

# Renfrewshire

## Development Guidance

Houses in Multiple Occupation - Planning Advice Note 2016



This Planning Advice Note provides information to anyone that is seeking to submit a planning application in relation to Houses in Multiple Occupation (HMO) in Renfrewshire.

This PAN is a '*Material Consideration*' in assessing development.

Each planning application is dealt with on its own individual merits, as there can be site specific issues that arise for each case.

Houses in Multiple Occupation (HMOs) have a role to play in helping to meet Renfrewshire's housing need and demand.

In Renfrewshire there is a steady demand for licensed Houses in Multiple Occupation. HMOs are concentrated primarily in Paisley with many associated with providing accommodation for students that attend the University of the West of Scotland.

Generally, licensed HMO's in Renfrewshire are well managed and pose no particular issues. It is considered that town centre or edge of town centre locations is the most appropriate areas to accommodate HMO properties.

This guidance is to ensure that there is not an overconcentration of HMO's in areas in order to protect amenity.

### Planning Context

Scottish Government Planning Circular 2/2012 – Houses in Multiple Occupation: Guidance on Planning Control and Licensing provides advice on the management of housing in multiple occupation through the planning system.

### Renfrewshire Local Development Plan Context

The purpose of this Planning Advice Note is to expand on Local Development Plan Policy P1 – Renfrewshire Place and Policy P2 – Housing Land Supply, in particular address 'Other Housing Requirements' in order to support HMO accommodation in appropriate locations.

### Requirement for Planning Permission

In relation to the role of the planning system in managing HMOs, planning permission is required where use as a HMO is considered to be a 'material change of use of land or buildings'.

The Town and Country Planning (Use Classes) (Scotland) Order 1997 defines a house as being the sole or main residence of a single person, or any number of persons living together as a family, or not more than 5 residents living together as a single household where care is provided for residents.

In planning terms therefore, it is only where more than 5 residents live together as unrelated individuals that it is considered a material change of use, requiring planning consent.

Planning permission is required where three or more unrelated persons or three or more families are living in a flatted property, as this is considered to constitute a change of use.

Early contact with Renfrewshire Council's Development Management Section should be made to determine whether planning permission is required.

### Planning Guidance

In assessing a planning application for a HMO, Renfrewshire Council will consider:

- the acceptability of the proposed development, in accordance with the policies in the Renfrewshire LDP and the New Development Supplementary Guidance;
- the potential impact on the amenity of the area; and,
- the level of provision of HMO's in that locality.

### Other requirements

A building warrant may be required if structural alterations are proposed to be undertaken to the premises for which a HMO licence is sought. The applicant should contact Renfrewshire Council's Building Standards section to discuss the need for a Building Warrant.

The licensing of HMOs operates under the Housing (Scotland) Act 2006. A license may be required where any living accommodation is occupied by 3 or more persons who are not either:

- All members of the same family, or,
- All members of two families, and which accommodation is (a) a house, or is, or forms part of, any premises or group of premises owned by the same person and its occupants share one or more of the basic amenities with each other; and is occupied by those 3 or more persons as an only or main residence, or (b) of such type, or which is occupied in such manner, as the Scottish Ministers may specify.

### Contacts

If you are considering submitting a Planning Application / Building Warrant for a HMO, contact:

- by e-mail: [dc@renfrewshire.gov.uk](mailto:dc@renfrewshire.gov.uk) Development Management – planning application
- by e-mail: [bc@renfrewshire.gov.uk](mailto:bc@renfrewshire.gov.uk) Building Standards – building warrant
- by phone: 0300 300 0144
- by writing to: Development Standards Manager, Development and Housing Services, Renfrewshire House, Cotton Street, Paisley PA1 1JD
- or by visiting the Duty Planning Officer, at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley.