

## **RESPONSE SCHEDULE**

**ON THE PROPOSAL TO MANAGE THE GROWTH OF HOUSES IN MULTIPLE OCCUPATION (HMOs)  
IN SELLY OAK, HARBORNE AND EDGBASTON**

**PUBLIC CONSULTATION: 29TH NOVEMBER 2013 TO 31ST JANUARY 2014**

The Council received 182 responses during the public consultation period. The majority are in the standard response pro forma used in the consultation questionnaire.

The pro forma asked three questions. The first asked whether respondents supported the introduction of an Article 4 Direction in the proposed area. The second question asked for comments on the proposed boundary. The third question was a more general one seeking comments or suggestions on the proposal.

Below is the full list of comments received and Council's responses to these comments and suggestions.

**Content guide:**

- **Consultation comments to the proposal and responses** **page 3 to 98**
- **Consultation comments on the boundary and responses** **page 99 to 118**

Comments	Other comments	Response
<p><b>1</b> I fail to see what benefit this will have to the area. There should be more of an effort put in to chasing people who are not compliant with current HMO legislation. There are other areas of the city which may benefit from this more. The area around the University is an easy target and I feel that this is a money making venture rather than a real issue that needs confronting.</p>		<p><i>Statistically, Selly Oak ward has the highest percentage of HMOs in the city.          As we are removing permitted development rights, applicants will not be required to pay an application fee.</i></p>
<p><b>2</b> Other councils do this and HMO's need to be properly licensed and inspected.</p>	<p>Due to the housing crisis and single households more HMO's will be needed. This needs to be taken into consideration as well.</p>	<p><i>The development of HMOs will be controlled in the proposed location but there is still significant capacity in the Article 4 area for HMOs to be granted planning consent.</i></p> <p><i>The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants.</i></p>
<p><b>3</b></p>	<p>This is a highly welcomed motion which would avoid: Additional pressures on public services and amenities (e.g. waste collection; avoids potential for anti-social environments and noise aggravation; avoids additional parking pressures on already congested roads; avoids additional traffic and parking pressures in the already redeveloping site of the old</p>	<p><i>Noted</i></p>

Comments	Other comments	Response
	Scarlet Pimpernel site	
4	The boundary must include the Bournbrook terraced housing in the Direction.	<i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i>
5	Although some of these landlords are upping the game of lets generally which is one bad thing in terms on what is on offer.	HMO licensing is a title deceptive as landlords get very few inspections and it is viewed as a route to making a quick buck with limited service being offered.
6	Pressure on parking on roads which are already crowded. Increased pressure on public services (waste collection and amenities) Noise. The work at the Scarlet Pimpernel site at Northfield Road/ Tennial Road will already create additional pressure on traffic.	<i>Noted. The City Council is now working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime.</i>
7	HMOs must be controlled in the proposed areas and also in Bournbrook. The creeping increase in HMOs in areas like Selly Oak and Selly Park where I live can suddenly reach an irreversible level when the community that has been invaded ceases to exist - as in Bournbrook. Even before that occurs, the community faces an increasing sense of transformation, loss of contact with neighbours and carelessness in house upkeep. Apart from the Article 4 proposal, it would be good if the council could monitor developments and correct bad landlord and tenant	<i>The Planning and Regeneration service have no power to deal with landlord or tenant behaviour. Action can be taken in the case of planning breach.</i>

Comments	Other comments	Response
behaviour.		
8 I have already commented but would now like to add something on the boundaries.		<i>Noted</i>
9 Students are a vital part of the economy of Birmingham but the unregulated development of student housing is detrimental to: 1. The character of the areas affected. 2. The quality of student housing on offer 3. The experience that students have of life in Birmingham.	Other than to say that adverse effect of unregulated housing is clear to see.	<i>Noted</i>
10 The Selly Oak area is increasingly becoming run down. The landlords do not look after the appearance of the property and front and back gardens. There is always a queue in a local supermarket. The local swimming pool is occupied only by students. The whole Selly Oak area now belongs only to students.	Could the landlord be obliged to look after the appearance of the property and the garden?	<i>The council's Private Sector Housing Team work closely with landlords and encourage them to maintain good standards and appearance of their properties. The majority of landlord's acknowledge the need to play their part in contributing towards a safer and cleaner area.</i>
11	Seems sensible not to saturate the area with students.	<i>Noted</i>
12 This is much needed.	I understand why Bournbrook is not included, but as more large 'halls' are built for students it would be desirable for houses in Bournbrook to be returned for family use.	<i>Noted. The decision to return a property to family use is the owners. The conversion from C4 (small HMO) to a C3 (single family dwelling) does not need planning consent.</i>
13 Too many ordinary families/ community pushed out for students – has affected services & shops. Clean lives of once proud community become skewed statistically- there can be much noise etc.	HMOs affected re-sale price and alter nature of suburbs. Once landladies patrolled and policed a smaller system of housemen - not	<i>Planning controls for external areas and property appearance and maintenance may be dealt with at planning application stage. The City Council is working closely with the local</i>

Comments	Other comments	Response
	<p>all students are capable of this. Since my youth at gospel Hall and Cambridge, there have been much more parking/ thrown out rubbish in to streets attracts rats, foxes in crew, low-grade scavengers.</p>	<p><i>community, the Guild of Students and the police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour.</i></p>
<p><b>14</b> These plans seem rather late in the day, as Selly Oak has already been ruined. Walk down Bristol Road from Harborne Lane to the University to see proof of this. My own area Wellman Croft has suffered too with too many rented properties in what was once a good family environment.</p>	<p>Landlords of rented properties should be under far greater control and scrutiny. Selly Oak's permanent residents, not the university, should be the chief focus of Birmingham City Council.</p>	<p><i>The aim of the Article 4 Direction is to manage future growth and spread of HMOs so as to avoid similar concentrations as occur in Bournbrook.</i></p>
<p><b>15</b> Definitely it is sad to see how the community in Bournbrook has been almost completely replaced by student + housing+ Selly Oak is being driven the same way: families are running away and there are increasing problems with parking and alcohol fuelled antisocial behaviours and pressure on local services.</p>	<p>I can see potential problems with enforcing Article 4 – it relies on other members of the public reporting to the council but with a transient local population this will be difficult. Could letting agents help by requesting the planning permission before taking on a property?</p>	<p><i>Noted. The City Council is working closely with the local community, the Guild of Students and the police to better manage and respond to issues of waste, unauthorised building works, the external areas and anti-social behaviour.</i></p>
<p><b>16</b> Yes i live in Harborne, and the house opposite me has been converted into a multi occupancy accommodation, this is slowly spreading in the locality, and is having implication in terms of the resident who come to stay for short periods, and move on, the parking problems that it is creating , as such i believe there should be designated areas for such housing such as Selly Oak, or Bournbrook.</p>	<p>This need to be controlled by strict bye laws, so people do not use other ways to have multiple occupancy such as sub-letting, i.e., one individual rents a house for family and then sub-lets room to others, hence trying to by-pass local authority multi tenancy occupation. Local residents should</p>	<p><i>The Article 4 Direction is a planning tool available to us to use to manage the growth and spread of HMOs. The Council's Enforcement Team continue to take enquiries from members of the public about potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p>

Comments	Other comments	Response
	be given a contact to raise concerns if they feel that the property is being used for multi tenancy	
<p><b>17</b> I am a resident in Selly Park Road. I am anxious that the area remains in use for family housing and does not degenerate through a large transient population eroding the quality and character of the Conservation Area that the residents strive to maintain.</p>	<p>I only ask that it be well publicised, particularly amongst estate agencies, and that residents are encouraged to be vigilant, bearing in mind that the Council's planning resources have been savagely cut and may struggle to monitor the direction effectively. I hope any abuses will be the subject of energetic and persistent enforcement action to serve as a strong deterrent to others.</p>	<p><i>Noted. The Conservation Area including Selly Park Road will remain in place.</i></p>
<p><b>18</b> I feel the boundary should run along the middle of Bournbrook road, with houses along the east of the road INCLUDED in the area to which this restriction applies.</p>		<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p>
<p><b>19</b> The area of Bournbrook has been systematically destroyed by the rampant growth and expansion of rented student property. Landlords have destroyed the character of existing housing stock, extending it beyond what is reasonable in terms of the number of occupants, the integrity of the properties and the street scape. One</p>	<p>Try to ensure that the University takes more responsibility for this mess, but the main culprits are the rapacious landlords (don't know what can be done about them!).</p>	<p><i>The vast majority of landlords are responsible, however, where breaches of planning occur, the Council can take enforcement action leading to prosecution and fines for landlords. The City Council is now working closely with the Police, the Guild of Students and the local</i></p>

Comments	Other comments	Response
<p>wonders if some of the alterations have the required planning permission and if they meet building regulations requirements.</p> <p>In terms of public health and environmental concerns, large items of rubbish are frequently left out on the street, litter strewn in front gardens and on pavements. Many of the streets have the appearance of a refuse dump.</p> <p>Former home owners have been forced to move out because of the public nuisance and deteriorating environment; unfortunately, the only possible purchasers are more landlords (the properties are of no interest to families), and so the cycle is perpetuated.</p> <p>The local infrastructure simply cannot support this level of multi occupation and squalor.</p>		<p><i>community to better manage these issues and where possible, resolve them.</i></p>
<p><b>20</b> We strongly support the introduction of Article 4 for reasons explained in item 3.</p>	<p>We welcome this initiative to consult residents about the destruction of residential communities by the increase of HMO's. This action by the BCC is long overdue.1. ADVERSE EFFECT ON WHOLE AREAS OF THE CITY. The spread of HMO's in Selly Oak and the surrounding areas caused by the expansion of the University of Birmingham and the need for additional student accommodation has destroyed the balanced community in the Selly Oak - Bournbrook area and is now beginning to do the same in areas adjacent to it. The adverse consequences can be seen during</p>	<p><i>1. The Article 4 Direction is a planning tool available to us to use to manage the growth and spread of HMOs and so address some of the issues raised.</i></p> <p><i>2. Parking provision and pressures are matters that are considered at planning application stage.</i></p> <p><i>3. The City Council's Fleet and Waste Management (People Directorate) deal with waste management issues.(www.birmingham.gov.uk/wasteservices)</i></p> <p><i>4. Issues of noise are dealt with by Environmental health (www.birmingham.gov.uk/noise)</i></p> <p><i>The City Council is now working closely with the</i></p>



Comments	Other comments	Response
	<p>University vacations when Selly Oak becomes a ghost town. As students depart the streets empty leaving only a handful of ordinary residents. Most of the local businesses are aimed at the cheap end of the student demand and when 20000 customers depart there is little attraction for other citizens to venture into Selly Oak. We understand the needs of the University to provide accommodation and facilities for its students but this should be done in a planned manner and not without consideration of the consequences to the nearby permanent residential communities in this part of the city.</p> <p>2.CAR PARKING Many students are car owners and irrespective of the pronouncements by the University, they do wish to use them during term time. This turns residential roads in Selly Oak, Selly Park, Harborne and Edgbaston into parking lots. Add to that the significant number of University and Hospital staff who cannot find adequate car parking or do not accept that they should pay the rates for parking within their institutions. The consequence is that there is a large number of cars</p>	<p><i>Police, the Guild of Students and the local community to better manage these issues and where possible, resolve them.</i></p>

Comments	Other comments	Response
	<p>belonging to students and staff of these institutions parked within a broad neighbourhood of the University and the Queen Elizabeth Hospital. This is a fact which the sweet talking statements by the administrators refuse to accept. This is a fact which is contrary to the stated aims of the BCC. We live at the Bournbrook end of Oakfield Road in Selly Park and have to put up with lines of cars parked on both sides of the road. Apart from being a nuisance, it is a positive hazard. Any further increase in HMO's will exacerbate this problem. Further expansion of QEH and building of the proposed University sports centre will take this problem to the next level..</p> <p><b>3.RUBBISH DISPOSAL</b></p> <p>HMOs present a big problem with cleanliness. Despite the action of local wardens and BCC's provision of large communal containers, rubbish is strewn over front gardens and containers are overflowing. 6/7 students occupying an HMO understandably produce a large amount of rubbish and they do not seem to be worried about walking through rubbish-strewn front gardens to their</p>	

Comments	Other comments	Response
	<p>homes. Rubbish becomes a particular problem at the end of each term. It is extraordinary that neither landlords nor students nor the University which makes a profit from student tuition fees are not obliged to contribute to BCC's expenses in cleaning up this rubbish but the cost is met by us council tax payers. The foul state of HMO's has been with us for many years and no effective solution has been found yet. As we write this, the condition of houses in Bournbrook Rd near the University is a perfect example of the problem to which we refer. It is high time to try imposing penalties on health and safety grounds.</p> <p><b>4.NOISE POLLUTION</b></p> <p>We have had experience of noise emanating from the 3-bedroom detached house next door which had been turned into an HMO for occupation by 6 students. During the summer months they and their friends regularly played cricket, golf and volley ball in the back garden. We were surprised by the amount of excited screams and loud shouts which accompanied these games. When this situation persists for long periods day after day, it is no</p>	

Comments	Other comments	Response
	<p>longer a small inconvenience. Sometimes a repetitive music/noise was blasted at full volume.</p> <p>5.CONCLUSION</p> <p>Our view is that the Selly Oak - Bournbrook area has already been overrun by HMO's which have effectively destroyed the local community. Now the proliferation of HMO's is gradually creeping into adjoining areas such as Selly Park, Harborne and Edgbaston. This further development should be curtailed if sustainable balanced communities are to continue to flourish. Chief problems caused by HMO's are problems with noise, rubbish and car-parking which deter ordinary residents from occupying areas where significant number of such houses exist.</p>	
<p><b>21</b> There are similar if not worse problems in other areas. Erdington for instance.</p>		<p><i>The Article 4 Direction for Selly Oak, Harborne and Edgbaston has been proposed based on statistical data relating to concentrations of HMOs.</i></p>
<p><b>22</b> I support the Article 4 Direction as we have seen more and more houses in our road become rented, which is leading to an imbalanced of the community in the road. This must be supported as families will not move in to this area.</p>	<p>I think the City should review each road to maintain the balance of 60%-70% local residents and 40%-30% HMOs/rented houses.</p>	<p><i>Noted. The policy to be applied in the Article 4 area is currently being developed.</i></p>
<p><b>23</b></p>	<p>This needs to happen quickly.</p>	<p><i>Noted. Gristhorpe Road is included in the proposed</i></p>

