

Cheshire East Local Plan

# Report of Consultation: Draft Houses in Multiple Occupation Supplementary Planning Document

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March 2021

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# 1. Introduction

- 1.1 The Draft Houses in Multiple Occupation Supplementary Planning Document (“HMO SPD”) builds upon existing development plan policies found in the Cheshire East Local Plan Strategy (adopted July 2017) and ‘saved’ policies within previous Local Plans . Guidance is provided for all parties involved in the planning application process, explaining how Cheshire East Council (‘the Council’) will assess planning applications involving the change of use of buildings to houses in multiple occupation (“HMOs”) across the Borough.
- 1.2 The Draft HMO SPD was initially published for six weeks consultation between the 26th October 2020 and 7 December 2020.
- 1.3 Public libraries were closed temporarily between the 5 November 2020 and 2 December 2020 due to local lockdown restrictions. The consultation period was subsequently extended until the 23 December 2020 to provide additional time for interested parties to comment on the documents. Paper copies were also made available on request in the event that any interested party had difficulties accessing documents.
- 1.4 This report of consultation sets out the details of the consultation exercise on the Draft HMO SPD.

# 2. Consultation documents

- 2.1 Comments were invited on the Draft HMO SPD (October 2020). A Strategic Environmental and Habitats Regulations Assessment Screening Assessment was also included as an appendix to the SPD and comments could be made on these documents.

# 3. Document availability

- 3.1 Electronic copies of the consultation documents were available on the Council’s consultation portal which could be accessed via the Council’s website throughout the consultation.
- 3.2 Printed copies of the consultation document were made available for inspection at public libraries in Cheshire East during opening hours.
- 3.3 As set out in ¶1.4, libraries were closed temporarily between 5.11.2020 and 2.12.2020 due to restrictions related to the Covid-19 pandemic. Paper copies of all consultation documents were made available on request.

## 4. Publicity and engagement

### Consultation notifications

- 4.1 Notification of the consultation was sent to all active stakeholders on the Council's local plan consultation database. This consisted of 282 printed letters and 2,651 emails sent on 23<sup>rd</sup> October 2020. A further 278 letters and 2,545 emails were sent on the 17 November 2020 when the consultation was extended. The stakeholders on the consultation database include residents of Cheshire East, landowners and developers, as well as planning consultants, businesses and organisations, including statutory consultees.
- 4.2 Letters and emails were also sent to all town and parish councils in Cheshire East, elected members and MPs.
- 4.3 In addition, the SPD consultation was referred to in the consultation emails and letters sent for the making of three non-immediate Article 4 Directions in Crewe which ran between the 19 October 2020 and 11 January 2020.
- 4.4 This consisted of 200 printed letters and 88 emails sent on 19 October 2020 and this included number of local organisations in Crewe, licenced landlords across Cheshire East, letting agents and national landlord's associations. A further 196 letters and 85 emails were sent on the 17<sup>th</sup> & 18<sup>th</sup> November 2020 when the Article 4 Direction consultation was extended. In addition, emails were also sent to Crewe Town Council, the Crewe & Nantwich MP and Crewe elected members.
- 4.5 Examples of notification emails and letters are included in Appendix 1.

### Other publicity

- 4.6 A number of pages on the Cheshire East Council website provided information and links to the consultation. These pages included:
- The homepage (in the 'have your say' section): [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)
  - The Cheshire East Supplementary Planning Documents webpage: [https://www.cheshireeast.gov.uk/planning/spatial\\_planning/cheshire\\_east\\_local\\_plan/supplementary\\_plan\\_documents/supplementary\\_plan\\_documents.aspx](https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx)
  - The Article 4 Directions page for Houses in Multiple Occupation in parts of Crewe: [www.cheshireeast.gov.uk/A4D](http://www.cheshireeast.gov.uk/A4D) referred to the SPD consultation;
  - The private sector housing/licencing webpage also included a link to the SPD consultation: [www.cheshireeast.gov.uk/housing/private\\_sector\\_housing/houses\\_in\\_multiple\\_occupation/houses\\_in\\_multiple\\_occupation.aspx](http://www.cheshireeast.gov.uk/housing/private_sector_housing/houses_in_multiple_occupation/houses_in_multiple_occupation.aspx)
- 4.7 Screenshots of webpages can be viewed at Appendix 2.

4.8 Two media releases were issued informing people of the consultation. Copies of the media releases are included in Appendix 3.

## 5. Submitting comments

5.1 Comments could be submitted in a number of ways:

- Using the online consultation portal, linked from the Council's website: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo>
- By email to [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk);
- By post to Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.

5.2 Printed copies of consultation response forms were available for people to take away from public libraries during opening hours. The form could also be downloaded from the Council's website. A copy of the response form is shown in Appendix 4.

5.3 Information on how to submit comments was included on the consultation portal; in the foreword of the printed and PDF versions of the draft SPD; and on the printed comments form.

## 6. Representations received

6.1 In total, 10 comments were received from 9 parties. These comments can be viewed on the consultation portal at: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo>

6.2 The comments received covered a range of topics and issues. The key matters brought out during the consultation can be summarised as follows:

- Concern about the precise numbers of HMOs given that many do not require planning permission or licencing;
- Poor quality of HMO accommodation;
- Poor management of HMOs by landlords;
- HMO properties should be limited to no more than 5% of the houses in any street;
- Negative impact of HMOs upon the community/ local environment;
- All HMOs should require planning permission and permitted development rights should not be used.
- Conditions attached to planning permissions for HMOs should be enforced;
- The SPD should include measures for sustainable heating and electric charging point;
- Cycle storage should be ground level only

- 6.3 A full summary of the key issues raised alongside the Council's response and how the SPD has been amended as a result is set out in Appendix 5.
- 6.4 One representation was received after the consultation period had ended from the Environment Agency, but this confirmed that they had no comments on the draft SPD.

