

## Background to the latest application for a Regulation 7 Direction



### 1. In the beginning

- 1.1 Residential 'To Let' boards caused significant detriment to the environment of inner north west Leeds, due to the large number of privately rented properties within this area of the city. Given the close proximity of the campuses of both the University of Leeds and Leeds Metropolitan University, there are a particularly high number of student properties. Additionally, the area is perceived as being increasingly attractive to other groups, also seeking privately rented accommodation.
- 1.2 Under the Town and Country Planning (Control of Advertisements) Regulations 1992, the City Council applied to government for a Regulation 7 Direction in order to restrict the 'deemed consent' rights to erect residential 'To Let' boards. A Direction was confirmed by the Secretary of State on 9<sup>th</sup> August 2005. The City Council brought the Direction into effect on 1<sup>st</sup> January 2006. As the Secretary of State limited the Direction to a period of three years, this expired on 31<sup>st</sup> December 2008.
- 1.3 Once the direction was in place, a code of practice was agreed by a stakeholder consultative group that details the type of letting board that would be acceptable within the direction area. The purpose of this was to allow landlords to advertise their properties in a manner which would not introduce visual harm to the area. The code has been very successful in delivering improvements to the environment of parts of the Headingley and Hyde Park. Where landlords/agents fail to comply with the agreed code, the City Council is able to take prosecution action. The Code also applies to parts of the wider inner north west Leeds area (outside of the Direction area), although the Council does not have the power to take prosecution action here. However, landlords/agents have sought to make the area outside of the Direction area self enforcing, with contact details available to report any breaches.

### 2. Renewal of the Regulation 7 Direction

- 2.1 The City Council re-applied to government to ensure the continued benefit of the Regulation 7 Direction.
- 2.2 Following representations made to the Council, and in particular at the Inner North West Area Committee Meeting of 7<sup>th</sup> February 2008, consideration was given to amending the extent of the Direction area. These proposals were further discussed at the Area Committee's Planning Sub Group.
- 2.3 Inline with local consultation and representation, the application put forward covered the same area as the previous direction with two proposed alterations. Firstly, expanding to the south-east, to include the area bounded by Brudenell Road, Royal Park Road and Hyde Park Road; and, secondly the proposal incorporated altering the boundary to include The Turnways, Laurel Bank Court, Greysheels Avenue and Greysheels Close, to the north-west of the area.
- 2.4 There was a consensus amongst stakeholders that the previous Regulation 7 Direction and related code proved successful. The Council therefore wished to

continue the success of this initiative in delivering positive environmental improvement.

- 2.5 The additional area to the south-east is considered to warrant inclusion within the Direction area because of the nature of the properties that exist in these streets. Census data from 2001 indicates a high proportion of properties occupied by students within this particular area. It is anticipated that a large number of privately rented properties still existed within these few streets. In terms of street-scene impact, these properties were arranged on a number of linear terraced streets, where proliferations of 'To Let' boards was obvious and contribute to degrading the street scene environment.
- 2.6 The additional area to the north-west was also considered to warrant inclusion. There were a number of privately rented properties within The Turnways and Laurel Bank Close, some of which display 'To Let' boards. The properties are characterised as attractive semi-detached properties with good sized garden areas. The properties were also attractive to the private rented sector and particularly the student housing market, due to the relative proximity of the Beckett Park Campus of Leeds Metropolitan University. Geographically, inclusion of this area will also 'round off' the Direction area by taking the boundary along the railway line.

### **3. The decision**

- 3.1 The City Council's request was submitted in June 2008, and in accordance with the Advertisement Regulations we undertook a period of consultation at this time. As previously outlined, we had been in discussion with stakeholders for some time prior to this. During our course of discussion there were differences of opinion between the Council and landlords, but this was resolved and the corresponding objection withdrawn.
- 3.2 A Planning Inspector visited the area and wrote a report with a recommendation on how to proceed for government which was accepted. The Direction was agreed with the first alteration in November 2009 for a period of 5 years. Unfortunately, the second proposal was rejected.
- 3.3 During the period where there was not a direction (January 2009 to February 2010) the code was operated voluntarily with the aid of the Landlords Accreditation Scheme.

### **4 The future**

- 4.1 After the necessary notices were published the Direction came into force on the 1<sup>st</sup> February 2010. From this date active enforcement of the direction commenced, with the Local Planning Authority taking action against anyone in breach of the code.