

EXETER CITY COUNCIL

DECEMBER 2010

REPORT ON RESULTS OF CONSULTATION ON PROPOSED DIRECTION UNDER ARTICLE 4(1) OF THE TOWN AND COUNTRY PLANNING ACT GENERAL PERMITTED DEVELOPMENT ORDER, RESTRICTING PERMITTED DEVELOPMENT RIGHTS FOR THE CHANGE OF USE OF HOMES FROM CLASS C3 (DWELLING HOUSES), TO CLASS C4 (HOUSES IN MULTIPLE OCCUPATION BY 3-6 PEOPLE)

1 BACKGROUND

1.1 Executive considered a report on the 28 September 2010 resolving that:

- (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 (not attached), 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.*

1.2 The approach agreed by Executive was previously supported by Planning Member Working Group on 24 August 2010.

1.3 Executive on 7 December 2010 considered an urgent item in respect of a petition signed by 772 residents of St James ward in respect of the Article 4 direction and related planning policy issues (see para 5.1 for detail). It resolved:

- (1) *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;*
- (2) *any other petitions received on the proposed Article 4 Direction be treated in the same manner; and*
- (3) *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.*

2 THE CONSULTATION

2.1 Members have requested that officers bring an Article 4 Direction into effect as soon as possible (but with 12 months notice to avoid any compensation liability). Officers therefore proceeded with the arrangements following the publication on 4 November of a replacement to Circular 5/10 (relating to houses in multiple occupation) and a replacement Appendix D to Circular 9/95 (relating to Article 4 Directions). The

circulars themselves can be accessed at:

www.communities.gov.uk/publications/planningandbuilding/circulardwellinghouses and www.communities.gov.uk/publications/planningandbuilding/circularreplacementappendix.

- 2.2 The decision to proceed was also informed by news at the end of October that a judicial review by some Councils challenging the Government's decision to create the 'Permitted Development' right had been unsuccessful.
- 2.3 The consultation arrangements were determined by the legislative requirements.
- 2.4 A Public Notice was published in the Express & Echo on 11 November and there was a small item in the paper following a press release. The formal three week consultation was 12 November until 3 December.
- 2.5 Copies of the Public Notice, Direction and accompanying plan were displayed at the Customer Service Centre, Central Library, Exeter Community Centre and Clifton Hill Sports Centre throughout the consultation period and the public notice will continue to be displayed for a further three weeks.
- 2.6 All the consultation material was available on the web site with an 'adspot' link from the front page. There were about 1,200 hits on this part of the web site over the 17 days in November.
- 2.7 It was decided to write a standard letter to the owner/occupier of all the 7,287 homes within the proposed area affected. This included a pro forma for replying on the reverse. A copy of this standard pro forma is at Appendix One. A further variant of this letter was sent to about 110 owner/occupiers who appeared to be permanent residents of nine streets (such as Danes Road) that have over 50% of properties exempt from Council Tax due to entire occupation by full time students. This approach was agreed by Executive because it was recognised such owners may feel more 'trapped' in their properties by the effects of a Direction. Where a property is rented the Council has no control whether the letter will be seen by a tenant or owner.
- 2.8 The Council also wrote to known residents associations in the area, estate agents and interested parties such as the Police, Devon County Council, the University of Exeter and the Students Guild. A full list of organisations consulted is at Appendix Two.
- 2.9 Officers briefed a meeting of the Exeter Association of Estate Agents on 2 November, prior to the consultation, and manned a small exhibition at the 'Landlord Expo 2010' held at Sandy Park Conference Centre on 24 November.

3 CONSULTATION RESPONSES

- 3.1 The Council has received 808 responses during and after the closure of the formal consultation period. The majority are in the form of the standard response pro forma used on the consultation letter. These are listed in the schedule at Appendix Three. The responses have been divided into 19 geographic areas for the purpose of analysis (letter codes A-S). A summary of responses for each area is at Appendix Four, a summary table at Appendix Five and a plan of the areas is also attached. All the representations may be inspected, by prior arrangement, in Planning Services.