# Appendix 1: Example notification letters and emails



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To: Town and Parish Councils

**Strategic Planning**  
Westfields, Middlewich Road  
Sandbach  
CW11 1HZ

Tel: 01270 685893 (please leave a message)  
Email: [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

DATE: 23/10/2020      OUR REF: RPDSADPD

Dear Town or Parish Clerk,

**Cheshire East planning policy documents consultation.**

Cheshire East Council has published three planning policy-related documents for consultation.

**Revised Publication Draft Site Allocations and Development Policies Document (SADPD):**  
The SADPD includes non-strategic planning policies and site allocations. It has been prepared to support the strategic policies of the Local Plan Strategy.

Following the previous consultation in 2019, the draft SADPD has been amended and the council has now published the Revised Publication Draft SADPD to invite further representations before it is submitted for examination by a planning inspector. The consultation will run from 26 October to 5:00pm on 7 December 2020. Full details of the consultation are set out in the formal 'Statement of the Representations Procedure' which is also attached to this email.

We would be very grateful if your council is able to assist us in publicising the consultation; for example by posting a link on your website; including a short note in any parish newsletter or similar; or displaying the attached poster on a parish noticeboard.

The consultation can be found on the council's consultation portal at: <https://cheshireeast-consult.objective.co.uk/portal/planning/cs/sadpd/rpdsadpd> and all responses must reach us by 5:00pm on Monday 7<sup>th</sup> December 2020.

We are now able to arrange virtual meetings with officers from the Strategic Planning Team. Should your council wish to discuss any matters related to the SADPD, please do contact us to arrange a meeting.

**Draft Houses in Multiple Occupation Supplementary Planning Document (HMO SPD):** The Draft HMO SPD provides guidance around planning applications that involve the change of use (or extension) of buildings to HMOs across the borough. Further information is available on the council's consultation portal: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo>. The consultation on this document also ends at 5:00pm on Monday 7<sup>th</sup> December.

All other enquiries **0300 123 5500**

[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

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**Article 4(1) Directions to withdraw permitted development rights for the change of use of dwellings to small houses in multiple occupation in parts of Crewe:** Three non-immediate Article 4 Directions were made on 6 October 2020, meaning that planning permission will be required to use a dwelling (use class C3) as a small HMO (use class C4) within the areas of the Directions (subject to confirmation) once they come into force on 1 November 2021. The Directions relate to the Nantwich Road, West Street and Hungerford Road areas of Crewe. Further information is available on the council's website: [www.cheshireeast.gov.uk/A4D](http://www.cheshireeast.gov.uk/A4D). Consultation ends at 5pm on Monday 30<sup>th</sup> November.

Please do not hesitate to contact the Strategic Planning Team using the details at the top of this letter should you require further information on any of these consultations.

Yours sincerely,



Jeremy Owens  
Development Planning Manager



**Strategic Planning**  
Westfields, Middlewich Road  
Sandbach  
CW11 1HZ  
Tel: 01270 685893 (please leave a message)  
Email: [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

DATE: 17/11/2020      OUR REF: RPD/1182084

Dear,

**Cheshire East planning policy and related documents consultation.**

You have received this letter as you have previously responded to a local plan consultation or you have asked to be kept informed of future local plan consultations. The council is currently consulting on three planning policy-related documents and due to the current restrictions related to Covid-19, the deadlines for commenting on each of these documents have been extended.

**The Revised Publication Draft Site Allocations and Development Policies Document (SADPD)** includes non-strategic planning policies and site allocations. It has been prepared to support the strategic policies of the Local Plan Strategy. Following consultation in 2019, the draft SADPD has been amended and the council has now published this revised document to invite further representations before it is submitted for examination by a planning inspector. Full details of the consultation are set out in the updated 'Statement of Representations Procedure' on the reverse of this letter. The deadline for representations is now 5:00pm on Weds 23 December.

**The Draft Houses in Multiple Occupation Supplementary Planning Document (HMO SPD):** provides guidance around planning applications that involve the change of use (or extension) of buildings to HMOs across the borough. Further information is available on the council's consultation portal: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo>. The deadline for making comments is now 5:00pm on Weds 23 December.

**Article 4(1) Directions to withdraw permitted development rights for the change of use of dwellings to small houses in multiple occupation in parts of Crewe:** Three non-immediate Article 4 Directions were made on 6/10/20, meaning that planning permission would be required to use a dwelling (class C3) as a small HMO (class C4) within the areas of the Directions once they come into force on 1/11/21. Further information is on the website: [www.cheshireeast.gov.uk/A4D](http://www.cheshireeast.gov.uk/A4D). The deadline for comments is now 5:00pm on Mon 11 January 2021.

Please contact the Strategic Planning Team using the details at the top of this letter should you require further information or assistance to access the consultation documents.