Comments	Other comments	Response
	<p>Communities are being decimated by the unregulated spread of HMOs in the area. We currently rent a house on Gristhorpe Road which is one of the last bastions of family occupied streets. The road is a great location for families with the park, school, transport links and local amenities. In the last three years virtually every house that has been for sale has been purchased by a landlord and converted into an HMO. This results in building work as they destroy the property to remodel it, excess rubbish and noise from occupants who have no vested interest in the area or community. We cannot and will not live in an area where the community is being eradicated by HMOs. We are now forced to buy a house outside of this area. Please stop the spread now via an Article 4 direction.</p>	<p><i>Article 4 boundary.</i>  <i>The City Council is working closely with the Police, the Guild of Students and the local community to better manage these issues and where possible, resolve them.</i></p>
<p><b>24</b> I live within the area and have noticed a marked increase in the number of properties being converted - even some that were seemingly for family use subsequently being rented out once the work has been completed (a property on Ribblesdale Road is one such I believe).</p>	<p>Should have been done earlier - what was a very good residential area is at risk of being eroded by student housing, despite new accommodation being built for that specific purpose.</p>	<p><i>Noted</i></p>
<p><b>25</b> The current situation will only continue to expand without</p>		<p><i>Noted</i></p>

Comments	Other comments	Response
<p>strict use of an Article 4, with fewer people concerned in the concept of local community, fewer residents caring for their surroundings, and therefore lead to increase in litter, anti-social behaviour and theft/property damage. These areas are increasingly becoming soul-less areas which are less safe and pleasant to reside in, and this then affects property prices for those still aiming to retain family homes instead of making money through HMOs.</p>		
<p><b>26</b> Communities should be as diverse as possible, the issue is I would imagine the mass use of HMO properties; this for my thoughts needs intervention as HMOs are often in ill repair and left to lower the look of the streets they are in usually because they are private rental. People are always going to want to live close to facilities perhaps it is time the council took private landlords on to tackle the state of rental houses, and to support and encourage all community members to be active within their communities.</p>	<p>Perhaps the council should create an anti-ghetto policy and encourage an act that prevents the ghettoization of any particular ward or street and ensure that all of Birmingham's streets represent an equal ratio of race gender culture sexual orientation economic wealth and family structure to prevent fears of isolation stressed resources and community distrust?</p>	<p><i>As a planning authority, an Article 4 Direction is a tool we have at our disposal which we can use to manage and control the spread of HMOs.</i></p>
<p><b>27</b> I welcome this initiative. There is a 'creep' of HMO's with associated issues and consequences from the Bournbrook area.</p>	<p>It is the enforcement that concerns me. A house near us has been converted to eight bedrooms. The landlord wanted to extend and add two more bedrooms which were thankfully refused. He has no permission for the change of use to an HMO, against the aims of the Selly Park conservation area, but continues to rent to individuals.</p>	<p><i>Issues of breach of conditions or operating without the necessary approvals or licences could and often lead to prosecution. Members of the public can bring these to our attention so that they can be investigated.</i></p>
<p><b>28</b> There needs to be constraints on landlords who want to</p>	<p>I am pleased that the council is</p>	<p><i>Planning applications are considered on their</i></p>

Comments	Other comments	Response
<p>blight communities simply for their own greed. The disruption and a.s.b from 43 Elmdon Road, over many years, well documented, is an example of the damage of unregulated landlords. It is currently" to let with 8 beds available. "It is not registered as an HMO. The landlord is operating a business but is unfettered by any kind of control. I am concerned that even if Article 4 is implemented landlords will ignore it and carry on upsetting neighbours.</p>	<p>finally addressing this huge problem in our area. I think anti-social behaviour reports need to be considered in the planning process and I think there needs to be a link between the landlord and how the property is being used and also sanctions against landlords if the property is continually creating problems whether from a.s.b or refuse points of view. It should be introduced ASAP with some kind of retrospective aspect to allow communities input instead of having problems foist upon them.</p>	<p><i>individual merit and where applicants/landlords are found to be in breach of conditions, the Council can take enforcement action.</i>  <i>The City Council is working closely with the Police, the Guild of Students and the local community to better manage these issues and where possible, resolve them.</i></p>
<p><b>29</b> I have lived in this road for 32 years. Until the advent of HMOs it has always been a desirable location with a good balance of age groups, providing a safe environment for both young and old. There are now at least 10 HMOs in the street, about 15% of the total housing. With our proximity to the university and QE this number is likely to increase. These developments are already beginning to alter the atmosphere and ambience of the street. It is also likely to have a detriment effect on house values in the street.</p>	<p>Let us be clear - these HMOs are being developed solely for monetary gain. The developers have no regard whatsoever for the effect they have on a neighbourhood. Selly Oak already has more than its fair share of HMOs. During the developments the residents have had to put up with extensive disruption - noise, long working hours, unsightly piles of rubble and building materials blocking pavements, wind-blown detritus from skips, the street being partially blocked by contractors and the developers vehicles so restricting free traffic movement.</p>	<p><i>Noted</i></p>

Comments	Other comments	Response
<p>30 Definitely support this.</p>	<p>There are a few houses near us in Selly Park that are HMO's. There are often multiple cars parked- sometimes obstructing the footpaths, rubbish everywhere despite wheelie bins and the front of the house looking very scruffy in what is an upmarket road with large semi/ detached houses. The HMO's lower the tone of the area. Occasionally we are troubled by noise when the students party outside and little thought is given to the neighbours in the surrounding area. What consideration has been given to those houses that are already HMO's? Is there a register of them and should there be, so there can be some sort of control/ monitoring of those properties? How does the council propose to monitor those who apply for HMO status and also those who are refused permission? What will be the penalties for those who contravene this process? At present the planning laws allow for retrospective permission and many residents seem to flout the laws, with the planning department often finding in their favour despite local opposition.</p>	<p><i>The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants.</i></p> <p><i>The Council currently records HMOs based on planning approvals. Any breaches of planning conditions are dealt by enforcement which can proceed to prosecution and fines for landlords.</i></p> <p><i>Where residential properties have been converted to small HMOs using permitted development rights, we have no legal control over this use.</i></p> <p><i>All applications for C4 HMO and Sui Generis HMO use are recorded together with the planning decision.</i></p>



Comments	Other comments	Response
	If HMOs are going to be introduced then BCC should be firmer with those who break the rules.	
<p><b>31</b> There are far too many Multiple Occupancy houses in Selly Oak in particular. Birmingham University has invested in much more student accommodation for those attending the University, and it would be great to see Selly Oak returning to a more traditional residential area. Parking is a particular problem in Selly Oak and the congestion would be greatly eased by limiting to number of multiple occupancy dwellings in Selly Oak.</p>		<i>Noted</i>
<p><b>32</b></p>	You would be detrimentally affecting the natural growth of the area if you introduce article four. Economics and future businesses will be stopped from. Being introduced as well. You should not interfere.	<i>The aim of the Article 4 Direction is to manage the future growth and spread of HMOs in the proposed area so that we retain a balanced community that serves the needs and interests of all those who wish to live, work, invest in and enjoy the area.</i>
<p><b>33</b> We live on Bournbrook Road, and living environment is getting worse year on year - nowhere to park, rubbish and vomit all over the streets, constant noise at night. It is also bringing down the value of our house because no-one wants to live in a student area.</p>	Brilliant! Make the University provide suitable accommodation for their students without ruining life for other local residents.	<i>Noted</i>
<p><b>34</b> I live on Langleys Road, Selly Oak and have done so for about 15 years. It is a very nice community. The neighbourhood watch holds an annual garden party and hosts evening talks for the residents. There is an active commitment to assist more vulnerable residents (elderly or ill), whether in providing dog walkers or assistance</p>	I am delighted that the Council is bringing this forward.	<i>Noted</i>

Comments	Other comments	Response
<p>with builders or just cups of tea. All of this will be lost if HMOs dominate the street (they already make up 15% of the houses). We have tried to block the extension of homes to create HMOs without success. We desperately need an Area 4 direction to allow us a more effective voice in the planning process.</p>		
<p><b>35</b> Absolutely, to sustain a respectful area for all persons and to prevent any further deterioration.</p>	<p>It is a good proposal and should have been addressed years ago in the area surrounding the University. The properties and gardens in this area use to be extremely well kept and to be proud of by the residential owners, but with the increase of students now renting the deterioration and lack of respect of properties is extremely disappointing.</p>	<p><i>Noted</i></p>
<p><b>36</b> A balance between family residents and shared housing is essential. Not only for encouraging a sense of community but also for security in the area.</p>		<p><i>Noted</i></p>
<p><b>37</b> I live in the proposed area and have done so for 20 years. I live in Selly Park between the student ghetto also known as Bournbrook and the overspill student area adjacent to the Pershore Road near to Dogpool Lane. During this time there has been a general failure to control development and the nature of the whole area has in my opinion deteriorated. The Council should be more active in promoting sustainable mixed and balanced communities and the proposed direction is a small but welcome and important step. I do not agree</p>	<p>BCC needs to do something to address the Bournbrook problems and the constant increase in property sizes / occupancy. The consultation refers to 85% of terraced properties being HMOs. I am surprised that the figure is so low. I am aware of many that raised families in that area who have been forced out because of</p>	<p><i>No decision has yet been made on the threshold as this will need to be considered, consulted upon and adopted.</i></p> <p><i>As far as the data for Bournbrook is concerned, we have used the most reliable sources we have at our disposal which are Council Tax exemptions, licenced HMOs, sui generis use and those properties which have been granted permission.</i></p>

Comments	Other comments	Response
<p>with the proposed threshold of 10% within 100m, the Council must support existing communities of families, old people etc; I suggest 10% within 400m.</p>	<p>the increasing student takeover of the area. I acknowledge that Birmingham is not unique but the relentless takeover by students has made the area a disgrace, students will be slobes if they are all together it's what they do. Having allowed the changes the Council now needs to call a halt to all further developments (recent list of PAs showed 6 to 10 more applications) in Bournbrook until a proper analysis of developments for student housing (permitted and illegal) has been undertaken, proposals made (and subjected to consultation) to manage litter &amp; rubbish. It will be impossible to return Bournbrook to the citizens of Birmingham to live in but we need the Council to minimise the effects on neighbouring communities and protect the students (I fear for the safety of some students where small terraced houses have been overextended, I think we have been very fortunate that there have been no fatalities from fires). As a man born and bred in this part of the city it offended me greatly when, last year, an acquaintance from Yorkshire sent out a note to people referring to the slums of</p>	<p><i>There have been extensions and changes of use, many of which have been permitted developments or through the normal planning process and were considered on their merits. However, the Council is now concerned that such concentrations are spreading further outside of the Bournbrook area and will result in similar issues as those seen in Bournbrook and wishes to manage the growth and spread through the Article 4 Direction.</i></p>

Comments	Other comments	Response
	Birmingham – he was referring to Bournbrook where his student son was residing.	
<p><b>38</b> We live in Gibbins Road and have watched the deterioration in the upkeep of properties due to HMO - for example No 54; rubbish outside, window dressings, poor upkeep of front gardens etc.</p>		<i>Noted</i>
<p><b>39</b> I and my husband live in Langleys Road; we are resident owners of our property. On Saturday night 12th January our garden sheds were broken into and several items were taken, a heavy lawn mower and other big and heavy garden tools. The thieves who broke into our sheds were able to gain access to our property from 82 Oaktree Lane which is another HMO property that is rented out. Number 82 Oaktree Lane is unoccupied at present and has a back gate that is unlocked and just left wide open. The back garden to this property also has boundary fence panels down making it extremely easy for opportunist to get into other gardens and thus burgle properties with complete ease and very convenient escape route. In fact the thieves were able to just wheel the lawn mower out; we could see the trucks, due to these fence panels and gate being left wide open. On the night of 12th January another two houses in Langleys Road also had their sheds broken into. One of the biggest hazards of the HMO properties is that the owner/landlords totally irresponsible for the property they are renting out. I have been reliable informed that the fence panels and gate have been left open for weeks. Anybody passing by Oaktree Lane, which is a busy road and bus route, can see how easy it is to get into other</p>		<i>Noted. The vast majority of landlords are responsible people and as Council, we can only take action where planning breaches have occurred.</i>

Comments	Other comments	Response
<p>gardens and thus a haven for burglars. For our part, the family residents living in this area, it is extremely upsetting and unnerving knowing that this callous attitude is compromising our security and there seems to be nothing we can do about it. What chance do you have in securing your own home when these landlords are so irresponsible? More needs to be done to ensure that Landlords/owners are more responsible to this kind of neglect which compromises hard-working responsible residents living near to HMO properties. The situation is getting worse, a very grim prospect for residents living in these areas. I would like this brief summary noted.</p>		
<p><b>40</b> I have lived in Langleys Rd for 60 years. It has always been a road for families and children.</p>	<p>At present there are 10 houses with multiple students living in them. I would like the road remain residential with families.</p>	<p><i>Noted</i></p>
<p><b>41</b> Yes- Restrictions need to be enforced.</p>	<p>Spoiling the neighbourhood, noise and litter. No upkeep of properties and gardens. Too many students in the area already.</p>	<p><i>Noted</i></p>
<p><b>42</b> Oaktree Lane used to be a lovely residential Rd. We have lived here for 47 years and watched the decline as more and more houses are turned over to the students.</p>		<p><i>Noted</i></p>
<p><b>43</b> But we are very unhappy about part of the Bournbrook boundary line - see below.</p>	<p>No</p>	<p><i>Noted. See comment below.</i></p>
<p><b>44</b> Although we live in Selly Oak and have a B29 post code, looking at the map we appear to be outside the boundary line. We feel that our road is now being taken over by</p>	<p>The northern boundary ought to follow the course of the Bournbrook to the Worcester and Birmingham</p>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no</i></p>

