



Ref:

Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Publication Stage Representation Form (guidance note below)

(For official use only)

Name of the
Plan to which
this
representation
relates:

Homes in Multiple Occupation (HMO) Development Plan
Document (DPD)

Please return to Coventry City Council in writing or electronically by **11:59 15 May 2023** to email planningpolicy@coventry.gov.uk or Planning Policy Team, PO Box 15, Council House, Earl Street, Coventry, CV1 5RR

Please refer to the following data protection/privacy notice:

www.coventry.gov.uk/planningpolicyprivacynotice

Please also note that a copy of your representation(s) will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and that your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City Councils website.

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if
applicable)

Organisation	ACWCS	
(where relevant)		
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
E-mail Address		
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

My comment on this document covers one simple point, car parking, HMO's are notorious for causing parking issues, it should be incumbent on the owner/ landlord to ensure/supply adequate parking is available to the inhabitants that doe NOT impact on local neighbours parking requirements, three or more cars parked adjacent to one property can cause great inconvenience to local neighbours

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

(Continue on a separate sheet /expand box if necessary)

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Guidance Note to Accompany Model Representation Form

Introduction

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2.1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names and organisations of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector. Contact details will also be made available to the Inspectorate where applicable but these will not be published. Please see our privacy notice www.coventry.gov.uk/planningpolicyprivacynotice

Legal Compliance and Duty to Co-operate

2.2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. ??The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- In London, the plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).

- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

2.2.2. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

2.3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

2.3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

2.4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 2.3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

2.4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

2.4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

2.4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.



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Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Publication Stage Representation Form (guidance note below)

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1. Personal Details*

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Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if applicable)

Organisation
 (where relevant)
 Address Line 1
 Line 2
 Line 3
 Line 4
 Post Code
 Telephone Number
 E-mail Address
 (where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input type="text" value="YES"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text" value="YES"/>	No	<input type="text"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="YES"/>	No	<input type="text"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There is an incorrect statement in Para 5.4 on Page 15 of the DPD which states that a small HMO relates to properties proposed for LESS THAN 6 UNRELATED OCCUPANTS IN A SINGLE DWELLING. The statement should define small HMOs as properties for 6 OR LESS UNRELATED OCCUPANTS.

(Continue on a separate sheet /expand box if necessary)

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Title

2. Agent's Details (if
applicable)

First Name

Last Name

Job Title

(where relevant)

Organisation	Chapelfields Area Residents' and Traders' Association (CARTA)	
(where relevant)		
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
E-mail Address		
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Coventry Society: Comments on Coventry City Council HMO DPD Document

1. In principle, we welcome the four proposed policies in this document to tackle the growth of unsuitable HMOs.
2. We also agree that the three key issues are (i) concentration, (ii) sandwiching and (iii) thresholds.
3. However, we are disappointed that this DPD (and the proposed Article 4 Direction to remove permitted development rights for small HMOs in eleven wards) were not introduced earlier to provide effective operational detail to policy H11 in the local plan in the late 2010s. We also believe that the Article 4 Direction should extend to all wards to discourage landlords from creating HMOs in wards not covered by this policy.
4. There has been a significant growth of unsuitable HMOs over the last five years in several neighbourhoods and wards (as illustrated in the DPD map on page 24). A major issue is now, therefore, regulating existing HMOs through the licensing scheme.
5. In relation to the DPD, we have the following concerns and observations:
 - (i) HMO and private rented sector market: Nationally, there is evidence that 'good' buy to let landlords are exiting the market (due to reasons such as taxation changes and the proposed Renters Reform Bill). Has the DPD, therefore, factored in this trend so that it takes account of potential planning issues when a new landlord buys existing HMOs and attempts to increase the number of tenants?
 - (ii) DPD and the proposed Article 4 Direction to remove permitted development rights for small HMOs: The DPD will only be effective if it is linked with the Article 4 Direction covering eleven wards (and see above)
 - (iii) Introduction of the DPD: We are concerned that there may be a surge of planning applications by landlords prior to the date when the DPD becomes effective. We urge that the Council addresses this issue
 - (iv) Although the issue of the adequacy of accommodation for tenants is covered in policies HMO1 and HMO4, it is disappointing that this is not discussed in detail in chapter four. The health and well-being of low income and often vulnerable tenants should be a major concern.
 - (v) Policy HMO1: No comments as we support this policy
 - (vi) Policy HMO2 concentrations and thresholds: (a) We are disappointed that the threshold is set at 10% or more within 100m of an application. This is extremely generous – for example 10% of large HMOs would equate as a bare minimum to seventy people which would have major impacts on local amenities and community sustainability. We suggest that the threshold should be reduced to 5%