Yours sincerely,



Jeremy Owens  
Development Planning Manager



«Name»  
«Address\_1»  
«Address\_2»  
«Address\_3»  
«Postcode»

**Strategic Planning**  
Westfields, c/o Municipal Buildings  
Earle Street, Crewe  
CW1 2BJ  
01270 685893  
planningpolicy@cheshireeast.gov.uk

DATE: 19/10/2020

Dear Sir/Madam,

**THE MAKING OF THREE NON-IMMEDIATE ARTICLE 4(1) DIRECTIONS TO WITHDRAW PERMITTED DEVELOPMENT RIGHTS FOR THE CHANGE OF USE OF DWELLINGS TO SMALL HOUSES IN MULTIPLE OCCUPATION (HMOs) IN AREAS OF CREWE**

**CONSULTATION BETWEEN 19 OCTOBER 2020 AND 30 NOVEMBER 2020**

**SUMMARY:** Currently, national planning regulations automatically give planning consent for the conversion of some properties to smaller houses in multiple occupation. However, Cheshire East Council is proposing to remove these 'permitted development' rights in three areas of Crewe using 'Article 4 Directions'. This email explains how you can give your views on this. Following the consideration of feedback, a final decision will then be made whether or not to bring Directions into force. If they do come into force, it would mean that anybody wanting to create a house in multiple occupation of any size within these areas would first need to apply for planning permission from the Council.

Cheshire East Council made three non-immediate Article 4 Directions on the 6 October 2020 under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Directions cover the **Nantwich Road, West Street and Hungerford Road** areas of Crewe. These areas are shown edged red on the maps attached to the Directions.

The Directions relate to the change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (house in multiple occupation) of that Schedule. A copy of the Directions, including the maps defining the areas covered, can be viewed at: <https://www.cheshireeast.gov.uk/A4D>

Between **19 October and 30 November 2020**, copies of the directions including maps of the areas can also be viewed at **Crewe Library**, Crewe Lifestyle Centre, Moss Square, Crewe, CW1 2BB during opening hours. For information about opening hours see: [www.cheshireeast.gov.uk/libraries](http://www.cheshireeast.gov.uk/libraries) or telephone 0300 123 7739.

Once the Directions come into force, the change of use of a dwellinghouse (C3) to a house in multiple occupation (C4) shall not be carried out unless planning permission is first granted for this change of use.

You can give your views about the Article 4 Directions between the **19 October 2020 and 30 November 2020**. If you wish to make representations, you may do so by completing the survey on the council's website: [www.cheshireeast.gov.uk/A4D](http://www.cheshireeast.gov.uk/A4D) or by email to [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or by post to Strategic Planning, Cheshire East Borough Council, Westfields C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ. **Any representations must be received by 5pm on the 30th November 2020.**

We are not able to accept anonymous comments - you must provide us with your name and contact details. Please note that any representations received will be of public record and may be published. Any personal data will be processed in line with the Strategic Planning Privacy Notice, available on the council's website.

The Article 4 Direction will come into force, subject to confirmation by the Council, on 1 November 2021.

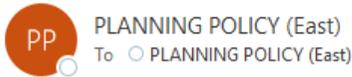
#### Other planning policy documents

Alongside the Article 4 Directions, the following documents are also in production:

- **Cheshire East Site Allocations and Development Policies Document (SADPD)**. This is the second part of the Cheshire East Local Plan and includes draft policy HOU4: Houses in Multiple Occupation. The Revised Publication Draft SADPD is being published for representations between **26 October and 5pm on 7 December 2020** and you find out more about this at: [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan)
- **Draft Houses in Multiple Occupation Supplementary Planning Document (SPD)**. The SPD will provide further guidance to all parties involved in the planning application process for Houses in Multiple Occupation. This is being published for representations between **26 October and 5pm on 7 December 2020** and you can find out more about this at:

[https://www.cheshireeast.gov.uk/planning/spatial\\_planning/cheshire\\_east\\_local\\_plan/supplementary\\_plan\\_documents/supplementary\\_plan\\_documents.aspx](https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx)

The Strategic Planning Team  
Cheshire East Council



Dear Sir/ Madam

Due to the current Covid-19 restrictions, the representations period for the Article 4 Directions consultation has been extended to **5pm Monday 11 January 2021**. Updated details follow below.

**THE MAKING OF THREE NON-IMMEDIATE ARTICLE 4(1) DIRECTIONS TO WITHDRAW PERMITTED DEVELOPMENT RIGHTS FOR THE CHANGE OF USE OF DWELLINGS TO SMALL HOUSES IN MULTIPLE OCCUPATION (HMOs) IN AREAS OF CREWE CONSULTATION EXTENDED BETWEEN 19 OCTOBER 2020 AND 11 JANUARY 2021.**

**SUMMARY:** Currently, national planning regulations automatically give planning consent for the conversion of some properties to smaller houses in multiple occupation. However, Cheshire East Council is proposing to remove these 'permitted development' rights in three areas of Crewe using 'Article 4 Directions'. This email explains how you can give your views on this. Following the consideration of feedback, a final decision will then be made whether or not to bring Directions into force. If they do come into force, it would mean that anybody wanting to create a house in multiple occupation of any size within these areas would first need to apply for planning permission from the Council.

Cheshire East Council made three non-immediate Article 4 Directions on the 6 October 2020 under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Directions cover the **Nantwich Road, West Street and Hungerford Road** areas of Crewe. These areas are shown edged red on the maps attached to the Directions.

The Directions relate to the change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (house in multiple occupation) of that Schedule. A copy of the Directions, including the maps defining the areas covered, can be viewed at: <https://www.cheshireeast.gov.uk/A4D>

Between 19 October and 11 January 2021, copies of the directions including maps of the areas can also be viewed at **Crewe Library**, Crewe Lifestyle Centre, Moss Square, Crewe, CW1 2BB during opening hours. In line with regulations to prevent the spread of Covid-19, Crewe Library will be closed from 5th November until 2nd December. Outside of these dates, opening hours may be restricted due to Covid-19 and you are advised to check the current [libraries opening times](#) on the council's website or telephone the 24 hour library information service on 0300 123 7739.

