

Record of Decisions

Article 4 Direction for Houses in Multiple Occupation

Decision Taker

The Mayor on 24 July 2017

Decision

- (i) That Spatial Planning and Community Services undertake to investigate any further potential to align Housing Licensing and Development Management processes to ensure that full opportunity for early intervention regarding breaches of existing planning and/or licensing requirements with regards to HMOs is undertaken; and
- (ii) that Spatial Planning prepares a report and further develops a case for Council to make a decision on whether to prepare an Article 4 Direction which would have the effect of removing permitted development rights to change dwellings to small houses in multiple occupation (Class C3 Dwellings to C4 Small Houses of Multiple Occupation), without the need for express planning permission. That 6 months notice is given prior to the Article 4 Direction taking effect.

Reason for the Decision

Members had raised concerns regarding the proliferation and management of HMOs in Torbay and were keen to investigate further ways that the problems associated with HMOs could be better managed.

Implementation

The decision will come into force and may be implemented on Wednesday, 9 August 2017 unless the call-in process is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

This proposal had been developed for further discussion at Policy Development and Decision Group before being considered at Council. An Article 4 Direction would remove permitted development rights from properties which allow change of use from Use Class C3 Dwelling to C4 House in Multiple Occupation (HMO) (for between 3-6 persons) across Torbay.

The potential benefits of managing small HMOs may lead to better realising the achievement of mixed and balanced communities and better amenity for residents in Torbay (helping to achieve a Prosperous and Healthy Torbay).

Alternative Options considered and rejected at the time of the decision

Not to proceed with an Article 4 Direction.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None

Published

1 August 2017

Signed: _____
Mayor of Torbay

Date: _____