

**CABINET – 18 OCTOBER 2018  
QUESTIONS FROM THE PUBLIC**

Agenda item 5 refers

1. **Ms Sheila Sullivan to Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing**

At the Cabinet meeting on 25 January 2018 I addressed a question to the relevant portfolio holder concerning Stevenage Borough Council's introduction of an Article 4 Direction. That Direction removed permitted development rights for changes of use from C3(residential) to C4(HMO) across all wards in the borough. I asked why Harlow Council could not follow the same process to establish the same protection for all wards in Harlow. I received a written reply stating that Officers would be preparing a report for discussion and the Cabinet would make a decision. The expectation was that the report would be available in March 2018.

The introduction of the relevant Article 4 Direction would not stop the development of HMOs in Harlow but it would require developers to obtain planning consent before converting properties. This enables the local planning authority to assess and decide on the suitability of the conversion. If either developer or neighbours are unhappy with that decision, they have the right of appeal to the independent Planning Inspectorate. People living in Harlow at present have no voice in this process and many have suffered adverse effects when it is all too late.

Six months on, what progress has been made with this report?

**Reply from Councillor Mark Wilkinson, Deputy Leader and Portfolio Holder for Housing**

Officers have looked at the work that Stevenage Borough Council has done in securing an Article 4 Direction to remove permitted development rights in relation to HMO conversions. It has been concluded that this approach would not be possible in Harlow. Stevenage have a provision in their local plan which links the development of HMOs to the provision of adequate car parking. As such, they have been able to secure a borough-wide Article 4 Direction using this criterion which will require applicants to submit full planning applications demonstrating that sufficient parking provision is being made. Such a provision does not exist in Harlow's current Local Plan and so we are not able to use the same methodology as Stevenage. The Council has received legal advice that it would not be successful with any town-wide Article 4 Direction. It should be pointed out that when Harlow's new draft Local Plan is adopted, which it is hoped will be in June 2019, we will then have the ability to follow the same process that Stevenage have done.

Please turn over

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The Council has though already indicated its willingness to seek Article 4 Directions where we think this is justified and would be successful. In recent months the Council has introduced an Article 4 Direction in the Enterprise Zone at Templefields and Officers are currently looking at the feasibility of further Article 4 Directions in other locations across the town. A report in connection with this was discussed at the Scrutiny Committee on 16 October. Additionally, a motion will be moved at the Full Council meeting on 1 November.

Lastly, whilst HMOs contribute to meeting housing needs, particularly of single young people, and help keep homelessness down, we have been made aware of the issues some poorly managed HMOs have been causing to their neighbours. With this in mind we are reviewing the powers we already have for regulating HMOs to see if there is more that can be done to enhance good neighbourly relations.