b>permitted</b>. Where there is an existing HMO concentration of less than 10% within 100 metres radius of the centre point of the application property, HMO applications will be considered against the other Policies in this DPD and all other relevant <b>development plan</b> policies.</p>	<p>To provide sufficient certainty to the reader about the policy requirements and remove ambiguity about the relevant policies.</p> <p>In the interests of the effectiveness of Policy HMO2.</p>
Main Modification 05	Justification Para 5.9 (Page 18)	<p>5.9 It is not the aim of the policy to reduce overall HMO numbers or to stop further HMO proposals coming forward, but to ensure that potentially harmful concentrations do not arise and that a high standard of accommodation and amenity is created, given the important role HMOs play as part of the city's housing offer. Clearly, patterns of supply and demand will change over time but there is a link between student shared-houses and the increasing provision of purpose-built student accommodation located in the city centre. Restricting HMO supply in one neighbourhood, may prompt landlords to examine adjoining areas, displacing the concentration. Consequently, boundaries may change, and new areas may be identified. Such areas would be subject to <del>the preferred option</del> <u>this</u> policy. The evidence shows that high concentrations of HMOs in the city are already having an</p>	<p>To provide clarity to the reader on the justification for the policy and how the policy criteria will be applied to assist in policy interpretation.</p> <p>In the interests of the justification for and</p>

<sup>3</sup> [https://www.coventry.gov.uk/downloads/download/5195/coventry\\_connected\\_supplementary\\_planning\\_document\\_spd](https://www.coventry.gov.uk/downloads/download/5195/coventry_connected_supplementary_planning_document_spd)

<sup>4</sup> <https://www.coventry.gov.uk/downloads/file/40973/article-4-direction-hmo-30-9-23>

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		<p>adverse impact on the character and amenity of local areas and this issue is spreading to further areas. The NPPF encourages local planning authorities to help maintain mixed and balanced communities. Overconcentration of HMOs can cause imbalance, leading to the problems identified in section 4. <u>This includes increased levels of anti-social behaviour and noise within their immediate vicinity and on routes linking them with the city centre. This policy seeks to ensure that potentially harmful concentrations do not arise and that existing living conditions of residents in the vicinity of the proposed site and along those connecting routes are maintained.</u></p>	<p>effectiveness of Policy HMO2.</p>
Main Modification 06	Policy HMO3 (Page 19)	<p>Proposals for the provision of HMOs must not result in a non-HMO dwelling being sandwiched between two HMOs and must not lead to a continuous frontage of three or more HMOs. Sandwiching includes:</p> <ol style="list-style-type: none"> <li>1. Up to three <del>single residential properties</del> <b><u>dwellings</u></b> in a street located between two single HMO properties;</li> <li>2. Single HMO properties in any two of the following locations: adjacent, opposite <del>and</del> <b><u>or</u></b> to the rear of a single residential property;</li> <li>3. A residential flat within a sub-divided building where the majority of flats are HMOs.</li> <li>4. A residential flat within a sub-divided building in a street located between two other subdivided buildings with at least one HMO flat in each building;</li> <li>5. A residential flat within a sub-divided building located between two HMO flats above and below; <del>and</del> <b><u>or</u></b></li> <li>6. A residential flat within a sub-divided building located between two HMO flats on both sides.</li> </ol>	<p>To provide sufficient certainty to the reader about the policy requirements.</p> <p>In the interests of the effectiveness of Policy HMO3.</p>

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Main Modification 07	Justification Para 5.12 (Page 19)	5.12-11 Preventing the “sandwiching” of a non-HMO between two HMOs or a continuous frontage of three or more HMOs is an approach that aims to prevent unacceptable adverse impacts on amenity (as set out in paragraph 4.1) and to control the location of new HMOs and student accommodation in order to prevent these uses from either exacerbating existing or creating new concentrations. It is not the intention of the policy to restrict further growth in HMOs. The Council recognises the importance of HMOs and the private rented sector generally in the housing stock but seeks to ensure that the amenity of neighbouring residents is not compromised. <u>The calculations and assessments for sandwiching will take into account any extant permissions.</u>	To provide clarity to the reader on the scope of the calculation to assist in policy interpretation.  In the interests of the effectiveness of Policy HMO3.
Main Modification 08	Policy HMO4 (Page 19-20)	All proposals for the <b><u>conversion to or construction of HMO accommodation or the intensification of an existing HMO above its permitted occupancy threshold</u></b> <del>provision of HMOs will be assessed against</del> <b><u>must meet</u></b> the following criteria: a) The premises are suitable for a full or part conversion in terms of location and size for the number of households to be accommodated; b) There would be no demonstrably adverse impact on the amenity <b><u>of the occupants</u></b> of neighbouring properties and the character of the surrounding area in particular through increased activity, noise or disturbance <b><u>arising from the proposal</u></b> ; c) <del>and</del> <b><u>the proposal does not affect a designated or non-designated historic heritage asset assets or its setting in a manner which would represent unjustified harm to its significance</u></b> ; <del>and their setting</del> ; d) The configuration of internal sleeping accommodation space satisfactorily takes into account minimum room size requirements* and light and ventilation;	To make Policy HMO4 consistent with the scope set out in the justification text and Policy HMO1.  To manage heritage, living conditions, design and flood risk consistent with the National Planning Policy Framework.  To provide sufficient certainty to the reader about the policy requirements in the interests of the

