

## Appendix A

### Article 4 Direction Consultation –C3 to C4 October –December 2021

#### Summary of representations received and officer comment

In total 15 representations: 11 in favour, 0 against, 1 raising a question and 3 no comment.

Respondent	Summary of Comments	Officer response	Change to Article 4
Resident 1	Support. No reason given.	Noted	No change
Resident 2	Support. Too many properties are being converted to HMOs which leads to overcrowding.	In association with emerging policies in the draft Local Plan, the confirmation of the Article 4 will allow the Council to more properly manage the number, concentration and conditions attached to the use of dwellings as HMOs. It will however not stop additional HMOs, which make a valuable contribution to meeting housing needs, where they comply with the policies.	No change
Resident 3	Support. Stops beautiful homes being divided into small accommodation which is not fit for modern living.	For a lot of HMOs, significant physical 'sub-division' works are rare. Many retain the ability to revert to family dwellings relatively easily. The requirement for planning permission is likely to allow the Council as a planning authority to better control the potential 'creep' that sometimes occurs within HMOs. It is currently the case that HMO rooms not controlled by planning conditions might over time start to accommodate a widening range of facilities. This historically in some cases after 10 years of continuous use has resulted in requests for such rooms to be recognised as lawful self-contained dwellings. In some cases these 'dwellings' are very small. Such sub-division of homes into flats will be better controlled through the Article 4 for new HMOs.	No change

Respondent	Summary of Comments	Officer response	Change to Article 4
Resident 4	Support. Live adjacent to properties which have been converted to HMOs. Properties are not large and do not suit a large number of occupants. Also kept in a poor state of repair. Exploits people who have less choice of where to live.	<p>Noted. The Council's website identifies licensed HMOs. All HMOs in the borough currently should be licensed. Nevertheless, it is recognised that there are properties that are not appropriately licensed. If in doubt, residents should make the Council's licensing team aware. Licensing does deal with approving number of occupants and the management of properties. Most landlords are good. Some however are not which is one of the reasons why licensing has been introduced. Again if residents consider tenants are being exploited, or properties are not being managed well, they should notify the licensing team.</p> <p>Once the Local Plan is adopted, there is the potential for a supplementary planning document to set out HMO planning requirements. This may well address provisions over which licensing legislation is arguably weaker, such as the provision of appropriate levels of communal amenity space within HMOs. Currently within licensing requirements amenity space only has to meet standards if provided, and its provision is discretionary other than in association with kitchens/eating areas.</p>	No change
Resident 5	Support due to experience of living next to an HMO.	See response to resident 4 addressing potential need for licensing or poor management of a property.	No change.
Resident 6	Do not provide privacy.	The shared nature of the properties can limit privacy of occupants compared to self-contained accommodation.	No change.
Councillor R Johnson	Support. Can cause nuisance, through waste, fly tipping and anti-social behaviour.	See response to Resident 2.	No change

Respondent	Summary of Comments	Officer response	Change to Article 4
Resident 7	Not a good idea to allow more HMOs due to unhealthy living conditions.	See response to resident 4 addressing potential need for licensing or poor management of a property	No change
Resident 8	Support. Put pressure on infrastructure and need to be properly managed.	See response to resident 2 and resident 4.	No change
Resident 9	Support. The high rents of HMOs are reflective of the lack of housing in general pushing up prices for poor quality accommodation, particularly in older properties. They need to be properly managed in terms of maintenance, quality of materials within the premises, internal cleanliness and external appearance.	See response to resident 4.	No change
Resident 10	Support the Article 4 Direction in Tokyngton Ward.	Noted.	
Resident 11	I do not understand why it is proposed to exclude Church End growth area from the Article 4 Directive.	The Growth Area is not excluded, only allocations within it. This is because these sites will be subject to new development which the Council can control sufficiently through conditions and design, e.g. not to use 3 bed or larger homes as HMOs. Newer developments invariably have smaller dwellings which do not lend themselves to being used as HMOs, e.g. one beds, or in the case of two beds are likely to have two bathrooms. Plus the apartment blocks which will accommodate nearly all new homes are likely to have proper management arrangements for waste, upkeep of communal areas, etc.	No change
National Highways	Support the aim, but no specific comments to make. Satisfied that the outcome of this consultation will not materially affect the safety, reliability and / or operation of the Strategic Road Network.	Noted.	No change
Natural England	No comment	Noted.	No change
Coal Authority	No comment	Noted.	No change