Comments	Other comments	Response
<p>student houses and families will be reluctant to buy houses in our road to live in them.</p>	<p>Canal to prevent any further development.</p>	<p><i>longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.</i></p> <p><i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.</i></p> <p><i>We will be able to review the evidence in 12 months' time to see if changes are required.</i></p>
<p><b>45</b> Whole area has been dramatically degraded by, in particular, student occupation of domestic property. There are serious problems of refuse disposal and recycling: mindless, stupid, irresponsible, hooligan, infantile behaviour by students whose total arrogance is matched only by their total indolence. They are uncouth and uncultured.</p>	<p>Why has this not been done before? Oaktree Lane, B29 section (Linden Road junction to Bristol Road Junction) must not be allowed to decline any further: owner occupiers and families have turned into an endangered species. I have to work very hard to keep it even half decent!</p>	<p><i>Noted</i></p>
<p><b>46</b> Limiting the number of HMO's in the area merely drive up student rental prices further, while many of us already struggling with our costs.</p>		<p><i>The Article 4 Direction does not seek to limit HMOs merely manage the concentrations so that they do not cause an imbalance.</i></p>
<p><b>47</b> HMO severely deteriorates the cleanliness and safety in my street which was a nice friendly family oriented place when I first moved in. Now I can hardly open my windows facing street even during day time when I am at home due to high break-ins in the area.</p>	<p>Family dwellings including 3 generations with granny annex are allowed. This can relieve the demand on council housing and benefit needs.</p>	<p><i>Noted</i></p>

Comments	Other comments	Response
<p>48 This is a great idea, there is enough student accommodation already and family will find it difficult to buy houses in area, and also to sell to other families who are put off by student homes.</p>	<p>The planner should check that the owner of property does not sublet a plan saying it is for a family home then change use after permission to a student home.</p>	<p><i>The Council's Enforcement Team continue to take enquiries from members of the public about potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p>
<p>49 I am very concerned about the way the character of Selly Oak has been changed. This has now spread to Oak Tree Lane and Langleys Road and will soon be spreading into Bournville.</p>	<p>Many of the old Victorian houses have been completely wrecked by the pursuit of profit, for example, a large number of houses have had the floors taken out and lowered in order to increase the number of students who can be housed within one house. My daughter stayed in a house next door to one that was being altered in this way. It did not have planning permission in the same way that many do not and are not registered as HMOs. She was afraid in the house next door as the whole structure of the building was moving whilst a group of labourers hammered relentlessly on the wall. She reported them to the council, but did not ever receive a reply back. I am dismayed that Birmingham City Council is not monitoring this more closely. When a house suddenly falls down with a group of students inside, then there will be a great deal of scrutiny on the council's processes,</p>	<p><i>The City Council's Building Control Service is provided by Acivico (<a href="http://www.acivico.co.uk">www.acivico.co.uk</a>) and provides information on Building Regulations, primarily to householders.</i></p>

Comments	Other comments	Response
	<p>which at the moment seem non-existent. These are 100+ year old houses with shallow foundations.</p>	
<p><b>50</b> I am a postgraduate student at the university and no longer live in the area concerned. However I was an undergraduate student there and lived in Selly Oak for 3 years. I agree that it is not a nice place to live. Noisy, dirty and congested. However, I think the proposed Article 4 is the wrong solution. It should be made easier to make a noise or antisocial behaviour complaint and these should be dealt with on an individual basis. Parking should be better policed. The rents were high for student housing even then (2009-2012) and this directive would push them up even further. This would certainly have priced me out of the market, and so forced me out of university.</p>		<p><i>As far as the Article 4 Direction is concerned, there is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>Issues of noise are dealt with by Environmental Health, details available at <a href="http://www.birmingham.gov.uk/noise">www.birmingham.gov.uk/noise</a></i></p>
<p><b>51</b> This will seriously impact upon future students at the University of Birmingham, especially those already struggling.</p>		<p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p>
<p><b>52</b> This is discriminatory against students in this area, a large and prominent population. It is ridiculous and completely unnecessary to limit the area that students can live in, especially so close to their place of study. Students should be considered residents in the same way that a 'permanent' person is. The "local services" in the area are used just as much by students, and the local environment is attended to with just as much care as the "permanent residents", so these reasons for limiting</p>	<p>This proposal is not necessary.</p>	<p><i>The Article 4 Direction does not in any way seek to discriminate against any resident group. It is a planning tool available at our disposal to help manage the growth and concentration of HMOs within the proposed area. It does not seek to restrict where students live.</i></p> <p><i>The Council recognises the value students bring to the area and the city as a whole. The aim is to try</i></p>



Comments	Other comments	Response
housing are illogical.		<i>and maintain balanced communities and we do this by managing the concentration of HMOs to avoid unacceptable pressure on services and impact upon the quality of life of all the residents.</i>
<p><b>53</b> I feel this is targeted at students and therefore discriminating against them. Although I can see why some residents may find some aspects of a large influx of people during term times a possible nuisance this article 4 direction seems unnecessary and there are far better ways of reducing this possible problem. One example is a forum for residents to discuss issues with each other and the local council and try to resolve them in a friendlier manner.</p>		<i>Noted. The City Council is working closely with the police, the Guild of Students and the local community to better manage issues and where possible, resolve them.</i>
<p><b>54</b> Students provide hundreds of thousands to the local economy and I for one don't want this to be stopped. I agree more needs to be done to tackle anti-social behaviour, but the implementation of an 'Article 4 Direction' does not help. This just seems like a low cost policy options where actually more investment is needed.</p>		<i>Noted</i>
<p><b>55</b> I think that by limiting the areas in which students can live in, you are only furthering the difficulties they face. Young people attend university usually in an attempt to further chances of having a better career and in the hope of improving their lives. Particularly for students from low income families, attending university is financially difficult enough. By limiting where students can live, the council will be putting further strain on rent prices, which could lead to some young people being unable to attend university, simply because they will be too poor to support themselves. By introducing the Article 4</p>		<i>As far as the Article 4 Direction is concerned, there is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i>

Comments	Other comments	Response
Direction, the council will only be encouraging the elitism already found within the higher education system.		
56 Obviously, the price of HMOs will increase wherever they're allowed. It is students that occupy them and with limited money, it will not be possible for them to live.	Please think about and care for the students.	<i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i>
57 I have seen an increase in HMOs steadily over the 10yrs I have lived in Bournbrook to the detriment of the road and area as a whole. The gardens and the properties themselves are not as well maintained as those of privately owned residences and this concerns me in the longer term for the resale value of my property. In the short term I would prefer to know my neighbours and live in a well maintained area.	Change the boundary to include Bournbrook Road as it is the boundary of Selly Park.	<i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i>
58 It is discrimination against the rights of students to live where they choose.	It was a ludicrous suggestion to begin with.	<i>The A4D does not dictate where students live. It is a measure to better manage the spread of HMOs so that it does not cause imbalance.</i>
59 There seems no point in this. Having lived in Bournbrook and commuted to the city centre for work, the only days with parking problems are the first and last days of term, and this is offset by the ease of parking in the summer. Bournbrook does not have enough recycling facilities, but this is because the council took away recycling boxes and replaced them with perpetually full bottle banks. The students seem to love Bournbrook as all their friends are so nearby. I don't think there's any danger of students moving to other areas in large numbers for this reason. If		<i>Noted</i>

Comments	Other comments	Response
they moved in smaller numbers, it would increase the joie de vivre of that community.		
60 It's damaging to students, will discourage them coming to the city, is ill researched and targets the wrong areas anyway.		<i>National planning guidance has encouraged the promotion of sustainable, mixed and balanced communities. The City Council endorses this and aims to ensure that existing communities throughout the city remain mixed and balanced.</i>
61 This area is in the locality of the University of Birmingham. The Article 4 direction will impact on the student population greatly and will in turn negatively impact on the city as a whole.	The proposal should be abandoned, it will have a negative impact overall and will lead to further problems rather than making the situation better as intended.	<i>The impact of the Direction will be monitored and reviewed in 12 months from the date when it comes into effect. This will present us with an opportunity to consider any amendments as evidenced by the information collected.</i>
62 This is a discriminatory policy against students which will affect local business and could potentially damage the reputation of the university.	Not only is this discriminatory to students but it also discourages those who co-habit. This decision will also affect many landlords and their profits thus affecting the local economy. Selly Oak is home to many wealthy students and by implementing this article it would discourage students from coming to the university which would gravely impact the area.	<i>Noted</i>
63 Harborne is still a viable community and the spread of multiple occupation dwellings will endanger this as it has done in Selly Oak.		<i>Noted</i>
64 There are far too many houses with multiple occupants	Build more suitable	<i>With more purpose built accommodation, the</i>

Comments	Other comments	Response
already. They are crammed in and the houses are usually poorly maintained as are the gardens and hedges. This significant growth is blighting the area.	accommodation on campus and disperse the multiple occupancy houses throughout a much wider area.	<i>choice for students and those who live in shared housing will increase.</i>
65 Welcome the proposal as long overdue but will the Article 4 be enforced? Experience of Article 4 in the Greenfield Road and the Moorpool Conservation Areas has shown that there seems to be conflicting views in Planning as to what is and is not "permitted development".	None	<p><i>Planning permission will be required for all properties in the proposed area that currently have permitted development rights.</i></p> <p><i>The Enforcement Team deal with potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p>
66 It is currently a concern that where we live in Selly Park, that many houses are being turned into HMOs, resulting in difficulties parking, a loss of traditional family homes and a reduction in the mix of community composition.		<i>Noted</i>
67 It is a good idea, if a bit late.		<i>Noted</i>
68 HMOs in the area have increased by too much in the past 10 years. The maintenance level is generally poor and the area is becoming very scruffy. This will have an effect on the house prices and lead to the area becoming blighted.	<p>There should be better accommodation on the university campus for the student population. They don't live full time...usually term time only.</p> <p>The houses could go back to full time occupancy for normal households. This would help the housing stock too.</p>	<i>Noted. With more purpose built accommodation, the choice for students and those who live in shared housing will increase.</i>
69 The mentioned areas have been popular places for student accommodation. Students are not offered a choice in the proposal, where and how they can live is	The Council can make an agreement with the University of Birmingham, students or properties	<i>Noted. The City Council is working closely with the police, the Guild of Students and the local community to better manage these issues and</i>

Comments	Other comments	Response
not clarified. Issues like rubbish collection and noise can be handled in a different way, without making student life harder. Also please take into account that the student houses in these areas are not the best houses...	defined as student accommodation can pay a reasonable extra amount for waste collection. I don't know how the noise can be controlled. but I am sure there is a way.	<i>where possible, resolve them.</i>
70 Yes and it should include the Bournbrook area of Selly Oak.	The Council claims it would lose any appeal if one came from a person (landlord) who wanted to turn a house into an HMO (House in Multiple Occupation). There is a body of evidence that is building up that would suggest that any appeal would not automatically be lost. Do the research and then include Bournbrook within this Article 4 Direction (HMOs)	<i>We will review the evidence in 12 months' time to see if changes are required.</i>
71	Before allowing any decision on Article 4 Direction, may I suggest the problems caused by what appears to be illegal conversions in Bournbrook be rectified .Before we are abandoned by the city planners please survey the area and look at the problems we already have by in the area caused by developers/builders/landlords who are not interested in the area, or tenants who will live in their properties .please also consider this, more people more cars, in Bournbrook there is a sever	<i>The City Council's Planning Enforcement Team consider all potential planning breaches including those brought to our attention by members of the public. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i>

Comments	Other comments	Response
	parking problem.	
72	The homes on the South East side of the Bristol Road all have long gardens which require considerable maintenance if there are not to create nuisance and they are there for unsuitable as HMOs.	<i>Noted, however, maintenance and behaviour issues are not planning matters.</i>
73	I understand that both the council and some residents have concerns but am disgusted that students will be forced to live in an area designated to them. In this modern day I cannot believe that we, as a society, think it is acceptable where to tell a minority group where to live - what's next, ethnically divided areas of Birmingham? I am also concerned whether the quality or price of housing for students has been considered in these plans. Because the available area for students to live in will be so much smaller I fear that some landlords may take advantage of this.	<p>Poorly thought out and even more poorly publicised to residents in affected areas - I own a home affected by this proposal and only found out by listening to the radio. The council should have the decency to contact affected residents directly rather leaving them to find out or guess.</p> <p><i>Economic conditions, price of properties are not material considerations for planning decisions. There is capacity within the Article 4 Direction area to provide for future growth in the numbers of HMOs.</i></p> <p><i>The consultation exercise undertaken exceeded the statutory requirements.</i></p>
74	As a former student of the University of Birmingham and living within the proposed Article 4 area, I am strongly opposed to this proposition. This is because not only have I lived peacefully with non-student neighbours; I have also been involved in a host of activities with the local community.	<p>I am currently working, together with another alumnus of the University of Birmingham, to develop a website aimed at finding student accommodation, tackling studentification issues and enhancing student lifestyle outside campus in general. Our mission is to help manage the relationship between student and non-student residents by acting as an intermediary when, for example,</p> <p><i>Noted</i></p>

