

OFFICER DECISION RECORD

CMT Officer: Carol Pilson, Corporate Director & Monitoring Officer	Service: Planning Policy
Lead Officer: Kirsty Paul, Planning Policy Manager	Delegated Power Being Exercised: On the 24 February 2025, Full Council delegated the implementation of the consultation process and final approval of the Immediate and Non-Immediate Article 4 Directions for Houses in Multiple Occupation (Wisbech) to the Corporate Director & Monitoring Officer in consultation with the Portfolio Holder for Housing & Licensing and the Portfolio Holder for Planning & Flooding
Subject of Decision: Confirmation of Non-Immediate Article 4 Direction: C3 to HMO conversions in outer Wisbech.	

Decision Taken:

To confirm the Non-Immediate Article 4 Direction for outer Wisbech (Wisbech North, Wisbech Walsoken and Waterlees, and Leverington and Wisbech Rural), which removes permitted development rights allowing the change of use from a dwellinghouse (Use Class C3) to a small house in multiple occupation (HMO) (Use Class C4), and vice versa, without the need for planning permission.

Reasons for the Decision:

Wisbech has experienced a noticeable increase in the number of houses being converted into small Houses in Multiple Occupation (HMOs). While HMOs provide an important source of affordable housing—often for younger people, low-income households, and migrant workers—high concentrations of poorly managed HMOs can lead to a range of social, economic, and environmental challenges.

Ordinarily, property owners can convert a dwellinghouse (Use Class C3) to a small HMO (Use Class C4) without planning permission, under permitted development rights. However, on 24 February 2025, Full Council agreed to introduce two Article 4 Directions to remove this automatic right in defined areas, including a Non-Immediate Article 4 Direction covering outer Wisbech.

Following this decision, a four-week public consultation was held, generating 39 responses—primarily from residents. There was strong overall support for the Council's approach, which is seen to improve housing standards and better manage neighbourhood impacts.

This decision seeks to confirm the Non-Immediate Article 4 Direction made on 24 February 2025. In accordance with legislation, a non-immediate Article 4 Direction must be confirmed within twelve months of it being made to come into force. Confirmation will remove permitted development rights within the designated area, so that planning permission will be required for any future changes of use between dwellinghouses and small Houses in Multiple Occupation (HMOs).

Alternative Options Considered (if appropriate):

The only alternative considered was not confirming the Non-Immediate Article 4 Direction and allowing it to lapse. This was not appropriate, as the original reasons for introducing the Direction remain valid. The public consultation showed strong support, with no significant objections, and the Secretary of State raised no concerns, indicating satisfaction with the evidence provided.

Background/Reports/Information considered and attached:

- Full Council Report – <https://modern.gov.fenland.gov.uk/documents/s16516/Report%20and%20Schedules%201-4.pdf>
- Report of Consultation – attached
- Equality Impact Assessment – Scoping Opinion – attached

Legal and Procurement Implications

The legal implications of this decision were set out in the linked Full Council Report and have not changed since the original report was published.

An Article 4 Direction is a direction under Article 4 of the General Permitted Development Order which enables local planning authorities to withdraw specified permitted development rights across a defined area.

The statutory procedure for marking Article 4(1) Directions is set out in Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The Secretary of State has the power to modify or cancel Article 4 Directions at any time before or after it is made. The Secretary of State will not exercise this power unless there are clear reasons why intervention is necessary, such as non-compliance with the National Planning Policy Framework. The Secretary of State was notified about the Immediate Article 4 Direction and Non-Immediate Article 4 Direction in February 2025 and at the time of writing this notice no formal comments or potential concerns have been cited.

On 24 February 2025, Full Council delegated to the Corporate Director & Monitoring Officer the responsibility for implementing the consultation process and giving final approval for Immediate and Non-Immediate Article 4 Directions relating to Houses in Multiple Occupation in Wisbech, in consultation with the Portfolio Holders for Housing & Licensing and Planning & Flooding. The confirmation of the Non-Immediate Article 4 Direction is made under this delegated authority, in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Financial Implications

The financial implications of this decision were set out in the linked Full Council Report and have not changed since the original report was published.

Any Other Implications

Since the original Full Council report was published, we have undertaken an Equalities Impact Assessment (EqIA) scoping exercise. The scoping exercise concluded that the Direction is likely to have a neutral to slightly positive impact on people with protected characteristics. While it may slightly slow the pace of HMO development, it does not prohibit HMOs but ensures planning oversight to improve quality and reduce issues such as overcrowding or anti-social behaviour. This is expected to benefit those who rely on HMOs—such as younger people, low-income households, and some minority ethnic or migrant communities—by supporting better housing conditions and community cohesion.

Officer's Signature:

Carol Pilson, Corporate Director and Monitoring Officer

Date:

16 February 2026

<p>In consultation with:</p> <p>Cllr Laws, Portfolio Holder for Building Control, Flooding, IDBs & Planning</p> <p>Cllr Christy, Portfolio Holder for Housing (Enforcement), Licensing and Environmental Health Enforcement, Port, SHA, Transport and Yacht Harbour</p>	
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Please forward to Democratic Services upon completion

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<p>Date copy passed to Democratic Services</p>	<p>16/02/26</p>	<p>Implementation Date: 16/02/26 (if not called-in) (Allow 5 clear working days after publication of decision)</p>