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		<p>e) The use of acoustic insulation to protect neighbouring and adjacent properties through appropriate party wall insulation;</p> <p>f) The design of external space is safe and secure, and includes provision for <del>refuse storage</del>, washing facilities and adequate vehicular <b><u>parking where required</u></b>, and cycle parking<sup>5</sup>, and ensures access to <b><u>useable</u></b> outdoor amenity space; <b><u>and</u></b></p> <p>g) <b><u>Sufficient</u></b> refuse bin storage is provided externally within the curtilage of the property, within a suitably <b><u>located and</u></b> designed structure <b><u>so that</u></b> <del>and</del> the refuse bin <b><u>is</u></b> not visible from the public realm; <del>and</del></p> <p>Furthermore, <del>g)</del> <b><u>All</u></b> proposals will be expected to demonstrate:</p> <p>h) how the relevant ‘Secured By Design’ standards <b><u>principles</u></b> have been met <b><u>including the preparation of a management plan to demonstrate how the crime prevention measures will be maintained.</u></b><sup>6</sup>; <b><u>and</u></b></p> <p><b><u>i) how, in areas at risk of flooding, the safety of those sleeping in any ground floor accommodation will be secured.</u></b></p> <p><i>* 6.51 m<sup>2</sup> for one person over ten years of age, 10.22 m<sup>2</sup> for two persons over ten years of age and 4.64 m<sup>2</sup> for one child under the age of ten years. Any room of less than 4.64m<sup>2</sup> must not be used as sleeping accommodation.</i><sup>7</sup></p>	effectiveness of Policy HMO4.
Main Modification 09	Justification Para 5.15 (Pages 20-21)	5.45 <del>13</del> The policy also aims to ensure that there is satisfactory provision for the storage of waste, since a house occupied as an HMO can usually generate more waste than a family or couple. It is considered that all habitable rooms should have an adequate level of natural lighting provided via a clear glazed window or windows. Where practicable, all staircases, landings, passages, kitchens,	To provide clarity to the reader on how the policy criterion will be applied to assist in policy interpretation.

<sup>5</sup> [www.coventry.gov.uk/planning-policy/coventry-local-plan-2011-2031](http://www.coventry.gov.uk/planning-policy/coventry-local-plan-2011-2031)

<sup>6</sup> [www.securedbydesign.com](http://www.securedbydesign.com)

<sup>7</sup> Figures based on Coventry City Council’s HMO licensing standards: [www.coventry.gov.uk/downloads/file/27566/room-size-and-amenity-provision-standards](http://www.coventry.gov.uk/downloads/file/27566/room-size-and-amenity-provision-standards)



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		bathrooms and toilets should be provided, with a window. Windows to bathrooms and toilets should be glazed with obscured glass. <u>The minimum room size requirements are based on figures set out within the Councils HMO licensing standards<sup>8</sup>.</u>	In the interests of the effectiveness of Policy HMO4.
Main Modification 10	Justification Para 5.16 (Page 21)	<u>5.46 14</u> Finally, Secured by Design (SBD) and Designing Out Crime (DOC) are one of the most sustainable and cost-effective crime reduction interventions. Its is therefore sensible and appropriate for applicants to consider such standards principles when developing their planning application proposals. <u>HMOs often have ground-floor sleeping accommodation which puts those on the ground floor at the highest risk of flooding. Criteria (i) requires the applicant to demonstrate how any identified potential flood risk would be addressed. This may include the incorporation of appropriate site specific mitigation such as raising floor levels, flood resistant construction and the preparation of a Water Exclusion Strategy.</u>	To provide clarity to the reader on how the policy criterion will be applied to assist in policy interpretation to manage flood risk consistent with the National Planning Policy Framework.  To ensure clarity in the interests of the effectiveness of the policy.
Main Modification 11	Section 6, Stage 3 calculate concentration (Page 23)	Planning permission would not be granted where the introduction of a new HMO would result in an existing C3 dwelling being ‘sandwiched’ by any adjoining HMOs or non-family residential uses on both sides. Planning permission would not be granted where it would result in a continuous frontage of 3 or more HMOs or non-family residential uses. In situations where properties are not traditional houses	To provide clarity to the reader on how the policy criterion will be applied to assist in policy interpretation.

<sup>8</sup> <https://www.coventry.gov.uk/downloads/file/27566/room-sizeand-amenity-provision-standards>

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		<p>situated along a street frontage, the policy can be applied flexibly depending on the individual circumstances of the proposal. <u>In calculating the 10% concentration level, this will be determined for extant permissions based on data derived from Coventry’s Council tax data and other appropriate data sources during the planning application determination period.</u></p>	<p>In the interests of the effectiveness of Policy HMO4.</p>
Main Modification 12	Insert a new section, explanatory text and monitoring indicators after Section 6 of the DPD	<p><u>7. Monitoring</u></p> <p><u>7.1 This section identifies a range of monitoring requirements linked to the policies of this Plan. These requirements will be assessed and articulated through the Council’s Annual Monitoring Report process to test the delivery and performance of the HMO DPD policies. Monitoring will use the existing mapping baseline data set out in the evidence base document that supports the HMO DPD.</u></p> <p>Insert a new table containing the following indicators:</p> <p><u>HMO1 – the number of (%) of applications granted planning permission in compliance with policy HMO1 and reasons for refusal.</u></p> <p><u>HMO2 - the number (%) of applications that are refused including reasons for refusal based on exceeding the 10% threshold and those applications permitted contrary to exceeding the 10% concentration threshold.</u></p> <p><u>HMO3 - the number (%) of applications that are refused including reasons for refusal based on not meeting the sandwiching criteria and those applications permitted contrary to not meeting the sandwiching criteria.</u></p>	<p>To ensure that Policies HMO1, HMO2, HMO3 and HMO4 can be assessed in terms of their performance on an annual basis and included as part of the Council’s development plan monitoring regime.</p> <p>In the interests of the effectiveness of the DPD policies.</p>

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		<u>HMO4 – the number (%) of applications that are refused which do not meet the amenity and design criteria.</u>	