Comments	Other comments	Response
	<p>there are excessive noise issues. As such, non-student residents can get in touch with us and anonymously submit any complaints they might have. We, in turn, will be contacting the relevant student and making a note of the behaviour complained of.</p> <p>Villagedigs (<a href="http://www.villagedigs.com/">http://www.villagedigs.com/</a>) is looking to launch during the upcoming academic year and would greatly appreciate the support of Birmingham City Council. Please do get in touch with us at: <a href="mailto:janos@villagedigs.com">janos@villagedigs.com</a> or <a href="mailto:inna@villagedigs.com">inna@villagedigs.com</a>.</p>	
<p><b>75</b> I feel there should be a need to submit planning permission (perhaps free of charge) to change a house from HMO to family house to help with local information, and to make your question number 22 relevant.</p>	<p>If you can encourage housing associations (or first-time buyers) to become involved in any purchases in the Bournbrook area, perhaps the area could become rejuvenated and encourage a wider variety of shops apart from fast-food outlets and letting agencies. (Is there any way to control this?) Ironically, the best shops in the area are on campus (even the Selly Oak Farmers Market!!) The University is planning a drop-in centre in one of the empty shop premises. It would be preferable if</p>	<p><i>The change from C4 to C3 is permitted development currently and the City Council has no plans to remove this right.</i></p> <p><i>Fast food outlets are managed by policies contained in the Local Centres SPD (<a href="http://www.birmingham.gov.uk/spdlocalcentres">www.birmingham.gov.uk/spdlocalcentres</a>)</i></p> <p><i>The Selly Oak Institute has been sold by the City Council to a private developer.</i></p>

Comments	Other comments	Response
	it is placed in Selly Oak Institute (instead of the planned student accommodation) as it was probably a gift to Selly Oak people in the first place	
<p><b>76</b> This is a deliberate and discriminatory attack on students which is justified by pedalling fear amongst the local residents that students have a negative impact on the community. In fact, were it not for the students, a great number of the local businesses would lose a huge amount of revenue, which they will not do doubt show their dissatisfaction for at election time.</p>		<p><i>Noted</i></p>
<p><b>77</b> It would be too restrictive to young people's housing needs.</p>		<p><i>The Article 4 Direction is a planning tool available to us to use to manage the growth and spread of HMOs. There is capacity within the Article 4 Direction area to provide for future growth in the numbers of HMOs.</i></p>
<p><b>78</b> We support the Council's proposal for an Article 4 Direction for the reasons set out in the public report dated 21st November 2013.</p>	<p>We would urge the council to be more active / aggressive and stop wide-spread flouting of the planning laws, building regulations and other allied legislation e.g.</p> <ul style="list-style-type: none"> <li>• Construction of extensions without planning consent or not in accordance with planning consents;</li> <li>• Ensuring that construction works meet the standards</li> </ul>	<p><i>The Council's Enforcement Team continue to take enquiries from members of the public about potential planning breaches.</i></p> <p><i>The Enforcement Team deal with potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p> <p><i>Any advised construction works taking place are referred to Acivico for Building Regulations. (<a href="http://www.acivico.co.uk">www.acivico.co.uk</a>)</i></p>



Comments	Other comments	Response
	<p>required in the Building Regulations;</p> <ul style="list-style-type: none"> <li>Inadequate management of HMO's by bad landlords and tenants e.g. rubbish and litter dumped in front gardens.</li> </ul>	<p><i>The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants.</i></p>
<p><b>79</b> I support the introduction of Article 4. There have been a number of recent developments where small family houses have been converted into dwellings for 8+ individuals. I feel the area already has a large number of available properties of a more suitable size and the council should restrict the number of HMOs due to the impact it has on each community. HMOs encourage a transient population who feel no connection to an area and therefore have little regard for the upkeep of their property, their neighbours or local community. In addition it puts pressure on local services and exacerbates parking issues, particularly on roads where there is no off-road parking.</p>		<p><i>Noted</i></p>
<p><b>80</b> I support the introduction of Article 4 but think it (a) should be citywide on grounds of fairness and planning development and if not (b) the currently proposed area should include Bournbrook which after all needs intervention to remedy the serious problems evident in the area.</p>	<p>Has any consideration been given to declaring Bournbrook a special C4 area in which special licensing measures would apply?</p>	<p><i>At this moment in time, the statistics do not point to any similar concentrations in the city like Bournbrook.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>

Comments	Other comments	Response
		<p><i>The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants.</i></p>
<p><b>81</b> I'm not against people house-sharing, it's a cost-effective way for students (in particular) to find suitable accommodation, but I do object to the sheer number of conversions in the Bournbrook area and how they've been carried out. The front facades of many are badly designed and finished, e.g. bricking up half windows as large front rooms are split in two. This makes the street look run-down due to the lack of care taken in the conversion and the low standard of the design and execution. I understand that these buildings are also difficult to reconvert to family dwellings, due to the expense. 80% of students who attend the University of Birmingham need to find HMO style housing so there's a constant demand and the monoculture of this large group, is impacting upon the area. I regularly walk through Bournbrook, and it invariably looks scruffy, dirty and unloved - bags of rubbish are being the culprit in front gardens and other litter strewn everywhere. I don't wish this to happen where I live.</p>	<p>If it doesn't go ahead then there should be a policy for landlords to submit better design plans for conversions; standards need improving. Nearby streets in Selly Park are in a conservation zone and I would expect design standards to be high for any conversion if planning permission was granted. Just because Bournbrook isn't in a conservation area, why should their standards be lower? Maybe the introduction of wheelie bins would help students to actually place their rubbish in a bin rather than just leaving countless black bin liners in the front garden or street. Recycling boxes are also an issue. Charge landlords for end of term clear outs, or fine them for littering.</p>	<p><i>The City Council is working closely with the police, the Guild of Students and the local community to better manage issues regarding waste, bulky goods waste, anti-social behaviour etc. and where possible, helping to resolve them. In respect of design; where planning applications are submitted, consideration is given to the external appearance proposed.</i></p>
<p><b>82</b> This is sending out the idea that a certain sector of society should be controlled.</p>	<p>If you believe in and want to work with and for people then this draconian measure will preference one group and alienate another.</p>	<p><i>Planning controls can only be applied to the use of land and not people. The A4D is a planning tool to help spread the concentration of HMOs in a particular area and not to control where restrict or</i></p>

Comments	Other comments	Response
	<p>Not a harmonious measure. Will it stop here? Who will use it as a provenance to put forward other methods of segregation? You cannot do it for colour but there are other groups, as shown here, that can be discriminated against.</p>	<p><i>control where people choose to live.</i></p>
<p><b>83</b> The introduction of an Article 4 Direction in this area is years overdue and needs addressing immediately.</p>	<p>This is an excellent proposal, which should have been implemented years ago to save Bournbrook (as you call it - we think of us as living in Selly Oak), from becoming the unsightly tip it has become. I hope that common sense will prevail and that our area will also be included in the Article 4 direction.</p>	<p><i>Noted. We will review the evidence in 12 months' time to see if changes are required.</i></p>
<p><b>84</b> The growth of HMO's is spreading well beyond the area of Bournbrook and needs to be managed so as to ensure the city objectives of sustainable, mixed, balanced communities. An A4D is the least that should be considered. There are other areas of the city like Ladywood and Perry Barr that would also benefit.</p>	<p>The original design of the A4D area should have been discussed informally with the community organisations of the area rather than as an abstract exercise limited to the Planning Department. This is a potential fund of goodwill and local knowledge in the Community which is being ignored. Consulting over the Christmas period is also never a good idea.</p>	<p><i>The area is defined in accordance with the legislative requirements. Four sets of data were used including Council Tax exemptions, licenced HMOs, sui generis use and those properties which have been granted permission, to arrive at the proposed boundary. We have drawn the boundary based on a combination of manageable boundaries and data showing where potential concentrations are occurring and likely to occur. We will review the evidence in 12 months' time to see if changes are required.</i></p> <p><i>The consultation exercise was undertaken between 29 November 2013 and 31<sup>st</sup> January 2014 and</i></p>

Comments	Other comments	Response	
		<i>exceeded the statutory requirements.</i>	
85	Large areas of the local community have been blighted by HMO's and a restriction on their development much needed.	<i>Noted</i>	
86	Selly Oak has fast become a student ghetto with avaricious people purchasing family properties for conversion to multi-occupancy for students. It is profiteering by a few that affects the majority of citizens in Selly Oak and is progressively driving out families from the Selly Oak Ward to be replaced by a transient population of young people and landlords with an attitude of "Could not care less". Added to this is the growth of permanent "To Let" signs that helps to signify a potential "Run Down" area. It is about time that this Council were stronger in their attitude to student lets and what landlords get away with.	There should be much better control by the Council in terms of the mark that these properties have on the local community. To have pride in living in this area is not always easy when you look on the state that these properties appear to the eye. Do we want to have pride in our city or just say "Oh well that is a student area and it does not matter"?	<i>The Article 4 Direction is one of the planning tools available to the Council to help manage the spread of HMOs and address the imbalance that can arise from the dominance of any one type of tenure.</i>
87	The proposal has been well thought out. The article 4 direction is required to avoid further areas around the University of Birmingham becoming predominantly filled with houses with high density occupancy. Where this has occurred there is loss of the community responsibility that is provided by residents with a long-term commitment to their neighbourhood. If areas of high density HMOs are allowed to persist they will have to be managed responsibly. The landlords, tenants, the University of Birmingham and City Council have to ensure this management works to provide a community that all the protagonists including other residents of Birmingham are proud of. The costs of this	Student accommodation is clearly necessary, but for this to provide a good experience for the students and people living in the same residential areas it has to be planned and carefully managed. Low density of HMOs in residential areas can provide a good experience both for the students and the long term residents. Above a critical level, which is probably no more than 10% of HMOs, there is a tendency for there to be a	<i>Noted.</i>  <i>With more purpose built accommodation being provided by the University of Birmingham, the choice for students and those who live in shared housing will increase.</i>

Comments	Other comments	Response
<p>management have to be carried by the landlords, University and indirectly their tenants.</p>	<p>progressive loss of long term residents from the neighbourhood. This balance has to be managed and the Article 4 Direction for Selly Oak will be required to achieve this. There should be an inventory of the amount of student accommodation available and the number of students requiring accommodation. Can we simply leave this to market forces acting on buy to let landlords? Is the University taking sufficient responsibility for its students accommodation needs?</p>	
<p>88</p>	<p>This measure is long overdue.</p>	<p><i>Noted</i></p>
<p>89 I am in my fifties and can remember the Bournbrook area of Selly Oak as being of ordinary residential area with a good variety of local shops as a young girl. Although living on the BVT area of Selly Oak at the time, our family regularly shopped there on the Bristol road as well as on Raddlebarn road. Over the years, especially as the halls of residence/flats near to Northfield were closed and demolished, now private houses and flats, the Bournbrook area have changed and not for the best, becoming "student land" where most houses were taken over by uni students in multiple occupancy resulting in a careworn look in most areas, and most shops becoming cafes, letting agents for student housing and so on. We realise that uni students need somewhere to live near to the Uni but there is a danger of the problem spreading to</p>	<p>Encourage a variety of businesses and shops to prosper in Bournbrook, have no more student letting agents.</p>	<p><i>Noted</i></p>

Comments	Other comments	Response
<p>Edgbaston and other parts of Selly Oak blighting the lives of other ordinary residents and possible reduction to value to their properties. It's ok for professors etc of the Uni who decry Article 4 but for them I suspect it's a "not in my back yard" mentality, I certainly do not want to live next door to a multiple occupancy of 6 students and where I live, there are a few houses where uni students rent but the houses are not extended and only 2-3 live in them so we still enjoy the peace of my road and rightly so.</p>		
<p>90 I live in Langleys Road Selly Oak and HMOs are increasing. This is causing concern owing to the look of some properties which are housing well over 3 unrelated people - some up to 10 - and also the strain on public services, with extra rubbish etc.</p>		<p><i>The Council's Enforcement Team continue to take enquiries from members of the public about potential planning breaches.</i></p> <p><i>Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p>
<p>91 We live on Langleys Road and would very much like to keep this area a family environment.</p>		<p><i>Noted</i></p>
<p>92 I fully support the introduction of Article 4. I have lived in the same house in Selly Oak since 1972 and the area has changed significantly. There has been considerable change to the area in the last few years with increasing students needing accommodation to the detriment of family homes. I have no objection to students living alongside us but feel that the area is becoming very unbalanced. Bournbrook has been blighted by a high proportion of HMO properties forcing families to leave and there is no encouragement for families to rent or buy in that area. Rogue landlords are making the area unsightly and often fail to upkeep the appearance of the</p>	<p>Looking at the Cabinet Report documentation the map on page 6 appears to outline HMOs properties claiming Council Tax exemption etc. It appears that this map is incorrect as I know in Lodge Hill Road there are many more rented properties with a very transient population. How is an accurate picture been made? The rental accommodation is not just for students but for often for a very</p>	<p><i>The area is defined in accordance with the legislative requirements. Four sets of data were used including Council Tax exemptions, licenced HMOs, sui generis use and those properties which have been granted permission. We have drawn the boundary based on a combination of manageable boundaries and data showing where potential concentrations are occurring and likely to occur.</i></p> <p><i>We acknowledge that the true figure is likely to be significantly more than recorded but we can only base our current plans on the most accurate data</i></p>

Comments	Other comments	Response
<p>property and gardens. In recent years more and more HMOs (large and small) are spreading to the wider area surrounding the university. I fear that this will change the nature of the area. In recent years houses going up for sale are been converted to rental properties - in the block of 8 houses surrounding me 4 are now for rent. This is unacceptable. At a time in my life when retirement should be enjoyable I am now surrounded by students who have a totally different lifestyle to me. I have no objections to students but in moderation please.</p>	<p>transient group who do not very often enter in to the local life of the permanent population and is very isolating.</p>	<p><i>available.</i></p>
<p><b>93</b> The loss of increasing proportion of family-occupied housing is changing the character of the area esp. Selly Park which is predominantly family occupied Students do not respect the environment and some student houses are scruffy with litter spilling out onto the road. There is a plethora of "To Let" signs which seem to be up permanently. The one outside 43 Elmdon Road is even fixed to Council Property (the road sign) rather than within the property boundary.</p>	<p>Parts of Selly Park are covered by restrictive covenants forbidding multi-occupancy, including Elmdon Road. Number 43 is now a student house even though it does not have planning permission for such and contravenes the covenant. The house is in poor repair, litter frequently overflows onto the pavement. I frequently return spilled rubbish, bins &amp; recycling boxes onto the property when they are left on the pavement at non-refuse collection days. There is now a "To Let" sign which has been up weeks and appears to be becoming permanent as per those on Bournbrook Road</p>	<p><i>43 Elmdon Road is currently subject to enforcement investigation.</i></p> <p><i>Covenants on properties or land are not within the Councils remit. For further details please see the Councils website on <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p>
<p><b>94</b></p>	<p>Details of the existing HMOs in the area. Which department would be responsible for keeping the</p>	<p><i>Full list of all licenced HMOs in the Article 4 area are available on the at <a href="http://www.birmingham.gov.uk/hmolicencing">www.birmingham.gov.uk/hmolicencing</a></i></p>

