



Committee: CABINET

Date: TUESDAY, 14 JANUARY 2020

Venue: MORECAMBE TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies**

2. **Minutes**

To receive as a correct record the minutes of Cabinet held on Tuesday, 3 December 2019 (previously circulated).

3. **Items of Urgent Business Authorised by the Leader**

To consider any such items authorised by the Leader and to consider where in the agenda the item(s) are to be considered.

4. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Public Speaking**

To consider any such requests received in accordance with the approved procedure.

Reports from Overview and Scrutiny

None

Reports

6. **Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document** (Pages 4 - 25)

(Cabinet Member with Special Responsibility Councillor Reynolds)

Report of Director for Economic Growth and Regeneration

7. **Priorities Update** (Pages 26 - 28)

(Cabinet Member with Special Responsibility Councillor Lewis)

Report of the Chief Executive

8. **Budget & Policy Framework Update - General Fund and Capital Programme** (Page 29)

(Cabinet Member with Special Responsibility Councillor Whitehead)

Report of Director of Corporate Services - (report to follow)

9. **Exclusion of the Press and Public**

This is to give further notice in accordance with Part 2, paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following items in private.

Cabinet is recommended to pass the following recommendation in relation to the following items:-

“That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 3 of Schedule 12A of that Act.”

Members are reminded that, whilst the following item(s) have been marked as exempt, it is for Cabinet itself to decide whether or not to consider each of them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion Members should also be mindful of the advice of Council Officers.

10. **Morecambe Winter Gardens** (Page 30)

(Cabinet Member with Special Responsibility Councillor Whitehead)

Director for Economic Growth and Regeneration - (report to follow)

11. **Investment Proposals** (Pages 31 - 53)

(Cabinet Member with Special Responsibility Councillor Whitehead)

Report of Director for Economic Growth and Regeneration

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Erica Lewis (Chair), Kevin Frea (Vice-Chair), Dave Brookes, Tim Hamilton-Cox, Janice Hanson, Caroline Jackson, Jean Parr, John Reynolds, Alistair Sinclair and Anne Whitehead

(ii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047 or email ebateson@lancaster.gov.uk.

(iii) Apologies

Please contact Democratic Support, telephone 582170, or alternatively email democraticsupport@lancaster.gov.uk.

KIERAN KEANE,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Monday, 6 January 2020.

Lancaster City Council | Report Cover Sheet

Meeting	Cabinet	Date	14 January 2020		
Title	Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document				
Report of	Director for Economic Growth and Regeneration				
Purpose of Report					
To advise Members of the Draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document and seek approval for progression of the document through the statutorily defined consultation process required for its adoption as a Supplementary Planning Document within the Local Plan suite of advice and guidance material.					
Key Decision (Y/N)	N	Date of Notice		Exempt (Y/N)	N

Report Summary

The report outlines the purpose of the draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document (SPD). The document is intended to provide guidance on how policy DM13 of the emerging Development Management Development Plan Document (DPD) will be implemented. It also explains the consultation process and seeks authority to proceed with formal consultation and adoption of the document.

Recommendations of Councillors

- (1) **That the Draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document is considered by Members.**
- (2) **That the Draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document is progressed through the statutorily defined consultation/adoption process.**

Relationship to Policy Framework

The Draft SPD builds upon policies in the emerging Local Plan, particularly policy DM13, which aim to ensure a balanced community. The SPD will support the implementation of this policy.

Conclusion of Impact Assessment(s) where applicable

Climate

There are no climate change impacts arising from a commitment to progress the draft SPD through statutory consultation and adoption.

Wellbeing & Social Value

There are no wellbeing or social value impacts arising from a commitment to progress the draft SPD through statutory consultation and adoption.

Digital

Health & Safety

<p>There are no digital impacts arising from a commitment to progress the draft SPD through statutory consultation and adoption.</p>	<p>There are no Health & Safety, Equality and Diversity, Human Rights, Community Safety, HR implications arising from a commitment to progress the draft SPD through statutory consultation and adoption.</p>
<p>Equality There are no equality impacts arising from a commitment to progress the draft SPD through statutory consultation and adoption.</p>	<p>Community Safety There are no community safety impacts arising from a commitment to progress the draft SPD through statutory consultation and adoption.</p>
<p>The impacts of policy DM13 of the Development Management DPD have been assessed during the statutory Local Plan process. As the SPD provides guidance upon the implementation of this policy, it will not itself have an impact on these matters.</p>	
<p>Details of Consultation</p>	
<p>Policy DM13 of the emerging Development Management DPD was included to address concerns raised by Members and the community with regard to the impact on amenity arising from concentration of Houses in Multiple Occupation. The policy has been through formal consultation as part of the Local Plan process. No objections were raised to the policy.</p> <p>The Draft SPD will be subject to a formal consultation process of 6 weeks with stakeholders including the community.</p>	
<p>Legal Implications</p>	
<p>If Members approve the Draft SPD as the basis for proceeding through the stages of SPD adoption, the document will be subject to a 6 week statutory consultation period. The statutory consultation will be carried out with the process set out in the Town and Country Planning (Local Development) (England) Regulations 2012, Regulation 12 Public Participation.</p>	
<p>Financial Implications</p>	
<p>The Draft SPD is intended to provide guidance on the implementation of Local Plan Policy. There are no additional financial implications arising from its progression through the statutory consultation process.</p>	
<p>Other Resource or Risk Implications</p>	
<p>Human Resources: The main staffing resource will be to support progression of Draft SPD through the statutory SPD consultation and review/adoption stage.</p> <p>Information Services: No Information Service implications.</p> <p>Property: No Property Services implications</p> <p>Open Spaces: No Open Space implications.</p>	