- (vii) Policy HMO2 concentrations and thresholds: (b) There are many neighbourhoods where the 10% (or 5%) threshold is already exceeded within 100m. The Council should, therefore, be exploring planning and other policy options to reduce the number of HMOs in these situations. Without this commitment, areas that already exceed the threshold will not benefit from this DPD.
- (viii) Policy HMO3: No comments as we support this policy. However, we would like it confirmed that the sandwiching policy applies alongside the threshold and concentration policy ie a planning application for an HMO must be considered jointly against both policies and would be rejected if it fails one of or both policies
- (ix) Policy HMO4: No comments as we support this policy
- (x) Assessment process – 6.3. calculations: Stages 2 & 3 note that accurate data on HMOs is lacking. The real number of HMOs is likely to be higher because of HMOs that, for instance, have not been licensed. This supports our suggestion for a lower threshold of 5% (see above). Also we recommend that when an application is submitted, consultation should involve informing all residents within the 100m zone including a request for their views on whether the details of existing HMOs are correct. This would provide valuable information for the licensing team.

Clare Eggington
Coventry City Council
Planning Policy
Tower Block Much Park Street
Coventry
West Midlands
CV1 2PY

Our ref: UT/2008/105205/OT-
04/SB1-L01
Your ref:
Date: 28 April 2023

Dear Madam

Coventry Local Plan Homes in Multiple Occupation (HMO) Development Plan Document (DPD)

Thank you for consulting us on the above DPD, which was received on 27 March 2023.

We have reviewed the information submitted and wish to make the following comments.

Flood Risk

Policy HM04 should include a reference to flood risk. HMOs often have ground-floor sleeping accommodation. This puts those on the ground floor at the highest risk of flooding.

Therefore, in areas within the 1 in 100 year plus climate change HMOs should:

1. When they are new build, have finished floor levels 600mm above the 1 in 100 year plus climate change level
2. When they are change of use, raise finished floor levels to 600mm above the 1 in 100 year plus climate change. If this is not possible, a water exclusion strategy and flood resistant construction should be put in place and there should be no ground floor sleeping.

This will help residents in HMOs be safer from fluvial flood risk.

Yours faithfully

 **Charlotte Laban**



Environment Agency
Sentinel House 9 Wellington Crescent, Fradley Park, LICHFIELD, WS13 8RR.


End

HiMO Development Plan Response

First of all, I support the Plan strongly. Its implementation will make no difference to my own area which is already well above the mooted 10% limit with many examples of over concentration and sandwiching. An Article 4 in the area would not be retrospective so the local situation would be unaltered. Planners should have had a plan like this 10 years ago when all other University towns or cities were busily putting Article 4s into place. Still, no use crying over spilt milk. Coventry's Plan might prevent the situation from getting worse. So I support It - with just a few provisos.

- A 10% top limit is, in my view, too high. In the popular areas, mostly near the Universities as the map in Appendix 1 clearly shows, the number is already above this. And the number of examples of sandwiching are likely to be too high. I agree that being a landlord is not the money spinner it once was in Coventry. National Planning and Taxation changes have seen to that. As have Coventry's Licensing Schemes which deserve praise – even though they were belated. But when landlords sell up in my street their houses are no longer suitable for families. because the original conversions to HiMOs have been crude and it would be very expensive to make family homes of them again. They are often advertised as a house with X number of bedrooms. They are therefore generally bought by another HiMO landlord. As I understand it the DPD will not change this situation.
- Sandwiching considerations seem to me to be the best way to go forward. A 10% overall numerical limit on the number of HiMOs in any Article 4 designated Ward would not solve the problem of very high density HiMO streets or areas within that Ward – though it would help those areas where the number was below 10%.
- If the DPD is adopted there might well be a flood of Planning Applications before it becomes effective. The DPD needs a stern holding procedure to block this.
- The language of the DPD is very legalistic. I understand why. But there is little effort to consider the human cost of the excessive number of HiMOs in any locality. The DPD deals thoroughly and effectively with such issues as parking, littering, noise and general threats to amenities. It is less effective in considering the total collapse of community cohesion. Whole areas have become fragmented in all sorts of ways. My own Residents' Association which was once flourishing and effective has now ceased to be! There is simply no longer a community of residents. There is a mention of this sort of issue in the Sustainability document but it would be helpful to see it beefed up a bit. An Article 4 could well be an effective tool in helping to sustain communities.

