

Cheshire West & Chester Council

Local Plan

**Supplementary Planning Document:
Houses in Multiple Occupation
and Student Accommodation**

April 2016

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**Cheshire West
and Chester**

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1 Introduction

1.1 This Supplementary Planning Document (SPD) provides guidance on how Cheshire West and Chester Council (CWAC) will assess planning applications for houses in multiple occupation (HMOs) and purpose-built student accommodation. It aims to address, through the appropriate control of the location and design of such premises, the potential negative impacts that these types of development can have on existing residents. The SPD covers both:

- Purpose-built student accommodation (Section 3); and
- Houses in Multiple Occupation (Section 4)

1.2 SPDs are used to provide further detail and guidance on the implementation of policies and proposals contained in existing Local Plans. Whilst not statutory development plan documents they can be a material planning consideration in the determination of planning applications. As such they need to be consistent with national and local planning policies and guidance.

1.3 There is a high level of interest and concern relating to proposals for purpose-built student accommodation and new HMOs. As such, it is recommended that developers and applicants inform and involve local residents from the earliest stage possible and throughout the planning process.

2 Policy framework

The National Planning Policy Framework (NPPF)

2.1 The NPPF sets out the Government's planning policies and is a material planning consideration in planning decisions. It states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

2.2 The NPPF sets out that the Local Plan should meet the objectively assessed needs for housing, as far as is consistent with the policies in the NPPF. It should provide a mix of housing types to meet the needs of different groups in the community and create sustainable, inclusive and mixed communities. It also seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Local planning policy

2.3 Relevant local planning policies are set out in the development plan for the area. The Development Plan for the Chester area comprises the Cheshire West and Chester Council Local Plan (Part One) Strategic Policies (adopted 29 January 2015) and the saved policies of the Chester District Local Plan, which remain in effect until such time as they are replaced by the emerging Local Plan (Part Two) Land Allocations and Detailed Policies. Neighbourhood Plans that have been successful at referendum, and have subsequently been 'made' also form part of the statutory development plan. However, there are no 'made' Neighbourhood Plans that are located within the main urban area of Chester.

2.4 Development plan policies specifically relating to student accommodation and HMOs are summarised below and reproduced in full in Appendix A. Consideration will also be given to other relevant planning policies within each plan, where appropriate to the planning application proposals.

2.5 Cheshire West and Chester Council Local Plan (Part One) Strategic Policies

- **Policy STRAT 1** of the Plan supports proposals that incorporate sustainable development principles such as locating new housing in accessible locations and encouraging the use and redevelopment of previously developed land and buildings in sustainable locations.
- **Policy STRAT 3** states that in recognition of the national and international importance of Chester as a historic walled city, any development within or on the periphery of the city centre or within or on the edge of the urban area should be compatible with the conservation or enhancement of the city centre and the character and setting of the city.
- **Policy STRAT 10** states that in order to minimise the need for travel, proposals for new development should be located so that they are accessible to local services and facilities by a range of transport modes.
- **Policy SOC 3** relates to housing mix and type. Amongst other things, the policy says that the Council will support the provision of specialised student accommodation within Chester in appropriate, accessible locations, convenient for the facilities at the University of Chester. The explanation that accompanies the policy notes the high concentration of HMOs present in areas close to the University of Chester, such as the Garden Quarter area and the specific problems that

this can lead to. It notes that the effective management of HMOs is vital including, where necessary, implementing Article 4 Directions to require planning permission for the creation of HMOs. The provision of specialised student accommodation in appropriate and sustainable locations will be supported to help redress the imbalance and provide for the existing and future need for student accommodation.

- **Policy SOC 5** supports proposals that consider the specific requirements of different groups in the community (e.g. families with children, older people, people with disabilities, service families) in all relevant development. It supports proposals that promote safe and accessible developments with good access by walking, cycling and public transport. It also states that development that gives rise to significant adverse impacts on health and quality of life including residential amenity, will not be allowed.
- **Policy ENV 5** refers to the protection of the borough's unique and significant heritage assets and identifies that development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance. It also states that development in Chester should ensure the city's unique archaeological and historic character is protected or enhanced.
- **Policy ENV 6** identifies that sustainable, high quality design and construction will be promoted. This includes the requirement for development, where appropriate to respect local character and achieve a sense of place through appropriate layout and design.

2.6 Chester City Local Plan (CDLP) 2006

- **Policy HO 16** states that planning permission will be refused for the change of use of a building to a HMO where it would lead to the general deterioration of the general standards of amenity in the area. It goes on to list a number of considerations that should be taken into account in deciding whether such a general deterioration will occur from the development. These include considering the type and size of the property, whether the number of existing HMOs in the area has already led to deterioration in the general standard of amenity, parking issues, bin storage and effect on the character of the building through any alterations to it. The stated aim of the policy is to maintain a supply of HMOs whilst also protecting the amenity of other residents.
- **Policy HO 17** of the CDLP relates specifically to the conversion of a dwelling to student accommodation. The policy says that planning permission will be granted for this change of use where a number of criteria are met. These require that there is no net loss of existing family dwellings; that the external floorspace of the dwelling is greater than 200 square metres; that the college/university that the student(s) attend(s) can demonstrate a need for such accommodation which cannot be met by other means; and that any proposal would not detract from the amenities of the area. The policy goes on to say that permission will be refused for dwellings less than 200 square metres unless: over-riding reasons or benefits are demonstrated; the dwelling no longer provides living accommodation for a single household occupation to a satisfactory standard or is situated in an unsatisfactory environment; it can be demonstrated that no other way is practicable to preserve the property.

The stated aim of the policy is to facilitate the provision of student accommodation whilst at the same time protecting the amenities of local residents. There is no specific policy covering purpose-built student accommodation in the CDLP. However Policy HO17 does acknowledge, in

one of its criteria, that purpose-built accommodation would be a more acceptable means of providing student accommodation than the conversion of a dwelling to student accommodation (or HMOs).

- **Policy ENV 37** relates to new development in conservation areas and states that development in conservation areas or affecting the setting of such an area will only be permitted where it will preserve or enhance its character or appearance.
- **Policy ENV 38** relates to views and states that planning permission will not be granted for new development that will obstruct important views within, or views in or out of conservation areas.
- **Policies ENV 39-43** relate to Chester City Conservation Area and include protection of historic routes in the city centre and the historic skyline. They set a requirement for very high quality of design in this area and for new development to contribute positively to the townscape. They identify that development appropriate to a city centre, which would increase Chester's vitality and interest, maintain its historic character and would not conflict with this retail function will be permitted. Also that sensitive consideration should be given to the historic fabric of the city centre.
- **Policy ENV 45** relates to protection of listed buildings and states that planning permission will be refused for proposals that fail to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- **Policy TR 13** relates to parking and requires proposals to make provision for the appropriate level of parking.

3 Purpose built student accommodation

Definition

3.1 Purpose-built student accommodation is a building specifically designed for occupation by students (either a new building or conversion of an existing building). This type of accommodation can include full- or part-board facilities, self-catering facilities arranged in clusters with some amenities shared, or fully self-contained studio flats and can be provided by, or on behalf of, an educational establishment or other private / business owner.

3.2 The criteria below will also apply for applications for change of use to student accommodation (excluding HMOs) where applicable.

