

South Gloucestershire Council

REPORT TO: CABINET MEMBER FOR REGENERATION, ENVIRONMENT AND STRATEGIC INFRASTRUCTURE

REPORT TITLE: CONSIDERATION OF CONSULTATION RESPONSES TO THE PROPOSAL TO WITHDRAW SPECIFIED PERMITTED DEVELOPMENT RIGHTS TO CONVERT DWELLING HOUSES (C3) TO A SMALL HOUSES IN MULTIPLE OCCUPATION (HMO) (C4) WITHOUT PLANNING PERMISSION WITHIN SPECIFICALLY DEFINED AREAS OF FILTON AND STOKE PARK & CHESWICK WARDS THROUGH A DIRECTION MADE UNDER ARTICLE 4 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 2015.

Purpose of Report

1. To consider the consultation responses as set out at **Appendix 1** to the proposal to withdraw specified permitted development rights to convert dwelling houses (C3) to a small Houses in Multiple Occupation (HMO) (C4) without planning permission within specifically defined areas of Filton and Stoke Park & Cheswick wards through a direction made under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.

2. Recommendations

1. Following consideration of the consultation responses as set out at **Appendix 1** the Executive Member for Regeneration, Environment and Strategic Infrastructure agrees to approve confirming the Direction to withdraw specified permitted development rights to convert dwelling houses (C3) to a small Houses in Multiple Occupation (HMO) (C4) without planning permission within specifically defined areas of Filton and Stoke Park & Cheswick wards as presented at **Appendix 2**, through a direction made under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015:
2. Subject to the decision to confirm making the Direction, delegated authority is given to the Director of Environment and Community Services to complete the confirmation process as follows:
 - i. Instruct South Glos Legal Services to seal the Direction and for it to be subject to a minimum of 21 days consultation for any further representations to be made in accordance with Schedule 3 clause 4 of the Town and Country Planning (General Permitted Development) Order 2015.
 - ii. Subject to reviewing the comments received, the Director of Environment and Community Services in consultation with the Executive Member for Regeneration, Environment and Strategic Infrastructure to make any required amendments to the Direction ahead of finalising the confirmation of the Direction, to request Legal Services prepare the sealed documents and giving a period of at least 28 days following the latest date on which any notice relating to the direction was served or published prior to the Direction coming into force, in accord with Schedule 3 clauses 7, 9 and 10 of the Town and Country Planning (General Permitted Development) Order 2015.

iii. Officers to complete the necessary notification of all relevant stakeholders advising as to when the Direction will come into force and for a sealed copy to be provided to the Secretary of State in accord with Schedule 3 clause 11 of the Town and Country Planning (General Permitted Development) Order 2015.

Policy

3. Statutory powers and procedures for the Council in making an Article 4 Direction (A4D) are set out in the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) which enables the Secretary of State or the relevant local planning authority (LPA) to withdraw specified permitted development rights across a defined area in order to support the necessary protection of the local amenity and/or the wellbeing of the area. In the areas where an A4D applies, all property owners or prospective landlords would no longer have permitted development rights to convert a dwelling house (C3) to a small HMO (C4) without planning permission. This would not mean that HMOs within A4D areas are unacceptable, rather that it would bring these into the planning system to allow consideration of the proposed development against policies.
4. The National Planning Policy Framework (NPPF) (July 2021) requires that A4Ds are only implemented when it is 'necessary to protect local amenity of the well-being of an area' and should be used only where they are supported by a robust evidence base and apply to the smallest geographical areas possible. The National Planning Practice Guidance (PPG) further sets out that an A4D should be justified in both its purpose and extent. The definition of any proposed A4D boundary must therefore be carefully considered and evidence-based in order to comply with national policy.
5. The Order establishes two potential options for making and confirming an A4D; those with immediate effect, and those without. The option chosen by an LPA has implications on their liability for compensation related to the withdrawal of permitted development rights, as set out in section 108 of the Town and Country Planning Act 1990 (as amended). Following consideration of this and ahead of public consultation commencing, it was agreed for this to be progressed as a non-immediate Direction as set out in the December 2021 Executive Member Report.

