

## Houses in Multiple Occupation Supplementary Planning Document and Article 4 Direction

### Summary

This report outlines activities undertaken in the preparation and consultation on a Houses in Multiple Occupation Supplementary Planning Document (SPD) and Article 4 Direction following the resolution of Cabinet / Council in January 2026. Delegation to prepare and consult on the draft SPD has been provided to the Director of Regeneration and Inclusive Growth in consultation with the Cabinet Member and the Planning Committee. The SPD is to be presented to Cabinet/Council for adoption with planning committee members being welcomed to provide any comments of the SPD which will be presented alongside the SPD. Alongside this the report outlines next steps in relation to confirmation of the Article 4 Direction.

### Recommendation(s)

Planning committee are recommended to:

1. Note the contents of the report.
2. Provide any comments on the SPD which members would like to be presented to Cabinet/Council alongside the SPD which is being proposed for adoption.

### Detail

#### Houses in Multiple Occupation Supplementary Planning Document

1. The Houses in Multiple Occupation SPD (Appendix A) has been prepared following the resolution of Council in January 2026 and if adopted will apply to planning applications for new houses of occupation whether that be a new build or through the conversion of an existing property. The document has been produced ensure proposals for Houses of Multiple Occupation contribute positively to making places better for people, improving standards of accommodation, and reducing detrimental impacts on neighbours. It assists in the interpretation of policies within the Stockton-on-Tees Local Plan and sets out guidance and good practice for planning applicants to enable the delivery of better planning outcomes.
2. The SPD has been prepared in accordance with Government legislation and guidance and has been subject to public consultation in accordance with regulations. The public consultation period on the draft SPD took place between 19<sup>th</sup> March and the 17<sup>th</sup> April 2026. A total of 13 responses were received on the contents of the draft SPD. These responses can be summarised as falling into 3 categories:

- **Organisations-** Natural England, Coal Authority, Home Office, Prism Planning, North Yorkshire Council, Historic England
  - **Local Resident-** 6 local residents
  - **Ward Councillor-** one response
3. A consultation statement (Appendix B) has been prepared which contains comments / main issues raised alongside the council's response to them.
  4. Also provided are screening assessments in relation to the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) have been undertaken and are available within Appendix C and D respectively.
  5. It is recommended that the SPD document (Appendix A) and its technical appendices (Appendices B to D), be adopted which will enable them to be a material consideration in planning applications for relevant proposals. Following adoption, the documents will be made available in the Council's main office, on the Council's website and in public libraries across the Borough. Members should also be aware that legislation makes provision for individuals / organisations to pursue a legal challenge regarding SPDs, and this will end 3-months after adoption of the documents.
  6. In accordance with The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 the Council can adopt Supplementary Planning Documents until 30th June 2026. Adopted SPDs will continue to be a material consideration but they will cease to have effect upon adoption of a new Local Plan.

#### **Article 4 Direction (small Houses of Multiple Occupation)**

7. Following the resolution of Cabinet in January 2026, notice has been given that the Council has made a Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Notice was given on 18<sup>th</sup> March 2026, and a period of consultation was undertaken from 19<sup>th</sup> March and the 17<sup>th</sup> April 2026.
8. If confirmed the direction would require planning consent for the change of use of a building within Class C3 (dwelling houses) to a use falling within Class C4 (houses in multiple occupation) through the removal of permitted development rights for this type of development. The Direction would apply to the entire area of the Borough of Stockton-on-Tees.
9. During the consultation period 18 representations were received. These responses can be summarised as falling into 2 categories:
  - **Organisations-** Natural England, Coal Authority, Home Office, Prism Planning, National Residential Landlords Association, Stockton Liberal Democrats, The Canal & River Trust, North Yorkshire Council, Historic England.
  - **Local Resident-** 9 local residents
10. These representations must be taken into account by the local planning authority in deciding whether to confirm the direction. Having considered and taken into account the

representations received (which are available within Appendix H), the local planning authority intends to confirm the Article 4 Direction. Necessary processes will be undertaken, in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to confirm the Direction which will come into force on Monday 22nd March 2027.

### **Financial Implications**

11. Existing budgets will be used for all activities associated with Article 4 Direction confirmation and HMO SPD adoption.

### **Environmental Implications**

12. There are no significant environmental implications anticipated from the matters contained within this report.

### **Legal Implications**

13. The 2004 Planning and Compulsory Purchase Act made provision for the preparation of Supplementary Planning Documents (SPDs) to provide greater detail on specific policies within the Local Plan.
14. The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements for producing Supplementary Planning Documents SPDs. SPDs should not contain new policies and should not be contrary to the Local Development Plan or national policy.
15. In accordance with The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 the Council can adopt Supplementary Planning Documents until 30th June 2026. Adopted SPDs will continue to be a material consideration but they will cease to have effect upon adoption of a new Local Plan.
16. The European Directive 2001/42/EC applied through the Environmental Assessment of Plans and Programmes Regulations (SI No.1633) requires a Screening Report for Strategic Environmental Assessment to be produced.
17. The Town and Country Planning (General Permitted Development) Order 2015 currently grants deemed planning permission for residential properties to be converted to small HMO's without the need for an application. The introduction of an Article 4 Direction will remove this right and all such proposed conversions after the date the Direction will come into force will require a planning application to be submitted, with an associated fee. This affects the property rights of owners of residential properties which needs to be justified and proportionate.
18. Applicants whose applications are subsequently refused have the right to appeal against that decision.
19. An Article 4 Direction can only be made if the Local Planning Authority is satisfied that it is expedient to make it. Schedule 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 provides the procedures for bringing an Article 4 Directions into force. It is subject to a 21-day consultation period and must then

be confirmed by the LPA before it comes into force. The making of the Article 4 Direction is subject to challenge by way of Judicial Review. The Secretary of State must be notified of the making of the Direction and has the power to cancel it before or after its confirmation.

### **Community Safety Implications**

20. The SPD seeks to ensure proposals for HMOs contribute positively to making places better for people, improving standards of accommodation, and reducing detrimental impacts on neighbours.

### **Human Rights Implications**

21. The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

### **Ward and ward Councillors**

22. All elements detailed within the report (HMO SPD and Article 4 Direction) will, or have the potential to, affect all wards in the Borough. Prior to public consultation Planning Committee Members were provided a briefing on the draft SPD and all Councillors consulted as part of the statutory consultation.

### **Background Papers**

23. Cabinet and Council papers of 15th January and 21st January 2026 respectively.
24. The following documents are provided in relation to the Houses in Multiple Occupation Supplementary Planning Document:
  - Appendix A- Houses in Multiple Occupation Supplementary Planning Document
  - Appendix B- Consultation Statement
  - Appendix C- SEA Scoping Assessment
  - Appendix D- HRA Screening Assessment
25. In relation to the Article 4 Direction the following documents are provided:
  - Appendix E- Article 4 Direction
  - Appendix F- Article 4 Direction Map
  - Appendix G- Article 4 Direction Notice
  - Appendix H- Consultation Representations

**Name of Contact Officer: Simon Grundy**

**Post Title: Planning Services Manager**

**Telephone number: 01642 528550**

**Email address: [simon.grundy@stockton.gov.uk](mailto:simon.grundy@stockton.gov.uk)**