Criteria against which proposals for purpose built student accommodation will be assessed

3.3 Policy SOC 3 of the Local Plan (Part One) establishes the Council's support for the provision of specialised student accommodation within Chester in appropriate, accessible locations, convenient for the facilities at the University of Chester. Such provision, in appropriate locations can help to reduce the pressure to accommodate students in HMOs.

3.4 Proposals for purpose-built student accommodation will be assessed against the following criteria:

A: Development will be restricted to locations within the existing built-up urban area and the use of previously developed land or buildings will be supported.

B: Development must be within reasonable walking distance of university/college campuses or in other locations with good accessibility by cycle routes or public transport.

The provision of specialised student accommodation in appropriate, accessible locations will be supported. To promote sustainable means of travel and minimise private car use, the Council will encourage new purpose-built student accommodation to be located within reasonable walking distance (approximately 1.6km depending on the route) of the main university or college campuses where safe and convenient pedestrian access routes are available or are to be provided as part of the proposals.

Taking account of the location of the proposed development and opportunities for sustainable means of travel, sufficient car parking and loading / unloading spaces should be provided in order to ensure that the development does not lead to or exacerbate parking problems in surrounding areas.

C: The layout, appearance, scale, height and massing of new development must respect its setting and not unacceptably harm the character of the surrounding area.

New developments must be located and designed to respect their immediate and surrounding environments, and to minimise any adverse impacts on their site and surroundings, especially the historic environment of the city centre, a designated conservation area containing many listed buildings

and buildings of international importance. Developments should be in keeping with the existing form and grain of the local area.

Taller, higher-density purpose-built student accommodation will not normally be appropriate within or adjoining existing low-rise residential areas and should be in keeping with the character of the area. In city centre locations, regard must be had to safeguarding the historic environment of the city centre, including its historic skyline.

The cumulative impacts of the scale, height and massing of new developments will also be taken into account where relevant.

D: Development must not unacceptably harm the amenity of surrounding residents, taking into account cumulative impacts when considered with existing or planned student housing provision in the locality.

Unacceptable impact on amenity will be assessed taking into account:

- a. the number and size of existing and planned purpose-built accommodation schemes in the surrounding area;
- b. the number of students living in shared housing in surrounding residential areas and;
- c. whether the development of further student accommodation would introduce or compound an existing community imbalance, place an unacceptable strain upon local facilities or have an unacceptable impact on local amenity.

E: It must be demonstrated through an appropriate management plan that any potential negative impacts arising from the occupation of the development on the surrounding area can be acceptably mitigated, and that a positive and safe living environment for students and residents in the surrounding area can be created.

Applications should be accompanied by a general management plan for the premises, to safeguard the amenity of residents both within and adjacent to the development and to ensure a satisfactory residential environment for all of these residents. These measures should include the following:

- appropriate security measures, such as security door and window locks, intercom entry systems, lighting, wardens and CCTV, which can all help to make the local environment safer for occupants and reduce opportunities for crime;
- appropriate soundproofing to address both internal and external noise transmission;
- appropriate supervision and reporting mechanisms such as a resident tutor within the block or a designated helpline available throughout the day and night to deal with inappropriate behaviour or complaints from occupants and local residents;
- appropriate means of storing and dealing with waste;
- appropriate secure cycle storage facilities; and
- an on-site and off-site car parking management plan (including car ownership, parking allocation, servicing and deliveries).

The management plan should set out how it will be implemented and maintained.

New-build student accommodation for over 50 students will require a travel plan which would seek to maximise staff and student travel by means of sustainable transport. The precise nature of any such plan should be discussed with Cheshire West and Chester Council, but is likely to include:

- travel packs for students at the beginning of each term identifying appropriate pedestrian and cycle routes to and from university and car parking facilities;
- measures to address the increased traffic and parking demands at the beginning and the end of term caused by loading and unloading of students belongings; and
- measures to minimise on-site and off-site car parking.

F: Development must reflect high quality architectural design and sustainable construction.

Development must accord with policy ENV 6 of the Cheshire West and Chester Local Plan (Part One) to ensure the highest possible levels of design quality and sustainable construction. Developments should respect and make a positive contribution to the historic character of Chester. This should include the use of high quality materials.

Design of accommodation should reflect the type of need the development is anticipated to meet as different types of students (undergraduates, postgraduates, etc) may have different needs. Designs providing inner courtyards to provide outdoor space for student use will also be encouraged to reduce the potential for noise and disturbance beyond the site boundary.

Other non-residential uses in student accommodation schemes

3.5 Where other uses are proposed as part of a mixed use scheme including purpose-built student accommodation, the other uses will be considered against all relevant planning policies, guidance and material planning considerations.

4 Houses in multiple occupation

4.1 In spite of an increase in purpose-built student accommodation in Chester in recent years, shared housing continues to play an important role in providing accommodation for students in the city. Shared houses occupied by unrelated individuals who share basic facilities are also referred to as Houses in Multiple Occupation (HMOs). Not all HMOs, are occupied by students and many HMOs also provide much needed smaller and more affordable housing accommodation for the wider community including young professionals.

4.2 It is, however, recognised that large concentrations of HMOs in one area can lead to an imbalance within existing communities and change the character of the area.

Definition

4.3 A HMO comprises a house or flat which is occupied by three or more unrelated people who share an amenity such as a kitchen, lounge or bathroom. It includes a range of different types of accommodation such as bedsits and shared houses.⁽ⁱ⁾

4.4 In 2010, changes to the planning regulations introduced a new use class - Class C4 “Houses in Multiple Occupation”. This comprises a house or flat that contains between three and six unrelated occupants who share basic amenities. These are sometimes also referred to as “**small HMOs**”.

4.5 HMOs comprising more than six sharing occupants are unclassified by the amended regulations (i.e. being “Sui Generis”⁽ⁱⁱ⁾) and are generally known as “**large HMOs**”.

The requirement for planning permission

Change of use to / from a large HMOs (Sui Generis)

4.6 The change of use of a dwelling house (use Class C3) to a large HMO (shared housing defined as a HMO and occupied by more than six people) requires planning permission. The change from a large HMO (Sui Generis) to a dwelling house (use Class C3) also requires planning permission. Planning permission may also be required for a material change of use from a small HMO (use Class C4) to a large HMO (Sui Generis).

Change of use to small HMOs (use Class C4)

4.7 Under normal circumstances the change of use of a dwelling house (use Class C3) to a small HMO for up to six people (use Class C4) is 'permitted development' and no formal planning permission is required. However, permitted development rights can be restricted by a direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as summarised below. A material change of use from a small HMO (use Class C4) to a dwelling house (use Class C3) is also permitted development and no formal planning permission is required.

i The legal definition of an HMO is contained within Part 7 of the Housing Act 2004.

ii Sui Generis – in a planning sense relates to uses that do not fit within the main use class categories.

Change of use from other uses to HMOs

4.8 A change of use from other uses such as a shop or office to a HMO (large or small) is also likely to require planning permission.

Article 4 Directions

4.9 An authority can remove specific permitted development rights from within a defined area by the introduction of an Article 4 Direction.

4.10 In 2012, Cheshire West and Chester Council authorised the making of an Article 4 Direction for the Garden Quarter Area of Chester, which came into effect in 2013 (see the plan of the area covered by Article 4 direction in Appendix B).

