



Exeter City Council

To the Chair and Members
of the Executive

Philip Bostock, Chief Executive

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A meeting of the **EXECUTIVE** will be held in the **RENNES ROOM, CIVIC CENTRE, PARIS STREET, EXETER** at **5.30 pm** on **TUESDAY 7TH DECEMBER 2010** to consider the following business. If you have an enquiry regarding any items on this agenda, please contact Rowena Whiter, Member Services Manager on **Exeter 265110**.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

AGENDA

Part I: Items suggested for discussion with the press and public present

a) PETITION FROM RESIDENTS OF ST JAMES WARD - ARTICLE 4 DIRECTION

To consider the report of the Head of Planning and Building Control.

(Pages 1 -
2)

(Report circulated)

DATE OF NEXT MEETING

The next scheduled meeting of the Executive will be held on **Tuesday 25 January 2011** 5.30 pm. in the Civic Centre.

A statement of the executive decisions taken at this meeting will be produced and made available as soon as reasonably practicable after the meeting. It may be inspected on application to the Customer Service Centre at the Civic Centre or by direct request to the Member Services Manager on 01392 265110. Minutes of the meeting will also be published on the Council's web site as soon as possible.

Membership -

Councillors Edwards (Chair), D Baldwin, Fullam, R M Hannaford, Mrs Henson, Martin, Mrs J Morrish, Sheldon and R Sutton

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Member Services Officer on (01392) 265115 for further information.

Individual reports on this agenda can be produced in large print on request to Member Services on 01392 265111.

EXETER CITY COUNCIL

EXECUTIVE
7 DECEMBER 2010

PETITION FROM RESIDENTS OF ST JAMES WARD – ARTICLE 4 DIRECTION

1 PURPOSE OF REPORT

1.1 To brief Executive on a petition, received on 1 December 2010, from residents of St James Ward with 772 signatures.

1.2 The petition states:

We the undersigned request that Exeter City Council, as a matter of urgency, implement planning policies, including Article 4 Direction, which:

1. *Prevent any further conversions to HMOs, except in those streets where the existing high number of HMOs has already significantly harmed the family residential character and where, therefore, it may be in the resident's or residents' interest to allow further conversions;*
2. *Provide for all future Exeter University student accommodation in purpose-built developments on the campus itself or on discrete (individually distinct or separate) sites outside St. James' and other established residential neighbourhoods;*
3. *Strengthen the residential character and community cohesion of St. James' Ward, including the identification of sites for new family accommodation in order to help reverse the harmful studentification process.*

2 BACKGROUND

2.1 Executive considered a report on 28 September regarding proposals to make an Article 4 Direction and to review the Council's policies on student accommodation in residential areas.

2.2 Executive resolved:

- (1) *authority be delegated to the Head of Planning and Building Control, in consultation with the Portfolio Holder Sustainable Development and Transport to make an Article 4 Direction covering the area shown on Plan 1, to remove permitted development rights for changes of use from Class C3 dwellings to Class C4 (small HMOs) with twelve months notice and to consider any representations made and, if appropriate, confirm any direction with or without amendment; and*
- (2) *officers undertake informal consultation on amending Council policy on student accommodation in residential areas, as outlined above and report back to Planning Member Working Group on a draft amended document for further public consultation.*

3 PROPOSED RESPONSE TO PETITION

- 3.1 Executive has delegated authority to the Head of Planning and Building Control, in consultation with the Portfolio Holder Sustainable Development and Transport, to make an Article 4 Direction and consider any representations received. A meeting has been arranged for Members of the six affected Wards on 14 December to brief them on the results of the consultation and receive feedback before the delegated power is exercised later this month.
- 3.2 The petition requests the Council to implement an Article 4 Direction as a matter of urgency. This will therefore be considered as a comment in support of the Article 4 Direction in association with any other representations received. It is understood that the reference to urgency is due to the twelve months notice proposed before the Direction takes effect. This is provided to avoid any compensation liability and was decided by Executive on 28 September 2010.
- 3.3 The three sub-clauses of the petition all relate to future planning policy. It is proposed that these issues be referred initially to Planning Member Working Group in accordance with the second part of Executive's previous resolution.

4 RECOMMENDATION

- 4.1
- i) That the petition in respect of the proposed Article 4 Direction be considered by the Head of Planning and Building Control, in consultation with the Portfolio Holder Sustainable Development and Transport, in association with other responses to the recent consultation exercise.
 - ii) That any other petitions received on the proposed Article 4 Direction be treated in the same manner.
 - iii) That the representations in respect of future policy on HMOs, purpose built university related accommodation and strengthening the character of St James Ward be referred to Planning Member Working Group for initial consideration.

**RICHARD SHORT
HEAD OF PLANNING AND BUILDING CONTROL**

ECONOMY AND DEVELOPMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)
Background papers used in compiling this report:
File on Article 4 Direction