Background

6. **Housing in Multiple Occupation (HMOs)** are properties rented out to at least 3 people who are not from one household (for example such as a family) but share facilities like a bathroom or kitchen. Most HMOs are conversions or subdivisions of larger houses and currently, as at 2021, planning permission is only needed if providing 7 or more bedrooms. HMOs meet a variety of needs for private rented housing ranging from young professionals 'house-shares' and students wanting to live off campus, as well as providing a vital source of housing supply for people on lower incomes. For many people, HMOs provide a practical and affordable housing option that meets their housing needs. However, evidence shows that there has been an increase in this type of development in South Gloucestershire over recent years to meet demand. This has resulted in concentrations of HMOs in particular parts of the district which has, in some cases, heightened concerns from neighbouring properties and wider community with regard to parking pressures, noise, management of waste

and recycling and anti-social behaviour, and in some cases has result in a perception that mixed communities are no longer supported.

7. In October 2021 the council adopted the Houses in Multiple Occupation: Guidance for New Developments Supplementary Planning Document (SPD). This SPD has been prepared to provide further guidance on the key issues and approach to considering applications for HMOs to support adopted planning policy contained within the South Gloucestershire Local Plan: Core Strategy (adopted 2013) Policy **CS17** “*Housing Diversity*”, Policy **PSP39** “*Residential Conversions, Sub-division and Houses in Multiple Occupation*”, Policy **PSP8** “*Residential Amenity*” which addresses impacts on living conditions and amenities of neighbouring properties arising from new household developments and Policy **PSP16** “*Parking Standards*”, which together should be taken as the primary policy basis for this SPD. If one or more A4Ds were introduced this would remove permitted development rights for HMOs of 6 or less bed spaces and require these ‘small’ HMOs to obtain planning permission and in so doing, bring these types of applications under the consideration of adopted policy and the SPD.
8. The development of HMOs, particularly under permitted development rights, has resulted in concentrations of HMOs within residential communities in many cities and towns in England. While this development may be responding to demand for such tenure, for example amongst students or those requiring an affordable form of housing, the unregulated and rapid nature of HMO development in some areas has also been associated with harmful effects to local communities and imbalance in the housing market.
9. The Council carried out research in 2016 and 2017 to understand the concentration of HMOs in the local authority area and identify any harmful effects of such development. It was ultimately concluded that an A4D would be of limited benefit to introduce at that time, and that further work was required to improve the evidence base and address the issue of HMOs through new or updated planning policy in the new Local Plan.
10. In recognition of continued demand for HMOs in the district, as well as concerns raised by residents over potential harmful effects associated with such development, the Council commissioned Arup to update its understanding of HMOs and reconsider if there is a justified case to introduce one or more A4Ds. The work has been undertaken alongside the preparation of the HMO SPD as there are efficiencies and interdependencies achieved by so doing. However, the business case is a separate project and has involved evidence gathering and reviewing a range of data sources and information to assess that the potential harm the direction is intended to address is clearly identified and that there is a ‘particularly strong justification’ for the withdrawal of permitted development rights. This is further explained at paragraphs 10 to 21.