4.11 The Article 4 Direction was introduced to allow the Council to regulate the spread of new small (Class C4) HMOs in the Garden Quarter area which already contained the highest concentration of HMOs in the city due to its proximity to the main University of Chester campus. It was found that the continued exercise of permitted development rights for changes of use from Class C3 dwellings to C4 HMOs would be harmful to local amenity, undermining the ability to create or maintain mixed communities in these neighbourhoods affected and the proper planning of the area.

4.12 The presence of the Article 4 Direction means that within the defined area formal planning permission is required for the change of use of a dwelling house to a small HMO for up to six people (Class C4), allowing the full impacts of such proposals to be considered by the Local Planning Authority. An Article 4 Direction does not impose a moratorium on further changes of use to HMOs, but enables the Council to assess individual proposals on their own merits through a planning application process.

4.13 The Article 4 Direction is only able to influence future changes to shared housing and cannot be applied retrospectively. It therefore has no effect over any properties already used as HMOs.

4.14 National Planning Practice Guidance advises that the use of Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the wellbeing of the area. The local planning authority should clearly identify the potential harm that the direction is intended to address. In bringing the Article 4 Direction into effect the Council committed to keep under review the extent and impact of HMOs in the main urban areas of the borough and where appropriate examine whether the introduction of further Article 4 Directions would be appropriate.

4.15 The process of preparing non-immediate Article 4 Directions has also started for the King Street area and Newry Park area. It is anticipated that these Directions will come into effect in May 2016. Maps showing the proposed King Street and Newry Park Article 4 Direction areas are provided at Appendix B.

Criteria against which proposals for a change of use to a HMO will be assessed

4.16 The change of use from a dwelling to a HMO will not necessarily involve any physical internal or external alterations, but the material change of use in itself constitutes development requiring planning permission. This guidance will therefore apply to all planning applications consisting of:

- a change of use from a dwellinghouse (use Class C3) to a large HMO ('sui generis'); or
- a change of use from a dwellinghouse (use Class C3) to a small HMO (use Class C4) within areas covered by an Article 4 Direction;
- a change of use from a small HMO (use Class C4) to a large HMO ('sui generis'); or
- a change of use from another use for example an office (use Class B1) or shop (use Class A1) to a large or small HMO that requires planning permission.

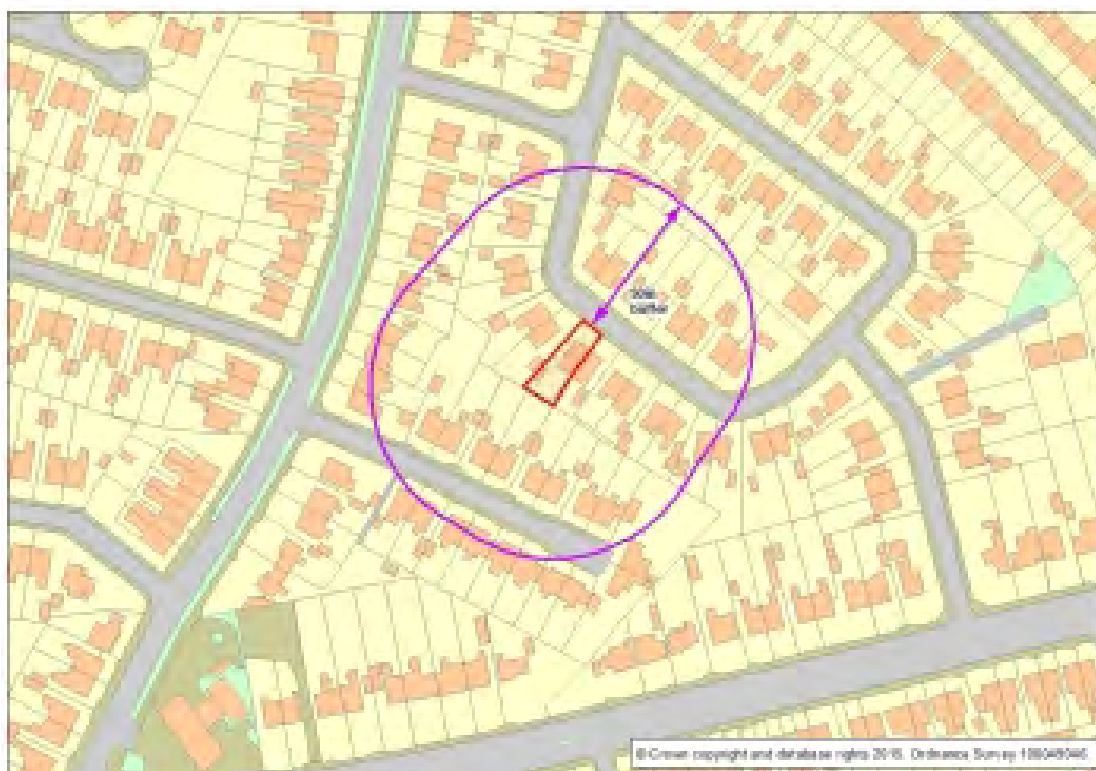
4.17 Issues to be considered in the determination of planning applications for HMOs are as follows:

A: Concentration of HMOs.

A maximum of 15 per cent concentration threshold for HMOs will be applied.

Planning permission will not be granted for the change of use of a dwellinghouse to a HMO where this would result in the concentration of HMOs in a defined area exceeding 15 per cent of the residential properties, other than in the exceptional circumstances described below.

Figure 4.1 Properties within a 50m radius of proposed HMO



The defined area to be used for the purpose of calculating the concentration of HMOs, will be all of the dwellings within a 50m radius of the planning application red line boundary (as illustrated). A dwelling will be included within the 50m radius where any part of the property or its curtilage falls within the 50m radius. A detailed explanation of how to calculate the concentration of HMOs within a 50m radius is provided at Appendix C. The assessment of number of HMOs includes all HMOs that fit within the legal definition (therefore this includes small and large HMOs and not just those HMOs that require planning permission).

It is recognised that within certain parts of the city, most notably, the area covered by the Garden Quarter Article 4 Direction, concentrations of HMOs already significantly exceed the proposed threshold of 15 per cent. It is considered that these areas require particular protection so as not to erode the important contribution that the remaining family homes make to the balance of the community. Proposals which would result in the sandwiching of an existing terraced family dwelling between HMOs will not be permitted (unless in a street where the vast majority of the properties are already HMOs, as described below).

In considering whether a point has been reached where there may be judged to be an over-concentration of HMO accommodation in an area, account will also be taken of any existing or committed purpose-built student accommodation in that area. In such circumstances it may not be acceptable to allow the concentration of HMOs to reach the 15 per cent threshold figure in order to retain a balanced community.

There may be certain streets where the vast majority of properties are already HMOs, with only a very small proportion of Class C3 dwellings remaining. The retention of one or two of the remaining C3 dwellings will have little impact on the balance and mix of households in a community which is already over dominated by the proportion of existing HMO households. Therefore, the conversion of the remaining Class C3 dwellings to HMOs would be unlikely to cause further harm the character of the area.