- 3.2 The overall response rate is about 11%. There were a small number of responses from residents outside the consultation area (category 'T'), those whose precise address could not be identified (Category 'U') and some cases of multiple representations from individuals or addresses that may introduce an element of double counting.
- 3.3 There were no responses in one small area (Area I, c20 homes). The response rate was notably higher in Pennsylvania ward (Area C, 36%) and parts of St James such as areas including Thornton Hill and Velwell Road where there have been recent campaigns.

4 RESPONSES

- 4.1 The pro forma asked five questions. The first two asked whether respondents supported or opposed the Article 4 Direction in the area as a whole, then their street. The third question was more general seeking views on whether respondents considered there is a reasonable balance in the types of household in what they considered to be their community. The question was framed in this way in recognition of the fact that people have different perceptions of their community from their just immediate neighbours up to ward or wider levels. The pro forma also asked for a general address to allow the analysis of responses by locations and the type of household (there were three alternatives 'family/couple/single person', 'entirely or predominantly students' and 'other shared household').

- 4.2 Do you support or oppose the principle of an Article 4 direction providing potential future control of further houses in multiple occupation in St James Ward and parts of the adjoining Wards to the North and East of Exeter City Centre?

667 of 795 responses to this question (about 83%) supported the principle of the Article 4 Direction in the area as a whole. The response rate in support was above 80% in 16 of the 19 sub areas, it was lower in Monks Rd (west)/Park Rd (Area G 75%), around Culverland Close (Area H 67%) and the nine streets with very high proportions of Council Tax exemptions (Area L 27%).

- 4.3 Do you support or oppose the proposal for an Article 4 Direction providing potential future control of further houses in multiple occupation in your street?

653 of 788 responses to this question (about 83%) supported the principle of an Article Direction in their street. 125 respondents opposed to the Article 4 in principle also opposed it in their street. There were only 12 respondents in total who supported it in the wider area but opposed it in their street.

- 4.4 Do you consider there is a reasonable balance in the different types of household in the area that you consider to be your local community?

This question was intended to inform the future development of planning policies rather than a decision on the Article 4 Direction. It was hoped to be able to compare peoples' perception of whether their community was imbalanced with data on the rate of Council tax exemptions to help inform future decisions. The question required more thought on the behalf of respondents and generated many more complex answers than just yes or no.

- 4.5 285 of 808 respondents considered there was presently a balance of household types in their community. These respondents included a large number of those who

opposed the Article 4 Direction. There does not appear to be any strong direct correlation between peoples' perception and the actual data on the proportion of exemptions in an area.

5 SPECIFIC RESPONSES

5.1 A petition was received on 1 December 2010 from residents of St James ward with nearly 800 signatures. 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.*

5.2 The petition was reported to Executive on 7 December in accordance with the Council's petitions scheme, the draft resolution is at para 1.3 above.

5.3 Responses were received from five organisations.

Government Office

The Government Office is a statutory consultee to give the Secretary of State an opportunity to intervene. It had no comments and merely wished to be informed of any eventual decision.

Students Guild

The Guild has conducted an extensive consultation with its Members. 673 responses were received. 98% opposed the principle of an Article 4 Direction, 98% opposed it in their street, 94% considered there is a reasonable balance in their community.

Points include:

- The proposal is divisive driving a wedge between students and local residents
- Purpose-built accommodation blocks in residential areas can intensify noise and refuse problems, students build no links with residents
- Public transport does not serve students well outside the traditional areas
- The proposals cannot be retrospective and problems will remain
- Impact upon property values/disruption to the local property market.
- Similar restrictions failed in Northern Ireland

The Guild recommend, as an alternative, a landlord accreditation scheme, good practice partnership working, closer liaison between Councillors and student representatives; and improvements in public transport to facilitate greater dispersal.

Police Architectural Liaison Officer

High numbers of students in a particular area or street can lead to increased reports regarding anti social behaviour. This creates tensions between permanent residents and students.

