

Scrutiny Panel A Review – Maintaining balanced neighbourhoods through planning**HMOs Table of feedback up to 23rd December 2013**

HMOs		
Member feedback	Feedback within Inquiry HMO ToR	Other feedback
Cllr Moulton	<ul style="list-style-type: none"> • Would oppose any relaxation of the existing HMO policy • Council need to learn from recent officer/ Planning Panel appeal decisions • Planning permission is not required for HMOs existing pre April 2012. Would like to see more thorough checks brought in to verify that those properties were infact HMOs. The current process is not robust. 	<ul style="list-style-type: none"> • More robust planning enforcement needed from the Council and enforcement team. Fears that the Council are seen as a soft touch by rogue developers • Would oppose a move to remove the requirement for planning permission in terms of converting offices to residential.
Cllr Hannides	<ul style="list-style-type: none"> • Keen to ensure that the current SPD and thresholds are maintained. 	
Cllr Shields	<ul style="list-style-type: none"> • Amend the HMO SPD so that all parts of the city are treated equally in terms of permitted thresholds • Extend the HMO landlords licensing scheme to Freemantle and neighbouring wards 	<ul style="list-style-type: none"> • Explore options to develop area based supplementary planning policies for neighbourhoods in the city that are affected by the City Centre development plan • Support local residents to update/ revise design guides relating to Freemantle and Bannister Park areas and ensure these are fully taken into account when planning applications for any housing development, or change of use are submitted for these neighbourhoods. • Consider what measures may be needed to ensure HMOs formerly occupied by students in central areas of the city are enabled to return

		to family housing as part of the drive to re-establish balanced neighbourhoods.
Cllr Noon	<ul style="list-style-type: none"> • In parts of the city not over run by HMOs the SPD is a valid policy that can stop areas becoming dominated by HMOs and changing the residential environment. • In the Polygon area the impact of the SPA can be negative by trapping people in their homes by preventing them from being able to sell. • Planning and Rights of Way can allow the further encroachment of HMOs in roads or areas that only have one or two known HMOs. • The HMO SPD does have a positive impact in many areas of the city, but further thought must be given to how the Council could encourage more family accommodation in the Polygon. • Amend the HMO SPD so that all parts of the city are treated equally in terms of permitted thresholds 	<ul style="list-style-type: none"> • Feels that the HMO licensing scheme will have a positive impact in the Polygon and improve the environment and living conditions for residents in the Polygon, perhaps consideration should be given to a registration scheme for all residents. • Concerned about the impact relaxing permitted development rights will have on the environment in the city centre. • The conversion of office to residential and changing retail use without consent, therefore no proper scrutiny is bad news for the city centre. Not against such proposals but the impact should be considered. • Residential parking for many people in the city is a real problem; the development of further accommodation without parking will only make the situation worse. When such developments are being considered there should be sufficient residential parking within the development. • No real concerns around the approach of planning enforcement.

Residents Groups	Feedback within Inquiry HMO ToR	Other feedback
Pointout Residents Association	<ul style="list-style-type: none"> • Recognise that HMOs form a vital part of the City's overall housing stock/ accommodation offer. • Feel that it is inappropriate for different wards to be treated differently with respect to the thresholds; there should be a single, citywide threshold/ tipping point to avoid any ill felling between communities. We recommend a 10% level city wide. • We question whether an electoral ward is the appropriate delimiter for a threshold (if a single city cap was introduced this would negate this issue). • The overall aim of the SPD is to try to achieve more balanced communities but in certain areas the 'damage' has been done on a very large scale, with far greater than 10% or 20% HMO levels, creating 'ghettos', often but not exclusively student based. • A reduction in overall numbers should be required before any new applications are recommended and the 40m threshold should be assessed alongside all other material factors (as has been recognised by Planning Inspectors on multiple appeals). • The HMO thresholds are clearly not working. Many areas are already above the cap. • The SPD does not set out requirements; it is a SPD which simply makes recommendations to be considered alongside saved policy and all other material concerns in the immediate case. 	<ul style="list-style-type: none"> • Only one Uni-link bus route goes east of the Itchen. You will not encourage or achieve redistribution of the student population without the investment in making that redistribution practical. • The number of planning applications being received seems relentless (not being helped by national newspapers reporting that Southampton is a place to invest in letting properties). • The SPD and the planning system in general are ineffective without proper, rigorous and fast enforcement of breaches. We agree that temporary stop orders would be a valuable tool for Local Planning Authorities to operate. • We acknowledge that the Planning Enforcement team is chronically under resourced and has an almost impossible backlog to tackle. • We would like to see more transparent relations between Planning and Legal. In our experience there have been unnecessary delays in enforcement because Legal appeared to 'sit' on cases, effectively facilitating continued planning breaches. • We consider mandatory licensing to be a valuable tool in helping compile that register and also crucially to help improve the overall quality of housing stock. • Licensing must be rigorous and accurate. It has been our experience that Council licensing