Section 151 Officer's Comments	
The Section 151 Officer has been consulted and has no further comments.	
Monitoring Officer's Comments	
The Monitoring Officer has been consulted and has no further comments.	
Contact Officer	Fiona Clark
Tel	01524 582222
Email	fjclark@lancaster.gov.uk
Links to Background Papers	
Emerging Strategic Policies & Land Allocations Development Plan Document Emerging Development Management Development Plan Document http://www.lancaster.gov.uk/planning/planning-policy/about-the-local-plan	
Draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document (attached)	

1.0 Introduction

1.1 Policy DM13: Residential Conversions, of the emerging Development Management Development Plan Document (Development Management DPD) seeks to control the distribution of Houses in Multiple Occupation (HMOs). It sets a threshold for the percentage of HMOs acceptable in an area. Where there is or will be a concentration of more than 10% of HMOs within a 100m radius of an application site, a new HMO will not be permitted. The aim of the Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document (SPD) is to inform those who intend to convert/use their existing property for multiple occupation how the policy will be implemented and about the standards that the Council requires.

2.0 Proposal Details

2.1 The formal process for preparing and adopting SPDs is set out in the Town and Country Planning (Local Development) (England) Regulations 2012. The National Planning Policy Framework (NPPF), as updated in February 2019 defines SPDs as:

"...documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan."

The NPPF also states that SPDs should be used where they can help applicants make successful applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens on development.

2.2 SPDs relate to specific sites or specific planning issues. They are not subject to Independent Examination and do not have Development Plan status. However, SPDs are given due consideration within the decision-making process and must relate to a specific Development Plan policy contained within a DPD.

2.3 There is a three-stage process for the preparation of Supplementary Planning Documents, this includes:

- Evidence gathering
- The Preparation and Consultation of a Draft Supplementary Planning Document
- The Adoption of the SPD by Lancaster City Council

2.4 The evidence in respect of the impact of houses in multiple occupation was gathered in the lead up to the drafting of policy DM13 of the emerging Development Management DPD. In order to progress as an SPD, the document has to undertake a statutorily defined consultation process set out in the Town and Country Planning (Local Development) (England) Regulations 2012, Regulation 12 Public Participation.

3.0 The Draft Residential Conversions and Houses in Multiple Occupation Supplementary Planning Document

3.1 There are wards and streets in Lancaster and Morecambe where the concentration of HMOs, particularly student HMOs in Lancaster, is perceived to be at such a degree, they create an imbalance in the community and affect the character of the neighbourhood. Issues arise from depopulation over the summer period, noise and disturbance, pressure on waste, car parking and services. Policy DM13 of the Development Management DPD seeks to address this. Whilst, the policy will not reverse the existing concentrations, it will provide control over the increase in large HMOs (HMOs with over 6 occupiers).

3.2 Policy DM13 adopts a general presumption against new HMOs in the district where this will lead to an unacceptable concentration. The policy states, "Proposals which would lead to a concentration of more than 10% of houses being classed as HMOs of the total housing stock within a 100m radius will not be considered acceptable. This includes changes of use to HMOs, or extensions to existing HMOs."

3.3 The SPD is intended to aid property owners, planning applicants and planning officers in preparing and determining applications in relation to HMOs. It sets out how policy DM13 will be implemented and a methodology for determining the concentration.

3.4 A community will be considered imbalanced where:

- More than 10% of residential properties within a 100m radius of the area surrounding the application property are already in HMO use;

3.5 A proposal will be considered to create an imbalance where:

- Granting planning permission would tip the ratio of HMOs to dwellinghouses (Class C3) within a 100m radius of the application property over the 10% threshold.

3.6 Small HMOs (3-6 occupiers) will not currently be controlled by the policy. To address this it is intended to designate an Article 4 Direction to remove the permitted development right which allows the change of use of a dwelling house (Class C3) to a small HMO (Class C4). The introduction of a Regulation 7 Direction under the Town and Country Planning (Control of Advertisements)

(England) Regulations 2007 will also be explored to control the display of 'To Let boards', which when viewed cumulatively, adversely affect the local amenity of the area. Evidence is being collated to support these designations.