If you are unable to inspect copies of the documents during the representations period, please email [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or telephone 01270 685893 (leave a message) and paper copies can be requested.

**Once the Directions come into force, the change of use of a dwellinghouse (C3) to a house in multiple occupation (C4) shall not be carried out unless planning permission is first granted for this change of use.**

You can give your views about the Article 4 Directions between the **19 October 2020 and 11 January 2021**. If you wish to make representations, you may do so by completing the survey on the council's website: [www.cheshireeast.gov.uk/A4D](http://www.cheshireeast.gov.uk/A4D) or by email to [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or by post to Strategic Planning, Cheshire East Borough Council, Westfields C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ. **Any representations must be received by 5pm on the 11 January 2021.**

We are not able to accept anonymous comments - you must provide us with your name and contact details. Please note that any representations received will be of public record and may be published. Any personal data will be processed in line with the Strategic Planning Privacy Notice, available on the council's website.

**The Article 4 Direction will come into force, subject to confirmation by the Council, on 1 November 2021.**

Other planning policy documents

Alongside the Article 4 Directions, the following documents are also in production:

- **Cheshire East Site Allocations and Development Policies Document (SADPD)**. This is the second part of the Cheshire East Local Plan and includes draft policy HOU4: Houses in Multiple Occupation. The Revised Publication Draft SADPD is being published for representations between **26 October and 5pm on 23 December 2020** and you find out more about this at: [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan)

- **Draft Houses in Multiple Occupation Supplementary Planning Document (SPD)**. The SPD will provide further guidance to all parties involved in the planning application process for Houses in Multiple Occupation. This is being published for representations between **26 October and 5pm on 23 December 2020** and you can find out more about this at [https://www.cheshireeast.gov.uk/planning/spatial\\_planning/cheshire\\_east\\_local\\_plan/supplementary\\_plan\\_documents/supplementary\\_plan\\_documents.aspx](https://www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/supplementary_plan_documents/supplementary_plan_documents.aspx)

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Cheshire East Council



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# Appendix 2: Screen shots from the Council website

[Itation Home](#) > [Planning](#) > [Supplementary Planning Documents](#) > **Draft Houses in Multiple Occupation Supplementary Planning Document**

## Draft Houses in Multiple Occupation Supplementary Planning Document

The Draft Houses in Multiple Occupation Supplementary Planning Document ("SPD") has been prepared. It provides guidance for all parties involved in the planning application process, explaining how Cheshire East Council will assess planning applications that involve the change of use (or extension) of buildings to HMOs across the borough.

Consultation on the draft SPD started on Monday 26 October. Due to the current restrictions related to Covid-19, the deadline for submitting comments has been extended until **5pm on Wednesday 23 December 2020**.

### Consultation document

The consultation document is available to download here:

- [Draft Houses in Multiple Occupation Supplementary Planning Document](#)

A screening exercise has been carried out to determine whether the draft document gives rise to the need for further Strategic Environmental Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening concludes that further such assessment is not necessary. The screening report is also available for consultation and this is included at Appendix 1 of the SPD.

For the duration of the consultation, the document can also be viewed at public libraries in Cheshire East. Opening hours may currently be restricted due to the coronavirus pandemic and you are advised to check the current [libraries opening times](#) on our website or telephone the 24 hour library information service on 0300 123 7739.

### Submit your views

To comment online using this consultation portal, please log-in or register and then click the 'Start Survey' button below. This is our preferred method of submitting responses, but you can also respond by email (to [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)) or in writing (to Strategic Planning Westfields, C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ).

Alternatively, you can download this [SPD comments form](#) and return it by email or by post to the relevant address above.

Whichever method used, please make sure that your comments reach us by **5pm on Wednesday 23 December 2020**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal information will be processed in line with our [Strategic Planning Privacy Notice](#) and your name and comments will be published on this consultation portal.

### Further information

We have also published a formal [Notice of Publication of Draft Supplementary Planning Document](#).

For further information or for assistance in making comments, you can contact the Strategic Planning Team at [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or by leaving a message on 01270 685893 and we will respond as soon as possible.

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## Houses in Multiple Occupation (HMO)

Houses in Multiple Occupation (HMOs) are an important part of our housing stock, providing flexible accommodation for many smaller households. Sharing accommodation can bring greater risks, so regulating the management and property standards is important.

In this section you can find out about the mandatory HMO licensing scheme and how to apply; check whether a HMO has a licence; find links to Planning and Council Tax information for HMOs; and find information about the standards that are required in all HMOs including those that do not need a licence.

- [Find out if a property is licensed as a HMO](#)

There are important consultations under way between 19 October and 11 January 2021 relating to HMOs and Planning. View the [Planning Requirements for HMOs](#) section below to find out more.

Keyboard navigation: use the spacebar to display further information.

<a href="#">Tell us about a HMO</a>	view ▾
<a href="#">Apply for a HMO Licence</a>	view ▾
<a href="#">HMO licence fees</a>	view ▾
<a href="#">Management standards for HMOs</a>	view ▾
<a href="#">Housing standards for HMOs</a>	view ▾
<a href="#">Planning requirements for HMOs</a>	close ▾

### Planning requirements for HMOs

If you are intending to change your property into a HMO or make alterations to an existing HMO, you should check whether you need planning permission for any changes you are proposing with the [Planning service](#).

