

CABINET MEMBER FOR PLANNING, REGENERATION & ECONOMIC DEVELOPMENT

RECORD OF DECISIONS taken by the Cabinet Member for Planning, Regeneration & Economic Development, Councillor Donna Jones, at his meeting held on Wednesday, 6 September 2017 at 1.00 pm at the The Executive Meeting Room - Third Floor, The Guildhall

Present

Councillor Donna Jones (in the chair)

Councillor Yahiya Chowdhury
Councillor Ben Dowling
Councillor Colin Galloway

14. Declarations of Members' Interests (AI 1)

There were no declarations of members' interests.

15. Apologies for Absence (AI 2)

There were no apologies for absence but Councillor Chowdhury apologised for lateness.

16. Houses in Multiple Occupation - Supplementary Planning Document (SPD) (AI 3)

(TAKE IN REPORT and appendix - proposed revised SPD - Houses in Multiple Occupation)

The Leader of the Council with responsibilities for PRED welcomed everyone to the meeting and advised that three deputation requests had been received. Claire Upton-Brown, Assistant Director of Culture and City Development briefly introduced the report. She said the purpose of the report was to seek approval for public consultation on amendments to the Supplementary Planning Document (SPD): Houses in Multiple Occupation (HMOs): ensuring mixed and balanced communities. She advised that the SPD had proved to be a robust document detailing how Policy PCS20 will be applied when considering applications for HMOs. The Planning Committee had asked that the document be reviewed to deal specifically with matters relating to change of use from C4 to Sui Generis HMOs, thresholds, living conditions and impact on the amenities of neighbours specifically relating to the change of use of smaller homes. Whilst the current Policy PCS20 remains unchanged, the issues and options around future approaches to HMOs will be examined and developed as part of the Local Plan review.

She advised that the proposed amendments were set out in section 5 of the report.

She also drew attention to section 4 of the report that detailed how consultation would be carried out on the draft SPD (attached as an appendix to the report).

Mr Martin Willoughby, East St Thomas' Neighbourhood Forum, gave the first deputation which included the following points

- he welcomed the redraft of PCS20 and said that developers had sought to circumvent the 10% concentration rule by applying to change the use of existing C4 HMOs to sui generis HMOs in areas where there is already a concentration of over 10% and gave some examples of how this had happened. The increasing frequency of such applications meant that something should be done as a matter of urgency to enable the Planning Committee to refuse such applications
- He would like to see a requirement for local residents to be specifically considered as part of any such application
- consultation with local communities was essential
- He would like no further delay in this consultation as he said it had already taken some years to get to this point.

Councillor Tom Wood then made a deputation that included the following points

- He thanked the Leader of the Council for the non-political way in which this matter had been brought forward and was pleased that this had been done consensually and for her willingness to meet with him to discuss the matter
- He fully endorsed the proposals - particularly paragraph 1.15 of the policy concerning the 10% threshold.
- He was pleased that consultation with residents would be taking place but said this should be carried out without further delay and did not think there would be confusion with other consultation taking place on the current Local Plan issues and Options consultation.

Mr Jerry Brown then made his deputation including the following points

- The Planning Committee has been unable to refuse applications to convert houses from family homes to HMOs except on the grounds of the percentage of HMOs in the vicinity. This has been frustrating to members of the Planning Committee and local residents
- He said he welcomes the proposed changes to the SPD as they are intended to address these frustrations.
- He said he believed that the proposed changes provide clarification and effective guidance and adds a requirement to address the need for mixed and balanced communities so that such communities are not negatively affected by HMO development.
- He drew attention to the inclusion of a statement saying that the change of use to C4 HMOs , planning permission would only be

granted where the proposal would not result in an over intensive use of the property. However he said there may need to be clarification on exactly what the words "over intensive use" meant.

- He said he welcomed recognition by PCC that not all properties being used as HMOs are necessarily registered with the Council and welcomed the statement that Ward Members and local residents would be asked to help "to capture further local knowledge about the way properties are being occupied in their neighbourhoods"
- He welcomed the proposed changes.

The Leader with responsibilities for PRED thanked all those who had made deputations and also for additional work they had done and for their feedback to the Council. She asked Ms Upton-Brown to comment on the timescale and also on the consultation.

Ms Upton-Brown said that there was an issue about ensuring clarity with the two separate consultations as the Local Plan consultation also included a question about HMOs. In addition, time was needed to capture those residents to consult with. If the consultation took place with immediate effect, then there would be a need to find a way to identify residents with whom to consult.

She said the Council was intending to consult as set out in section 4 of the report but that she would also look at extending the number of neighbourhood letters so more people are aware of the consultation and could advise the Council of HMOs in their area that were not already registered.

Councillor Dowling, Opposition Spokesperson, said he thought that it was possible to identify residents who were most engaged with this matter and that there were two or three wards that were particularly affected by this issue. He said councillors regularly discussed the matter with residents in their wards and could help identify those with whom to consult. He was keen to start the consultation as soon as possible.

Councillor Galloway, Opposition Spokesperson also said he thought the consultation should take place as soon as possible.

Councillor Chowdhury, Opposition Spokesperson said that HMOs particularly affect some wards such as Southsea. He said he thought it was important to give enough time for people to be properly consulted. He also said there was a need for HMOs but that there also has to be a balance.

Councillor Jones, Leader of the Council with responsibilities for PRED thanked everyone for their contribution and said that excellent points had been made. She said she had made a commitment to ensure preparatory work had been carried out to ensure cross party support for this revision to PCS20. She was also keen that the HMO database is updated. She said that HMOs were very lucrative to landlords and consequently the applications to convert dwellings had mushroomed in recent years. She said that with advice

from Ms Upton-Brown, the Council had decided to go as far as possible without triggering a whole new legal process to govern Planning - which may result in a worse outcome. National Planning Policy Framework (NPPF) rules prevent Planning Committee from refusing certain applications which can be frustrating. Lobbying about this has already started as there is a need to balance conflicting needs locally.

The Leader of the Council with responsibilities for PRED said that work would be done to start the consultation as soon as was possible and that if it could be brought forward a press release would be issued and the opposition spokespersons would be informed.

Although letters were an "old fashioned" way to communicate, these are still necessary, but work would be done to capture information via email also - particularly in relation to the data base for HMOs.

DECISION:

- 1. the amended SPD (attached as Appendix 1) be approved for public consultation, and**
- 2. the Assistant Director of Culture and City Development be authorised to make editorial amendments to the wording of the amended SPD prior to public consultation, in consultation with the Leader with responsibility for Planning, Regeneration and Economic Development. These amendments shall be restricted to correcting errors and formatting text and shall not alter the meaning of the document, save potentially amending the start date of the public consultation.**

The meeting concluded at 1.40pm.

Councillor Donna Jones
Cabinet Member for Planning, Regeneration & Economic
Development