But at last Coventry seems to be acknowledging that overloading communities with HiMOs is not a good thing for local community life. I support the DPD.



Historic England

Our ref: PL – 00790322 & PL00790702

Your ref:

Telephone: [REDACTED]

Email: [REDACTED]

12 April 2023

FAO: planningpolicy@coventry.gov.uk

Dear Sir / Madam,

Re: Coventry City Council Houses in Multiple Occupancy (HMO) Development Plan Document (DPD), Regulation 19: Proposed Submission, March 2023 & Sustainability Appraisal (SA) Report December 2022

Thank you for the opportunity to comment on the Houses in Multiple Occupancy (HMO) Development Plan Document (DPD) for Coventry City and the accompanying Sustainability Appraisal (SA) Report. In relation to these documents Historic England has the following comments:

Houses in Multiple Occupancy (HMO) Development Plan Document (DPD)

Historic England welcomes the references within the DPD to the historic environment. However, we suggest clarification of the phrasing within Policies HMO1 and HMO4 to make clear that proposals for the provision of HMOs should avoid harming the significance of heritage assets (both designated and non-designated), including effects on their setting. In addition, we suggest that amending the phrasing of the policies from 'historic assets' to 'heritage assets' would better reflect the wording of the NPPF.

Sustainability Appraisal (SA)

Historic England welcomes the recognition within the SA of Coventry's rich historic and cultural heritage and the acknowledgement of the need to consider the historic environment in relation to the City's older housing stock; some of which may become HMOs; as per our comments on the Regulation 18 version of the DPD.

As before, Historic England would refer you to our Advice Note 8: Sustainability Appraisal and Strategic Environmental Assessment, 2016 (HEAN8):



Historic England, Midlands Regions Group, The Foundry, 82 Granville Street, Birmingham, B1 2LH

Telephone 0121 6256888 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.





[Historic England Advice Note 8: Sustainability Appraisal and Strategic Environmental Assessment](#)

SA Issues and Framework

We are also pleased to see that protecting and enhancing the historic environment and its setting is identified as a key sustainability issue and that this is encompassed within SA Objective No 8, which we especially note has been strengthened to encompass the setting of heritage assets, following our previous comments on the SA Scoping Report.

We also welcome the wide range of sub-objectives/assessment criteria relating to the historic environment, which are included under this SA objective.

In relation to SA No 13 Energy, Historic England welcomes the inclusion of the new sub-objective 'Improve energy efficiency of historic buildings', which we suggested adding in our response to the consultation on the SA scoping Report.

Assessment of the Draft DPD

In relation to the assessment of the draft DPD Historic England is pleased to see that in the assessment of potential impacts those on the historic environment have been considered separately (SA No 8b) from those on landscape, local countryside and open spaces (SA No 8a), as this has improved the focus of the SA on the historic environment.

Sustainability Context & Summary Baseline Characterisation

We particularly welcome reference to the need to consider the implications and effects of climate change on the historic environment in this section of the DPD and we consider that the document sets out a comprehensive baseline in relation to the historic environment and landscape.

SA of HMO DPD

'SA of Options for Concentrations and Thresholds' –

in relation to the summary of the assessment of the DPD's proposed concentrations and thresholds for **SA objectives Nos 8a and 8b** (Table 4.1 and paragraph 4.8) Historic England considers that the determination of possible major positive effects (++?) for the 5% threshold may be too optimistic and indeed it is not possible to be certain that minor positive (+) effects would definitely result from the 100m concentration. Therefore, it is considered that the addition of a '?' would better reflect this uncertainty for the 100m concentration.





'SA of HMO DPD Policies' –

in relation to the summary of the assessment of the DPD's policies on **SA objective No 8b** (Table 4.2 and paragraph 4.28) it is noted that minor positive effects (+) have been determined for Policy HMO2, whereas the other policies have been assessed as 'neutral / no impact' (0), or uncertain as to neutral / no impact (0?). Historic England notes that the intention of policies HMO1 and HMO4 appear to be to ensure no adverse effects on the historic environment and thus we would concur with the SA's assessment in relation to these policies. However, in relation to the assessment of Policy HMO2, whilst introducing limits for thresholds and concentrations of HMOs should result in minor positive effects(+), again we consider that this is not definite and therefore we consider that the addition of a '?' would better reflect this uncertainty.

