

## **Planning Committee**

**16<sup>th</sup> February 2012**

Report of the Director of City Strategy

### **Public Consultation on draft Supplementary Planning Documents**

#### **Summary**

1. The purpose of this report is to inform members of Planning Committee that the Council is currently out to public consultation on 3 draft Supplementary Planning Documents (SPD's), as follows:

- Controlling the Concentration of Houses in Multiple Occupation SPD;
- Subdivision of Dwellings SPD;
- House Extensions and Alterations SPD.

These documents are attached as Annexes A, B and C to this Report. Members of the Planning Committee are given the opportunity to comment on the SPD's if required.

2. Public consultation runs from Monday 23<sup>rd</sup> January until Monday 5<sup>th</sup> March 2012. Following consultation, the responses to the consultation exercise and any subsequent changes to the SPD's will be reported back to the LDFWG and Cabinet, when the SPD's will be approved as Council policy. In terms of the Controlling the Concentration of Houses in Multiple Occupation SPD, this will support an Article 4 Direction, which comes into force on 20<sup>th</sup> April 2012.
3. The purpose of SPD's are to expand upon policy or provide further detail to policies in Development Plan Documents such as the Local Plan or Core Strategy. SPD's do not have development plan status, but once adopted they afford significant weight as a material planning consideration in the determination of planning applications.

## **Background**

### Controlling the Concentration of Houses in Multiple Occupation SPD

4. Houses in Multiple Occupation or HMO's as they are commonly referred to, represent a significant and growing proportion of the mix of housing in York. They make an important contribution to York's housing offer, providing flexible and affordable accommodation for students and young professionals, alongside low income households who may be economically inactive or working in low paid jobs. Whilst HMO's are regarded as a valuable asset to the city's housing offer there has been debate about the wider impacts concentrations of HMO's are having on neighbourhoods. This debate has mainly been driven by the increasing number of student households in the city and focuses on the detrimental impact large concentrations of HMO's can have on neighbourhoods, such as loss of family and starter homes.
5. An evidence base has been developed to explore the spatial distribution and impact of HMO's, typically occupied by student households, which indicates that it is necessary to control the number of HMO's to ensure that communities do not become imbalanced. This control will be achieved through an Article 4 Direction which will come into force on 20<sup>th</sup> April 2012. This removes permitted development rights, requiring a planning application to be submitted to change a property into a HMO. The Controlling the Concentrations of HMO's SPD provides guidance on how these planning applications will be determined.
6. The proposed approach set out in the SPD has been guided by the LDF Vision for all of York's current and future residents, having access to decent, safe and accessible homes through their lifetime. A key element of this is maintaining community cohesion and helping the development of strong, supportive and durable communities.

### Subdivision of Dwellings SPD

7. The subdivision of existing buildings into smaller residential units can be an important source of new housing in York. It is also a sustainable form of development as it gives a new lease of life to existing buildings which might be redundant or economically unviable in their current use.

8. However, unsatisfactory conversion work can sometimes result in accommodation which is of an inadequate size and poor quality. The occupants could be exposed to a number of potential problems such as overlooking, poor outlook, overcrowding, lack of amenity space, noise and disturbance from neighbouring premises and inconvenient and unsafe access.
9. The draft SPD provides guidance to developers to ensure that where subdivision of dwellings is proposed, they:
  - provide adequate internal space;
  - are of a suitable layout;
  - have acceptable amounts of internal and external storage space ;
  - have acceptable levels of facilities;
  - do not have an adverse impact on the amenity of neighbouring residents; and
  - are built and designed to a high standard of sustainability.
10. These principles clarify that the character of a neighbourhood is important when considering this type of dwelling which will be assessed on a site by site basis. The SPD confirms what is acceptable in terms of the size of a property suitable for subdivision, as well as the physical size of the rooms available. The guidance goes into specific detail of would be expected to be considered as part of a proposal, for example, room heights, access, sound insulation, parking, waste, sunlight issues.

#### House Extensions and Alterations SPD

11. The existing Council guidance note on house extensions and alterations (Guide to Extensions and Alterations to Private Dwelling Houses) was approved in 2001 and has been a valuable resource for applicants and decision makers. However, it pre-dates existing and emerging guidance and policies on house extensions. In addition, in 2008 there was a major overhaul of national legislation relating to permitted development rights for enlarging dwelling houses.
12. One of the biggest challenges in developing any guidance on proposals such as house extensions is finding a way to offer advice that strikes a balance between providing certainty and consistency whilst not making guidelines so rigid that they deter imaginative proposals, or block proposals that because of site specific circumstances are otherwise acceptable.