The Issues

11. The intention to make the A4D was subject to 8 weeks public consultation from 7th February to the 4th April. As part of this consultation the council gave notice that if the decision is to proceed the Article 4 Direction(s) will come into force by 31st December 2022. The consultation was promoted via:
 - the South Gloucestershire Council’s website <https://beta.southglos.gov.uk/planning-policy-guidance>

- Local media and social media on South Gloucestershire Council's Facebook page
- an advert in Western Daily Press which covers the whole of South Gloucestershire Council area
- an advert in the March edition of Filton Voice
- Public Notices placed across the two proposed A4D boundary areas. These will be displayed this week/ early next week.
- South Gloucestershire Libraries and One-Stop Shops (please refer to www.southglos.gov.uk/libraries for locations and opening times).
- Letter delivered to every household within the two proposed A4D boundary areas
- Email/ letter sent to everyone on the South Gloucestershire Council's Local Plan database
- The West of England Landlords forum and to landlords of Licenced HMO properties in South Gloucestershire
- Our equalities partners with the objective to strengthen community and stakeholder involvement and awareness of the procedures for implementing the A4Ds

12. In total 296 individuals and organisations responded to the consultation. The majority of responses to the consultation were received via online response form and of these, from individuals identifying as members of the public (92%).

13. At the request of the Executive Member, the Policy Advisory Group (PAG) was invited to review and consider the officer responses to the consultation. The Council's Scrutiny Commission HMO Task and Finish Group was also briefed on the comments received to the consultation and invited to review the officer suggested responses. The comments received from both elected member groups and officer responses to these have been summarised in this report and included in the respective documents where appropriate as described in this report.

14. Full details of the public consultation undertaken, the comments received and the officer response is set out in **Appendices 1**. A summary of the comments received and the changes officers have considered helpful to make is set out below.

Members of the public/ local residents

- Overall support for the proposals for the A4D, with many respondents identifying their experienced and perceived issues with HMO developments in their local community.
- Respondents identified that they associated the following issues with concentrated HMO development: parking pressure/ traffic, noise, poor waste management, poor quality accommodation, loss of community and impacts on the housing market.
- Some respondents stated their support for the inclusion of specific streets or areas within the proposed A4D (e.g. Stoke Park, Cheswick Village, Slade Baker Way and areas of Filton).
- Some respondents queried whether the A4D could be applied to a wider area or could include specific locations (e.g. all of Filton ward, Kenmore Crescent Braemar Avenue)
- Some respondents queried how effective an A4D would be in controlling or preventing HMO development and suggested that they should be applied retrospectively to existing HMOs.
- Some respondents stated their disagreement to the proposed A4D, suggesting that the issues associated with HMOs could be controlled through other

regulatory measures such as selective licensing or better enforcement of existing controls (e.g. on waste).

- Some respondents stated concern that the A4D may reduce the housing supply for those in need of affordable housing such as students, young professionals and small or single parent families.
- Some respondents made comments on how the existing planning system operates in considering HMO developments.

Filton Town Council

- Filton Town Council expressed overall support for the proposed A4D, however requested that Kenmore Crescent and Kenmore Grove are included in the A4D boundary, as their exclusion is considered an oversight.
- Filton Town Council considered that the A4D should be implemented immediately, as there has been ample warning that one may be introduced (e.g. through the production of the business case and the recent consultation) and therefore compensation shouldn't be payable.
- Filton Town Council considers that a register should be created to include all licensed and un-licensed HMOs, to understand how a mixed and balanced community can be maintained and to make the A4D more effective.

University of the West of England (UWE)

- UWE agrees with the findings of the consultation document as to its identification of the areas of South Gloucestershire with significant concentrations of HMOs. UWE considers a proportion of this demand can be attributed to the student population given the proximity of Frenchay Campus.
- UWE has concerns regarding the lack of affiliation of private sector HMOs with UWE and the potential that these properties are not managed in accordance with its accommodation strategy and vision, to provide the appropriate pastoral care and welfare support. UWE considers that the emphasis should be for on-campus living for its students.
- UWE recognises the concerns raised by some residents regarding concentrations of HMOs in the community and impacts this may have regarding parking, noise, waste and anti-social behaviour. supports the A4D proposals.
- In summary, UWE supports the A4D proposals due to the following concerns with HMOs:
 - over concentration of HMOs in a residential area;
 - lack of affiliation with UWE and the potential for adverse impact on UWE's Vision and Student Accommodation Strategy;
 - harm to student welfare through the lack of access to pastoral support;
 - harm to the amenity of the local community; and
 - inappropriate form of development.