We consider that this is also the case in relation to the assessment of the effect of proposed Policy HMO2 on **SA Objective 8a**, as this has also been assessed as a minor positive (+). In relation to the assessment of policies HMO1 and HMO4 on this objective, Historic England considers that the determination of 'neutral / no impact' is reasonable, given the protection afforded by these policies to landscapes and townscapes. However, with regard to policy HMO3, we consider that the determination of minor positive effects (+) is not a guaranteed outcome and therefore again we consider that the addition of a '?' would better reflect this uncertainty.

This opinion is based on the information provided by you in the documents dated March 2023 and December 2022 and, for the avoidance of doubt does not affect our obligation to advise you on, and potentially object to any specific proposals which may subsequently arise from this, or later versions of the DPD which is the subject of this consultation, and which may, despite the SA, have adverse effects on the historic environment.

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours faithfully,

[Redacted signature]

Elizabeth Boden [Redacted]

[Redacted contact information]





Ref:

Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Publication Stage Representation Form (guidance note below)

(For official use only)

Name of the
Plan to which
this
representation
relates:

Homes in Multiple Occupation (HMO) Development Plan
Document (DPD)

Please return to Coventry City Council in writing or electronically by **11:59 15 May 2023** to email planningpolicy@coventry.gov.uk or Planning Policy Team, PO Box 15, Council House, Earl Street, Coventry, CV1 5RR

Please refer to the following data protection/privacy notice:

www.coventry.gov.uk/planningpolicyprivacynotice

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This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Janet

Last Name

Vaughan

Job Title		
(where relevant)		
Organisation		
(where relevant)		
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
E-mail Address		
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the DPD does this representation relate?

Paragraph

Policy

4.(1) Legally compliant	Yes	No
4.(2) Sound	Yes	No
4 (3) Complies with the Duty to co-operate	Yes	No

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:



Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Guidance Note to Accompany Model Representation Form

Introduction

2.1.1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2.1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names and organisations of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector. Contact details will also be made available to the Inspectorate where applicable but these will not be published. Please see our privacy notice www.coventry.gov.uk/planningpolicyprivacynotice

Legal Compliance and Duty to Co-operate

2.2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. ??The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- In London, the plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).

- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

2.2.2. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

2.3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

2.3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

2.4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 2.3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

2.4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

2.4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

2.4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.



Ref:

Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Publication Stage Representation Form (guidance note below)

(For official use only)

Name of the
Plan to which
this
representation
relates:

Homes in Multiple Occupation (HMO) Development Plan
Document (DPD)

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Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if
applicable)

Organisation	<input type="text"/>	<input type="text"/>
(where relevant)		
Address Line 1	<input type="text" value="██████████"/>	<input type="text"/>
Line 2	<input type="text" value="██████████"/>	<input type="text"/>
Line 3	<input type="text" value="██████████"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="██████████"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text" value="██████████"/>	<input type="text"/>
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: Keith Struthers

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input type="text" value="Tick"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="No"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="Tick"/>	No	<input type="text"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

From HMO DPD, Regulation 19, page 15 (also see page 16 of HMO DPD, Regulation 18).

5.3 A large HMO is a property accommodating more than six unrelated persons sharing facilities and a small HMO accommodates between three and six unrelated persons. Housing legislation and the Planning Use Classes Order provides for different regulatory frameworks for managing HMOs.

5.4 At the current time, any proposal for a small HMO is classed as permitted development. However, this DPD has been developed in parallel with a proposed Article 4 Direction which will seek to withdraw permitted development rights for small HMOs. There are significant existing concentrations of HMOs in certain wards across the city, where an Article 4 Direction will be developed (expected to be in place by 2023) removing permitted development rights for small HMO proposals (*less than 6 unrelated occupants in a single dwelling*).

The last part of paragraph 5.4 should read “**less than 7 unrelated occupants in a single dwelling**”.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The last part of paragraph 5.4 should read “**less than 7 unrelated occupants in a single dwelling**”.

(Continue on a separate sheet /expand box if necessary)

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8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

N/A

Please add any further comments relating to the SA report in the box below.

