

Cabinet Meeting Resolution

Executive
Forward Plan
Reference

E2324

Options for the designation of an Article 4 Direction on Houses in Multiple Occupation

Date of Meeting	14-Mar-12
The Issue	<i>This report sets out the options for the designation of an Article 4 Direction on Houses in Multiple Occupation. These options will be public consultation</i>
The decision	<p>(1) To AGREE that it is satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on application;</p> <p>(2) To AGREE accordingly to make a non-immediate Article 4 Direction covering Houses in Multiple Occupation in the City of Bath for the reason set out in paragraph 5.5 of the report;</p> <p>(3) To NOTE that a 6-week public consultation is required under the regulations with results being considered before any implementation of the Article 4 Direction;</p> <p>(4) To DELEGATE authority to the Divisional Director for Planning and Transport, in conjunction with the Cabinet Member for Planning and Housing to undertake all steps required to bring into effect the Article 4 Direction;</p> <p>(5) To ASK the Divisional Director for Planning & Transport to prepare a Supplementary Planning Document as part of the Local Development Framework to enable implementation of the Article 4 Direction;</p> <p>(6) To AGREE that the representations and the results of the public consultation are considered by Cabinet in no less that 12 months from the notice of the Article 4 Direction to enable consideration as to whether the Article 4 Direction should be confirmed, abandoned or amended: and</p> <p>(7) To ASK that evidence be gathered to ascertain whether the legislative conditions for introducing additional licensing can be met, and if so, undertake a 10-week public consultation exercise which will inform the designs of any such designation. The outcome of this process will be subject to a further report to Cabinet where a decision will be made whether to implement additional licensing and if so, whether all or part of the district to be subject to additional licensing for classes of HMOs specified by the Council.</p>
Rationale for decision	A response is required to deal with the high levels of HMOs in parts of Bath. The decision will ensure that the local community is fully involved with the Council in agreeing ways in which housing quality and management issues can be tackled through a mixture of Additional Licencing, while also seeking further control on the expansion of HMOs through Planning Controls.
Other options considered	<ul style="list-style-type: none"> Option 1: A non-immediate Article 4 Direction plus a threshold planning policy (a limit of 20% HMOs within 100m radius of applicant site);

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- Option 2: Additional licensing and a planning policy in support of purpose-built student accommodation, introduced through a DPD or SPD;
- Option 3: A combined approach incorporating all of the elements in Options 1 and 2;
- Option 4: Do nothing.

The relative merits of the options were considered in Appendix A to the report.

The Decision is subject to Call-In within 5 working days of publication of the decision