Organisations representing property landlords

Stokes Morgan Planning on behalf of clients who own HMO properties:

- Expressed objection to the proposed A4D
- Considers the A4D proposals within the Filton area to be too large and not justifiable by evidence, contrary to NPPF paragraph 53.
- In particular, it is considered that the following areas should not be included in the A4D based on the proportion of HMOs:

- The area between Southmead Road and Gloucester Road North, which has one Census Output Area (COA) out of 9 with an excess of 5% HMOs
- The Gayner Road, Elm Park or Springfields COAs.
- Suggestion that the A4D should be between areas north of the ring road (between the A38 and railway line) and roads around Filton Avenue.
- Objection to the purpose of the A4D as HMOs provide a valuable form of accommodation. Considers that the A4D will push demand for HMOs to less sustainable locations, contrary to the SGC adopted climate emergency.

Platinum Property Partners:

- Expressed objection to the proposed A4D
- Considers that in areas where there is already over 10% of HMOs as a proportion of housing, it does not necessarily result in unacceptable or harmful change to the character of the area but instead demonstrates an existing transformed character and hybridised housing mix, with a sense of place established.
- Considers that HMOs are critical to housing choice and provide valuable, affordable accommodation. Concern raised regarding potentially negative impact of the A4D on this supply, within the context of the housing crisis and the disproportionate housing need for those with protected characteristics.
- Considers that existing regulation and policy is in place and sufficient to regulate HMOs, including recently adopted HMO SPD within SGC.
- Considers that the A4D would not be effective in addressing poor quality HMOs/rogue landlords as this is the remit of existing regulations and not the land use planning process.

Other stakeholders

The Coal Authority had no specific comments to make in response to the A4D consultation documents.

How the issues raised have been considered in finalising the A4D boundary

15. As set out in the Engagement Report and associated consultation response schedule, the vast majority of respondents expressed support for the proposed A4D as it was consulted upon; of the 284 respondents to Question 2 of the online questionnaire, 93% stated their support for the proposals.
16. Whilst a small number of respondents suggested changes to the A4D boundary, including proposals for extending the area and for reducing the area, SGC officers have reviewed the case for such amendments and have determined that to do so is not sufficiently supported by the evidence informing the A4D boundary. It is considered that the boundary as proposed is appropriate based on the data and evidence available, as set out in the business case published at the time of consultation. It is considered that the boundary as proposed is consistent with national policy and guidance on the use of A4Ds by local planning authorities, primarily within paragraph 53 of the NPPF.

17. For the reasons outlined above, no changes have been made to the proposed A4D boundary following the consultation. SGC officers have provided a response to the full range of matters raised in the consultation within the schedule at Appendix 1 of the Engagement Report.

18. Officers consider that through undertaking the A4D consultation the Council has appropriately reviewed and considered the comments received through public consultation.

Consultation

19. To ensure all stakeholders were made aware of the council's intention to introduce an A4D, the proposals were subject to 8 weeks public consultation from 7th February to 4th April 2022. This represented early front loading and ensured a full opportunity for local residents, members of the public, property landlords, UWE and other interested parties to have their say. Comments received and officer responses are attached at Appendix 1.

20. The Council's Policy Advisory Group (PAG) and the Scrutiny Commission HMO Task and Finish Group (SCT&FG) were also invited to consider the comments received to the public consultation and the proposed officer responses. PAG supported bringing in this Article 4 Direction, because in areas like Stoke Park and Cheswick the high number of HMOs without adequate parking and other facilities is having a negative impact on the lives of local residents. The SCT&FG welcomed the opportunity to be briefed on the comments received to the consultation, proposed officer responses and the remaining stages and timescales for implementing the Direction. SCT&FG also welcomed that the A4D would be part of the council's planning policy framework to help manage the impact of HMOs in local communities alongside the HMO SPD and Parking Survey Technical Advice note, as well as the work being undertaken to update the HMO policy through the council's new Local Plan. Moreover, the SCT&FG valued that once the Direction is fully in force it will require all new HMO developments to submit planning applications and for these to be approved before such development can take place within the areas covered by the A4D.