4.0 Options and Options Analysis (including risk assessment)

<p>Option 1: The Draft SPD is progressed through the statutorily defined consultation/adoption process</p>
<p>Advantages: The SPD will provide guidance for determining planning applications for HMOs Consultation and appropriate consideration of the responses will ensure that the SPD can be afforded weight when determining planning applications.</p>
<p>Disadvantages: No disadvantages</p>
<p>Risks: No risks</p>
<p>Option 2: The Draft SPD is not taken through the statutorily defined consultation/adoption process</p>
<p>Advantages: No advantages</p>
<p>Disadvantages: The SPD will not be afforded weight in decision making</p>
<p>Risks: No risks</p>

5.0 Officer Preferred Option (and comments)

5.1 The officer preferred option is Option 1 - progressing the Draft SPD through the formal process will provide Officers with a methodology for determining planning applications for HMOs and applicants with guidance. Progressing the SPD through the formal process will ensure that it can be given weight in the decision making process.

A Local Plan for Lancaster District

2011-2031

Residential Conversions and Houses in Multiple Occupation
Supplementary Planning Document
Consultation Draft

December 2019



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1. Introduction

- 1.1 The Lancaster University and the University of Cumbria have grown in recent years. While a significant number of students live in purpose-built accommodation, a large number live in shared student houses that are concentrated in certain parts of the Lancaster City. There are also concentrations of HMOs, some of which provide a poor level of accommodation, in the West End of Morecambe. These concentrations adversely affect the character of local communities and neighbourhoods. This arises from seasonal depopulation, divisions between social groups and lack of interaction, turnover of occupants, poor upkeep and an impact on the affordability of rented properties. To address these imbalances, Policy DM13: Residential Conversion, of the Development Management Development Plan Document (DMDPD), provides criteria for assessing applications for new HMO's. The Council is also considering the designation of Article 4 areas to remove permitted development rights for conversion.
- 1.2 This Supplementary Planning Guidance (SPD) has been published to aid property owners, planning applicants and planning officers in preparing and determining planning applications in relation to Houses in Multiple Occupation (HMOs). It sets out how Policy DM13 will be implemented. It details how the Council will apply this policy to planning applications for HMO's. On adoption the SPD will be accorded significant weight as a material planning consideration in the determination of such applications.

2. What Is A House In Multiple Occupation

- 2.1 HMO's are shared houses or flats occupied by a group of unrelated people who share some, but not necessarily all, basic facilities such as a toilet, bath/shower room and cooking facilities. In planning terms there are two types of HMO:
- Small HMO - shared houses/flats of between three to six people who do not form a single household. These HMO's fall within Use Class C4 of the Town and Country Planning (Use Classes Order). They have the same meaning as in section 254 of the Housing Act 2004, with the exception of section 257 which applies to converted blocks flats (and those buildings listed in schedule 14 of the Act).
 - Larger HMO - shared houses/flats with more than six occupants. These HMO's do not fall within any specific planning use class, therefore fall within the Sui Generis category.
- 2.2 To be classified as an HMO. The property does not need to have been modified in any way.
- 2.3 HMOs also apply to houses or flats where the landlord lives and take in lodgers. A live in landlord can take in two 'non family' members before the property is classified as an HMO.
- 2.4 The definition includes bedsits.
- 2.5 The definition includes purpose built and houses/buildings converted into shared flats (e.g. student accommodation).
- 2.6 A household is either a single person or members of the same family who live together. A family includes people who are:
- married or living together - including people in same-sex relationships;
 - relatives or half-relatives, for example grandparents, aunts, uncles, siblings;
 - step-parents and step-children.
- 2.7 The reference to small and large HMO's differs from the Licensing terms, where HMO's are referred to as large HMO if there are at least 5 occupants. For information with regard to Licensing please see section 8.

3. The Aim Of The SPD

3.1 The aims of the SPD are:

- a. To inform those who intend to convert / use their existing property for multiple occupation about the Council's requirements and standards for houses in multiple occupation.
- b. To manage the future development of HMOs to ensure such developments will not lead to or increase existing over-concentrations of HMOs which are considered harmful to local communities, and meet housing need ensuring mixed and balanced communities.

4. Planning Policy

- 4.1 Policy DM1: New Residential Development and Meeting Housing Needs, seeks to promote balanced communities and meet evidenced housing need. The Strategic Housing Market Assessment (Part II) undertook a stakeholder survey. The responses are summarised at Appendix E of that document. Respondents noted, 'that student lettings have increased the typical rental charge in South Lancaster. As a result, South Lancaster is no longer affordable for renting on Housing Benefit (the Local Housing Allowance rates are the same across the whole area) (paragraph E.14). The poor quality of some private rented accommodation in Morecambe is also noted.
- 4.2 There has recently been a significant increase in the amount of purpose built student accommodation within Lancaster. This will reduce the pressure upon and need for the conversion of houses into student HMOs. There is therefore the opportunity to seek to address, or at least, halt the increase in the concentration of HMO's in parts of Lancaster City.
- 4.3 In order to control the proliferation of HMO's the Council is intending to designate Article 4 Areas in Lancaster to ensure that conversion of small HMO's and an increase in the number of residents require planning permission. Designation of an Article 4 Area in Morecambe will also be explored.
- 4.4 Policy DM13 forms the basis for this intervention and sets out thresholds for appropriate concentration of HMOs. Where there is a concentration of more than 10% of HMOs within a 100m radius, new HMOs will not be permitted.