Comments	Other comments	Response
	register? Contact number needed.	
95	Need to sort out parking in some of the roads in the multiple occupancies.	<i>Noted</i>
96	I am a resident of Langleys Road and object to the changing force of the road and problems with litter and rubbish issues, car parking, and permanent "To Let" signs.	<i>Noted</i>
97	Living next door to one such property I have experienced the discomforts of it.	<i>Noted</i>
98	Stop building more HMOs in Bournbrook area.	<i>It is landlords and residents who convert their properties to HMOs. They may have been able to do this under permitted development rights meaning they did not require planning permission to convert properties.</i>
99	Yes... on condition that the Bournbrook area does not continue to be excluded.	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>We will review the evidence in 12 months' time to see if changes are required.</i></p>
100	Please see attached photos of extensions to 185/187 Gristhorpe Road which have both been turned in 8	<i>187 Gristhorpe Road is currently subject to enforcement investigation.</i>



Comments	Other comments	Response
bedrooms each by unscrupulous developers. I don't want to see more building projects like this as the developers have taken liberties with the current planning laws.		
<b>101</b> The road that I have lived in for forty years, I do not want to see it become bedsit land like that of Bournbrook, Parking is already a big issue without extra tenants bringing in more cars in the area.		<i>The Article 4 Direction will help to avoid future concentrations similar to that which exists in Bournbrook.</i>
<b>102</b> An excellent idea. We need to keep families in area such as this is a significant step in helping to do this.		<i>Noted</i>
<b>103</b> I have no objection to a loft extension for a family home. But making a three bedroom house into six or eight rooms. Surely must put a tremendous strain on drains, sewers and water pipes which in this area are old, plus, although the front of the house is not altered the extension at the back completely over shadow gardens, sunlight is cut back, no privacy. It's like looking at a prison block. Also parking, - would you like to buy a house next to them, which means our property will lose value – please keep working on Article 4.		<i>Noted</i>
<b>104</b> It is preferable that expand of the HMOs outside the core area on the Bournbrook in controlled as suggested.	As suggested in the consultation that policing the new role will be the difficulty relying on private residents to alert the planning department of new development in the area.	<i>Noted</i>
<b>105</b> On the one hand, there are good arguments for the restriction. On the other, I hope that the development of some number of HMOs, overtimes as supply of student		<i>Noted</i>

Comments	Other comments	Response
<p>accommodation seems to be an on-going issue. Apparently there are empty student properties, but who wants to live in a dive? It would be good if this change, would lead to more better quality housing.</p>		
<p><b>106</b> I have observed over the years the decline in the fabric of Bournbrook, Harborne Park Road and others. The imbalance of a transient population on the area impact on the environment, schools, provision of the civic amenities , lack of social cohesion that leads to a reduction in social responsibilities and thoughtfulness for others.</p>	<p>Does the BCC check the plans they have agreed with the landlords do not increase in internally use of the rooms i.e. studies become bedrooms. Also I feel strongly that landlords should be made to pay more for the additional rubbish that HMOs produce. They also need to maintain the external environment as part of owning an HMO that produces overgrown gardens. Also to take the 'to let' signs down- to reduce the quality of living in a family road.</p>	<p><i>Applicants are encouraged to complete the right forms and pay the appropriate fees or face enforcement action if found to be in breach.</i></p> <p><i>The removal of rubbish and other waste is the responsibility of Fleet and Waste Management (<a href="http://www.birmingham.gov.uk/ssefleetandwaste">www.birmingham.gov.uk/ssefleetandwaste</a>)</i></p>
<p><b>107</b> All landlords should have to take responsibility for the behaviour of :</p> <ul style="list-style-type: none"> <li>i. their tenants</li> <li>ii. any nuisance or damage caused by tenants or aspect of their building to close by neighbour's property. It is currently unclear what is the 'fault' or responsibility of tenant and what is that of landlords.</li> </ul>	<p>Redefine HMO to include any houses of 3 or more rent paying occupants (as I believe it currently applies to houses on 3 levels). There should be an expectation that 'ONUS' is firstly on landlords to response to and deal with any problem caused to neighbours of tenanted properties and people should be able to ring a central number to reach their complaint without having direct contact with a</p>	<p><i>Noted. The issues raised fall under the Mandatory HMO Licencing process. The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants as defined by the Housing Act.</i></p>

Comments	Other comments	Response
	landlord i.e. the council should monitor (via all being registered) any issues and landlord responses.	
<p><b>108</b> There has been a noticeable increase of HMOs in the area over the past few years, as a result of which 15% of the houses in the road are HMOs. This has meant a gradual changes from a neat family oriented residential street to one in which frontage have been transformed, often neglected with landlords not taking full responsibilities for their properties. Changing the aspect of the properties and therefore the whole road could have an adverse effect on the value of the properties for permanent residents and might discourage further family groups from moving in.</p>	<p>Should any further permission be given for HMOs in the area (Heaven forbid). Their construction should be carefully managed and more rigorous inspections need to be done to ensure that such properties only house the legal number of people as by law. Workmen have been known to have encroached on neighbouring properties without permission and have had to repair subsequent damage; there has been evidence of shoddy work, obstruction on pavements and damage on the paving stones and road. It has not always been clear whether planning permission has been given before work has been carried out or not.</p>	<p><i>Noted. Economic conditions, price of properties are not material considerations for planning decisions.</i></p> <p><i>The Council's Enforcement Team continue to take enquiries from members of the public about potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p> <p><i>Encroachment is a civil matter. Obstruction or damage to the highway can be brought to the attention of Highways Services (<a href="http://www.birmingham.gov.uk/highways">www.birmingham.gov.uk/highways</a>)</i></p> <p><i>Any advised construction works taking place are referred to Acivico for Building Regulations. (<a href="http://www.acivico.co.uk">www.acivico.co.uk</a>)</i></p>
<p><b>109</b> We are writing this letter with regard to the above, and detail below our views on the matter. We believe that changes need to be made to the boundary to include all of our side of Bournbrook Road in the Direction with the rest of Selly Park so as in fact not to “jeopardize the successful operation of the policy.” Bournbrook Road, being effectively “carved up” with parts of one side of the road apparently included in the Direction and the</p>		<p><i>Noted. The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.</i></p> <p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be</i></p>

Comments	Other comments	Response
<p>remainder of the road being excluded.</p> <p>Background:            We are a family of four who moved to Birmingham in 2012 and purchased the above property in Bournbrook as our family residence. We are resident owners. We researched the area and were satisfied that the location of Bournbrook Road was good for us as a family. However, less than two years later the Council surprisingly assert that “the community here can no longer be regarded as mixed, balanced and sustainable”. On our side of Bournbrook Road we, and indeed many of our neighbours, have “normal” family lives. We are a residential area of Bournbrook, ourselves and neighbours with school age children attending local schools and using local community facilities such as the library and swimming pool. By excluding our properties from the Direction, contrary to European Law the Council is affecting our right to a family life within Bournbrook, the very purpose for which we purchased the property less than two years ago. Indeed, the reality of our family life in Bournbrook is not the picture that the Council paints of the area surprisingly apparently based on figures provided by the “Guild of Students”. A third party linked to the University.</p> <p>Our Concern:            We do recognize that the University is a very powerful institution. However, our fundamental concern is that Bournbrook properties are being effectively used as the “backyard” for the University’s housing needs. This is all well and good when student numbers are high, and the amount of accommodation meets demand. If though,</p>		<p><i>taken into account.</i></p> <p><i>The Article 4 Direction is subject to periodic review to see if the evidence base continues to apply. We will review the evidence in 12 months’ time to see if changes are required.</i></p> <p><i>The expansion of the university student accommodation in purpose built halls is subject to consideration for planning consent.</i></p> <p><i>The City Council resources are directed to services that have the highest priority.</i></p> <p><i>The Council’s Enforcement Team continue to take enquiries from members of the public about potential planning breaches. Details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p> <p><i>The Mandatory HMO licensing process is managed by the Private Sector Housing Team in the City Council and currently applies to buildings 3 storeys or above and occupied by five or more tenants as defined by the Housing Act. Full list of all licenced HMOs in the Article 4 area are available on the at <a href="http://www.birmingham.gov.uk/hmolicensing">www.birmingham.gov.uk/hmolicensing</a></i></p> <p><i>The City Council data indicates between 40-50% of Bournbrook properties are recorded as HNOs and/or occupied by students. We are aware that this does not reflect the total number of HMOs in an area. There are no independent statistics to record the occupation of different types of dwelling.</i></p>

Comments	Other comments	Response
<p>there is any reduction in the number of students looking for accommodation, for whatever reason, then it is possible that what is now a vibrant student community will fall away to be replaced by those more needy in society within a very concentrated area. The area then has the potential to become a “sink estate” with all of its associated ills. The University is building new Halls and thus increasing the accommodation it can provide. Has the Council given any thought to this? If the Direction is introduced with a view to a student population, what happens to the area if that population is not maintained? As the Direction appears to provide for the University’s accommodation needs, has the University made any commitments itself in this respect? This raises the question as to what influence and input the University has had on both the proposed Direction area, and the proposed Direction. Arguably, a more efficient use of Council Tax payers money would be for the Council to vigorously enforce its existing powers with regard to existing HMO’s which are currently operating outside the law, without planning and/or a licence. Thus improving all areas under existing legislation. In any event, based on current enforcement action by the Council, is the Council confident that it is able to effectively enforce the Direction? Will the Direction prove to be a costly exercise which in these straightened times the Council is unable to enforce, and so the Direction has effectively no “teeth”? A waste of time, which has effectively artificially “carved up” communities.</p> <p>The Exclusion Of Bournbrook: This appears to be based on the Council’s assertion that “Research by the Guild of Students” shows “that up to</p>		<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>

Comments	Other comments	Response
<p>85% of the terraced properties in the Bournbrook area appear to be operating as HMOs". What do the Council's own figures show? We and our neighbours along Bournbrook Road, occupy either detached or semi-detached houses. What is the percentage of HMOs in our residential community and was this taken into account? The Council make no mention of this. Why? We are not the "terraced properties in the Bournbrook area" the Guild of Students figures appear to be based on. Are there any reliable independent statistics to record the occupation of the detached and semi-detached residential homes in the area? The implication from the Council's papers is that most of the HMO's in Bournbrook are occupied by students "Areas like Bournbrook near to the university of Birmingham are particularly popular". The academic year is barely seven months. During holidays, many students move away from the area. Is there any research as to how this affects the actual population of the purported HMO's and is this figure taken into account when making assertions as to the "imbalanced community"? Arguably for a large part of the year there is no imbalance, the students are not here only the residential communities remaining. HMO's further from the University, in areas included in the Direction, is presumably occupied by a less transient population creating a more permanent population. Has this been taken into account when deciding the existing balance in order to decide whether to include an area in the Direction? With regard to Bournbrook it seems that the Council has chosen to rely on third party figures which appear to ignore a substantial period of time of occupation in the year.</p>		

Comments	Other comments	Response
<p>Our Community:</p> <p>Our community, part of Selly Park, is a sustainable, mixed and balanced community and needs the protection of the Direction in maintaining this, just as much as those areas which the Council is including in the Direction to prevent the replication of the purported high number of HMOs in adjacent terraced streets. To do otherwise will be contrary to the draft Birmingham Development Plan. The community should be promoted in accordance with National planning guidance by the Council by including Bournbrook Road in the Direction.</p> <p>The Proposed Boundary Of The Direction:</p> <p>This sits very oddly and artificially along Bournbrook Road in a “zig zag”. It appears that the Council are seeking a Direction to include part of one side of Bournbrook Road towards the bottom of Bournbrook Road whilst excluding the whole of the Bournbrook Road at the top which is where our house is situated. Why and how has this distinction been made? Part of one side of Bournbrook Road apparently included in the Direction and the rest excluded. This calls into question the integrity of the Council’s statement that to include the “Bournbrook area” would “jeopardise the successful operation of the policy”. Why, when it is including part of one side of Bournbrook Road? Either the whole of Bournbrook Road should be included in the Direction, or the whole of the currently included side of Bournbrook Road included in the Direction. Thus including our property and all the properties along our side of Bournbrook Road with the rest of Selly Park. To do otherwise would appear to “jeopardize the successful operation of the policy.” The very reason that the Council is purporting to exclude Bournbrook from the</p>		

Comments	Other comments	Response
<p>Direction.</p> <p>The housing along Bournbrook Road can be easily differentiated. One side being terraced and the housing our side being predominantly detached and semi-detached. In fact there are only about 5 terraced houses on our side of Bournbrook Road. These are very large and are situated at the very bottom of Bournbrook Road abutting the Bristol Road.</p> <p>The proposed Direction boundary should be changed to include all of our side of Bournbrook Road with the rest of Selly Park. Indeed, our neighbours in Elmdon Road (a few seconds walk away, and whose gardens abut ours) are included in the Direction. It is unclear from the boundary plan whether or not our neighbours at the very top of Bournbrook Road joining Elmdon Road are included in the Direction. That part of one side of the Bournbrook Road is being included in the Direction and the other excluded, raises the question as to whether the Council's decision to exclude "Bournbrook" from the Direction has been made with influence from the University as to its needs, and the suitability of housing for potential HMO's being considered before proposing the area. Surely this cannot be right.</p> <p>Mitigation To absolutely exclude Bournbrook from the Direction will lead to a substantial increase in density of HMO's in the area.</p>		
<p><b>110</b> As a property owner within the proposed area and a Council Tax payer I oppose the introduction, confirmation</p>	<p>I believe Padua was the earliest university founded in Europe</p>	<p><i>In accordance with guidance from central government, local authorities have been</i></p>