There is no upper limit where the threshold ceases to have effect, though it is recognised that some owner occupiers or long term residents in this situation (as described above), may struggle to sell their property for a continued Class C3 use. Each application site will be assessed on its own individual merits when considering whether exceptional circumstances apply. Where the vast majority of existing properties surrounding the application site within the defined area of impact are HMOs, the applicant should submit a supporting statement with the planning application to demonstrate that there is no reasonable demand for the existing residential property as a continued Class C3 use. No reasonable demand would be demonstrated where the property has been advertised for a period of at least 12 months on the property market offered at a reasonable price (based on an assessment of the property market in the local area) or rental level to be verified in writing by a qualified person in a relevant profession such as an estate agent, and where there has been no reasonable commitment to purchase the property.

B: Suitability of property for use as an HMO

The size of the dwelling and internal layout must be sufficient to accommodate any increased number of residents to protect the residential amenity of the occupants.

Appropriate means of storing and dealing with waste should be specified as part of the planning application. This must include provision for waste and recycling storage containers in a suitable enclosure within the curtilage of the property which will not impact negatively on the visual amenity of the area or the residential amenity of neighbouring residents. Appropriate provision must also be made for secure cycle parking within the curtilage of the property. There should also be sufficient space for any additional cars to park, within the residential curtilage of the property where possible. This should not, however, result in the loss of front garden for hard standing for parking and refuse areas where this would detract from the existing street scene.

Proposed HMOs should meet the amenity standards set in the Physical Property Standards – Shared houses / flats document published by Cheshire West and Chester Council in 2012 and any relevant standards set at a national level by national housing legislation and guidance.

C: Impact on local amenity

Any proposed change of use to a HMO should not place an unacceptable strain upon local facilities or have an unacceptable impact on local amenity.

Consideration will be given as to whether the increase in the number of occupants within the property will have an adverse impact on noise levels and the level of amenity neighbouring residents can reasonably expect to enjoy. This is particularly relevant when considering the use of semi-detached or terraced properties, properties in narrow streets or densely developed areas where potential impact is likely to be more concentrated and directly affecting neighbouring residents. Applicants will be expected to demonstrate appropriate measures to mitigate potential impacts such as appropriate soundproofing to address noise transmission and impact issues.

Consideration will also be given to whether the proposal would exacerbate any existing problems to an unacceptable level.

Display of advertisements

4.18 The Council recognises that in areas with high levels of HMOs there is the potential for a proliferation of signage which can detract from the street scene and adversely affect residential amenity. This tends to be less of a problem with concentrations of student accommodation where properties are advertised either through the University or targeted websites.

4.19 The display of advertisements in England is primarily governed by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Certain types of outdoor advertisements, including property 'for sale' and 'to let' boards benefit from 'deemed consent' under this legislation and do not require advertisement consent to be obtained from the Local Planning Authority, provided that the advert is displayed in accordance with the criteria set out in the regulations. Any board advertising a property for sale or to let must however be removed within 14 days of the completion of the sale/let.

5 Licensing and management

5.1 There are a number of other issues concerning the impact of student housing (both HMOs and purpose-built accommodation) which cannot be directly addressed by planning policy or guidance, including matters such as environmental nuisance and anti-social behaviour.

5.2 The Council will continue to work with the University, purpose-built student accommodation providers, private sector landlords, local residents, the police, and others to manage potential conflicts between students and other sectors of the community.

Licensing of HMOs

5.3 Certain types of HMOs need to be licensed by the Local Authority. Mandatory HMO licensing applies to HMOs which are occupied by five or more unrelated people who live in a property covering three or more floors (this includes two storey houses with an attic conversion) and there is sharing of amenities such as a kitchen or a bathroom. It is an offence to operate an unlicensed HMO with fines up to £20,000 and the potential for courts to require that rent is repaid to tenants if the property is unlicensed. Local councils have discretion to introduce additional licensing of other types of HMOs, i.e. those with two floors and some converted self-contained flats. This may be in a defined geographical area or across the whole of a council's area where there are significant problems with management and property conditions. There is no additional licensing scheme currently in place in Cheshire West and Chester although research is being undertaken 2015-16 to establish whether a scheme is appropriate in Chester.

Management of HMO Regulations 2006

5.4 The Management of Houses in Multiple Occupation Regulations 2006 apply to all HMOs and cover a number of items. In essence they require that the properties are kept in a good state of repair and that all facilities are in good working order at all times. A full copy of the Management Regulations can be found at the relevant government webpage http://www.legislation.gov.uk/ukxi/2006/372/pdfs/ukxi_20060372_en.pdf

5.5 All HMOs must be sound, safe and well managed. They need to be free from health and safety hazards. One area of particular emphasis is ensuring that there are appropriate fire precautions. This includes the provision of fire doors, firefighting equipment (such as fire blankets and extinguishers), along with automatic fire detection systems and in some cases emergency lighting. The Housing Health and Safety Rating system covers the level of protection and likelihood of a fire in a HMO. A fire risk assessment will determine the level of fire precautions required.

5.6 More information on this can be found on the Council's website at: http://www.cheshirewestandchester.gov.uk/residents/housing/help_for_home_owners/houses_in_multiple_occupation.aspx

Landlord Accreditation Scheme

5.7 The Cheshire Landlord Accreditation Scheme is a partnership between Cheshire West and Chester Council, Cheshire East and Warrington Borough Councils. The authorities are committed to working together to ensure the consistency of standards and practices throughout Cheshire as many landlords own properties across the local authority boundaries.

5.8 It involves training for landlords and the inspection of properties to ensure compliance prior to membership being granted.

5.9 The Scheme aims to promote good standards of accommodation in the private rented sector. It provides public recognition for landlords showing that they have properties that meet or exceed the accreditation standard thus providing a good choice of quality accommodation for tenants living in the Cheshire area.

5.10 For further information relating to this scheme in Cheshire West and Chester visit the Council's website www.cheshirewestandchester.gov.uk or contact the Council directly on:

- Email: privatehousing@cheshirewestandchester.gov.uk
- Telephone: 0151 356 6627

Student stamp

5.11 The student stamp scheme is a way landlords can accredit their property as suitable student accommodation and reassures prospective tenants that a property meets the standards required for student accommodation. Under the scheme the council inspects property solely for the purpose of advertising on the University Student Accommodation List. It covers all types of student accommodation in the private rented sector.

5.12 The student housing market is becoming increasingly competitive and it is felt that a Student Stamp gives landlords a market advantage of being able to advertise properties through the University Accommodation Office directly to over 10,000 students, including mature students, families, nursing and teaching students who are all looking for good quality accommodation in Cheshire West and Chester.

5.13 In order to apply for a student stamp, landlords must be a member of the Cheshire Landlord Accreditation Scheme. Alternatively, if properties are managed by a letting agent / property manager who is accredited with the National Approved Letting Scheme or Association of Residential Lettings Agents, they can also apply for a student stamp for a property.

5.14 For further information you can visit the Council's website www.cheshirewestandchester.gov.uk or contact the Council directly on:

- Email: privatehousing@cheshirewestandchester.gov.uk
- Telephone: 0151 356 6472

A Local Plan policies

Cheshire West and Chester Council Local Plan (Part One)

STRAT 1 Sustainable Development

The Local Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development. Proposals that are in accordance with relevant policies in the Plan and support the following sustainable development principles will be approved without delay, unless material considerations indicate otherwise:

- Mitigate and adapt to the effects of climate change, ensuring development makes the best use of opportunities for renewable energy use and generation.
- Provide for mixed-use developments which seek to provide access to homes, employment, retail, leisure, sport and other facilities, promoting healthy and inclusive communities whilst reducing the need to travel.
- Locate new housing, with good accessibility to existing or proposed local shops, community facilities and primary schools and with good connections to public transport.
- Protect, enhance and improve the natural and historic environment whilst enhancing and restoring degraded and despoiled land and seeking opportunities for habitat creation.
- Encourage the use and redevelopment of previously developed land and buildings in sustainable locations that are not of high environmental value.
- Minimise the loss of greenfield land and high grade agricultural land.
- Support regeneration in the most deprived areas of the borough and ensure those reliant on non-car modes of transport can access jobs and services.
- Ensure the prudent use of our natural finite resources whilst promoting the re-use, recovery and recycling of materials.