Policy DM13: Residential Conversions

Proposals that involve residential conversions must meet the following criteria:

- I. Provide accommodation that will address local housing needs and imbalances in the local housing market;
- II. Contribute towards the provision of affordable housing in accordance with Policy DM3, DM6 and the relevant policies of the Arnsdale & Silverdale AONB DPD;
- III. Not result in a significant detrimental impact on the amenity of nearby residents and the character and appearance of the street scene; and
- IV. Satisfy all other relevant planning policy, including the requirements of Appendix H where appropriate.

Houses of Multiple Occupation (HMOs)

The City Council considers the importance of maintaining an appropriate housing mix and safeguarding the character of residential areas to be an important priorities. In doing so,

the Council have adopted an approach of a general presumption against new housing in multiple occupation within the district. Proposals which would lead to a concentration of more than 10% of houses being classed as HMOs of the total housing stock within a 100m radius will not be considered acceptable. This includes proposals for changes of use to HMOs, or extensions to existing HMOs.

The Council are considering the merits of bringing forward Article 4 directions to manage the amount of small HMOs being developed (i.e. those where 3 to 6 people live separately within the same dwelling house).

Proposals may on exception be considered acceptable where:

V. Effective measures are proposed to minimise noise and other forms of disturbance to neighbouring residential properties;

VI. Suitable means of storage including refuse, recycling and bicycle storage is provided;

VII. The proposal would not harm the character of the building or surrounding area;

VIII. The proposal would not result in unacceptable impact on parking including unacceptable levels of on-street parking;

IX. The proposal would not result in the creation of sub-standard living conditions.

5. Article 4 Areas

- 5.1 The Council is considering the designation of Articles 4 areas in Lancaster and Morecambe to control the proliferation of HMOs. An Article 4 Direction is made by a planning authority under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in an authority's area.
- 5.2 Article 4 directions are used to remove national permitted development rights where it is necessary to protect local amenity or the well-being of an area. An Article 4 does not prevent the development to which it applies, but it instead requires that planning permission is first obtained from the Council for that development.
- 5.3 Permitted development is contained in Schedule 2 of the Town and Country Planning (General Permitted development Order) (England) (2015) as amended. This is arranged in Classes which set out development which does not require planning permission. The Classes of development restricted by the Article 4 Direction are set out below. The restrictions relate to the conversion of dwellings to HMOs.

Part 3 Changes of Use

Class L – small HMOs to dwelling houses and vice versa

L. Development consisting of a change of use of a building –

(b) from a use falling within Class C3 (dwellinghouses) of Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule.

6. When is Planning Permission Required?

6.1 Planning permission is required for following:

- The conversion of a dwellinghouse into a large HMO (shared house of 6 or more persons);
- The conversion of a non-domestic building into a HMO, this includes small HMOs (of 3-6 persons who do not form a single household) and large HMOs.
- Should an Article 4 come into force, planning permission will be required for the conversion of a dwellinghouse (Class C3) into a small HMO (Class C4).

6.2 For details with regard to the progress of the Article 4 and the date it will come into force, please see the Lancaster City Council Website or contact the Planning and Places Service directly.

7. How Will Applications For HMO Use Be Determined

7.1 Paragraph 127 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should ensure that developments, 'will function well and add to the overall quality of the area' and 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'.

7.2 In order to do this, policies DM13, DM29 and DM30 provide a criteria which will be used when assessing HMO applications. The Local Plan includes a range of other policies which may be relevant to specific proposals and should be taken into account.

Balance of HMOs within a community

7.3 In accordance with policy DM13, the Council will seek to refuse planning applications for HMO uses where a community is already imbalanced by existing HMO uses or where granting planning permission would create an imbalance.

7.4 A community will be considered imbalanced where:

- More than 10% of residential properties within a 100m radius of the area surrounding the application property are already in HMO use.

7.5 A proposal will be considered to create an imbalance where:

- Granting planning permission would tip the ratio of HMOs to dwellinghouses (Class C3) within a 100m radius of the application property over the 10% threshold.

7.6 Where planning permission is sought to change the use of a small HMO (Class C4) to a large HMO (Sui Generis Use) or to extend a HMO, the Council will refuse planning permission, in areas where the concentration of HMOs already exceed the 10% threshold.

7.7 The methodology for determining the concentration of HMOs within the 100m radius of an application site is included in Appendix A of this SPD. The information will only be made public by the council on request; in connection with the determination of a current application or appeal and in relation to the 100m radius from the application property. The means of identification will not be made public.

