

Report of the Chief Executive

ARTICLE 4 DIRECTION REGARDING HOUSES IN MULTIPLE OCCUPATION IN BEESTON1. Purpose of report

To advise members of responses to the consultation on the proposed Article 4 direction regarding houses in multiple occupation (HMOs), so as to inform members' decision on whether or not to confirm the direction.

2. Background

At the meeting on 13 January 2021 members resolved to proceed with the consultation on the proposed Article 4 direction. The direction would have the effect that, from 26 March 2022, planning permission would be needed for a change of use from a Class C3 dwellinghouse to a Class C4 House in Multiple Occupation (HMO). The consultation took place for six weeks between 15 January and 26 February. Representations in response to the consultation are reported in the appendix. Members have the option of making modifications to the direction, by resolution at this meeting, with regard to the area concerned or the date of coming into force.

Subject to members' decisions, the next steps would be:

- Giving notice of the confirmation of the direction and the date on which it will come into force, by a newspaper advert and site notices, and sending a copy of the direction as confirmed to the Secretary of State.
- Preparing, consulting on and adopting a Supplementary Planning Document (SPD) to guide development management decisions.
- The direction would come into force on 26th March 2022.

3. Financial implications

More planning applications would need to be determined in the future, however application fee income would also increase. Expenditure would be involved in placing the newspaper advert and, in terms of staff resources, in preparing the SPD.

Recommendation

The Committee is asked to CONSIDER the representations and RESOLVE accordingly whether or not to confirm the direction, with or without modifications.

Background papers

Nil

APPENDIX

The Secretary of State has been notified, in accordance with the legal requirements, and he has confirmed receipt of the information that was sent. He has the power to cancel or modify the direction at any time before or after its confirmation. However, at the time of writing, he has not made any intervention or representations.

The County Council has also been notified, in accordance with the legal requirements, and has made no representations.

XX people or organisations have made representations in response to the consultation. Approximately YY were broadly supportive of the proposed direction and approximately ZZ were broadly opposed to it.

Points made in support of the proposed direction include:

- HMOs can harm the character and environmental quality of the area.
- HMOs can cause problems with parking and traffic.
- HMOs are reducing the supply, and increasing the price, of family housing.
- HMOs can cause problems with litter and waste management.
- HMOs can result in poor maintenance of buildings.
- HMOs can harm the sense of community.
- HMOs can result in crime, anti-social behaviour, health and safety issues and consequent stress.
- HMOs can result in harm to urban wildlife because of poor maintenance of gardens.
- HMOs pose a threat to the Conservation Area.
- Physical changes made to buildings used as HMOs can be harmful to the appearance of the area.
- Too many HMOs can result in facilities becoming too focused on students, to the detriment of others.
- HMOs can result in a large transient population, which can result in closure of local facilities such as shops and primary schools.
- Many students tend to travel into Nottingham rather than using local facilities.
- HMOs can put strain on community services, facilities and infrastructure.
- A situation may develop in Beeston similar to that in Lenton and Dunkirk.

Points made in opposition to the proposed direction include:

- The direction is a 'blunt tool' and would 'stifle' 'socially-minded stakeholders' such as Housing Co-operatives in their attempts to 'affect positive change'.
- People's rights should not be taken away 'seemingly for no reason'.
- It is inappropriate to introduce the direction while we are in a pandemic situation, because of adverse impacts on the rental market and on property owners' incomes.

- Householders wishing to sell would only be able to achieve relatively lower prices.
- The direction would increase the price of existing HMOs, and therefore also increase the price of other properties.
- Student numbers at the University of Nottingham are not growing substantially.
- The area proposed is too large as it extends beyond the areas where HMOs are concentrated.
- The reduction in family housing is due not only to HMOs but also to other factors, such as the tram.

Proposed additions to the area covered by the direction:

- An area to the west of Wollaton Road between Bramcote Drive in the north, Grove Avenue / Holly Lane in the west and Queens Road West in the south.
- Particular streets within the larger area mentioned above, including Imperial Road, Hope Street and Hampden Grove.
- The whole of Beeston Rylands.
- Particular streets within Beeston Rylands, including Meadow Road, Laburnum Grove, Lavender Grove and Rose Grove.
- The area around Redwood Crescent (west of Dovecote Lane and south of Queens Road West).
- The whole of Beeston and 'most of Chilwell'.

Other points made include:

- The direction should (or should have) come into force sooner.
- The direction should come into force sooner in respect of some streets than others.
- An earlier date for coming into force would result in higher council tax revenue, which should be weighed against potential compensation payments.
- A ban should be introduced on any more HMOs.
- Students are welcome, they support local businesses and benefit the economy.
- The University is an asset to the area.
- HMOs are an important part of the housing mix and support young workers (as well as students).
- Living standards for residents of HMOs may be poor.
- The University should be encouraged to provide more purpose-built accommodation.
- The character of the Conservation Areas should be protected.
- The forthcoming SPD should be clear and based on concentrations of HMOs.
- A future SPD/policy should 'put in place exceptions and special considerations for Housing Co-operatives'.
- 'Ownership exemptions' should not be included.