The Council will always work proactively with applicants where proposals are not in accordance with the Plan to find solutions which mean that proposals can be made sustainable and approved wherever possible. However, proposals that fundamentally conflict with the above principles or policies within the Local Plan will be refused.

Where there are no Local Plan policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework, or specific policies in the Framework indicate that development should be refused.

STRAT 3 Chester

Chester is the key economic driver for the borough and will deliver at least 5,200 new dwellings of which in the region of 1,300 dwellings will be provided through Green Belt release.

Development will enhance the city's role as a sub-regional shopping and leisure destination and support its role as an international tourism destination. Key retail and leisure proposals are:

- the comprehensively planned development of the Northgate area for major leisure and retail uses.
- a new theatre in the city centre to sustainably enhance the city's cultural offer.

Land at Wrexham Road is identified on the Policy Map to be removed from the Green Belt to facilitate the provision of around 1,300 new homes providing for a range and mix of housing types including affordable housing in line with Policy 'SOC 1 Delivering affordable housing', together with essential community infrastructure including the provision of a new primary school. Development should be brought forward in line with an agreed development brief for the site to ensure the delivery of a high quality urban extension and neighbourhood to Chester.

The Chester Business Quarter is identified as a broad location for mixed use, employment led regeneration to the east of the city centre. This will include in the region of 44,000 square metres of high quality office floorspace adjacent to Chester Railway Station.

To meet a range of sizes and types of business needs, employment land and premises will be protected from alternative forms of development within the following areas:

- Chester Business Park: land at Chester Business Park is protected for high quality office development (B1 use class) in a parkland setting.
- Chester West Employment Park and Sealand Industrial Estate: existing employment land and premises are retained and protected for employment use. Qualitative improvements within these areas will be supported.

In recognition of the national and international importance of Chester as a historic walled city, any development within or on the periphery of the city centre or within or on the edge of the urban area should be compatible with the conservation or enhancement of the city centre and the character and setting of the city.

STRAT 10 Transport and Accessibility

In accordance with the key priorities for transport set out in the Local Transport Plan, development and associated transport infrastructure should:

- Provide and develop reliable and efficient transport networks that support sustainable economic growth in the borough and the surrounding area
- Reduce carbon emission from transport and take steps to adapt our transport networks to the effects of climate change
- Contribute to safer and secure transport and promote forms of transport that are beneficial to health
- Improve accessibility to jobs and key services which help support greater equality of opportunity
- Ensure that transport helps improve quality of life and enhances the local environment

In order to minimise the need for travel, proposals for new development should be located so as they are accessible to local services and facilities by a range of transport modes.

New development will be required to demonstrate that:

- Additional traffic can be accommodated safely and satisfactorily within the existing, or proposed, highway network
- Satisfactory arrangements can be made to accommodate the additional traffic before the development is brought into use
- Appropriate provision is made for access to public transport and other alternative means of transport to the car
- Measures have been incorporated to improve physical accessibility and remove barriers to mobility, especially for disabled and older people. The safety of all road users should be taken into account in the design and layout of new developments.

Opportunities to improve public transport facilities will be taken wherever possible, through improved services, interchange facilities and parking at railway stations.

Developments that would generate significant amounts of movement should be accompanied by a Transport Assessment and Travel Plan, in accordance with Council guidance.

New developments will be expected to provide adequate levels of car and cycle parking in accordance with the Council's parking standards, taking account of:

- The accessibility of the development
- The type, mix and use of the development
- The availability of, and opportunities for, public transport
- Local car ownership levels

Parking provision should support the viability of town centres whilst minimising traffic congestion.

Proposals should seek to maximise use of sustainable (low carbon) modes of transport, by incorporating high quality facilities for pedestrians, cyclists and public transport and where appropriate charging points for electric vehicles.

Opportunities will be sought to extend and improve access to local footpath and cycle networks, including greenways, canal towpaths and the Public Rights of Way networks.

Proposals for new industrial and warehousing development should maximise opportunities to transport products by non-road modes of transport. Sites alongside the Manchester Ship Canal, Weaver Navigation and rail network may be particularly suitable for freight use and these opportunities should be integrated into development proposals where feasible. Existing or potential freight movement opportunities will be safeguarded from development which could preclude continued or future freight use.

Current and disused transport corridors and infrastructure, including roads, railway lines, sidings and stations, will be safeguarded from development which would preclude their future transport use.

Improvements to the Transport Network

Improvements to the transport network will be supported through schemes and strategies including the following:

- Chester Transport Strategy (Phase 1)
- Chester Bus Interchange as shown on the Policies Map
- New Bridge Road / A5117 link, Ellesmere Port as shown on the Policies Map

SOC 3 Housing mix and type

In order to support mixed, balanced and sustainable communities, the Council will seek to provide a mix of housing types, tenures and sizes of both market and affordable housing. Proposals for new housing should take account of the needs of that particular area and especially of:

- the provision of small family homes to assist households into home ownership and for older people who may wish to downsize.
- the provision of a range of accommodation types to meet the long term needs of older people. This could include the provision of Lifetime Homes, bungalows and extra care housing.

The Council will support the provision of specialised student accommodation within Chester in appropriate, accessible locations, convenient for the facilities at the University of Chester.

The Council will work with organisations such as Community Land Trusts to help bring forward land and schemes for self-build groups and individuals.

SOC 5 Health and well-being

In order to meet the health and well-being needs of our residents proposals will be supported that:

- provide new or improve health facilities across the borough, particularly in areas of recognised need
- support improved links to healthcare in rural areas
- promote safe and accessible environments and developments with good access by walking, cycling and public transport
- support opportunities to widen and strengthen the borough's cultural, sport, recreation and leisure offer
- consider the specific requirements of different groups in the community (e.g. families with children, older people, people with disabilities, service families) in all relevant development
- work to reduce poverty and deprivation across the borough, particularly in areas of identified need
- promote high quality greenspace, and access to this across the borough, particularly in areas of recognised need.

Development that gives rise to significant adverse impacts on health and quality of life (e.g. soil, noise, water, air or light pollution, and land instability, etc) including residential amenity, will not be allowed.

ENV 5 Historic environment

The Local Plan will protect the borough's unique and significant heritage assets through the protection and identification of designated and non-designated heritage assets* and their settings.

Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance. The degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations.

Development will be required to respect and respond positively to designated heritage assets and their settings, avoiding loss or harm to their significance. Proposals that involve securing a viable future use or improvement to an asset on the Heritage at Risk register will be supported.

Development which is likely to have a significant adverse impact on designated heritage assets and their setting which cannot be avoided or where the heritage asset cannot be preserved in situ will not be permitted.