The fact that students are only resident in an area for a relatively short period of time makes it difficult to create communities. This can lead to a lack of ownership and pride in an area, making it more attractive to the criminal.

Houses rented by students are attractive to burglars as they are often left unoccupied for long periods of time. A house rented to 5 or 6 students is likely to contain 5 or 6 laptops, games consoles and MP3 players for example; all items which are highly desirable for a criminal.

Mixed communities are less likely to attract crime and disorder. Student properties would be less vulnerable to crimes such as burglary, as natural surveillance from permanent residents would help deter criminal behaviour. A reduction in the number of students living in any one street may also reduce the number of complaints regarding noise and other anti-social behaviour.

Cardens

Students@Cardens is probably the largest specialist student lettings agency in Exeter letting 150-200 student properties each year.

- Proposal could create homes for families in areas where they are no longer wanted.
- Question whether there is significant demand from families to live in large terrace houses with high levels of student occupancy such as Danes Road, Victoria Street etc. Value of these properties may diminish and they may become unsaleable, there is a consensus of residents in such areas that they should be treated as an exception.
- Social problems occur in areas of more mixed tenure not in areas of high student occupation where neighbours are also students. Social problems will be pushed out to new areas such as Stoke Hill that are not used to having a student population.
- There is no sign of the recent increase in schemes for purpose built student housing dampening demand for shared housing off campus.

Danes Road Residents Association

This representation is from 13 residents. Oppose Danes Road being included for the following reasons:

- Difficulties posed for permanent residents to sell their property.
- Any further increase in HMOs beyond the existing 80% would not make a material difference in the character of the area.
- Uncertainty over the future planning policy that may apply will lead to residents moving in the period of 12 months before it takes effect.
- Landlords would in future be deterred from renting properties to families or others comprising Class C3 uses since they would then lose the right to a Class C4 use.

5.4 Previous representations

Members will also be aware that the Council had received a large number of representations prior to the recent consultation exercise. These are summarised in Appendix Six.

6 ISSUES

- 6.1 There are two immediate issues whether in principle to confirm the Article 4 Direction and whether to amend the boundary of the area covered to exclude any areas. It is not possible to add any new areas that were not subject to public consultation.
- 6.2 While there is a clear balance of support for the Article 4 Direction overall (albeit the Students Guild refers to 673 representations that are opposed) there is a significant minority that is concerned about the property market impacts. This is most focused on streets where there is already a very high proportion of Council Tax exemptions due to entire occupation of properties by full time students. Remaining 'non-exempt' occupiers in these streets did receive a more specific letter of consultation. The campaign against an Article 4 Direction has been most articulated by Danes Road Residents Association and its student and permanent residents.
- 6.3 The purpose of the Article 4 Direction is to give the Council planning control over future creation of Class C4 uses that might otherwise take place under 'Permitted Development' rights. The Council has got an established 'Student Accommodation In Residential Areas' SPG that identifies areas where C4 uses will be resisted, however, it is committed to reviewing that policy with the expectation that it will be extended to a wider area. Objectors are primarily concerned that the Article 4 Direction may lead to restrictions on the future use of their property and that this may impact upon its value and/or their ability to sell it. Some argue that communities in some areas are already destroyed and a future restriction merely serves to trap or disadvantage remaining permanent residents.
- 6.4 The Article 4 Direction needs to be long standing, it cannot be easily amended due to the requirement for 12 months notice. It has therefore been drafted on the basis of a wide boundary that includes many areas where Council Tax exemptions are only currently in the range of 10-20% but which may come under future pressure if the University continues to expand and further HMO growth is forced out of traditional areas such as much of St James.
- 6.5 In opposing the Article 4 Direction many people are particularly concerned about the policy that the Council may in future apply when it has planning control. The Council is not in a position to decide this yet but does need to start the clock ticking on the period of 12 months notice.
- 6.6 The Council has three broad choices:
 - Confirm the Direction in its entirety but reiterating that no decision has yet been taken on the review of the planning policy that will apply.
 - Confirm the Direction in its entirety but state that Members are minded to develop a policy that will not necessarily apply restrictions in areas such as Danes Road with existing high proportions of exemptions.
 - Make a decision based upon the information before it now to exclude certain roads from the Direction.
- 6.7 There are a number of representations stating that in seeking to tackle the problem of imbalanced communities due to concentrations of student HMOs, the Council is neglecting consideration of other shared households (such as single people) that form an important element of the community, who will also be impacted by the restrictions. There is no mechanism for avoiding this since Class C4 use does not

enable the Council to distinguish between students and others. Such other shared households are more footloose to locate around the City.

