



Neighbourhoods and Regulatory Services Committee

2 March 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) AND HOUSES IN MULTIPLE OCCUPATION (HMO) ARTICLE 4 DIRECTION AND SPD UPDATE.

Decision Type: Key decision (DNRS 114 / 26)

1. Council Plan Priority

Hartlepool will be a place:
where people live healthier, safe and independent lives. (People)
that is connected, sustainable, clean and green. (Place)
that is welcoming with an inclusive and growing economy providing opportunities for all. (Potential)
with a Council that is ambitious, fit for purpose and reflects the diversity of its community. (Organisation)

2. Purpose of Report

2.1. The purpose of this report is to update members on the progress of three key consultations undertaken by the Land Use Policy Team in recent months. The consultations focused on:

- A borough wide Houses in Multiple Occupation (HMO) Article 4 Direction.
- A HMO Supplementary Planning Document (SPD)
- A Planning Obligations Supplementary Planning Document (SPD).

2.2. The report also seeks permission to, consult upon the two SPDs for a further 8 week period, this is to allow for the publication of the Consultation Statement and to allow additional time to obtain residents and stakeholders view, to, in consultation with the Director of Neighbourhood and Regulatory Services and the Chair of committee update the two draft SPDs and submit to Full Council for Adoption in May 2026.

3. Background

3.1. In summer 2025 the Land Use Policy Teams began preparing for the process of consulting upon a borough wide HMO Article 4 Direction, a HMO SPD and an update to the 2015 Planning Obligations SPD. This process involved liaison with key HBC officers such as the legal team, highways team, licensing team, the drafting of documents and then formal consultation.

3.2. On 30th June 2025 a report was taken to Neighbourhood Services Committee to inform members of a proposed statutory consultation for potentially introducing a HMO Article 4 Direction within Hartlepool. The report was in response to concerns raised by members of the public and elected members in relation to HMOs across the borough.

3.3. On 20th October 2025 two reports were taken to Neighbourhood Services Committee for permission to consult upon a draft HMO SPD and the updated Planning Obligations SPD. The reports detailed that there is a need to introduce HMO guidance to ensure that applicants are aware of what will be expected should they seek planning permission for a HMO in Hartlepool. It was also set out that the 2015 Planning Obligations SPD required an update due to inflation, to provide more clarity to residents and stakeholders and to set out the parameters and information relating to Discount Market Value Affordable Homes.

3.4. With regard to the Article 4 Direction, a 12 month statutory consultation commenced on 24th September 2025, this consultation is necessary to ensure the Article 4 Direction can be implemented lawfully. In addition to the statutory 12 months consultation, the council undertook a 17 week (24th September 2025 to 23rd January 2026) information seeking consultation to gain residents and stakeholders views.

- 3.5. With regard to the two SPDs covering HMO Standards and Planning Obligations, information seeking consultations were undertaken for 11 weeks (3rd November 2025 to 16th January 2026) in a bid to obtain residents and stakeholders views.
- 3.6. For all of the consultations the HBC platform Your Say was utilised and consultation notifications were sent to those signed up to the platform. Key stakeholders and those within the Land Use Policy consultation database who have requested to be informed about changing HBC policy and guidance were sent e mails with all the key information and survey links contained. The consultations were advertised in Hartbeat magazine, a press release was issued, and documents were available online and in Hartlepool Civic Centre. Officers received a number of phone calls in which the consultations were discussed.
- 3.7. The consultations have now closed, but, as stated in Section 3.4, the statutory HMO Article 4 Direction consultation remains in place until 24th September 2026.

4. Proposals

- 4.1. Officers seek to undertake an additional eight week consultation period in order to publish the consultation statements that were drafted alongside the draft SPDs but not available at the first consultation period. Officers also consider it prudent to undertake additional consultation to ensure residents and stakeholders have sufficient time to comment upon and assist in shaping the SPDs prior to adoption.
- 4.2. The council is proposing to adopt the two SPDs in June 2026 and may bring into force the HMO Article 4 Direction on 1st December 2026 subject to Member agreement. A decision on adopting the SPDs will be taken by Full Council, a decision on how to proceed with the HMO Article 4 Direction will be brought to Neighbourhoods and Regulatory Services Committee and then Full Council in due course.
- 4.3. Officers are in the process of addressing the comments received to draw out key points. A comprehensive assessment and response to all comments will be included within the legally required consultations statements that will be provided alongside future Council reports to formally adopt the SPDs.
- 4.4. The paragraphs below set out information relating to the engagement undertaken to date and a summary of the key issues raised.

Houses in Multiple Occupation Article 4 Direction

4.5. 331 online responses were received; no letters were received to date, consultation is still open.

4.6. The key issues raised were as follows:

- 269 respondents were in support of introducing the HMO Article 4 Direction (81%).
- 62 respondents were not in support of introducing the HMO Article 4 Direction (18%).
- HMOs give rise to anti-social behaviour.
- HMOs take up car parking spaces and put pressure on the network.
- HMOs reduce community cohesion as people come and go.
- HMO Article 4 Direction will allow the council better control.
- HMO Article 4 Direction will give residents a voice and the chance to have their say.
- HMOs are needed for those who can't afford private rent.
- More affordable homes are needed across the borough.

Houses in Multiple Occupation Supplementary Planning Document

4.7. 30 online responses were received along with 1 letter from Historic England.

