

# **REPORT TO STRATEGIC SCRUTINY COMMITTEE**

Date of Meeting: 15 January 2026

Report of: Strategic Director for Place

Title: Petition to the Council: Extend the Article 4 Direction (regarding houses in multiple occupation) to include all of Hillcrest Park and Doriam Close

## **Is this a Key Decision?**

Scrutiny is a non-decision making committee

## **Is this an Executive or Council Function?**

Executive

### **1. What is the report about?**

- 1.1. The report provides commentary in response to a petition which seeks to extend the area covered by the Council's Article 4 Direction which restricts the conversion of regular housing (Use Class C3) to houses in multiple occupation (HMOs – Use Class C4: dwellinghouses occupied by between 3 and 6 unrelated people). The petition seeks that Hillcrest Park and Doriam Close are included in a revised Article 4 Direction. The formal response to the petition was to consider the petition by Strategic Scrutiny Committee. The petition and response text is included in Appendix A. The locations of Hillcrest Park and Doriam Close are shown in Appendix B.

### **2. Recommendations:**

- 2.1. That the receipt of the petition regarding the extension of the Article 4 Direction regarding HMOs is noted; and
- 2.2. That a revision to the Council's Article 4 Direction is not required.

### **3. Reasons for the recommendations:**

- 3.1. There is insufficient evidence of the presence of HMOs in Hillcrest Park and Doriam Close to justify a revision to the Article 4 Direction to include these additional streets as requested by the petition.

### **4. What are the resource implications, including non-financial resources**

- 4.1. The report recommends that no further action is taken to amend the Article 4 Direction to extend its associated area. On this basis, the recommendations made in this report do not result in any direct additional resource implications.

## **5. What are the legal aspects?**

- 5.1. The Council has an Article 4 Direction for a designated area around the campuses of the University of Exeter. This restricts Permitted Development rights in this area meaning that a change of use from a 'regular' class C3 dwelling to a class C4 house in multiple occupation requires planning permission. In establishing this position, the necessary processes in accordance with Article 4 of the General Permitted Development Order were undertaken.
- 5.2. The Article 4 Direction has been through various iterations; the current iteration came into effect in December 2024.
- 5.3. Although a petition has been received advocating an extension to area to which the Article 4 Direction applies, it is recommended that a review is not required - there are no specific legal requirements for the Council to review the Article 4 Direction at this time.

## **6. Equality Act 2010 (The Act)**

- 6.1. In making the recommendations no potential impact has been identified on people with protected characteristics as determined by the Act because the report is for discussion and no action is recommended.

## **7. Carbon Footprint (Environmental) Implications**

- 7.1. No direct carbon/environmental implications would arise from the recommendation not to review the Article 4 Direction nor extend the area to which it applies.
- 7.2. If a review of the Article 4 Direction was implemented it could restrict HMOs in a larger area around the University campuses which could potentially result in students seeking accommodation further away. This could increase car use which would have a negative impact in terms of carbon emissions and air quality.

## **8. Report details**

### Background

- 8.1. In 2010 the Council made an Article 4 Direction to restrict homeowners' permitted development rights to use their properties as HMOs. The Article 4 Direction has been through various iterations; it was established in 2010, updated in 2014 then, most recently, amended via a review conducted between 2022 and 2024 following the receipt of a petition in 2021. The current iteration came into effect in December 2024. With each review, the area to which the Article 4 Direction 4 applies has grown.
- 8.2. Alongside the most recent Article 4 Direction review, the Council also updated the houses in multiple occupation supplementary planning document (SPD). This updated SPD provides more detailed guidance on how policy H5 of the Exeter Local Plan First

Review, and Policy C1 of the Exeter St James Neighbourhood Plan, will be implemented. This is in order to help manage the impact of HMOs, which, within the area covered by the Article 4 Direction, tend to be occupied by students. The SPD was adopted in December 2023.

#### The petition

- 8.3. In September 2025 the Council received an 'e-petition' to extend the Article 4 Direction again to cover two roads to the north of the city close to the Streatham Campus of the University. The full petition text is included in Appendix A.
- 8.4. The petition ran from 18 September to 5 November 2025 and was signed by 40 people. It is understood that 38 of the 40 signatories of the petition live in either Hillcrest Park or Doriam Close.
- 8.5. Officers in the City Development Department have reviewed the e-petition and examined the potential evidence regarding HMOs to consider whether it would be appropriate to update the Article 4 Direction and extend the area to which it applies to include Hillcrest Park and Doriam Close on the basis of the reasons put forward in the petition;
- Residential amenity; and
  - Access and parking issues.