- 6.8 Many respondents state that the proposals come too late, that the Council is 'shutting the stable door after the horse has bolted'. Members will be aware that prior to April this year there was no Class C4 use so the Council could take no action to control small HMOs through the planning system.

7 THE WAY FORWARD

- 7.1 It is proposed to make a decision on whether to confirm the Direction and on any amendments to the area covered before Christmas to enable the service of a notice of confirmation through site notices, the press and other statutory parties dated on or before 31 December 2010. This would enable a clear 12 months notice before the Direction takes effect on 31 December 2011. The additional planning control would then be in place at the end of that year before the start of the University's Spring term.
- 7.2 It is also important that the Council decides on its future planning policy that will apply when planning permission is sought for Class C4 uses. It is desirable to do this as soon as possible to provide certainty to owners and occupiers of properties. Executive resolved that there should be further informal consultation and a report back to PMWG to decide upon a draft policy approach to be subject to further public consultation. The recent consultation has provided an opportunity to receive useful public feedback on the issue.
- 7.3 Officers propose to report to PMWG early next year on a proposed draft policy including issues raised at Executive on 7 December.
- 7.4 A copy of this paper will be posted on the Council's web site after the delegated decision is made with any final plan and any notice of confirmation.

8 DELEGATED DECISION

- 8.1 A draft of this paper was discussed at a briefing for Ward Members on 14 December.
- 8.2 The Portfolio Holder Sustainable Development and Transport and the Head of Planning and Building Control subsequently decided on 16 December to confirm the Article 4 Direction but to exclude the nine streets (Area L) where the proportion of Council Tax exemptions already exceeds 50%. These streets generated a higher proportion of objections to the Direction. The permanent community in these streets has largely ceased to exist. Objectors were concerned that remaining permanent residents would become trapped in their homes or would feel obliged to sell up before the Direction takes effect.

Agreed by Rachel Sutton
Portfolio Holder Sustainable Development and Transport

Agreed by Richard Short
Head of Planning and Building Control

Dated 16 December 2010

STANDARD RESPONSE PRO FORMA

RESPONSE FORM (DO NOT DETACH)

1. Do you support or oppose the principle of an Article 4 direction providing potential future control of further houses in multiple occupation in St James Ward and parts of the adjoining Wards to the North and East of Exeter City Centre?

SUPPORT:	OPPOSE:
Comments:	

2. Do you support or oppose the proposal for an Article 4 Direction providing potential future control of further houses in multiple occupation in your street?

SUPPORT:	OPPOSE:
Comments:	

3. Do you consider there is a reasonable balance in the different types of household in the area that you consider to be your local community?

YES:	NO:
Comments:	

**4. How would you categorise your household:-
 FAMILY/COUPLE/SINGLE PERSON or ENTIRELY OR PREDOMINANTLY STUDENTS
 or OTHER SHARED HOUSEHOLD**

NAME (OPTIONAL):	STREET:
OCCUPIER / OWNER	DATE:

PLEASE RETURN TO THE ADDRESS OVERLEAF

In accordance with our responsibility under the Data Protection Act, you should be aware that the personal information you are giving will only be used for the purposes of this consultation and will not be passed on to any third party.