7.8 Exceptional circumstances may include where the concentration of HMOs within the 100m radius is such that the retention of remaining buildings will have little effect on the balance and mix of households. In these circumstances it is recognised that some owner occupiers or long term residents in the situation described above, being the last remaining residential property and wanting to leave the street, may struggle to sell their property for continued C3 use.

Living conditions

- 7.9 The Council will seek to ensure that new HMOs of all sizes provide a good standard of living and amenity for occupiers. Accommodation must be provided with an appropriate level of outlook and natural daylight.
- 7.10 The accommodation, internal layout, measurements of the HMO and associated access and storage must meet the standards within Appendix B of this SPD.
- 7.11 Applications should include a full set of floor plans which identify whether rooms are single or double, and the layouts of furniture including sanitary ware.
- 7.12 Proposals should include measures to reduce energy consumption, carbon emissions and water consumption. Measures such as insulation, energy efficient and low carbon appliances and renewable energy technologies such as heat pumps and solar panels are encouraged.

Amenity of neighbours and local occupiers

- 7.13 In accordance with policy DM13, new HMOs must not have a significant detrimental impact on the amenity of nearby residents and the character and appearance of the street scene. Issues which will be taken in to consideration include:
- Noise and disturbance;
 - The adequacy and location of refuse, recycling and bicycle storage;
 - The impact on the character of the building and the surrounding area;
 - The impact on car parking and congestion on the surrounding streets;
 - The intensity of the use of the property.
- 7.14 It should be noted that, new HMOs are not be automatically acceptable in locations where they form less than 10% of property types within a 100m radius. The above issues will be used to determine the impact of a new HMO in these locations. Where there is a high localised concentration or where a dwellinghouse would be sandwiched between HMOs, the impact of existing residents are likely to be adversely affected and the application refused.

8. To Let Boards

- 8.1 Lancaster City has many areas that contain good historic architecture, including large areas of highest quality which are designated as conservation area and listed buildings. In some areas, the proliferation of To Let Boards causes significant adverse impacts to the historic character and appearance. The Council is considering the introduction of a Regulation 7 Direction, under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, to control the proliferation of 'To Let' boards.
- 8.2 Agents are encouraged to minimize the number and timescale that 'To Let' boards are displayed. An agent should not display signs on adjoining properties and they should be removed as soon as the property is let. Agents are encouraged not to display signs during June, July and August when the number of students fall. Agents should also look at ways to minimize the impact of 'To Let' boards by displaying them in windows or flat against walls rather than as flag or 'T' mounted signs. Displays should be limited to one sign and only located on the front of a property.

9. Making a Planning Application

- 9.1 Advice on how to make a planning application can be found on the Councils website or by seeking pre-application advice. Further information can be found using the following link:

<http://www.lancaster.gov.uk/planning>

10. Licensing

10.1 Licensing is a separate consenting regime. A license is required for HMOs in Lancaster district for properties that meet all the following criteria:

- Has 5 or more unrelated people living in it
- Has 2 or more separate households living there

10.2 Licensing also applies to block of purpose-built flats where there are up to two flats in the block and one or both are occupied as an HMO.

10.3 The Lancaster website includes details with regard to the application process, standards and frequently asked questions:

<http://www.lancaster.gov.uk/housing/private-rented-accommodation/houses-in-multiple-occupation-hmo>

Appendix A – Determining The Concentration of HMOs

The following outlines the methodology for determining the concentration of HMOs within an area.

Where an application property is a house, an area with a radius of 100 metres, from the mid-point of the application property frontage will be identified.

- A property’s frontage comprises the width of the application building as it faces directly onto the street and generally includes the entrance to the property. A street is defined in this context as any highway (including footpath) or public area which contains a property’s frontage. Where a property does not front onto a highway or public area, the main external entrance door will be used as the point from which the radius will be taken.
- Where the property is a flat or other building (e.g. commercial or vacant building) – an area with a radius of 100 metres will be identified from the mid-point of the main external entrance door to the flat.

Figure 1 - Houses – identifying the 100m radius around the application property

(Figure 1 is indicative and does not identify actual HMOs)



- | | | | |
|---|----------------------|---|---|
| ● | Application property | ○ | Identified Area - 100m radius around the property |
| — | 100m radius | ● | HMOs |

Figure 2 – Flat or other building – identifying the 100m radius around the application property

(Figure 2 is indicative and does not identify actual HMOs)



- Application property
- Identified Area - 100m radius around the property
- 100m radius
- HMOs

The number of dwellinghouses (Class C3) and HMOs will be determined by:

- Counting the number of whole or part residential properties within identified area (including where any part of the property boundary/curtilage, gardens and associated land around the building, falls within the identified area)
- Counting the number total number of residential properties within the identified area;
- Determining the number of HMOs in the identified area by checking against the Councils HMO mapping;
- Where the 100m radius captures any part of a building containing residential flats, all the properties within the building will be included in the count.

HMOs will be mapped by the Council on a yearly basis. This map will be used to determine the properties in HMO use.