(Continue on a separate sheet /expand box if necessary)

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- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

2.3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

2.4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 2.3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

2.4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

2.4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

2.4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Date: 10 May 2023
Our ref: 427192
Your ref: Coventry Local Plan Homes in Multiple Occupation (HMO) .



Coventry City Council
Earl Street
Coventry
CV1 5RR

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Clare Eggington

Coventry Local Plan - Homes in Multiple Occupation (HMO) Development Plan Document (DPD) also a Sustainability Appraisal (SA)/ Strategic Environmental Assessment (SEA) CONSULTATION REQUEST

Thank you for your consultation on the above dated 27 March 2023 which was received by Natural England on 27 March 2023

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment / Sustainability Appraisal

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Local Plan

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental

assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Emily Bond by email [REDACTED] For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED].

Yours sincerely

Emily Bond
[REDACTED]



**Homes in Multiple Occupation (HMO)
Development Plan Document (DPD)**
Publication Stage Representation Form
(guidance note below)

Ref:

(For official use only)

**Name of the
Plan to which
this
representation
relates:**

**Homes in Multiple Occupation (HMO) Development Plan
Document (DPD)**

**Please return to Coventry City Council in writing or electronically by 11:59 15
May 2023** to email planningpolicy@coventry.gov.uk or Planning Policy Team, PO Box
15, Council House, Earl Street, Coventry, CV1 5RR

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Planning Inspectorate and to the person appointed by the Secretary of State to conduct the
examination (i.e. the Inspector) and that your representation(s) will be 'made available' in
line with the Regulations (The Town and Country Planning (Local Planning) (England)
Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City
Councils website.

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)
boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if applicable)

David

Carter

Organisation (where relevant)	Office of Police and Crime Commissioner for West Midlands	[Redacted]
Address Line 1	[Redacted]	[Redacted]
Line 2		[Redacted]
Line 3		[Redacted]
Line 4		
Post Code		[Redacted]
Telephone Number		[Redacted]
E-mail Address (where relevant)		[Redacted]

Part B – Please use a separate sheet for each representation

Name or Organisation: West Midlands Police

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4.(2) Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

The PCCWM supports the principle of Policy HMO1, that there should be clear standards against which future applications for HMOs should be considered. Furthermore, that these standards should include adequate provisions to design out crime, which is specifically addressed within the representation on Policy HMO-04.

Notwithstanding these points, the earlier representation set out concerns regarding duplication between Policies HM01 and HM04 and these concerns do not appear to have been addressed and there is a resultant lack of clarity.

It remains important that duplication/ cross-over risks are avoided. In order to reduce the likelihood of this happening, it is suggested that Policy HMO1 could be amended as set out below.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The following amendment to Policy HMO1 is suggested by the PCCWM:

FROM:

"c) there will be no demonstrably adverse impact on the amenity of neighbouring properties or the character of the area by way of character, appearance, highway safety, parking and historic assets and their setting. The proposal must also meet the criteria in policy HMO4."

TO THE FOLLOWING SUGGESTED REVISION:

"c) there will be no demonstrably adverse impact on the ~~amenity of neighbouring properties or the~~ character and appearance of the area ~~by way of character, appearance,~~ highway safety including parking and historic assets and their setting. ~~The proposal must also meet the criteria in policy HMO4.~~

d) there will be no demonstrably adverse impact on the amenity of neighbouring properties. The proposal must satisfy the criteria in policy HMO4."

In addition, subject to the above revision, it is suggested that in principle support to the rationale for clear standards against which future applications for HMOs is agreed.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

N/A

Continue on a separate sheet /expand box if necessary)

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The CCWMP participates in the planning system to ensure that Policing, safety and security concerns are reflected to best effect in both in plans and decision-making.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.



**Homes in Multiple Occupation (HMO)
Development Plan Document (DPD)**
Publication Stage Representation Form
(guidance note below)

Ref:

(For official use only)

Name of the
Plan to which
this
representation
relates:

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Document (DPD)**

Please return to Coventry City Council in writing or electronically by **11:59 15 May 2023** to email planningpolicy@coventry.gov.uk or Planning Policy Team, PO Box 15, Council House, Earl Street, Coventry, CV1 5RR

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This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if applicable)

David

Carter

Organisation	Office of Police and Crime Commissioner for West Midlands	[REDACTED]
(where relevant)		
Address Line 1	[REDACTED]	[REDACTED]
Line 2		[REDACTED]
Line 3		[REDACTED]
Line 4		
Post Code		[REDACTED]
Telephone Number		[REDACTED]
E-mail Address		[REDACTED]
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: West Midlands Police

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4.(2) Sound	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

The PCCWM notes that the reasoned justification (paragraph 5.10) states that 'For neighbourhoods which exceed the threshold, no further applications to a C4 HMO dwelling, generated by the withdrawal of change of use permitted development rights would be permitted'. This is a clear policy intent.