#### Article 4 Direction for HMOs in Crewe

Planning permission is not normally required to convert a dwelling into a HMO provided that the property accommodates no more than six unrelated people. This is known as 'permitted development'.

Local Planning Authorities can withdraw 'permitted development rights' through an Article 4 Direction. The effect of an Article 4 Direction is that planning permission is then needed for the development once the Direction is in force.

Three Article 4 Directions have been made covering streets around Nantwich Road, Hungerford Road and West Street in Crewe and these have been published for consultation between 19 October 2020 and 11 January 2021. If the Directions are confirmed following public consultation, they will come into force on 1 November 2021, and will mean that any conversion of a dwelling into a HMO in these areas will require planning permission. For more information visit [Article 4 Directions](#).

#### Cheshire East Site Allocations and Development Policies Document

This is the second part of the Cheshire East Local Plan and includes draft policy HOU4: Houses in Multiple Occupation. The Revised Publication Draft Site Allocations and Development Policies Document has been published for public consultation between 26 October and 23 December 2020. For more information visit [Site Allocations and Development Policies](#).

#### Draft HMO Supplementary Planning Document

The Supplementary Planning Document will provide further guidance to all parties involved in the planning application process for HMOs. This has been published for public consultation between 26 October and 23 December 2020. For more information visit [Supplementary Planning Documents](#).

<a href="#">Council Tax requirements for HMOs</a>	view ▾
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### In this section

[Houses in multiple Occupation](#)

[Licensed HMO register](#) ▶

### Contact us

The Housing Standards & Adaptations Team deals with all types of HMOs. Please [contact us](#) if you need further information or guidance, or to request a property inspection.

### Rate this page

We value your feedback. How do you rate this information?



Good



OK



Poor

## Article 4 Directions - Houses in Multiple Occupation

Consultation extended between 19 October 2020 and 11 January 2021

### Translating from English language

For more details see our [language translation page](#).

### Introduction

Planning permission is not normally required to convert a dwelling into a house in multiple occupation (HMO) provided that the property accommodates no more than six unrelated individuals. Such changes of use are normally 'permitted development'.

Local Planning Authorities can withdraw 'permitted development rights' through Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The effect of such a Direction is that planning permission is then needed for the permitted development withdrawn once the Direction comes into force.

### Article 4 Directions in areas of Crewe

On the 6 October 2020, three non-immediate Article 4 Directions were made covering areas of Crewe, and these cover the streets around Nantwich Road, Hungerford Road and West Street. Copies of the Directions and maps of the areas affected can be viewed below:

- [Article 4 Direction: Nantwich Road, Crewe \(PDF, 1.6MB\)](#)
  - [Map for Article 4 Direction: Nantwich Road, Crewe \(PDF, 1.2MB\)](#)
- [Article 4 Direction: Hungerford Road, Crewe \(PDF, 6.4MB\)](#)
  - [Map for Article 4 Direction: Hungerford Road, Crewe \(PDF, 576KB\)](#)
- [Article 4 Direction: West Street, Crewe \(PDF, 1.5MB\)](#)
  - [Map for Article 4 Direction: West Street, Crewe \(PDF, 568KB\)](#)

### Why are the directions being introduced?

The majority of the Borough's HMOs are located within Crewe and these are concentrated around the Nantwich Road, Hungerford Road and West Street areas of the town.

The council's cabinet report and evidence paper (Appendix D) highlights a coincidence of environmental, economic and social issues within areas with high concentrations of HMOs - for example increased levels of fly-tipping. The Article 4 Directions will enable the council to better monitor and manage the growth of new HMOs within these areas via the planning application process.

An Article 4 Direction frequently asked questions document (PDF, 279KB) has been produced to answer common queries about the Article 4 Directions.

### Consultation

Before the Directions can be confirmed and brought into force, interested parties can make representations in writing about the Article 4 Directions. The period for making representations is **Monday 19 October to 5pm on Monday 11 January 2021**.

During this period, copies of the directions can also be viewed at:

- [Crewe Library, Crewe Lifestyle Centre, Moss Square, Crewe, CW1 2BB during opening hours.](#)

In line with regulations to prevent the spread of Covid-19, Crewe Library will be closed from 5 November until 2 December. Outside of these dates, opening hours may be restricted due to Covid-19 and you are advised to check the current libraries opening times on the council's website or telephone the 24 hour library information service on 0300 123 7733.

If you are unable to inspect copies of the documents during the representations period please contact us by email [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or telephone 01275 685893 (please leave a message) and paper copies can be requested from the Strategic Planning Team.

**Subject to confirmation following consultation, the Directions will come into force on the 1 November 2021.**

If you wish to submit representations during this period, you may do so by:

- completing the [online survey](#)
- **email** to: [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)
- **post** to: Strategic Planning, Cheshire East Borough Council, CHO Municipal Buildings, Earle Street, Crewe CW1 2BJ

**Any representations must be received by 5pm on Monday 11 January 2021.** We are not able to accept anonymous comments - you must provide us with your name and contact details. Please note that any representations received will be of public record. Any personal data will be processed in line with the [Strategic Planning Privacy Notice](#).

### Next Steps

Once the period for making representations has ended, all comments/representations received will be considered before the council's Portfolio Holder for Planning decides whether to confirm the Directions or not. In the event that the directions are confirmed, they will come into force on the **1 November 2021**.