21. South Gloucestershire Council must ensure compliance with the legal requirements and process of making a non-immediate Article 4 Direction as set out in Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 [The Town and Country Planning \(General Permitted Development\) \(England\) Order 2015 \(legislation.gov.uk\)](#). Accordingly, prior to the decision to confirm making the Direction and it coming into force the following actions need to be completed:

- Instruct the council's Legal Services to seal the Direction and for it to be subject to a minimum of 21 days consultation for any further representations to be made in accordance with Schedule 3 clause 4 of the Town and Country Planning (General Permitted Development) Order 2015.
- Subject to reviewing the comments received, the Director of Environment and Community Services in consultation with the Executive Member for Regeneration, Environment and Strategic Infrastructure have an opportunity to make any required amendments to the Direction ahead of finalising confirmation of the Direction. Following this Legal Services need to be requested to prepare the Direction as a final sealed document and for a period

of at least 28 days to be identified following the latest date on which any notice relating to the direction was served or published prior to the Direction coming into force, in accord with Schedule 3 clauses 7, 9 and 10 of the Town and Country Planning (General Permitted Development) Order 2015.

- Finally, officers need to complete the necessary notification of all relevant stakeholders advising as to when the Direction will come into force and for a sealed copy to be provided to the Secretary of State in accord with Schedule 3 clause 11 of the Town and Country Planning (General Permitted Development) Order 2015.

Equalities Considerations

22. An Equality Impact Assessment (EqIA) has been conducted and is shown at **Appendix 3**.

23. The EqIA has identified potential for some protected characteristic groups to be disproportionately negatively impacted by decisions concerning HMOs. In particular, it notes that persons who are living with lower incomes and in poverty/financial hardship can be reliant on HMOs as providing a practical and affordable housing option that meets their housing needs. The EqIA clearly evidences that the following protected characteristic groups are disproportionately likely to be living with lower incomes and in poverty/financial hardship:

- People from many Black, Asian and Minority Ethnic backgrounds;
- People identifying with religions other than Christian;
- Disabled People;
- Younger People;
- Women.

24. The EqIA also identifies the protected characteristic of 'Pregnancy and Maternity' as being an area for potential negative impacts due to risk of eviction should a person become pregnant whilst being an occupant of an HMO, if the tenancy and/or licensing agreement limits the number of permitted occupants in a dwelling, or if the increase of an occupant triggers the need for planning consent.

25. In addition, the EqIA raises the disproportionate levels of homelessness amongst people from LGBTQ+ communities.

26. It is also worth noting that the Covid-19 pandemic has shone a spotlight on health inequalities which have included an increased likelihood of Covid infection and mortality in those homes which are overcrowded.

27. Evidence shows that there has been an increase in this type of development in South Gloucestershire over recent years to meet demand. This has resulted in concentrations of HMOs in particular parts of the district which has, in some cases, heightened concerns from neighbouring properties and wider community with regard to parking pressures, noise, management of waste and recycling and anti-social behaviour, and in some cases has resulted in a perception that mixed communities are no longer supported.

28. The identified negative impacts would be likely should a decision be taken to no longer permit HMOs in the area concerned. However, it is important to be clear that this is not the decision under consideration.
29. The proposal is to withdraw specified permitted development rights to convert dwelling houses (C3) to a small Houses in Multiple Occupation (HMO) (C4) without planning permission. This means that any decision to implement the proposal set out at paragraph 1 of this report would bring a requirement in the areas where an A4D applies, all property owners or prospective landlords would no longer have permitted development rights to convert a dwelling house (Use Class C3) to a small HMO (Use Class C4) without planning permission. This would not mean that HMOs within A4D areas are unacceptable, rather that it would bring these into the planning system to allow consideration of the proposed development against policies.

