



Data Protection Officer
Freedom of Information
NW Leicestershire District Council
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Date: 20 August 2020

FREEDOM OF INFORMATION REQUEST 1244

I write further to your email dated 03 August 2020.

Your request has been dealt with under the terms of the Freedom of Information Act 2000 (FOIA), explained on our [freedom of information](#) page.

Your request:

This FOI request relates to permitted developed rights and planning law.

- 1) Does your Local Authority have any Article 4 Directions currently in place for HMOs? (C3 to C4).
- 2) If the Local Authority does have an Article 4 Direction (C3 to C4) in place, what kind of designation is it? I.e. Borough/City-Wide, single designated area, multiple single designated areas.
- 3) Has your Local Authority formally consulted/currently consulting/planning to consult in the next/last 12 months on introducing an Article 4 Direction? (C3 to C4).
- 4) If the Local Authority has formally approved an Article 4 Direction (C3 to C4) in the last 12 months, when does it come into force?
- 5) What is the best contact email address to contact the planning department to discuss matters relating to planning enquiries and Article 4?

Our response:

- 1) The District Council has made the decision to make a non-immediate Article 4 Direction to the village of Kegworth, to withdraw permitted development rights for the change of use from dwelling houses (Use Class C3) to small HMO's (Houses in Multiple Occupation) (Use Class C4) where between 3 and 6 unrelated people share basic amenities such as a kitchen or bathroom.

Following public consultation, North West Leicestershire District Council confirmed the Kegworth Article 4 (1) Direction on 23 July 2020 under Article 4 (1) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The Direction relates to development consisting of a change of use of a building from a use falling within Class C3 (dwelling houses) of the Schedule to the Town and Country Planning (Use Classes) order 1987 (as amended) to a use falling within Class C4 (houses in multiple occupation) of that Schedule, and removes permitted development rights for this type of development from Friday 19 February 2021.

- 2) The Article 4 Direction will apply to the entire village of Kegworth and the remainder of the Parish of Kegworth. A map of this area is available on the Councils website at <https://www.nwleics.gov.uk/pages/kegwortharticle4>
- 3) The Council undertook public consultation on the above, to publicise the Article 4 Direction for Kegworth and to seek comments on the proposal. Two periods of public consultation were undertaken. Firstly between Monday 17th February 2020 and Monday 30th March 2020, and then between Monday 4th May 2020 and Monday 15th June 2020.

Now that the Article 4 has been confirmed and will take effect on 19 February 2021, the Council is currently publicising this through the display of site notices, newspaper advert and information on the Councils website.

- 4) The Article 4 for Kegworth has been confirmed and will take effect on 19 February 2021.
- 5) I would suggest that any queries are emailed to planning.policy@nwleicestershire.gov.uk

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GOING FORWARD

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. Please note that in responding to further enquiries I can only comment on the information contained within this correspondence and cannot provide any further information that may pertain to an additional FOIA request.

Please remember to quote the Authority's four digit reference number given at the top of this email in any future communications.

If you remain dissatisfied following the conclusion of the above informal review, you have the right to ask for an internal review. A request for a review whether formal or informal should be submitted within two calendar months of the date of receipt of the response to your original letter and should be sent to DPO@NWLeicestershire.gov.uk or the address above.

Further details on our appeals and complaints procedure can be found on our website [here](#).

If you remain dissatisfied following the conclusion of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at accessicoinformation@ico.org.uk.

Yours sincerely

Mackenzie Keatley
Information Governance Officer