Where fully justified and assessed, the Council may consent to the minimal level of enabling development consistent with securing a building's future in an appropriate viable use.

Development in Chester should ensure the city's unique archaeological and historic character is protected or enhanced.

*Heritage assets are defined as building, monument, site, place, structure, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and non-designated heritage assets identified in the Cheshire Historic Environment Record, including local assets.

ENV 6 High quality design and sustainable construction

The Local Plan will promote sustainable, high quality design and construction.

Development should, where appropriate:

- Respect local character and achieve a sense of place through appropriate layout and design
- Provide high quality public realm
- Be sympathetic to heritage, environmental and landscape assets
- Ensure ease of movement and legibility, with priority for pedestrians and cyclists
- Promote safe, secure environments and access routes
- Make the best use of high quality materials
- Provide for the sustainable management of waste
- Promote diversity and a mix of uses
- Incorporate energy efficiency measures and provide for renewable energy generation either on site or through carbon offsetting measures
- Mitigate and adapt to the predicted effects of climate change
- Meet applicable nationally described standards for design and construction

Chester District Local Plan

HO 16 Houses in Multiple Occupation

Where planning permission is required for a change of use to a House in Multiple Occupation, permission will be refused where the change of use would lead to the deterioration of the general standards of amenity in the area.

In determining whether or not a proposal is likely to lead to deterioration in the general standard of amenity, the Council will have regard to:

- whether the type and size of property would be suitable for occupation
- whether the number of properties in multiple occupation in the area has already led to a deterioration in the general standard of amenity
- whether the existing roads are capable of accommodating on-street parking
- whether there is a space to provide a bin store
- whether it is possible to carry out any necessary alterations to the external elevations of a property without damaging the character of the building or the locality.

HO 17 Student Accommodation

Proposal for the conversion of a dwelling to student accommodation will be granted provided that the following criteria are met:

- it does not result in the net loss of existing family buildings
- the floorspace of the dwelling is greater than 200 square metres measured externally
- the college/university which the student(s) can demonstrate a need for such accommodation which it cannot meet by more acceptable means, particularly purpose-built accommodation;
- any proposal will not detract from the amenities of the area;
- where a dwelling is less than 200 square metres permission will be refused unless;
- overriding reasons or benefits to the area can be demonstrated
- the dwelling no longer provides living accommodation for a single household occupation to a satisfactory standard or is situated in an unsatisfactory environment
- it can be demonstrated that no other way is practicable to preserve the property

New Development in Conservation Areas

ENV 37

Development in conservation areas or affecting the setting of such an area will only be permitted where it will preserve or enhance its character or appearance.

Views

ENV 38

Planning permission will not be granted for new development that will obstruct important views within, or views in or out of conservation areas.

City Centre Conservation Area

ENV 39

Development proposals which would result in the loss of any historic routes in the city centre will not be permitted.

Development schemes which would result in the reinstatement of any historic routes in the city centre will be permitted as and when they arise.

ENV 40

Development proposals that would adversely affect the historic skyline of the city centre will not be permitted.

ENV 41

All new development within the Chester City Conservation Area will be required to show a very high quality of design reflected in all its component parts which will contribute positively to the townscape of an historic city of international importance.

ENV 42

Development appropriate to a city centre which would increase Chester's vitality and interest, maintain its historic character and would not conflict with its retail function as a sub regional shopping centre will be permitted.

ENV 43

Development proposals in the city centre which demonstrate that sensitive consideration has been given to the historic fabric in terms of roof treatments, backs of properties, the location of ventilation equipment and plant, fire escapes and service areas will be permitted.

Protection of Listed Buildings

ENV 45

Planning permission will be refused for proposals that fail to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Parking

TR 13

In all development proposals provision will be made for the appropriate level of parking unless:

- the development is controlled such that the required parking standard need not be complied with; or
- in commercial development where meeting the appropriate standards is not feasible and satisfactory arrangements are made for off-site parking facilities

The development is in the urban area of Chester where, on a zonal basis, reduced levels of parking are allowed. In this area, a payment will be sought from non-residential development to contribute towards the provision of alternative means of transport to the private car and transport infrastructure in Chester.