**Once the Directions come into force, the change of use of a dwellinghouse (C3) to a house in multiple occupation (C4) shall not be carried out in the Direction areas, unless planning permission is first granted for this change of use.**

This page will be updated as the directions progress.

### Other planning policy documents

Alongside the Article 4 Directions cited above, the following documents are also in production:

- **Cheshire East Site Allocations and Development Policies Document (SADPD)**. This is the second part of the Cheshire East Local Plan and includes draft policy HDU1: Houses in Multiple Occupation. The Revised Publication Draft SADPD is being published for representations between 26 October and 5pm on the 23 December 2020. You can find out more about this on our [Cheshire East Local Plan webpage](#).
- **Draft Houses in Multiple Occupation Supplementary Planning Document**. This SPD will provide further guidance to all parties involved in the planning application process for HMOs in Multiple Occupation. This is being published for representations between 26 October and 5pm on the 23 December 2020. You can find out more about this on our [supplementary planning documents webpage](#).

If you have any queries, you can contact the Strategic Planning Team at: [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or by leaving a message on 01275 685893 and we will respond as soon as possible.

### In this section

[Article 4 Directions - houses in multiple occupation](#)

[Brownfield Register](#)

[Local Plan Public Notices](#)

[Spatial planning updates](#)

[Airport Planning](#)

[Local Development Orders \(LDOs\)](#)

[Cheshire East Local Plan](#)

[Planning Policy Documents Index and Price List](#)

[Research and Evidence](#)

[Strategic Planning](#)

[Saved and Other Policies](#)

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## Appendix 3: Press releases



### New planning proposals to control standard and number of multi-occupation properties

3 November 2020

Cheshire East residents are being asked to give their views on proposals to control the number of houses in multiple occupation in parts of the borough and to raise their standards of accommodation.

Consultations have begun on proposed new planning rules concerning houses in multiple occupation, known as HMOs. Everyone, including residents, landlords and tenants, is invited to take part.

A new HMO supplementary planning document proposes tighter controls to make sure such housing meets a range of standards and to avoid over-concentration of HMOs in local neighbourhoods.

There is a second consultation, aimed specifically around proposals to control the number of HMOs in parts of Crewe - in the Nantwich Road, West Street and Hungerford Road.

If approved, it would mean that any new small HMO in these areas would no longer benefit from automatic planning permission under national regulations. Instead, planning permission would first need to be obtained from the council.

Councillor Toni Fox, Cheshire East Council cabinet member for planning, said: "We are aware that our residents would like to see more control exercised over the standard of HMOs and their numbers.

"We recognise that this type of housing has a very important role to play in providing accommodation for people. However, it is important that numbers are controlled and that the quality of accommodation is - in some instances - raised so that individuals or families can enjoy a reasonable and appropriate standard of housing.

"But we are also aware that in some parts of the borough - in Crewe for example - residents have become increasingly concerned about the high density of HMOs in their area and the affect this can have on the character of the neighbourhood.

"I would urge anyone who wishes to comment on these proposals to take part in the consultations."

The council's strategic planning team can be contacted via email at: [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk) or telephone 01270 685893.





## Cheshire East Council extends deadline for feedback on key planning policies

20 November 2020

Residents and other stakeholders are being given more time to put forward their views about a number of key planning documents.

Cheshire East Council is currently seeking views on its Site Allocations and Development Policies Document (SADPD), draft supplementary planning document (SPD) for houses in multiple occupation (HMOs) and three Article 4 Directions in Crewe that would bring all HMOs in these areas under full planning control.

These documents are available online and were also being made available to view in libraries. However, due to national Covid-19 restrictions, libraries are currently closed. In order to ensure that people can have their say, the deadlines for commenting on these documents are being extended.

In the case of the SADPD and SPD, the new response deadline is 5pm on Wednesday 23 December.

In the case of the three Article 4 Directions, the new response deadline is 5pm on Monday 11 January.

More information about each of these documents, including how to put your views forward, is available [on the council's website](#)

Anyone who wishes to read and respond to the documents, but does not have access to the internet, is requested to contact the council's strategic planning team on 01270 685893. The team will assist everyone who gets in touch, taking into account their individual circumstances.

Councillor Toni Fox, Cheshire East Council cabinet member for planning, said: "The national Covid-19 restrictions have been put in place part way through the public engagement period for these documents, so it's right that we extend the deadlines. We want to give everyone the opportunity to feed back their views.

"The national measures are currently proposed to come to an end after Wednesday 2 December, but we may still need to consider the effect of any ongoing restrictions that may come into force after that date.

"Each of these documents serves an important purpose, so we will continue to make every effort to progress their preparation. Our objective is to do everything we reasonably can to enable everyone to respond as the situation changes."



# Appendix 4: Consultation response forms



## Cheshire East Local Plan Houses in Multiple Occupation Draft Supplementary Planning Document - Comments Form

The Draft Houses in Multiple Occupation Supplementary Planning Document ('SPD') has been prepared. The SPD provides guidance for all parties involved in the planning application process, explaining how Cheshire East Council will assess planning applications that involve the change of use (or extension) of buildings to houses in multiple occupation across the Borough.

Consultation on the draft SPD will take place between **Monday 26 October 2020** and **5pm on Wednesday 23 December 2020**.

