

Analysis of Representations

Total Number of Responses	261
Number of Representations that Support	240
Number of Representations that Object	21
Number of Representations – Other	0
Summary of Comments	
Summary of Comments	Officer Response
Objections	
General objection	Objection noted
Need for affordable housing (e.g. for young professionals/ minimum wage earners) – minimising HMOs not the solution	The proposed Article 4 Direction does not cap the number of HMOs. It is intended to manage the distribution to avoid further areas of high concentrations developing.
HMOs are stigmatised due to a perception that they are only occupied by students.	It is acknowledged that this perception may occur. The Council recognises that HMOs are an important low-cost housing option for many people on lower incomes, not just students.
Conversions to three bedroom properties should not be included due to lesser impacts.	The C4 use class is defined nationally and the Council does not have the power to differentiate between a three person HMO and other types of C4 accommodation.
Brighton should be kept inclusive. The policy discriminates against people who have to live in HMOs	The proposed Article 4 Direction does not cap the number of HMOs. It is intended to manage the distribution to avoid areas of high concentrations developing.
Policy would be implemented too late.	Not accepted. The vast majority of the area proposed for the extension has low levels of HMOs currently and the Article 4 extension is a proactive measure.
Do not pay council tax and therefore not contributing to local council	Full time students are not liable for Council Tax whether they are in HMOs or other kinds of accommodation. Equally many non-students live in HMOs

	and do pay Council Tax.
The policy is too blunt. Housing cooperatives should be exempted in order to sustain affordable housing for non-families.	It is not possible to provide for specific exemptions through an Article 4 Direction. The circumstances of each planning application will be considered during the determination of an application.
Support	
General support	Support noted.
Too many HMOs in the area proposed for extension already	Comments noted. It is agreed that some areas already have excessively high concentrations.
HMOs cause parking problems	Parking is an example of a problem that can be exacerbated by high concentrations of HMOs.
Negative effect on local amenity (e.g. noise, vandalism, anti-social behaviour)	It is acknowledged that high concentrations of HMOs can lead to problems such as these.
HMOs have a negative effect on the character of neighbourhoods (e.g. decreased social cohesion, less local activities taking place due to being temporary occupants)	It is acknowledged that high concentrations of HMOs can cause the character of areas to change.
Unrestricted HMO growth causes studentification (i.e HMOs cause an issue because they are occupied mainly by students)	It is agreed that some areas of high HMO concentrations in the existing Article 4 Direction area are largely due to high numbers of student houses.
Lack of Affordable/ Family Housing (e.g. need for a better balance across the city)	Comment noted, the extended Article 4 Direction is intended to ensure an appropriate balance between family housing and HMOs is maintained in all areas of the city.
Needs to be more control of HMOs by the council/ additional legislation alongside this policy	The Council does not have the power to introduce legislation. The Draft 'City Plan Part Two introduces additional policy criteria which will be used in the determination of planning applications for changes of use to HMO.
The approach to the issue should be consistent across the city	Support for a consistent citywide approach noted.
Landlords take advantage (e.g. charge high rents for unsuitable accommodation and don't pay tax)	The planning system is unable to control rental processes for HMOs.

Concerns about the standard of HMOs in the city	Comments noted. The HMO licensing system is intended to ensure that certain minimum standards are met.
There should be democratic control of neighbourhood (e.g. Neighbours being able to object to HMOs when they are next door)	Where planning permission is required, neighbours are able to register objection to applications.
More formalised student housing is needed (e.g. needed on campus/ Universities need to be more accountable)	Significant purpose built student accommodation has been permitted in the city and will be delivered over the forthcoming years, both on and off campus.
HMOs are not the answer to the housing shortage	Comment noted.
Effects on Local Services - schools/ businesses at risk of closure due to high concentrations of HMOs	It is acknowledged that high concentrations of HMOs can cause the character of areas to change.
Concerns about implementation of the policy (e.g. council decisions overturned at appeals, ability of the Council to undertake enforcement action)	The Article 4 Direction would require planning applications to be submitted for changes of use from use class C3 to C4 citywide. This would be enforced. Developers would retain the right to appeal to the Planning Inspectorate against planning refusals.
The policy should be implemented on other types of accommodation (e.g. Holiday Lets or Air BnB)	These types of accommodation are classified as use class C3 (i.e. the same as standard residential accommodation) and cannot be controlled through the planning system as they do not normally represent a change of use.
Good idea to help reduce concentration of HMOs	Support noted.
Numbers need to be capped in areas of high density already	The planning policy requirements set out in City Plan Policy CP21 do effectively cap HMOs in areas with the highest densities.
Estate Agents work with developers to increase profits by exploiting HMO occupants with high rents which reduces affordable housing available to families	Planning policy cannot control rents however the Article 4 Direction is intended to maintain an appropriate balance between HMOs and family housing.
HMOs attract a transient population who do not care for the neighbourhood	It is recognised that the transient nature of HMO populations can cause a breakdown in community cohesion in areas with high concentrations.
Minimum standards should be applied to HMOs to protect communities and tenants	Minimum standards are applied through the HMO licensing process, and City Plan Part Two proposes additional requirements relating to living standards for occupiers.
Pre-app advice for change of use from C3 to C4 should be	Standard pre-application charge is expected to apply, however there would

free for the first application.	be no fee associated with a planning application.
The Article 4 direction should exclude owner occupiers with up to 2 lodgers.	The use class order does not permit allow this kind of differentiation.
HMOs should be banned in the city	The council does not have the powers to ban HMOs. Furthermore, it is recognised that HMOs are an important element of the city's housing stock.