Comments	Other comments	Response
<p>and implementation of the Article 4 Direction on the following grounds. The whole thrust of the Localism Act is to construct planning policy from grass roots upwards through the mechanism of Neighbourhood Forums developing Neighbourhood Development Plans and is specifically intended to replace the draconian top-down imposition of arbitrary measures such as this proposed Article 4 Direction. Why is the Council frustrating this intention?</p> <p>Proceeding properly in accordance with current legislation would enable the many unsupported assertions in the Council's documentation and FAQ5 — for which I can detect no evidence— to be properly researched and assessed to reach a balanced conclusion. Is the Council choosing to impose policy through the Article 4 route rather than through preparing its obligatory Local Plan simply to avoid the rigor to which any Planning Inspector would subject its draft proposals? Remarkably only one figure is quoted in the Council's literature - plucked from research by the University's Guild of Students. So what are the Council's intentions actually based upon — anecdote, hearsay, the opinions of the self-interested and self-selecting? Does it even know the relevant facts? The Birmingham City Council Strategic Housing Market Assessment 2012 commissioned from Roger Tym and Partners states: In 2031 as in 2011, the largest sector is market housing, followed a long way behind by social renting. The other three tenure sectors — shared ownership, Affordable Rent and private renting - are orders of magnitude smaller.</p> <p>For net new homes to be provided between 2011 and 2031, the largest requirement is still for market housing,</p>	<p>closely followed by the Sorbonne in Paris - both of which constitute identifiable quarters of their respective cities and predominantly occupy the accommodation within these areas.</p> <p>If, as the Council asserts in its literature, many other local authorities in England are also experiencing a similar phenomenon then this suggests that it is an intrinsic characteristic of such institutions if they are successful. As Edgbaston has historically been selected for QEH too - right adjacent to the university - which in many respects generates similar campus needs, is it not just futile and ill-conceived to attempt to shackle such institutions and the needs of their members by retrospectively imposing the highly artificial nostrum of 'a balanced community'? The NPPF is after all aimed to enable solutions to evolve that take into account specific circumstances not just impose dull uniformity.</p>	<p><i>encouraged to make use of Article 4 Directions to remove permitted development rights where appropriate. The Direction is subject to consideration by the Secretary of State. The Cabinet Member report of 21 November 2013 contains the quantitative evidence used to propose the Article 4 Direction and the boundary area.</i></p> <p><i>The Selly Oak SPD, building upon the guidance provided by the Local Action Plan, sets out the strategy for realising the economic potential of the area and identifies policies to guide growth and future developments.</i></p> <p><i>The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.</i></p> <p><i>The data used to arrive at the proposed boundary include Council Tax exemptions, licenced HMOs, sui generis use and those properties which have been granted permission. They indicate that the concentrations outside of the Bournbrook area range from 2.2% - 18.1% grouped by SOAs. The true figures are likely to be significantly higher than recorded.</i></p> <p><i>The policy approach to be applied in the Article 4 Direction area is subject to public consultation.</i></p> <p><i>The area has been defined based on statistical data relating to concentrations of HMOs and contains neighbourhoods where we aim to avoid</i></p>

Comments	Other comments	Response
<p>which accounts for 62% of the total.</p> <p>At the strategic level therefore tinkering with transitions in the private rental sector from C3 to C4 by using development control in one local area does little to address the City's real housing need given this is assessed at 80,220 over the next 20 years.</p> <p>Statistics are also crucial to assessing whether the boundaries proposed in the Article 4 Direction can be justified. Does the council know for instance whether the proportion of properties in the former council estate centred on Metchley Drive that are already HMO5 is also 85%? If this is the case logically it should fall also outside the boundary to any proposed controls in the same way that the Bournbrook area shall. The need for controls should be justified on publically-declared fact. In the absence of such statistics might one assume that the Council's criteria in compiling its plan are really to consign students to live in the Bournbrook accommodation that, on the basis of personal observation, would now be regarded as unattractive or even sub-standard for many other sections of the population and to reserve better quality housing for others?</p> <p>Though the Council professes that it is not distinguishing between students and other occupants of HMO5 this is betrayed [see FAQ Item 2Slj] by almost everything else it says in making its case. Why does it explicitly ask student respondents to its consultation to identify their status? Is this really a prelude to side-lining their opinions? All registered electors are entitled to be treated equally.</p> <p>How does the Council support the statement in the opening paragraph of its Introduction that HMOs</p>		<p><i>high concentrations occurring.</i></p> <p><i>We have undertaken a wide ranging consultation of individual's organisations and businesses and all comments received have been treated equally.</i></p> <p><i>Appendix 3 of the Cabinet member report highlights the additional resources invested in Bournbrook to meet the high demand for services. (<a href="http://www.birmingham.gov.uk/hmoarticle4">www.birmingham.gov.uk/hmoarticle4</a>). The police, Environmental Health Service, Fleet and Waste Management Services respond to a significant number of issues in areas of high concentrations of HMOs whether they are caused by occupants or not.</i></p> <p><i>The threshold policy which we are considering and which will be subject to public consultation, has been successful in other local authority areas.</i></p>

Comments	Other comments	Response
<p>clustered together can put pressure on local services? Surely families and elderly residents routinely consume a far greater proportion of council's budgets per head as the heaviest consumers of schooling, social services, housing benefit etc as well as healthcare? Do they inhabit a significant proportion of HMO properties? This would be counter to all the Council presumes throughout the documentation outlining its case. Local tax payers like me would prefer the Council to be straightforward and objective in what it disseminates using public resources; not propagate myths.</p> <p>The local authority where I reside, though initially hesitant about encouraging a continuing influx of students from two large nearby universities now actively encourages this because it dilutes the proportion of residents requiring expensive support services, car parking spaces, school places etc and helps them sustain these for those that need them in the face of the increasingly tight financial constraints imposed upon it, while bringing much-needed income into the local economy in an area which like Birmingham has been through drastic de-industrialisation. Dispersing students and young single health professionals working at QEH who need to live in HMO accommodation will only increase traffic congestion and pressure on local parking not reduce it.</p> <p>There is also the question as to whether HMO occupants are indeed any more 'transitory' than other types of resident. Families renting C3 houses due to the restricted availability of mortgages may very well move on at the earliest opportunity the economy affords. Does the Council have any figures to justify that those living in other forms of tenure typically stay put for longer and on</p>		

Comments	Other comments	Response
<p>what basis anyway should this entitle them to privileged treatment under planning law?            Are the other alleged nuisances apparently attributable solely to HMO occupants even true or just based on prejudice? Just imagine what would be the reaction if such glib statements were made by the Council in relation to any ethnic, national or religious section of society. As the planning officials will know, for instance, the physical configuration of properties in significant parts of the proposed area would no longer be acceptable in terms of 'Secure by Design' policy precisely because such layouts are held intrinsically to facilitate higher levels of crime; irrespective of who occupies them. The 'nuisance' issues identified are properly dealt with and managed by mechanisms other than planning law as they routinely are by other local authorities. Imposing an Article 4 direction is using a sledgehammer to crack a nut.            Finally is the proposal to introduce a cut-off at 10% HMO tenure within loom (whatever that might mean in practice) really workable policy? My own local authority attempted to prevent all future roof extensions and lost at appeal in the High Court when it ignored the local plan inspector's advice that this was simply unlawful. All citizens can expect equal treatment under planning law so could the council consent one applicant at 9% and shortly after refuse another for breaching 11%?</p>		
<p><b>111</b> Something needs to be done about this creeping paralysis; you only have to walk down any road from Raddlebarn Road to Bristol Road to see what has happened. It has become a student's ghetto driving out all the family residents. Why should we the people have</p>	<p>There are four properties being converted in Warwards Lane. I have been told this is being done without planning permission. Why have they been allowed to do this?</p>	<p><i>Where specific breaches have been brought to our attention, they are investigated if, after an initial investigation it is established that a breach of planning control has occurred, our Planning Enforcement team will attempt to negotiate an</i></p>

Comments	Other comments	Response
to contend with this situation. This can cause parking problems and many more, too many to write them.	There seems to be one rule for one and another rule for others.	<i>informal resolution by inviting a retrospective planning application or requesting that the unauthorised use is ceased. If informal negotiations fail to reach a positive conclusion, the Council may decide to take formal action to cease the unauthorised use.</i>
<b>112</b> Most certainly support introduction to curtail property speculators destroying good quality family homes and turning them into cell blocks of up to 8 bedrooms once converted. These properties are unusable for families, once converted.	Hopefully this step will allow the council to enforce, or refuse retrospective planning permission to houses already wrecked and insist they are returned to original condition and allow the return of families to the area.	<i>Noted. If it is established that a breach of planning control has occurred, the Planning Enforcement Team may pursue enforcement action.</i>
<b>113</b> The number of houses in Langleys Road total 80, already the number of multi occupancy residences exceeds the article 4 direction. The houses have large gardens ideal for family homes.	There is plenty more opportunities for purpose built accommodation for student living whilst attending the University. The community spirit of Selly Oak has been eroding recent years and local services reduced, many outlets replaced with fast food facilities.	<i>Noted</i>
<b>114</b> On my right side of my house a normal 3 bedroom house is now made into an 8 bedroom house without planning permission. On my left side the house is advertised for a 9 bedroom this is a normal 3 bedroom house. Work not started yet.	There should be street planning regulations or extension of property. Strict policies for disposing the building rubbish. Proper inspection of the extension after it's completed.	<i>Where specific breaches have been brought to our attention, they are investigated if, after an initial investigation it is established that a breach of planning control has occurred, our Planning Enforcement team will attempt to negotiate an informal resolution by inviting a retrospective planning application or requesting that the unauthorised use is ceased. If informal negotiations fail to reach a positive conclusion, the Council may</i>

Comments	Other comments	Response
		<i>decide to take formal action to cease the unauthorised use.</i>
<p><b>115</b> Thank you for inviting the Trust to comment on your proposals to manage and control HMOs in Selly Oak, Harborne and Edgbaston wards.</p> <p>We are very aware of the very high concentration of HMOs in the Bournbrook area of Selly Oak and the effect this has on many families and their homes in the area.</p> <p>We have seen for ourselves the vast number of unkempt gardens, and the litter, both of which have the potential to attract vermin. We are aware of the isolation felt by elderly residents during holiday times, when they are the only people in occupation of an entire street. The Trust still plays a very active part in the life of Selly Oak. We have, for many years now, worked closely with Birmingham City Council, local residents and other stakeholders to ensure that, when Selly Oak Hospital is finally sold for redevelopment, we leave behind a high quality legacy to a district which provides a balanced and sustainable community.</p> <p>The Trust is therefore fully supportive of your proposals to manage and control HMOs in Selly Oak and adjacent areas.</p>		<i>Noted</i>
<p><b>116</b> If level is higher in Bournbrook, then increase level for this particular area and immediately place a cap on the level it is already at. Therefore no more HMOs in the Bournbrook area.</p>	<p>Excessive HMOs impact quality of life; blatant disregard for authorities and lack of intervention by authorities, area rife in drugs/drink/theft/nuisances; strain on resources; affecting water to houses, as HMOs converted to 6-7 beds; parking (major issues) again</p>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>

Comments	Other comments	Response
	HMOs creating 3-4 cars/house.	
117 Definite issue for residents. Have been issues for 10 years + with parking alone.	Hopefully will halt the continued dominance of rented accommodation. Unrelated to this but would be good to see more regular litter and rubbish collection.	<i>Noted</i>
118 Bournbrook should be included in Article 4. The fact that it is totally saturated with HMOs makes it more urgent, not less.	Is it complete impotence? Incapability? Incompetence? Failure? This situation was caused by inaction on the part of the council Put it right. It is insane to leave Bournbrook out.	<i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i>
119 Yes. Still a number of normal residents in Bournbrook Road who are affected by the regulation of HMOs. Planning permission should be more tightly regulated. As should the maintenance of such houses by landlords.	This proposal although late in the day should be implemented ASAP for the area designated plus Bournbrook Road.	<i>Noted. Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i>
120 I do support article 4, as the communities are in danger of losing facilities, such as cut backs on school crossing patrols, reduced library facilities, children's play services. Lack of parking for residents, due to the HMO properties not family use.	I am concerned that whenever these HMO properties are no longer used where will families live, as these houses will not be suitable? Who will then own and dwell in them?	<i>We cannot determine what private landlords may do with an empty HMO.</i>
121 Why is Bournbrook excluded? I suppose because it is	No more student flats should be	<i>In the Bournbrook area of Selly Oak, the existing</i>

