

 Executive 13th November 2013		Agenda Item No. <div style="font-size: 2em; text-align: center;">6</div>
Title	Planning Policy for HMOs and Student Accommodation in Warwick District.	
For further information about this report please contact	Sally Jones Senior Planner	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Executive 19 th June 2013	
Background Papers	Appendix 1: The Policy & Justification Appendix 2: Summary of Objections and Council's Response	
Contrary to the policy framework:	No	
Contrary to the budgetary framework:	No	
Key Decision?	Yes	
Included within the Forward Plan? (If yes include reference number)	Yes	
Equality & Sustainability Impact Assessment Undertaken	Yes/No	
Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	22/10/13	Andy Jones
Head of Service		Tracy Darke
CMT		
Section 151 Officer		Mike Snow
Monitoring Officer		
Finance		Marcus Miskinis
Portfolio Holder(s)		Councillor Coker – Environment and Community Protection Councillor Hammon – Development Councillor Vincett – Housing & Property
Consultation & Community Engagement		
Landlords Forum 30/10/12 Residents Meeting 20/12/12 Councillors Meeting 19/11/12 Local Plan Members Policy Review Group 10/04/13 Formal public consultation between 5 th July and 16 th August 2013		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 At the Executive meeting of 19th June, 2013 a draft Policy on HMOs and Student Accommodation was agreed for consultation purposes. A consultation exercise was carried out between 5th July and 16th August 2013, during which time copies of the draft policy were placed in various deposit points throughout the District and comments invited. Officers have now considered and responded to the representations received and it is recommended that Executive approve the revised policy.

2. **RECOMMENDATION**

- 2.1 That Executive approves the attached revised policy at Appendix 1 for adoption as an Interim Policy in advance of the adoption of the emerging Local Plan.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 In Warwick District, there are already high concentrations of student accommodation, particularly in south Leamington. The areas around central Leamington are also popular for landlords, and there is continued demand and growing interest in the provision of student accommodation.
- 3.2 The Council recognises the clear benefits arising from a student population, particularly in terms of support for the economy of Leamington town centre and the potential to retain a highly qualified, graduate workforce. The Council works with the University of Warwick and other partner organisations to address the issues which arise. The Students Union actively helps new students to integrate into the wider community. However, the annual changeover of tenants means that the same issues arise again each year. Increased planning control will enable the Council to better manage the location of new student accommodation.
- 3.3 The research undertaken as part of the Article 4 Direction showed clear evidence of harm to local amenity where HMOs are concentrated. It identified a number of negative issues which were largely a result of the imbalance caused by:
- a relatively large proportion of young, single people with student lifestyles which conflict with the lifestyles of more settled residents; and
 - a relatively large proportion of privately rented accommodation with short term tenancies which often leads to a lower standard upkeep of the property and the loss of a sense of belonging within the community
- 3.4 The Policy, the subject of consultation, aimed to address issues such as the concentration of HMOs and student accommodation and inappropriate refuse storage. It included a threshold policy, to control concentrations of HMOs, along with requirements for HMOs to be located within reasonable distance of a bus stop and to include adequate provision for the storage and movement of refuse.
- 3.5 Following the six week consultation period, 42 representations were received. Officers have analysed, and responded to, the representations and this is attached at Appendix 2. On the basis of these representations, amendments have been made to the draft policy and supporting text and these are attached at Appendix 1.

- 3.6 The recommended changes include one change to the policy itself. This will allow more flexibility in meeting the requirement for refuse storage and movement. This follows a number of representations on this aspect of the policy bearing in mind the different circumstances in terms of the nature of the property and the arrangements for refuse collection. Where the policy criterion cannot be met, provision is made for Contract Services to agree alternative arrangements if appropriate. Other changes largely include further information or definitions to support the policy.

4. POLICY FRAMEWORK

- 4.1 Policy Framework – N/A

- 4.2 The policy would support 2 out of 4 strategic aims in the Warwick Partnership's Sustainable Community Strategy – "Safer Communities" and "Housing". The full assessment of all HMOs would assist in the priorities of tackling anti-social behavior and maintaining a good quality of life for residents.

5. BUDGETARY FRAMEWORK

- 5.1 The implementation of the interim policy can be carried out within existing budgets.

6. ALTERNATIVE OPTION(S) CONSIDERED

- 6.1 An alternative option would be to not prepare an interim policy but to include a policy on HMOs and student accommodation in the emerging Local Plan.
- 6.2 This could result in a worsening of the existing situation, in particular in south Leamington, and potentially the creation of new areas of concentration. It could also result in an unclear framework within which planning applications for a change of use from a dwelling house to all HMOs are considered, and lack of clarity as to what would constitute an over concentration.

7. BACKGROUND

- 7.1 On 1st April 2012, the District Council confirmed an Article 4 Direction for small HMOs in Leamington Spa which removed permitted development rights in respect of changes of use from dwellings to small HMOs in Leamington Spa. At the Executive meeting of 26th January 2011, which approved the Article 4 Direction, it was agreed that the Council would include a HMO policy within the new Local Plan and, if deemed necessary, formulate and adopt an interim policy to guide development management decision making.
- 7.2 In formulating the draft interim policy, Officers consulted on the issues with residents of south Leamington, local landlords at the Landlords Forum, the University of Warwick, Warwickshire College, Councillors and other Council Departments. The draft policy included a threshold criterion to control concentrations as well as criteria for the adequate storage of refuse and for the distance from a bus stop.
- 7.3 Following the 6 week consultation period, representations were received from 42 individuals and organisations. Approximately 26 representations objected to the policy and the remainder either supported the policy or made comments or queries. The objections were evenly split between those who thought the policy

was too restrictive and those who thought the policy was not restrictive enough.

- 7.4 The threshold criterion was the subject of a number of objections but none of these provided sufficient justification for a different approach. There was concern that it would lead to a shortage of HMO accommodation for young professionals, but there is no evidence to support this view and the Council will monitor the situation as the policy is implemented.
- 7.5 There was a view that the refuse storage requirement was too restrictive and could lead to most applications being refused. An element of flexibility has been included in the revised policy. The requirement for a bus stop to be located within 400 metres was the subject of objection on the basis that many occupiers of HMOs are young professionals who own cars. However, research shows that most HMOs are student shared houses and accessibility to a bus service is essential.
- 7.6 A number of respondents objected to the lack of an Article 4 Direction in respect of other towns in the District. There is currently no evidence of loss of amenity due to the concentration of HMOs in the other towns but the situation in these towns will be monitored.
- 7.7 There were a number of queries in relation to definitions and requests for further clarification as to how the policy will operate in practice. A number of changes are suggested in response to these comments.
- 7.8 The revised policy and a summary of representations along with the Council's response are included in Appendices 1 and 2.