	<p>If officers acknowledged this simple fact in pre application advice and in reports to Planning Panel, it would save a lot of time, stress and money all round.</p> <ul style="list-style-type: none"> • We feel that it should be accepted that C4 is a use class which covers houses with 3-6 occupants and not in itself a de facto permitted occupancy level. • Increased occupancy should automatically be recognised as a potential material change and be subject to full planning scrutiny. Any such application should be considered as commercial use and not allowed to be considered as a householder application. • The situation for properties that have mixed C3/C4 permission needs to be considered with care. Are they in and count or out and not counted? We would recommend that they be included by default and ideally that this mixed use class should be discourage. • We consider a register of all HMOs to be absolutely essential to effective planning management and SPD implementation. 	<p>appears to ‘make the rules up’ as it goes along.</p> <ul style="list-style-type: none"> • Mandatory standards for current mandatory (3 storey and more than 5 residents) laid out in the SPD are ignored. We would like to see more a more transparent relationship between planning and licensing – in our experience both sides ‘pass the buck’ and no one takes responsibility. • Increase in immigrants coming to live in the city has exacerbated the housing situation. Wider reasons behind this influx should be examined and understood. Southampton should be putting pressure on adjacent local authorities to get them to step up and ‘spread the load’. • Pointout Residents Group endorses the recommendations to be presented by Highfield Residents Association.
<p>Tower Gardens NWA Residents' Association</p>		<ul style="list-style-type: none"> • Tower Gardens NWA Residents' Association endorses the recommendations to be presented to by Highfield Residents Association.

Residents Groups	Feedback within Inquiry HMO ToR	Other feedback
<p>Thornbury Residents Association</p>	<ul style="list-style-type: none"> • Adjustments need o be made to the SPD to ensure that it is both workable and fair. • It is difficult to understand why there is a cap of 10% per road, applied to the northern wards, while the rest of the city has to cope with a 20% cap. • The threshold is applied using a 40 meter radius or minimum of the nearest 10 residential properties surrounding an application site and we do not compare nationally, e.g. Portsmouth has 10% with a radius 50m, Bournemouth and Manchester 10% with radius of 100m • Glasgow carried out a referendum to arrive at 5% figure in any one street (Glasgow has less than 3,000 HMOs) • With the SPD in its current form (e.g Darwin Road) could end up with 40% of the properties being HMOs. • We do not believe that such high proportions of HMOs are in the best interests of Freemantle or Southampton. • Where wards have an average of 5% of properties classified as HMOs, the current policy with a 20% cap allows for an increase of 300%, which most residents consider to be unacceptable. • The SCC has adopted a very narrow definition of HMO, excluding properties in section 257 of the Housing Act 2004. • We would like to following adjustments to be 	<ul style="list-style-type: none"> • Thornbury Residents Association endorses the recommendations to be presented by Highfield Residents Association.

	<p>made to the current SPD:</p> <ol style="list-style-type: none"> (1) inclusion of properties in section 257 of the Housing Act 2004. (2) Areas that have already reached or exceeded a threshold of 10% i.e. Portswood, Swaythling, Bevois, Bargate and Freemantle, to be capped at that level and further conversions only allow if a home owner cannot sell due to the high levels of HMOs in close proximity. (3) The remaining wards with an average of approximately 5% of properties classified as HMOs to have a threshold of 7%. That would allow for a growth of 40%. (4) Pre 1950 properties that are currently family homes to be retained as such. We have very few period properties in Southampton and many families would like to have the option of living in an affordable character property. 	
<p>Portswood Residents Gardens Conservation Area (Planning group)</p>		<ul style="list-style-type: none"> • Portswood Residents Gardens Conservation Area (Planning Group) endorses the recommendations to be presented to by Highfield Residents Association. In particular; <ol style="list-style-type: none"> (1) changes to the SPD (2) a more robust system for enforcement and imposition of penalties for failure to adhere to the Councils enforcement instructions, and (3) a fully comprehensive list of reasons for refusals of applications.

Residents	Feedback within Inquiry HMO ToR	Other feedback
Highfield Resident	<ul style="list-style-type: none"> As a result of too many HMOs in the Highfield, Portswood and Polygon areas too many properties have been lost for family homes to the detriment of local communities. 	
Portswood Resident		<ul style="list-style-type: none"> Endorses the recommendations to be presented to by Highfield Residents Association.
Bedford Place/ Polygon Resident	<ul style="list-style-type: none"> No real thought appears to go into the decision when granting permission for a HMO (i.e. parking) Council policy is weak and inconsistent, not helped by certain working practises 	<ul style="list-style-type: none"> To Let signs flout planning regulations, by being up past the allowed period or having more than one per property. Feels To Let signs are a branding exercise, as all initial research would be done online and by other means. If enforced it would be a level playing field business wise, but some of the smaller agents/ landlords may have to up their game- but that should be reflected in property too. The one size fits all policy on bins, coupled with inconsistent implementation and enforcement shows the Council has still not got to grip with the problem. Getting fined is very difficult and takes a long time, so no deterrent for students who are not full time residents. Blue bins create problems, and properties never designed for this.
Freemantle Resident	<ul style="list-style-type: none"> Roll out 10% threshold across the city. To include those properties that are considered to be HMOs in the 2004 Housing Act. 	

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Polygon Resident		<ul style="list-style-type: none"> • Concerns around the office to residential permitted development right. The anti-social behaviour of households could have a real impact on thriving small businesses. • Lacks trust that Environmental Health Officers will stop all nuisances as they are not on duty to come out until 9pm. • It is important to prevent more cramming of people in this area. The two local doctor's surgeries are so over subscribed that you cannot even phone up to make appointments on a Monday and lives will be put at risk by strain on medical services if even more HMOs occupants come to live in the Polygon or Freemantle. • Resident supports Thornbury Residents Association suggestion regarding changes to the HMO ratios in the city and surrounding areas • Endorses the recommendations to be presented to by Highfield Residents Association