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B Article 4 area boundaries

Figure B.1 Confirmed Article 4 Direction for the Garden Quarter, Chester

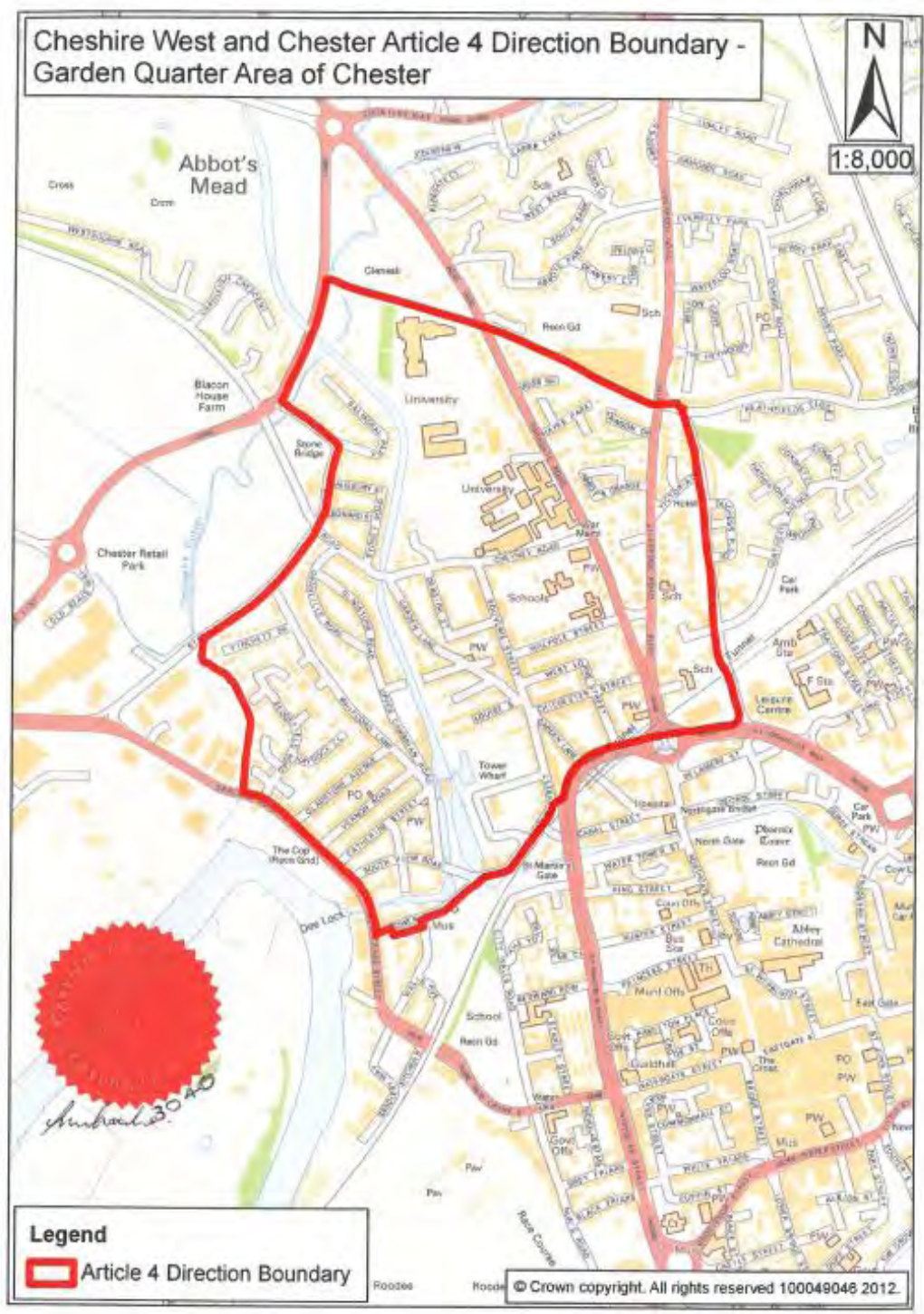


Figure B.2 Proposed non-immediate Article 4 Direction at Newry Park, Chester

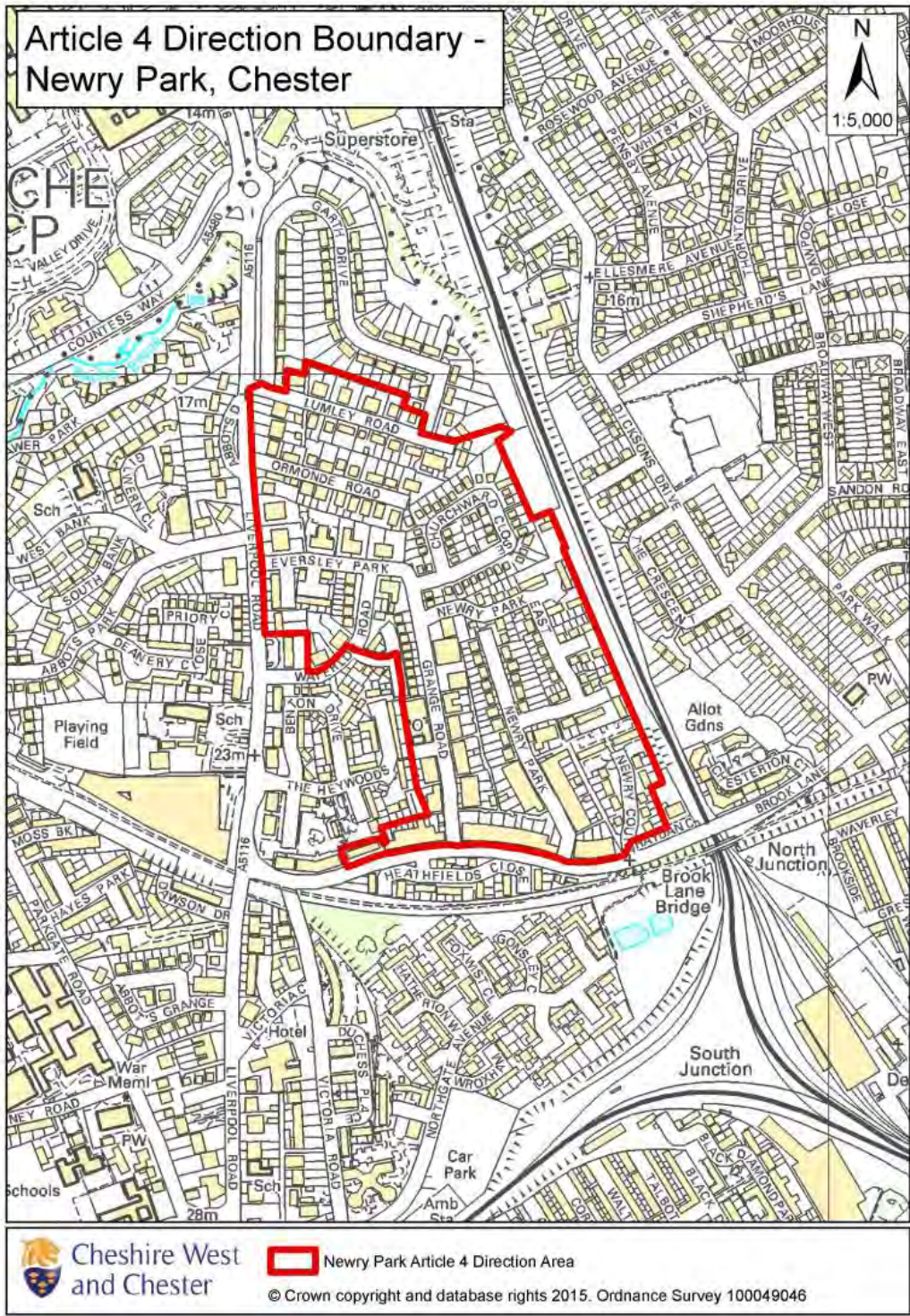
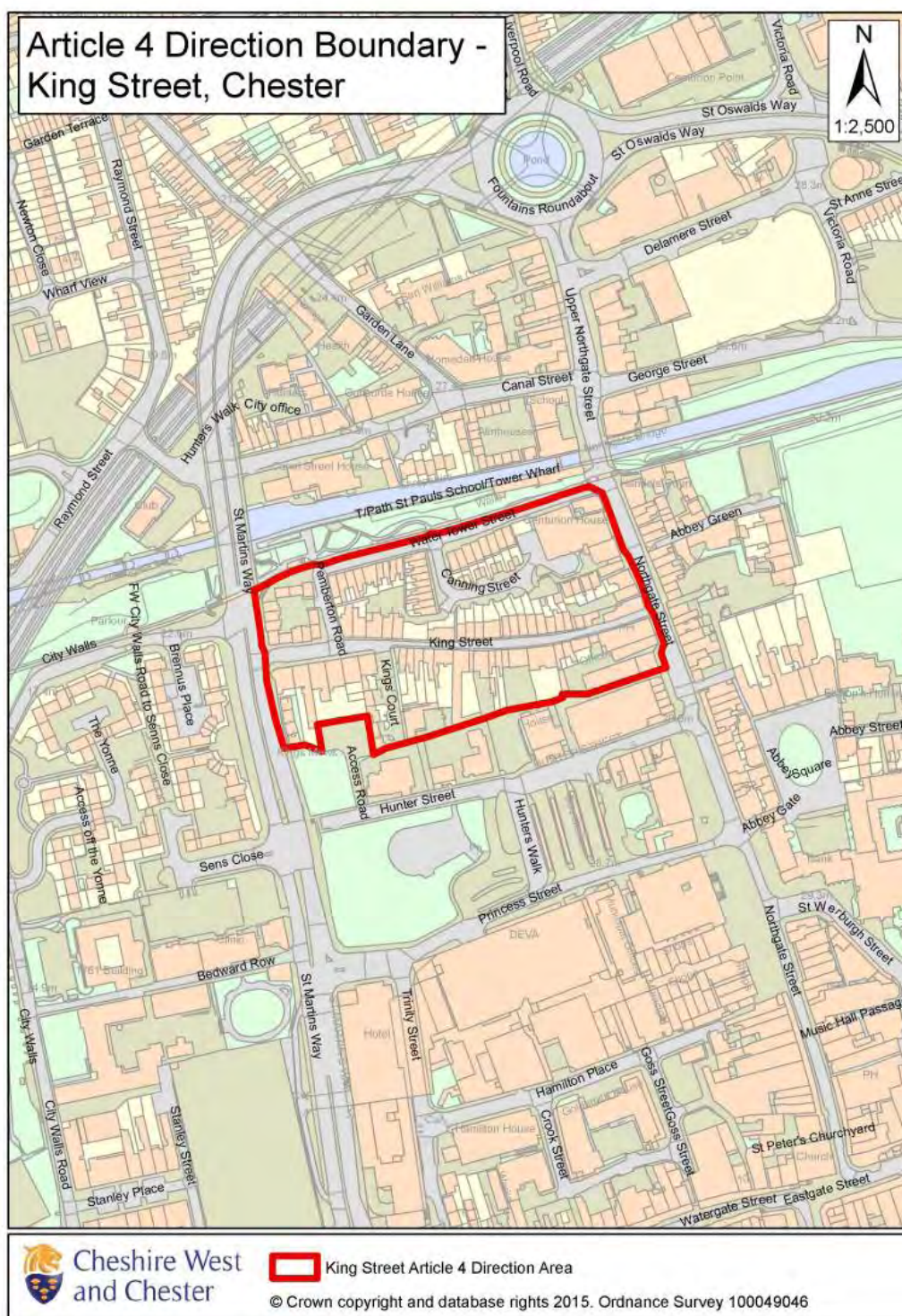


