



CABINET REPORT

Report Title	HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	13 November 2019
Key Decision:	YES
Within Policy:	YES
Policy Document:	YES
Service Area:	PLANNING
Accountable Cabinet Member:	Councillor James Hill
Ward(s)	All

1. Purpose

- 1.1 This report seeks Cabinet's approval to adopt the Houses in Multiple Occupation Supplementary Planning Document subject to proposed amendments in response to public consultation.

2. Recommendations

- 2.1 That Cabinet agree the policy responses to the public consultation exercise held between August and October 2019 as set out in paragraph 3.2.5 below, and
- 2.2 That Cabinet approves the adoption of the Houses in Multiple Occupation Supplementary Document (Appendix 1) which takes into account the responses to the public consultation exercise
- 2.3 That the Head of Planning be given delegated authority in consultation with the Cabinet Member for Planning to make any necessary minor amendments, including spelling and changes in the format of the SPD where they do not alter the intent of the SPD, prior to its publication.

3. Issues and Choices

3.1 Report Background

- 3.1.1 At Cabinet on 24th July 2019, Members agreed that the draft Houses in Multiple Occupation Supplementary Planning Document (HMO SPD) should be published for consultation for eight weeks, from 8th August to 3rd October 2019. This SPD seeks to update the principles and guidelines for the management of the concentration and quality of HMOs which were contained in the Interim Planning Policy Statement for HMOs, approved in November 2014.
- 3.1.2 The National Planning Policy Framework (February 2019) requires local planning authorities to ensure that a sufficient number and range of homes can be provided to meet the needs of current and future generations, and that these are reflected in planning policies. This includes the need to plan for houses in multiple occupation.
- 3.1.3 Policy 14 of the Submission Draft Local Plan Part 2 specifies this requirement, and this HMO SPD seeks to provide further details on how the policy can be met.

3.2 Issues

- 3.2.1 The Cabinet report on the draft HMO SPD, which was considered in July, outlined the key issues which Northampton faced with the volume and concentration of houses in multiple occupation. It also highlighted the fact that evidence shows that there is a demand for HMOs and that this is likely to increase. The main issue relates to the concentration of HMOs and how this is managed.
- 3.2.2 The Interim Planning Policy Statement (IPPS, 2014) was prepared with the intention of addressing the management of the concentration of HMOs as well as to guide applicants and landlords on the requirements for delivering HMOs, covering matters such as space standards. Appeal decisions, as well as evidence used to inform policy formulation for the Local Plan Part 2, have been used to update in the production of this SPD.
- 3.2.3 There were 3 principles contained in the HMO SPD. Principle 1 related to the application of a new threshold for determining planning applications. Principle 2 related to amenity space standards and Principle 3 related to parking provision.
- 3.2.4 The HMO SPD was published for consultation for a period of eight weeks, ending on 3rd October 2019. Eight duly made responses were recorded. Full details can be found in the Consultation Statement attached at Appendix A. In summary, the Environment Agency considers Principle 2 to be acceptable as it addresses their concerns on no ground floor sleeping in high flood risk areas. The Town Centre Conservation Area Advisory Committee, Great Houghton Parish Council and Duston Parish Council support the contents of the SPD, with the latter seeking a borough wide Article 4 Direction. Two other respondents requested that the Article 4 Direction be extended. Three

respondents neither supported nor objected to the SPD but outlined the issues associated with HMOs. There was only 1 objection to the SPD and this related mainly to the threshold.

3.2.5 The HMO SPD has been amended to reflect some of the comments, as well as to clarify the principles. The main changes to the HMO SPD are:

- Principle 1: to be amended to read “.....It should not result in more than 10% of the total number of HMO dwellings, regardless of whether licensed or not, within a 50m radius”
- Principle 2: the flood risk element is considered to be important and warrants its own principle. New Principle 3 has been formulated to address this and Principle 2 now focuses on the provision of adequate facilities and amenities
- Principle 4: replaces the previous Principle 3. It has been amended to state that parking beat surveys will only be required where there have not been any updated surveys within 1 year

3.2.6 The updated HMO SPD is attached in Appendix B.

3.3 Choices (Options)

3.3.1 Option 1: Agree the amendments and adopt the HMO SPD

3.3.2 Members can agree to the amended version and adopt the HMO SPD. Once adopted, the SPD will be used to guide planning applicants and landlords on the appropriate threshold and standards for delivering HMOs. This will ensure that landlords will continue to provide the right standard of accommodation within the right locations. It will ensure that the wellbeing of occupants and nearby residents are protected.