4.8. The key issues raised were as follows:

- Broad support for the draft SPD to be used as a tool to better manage and maintain HMOs.
- Broad support for avoiding the sandwich effect of HMOs with non HMO residential properties.
- Broad support that there should be no more than 3 HMOs in a row.
- Those disagreeing with limiting to no more than 3 in a row mostly think there should be fewer than this.
- Uncertainty about whether HMOs above commercial units is appropriate.
- General preference for there to be specific parking requirements for HMOs rather than flexibility.
- Concerns raised regarding parking pressures, antisocial behaviour and that there is already perceived to be too many HMOs in the town.

Planning Obligations SPD Supplementary Planning Document

4.9. 14 online responses were received and 2 letters were submitted. Letters submitted were from Sport England and Lichfileds (planning agent) on behalf of Taylor Wimpey.

4.10. The key issues raised were as follows:

- Should prioritise brownfield sites.
- There is a need for updated guidance from the council.
- Priorities for s106 spending –affordable housing, green infrastructure and community facilities.
- Broad support for play facilities.
- Broad support for outdoor sport (tennis courts and bowling greens).
- Broad support for the council’s approach to green infrastructure provision.
- Broad support for contributions towards preserving heritage assets.

5. Other Considerations/Implications

Risk Implications	There are identifiable risks associated with: (a) the Article 4 confirmation and scope (including potential Secretary of State modification/cancellation and Judicial Review risk), (b) the adoption of SPDs (procedural Judicial review risk if statutory steps are missed), and (c) operational resourcing due to an increase in planning applications once the Article 4 takes effect. Mitigations include adherence to Schedule 3 GPDO procedure, robust evidence justifying geography (smallest area necessary), legal review of notices. (d) weight given to the SPDs if they are not adopted by the Government’s deadline of 30th June 2026.
Financial Considerations	There are limited financial implications, including statutory advertising and site notice costs for the Article 4 making/confirmation, potential additional casework costs due to increased planning applications following confirmation, and publication costs for SPD adoption. These will be managed within existing budgets.
Subsidy Control	None
Legal Considerations	The work relating to the HMO Article 4 Direction has and will continue to be in accordance with HMO Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

	<p>The work relating to the SPDs has been and will continue to be in accordance with the Planning and Compulsory Purchase Act (2004) (as amended) and The Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>The Leveling up and Regeneration Act (2023) allows for the provision of regulations that will alter the way that Local Development Framework Documents (LDF) are produced. On 27th November 2025 the Government issued guidance on what to expect within the regulations when they are brought into force in spring 2026. Of note is that the Government intends to set out that SPDs cannot be adopted after the 30th June 2026. If this deadline is not achieved then it could be argued that the SPDs do not hold weight and cannot be relied upon in decision making.</p>
Single Impact Assessment	<p>During the preparation of the HMO Article 4 Direction and the draft SPDs along with during the consultation process, officers had regard to the protected characteristics within the Equality Act (2010) and the additional protected characteristics that HBC deem appropriate (care leavers, armed forces and poverty and disadvantage). Officers are of the view that the drafts, consultation and thus update reports have no negative impact upon protected characteristics but could in fact have a positive impact upon some protected characteristics by virtue of creating a better environment for all, including those with protected characteristics.</p>
Staff Considerations	None
Asset Management Considerations	None
Environment, Sustainability and Climate Change Considerations	<p>The report provides an update following the closure of the consultations and provides a time frame on when members are likely to be asked to progress the HMO Article 4 Direction and/or adopt the SPDs. This report has no environmental, sustainability and climate change impact however any such will be discussed when the HMO Article 4 Direction and SPDs are discussed at a future committee.</p>
Consultation	<p>Statutory consultation on the HMO Article 4 Direction is ongoing but will cease on 24th September 2026. The information seeking consultation has now closed.</p>

	<p>Consultation on the two SPDs ran from 3rd November to 16th January 2026. A second consultation is proposed from 3rd March for an 8 week period.</p> <p>Engagement with residents and key stakeholders will continue in an informal and ad hoc manner up until the implementation of the HMO Article 4 Direction.</p>
--	--

6. Recommendations

- 6.1. Members note the content of the report.
- 6.2. Members allow officers to consult upon the two SPDs for an eight week period.
- 6.3. Members agree to delegate to the Director of Neighbourhood and Regulatory Services, to consider representations and make modifications to the SPDs, in consultation with the Committee Chair.
- 6.4. That Members agree to permit the modified SPDs to be presented to Full Council for adoption In May/June 2026.

7. Reasons for Recommendations

- 7.1. To ensure members are kept informed of SPD progress, to ensure that the correct permission is in place prior to consultation and to ensure that the SPD can be adopted in June 2026.

8. Background Papers

- 8.1. Neighbourhood Services Committee report 30th June 2025 (Article 4 Direction).
- 8.2. Neighbourhood Services Committee report 20th October 2025 (Two SPDs).

9. Contact Officers

Kieran Bostock

Director for Neighbourhood and Regulatory Services

Civic Centre

Hartlepool Borough Council

TS24 8AY

Tel: (01429) 284291

E-mail: kieran.bostock@hartlepool.gov.uk

Helen Smith

Land Use Policy Team Leader

Civic Centre

Hartlepool Borough Council

TS24 8AY

Tel: (01429) 284308

E-mail: helen.smith@hartlepool.gov.uk

Sign Off:-

Chief Executive	Date: 10/02/2026
Director of Finance, IT and Digital	Date: 06/02/2026
Director of Legal, Governance and HR	Date: 19/02/2026