Alternative Options Considered

30. The council has the option not to progress to complete the required procedures needed to introduce the Direction. However, this would result in specified permitted development rights being retained for property owners to convert dwelling houses (C3) to a small Houses in Multiple Occupation (HMO) (C4) without planning permission within specifically defined areas of Filton and Stoke Park & Cheswick wards. This approach would not be appropriate given that there is evidence that these two areas of the district have significant HMO concentrations and communities are experiencing harm to their local amenity, which could be in part attributed to such development.

Financial Implications (includes tax implications such as VAT)

31. By recommending the introduction of a non-immediate A4D the council is limiting the recourse for any compensation claims against the Council as it is felt that the non-immediate A4D approach meets the parameters of the legislative provisions as explained in this report.

Steve Stimpson, Interim Finance Business Partner (ECS)
☎ 01454 863115

Legal Implications

32. The proposal to create two new A4Ds within the specifically defined areas of Filton and Stoke Park & Cheswick wards represents a proportionate, evidence based response to the issues experienced by the local communities. Ahead of making the Direction, the Council gave notice on the 7th February 2022 that it intended to introduce the Direction by 31st December 2022 i.e effectively front loading the process of making the Direction. This was also subject to 8 weeks public consultation, with local residents, members of the public, property landlords, UWE and other interested parties provided with a full opportunity to consider the proposal and make their comments. As reported above this resulted in 298 people responding to the consultation. Accordingly, the Council has therefore been very clear of its intentions to introduce the Direction and that the order will be expected to come into force at the end of this year subject to considering the representations and whether to confirm the order or not.

33. The regulations (Clause 4) give the Council discretion as to when to make the proposed direction which can be anything between 28 days to 2 years from the closing date of period given for the representations. Clause 10 deals with when the local authority can confirm the directive which must not be less than 28 days from the date of publication of the notice. In this case as the notice was given on the 7th February 2022, subject to the Council undertaking the required further 21 days consultation on the decision to make the Direction, notifying stakeholders and appropriately reviewing the comments received, the council is able to move forward without further delay to complete the remaining stages of making the Direction to introduce a non-immediate Article 4 Direction A4D in accord with Schedule 3 of the Town and Country Planning (General Permitted Development) Order 2015 as set out in the recommendations of this report.

Tonya Meers, Solicitor, Legal and Democratic Services
01454 863041

Human Resources Implications

34. There are no HR implications arising from this report. The staff resources needed to prepare the A4Ds have been drawn from existing resources within the Strategic Planning and Housing Service in collaboration with the consultancy partner Arup.

Gaynor Fisher, HR Business Partner
☎ 01454 868193

Climate Emergency and Environmental Implications

35. The proposal to take forward A4Ds add further detail and guidance to the policies in the development plan that support mixed and balanced communities. Areas where property types are concentrated can present greater challenges for responding to the climate emergency for example with regard to the reduction of energy consumption in domestic properties and the related carbon emissions. This proposal is part of a range of measures that support how the council resets the way it delivers its services and statutory functions post COVID-19 and in that respect it contributes to the council's Climate Emergency objectives.

Lucy Rees, Senior Environmental Policy Officer
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Social Implications

36. There is limited evidence of harm related to the concentration of HMOs in particular areas. However, the qualitative data shows concern by some members of local communities about the level of HMOs and those that live in them, which increase tensions and reduce cohesion in those areas. This will need to be balanced against the demand for affordable accommodation in these same areas in making a final decision following public consultation. It will also be necessary to consider any potential negative inequality implications. It is known that this type of accommodation is more often used by some groups (as identified in the equalities impact assessment)

that are already facing inequality. Any potential reduction in affordable accommodation for these groups could impact this further.