ORGANISATIONS/INDIVIDUALS CONSULTED

Home Office, London
Government Office of the West Midlands (Office responsible for Article 4 Directions)
Devon County Council
Exeter Prison
Exeter College
University of Exeter
University of Exeter Students Guild
West Country Landlords Association
National Landlords Association
St Sidwells Centre
Age Concern Exeter (Manaton Court)
Age Concern Exeter (Southernhay West)
Community Council of Devon
Exeter Interfaith Group
Homeless Action Group – Exeter
Devon Racial Equality Council
Living Options Devon
Exeter Senior Council
Rt Hon Ben Bradshaw, MP
PCSO S Giles
Royal Institute of Chartered Surveyors
Residents Associations
South West Water
BT Transco
Western Power
Letting Agents in Exeter (65)
Members of the public who have previously made representations (58)
ECC Ward Members
DCC Ward Members

Appendix Three

ANALYSIS OF RESPONSES TO PROPOSED ARTICLE 4 DIRECTION

[SARA-Area within existing 2008 policy restriction]

The majority of representations indicate they support the Article 4 Direction over the wider area (Question 1 on the response form) and in their street (Question 2). The table below highlights those opposed to the proposal.

Question 3 asked if respondents considered there is a reasonable balance in the different types of household in the area that they consider to be their local community. This enabled residents to decide what was their local community. Many residents qualified their answers for example saying there was a balance in their street but not in the wider area, or that they were presently at a tipping point. The responses below just identify those who consider there is a balance in their community.

A	<p>DURYARD (c70 homes, 17% exempt) Representations 2 (3%) (King Edward St, 1-8 Cowley Bridge Rd)</p> <p>Oppose: None Oppose just street: None No present imbalance: None</p>
B	<p>ST DAVIDS (c1170 homes, 16% exempt) Representations 80 (7%) (North of Exe Street, Paul Street)</p> <p>Oppose 10: Mt Dinham , Haldon Rd, Dinham Rd, Windsor Cl, Bonhay Rd, Northernhay St, Eldertree Gardens, Bell Court, Bystock Terr, Queens Terr Oppose just street 1: Napier Terrace No present imbalance 44: Bell Court, Bonhay Road 3, Bystock Terr, Clayton Road 2, Dinham Mews 2, Dinham Cresc 2, Dinham Rd, Eldertree Gdns, Exe Street 2, Haldon Rd 2, Little Silver, Lower North St, Montpelier Court 5, Mt Dinham 2, Napier Terrace 2, Northernhay St/Sq 3, Russell Terrace, Richmond Rd , Richmond Court, Queens Terr, St Davids Hill 6, Taddiford Rd, Tavistock Road, Windsor Close</p>
C	<p>PENNSYLVANIA (c270 homes, 14% exempt) Representations 98 (36%) (2-102 even Union Rd, 86-136 even Pennsylvania Rd, Maryfield Avenue, Lower Kings Avenue, Higher Kings Avenue, Elmdon Close, Hill Close, 1-39 2-38a Charingthay Gate, Sylvan Road, 1b Sylvan Avenue, Pennsylvania Close, Clevedon Close, Brodick Close)</p> <p>Oppose 7: Clifton Road, Elmdon Close, Maryfield Ave (sh hld), Union Rd, Higher Kings Ave, Pennsylvania Rd, Sylvan Rd Oppose just street 0: No present imbalance 34: Blackboy Rd, Charingthay Gate, Clifton Rd, Higher Kings Avenue 8, Lower Kings Avenue 9, Maryfield Avenue, Pennsylvania Close 3, Pennsylvania Rd 2, Sylvan Rd 4, Union Rd 4.</p>