However, the policy wording is not as explicit, stating only that the application would not be 'supported' – it is suggested that the policy wording could be strengthened in line with the reasoned justification to state would not be 'permitted'.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The PCCWM suggests that Policy HMO2 should be amended as follows:

POLICY HMO2 – CONCENTRATIONS AND THRESHOLDS Where there is an existing HMO concentration of 10% or more of all dwellings within 100 metres radius of the centre point of the application property, HMO applications will not be **supported permitted**. Where there is an existing HMO concentration of less than 10% within 100 metres radius of the centre point of the application property, HMO applications will be considered against the other Policies in this DPD and all other relevant policies.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

N/A

Continue on a separate sheet /expand box if necessary)

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The PCCWM participates in the planning system to ensure that Policing, safety and security concerns are reflected to best effect in both in plans and decision-making.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.



**Homes in Multiple Occupation (HMO)
Development Plan Document (DPD)**
Publication Stage Representation Form
(guidance note below)

Ref:

(For official use only)

**Name of the
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Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)
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Title

First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if applicable)

David

Carter

Organisation (where relevant)	Office of Police and Crime Commissioner for West Midlands	[REDACTED]
Address Line 1	[REDACTED]	[REDACTED]
Line 2		[REDACTED]
Line 3		[REDACTED]
Line 4		
Post Code		[REDACTED]
Telephone Number		[REDACTED]
E-mail Address (where relevant)		[REDACTED]

Part B – Please use a separate sheet for each representation

Name or Organisation: West Midlands Police

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

The PCCWM supports the principle of Policy HM03 which deals with "sandwiching" and consider this would serve to prevent the over-concentration of HMOs at the neighbourhood/street level, as affecting individual residents, supporting a better balance and integration of HMO occupancy within a residential area, reduce the potential for crime and disorder, and enhance community safety.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A

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No, I do not wish to participate in hearing session(s)



Yes, I wish to participate in hearing session(s)

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8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

N/A

(Continue on a separate sheet /expand box if necessary)

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

N/A

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First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if applicable)

David

Carter

Organisation	Office of Police and Crime Commissioner for West Midlands	[Redacted]
(where relevant)		
Address Line 1	[Redacted]	[Redacted]
Line 2		[Redacted]
Line 3		[Redacted]
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Post Code		[Redacted]
Telephone Number		[Redacted]
E-mail Address		[Redacted]
(where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation: West Midlands Police

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

This policy sets out criteria against which the amenity and design impacts can be assessed.

The earlier comments by the PCCWM requested that the policy should make reference to consultation with Design Out Crime Officers (DOCO) and pre-application and planning application stage, the need for all proposals to meet Secured by Design principles and the need for a management plan to ensure crime prevention measures are maintained.

The latest version of the policy has been amended to include an additional criterion, "All proposals will be expected to demonstrate how the relevant 'Secured by Design' standards have been met." The explanatory text also encourages pre application discussions.

The PCCWM welcomes these additions but, at the same, also continue to request that pre- application discussions and submission of an appropriate management plan should be made to strengthen the policy approach. The justification for this is as follows.

Secured by Design (SBD) and Designing Out Crime (DOC) are the most sustainable and therefore the most cost-effective of all crime reduction interventions, with little or no evidence of displacement of crime and far more likely to lead to benefits to surrounding areas.

Over the past two decades, independent, academic assessments have demonstrated that developments which attain the Secured by Design (SBD) award maintain long term, sustainable reductions in recorded crime. The flagship project, 'The Four Towers' at Duddeston Manor, in nearby Birmingham has maintained a 98.7% reduction (as based on the figures for 1988) in domestic burglary for over 20 years, whilst reductions in other property crime categories replicate the research findings of others. Policies which support the need for development to be SBD would accord with the requirements of the NPPF.