3.3.3 This SPD seeks to deliver both the policies in the adopted West Northamptonshire Joint Core Strategy and the submission draft Northampton Local Plan Part 2. Its status as a Supplementary Planning Document means that the document will carry more weight when it comes to decision making and planning appeals.

3.3.4 Option 2: Do not agree the amendment and do not adopt the HMO SPD

3.3.5 Members can decide not to adopt the revised HMO SPD and continue to use the existing Interim Planning Policy Statement to determine planning applications and to guide landlords and planning applicants when it comes to delivering HMOs.

3.3.6 In pursuing this option, the Council will continue to rely on an interim statement which was adopted before the West Northamptonshire Joint Core Strategy and carries limited weight.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 This HMO SPD seeks to implement both Policy H5 of the West Northamptonshire Joint Core Strategy (Managing the housing stock) and Policy 14 (Delivering houses in multiple occupation) of the submission draft Northampton Local Plan Part 2. It does not seek to introduce any new policies.

4.2 Resources and Risk

- 4.2.1 Sufficient resources have been incorporated into the budget for 2019/20 to fund the staffing requirements needed to provide pre application advice, determine planning applications and undertake enforcement activities.

4.3 Legal

- 4.3.1 Supplementary Planning Documents provide additional guidance on adopted and emerging policies contained in Local Plans. This HMO SPD has been prepared in accordance with the provisions set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning)(England) Regulations 2012.

4.4 Equality and Health

- 4.4.1 An Equalities Impact Assessment has recently been carried out for the draft Northampton Local Plan Part 2. As this SPD has been prepared to provide guidance on delivering a policy in this Local Plan Part 2, an additional Equalities Impact Assessment for this SPD was not considered necessary.

4.5 Consultees (Internal and External)

- 4.5.1 Prior to releasing the draft SPD for consultation, the Planning Policy team consulted colleagues in Development Management, Building Control and Private Sector Housing. Northamptonshire County Council and Environment Agency have also been consulted.
- 4.5.2 Following Cabinet on 24 July 2019, the draft SPD was released for consultation for 8 weeks between 8 August to 3 October 2019. Everyone on the local plan database (totalling 511 contacts) was consulted. An advert notice was also published in the Northampton Chronicle & Echo.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 This HMO SPD will provide guidance on the delivery and management of concentration of houses in multiple occupation. This will contribute towards addressing some of the issues associated with HMOs including residents' wellbeing, litter, parking and anti-social behaviour. Northampton's Corporate Plan for 2018-20 contains 3 strategic priorities, one of which is to create resilient communities. Within this strategic priority, the Council seeks to work with partners to reduce violent crime, anti-social behaviour and hate crime. In addition, it will contribute towards delivering more homes, better homes – in terms of making effective use of enforcement powers to ensure good standards in the private rental sector.

4.7 Environmental Implications (including climate change issues)

4.7.1 This HMO SPD provides guidelines on implementing policies associated with houses in multiple occupation. The principles contained in this SPD are aimed at managing the concentration of HMOs, which, if proven effective over time, will reduce issues such as litter, unacceptable space standards and negative impact on the wellbeing of occupants and residents nearby. Whilst not directly addressing the climate change issues outline within the Council's Carbon Neutral Northampton agenda, the SPD will indirectly contribute towards this agenda, for instance, through more recycling.

4.8 Other Implications

4.8.1 There are no other implications identified.

5. Background Papers

Appendix A – Houses in Multiple Occupation Supplementary Planning Document Consultation Statement, November 2019

Appendix B – Houses in Multiple Occupation Supplementary Planning Document, November 2019

- 5.1 National Planning Policy Framework (February 2019)
- 5.2 West Northamptonshire Joint Core Strategy (adopted December 2014)
- 5.3 Northampton Local Plan Part 2 (Submission Draft May 2019)

6. Next Steps

6.1 If Members choose to adopt the SPD, an Adoption Statement will be prepared. This Adoption Statement and the accompanying documents will then be placed on the Council's website.

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