### Consultation document

The consultation document can be viewed online at

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo>

For the duration of the consultation, the document can also be viewed at public libraries in Cheshire East during opening hours. In line with regulations to prevent the spread of Covid-19, all libraries will be closed from 5 November until 2 December. Outside of these dates, opening hours may be restricted due to Covid-19 and you are advised to check the current libraries opening times on the council's website or telephone the 24 hour library information service on 0300 123 7739. If you are unable to inspect copies of the documents during the representations period, please contact us using the details below to make alternative arrangements to inspect the documents.

A screening exercise has been carried out to determine whether the draft document gives rise to the need for further Strategic Environmental Appraisal or Appropriate Assessment (under the Habitats Regulations). This screening concludes that further such assessment is not necessary. The screening report is also available for consultation and this is included at Appendix 1 of the SPD.

### Submit your views

The council's online consultation portal is our preferred method of submitting responses:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/hmo> but you can also submit responses or return this form by email or post to:

By e-mail: [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk)

By post: Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please make sure that your comments reach us by **5pm Wednesday 23 December 2020**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Strategic Planning Privacy Notice, which is available on the council's website.

Further information and paper copies can be requested from the Strategic Planning Team by email [planningpolicy@cheshireeast.gov.uk](mailto:planningpolicy@cheshireeast.gov.uk) or telephone 01270 685893 (please leave a message). Please note that a reasonable charge may be made to cover printing and postage costs.



# Cheshire East Local Plan

## Draft Houses in Multiple Occupation Supplementary Planning Document - Comments Form

Please return to: 

Strategic Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ or by email to <a href="mailto:planningpolicy@cheshireeast.gov.uk">planningpolicy@cheshireeast.gov.uk</a>
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Please return by: 

Wednesday 23 December 2020
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This comment form has two parts:

- Part A – Personal details.
- Part B – Your representation(s).

### Comments Form Part A: Personal Details

	Personal Details*	Agent's Details (if applicable)
	<i>* If an agent is appointed, please complete only the Title, Name and Organisation in column 1 but complete the full contact details of the agent in column 2.</i>	
Title	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
First Name	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Last Name	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Job Title <small>(where relevant)</small>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Organisation <small>(where relevant)</small>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Address Line 1	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Address Line 2	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Address Line 3	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Address Line 4	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Postcode	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Telephone Number	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Email Address <small>(where relevant)</small>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
Your Reference No. <small>(if known)</small>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Please complete a separate Part B form for each comment that you would like to make. This response form provides enough space for four comments but please copy and attach further part B forms if required.

## Comment Form Part B: Draft Houses in Multiple Occupation SPD Comment Form

Name and  
Organisation:

Office Use Only:

PID:

RID:

**Q1. Which section of the document are you commenting on?**

Page / Chapter / Paragraph / Figure

(please delete as appropriate and state which): \_\_\_\_\_

**Q2. What is your overall view on this section? (please tick one box)**

Support

Object

Comment only

**Q3. Please set out your comments or views on this section:**

## Appendix 5 Summary of key issues and response

Consultee Ref	Summary of key issues including where the comment relates	Response to issues raised	Changes required
HMO1 Cllr Alift Harewood	<p>When planning is not applied for, the numbers cannot be known.</p> <p>The percentage in relation to homes with separate facilities cannot be known, thus obscuring the necessity for that provision.</p> <p>The risks to health are currently well defined in the debate of multiple occupancy.</p> <p>HMOs are a shield for homelessness, mostly a refuge for the vulnerable, a disengagement of a section that remains needy, and mainly lacking in security of tenure.</p> <p>They have a negative effect on the community as a whole</p>	<p>It is accepted that the precise numbers of HMOs may not always be available given that some may not require licencing or planning permission, unless they are controlled through the introduction of Article 4 Directions or Selective Licencing.</p> <p>The Council however reviews all available data to obtain the best available information about the location and number of HMOs.</p> <p>The comments in relation to occupancy of HMOs, health and impact upon the community are noted.</p> <p>Through setting out a range of detailed planning requirements, the SPD aims to improve the accommodation standards of HMOs and better address matters of concern relating to their potential effects on neighbourhoods.</p>	None required
HMO2 Mr D P Evans	HMO properties should be limited to the amount of houses in a street i.e. no more than 5%. My street has quite a few HMO's. Socially the area has been	The draft policy seeks to avoid concentrations of HMOs within a radius of the application site (i.e no more than 10% of all residential properties within 50m of the application site in	None required

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<b>Consultee Ref</b>	<b>Summary of key issues including where the comment relates</b>	<b>Response to issues raised</b>	<b>Changes required</b>
	<p>turned into a run down ghetto. Parking is a big issue and the more people unscrupulous landlords push into these badly converted old family homes the worse it gets. In the area HMO'S are being used as cannabis farms. Planning permission should apply to landlords wishing to do this to a family sized home. Landlords are not interested in the community they are destroying just profits.</p>	<p>HMO use). It is considered that a lower threshold of 5% would not amount to a concentration and that a 10% threshold is proportionate.</p> <p>The issues raised with regards to the impact that HMOs have upon the social, economic and environmental quality of an area are noted. The draft SPD seeks to avoid concentrations and improve standards of accommodation.</p>	
<p>HMO3 Cllr Alift Harewood</p>	<p>With regard to the definition of “permitted development”, a significant number of HMOs are former two and three bedroom houses that will occupy this category. The rooms are simply divided as necessary to accommodate more tenants.</p> <p>While this number continues to grow mainly because of the continuing housing shortage and other social factors, policies SD1 and SD2 are not relevant or applicable as they were neither shops nor offices. When all are registered, the scope for better housing provision may come nearer.</p>	<p>Most small HMOs (accommodating 6 or less unrelated individuals) do not require planning permission as they benefit from permitted development rights. It is possible to withdraw these rights through the use of Article 4 Directions but the withdrawal of such rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. Blanket directions are not encouraged.</p> <p>The Council has made 3 non-immediate Article 4 Directions for small HMOs in areas of Crewe and if confirmed, these will come into effect on the 1 November 2021. The Council will continue to monitor the number and location of HMOs and may introduce further Article 4</p>	<p>None required</p>

