

Houses in Multiple Occupation (HMO's)

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Purpose of Report

To provide members with information in relation to the Yeovil HMO (Houses in Multiple Occupation) Article 4 Direction and to seek their views on a potential enlargement of it.

Public Interest

HMO's are an important element of our housing stock and it is necessary to ensure there is sufficient capacity to meet increasing demands. It is also equally important to ensure that the location and quality of HMO's are properly assessed to ensure that there is no adverse impact upon residents or surrounding properties.

Recommendation

That members consider the officer's report and provide direction as to whether they wish officers to embark upon a specific extension of the current Article 4 Direction covering HMO's to include Mitchelmore Road and Roping Road as part of Zone 2 (Central). To round off the zone given the extent to which the zone covers Goldcroft it is proposed to also include several addresses on Sparrow Road and those properties at Kingston View, Yeovil.

Background

Area South members instructed and then agreed to impose an Article 4 Direction which now requires a planning application to be submitted to use a dwelling as an HMO for more than 3 unrelated people thereby allowing the impacts to be properly considered. The Direction only relates to certain areas of Yeovil. The Direction was initially made on 19th May 2016 and the Council undertook consultation for 28 days which ended on 17th June 2016. The Direction came into force on 19th November 2016.

A map showing the current zones in Yeovil covered by the Article 4 is attached (*Appendix 1*).

Consideration

During the initial consideration regarding the extent of each zone Mitchemore Road and Roping Road were excluded from Zone 2 which generally includes Higher Kingston, The Avenue, Crofton Road, Colmer Road, Crofton Park, King Street, Crofton Avenue and parts of Goldcroft northwards to Sparrow Road.

A representation from a local resident of Mitchelmore Road, plus an increased awareness through planning pre-application queries indicates a growing number of HMOs over the last few years plus local demand from landlords interested in buying/extending property to provide more bedsit accommodation. Both roads are obviously very close to the hospital and have property types suitable for conversions. On street-parking is already restricted given the proximity to the hospital.

The mantra with the initial Article 4 was to allow control of the concentration and impacts of HMO accommodation rather than restrict and prevent it outright.

Since the imposition of the Article 4 in November 2016 only one planning application has resulted (48 Goldcroft- 17/01197/COU). This was approved at Committee in May 2017.

The LPA has planning application validation requirements and written guidance to help applicants make their applications and works alongside Environmental Health (Housing Standards) and Building Control colleagues to provide advice to potential applicants at an early stage.

Our website www.southsomerset.gov.uk/hmo contains all the HMO planning information.

Comments have been sought from colleagues in Environmental Health (Housing Standards) and the Housing Teams as to any implications of extending Zone 2.

Options

1. To agree to 'make' the new Direction covering Mitchelmore Road, Roping Road, Kingston View and several addresses in Sparrow Road as detailed on the attached map (*Appendix 2*);
2. To agree to 'make' the new Direction covering a different area (larger or smaller) than shown on the attached map; or
3. To agree to not 'make' the new Direction.

If Option 1 or 2 is chosen then Members may further resolve to instruct officers to:

- Carry out the required consultations and publicity as set out in the relevant legislation with a view to the Direction as amended coming into force later in 2018.

This constitutes 28 days of consultation via public notice, press advert, SSDC Social Media, and press release.

The Direction would then 'come into force' within 6 months of the date of the commencement of the consultation.

Financial Implications

The creation of an Article 4 would mean that any application that is required as a result would not require a planning application fee for Change of Use.

Local planning authorities may be liable to pay compensation to those whose permitted development rights have been withdrawn if they:

- refuse planning permission for development which would have been permitted development if it were not for an article 4 direction; or
- grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an article 4 direction being in place.

Compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

All claims for compensation must be made within 12 months of the date on which the planning application for development formerly permitted is rejected (or approved subject to conditions that go beyond those in the GPDO).

Carbon Emissions and Climate Change Implications

The making of an Article 4 Direction will not have any impacts.

Equality and Diversity Implications

It is considered that the requirement to make a planning application for HMO's within certain areas of the town would not require an impact assessment to be carried out.

Background Papers

Area South reports 'Houses in Multiple Occupation (HMO's)' dated February and April 2016.