Comments	Other comments	Response
<p>already a student ghetto, the existing residents haven't a choice. I know of terrace houses having 7 students. What about if there is a fire?</p>	<p>put up either. I was horrified on reading the paper that planning permission has been given for a 5 storey block of student flats on an old ambulance station.</p>	<p><i>concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>
<p><b>122</b> There is not a need for further licensing of more HMOs. Take a walk through Selly Oak and Bournbrook. Up to a quarter of properties have to let signs outside.</p>	<p>There is a surplus of rental properties on Selly Oak and there is not a need for further development. The community has been destroyed by greedy landlords. Selly Oak has become an untidy ghetto.</p>	<p><i>Noted. The decision to grant an HMO licence is not based on an evidenced need.</i></p>
<p><b>123</b> Poor, rundown condition of housing, litter (dangerous to pedestrians, and to public health), adverse effect on shops, parks etc.</p>	<p>I warmly welcome it.</p>	<p><i>Noted</i></p>
<p><b>124</b> I am concerned that the increased number of HMO, in our area is changing the character of our locality. I think an Article 4 Direction would ensure a better balance in type of housing available.</p>	<p>A very welcome here.</p>	<p><i>Noted</i></p>
<p><b>125</b> There is enough properties to let in Selly Oak particular the main Heeley Road where every other house has a "to let" sign outside. Many other roads in the area have the same problem. I know students need some where to stay while studying but there should be a limit.</p>	<p>Why not build student accommodation to be owned and run like a council estate on the old Selly Oak Hospital site?</p>	<p><i>Noted. There are currently proposals to build family housing in the old Selly Oak Hospital site.</i></p>
<p><b>126</b> Me and my family have lived in Hubert Road for 18 years</p>	<p>I would find it helpful if all landlords</p>	<p><i>Noted</i></p>



Comments	Other comments	Response
and have slowly watched the deterioration of the area and the total arrogance and disregard that landlords and builders have for the road and any residents.	at least had to keep their front gardens in some kind of upkeep i.e. broken walls, gates, fences.	
<b>127</b> I support Article 4 Direction in the area, providing the builder's don't destroy any more family homes outside the area.	The Council should use the full forces of the law to stop these builders from using loop holes, to get round planning rules, allowing these build illegal buildings.	<i>Where specific breaches have been brought to our attention, they are investigated if, after an initial investigation it is established that a breach of planning control has occurred, our Planning Enforcement team will attempt to negotiate an informal resolution by inviting a retrospective planning application or requesting that the unauthorised use is ceased. If informal negotiations fail to reach a positive conclusion, the Council may decide to take formal action to cease the unauthorised use.</i>
<b>128</b> I feel some constraints are essential after unsuitable house modifications in our road. I have no objection to students as such.	HMO'S are putting strain on street parking because they're seen to have more cars than parking spaces. Mind you, Churches seem to also do the same!	<i>Noted</i>
<b>129</b> There are far too many alterations to family homes with no consideration for other residents. Most of the extended properties are 'To Let' and are for profit, not for the up-keep of the area.	The proposal can only be a good thing, as too many family homes are lost under present planning permissions.	<i>Noted</i>
<b>130</b> I would like all the Bournbrook Area to be included. I feel that things have got out of hand and Planning needs to be restricted.	I feel that the housing market in our area of business to get as many students into houses to maximise profit. Landlords are not interested in housing people in need. There needs to be more family housing	<i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same</i>

Comments	Other comments	Response
	and housing for young people on low incomes.	<i>high levels in streets adjacent to Bournbrook.</i>
<p><b>131</b> I am guessing what A4 Direction is – if it's to stop like multiple occupations in the Bournbrook area that covers Teignmouth Road – Dawlish Road etc – I'm all for decision to stop it.</p>	<p>Have lived here all their lives because of their circumstances they can't leave and if it wasn't for the car situation could still be happy here.</p>	<p><i>An Article 4 Direction removes permitted development rights for certain types of development within the area, so that planning permission must be obtained. The objective to disperse the locations of HMOs and avoid over-concentrations occurring in future, thus being able to maintain balanced communities. The neighbourhoods included in the proposed Article 4 area have capacity to accommodate further HMOs in the right locations, but concentration will be avoided.</i></p>
<p><b>132</b> In 1950's/60's Birmingham got rid of slums. The landlords have turned Bournbrook Slums. In 1988, I moved properly since then area has gone down. Head of Council should walk our streets with Councillors and see the rubbish drains blocked up.</p>		<p><i>Noted</i></p>
<p><b>133</b> Since the number of HMO properties is already higher than the level proposed for the best of the area. Exclusion of Bournbrook Road from Article 4 Direction is absurd inclusion is essential to prevent the HMO situation getting ever worse.</p>	<p>Vigorous Enforcement of speed limits and litter penalties in Bournbrook Road</p>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>
<p><b>134</b> There is far too much building work going on, especially during the summer months – it needs to be rationed as part of the planning process.</p>	<p>I have no objection to properties being extended but having up to 10 at any time poses problems with noise and skips affecting parking.</p>	<p><i>The Planning and Regeneration service have no power to control the timing of the building works resulting from a planning consent.</i></p>

Comments	Other comments	Response
<p><b>135</b> There are 80 houses in Langleys Road, 12 of which are already houses of multiple occupancy. The houses are family houses with long gardens. Further HMO will affect the local community and there are many purpose build student housing.</p>	<p>I appreciate students contribute to the local economy and I myself am employed by the University. However, it is important to protect the local community and not overview to area with HMO. I am also concerned about the effect on my house which is my financial security for my retirement.</p>	<p><i>Noted</i></p>
<p><b>136</b> Do it quickly, suspend all interior conversions immediately.</p>		<p><i>We will have to follow the statutory timescales in order to bring the Article 4 Direction into force. The earliest date in which the Article 4 Direction can come in to force is 30 November 2014.</i></p>
<p><b>137</b> In principle I am in favour of the introduction of Article 4, but it does seem biased towards the property developers. As we have seen in the Bournbrook area the developers have taken over most of the properties and in effect forcing residents of long standing to sell up and move somewhere else to be able to live a peaceful life. HMO's are in reality being imposed onto the local long standing community. Many of the streets in which house conversions are taking place have long standing residents who have to tolerate noise, dirt, over flowing skips in the street, footpath blocked by building material. External extensions are built onto houses being converted for HMO use exceeds current limitations and it is seriously difficult to get the City Council to show any interest. Conversation work being carried out in properties physically effects properties next door with for instance</p>		<p><i>Noted. Issues arising from conversion works in neighbouring properties are a civil matter and not dealt with by the City Council.</i></p> <p><i>Alleged breaches of planning control are often brought to the Councils attention by members of the public. If, after an initial investigation it is established that a breach of planning control has occurred, our Planning Enforcement team will attempt to negotiate an informal resolution by inviting a retrospective planning application or requesting that the unauthorised use is ceased. If informal negotiations fail to reach a positive conclusion, the Council may decide to take formal action to cease the unauthorised use.</i></p>

Comments	Other comments	Response
<p>the chimney collapsing internally. The offended party has no protection from the law or City Council. The safety of the conversation sites has been called into question on a number of occasions, and safety measures while the work is carried out are seriously questionable. Properties are being converted in streets where car parking is currently is very difficult, therefore the introduction of HMO's without any provision for parking makes the situation impossible. Property developers must be responsible for the provision of parking, but currently have no responsibility on this issue. As we have seen HMO properties have the effect of completely changing an area with traditional shops disappearing, the age group of residents falling within a narrow band. Birmingham University are very quick to point out the apparent levels of money that it brings into the city but what responsibility do they take for the students. The University has a responsibility to their neighbours and if they wish to continue to expand they should be prepared to provide sufficient affordable accommodation and parking facilities. A private company would very quickly be taken to task if their employees were to cause the current levels of disruption that the area local to the University experiences. We continually hear on the local and national media about the shortage of family housing but with Bournbrook as an example, conversation for HMO use has effectively cleared the area of families.</p>		
<p><b>138</b> Following the conversion of two properties for HMO use in Warwards Lane residents are nervous that the street will go the way of Bournbrook. They are very much in favour of the introduction of Article 4, but it does seem biased towards the property developers. Properties will</p>		<p><i>Warwards Lane is precisely the type of neighbourhood the Article 4 Direction is seeking to protect.</i></p> <p><i>The vast majority of landlords are responsible and</i></p>

Comments	Other comments	Response
<p>continue to be allowed to be converted for HMO usage with the decision on where they are situated being arbitrary. Two properties in the street are in the process of being converted at present by a certain company, who own a number of other properties in the street and that makes residents nervous so haste in the introduction of Article 4 is essential. As we have seen in the Bournbrook area the developers have taken over most of the properties and in effect forcing residents of long standing to sell up and move somewhere else at significant cost to be able to live a peaceful life. This has the social effect of breaking up communities and seeing the down grading of the area. HMO's are in reality being imposed onto the local long standing community.</p> <p>Many of the streets in which house conversions are now taking place have long standing residents who have to tolerate noise, dirt, overflowing skips in the street, footpath blocked by building material while work takes place. External extensions are built onto houses being converted for HMO use that exceeds current limitations and it is seriously difficult to get the City Council to show any interest. People experience a very high level of stress to the point of illness and feel helpless when all of this disruption is continually taking place around.</p> <p>Individuals regularly talk about the difficulty they had in getting planning permission to modify their premises and have to have it checked at every stage. Yet the experience of residents adjacent to converted properties in Warwards Lane want to know why this does not apply to property companies who while stating that they work to building regulations clearly abuse them to the level of ignoring them. Conversion work being carried out in properties physically effects properties next door with for</p>		<p><i>maintain their property and investments. However, there is a small element whose actions or the lack of actions to maintain their properties have caused residents concern and if breaches of planning conditions occur, the Council can take enforcement action leading to prosecution and fines for landlords. Any advised construction works taking place are referred to Acivico for Building Regulations. (<a href="http://www.acivico.co.uk">www.acivico.co.uk</a>)</i></p> <p><i>Planning applications are considered on their individual merit and where applicants/landlords are found to be in breach of conditions, the Council can take enforcement action.</i></p> <p><i>We will have to follow the statutory timescales in order to bring the Article 4 Direction into force. The earliest date in which the Article 4 Direction can come in to force is 30 November 2014.</i></p>

Comments	Other comments	Response
<p>instance examples of chimneys collapsing internally. The offended party has no protection from the law or the City Council in this situation.</p> <p>The safety on the conversion sites has been called into question on a number of occasions, and does this seriously questionable level of workmanship transfer to the internal work also? Surely the safety of workers, neighbouring properties and of course the people who eventually live in these converted properties have a right to be able live and work in a safe manner. Properties are being converted in this street where car parking is currently very difficult therefore the introduction of HMO's without any provision for parking makes the situation impossible. Property developers must be responsible for the provision of parking, but currently have no responsibility or interest on this issue. As we have seen HMO properties have the effect of completely changing an area with traditional shops disappearing, and the age group of residents falling within a narrow band. Any person in an older age becomes completely detached from the other people. During the University summer holiday period the whole area turns into a giant building site.</p> <p>Birmingham University are very quick to point out the apparent levels of money that it brings into the city but what responsibility do they take for the students. The University has a responsibility to their neighbours and if they wish to continue to expand on an on-going basis they should be prepared to provide sufficient affordable accommodation and parking facilities for students. Surely a University has a responsibility for the social behaviour of students, and a private company would very quickly be</p>		

Comments	Other comments	Response
<p>taken to task if their employees were to cause the current levels of disruption that areas local to the University experience. We continually hear on the local and national media about the shortage of family housing across the country, but with Bournbrook as an example conversation for HMO use has effectively cleared the area of families. The introduction of the Article 4 direction is to be welcomed but it has to give residents of long standing in a particular area or street some respect and equality with building contractors. It does seem that the protection of a company's right to trade is being over protected over the rights of protecting the rights of family life and housing.</p>		
<p><b>139</b> Our Neighbourhood Watch supports the introduction of Article 4 in our area. We have encouraged our residents to respond individually to this proposal. The committee wish to make a separate representation on behalf of our organisation. We would make the following points:</p> <p>1) We see it as an opportunity to bring under control some landlords whose behaviour towards their tenants and to the neighbours of properties that they own is unacceptable. We have experience of this in Langleys Road where a particular landlord has caused significant problems.</p> <p>2) We are concerned about developments where planning permission has been obtained because the owner has claimed that the improvements were for accommodating a family even though the property was already being advertised for multi bed let. The planning committee had no option but to accept the landlord's</p>		<p>1. <i>Noted. The vast majority of landlords are responsible and maintain their property and investments. However, there is a small element whose actions or the lack of actions to maintain their properties have caused residents concern and if breaches of planning conditions occur, the Council can take enforcement action leading to prosecution and fines for landlords.</i></p> <p>2. <i>The Enforcement Team deal with all potential planning breaches, details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p> <p><i>There have been cases of landlords getting household permissions and then operating HMOs without the appropriate consent and licence.</i></p>

Comments	Other comments	Response
<p>word regarding his intentions. What actually gets built does not necessarily follow the approved plan. Additions are made to the property which were not included in the plans and are built without planning approval. This causes distress to the neighbours and to local residents.</p> <p>3) We think that Article 4 could be of benefit to “good” landlords as ensuring a balanced and neighbourly community will attract more suitable tenants who are more likely to look after his/her property. 4) Article 4 is designed to control the concentration of HMO’s let to from 3 to 6 unrelated people. We see this as particularly important in the community in which we live. We note that there is already an over representation of this form of accommodation in Oak Tree Lane (72%) and it is starting to become a problem in Langleys Road (15%). Our expectation is that Article 4 will control this growth in numbers of HMO’s and therefore ensure the maintenance of a balanced community.</p> <p>5) Where there is a high concentration of H MO’s there is extra stress on services and amenities such as rubbish collection, water and sewage, electricity supply, and parking space. Where H MO’s are let to students, the numbers of children in the community that would otherwise feed local schools is significantly reduced. 6) We understand that houses where there are more than 6 tenants (Sui Generis) would be included for the purposes of assessing acceptable concentrations of HMO’s. 7) It would seem that the rules and guidelines that are proposed, are designed to permit the development of HNIO’s up to a specified proportion of properties in an area (10% is suggested). There seems to be little in place to rebalance communities back in the direction of family residents where the concentration of HMO’s is</p>		<p>3. <i>Noted</i></p> <p>4. <i>Noted</i></p> <p>5. <i>Noted</i></p> <p>6. <i>Correct</i></p> <p>7. <i>The Article 4 Direction cannot be applied retrospectively.</i></p> <p>8. <i>The mandatory Housing Licensing Scheme charges a fee</i></p> <p>9. <i>Noted</i></p> <p>10. <i>Noted</i></p> <p>11. <i>The data sets used to generate the Article 4 Direction area will not be publicly available due to data protection issues.</i></p>