#### Analysis

- 8.6. Article 4 Directions remove permitted development rights and therefore there are significant considerations for determining when they are appropriate.
- 8.7. National planning policy sets out the requirements for when Article Directions, and their extension, could be considered. Paragraph 54 of the National Planning Policy Framework (NPPF) states the following:

*'The use of Article 4 directions to remove national permitted development rights should:*

*a) where they relate to change from non-residential use to residential use, be limited to situations where an Article 4 direction is necessary to avoid wholly unacceptable adverse impacts (this could include the loss of the essential core of a primary shopping area which would seriously undermine its vitality and viability, but would be very unlikely to extend to the whole of a town centre).*

*b) in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area (this could include the use of Article 4 directions to require planning permission for the demolition of local facilities).*

*c) in all cases, be based on robust evidence, and apply to the smallest geographical area possible'.*

- 8.8. Paragraph 54a) does not apply in the case of the Article 4 Direction regarding HMOs but the paragraphs 54b) and c) are relevant and so are discussed here.
- 8.9. Paragraph 54b) of the NPPF states that Article 4 Directions can be used to protect local amenity and wellbeing. This could potentially also take into consideration associated parking and access issues. The argument to extend the Article Direction to take in Hillcrest Park and Doriam Close would therefore be reliant on there being evidence of an adverse impact on local amenity, access and parking being caused by HMOs.
- 8.10. The starting point for identifying the evidence of current HMO impact is the number of HMOs in the two roads being suggested for inclusion in a revised Article 4 Direction. The boundary of the area currently covered by the Article 4 area is drawn to encompass postcodes (and their adjoining postcodes) where 20% or more of residential properties are likely to be HMOs, based on:
- HMO licence data (all residential properties occupied by 5 or more unrelated people should have an HMO licence); and
  - Exemption N Council Tax data (which apply to properties entirely occupied by students).
- 8.11. There are no records of either HMOs or properties with an N Council tax rating in Hillcrest Park and Doriam Close. The two most reliable datasets therefore do not provide any evidence of HMOs in the two streets, and therefore by association, any evidence of HMO impact on local amenity, wellbeing, access or parking. This would reflect the position at the time of the previous Article 4 Direction review because the streets were not included at that time.
- 8.12. Paragraph 54c) of the NPPF states the importance of evidence to ensure that Article 4 Directions apply to the smallest geographical area possible. Given the lack of robust evidence of HMOs in Hillcrest Park and Doriam Close and the fact that the area covered by the Article 4 area has been extended in the last two years, a further extension of the area would not fulfil this NPPF requirement.
- 8.13. Looking more widely, the Council and the University have a policy to accommodate at least 75% of student growth in purpose-built student accommodation from a baseline date of 2006. This aims to ease pressure on regular housing stock from becoming HMOs. Whilst the outcome of the assessment varies each year, most recent data suggests the target was met in 2025. If this position persists, there may be fewer conversions of houses to HMOs in future years. This position will be monitored annually.

## Summary

- 8.14. Given the lack of evidence regarding the number of HMOs in Hillcrest Park and Doriam Close and the need for Article 4 Directions to cover the smallest geographic area possible, the inclusion of Hillcrest Park and Doriam Close in a revised Article 4 Direction area does not meet national planning policy and is therefore not currently justified.

## **9. How does the decision contribute to the Council's Corporate Plan?**

- 9.1. The recommendation not to undertake a review of the Article 4 Direction relates to the 'homes' priority in the Council's Corporate Plan.

## **10. What risks are there and how can they be reduced?**

- 10.1. There are no statutory requirements to review the Article 4 Direction. On this basis, there are minimal legislative risks for the Council.

## **11. Are there any other options?**

- 11.1. The Council does have the option of a review of the Article 4 Direction. Currently this is not considered to be an appropriate course of action because of the reasons detailed in the report.

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## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

- Petition for the extension of the Article 4 Direction: November 2025.
- Current Article 4 Direction regarding houses in multiple occupation: December 2023.

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## **APPENDIX A: Petition and formal response**

### **Petition**

'We the undersigned petition the council to extend the Article 4 Direction to restrict houses of multiple occupancy (HMOs) in the whole of Hillcrest Park and Doriam Close'.

'Hillcrest Park and Doriam Close are quiet, residential streets. The conversion of dwellings in Hillcrest Park and Doriam Close to HMOs (which includes student lets) should be restricted in order to preserve the residential amenity of these areas which would be severely adversely harmed if the dwellings started to be converted into HMOs. Furthermore, Hillcrest Park is a private cul-de-sac accessed by a single track lane. Increased vehicular movements resulting from conversion to HMOs would create access and parking issues. When the new Article 4 Direction was enacted in 2024, it did not extend to include Hillcrest Park and Doriam Close. Hence, this e-petition is a request for the Article 4 Direction to be further revised to include these two roads'.

### **Council response**

This petition has received 40 signatures and as such will be heard by the Strategic Scrutiny Committee.

This meeting will be held on Thursday 15 January 2026, at 5:30pm in the Rennes Room, Civic Centre.

## APPENDIX B: Location Plan showing Hillcrest Park and Doriam Close