	NEWTOWN
D	<p>(c60 homes, 13% exempt) Representations 8 (13%) <u>Archibald Rd, 62-83 all Athelstan Rd, 19-37 odd Barnfield Rd)</u></p> <p>Oppose 1: Athelstan Rd Oppose just street 0 No present imbalance 5: Athelstan Rd 5</p>
E	<p>Representations 89 (11%) <u>(Blackboy Rd and southwards to Gladstone Road) (c830 homes, 9% exempt)</u> (Elmside Close, Blackboy Road, Alexandra Terrace, Jesmond Road, Gordon Road, Clifton Hill, Clifton Street, Clifton Road Grosvenor Place, Belmont Road, Parr Street, Chute Street, Portland Street, Sandford Walk, East John Walk, Salem Place, Newton Close, Codrington Street, Albert Street, Parr Close, Silver Lane, Kendall Close)</p> <p>Oppose 12: Albert St, Alexandra Terr, East John Walk, Clifton Hill, Clifton Rd, Clifton St, Blackboy Rd, Kendall Close, Portland St 4 Oppose just street 1: Blackboy Rd No present imbalance 45: Alexandra Terrace 2, Blackboy Rd 4, Belmont Rd 4, Chute St 3, Clifton Court, Clifton Hill 2, Clifton Road, Clifton St 3, Codrington St 3, E J Walk 4, Gordon Rd, Grosvenor Place, Newton Close, Kendall Close, Jesmond Road, Parr St 2, Portland St 6, Sandford Walk 4, Silver Lane Some refer to imbalance in Portland Street</p>
F	<p>Representations 49 (11%) <u>SARA (North of Blackboy Rd) (c430 homes, 27% exempt)</u> (85-124 Old Tiverton Road, 1-30 Mount Pleasant Road, Iddesleigh Road, Herschell Road, Salisbury Road, Rosebery Road, Lucas Avenue, Elmside, May Street, Albion Place, Toronto Road)</p> <p>Oppose 7: Rosebery Rd 2, Mt Pleasant Rd, Elmside, Herschell Rd, Toronto Road, Iddesleigh Road Oppose just street 1: Salisbury Rd No present imbalance 10: Toronto Rd 4, Rosebery Road 3, Herschell Road, Lucas Avenue, Mount Pleasant Road</p>
	POLSLOE
G	<p>Representations 65 (8%) <u>SARA (South of railway Monks Rd/Park Rd) (c840 homes, 32% exempt)</u> (79-112 all, Whatmore Court Mt Pleasant Road, 4-92, 1-73 Pinhoe Road, 1-95 2-86 Monks Road, 1-35 all Polsloe Road, 1-17 odd Abbey Road, Priory Road, Thurlow Road, Elton Road, Monkswell Road, Kings Road, Morley Road, Clinton Avenue, Abbot's Road, Jubilee Road, St Anne's Road, Manston Road, Park Road, St John's Road, Devon Road)</p> <p>Oppose 15: Mt Pleasant Rd 5, Elton Rd 2, Monkeswell Rd, St Johns Rd, Priory Rd, Pinhoe Rd 2, Manston Road, Park Road, Polsloe Road Oppose just street 0 No present imbalance 22: Abbey Rd, Abbots Road, Elton Road, Manston Road 2, Monkeswell Road, Mount Pleasant Road 4, Park Road 6, St Anne's Rd 2, Polsloe Road, Priory Road, Pinhoe Road 2</p>