The properties in HMO use will be identified by:

- All properties on the Councils HMO register;
- All properties exempt from Council Tax on the basis of student occupation;
- All properties which have extant planning permission for a small HMO (Class C4) or large HMO (Sui Generis HMO) regardless of whether they are in use at the time;
- All properties which have an extant planning permission for a mixed dwelling house (Class C3) and small HMO (Class C4) regardless of whether they are in use at the time.

Calculation

Figure 1 shows that the total number of residential properties in the Identified Area is 372

The HMO mapping shows that there are 45 HMOs within the Identified Area.

The number of HMOs will be calculated as a % of the total number of all properties in the Identified Area:

$$100(\%) / 372(\text{total number of residential properties}) \times 45 (\text{number of HMOs})$$

The % of HMOs in the Identified Area in this case will be **12%**

In the above scenario, the application will be refused in accordance with policy DM13.

The Council acknowledges that it may not have captured all of the HMOs in an area and will therefore continue to review the mapping and seek to capture further knowledge about the way in which properties are being occupied.

Those wishing to confirm the existing lawful use of a property should not rely on the mapping as evidence. The mapping has no legal weight and does not confer that that appropriate permissions and consents are in place. If you wish to establish whether planning permission is in place for the HMO you should submit an application for a Certificate of Lawful Use. Details are available on the Government website:

<https://www.gov.uk/guidance/lawful-development-certificates>

Appendix B – Standards for HMOs

These criteria have been prepared to ensure that appropriate standards are adopted for HMO accommodation.

The minimum space standards set out below will be applied as appropriate, with some areas excluded from the calculations (e.g. areas with limited headroom under 1.5m from the finished floor level, alcoves etc).

Each unit of accommodation shall normally comprise no more than six bedrooms.

Bedrooms:

Bedrooms must be a minimum of 9sqm without an en-suite, or minimum of 11sqm with an en-suite.

All bedrooms must demonstrate on plan that the following can be accommodated:

- Bed (minimum size 2m by 0.9m);
- Desk and chair;
- Wardrobe;
- Chest of drawers (minimum 0.8m wide); and
- Adequate circulation space.

Bedrooms should accommodate no more than one resident. If the proposal is for accommodation to serve a couple (i.e. postgraduate couple) the minimum space standards for a single bedroom would not apply as additional space would be required.

Such bedrooms must demonstrate on plan that the following can be accommodated:

- Double bed (minimum size of 2m by 1.5m);
- En-suite (minimum 2sqm);
- 2 desks with a chair each;
- 2 Wardrobes;
- 2 Chests of drawers (each with a minimum width of 0.8m);
- Small sitting area for 2 people incorporating 2 'easy' chairs; and
- Adequate circulation space.

Kitchens:

Kitchens and kitchen / diners must not serve more than six residents. A kitchen and dining area must be provided in each unit of accommodation. If the kitchen and dining areas are to be provided in separate rooms, they should be situated on the same floor as each other (i.e. not separated by changes in levels).

All kitchens must demonstrate on plan that the following can be accommodated:

- Sink;
- Cooker with oven, grill, four hobs and extractor;
- Full height fridge/freezer – one for every three residents;
- Two cupboards per resident (minimum 0.6m wide);
- Adequate work surface for the number of residents; and
- Adequate circulation space.

All dining areas must demonstrate on plan that the following can be accommodated:

- Dining table of an adequate size to accommodate all residents at one sitting; and
- Chairs (one per resident).

If a separate living room is to be provided in addition to the kitchen and dining areas, or as part of these areas, then appropriate space standards should be applied (i.e. if separate, it should be demonstrated that appropriate levels of comfortable seating can be provided to accommodate all residents at one time, if combined then the minimum standards set out above should be increased accordingly). Living rooms should be designed to accommodate no more than 6 people to prevent their size becoming unmanageable in terms of attracting anti-social behaviour.

Bathrooms:

Bathrooms must be a minimum of 3.7sqm.

All bathrooms must demonstrate on plan that the following can be accommodated:

- Bath and/or shower;
- WC;
- Wash hand basin (should be of an adequate size for personal hygiene purposes including personal washing, cleaning of teeth and shaving);
- Circulation space to allow for changing; and
- Hanging / temporary storage facilities for towels, clothes and toiletries.

There must be at least one bathroom for every three bedrooms. Where possible, a bathroom should be provided on each floor where a bedroom is proposed /exists. Each bathroom must be accessible from a common area (i.e. corridor or hall) and if served by a window the glazing should be obscured.

Amenity:

All living spaces (kitchens, kitchen/diners, dining rooms, living rooms and bedrooms) must have an adequate level of natural light and adequate outlook (i.e. clear glazed windows with the lowest part of the glazing set at a height no greater than 1.5m from the finished floor level with a separation distance of at least 12m between the window and any wall or structure opposite (or at least 21m if facing windows serving a habitable room).

Therefore it is very unlikely that living spaces within basements or lower ground floors will be supported.