13. The draft SPD updates the Council's guidance. The document includes standards that can help provide a framework for applicants, but emphasises the importance of understanding the local context and how a proposal will impact on neighbours. It seeks to be more comprehensive than the existing guidance and emphasises the need and benefits from having regard to sustainability.

#### Current Consultation

14. All three SPD's are subject to a joint 6 week consultation exercise which runs from Monday 23<sup>rd</sup> January until Monday 5<sup>th</sup> March 2012. All 3 documents are published on the Council website, with hard copies being placed for public viewing in Council Receptions at 9 St Leonard's Place, Guildhall Reception and Library Square, and all Council libraries. Copies have also been placed in the Members Library for Members information. All Members have been sent an email informing them of the consultation.
15. Consultees on the LDF database have also been informed of the consultation exercise via letter or email. Additionally, a Press Release has been issued, as well as a public notice being published in the Press on Wednesday 25<sup>th</sup> January.
16. The consultation exercise is also being highlighted through the Ward Committee meetings where possible.
17. Each of the LSP Boards, as well as other groups such as the Open Planning Forum, Youth Council, Environment Forum and Property Forum have been informed of the consultation and how to make comments. In addition, information about the consultation has been emailed to members of the Inclusive York Forum via their distribution list.
18. In addition, for the Controlling the Concentrations of HMO's SPD, key stakeholders were contacted to inform them of the consultation. A Focus event has also been set up for 21<sup>st</sup> February which will involve a range of consultees.
19. Those individuals who have expressed an interest in HMO's, either through councillor queries or the Article 4 Direction, have been sent a letter or email informing them of the opportunity to comment. For the Subdivision and House Extensions and Alterations SPD's, those on the Development Management

database of planning agents have been sent a letter or email informing them of the consultation.

### **Consultation**

20. All 3 draft SPD's have been subject to internal consultation with colleagues from relevant professional disciplines. Additionally, in relation to the Controlling the Concentration of Houses in Multiple Occupation SPD, previous consultation has taken place on the proposed Article 4 Direction, and those who responded to that consultation exercise will also be contacted in relation to this SPD.
21. The Subdivision of Dwellings and House Extensions and Alterations SPD's were approved by the LDF Working Group on 7<sup>th</sup> November, and Cabinet on 6<sup>th</sup> December 2011. The Controlling the Concentration of Houses in Multiple Occupation SPD was approved by the LDF Working Group on 9<sup>th</sup> January and Cabinet on 10<sup>th</sup> January 2012.

### **Council Plan**

22. The three SPD's out to consultation relate to the following Corporate Strategy Priorities:
  - Build strong communities;
  - Protect vulnerable people;
  - Protect the environment.

### **Implications**

23. The following implications have been assessed:
  - **Financial** – None
  - **Human Resources (HR)** - None
  - **Equalities** - None
  - **Legal** – None
  - **Crime and Disorder** - None
  - **Information Technology (IT)** - None
  - **Property** - None
  - **Other** – None

## Risk Management

24. In compliance with the Council's Risk Management Strategy, there are no risks associated with the recommendations of this report.

## Recommendations

25. That Members of the Planning Committee note that the 3 SPD's are currently out to public consultation between 23rd January and 5<sup>th</sup> March 2012 and provide comments as appropriate.

Reason: To give Members of the Planning Committee the opportunity to comment on the SPD's if required.

## Contact Details

### Author:

**John Roberts**  
Assistant Development  
Officer  
Integrated Strategy  
Tel: 551464

### Chief Officer Responsible for the report:

**Richard Wood**  
Assistant Director for Strategic Planning  
and Transport  
Tel: 551448

**Report  
Approved**



**Date** 27/1/2012

## Specialist Implications Officer(s)

N/A

**Wards Affected:** *List wards or tick box to indicate all*

**All**

**For further information please contact the author of the report**

## Background Papers:

Annex A: Controlling the Concentration of Houses in Multiple Occupation SPD;

Annex B: Subdivision of Dwellings SPD;

Annex C: House Extensions and Alterations SPD.