

**REPORT TO: PLANNING & TRANSPORT COMMITTEE - 11 FEBRUARY 2008**

**REPORT ON: HOUSES IN MULTIPLE OCCUPATION - SUPPLEMENTARY PLANNING GUIDANCE REVIEW**

**REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION**

**REPORT NO: 48-2008**

## **1 PURPOSE OF REPORT**

1.1 To report the findings of the 12 month review of the Supplementary Planning Policy Guidance covering Houses in Multiple Occupation.

## **2 RECOMMENDATION**

2.1 It is recommended that the Committee

a that no modifications to the Policies of the Supplementary Planning Policy Guidance covering Houses in Multiple Occupation be made at this time.

## **3 FINANCIAL IMPLICATIONS**

3.1 There are no financial implications as a result of this Report.

## **4 BACKGROUND**

4.1 Members of the Committee will recall that at the meeting of this Committee on the 13 November 2006 (Report 430-2006 refers) they approved Policies for Houses in Multiple Occupation (HMOs) as Supplementary Planning Guidance to the Dundee Local Plan Review 2005. In addition, they remitted the Director of Planning and Transportation to review the operation of the policies after 12 months and report the findings and any proposed modifications to the Policies to this Committee.

4.2 A review of the operation of the policies over the past 12 months has been carried out. A summary of the applications for planning permission for a change of use to an HMO that have been received are set out in Table 1.

**Table 1: Applications for Change of Use to HMOs Dec 06- end of Dec 07**

<b>Location</b>	<b>Total Received</b>	<b>Approved</b>	<b>Refused</b>	<b>Withdrawn</b>
<b>City Centre</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>
<b>Central Dundee Housing Investment Focus Area</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>2</b>
<b>Outwith Policy Area</b>	<b>9</b>	<b>0</b>	<b>8</b>	<b>1</b>
<b>Total</b>	<b>22</b>	<b>9</b>	<b>10</b>	<b>3</b>

- 4.3 From Table 1 it can be seen that over the first 12 months of operation of the new policy guidance a total of 22 Change of Use applications for new HMOs across the City were received. Of these 10 were refused, 9 were approved and 3 were withdrawn. Only one appeal was received and no decision on this has been reached. The application appealed is located outwith the Policy Area for excessive concentration.
- 4.4 In terms of the 22 applications 8 were located within the City Centre, 5 were within the Central Dundee Housing Investment Focus Area and 9 were elsewhere within the City.
- 4.5 Supplementary Planning Policy HMO2 (Avoiding Excessive Concentration of HMOs) sought to address the issue of excessive concentration by limiting the numbers of HMOs within the Central Dundee Housing Investment Focus Area. Only 5 applications have been received within this area. Of these only 1 has been approved, with 2 refused and 2 withdrawn.
- 4.6 In terms of the number of approvals 8 of the 9 have been located within the City Centre. The approved policy guidance specifically excluded the City Centre from controls on excessive concentration and from the presumption against flats with 4 or more unrelated people. This was in recognition of the area being able to accommodate further HMO accommodation.
- 4.7 It can be seen from the above that there has not been a large number of planning application for new HMOs over the 12 month period since the guidance has come into place. General feedback from landlords has indicated that the guidance has provided clarity regarding the approach to be taken for the consideration of planning applications for HMOs.
- 4.8 The Guidance also contained a Policy which sought to restrict the opportunity for HMOs within new build properties or substantial conversions. This was through the imposition of Section 75 Agreements. This Policy has been applied to all new build residential developments and substantial conversions over the 12 months period. To date the requirement for the imposition of a Section 75 Agreement has not been challenged by developers.

## **5 CONCLUSIONS**

- 5.1 The review has highlighted that the number of planning applications for HMOs has been relatively small with most either in the City Centre or outwith the Policy Area for excessive concentration. It is considered that the guidance has been generally accepted by landlords with only 1 appeal received. The requirement for a Section 75 Agreement to restrict HMOs has also been generally accepted. In light of the findings it is recommended that no change to the Policy Guidance be made at this time.

## **6 POLICY IMPLICATIONS**

- 6.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

**7 CONSULTATIONS**

- 7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance), Head of Finance and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

**8 BACKGROUND PAPERS**

- 8.1 Report 430-2006 Houses in Multiple Occupation-Supplementary Planning Guidance, Planning and Transportation Committee of 13 November 2006.

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