Other Issues:

Cycle Storage

Cycle storage should be easily accessible from the street (i.e. if steps/stairs form part of the access they should be easy to negotiate) and ideally should be an integral part of the building. If no rooms are available within the building that meets these requirements then a secured and fully covered storage facility must be provided within a secured external area within the curtilage of the building without having an adverse impact on the street scene). One cycle space should be provided per resident.

Refuse Storage

Provision must be made for refuse storage containers to be located on an area of external hard standing with suitable access from the internal space and to the street, without having an adverse impact on the street scene (i.e. discreetly screened). Where no external space is available within the building's curtilage the provision should be made within the building, subject to meeting fire and building regulations and again easy access can be provided to the street for refuse collections (i.e. if

steps/stairs form part of the access they should be easy to negotiate).

Access and Security

Future residents should feel safe accessing the building and feel safe when residing within it. Therefore access to each self-contained unit should be via a single front door into a common area (i.e. a corridor or hall). All main access points from the street must be secured with appropriate levels of security including lighting, natural surveillance, locks and potentially CCTV.

Nationally Described Space Standards

The 'Standards for Houses In Multiple Occupation' provides guidance on the requirements for amenity, including heating, washing and toilet facilities, kitchens, standards for repair, management and equipment. The standards also include minimum floor spaces for specific rooms. Where a HMO results from the conversion of a building which is not currently a single dwelling, they will also need to accord with the gross internal floor areas defined in the Nationally Described Space Standards.

Appendix C – Monitoring

The HMO data base and mapping will be updated yearly using Council Tax exemption data and planning permission for new HMOs.

Equality Impact Assessment

This **online** equality impact assessment should:

An equality impact assessment should take place when considering doing something in a new way. Please submit your completed EIA as an appendix to your committee report. Please remember that this will be a public document – do not use jargon or abbreviations.

Service

Title of policy, service, function, project or strategy

Type of policy, service, function, project or strategy: Existing New/Proposed

Lead Officer

People involved with completing the EIA

Step 1.1: Make sure you have clear aims and objectives

Q1. What is the aim of your policy, service, function, project or strategy?

Q2.

Who is intended to benefit? Who will it have a detrimental effect on and how?

Step 1.2: Collecting your information

Q3. Using existing data (if available) and thinking about each group below, does, or could, the policy, service, function, project or strategy have a negative impact on the groups below?

Group	Negative	Positive/No Impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Faith, religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender including marriage, pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation including civic partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups such as carers, areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Step 1.3 – Is there a need to consult!

Equality Impact Assessment

Q4. Who have you consulted with? If you haven't consulted yet please list who you are going to consult with? Please give examples of how you have or are going to consult with specific groups of communities

The SPD will be subject to statutory consultation process set out in the Town and Country Planning (Local Development) (England) Regulations 2012, Regulation 12 Public Participation.

Step 1.4 – Assessing the impact

Q5. Using the existing data and the assessment in questions 3 what does it tell you, is there an impact on some groups in the community?

Age: No
Disability: No
Faith, Religion or Belief: No
Gender including Marriage, Pregnancy and Maternity: No
Gender Reassignment: No
Race: No
Sexual Orientation including Civic Partnership: No
Rural Communities: No

Step 1.5 – What are the differences?

Q6. If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

N/A

Q7. Do you need any more information/evidence eg statistic, consultation. If so how do you plan to address this?

No

Step 1.6 – Make a recommendation based on steps 1.1 to 1.5

Q8. If you are in a position to make a recommendation to change or introduce the policy, service, function, project or strategy, clearly show how it was decided on.

N/A

Q9. If you are not in a position to go ahead, what actions are you going to take?

N/A

Q10. Where necessary, how do you plan to monitor the impact and effectiveness of this change or decision?

N/A

Lancaster City Council | Report Cover Sheet

Meeting	Cabinet	Date	14/1/2020
Title	Council Plan: Strategic Priorities Update		
Report of	Chief Executive		
Purpose of Report			
To set out a summary of Cabinet’s strategic priorities, for the purpose of informing budget decisions for 2020-21 and future years.			
Key Decision (Y/N)	Y	Date of Notice	16/12/2019
Exempt (Y/N)	N		

Report Summary
The report summarises activity on developing Cabinet’s strategic priorities since May 2019, and includes an appendix setting out proposed priorities in outline format. If adopted, the priorities would be used as the basis for further consultation, development and budget decision-making, and referred to Full Council.

Recommendations of Councillor Erica Lewis
<ol style="list-style-type: none"> (1) That Cabinet adopt the priorities set out in Appendix A to support strategic decision-making. (2) That Cabinet consider these priorities as the basis for 2020-21 budget recommendations. (3) That Cabinet refer these priorities for adoption by Full Council at its January 2020 meeting.

Relationship to Policy Framework
The priorities will eventually supersede those set out in Ambitions: Our Council Plan 2018-22. The initial adoption of these by Cabinet, and referral to Council, will inform further consultation and development in detail towards a comprehensive strategic plan. A refreshed plan would form the core of a future policy framework.