Figure B.3 Proposed non-immediate Article 4 Direction at King Street, Chester



C Calculating the concentration of HMOs

Calculating the concentration of HMOs involves three main stages:

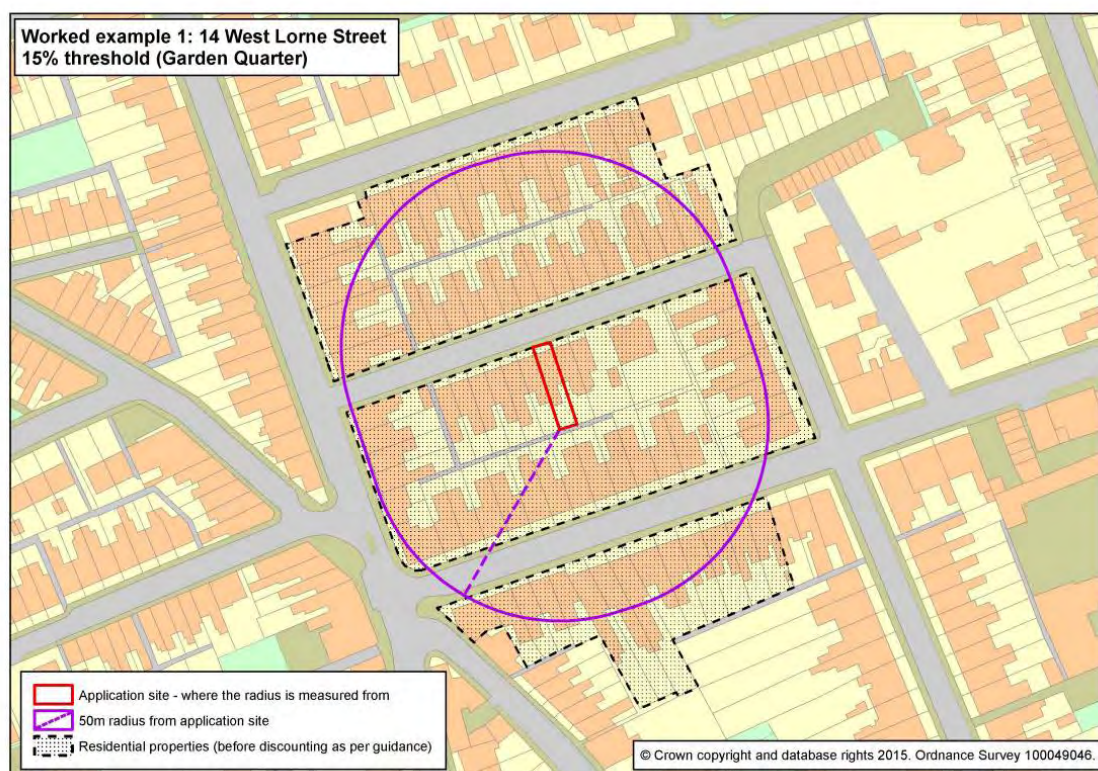
- Stage 1 – identifying residential properties
- Stage 2 – identifying the number of HMOs
- Stage 3 – calculating the concentration

Stage 1

A radius of 50 metres should be used to apply the threshold limit. The defined area of impact will be the residential properties whose curtilages lie wholly or partly within a radius of 50 metres from the application site. The radius point is measured from the planning application red line boundary. A radius of 50 metres, defined in this way, will generally include the immediate neighbours to the application site.

To be clear which residential properties are identified, all sub-divided properties including flatted blocks within the same curtilage are counted as one whole property at the first stage.

Figure C.1 Worked example 1: 14 West Lorne Street



Stage 2

The residential properties identified at stage 1 should then be investigated to check whether they are an existing HMO. All separate units forming part of the sub-divided residential properties (identified at the first stage as a whole property) which are one and two bedroom flats will not be investigated.

The Council will estimate the number of HMOs in the relevant area for each individual planning application. The applicant should undertake their own estimate of the number of HMOs to accompany the planning application and provide all their supporting data. There is a variety of evidence sources on the location of HMOs as listed below:

- Cheshire West and Chester Council planning register – this identifies those dwellings with a consent or lawful use for a HMO (either C4 or Sui Generis extant planning permission or lawful use, regardless of their current occupation i.e. including those properties with a consent for C3 and C4 use occupied as C3 use). Small HMOs with a lawful flexible permission are counted as a HMO.
- Cheshire West and Chester Council licensing register – this shows properties that the Council housing team understand are, or have been, HMOs. This includes HMOs licensed under the Housing Act which comprise three or more storeys or are occupied by five or more unrelated people.
- Cheshire West and Chester Council Tax records – these records show properties occupied only by full time students. This information cannot be disclosed to individual members of the public and the information will only be made public by the Council in the determination of a planning application. The details of the location of the identified student HMOs amongst other HMOs surrounding the application site will not be disclosed.

The sources listed above are not a conclusive or exhaustive record of all HMOs in the relevant area. There may be existing HMOs which are occupied but unknown to the Council. These sources will initially provide a reasonable indication of the numbers and location of HMOs in a street. It will not be possible to guarantee a 100% accurate count in all cases. Where there is significant doubt as to whether a property is a HMO, it will not be counted towards the threshold. Where there is significant doubt around the number of HMOs within the area, there is also the potential for the Local Authority to send a requisition for information to all properties within the defined boundary, in order to establish whether they are HMOs.

Stage 3

The concentration of HMOs surrounding the application site is calculated as a percentage of the 'total estimated number of existing HMOs' against the 'total number of residential properties'.

The final figure calculated is rounded up for a percentage of HMOs greater than decimal point 0.5, and rounded down when 0.5 or less.

Accessing Cheshire West and Chester Council information and services

Council information is also available in Audio, Braille, Large Print or other formats. If you would like a copy in a different format, in another language or require a BSL interpreter, please email us at **equalities@cheshirewestandchester.gov.uk**

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

Pokud byste požadovali informace v jiném jazyce nebo formátu, kontaktujte nás

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਵੋ।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Türkçe bilgi almak istiyorsanız, bize başvurabilirsiniz.

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

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