H	<p>Representations 6 (8%) <u>SARA (North of railway 56-81 Old Tiverton Rd, 31-45 all Mt Pleasant Rd, Mansfield Rd) (c80 homes, 42% exempt)</u></p> <p>Oppose 2: Mount Pleasant Rd, Mansfield Road Oppose just street 0 No present imbalance 4: Mansfield Rd 3, Mount Pleasant Road.</p>
I	<p>Representations 0 <u>North of railway (c22 homes, 0% exempt)</u> (64-75 Mount Pleasant Rd inc St James Court, Tresillian Gardens)</p> <p>Oppose 0 Oppose just street 0 No present imbalance 0</p>
J	<p>Representations 35 (9%) <u>East of Abbey Road (c370 homes, 11 % exempt)</u> (2-18 even Abbey Rd, 94-270 even Pinhoe Rd, 88-210, 97-263 Monks Rd, Devon Road Tuffery Court, Greyfriars Walk, Whitefriars Walk)</p> <p>Oppose 6: Pinhoe Rd 2, Monks Road 4 Oppose just street 0 No present imbalance 15: Greyfriars Road 2, Monks Road 10, Pinhoe Road 3</p>
K	<p>Representations 16 (9%) <u>South of Pinhoe Road (c170 homes, 4% exempt)</u> (Ladysmith Road, Commins Road, 75-81 odd Pinhoe Road, Collard House St Marks Avenue)</p> <p>Oppose 1: St Marks Ave Oppose just street 0 No present imbalance 6: Commins Rd, Ladysmith Rd 5</p>
ST JAMES	
L	<p>Representations 58 (15%) <u>Nine streets exceeding 50% exempt (c380 homes, 70 % exempt)</u> (Culverland Rd exc27-53 Almshouses, Danes Road, Edgerton Park Road, Hillsborough Avenue, Mowbray Avenue, Old Park Road, Springfield Road, Victoria Street, Wrentham Estate)</p> <p>Oppose 44: Wrentham Estate, Danes Rd 37, Victoria St 2, Edgerton Park Rd 2, Culverland Rd 2 Oppose just street 0 No present imbalance 22: Culverland Road, Danes Road 16, Edgerton Park Road, Springfield Road, Victoria Street , Wrentham Estate 2</p>
M	<p>Representations 22 (17%) <u>SARA central exc 4 of 9 streets (c130 homes xx% exempt)</u> (1-25 odd Union Road, Prospect Park, Victoria Road, Rosewood Terrace, South View Terrace)</p> <p>Oppose 2: Prospect Park 2 Oppose just street 0 No present imbalance 2: Prospect Park 2</p>

<p>N</p>	<p>Representations 71 (6%) <u>SARA west exc 5 of 9 streets (c1200 homes xx% exempt)</u> (27-39 odd, 64-82 even Howell Road, 8a-82 even and 17-45 odd Pennsylvania Road, Hoopern Street, Blackall Road, Longbrook Street, Queens Crescent, York Road, Well Street, Oxford Road, St James Road, St James Close, York Terrace, Well Street, St Sidwell's Avenue, Trafalgar Place, St James Terrace, Brook Green Terrace, Clarence Place, Powderham Crescent, Leighton Terrace)</p> <p>Oppose 11: Hoopern St 2, Blackall Road, Howell Road, Brook Green Terrace, Powderham Crescent, Well St 4, Pennsylvania Rd 1 Oppose just street 1: Oxford Rd No present imbalance 17: Blackall Road, Brook Green Terrace, Hoopern Street 3, Howell Rd, Longbrook St, Oxford Rd, Powderham Crescent 4, Pennsylvania Rd, St James Close, St Sidwells Avenue 2, Well St</p>
<p>O</p>	<p>Representations 57 (33%) <u>West of Danes Road (c170 homes, 4% exempt)</u> (Velwell Road, Howell Road inc Linden Vale exc above, Castle Mount, Elmgrove Road, 1-29 New North Road, Woodbine Terrace)</p> <p>Oppose 3: Howell Rd 2 Linden Vale Oppose just street 0 No present imbalance 21: Howell Rd 7, Velwell Rd 10, Elm Grove Rd 2, New North Rd, Woodbine Terrace</p>
<p>P</p>	<p>Representations 95 (24%) <u>Horseguards/Thornton West (c390 homes, 10% exempt)</u> (1-15 Hope Court Norwood House Pennsylvania Road, Highcross Road, Hillside Avenue, Waverley Avenue, Pennsylvania Crescent, Addington Court, Kingstephen Close, The Quadrangle, Montague Rise, Hoopern Lane)</p> <p>Oppose 0 Oppose just street 0 No present imbalance 29: Addington Court, Highcross Rd 3, Hillside Avenue 2, Pennsylvania Cresc, Horseguards 2, Montague Rise, The Quadrangle 4, Thornton Hill 11, Waverley Avenue, West Avenue 3</p>
<p>Q</p>	<p>Representations 23 (14%) <u>Devonshire Place/Willow Walk (c160 homes, 9% exempt)</u> (Kingsgate, 2-8 New Buildings, 1-8 Bridge Cottages, 49-50 Well Street)</p> <p>Oppose 1: Willow Walk Oppose just street 1: Pennsylvania Road No present imbalance 2: Willow Walk 2</p>
<p>R</p>	<p>Representations 12 (16%) <u>Culverland Close (c75 homes, 11% exempt)</u> (27-73 odd Union Road, 40-55 Old Tiverton Road, 27a-53 almshouses Culverland Road)</p> <p>Oppose 3: Union Rd 3 Oppose just street 0 No present imbalance 4: Union Rd 4</p>