Conclusion of Impact Assessment(s) where applicable	
Climate	Wellbeing & Social Value
Digital	Health & Safety
Equality	Community Safety

The content of this report has no impact in itself.

Details of Consultation
The content of this report and appendix is based on a wide variety of informal discussions, including Advisory Groups and comments from elected members.

Legal Implications
No legal implications directly arising from this report.

Financial Implications
No financial implications directly arising from this report.

Other Resource or Risk Implications	
No other implications directly arising from this report.	
Section 151 Officer's Comments	
Although there are no financial implications arising directly from this report the updating of the Council's priorities will have a significant impact informing the Council's budgets and budgeting processes for 2020/21 and beyond.	
Monitoring Officer's Comments	
By law the Council must have a Policy Framework. The Council Plan forms part of that Policy Framework and is to be decided by Full Council.	
Contact Officer	Kieran Keane, Chief Executive
Tel	01524 582501
Email	chiefexecutive@lancaster.gov.uk
Links to Background Papers	
Appendix A: Draft Updated Priorities	

1.0 Strategic Priorities Update

- 1.1 Following the appointment of a new Cabinet in May 2019, Cabinet members and 'alliance' (Labour, Green and Liberal Democrat) leaders recognised the need to clearly express their strategic priorities to inform decision-making and policy work.
- 1.2 Discussions took place during summer 2019, which produced a draft version of the priorities at a high level. These have since been considered in the following forums:
- Discussions with Directors
 - Circulation to all Lancaster City Council members for comment
 - Community Wealth-Building Partnership
 - Wellbeing Advisory Group
- 1.3 The outline priorities are set out in Appendix A to this report, for Cabinet to consider:
- Adopting these in order to conduct further consultation
 - Referring these to Council ahead of 2020-21 budget decision-making
- 1.4 It is recognised that further developing these outline priorities into a comprehensive strategic plan will require a significant amount of further consultation with the widest possible range of stakeholders. This work would commence immediately following adoption of the outline priorities by Cabinet and Council.
- 1.5 In the meantime, adopting the priorities at outline level will provide sufficient clarity and substance to provide a basis for Cabinet to make its budget recommendations for 2020-21 and beyond.

Appendix A: Draft Priorities Update 2020

Priorities	A Sustainable District	An Inclusive and Prosperous Local Economy	Healthy and Happy Communities	A Co-operative, Kind and Responsible Council
Themes				
<p>Climate Emergency <i>Taking action to meet the challenges of the climate emergency</i></p>	<ul style="list-style-type: none"> ➤ net zero carbon by 2030 while supporting other individuals, businesses and organisations across the district to reach the same goal ➤ moving towards zero residual waste to landfill and incineration 	<ul style="list-style-type: none"> ➤ supporting the development of new skills and improved prospects for our residents within an environmentally sustainable local economy ➤ advocating for fair employment and just labour markets that increase prosperity and reduce income inequality 	<ul style="list-style-type: none"> ➤ supporting wellbeing and ensuring local communities are engaged, involved and connected ➤ addressing health and income inequality, food and fuel poverty, mental health needs, and loneliness ➤ focused on early-intervention approaches and involving our communities in service design and delivery 	<ul style="list-style-type: none"> ➤ listening to our communities and treating everyone with equal respect, being friendly, honest, and empathetic ➤ working in partnership with residents, local organisations and partners recognising the strengths and skills in our community
<p>Community Wealth-Building <i>Building a sustainable and just local economy that benefits people and organisations</i></p>	<ul style="list-style-type: none"> ➤ increasing the amount of sustainable energy produced in the district and decreasing the district's energy use ➤ transitioning to an accessible and inclusive low-carbon and active transport system ➤ supporting our communities to be resilient to flooding and adapt to the wider effects of climate change 	<ul style="list-style-type: none"> ➤ supporting new and existing enterprises in sustainable innovation and the strengthening of local supply networks ➤ using our land, property, finance and procurement to benefit local communities and encouraging residents, businesses, organisations and institutions to do the same 	<ul style="list-style-type: none"> ➤ (re)developing housing to ensure people of all incomes are comfortable, warm and able to maintain their independence ➤ improving access to the arts, culture, leisure and recreation, supporting our thriving arts and culture sector ➤ keeping our district's neighbourhoods, parks, beaches and open space clean, well-maintained and safe 	<ul style="list-style-type: none"> ➤ focused on serving our residents, local organisations and district ➤ embracing innovative ways of working to improve service delivery and the operations of the council ➤ providing value for money and ensuring that we are financially resilient and sustainable
<p>Community Engagement <i>Drawing on the wealth of skills and knowledge in the community and working in partnership</i></p>	<ul style="list-style-type: none"> ➤ increasing the biodiversity of our district 	<ul style="list-style-type: none"> ➤ securing investment and regeneration across the Lancaster and South Cumbria Economic Region 		

AGENDA ITEM 8

**BUDGET & POLICY FRAMEWORK UPDATE – GENERAL FUND
AND CAPITAL PROGRAMME**

REPORT TO FOLLOW

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