

**ARTICLE 4 DIRECTION IN RELATION TO CHANGES TO SMALL HOUSES IN MULTIPLE OCCUPATION (HMOs) IN SIDMOUTH AVENUE, GOWER STREET, GRANVILLE AVENUE, NORTHCOTE PLACE, AND PART OF KING STREET.**

**Purpose of the Report**

To inform the Planning Committee of comments received on the Article 4 Direction so that they can be taken into consideration in the decision as to whether or not to confirm the Direction.

**Recommendation**

**1) That the Planning Committee confirms the Direction**

**Reason**

The notification period is now over and the responses received support the confirmation of the Direction.

**1.0 Introduction**

1.1 The Planning Committee, on 10<sup>th</sup> November last year, resolved that an immediate Article 4 Direction be issued to remove, with respect to the area identified, the permitted development rights that allows without the need for planning permission, changes of use from dwellinghouses (Use Class C3) to Small Houses in Multiple Occupation (Use Class C4). The purpose of this report is to inform members of the results of the consultation since undertaken, and to enable the Planning Committee to consider whether the Article 4 Direction should be confirmed.

**2.0 Background**

2.1 Following the resolution of Planning Committee a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order that affects this property was made. The Direction came into force on 22<sup>nd</sup> December 2015. The Direction expires at the end of a 6 month period beginning with the date on which it came into force (i.e. by 21<sup>st</sup> June 2016) unless it is confirmed

**3.0 Notification process and results**

3.1 The notification period where representations were invited took place between 22<sup>nd</sup> December 2015 and 26<sup>th</sup> January 2016. In accordance with legislation, the owners and occupiers of all properties within the area were notified in writing. In addition site notices were erected and a press notice published. A copy of the Direction order and the map showing the land affected by it was available to view on the Council's website

3.2 In total, there have been 33 identical letters in response to the notification submitted from people who reside within the area and are affected by the implementation of the Article 4 Direction. The letters indicate the following;

- firm support of the decision to make an Article 4 Direction,
- fully understand the effects of the Direction and how it will be used to stop the carte blanche change of use of dwellings into houses in multiple occupation without full planning permission.
- Firmly support the prospect that the Direction will become a permanent feature of the area and not be allowed to lapse.

#### **4.0 Next Steps**

4.1 As indicated above, the Direction must be confirmed before 21<sup>st</sup> June 2016 or it will expire. The notification period did not result in the submission of any comments that would suggest or indicate that the Direction should not be confirmed. As such it is recommended that Committee confirm the Direction. Following this, it will be necessary for the Local Planning Authority, as soon as practicable, to give notice of the confirmation and send a copy of the direction to the Secretary of State

#### **5.0 Background Papers**

The Town and Country Planning (General Permitted Development) (England) Order 2015.

The responses received to the notification

#### **Date report prepared**

15<sup>th</sup> March 2016