S	<p>Representations 3 (1%) <u>Sidwell Street/Longbrook Terrace (c200 homes, 7% exempt)</u> (2-37 all Inglewood House Old Tiverton Road, Luccombe Court, Stadium Way, Acland Road)</p> <p>Oppose 0 Oppose just street 0 No present imbalance 0</p>
T	<p>Representations 1 <u>Outside Article 4 area</u></p> <p>Oppose 2: Exwick Hill, Doriam Close</p>
U	<p>Representations 3 <u>Unknown/uncertain address</u></p> <p>Oppose 2:</p>
V	<p>Representations by consultee organisations/Residents' Associations</p> <p>Cardens Danes Road Residents' Association Devon & Cornwall Police ALO University of Exeter Students Guild</p>

SUMMARY OF RESPONSES BY SUB AREA

Sub Area	A Estimated Homes (a)	B Representations (b)	C Response rate (b/a%)	D Opposed to Art 4 (Q1 or 2) (c)	E Percentage opposed to Art 4 (c/b%)	F Responses Existing balanced community (d)	G Percentage balanced community (d/b%)	Proportion of Council Tax exemptions
A	70	2	3%	-	0%	0	0%	17%
B	1170	80	7%	10	13%	44	55%	16%
C	270	98	36%	7	7%	34	35%	14%
D	60	8	13%	1	13%	5	63%	13%
E	830	89	11%	12	13%	45	51%	9%
F	430	49	11%	6	12%	10	20%	27%
G	840	65	8%	15	23%	22	32%	32%
H	80	6	8%	2	33%	4	67%	42%
I	22	0	0%	0	0%	0	0%	0%
J	370	35	9%	6	157%	15	43%	11%
K	170	16	9%	1	6%	6	38%	45
L	380	58	15%	44	76%	22	38%	70%
M	130	22	17%	2	9%	2	8%	x%
N	1200	71	6%	11	15%	17	24%	x%
O	170	57	33%	3	5%	21	33%	4%
P	390	95	24%	0	0%	29	31%	10%
Q	160	22	14%	1	8%	2	9%	9%
R	75	12	16	3	25%	4	33%	11%
S	200	3	1%	0	0%	0	0%	7%

EXETER CITY COUNCIL

**REPRESENTATIONS RECEIVED FOLLOWING THE ANNOUNCEMENT OF
CREATION OF THE NEW USE CLASS C4 IN FEBRUARY 2010 UP TO THE
CONSULTATION ON THE DRAFT ARTICLE 4 DIRECTION**

- 1.1 The report to Executive on 28 September 2010 recognised that officers had received a significant number of representations at that stage. These included:
- A letter from Residents Associations in St James Ward seeking a policy based on Ward boundaries and fine grained controls to reflect different circumstances.
 - About 50 standard letters from the area covered by the Thornton West Residents Association seeking a restriction in their area and a more flexible approach where the proportion of HMOs is already high.
 - A petition from 17 residents of Norwood House.
 - Letters/emails from the area covered by the Thornton West Residents Association and about 10 letters from the area covered by the Velwell Road Residents Association seeking restrictions applying to their areas.
 - A representation from the University of Exeter Student's Guild concerned that restrictions will not solve the existing problems and that public transport infrastructure does not facilitate a more dispersed problem.
 - Representations from about six permanent residents of Danes Road who wish to be excluded from any Article 4 due to fears that their properties may become unsaleable.
 - A number of other representations from people who are concerned that their property will become difficult to sell.
 - A letter from local estate agents advising caution to ensure the stability of the local housing market.