Consultee Ref	Summary of key issues including where the comment relates	Response to issues raised	Changes required
		<p>Directions, or changes to any existing ones, if there is evidence to do so.</p> <p>Policies SD 1: Sustainable Development in Cheshire East and SD 2: Sustainable Development Principles apply to all forms of development proposals within Cheshire East.</p> <p>There is no planning requirement to register HMOs. Those that require planning permission will be assessed through the application process.</p> <p>All HMOs that accommodate 5 or more persons are required to be licenced. Smaller HMOs do not currently require a licence. Licencing is managed by the Council's Housing Standards and Adaptions Team.</p>	
HMO4 The Canal & River Trust	No comments to make.	Noted	None required.
HMO5 Natural England	<p>No comments to make.</p> <p>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in Planning Practice Guidance. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan</p>	The SPD is accompanied by a Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report which concludes that SEA/HRA is not required.	None required.

Consultee Ref	Summary of key issues including where the comment relates	Response to issues raised	Changes required
	<p>under the Habitats Regulations in the same way as any other plan or project.</p> <p>If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult Natural England at certain stages as set out in the Planning Practice Guidance.</p>		
HMO6 Historic England	No comments to make.	Noted	None required
HMO7 Wybunbury Parish Council	<p>HMO applications need full planning permission not by the use of Permitted development as this could leave open a HMO development going ahead without planning scrutiny &amp; comment from all consultees as would be the case with a full planning application.</p> <p>Firm hard conditions need to be applied to any permission given for a HMO along with a condition that if any of the conditions are broken a stop of use order can be applied both to protect the users &amp; the surrounding neighbours.</p> <p>No mention of sustainable heating or electric vehicle charging points.</p>	<p>Noted. Most small HMOs (accommodating 6 or less unrelated individuals) do not require planning permission as they benefit from permitted development rights. It is possible to withdraw these rights through the use of Article 4 Directions but the withdrawal of such rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. Blanket directions are not encouraged.</p> <p>The Council has made 3 non-immediate Article 4 Directions for small HMOs in areas of Crewe and if confirmed, these will come into effect on the 1 November 2021. The Council will continue to monitor the number and location of HMOs and may introduce further Article 4</p>	<p>The final draft SPD has been amended to highlight other Local Plan policies regarding <del>on</del> the incorporation of measures to minimise energy use and to encourage the installation of recharging points where this is feasible (see paras 5.22- 5.24).</p>

Consultee Ref	Summary of key issues including where the comment relates	Response to issues raised	Changes required
		<p>Directions, or changes to any existing ones, if there is evidence to do so.</p> <p>Where conditions attached to planning permissions are being breached, this can be investigated and action taken, as necessary.</p> <p>LPS Policies SD 1: Sustainable Development in Cheshire East and SD 2 Sustainable Development Principles encourage development proposals to use appropriate technologies to reduce carbon emissions and ensure that proposals minimise energy use. LPS Policy C02 requires that major development proposals provide recharging points.</p>	
HMO8 Sandbach Town Council	This is a much-needed policy and seeks to control the spread and concentration of such dwellings.	Noted	No changes required.
HMO9 Macclesfield Town Council	Where more than two unrelated people and up to five unrelated people are living in the same HMO, the property should be registered with the local authority.	This is a matter for the licencing of rented accommodation rather than a matter that can be controlled through planning legislation. Currently a licence is required for a HMO accommodating 5 or more people. The Council could consider extending licencing to all private rented dwellings through a selective licencing scheme.	No changes required.

<b>Consultee Ref</b>	<b>Summary of key issues including where the comment relates</b>	<b>Response to issues raised</b>	<b>Changes required</b>
HMO 10 Cycling UK	<p>The comments in 5.24 and 5.25. to ensure good quality are supported.</p> <p>Please see Cheshire East Borough Design Guide Volume 2, v. Sustainable Design Principles; v11, which is referring to the 6Cs Design Guide:</p> <p><a href="https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/8/15/Part-3-design-guidance.pdf">https://resources.leicestershire.gov.uk/sites/resource/files/field/pdf/faq/2018/8/15/Part-3-design-guidance.pdf</a></p> <p>Cheshire East's Cycling Strategy states '... Sheffield stands used as a minimum.' (Appendix C; Route Function and Design, Parking)</p> <p>Falcon two tier racks have been proposed 20/4673C, Brookhouse Road, flats in Sandbach. However, these, or any other type of two tier racks are not recommended. The lower tier is difficult to get into when parking or retrieving the bike, the upper tier requires the bike to be manoeuvred and lifted into the rail. The upper tier racks can roll away by themselves.</p> <p>Both tiers work well enough for fit people but can be challenging for</p>	The comments made with regards to the design of cycles stands are noted.	Paragraph 5.27 of the final draft SPD now states that ground level storage is preferable.

<b>Consultee Ref</b>	<b>Summary of key issues including where the comment relates</b>	<b>Response to issues raised</b>	<b>Changes required</b>
	others. Parking non-standard cycles like tricycles is not possible. Ground level parking is preferable.		