Mark Pullin, Communities Services Manager
01454 868480

Economic Implications

37. While the Council's Local Plan and supporting policy framework documents will have significant implications for supporting a strong and prosperous economy, there are no direct economic implications identified through the recommendations as set out within this report. The Cabinet Member for Regeneration, Environment and Strategic Infrastructure may wish to consider whether a form of economic impact assessment is proportionate to the decision to support any of the report recommendations. Such assessment may have a focus upon jobs, both created and safeguarded.

Ian Steele, Business Investment & Digital Connectivity Manager
01454 868202

Privacy Impact Assessment

38. In preparing to council's development plan and supporting policy framework documents the council will ensure full consideration to its data protection responsibilities. All relevant and necessary steps, including removing personal contact details from correspondence received and ensuring all parties are advised of how their personal contact information will be used, will be undertaken. Officers are therefore satisfied that any impacts of the preparing and consulting on the A4Ds on specific individuals or groups, will be appropriately addressed.

Risks, Mitigations & Opportunities

- 39 This project has undertaken research, data analysis and engagement with stakeholders in order to produce an updated, holistic understanding of HMOs in South Gloucestershire. This includes reviewing the concentration and distribution of HMOs within South Gloucestershire and how their development may affect communities, particularly where there are high concentrations of HMOs as a proportion of housing stock.
40. These findings have identified that there is evidence of concentrations of HMOs in some areas of South Gloucestershire and evidence of harm felt by communities in these areas which is indicative of housing related issues. On this basis the creation of a new A4D within a targeted geographic area proposed in the boundary appended to this report, is proposed as being beneficial in protecting local amenity and wellbeing and would be compliant with national policy by virtue of being sufficiently evidenced and justified.
41. The making of an A4D by a local authority may be subject to Judicial Review (JR) by a third party. A JR of an A4D would focus on the procedural, legal aspects of a decision made, in which the appellant seeks to prove that the legal process for making and deciding upon an A4D was not correctly followed. To date, there appear to be no cases in which a JR has been successfully brought against a local authority for their A4D decision. Whilst there is relatively limited risk of such a JR, it does remain a risk that must be considered given the financial and reputational

implications of such challenge. Officers will continue to keep this matter under review pending the completion of the remaining stages required to introduction this Direction.

Other Implications

42. There are no other implications arising from this report.

Reasons for Decision

43. The recommendation of this report is that South Gloucestershire Council should subject to completing the required procedures, make a non-immediate Article 4 Direction to remove permitted development rights for a change of use from a dwelling house (Use Class C3) to a House in Multiple Occupation (Use Class C4) within the geographic areas identified at **Appendix 2**

Author

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Departmental Contacts

Patrick Conroy, Strategic Planning Policy & Specialist Advice Team Manager
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Background Papers

Decision report by Cabinet Member for Regeneration, Environment and Strategic infrastructure to consult to withdraw specified permitted development rights to convert dwelling houses (C3) to a small houses in multiple occupation (HMO (C4) without planning permission within specifically defined areas of Filton and Stoke Park & Cheswick wards through a direction made under article 4 of the town and country planning (general permitted development) order 2015.

Decision report by Cabinet Member for Regeneration, Environment and Strategic Infrastructure to adopt the Houses in Multiple Occupation and Annexes and Residential Outbuildings Supplementary Planning Documents (SPD).

Decision Taken: Declarations

Cabinet Member for

REPORT TITLE:

Original recommendation as set out in the report approved without amendment	Yes/No*
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Original recommendation amended and decision as follows (including any reasons for the amended decision) :	Yes/No*
I have a disclosable pecuniary interest, non-disclosable pecuniary interest or non-pecuniary interest in this matter	Yes/No*
If an interest is declared please give details below	

.....
Councillor

Date

.....
Councillor

Date