The 'broken windows theory' links disorder and incivility within a community to subsequent occurrences of serious crime. Any visible signs of crime and civil disorder, such as broken windows, vandalism, loitering, public drinking, and transportation fare evasion, can create an urban environment that promotes even more crime and disorder (Wilson & Kelling, 1982).

The PCCWM has evidence that where there is a lack of maintenance, this can quickly lead to a spiral of decline/neglect if not addressed quickly and effectively. The PCCWM believes the need to design out crime and ensure its continued maintenance in all new developments and redevelopments is a cornerstone to successful sustainable communities including with HMO properties.

Examples of crime prevention initiatives of particular relevance to HMO developments include the need for:

- Adequate lighting for internal and external communal areas and access(es).

- Doors into internal private spaces to be of external access door standard to provide safe and secure areas for individuals in their homes reducing opportunities for theft, intimidation, violence, disorder and fear of crime.

- Controlled and regulated access into the properties, including into any separate buildings within the shared communal outdoor space to reduce the risk of unauthorised entry with associated opportunities for crime.

The PCCWM is concerned that HMOs can provide an unsafe environment for residents within these developments if they fail to meet SBD Standards and/or if they are not properly maintained to a standard which will reduce the risk of crime, antisocial behaviour, and the fear of crime.

The earlier representation also suggested that bedroom space standards to DCLG 2015 standards should be adopted. The revised document does not take this comment on-board, continuing to rely on the Council's Licensing Standards adopted in 2020. No further comment is made in this respect.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To address the above observations the PCCWM suggests the following policy amendment:

AMEND:

"g) All proposals will be expected to demonstrate how the relevant 'Secured By Design' standards have been met."

TO:

"g) All proposals will be expected to demonstrate how the relevant 'Secured By Design' ~~standards~~ principles have been met including the outcome of consultation with Design Out Crime Officers (DOCO) at the pre-application stage and preparation of a management plan to demonstrate how the crime prevention measures will be maintained."

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

N/A

(Continue on a separate sheet /expand box if necessary)

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The PCCWM participates in the planning system to ensure that Policing, safety and security concerns are reflected to best effect in both in plans and decision-making.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.



Ref:

Homes in Multiple Occupation (HMO) Development Plan Document (DPD) Publication Stage Representation Form (guidance note below)

(For official use only)

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Plan to which
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Document (DPD)

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First Name

Last Name

Job Title

(where relevant)

2. Agent's Details (if
applicable)

Organisation (where relevant)	N/A	
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
E-mail Address (where relevant)		

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the DPD does this representation relate?

Paragraph Policy

4. Do you consider the DPD is:

4.(1) Legally compliant	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4.(2) Sound	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please ✓ tick as appropriate.

5. Please give details of why you consider the DPD is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD or its compliance with the duty to co-operate, please also use this box to set out your comments.

It is not the job of ordinary citizens or local businesses and organisations to judge this. You have access to legal advice and using a public consultation for this is pointless and a lost opportunity if you are really interested in getting feedback on the policies.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the DPD legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is not the job of ordinary citizens or local businesses and organisations to judge this. You have access to legal advice and using a public consultation for this seems pointless and a lost opportunity if you are really interested in getting feedback on the policies.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

Please add any further comments relating to the SA report in the box below.

It is not the job of ordinary citizens or local businesses and organisations to judge this. You have access to enfusion advice and using a public consultation for this seems pointless and a lost opportunity if you are really interested in getting feedback on the policies.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Guidance Note to Accompany Model Representation Form

Introduction

2.1.1. The plan has been published by the Local Planning Authority [LPA] in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the plan that are made within the period set by the LPA.

2.1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names and organisations of those making representations can be made available (including publication on the LPA's website) and taken into account by the Inspector. Contact details will also be made available to the Inspectorate where applicable but these will not be published. Please see our privacy notice www.coventry.gov.uk/planningpolicyprivacynotice

Legal Compliance and Duty to Co-operate

2.2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the LPA's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the LPA's Statement of Community Involvement [SCI] (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. ??The LPA is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- In London, the plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).

- The plan should comply with all other relevant requirements of the PCPA and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended [the Regulations].

2.2.2. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the LPA to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The LPA will be expected to provide evidence of how they have complied with the duty. Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

Soundness

2.3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

2.3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

General advice

2.4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 2.3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

2.4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

2.4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

2.4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.