Comments	Other comments	Response
<p>above the agreed acceptable level. The only exception appears to be that if a property registered as a HMO, is occupied by a family (No 22 in the notes) it would need to reapply for HMO status in the event that it was to be subsequently let to 3 to 6 unrelated people. 8) It would seem that the burden carried by the Council in maintaining records of properties registered as HMO's is going to be significant. At least some of these administrative costs should be recovered by charging an annual fee. Such a fee might be a disincentive to maintain the property as an HMO if the market is oversupplied. Perhaps this could be brought in gradually once the scheme has settled down. 9) It is clear that this scheme can only work with the co-operation of longer term residents in the community. They will be relied on to advise the council what properties are being used as HMO's and therefore should be registered. It is already clear that Council records of what HMO's exist is inaccurate and underestimates the number. In return, residents would expect to be consulted at the planning stage, about new applications being made before change of status from class 3 to class 4 (HMO) had been approved. 10) If Article 4 is approved for our area, we would expect it to be rigorously implemented with adequate notification to all households. 11) We expect that there will be a readily accessible Register of HMOs on line so that residents can confirm the appropriate class (3 or 4) of households in their community. That register should contain the contact point (phone number? E Mail address?) for interested parties who wish to notify the Council of any change of status of any of those households.</p>		

Comments	Other comments	Response
<p><b>140</b> I am writing in response to the consultation on the proposal to implement an Article 4 Direction to remove permitted development rights for change of use from dwelling houses (C3) to Small Houses in Multiple Occupation (C4) in parts of Selly Oak, Edgbaston and Harborne Wards. I welcome the pro-active approach Birmingham City Council appears to be taking to tackle the problems associated with the proliferation of HMO's in the area, however I am extremely disappointed that you have decided to totally exclude Bournbrook on the grounds, stated in the Cabinet Report 21 November 2013, 'it is already clearly an imbalanced community and its inclusion would jeopardise the successful operation of the policy.' Despite this the report continues to say 'Doing nothing would mean the continued absence of any planning control and inability for the Council to contribute to the management and distribution of HMOs.' I do not accept the argument that you cannot include Bournbrook under the Article 4 Direction because it already has too many HMOs; Bournbrook is the prime area affected by problems relating to HMO developments which not only have a huge impact on the permanent residential population but also on the quality of the dwellings which in the main are occupied by young vulnerable students who may be away from home for the first time and who appear to be ripe for exploitation by unscrupulous landlords.</p> <p>You are personally aware of several cases just in recent months where rogue landlords have taken it upon themselves to extend properties without planning consent; you are now saying that as well as taking no enforcement action against these individuals you are going to deliberately exclude the area where this</p>		<p><i>Noted.</i></p> <p><i>The impact of the Direction will be monitored and reviewed in 12 months from the date when it comes into effect. This will present us with an opportunity to consider any amendments to the threshold or boundary as evidenced by the information collected.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>The City Council is working closely with the police, the Guild of Students and the local community to better manage issues within Bournbrook and where possible, resolve them.</i></p> <p><i>The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.</i></p>

Comments	Other comments	Response
<p>behaviour is most prevalent. What further concerns me is that despite all the reports, officer involvement and assurances that you are actively dealing with the explosion of unauthorised building work in Bournbrook since July 2013, not one 'stop notice' has been issued by any part of the Council. Local residents have had to deal with neighbouring houses gutted without any planning consent or building regulation notification, broken sewers built over, neighbours' gas flues removed and relentless noise, dust and rubbish. You will have received a copy of my letter to James Wagstaff, Principal Enforcement Officer, of 21 January, further explaining my concerns about the lack of action taken against individuals who perpetrate this behaviour.</p> <p>Will you consider including the Bournbrook area in the Article 4 Direction? I understand that other areas in the country with similar problems have been able to introduce such regulations; including Southwark Council who have started an Article 4 Direction on a street which already has 50% of properties classed as HMOs.</p> <p>If you will not include Bournbrook in the Article 4 Direction I expect that a package of other measures will be implemented, including additional licensing powers and stronger enforcement of existing legislation. I understand that a cross service Action Group has been established to tackle these problems but to date I have not received any information to say this Action Group is having any effect.</p>		<p><i>Noted</i></p>
<p><b>141</b> 1. CP4SO supports the introduction of an Article 4 Declaration for Selly Oak and surrounding areas in respect of Houses in Multiple Occupancy (HMO).</p>		<p><i>The Article 4 Direction area has been defined by considering the percentages of known HMOs and drawing a boundary around those areas that are at</i></p>

Comments	Other comments	Response
<p>2. However we would like the area covered by any such declaration to include the whole of Selly Oak Ward; including Bournbrook.</p> <p>3. In this we support the views of the Selly Oak Area Caretaker Society, and Tiverton Area Residents Association (TARA) Neighbourhood Forum.</p> <p>Background The Community Partnership for Selly Oak (CP4SO) is a federation of community groups from across the whole ward. The partnership represents the interests of the ward and its residents on issues related to planning and planning policy.</p> <p>Selly Oak and more particularly Bournbrook are currently blighted by a high proportion of HMO properties most rented to students at the University of Birmingham. We stress that we have no objection to students living in the ward; most of who we find to be pleasant, if sometime ignorant of the needs of their non-student neighbours.</p> <p>Our concern is that a large proportion of HMOs in the ward are owned by landlords who over-charge, fail to maintain their properties, fail to repay deposits where they should, do not leave adequate contact details with their tenants, and themselves act as poor neighbours. Many of these landlords have scant regard for the planning process, covert good family houses into mini-hostels for up to 10 students, perform conversions without planning permission and to a sub-standard quality and frequently flout planning rules by clamming domestic occupancy. The extension made to these properties are often large, unsightly, overbear on</p>		<p><i>risk of imbalance.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>The Article 4 Direction is subject to periodic review to see if the evidence base continues to apply. We will review the evidence in 12 months' time to see if changes are required.</i></p>

Comments	Other comments	Response
<p>neighbouring properties, and out of keeping with the area. Two of our member groups: Langley's Rd Neighbourhood Watch Association and TARA Neighbourhood Forum have recently reported cases of builds which have been dangerous, and have left neighbouring properties in a lethal state. These developments have either had no or dubious planning permission or have not built to the approved plans. Such practices have led to a high number of enforcement orders in the ward leading to unacceptably high cost for the City Council.</p> <p>Owing to the rapid spread of HMOs in recent years Selly Oak as a whole risks slipping into an unhealthy demographic mix where there are too few families to support our primary schools and no sense of community. Some pockets of housing are already in this state. The main reason for the skewed demography of Selly Oak is the geographical context of the University of Birmingham. Unlike other city based universities which have residential areas equally in all directions the University of Birmingham is mostly surrounded by areas with no housing. This leaves Bournbrook / Selly Oak and a small section of Harborne as the only residential areas within walking distance of the University. Only Bournbrook has a ready supply of inexpensive, easily convertible houses. It is natural then that as the University has expanded Bournbrook and Selly Oak have borne the brunt of the explosion in rented accommodation.</p> <p>The case for regulation. We believe that the council has an obligation to maintain a good demographic mix in all wards and to rebalance</p>		

Comments	Other comments	Response
<p>this mix where necessary. In our view Selly Oak should have been protected from the expansion in HMOs long ago: by better application of existing restraints on large HMO's; better application and enforcement of planning regulations; additional licensing; or better provision of halls of residence within the University footprint. Some – not us – would appear regard central Selly Oak as a 'lost cause'. However, there are areas of the ward such as the St Mary's Neighbourhood Forum, Langley's Rd, Selly Park South and the Selly Park conservation area where the demographic mix is still reasonably normal and these areas need urgent protection by all measures available including Article 4. These areas are currently proposed for such protection and we wholeheartedly support that proposal – although we note that the Selly Park Conservation area is already so protected.</p> <p>It might be argued that Article 4 restricts the rights of students to choose their place of residence. We would disagree with this. Article 4 does not of itself prevent conversion of a property to a large HMO as this is already regulated by planning rules. Nor does it prevent any individual house from becoming a small HMO as the council retain the power to approve such applications under Article 4. Rather by limiting HMO conversions Article 4 will protect the right of all residents, including students, to live in a balanced community. It will allow the City to plan HMO distribution in a reasoned way and better spread the burden of HMO's. In principle, it may encourage HMO conversions in a wider area; thus increasing the range of properties and locations available for students to rent.</p>		

Comments	Other comments	<i>Response</i>
<p>I might also be argued that by limiting the available rented housing stock Article 4 will increase rents by restricting supply. This view is most likely based on a false projection of increased student numbers and the likely desires of any increased numbers with regard to housing. There is nothing locally or nationally to suggest that student numbers will continue to increase at their recent rapid rates. Undergraduate, UK based, student numbers have stabilised and may even be falling following the introduction of full fees. Any further increase in numbers is likely to come from an overseas market which will favour halls of residence style accommodation. We conclude that Article 4 will not unduly limit the supply of rented housing as there is already enough such housing available. It may provide a timely reminder to landlords not to over-supply their own market. Indeed, given that many large (10 bedroom) HMO conversions would be hard to reverse we are concerned that over-supply may lead to empty houses that will be un-rentable and un-saleable to families.</p> <p>Article 4 has already been applied in many areas with some cities such as Worcester and Oxford applying it city wide. There is evidence from areas like Headingley in Leeds that measures including Article 4 can be used to rebalance a community. Locally Sandwell has successfully introduced Article 4. We see no reason why Article 4 should not be applied successfully in Selly Oak.</p> <p>The case for including the whole of Selly Oak Ward While we support Article 4 we disagree with the current proposal in that it does not include the whole of the ward.</p>		

Comments	Other comments	Response
<p>We understand that the reason for this is that the Bournbrook is already an imbalanced community, that the council feels would have no basis for refusing conversions in the central area and would only incur expense by trying to do so – this fear is itself related to a threshold beyond which a community is considered un-balanced. Our view is that the central Selly Oak area is just that; central to the ward. While Bournbrook remains an HMO free-for-all the ward as a whole cannot function well as a community.</p> <p>The City should be concerned not only to maintain balanced communities where they exist but also to re-balance communities that are out of balance. Our reading of the application and defence of Article 4 in other areas is that the Planning Inspectorate has no fixed, national view on the use of Article 4; being guided instead by local planning policy. Thus the “10% threshold” which is sighted as preventing Article 4 in Bournbrook is arbitrary. If the council choose to apply Article 4 in a higher density area and then use their powers to gradually reduce the HMO concentration they will be within their rights and will have a defensible position. No-one could argue that the balance is healthy in Selly Oak and the council has an obligation to the, mostly elderly, long term, residents of Bournbrook to promote a balanced community.</p> <p>Further, recent Planning Inspectorate decisions in Bristol, Leamington Spa, Loughborough, Nottingham and Southampton have demonstrated that the inspectorate views large HMO concentrations as contrary to National Planning Policy. Thus there is precedent to suggest that</p>		



Comments	Other comments	Response
<p>the City Council could successfully defend Article 4 in Bournbrook. Other councils such as Oxford, Worcester, Newham have clearly taken this view as they have implemented Article 4 City/Borough wide including any concentrations of HMO's. Other councils, notably Leeds in the Headingley area, Hastings, Southampton, Sandwell and Sheffield, are using a wide range of powers – not just Article 4 to contain and reduce HMO concentrations. In Southwark we know of one street with a 50% HMO rate that has been proposed for inclusion in an Article 4 declaration. It seems that Birmingham's planners are atypical in their conservative approach to Article 4. As noted above, the argument that the City could not practically deny any further HMOs conversions in Bournbrook due to the existing density is flawed. In effect the planning department is saying that poor decisions in the past should dictate further poor planning in the future. Leaving Bournbrook out of the Article 4 area will send the signal that this district has been targeted by the council for unfettered HMO conversion. The City will in effect be asking landlords to expand in this area rather than neighbouring areas in Selly Oak, Harborne and Edgbaston. In our view this stance is both unacceptable and untenable. Instead of allowing landlords to believe that Bournbrook is a favoured area for HMOs the City should be using Article 4 as a means to warn landlords that the HMO market in Bournbrook is saturated. The case of Headingley in Leeds would suggest that no area is beyond saving and that even the most HMO heavy areas can be recovered to a balanced state by careful application of planning measures including Article 4, additional licensing, and proper application and enforcement of existing planning regulations.</p>		

Comments	Other comments	Response
<p><b>142</b> I would also like to raise my concern that the key area of Bournbrook has been excluded from the proposal. As the home to International students the scene is a disgrace and other universities do not confine their students to ghetto-like conditions. The area has been seriously affected by the incidences of property conversions, often without consent for development in excess of permitted development. Further, there have been a number of large scale developments of Halls of Residence which have increased the imbalanced population beyond any reasonably acceptable level. The quality of life for residents has been reduced to a level where it may be considered a cynical form of CPO. This is contrary to the guidelines in the National Planning Policy Framework. Developments have taken place with the knowledge of the planning department who appear to have been acting independently of LDPs, BCC, the Community, business and retail, and other departments responsible for the regeneration of the area. BCC has the responsibility to correct the harm done or pay compensation to those whose rights have been infringed. It would seem appropriate for an independent body to determine how this situation can be corrected.</p> <p>The plan is also somewhat naïve in that the six Universities in Birmingham: University Hospitals Birmingham; University of Birmingham; University of Aston, Newman University; University College Birmingham; Birmingham City University; are all competing for students and the overall numbers in each institution are likely to rise. The two Colleges of HE: Birmingham Metropolitan College and Bournville College</p>		<p><i>The aim of the article 4 Direction is to manage future growth and spread of HMOs so as to avoid similar concentrations as that occurred in Bournbrook. As a council, our aim is to ensure that we maintain balance and that includes looking after the interests of all those who live in the area.</i></p> <p><i>The vast majority of landlords are responsible and maintain their property and investments. However, there is a small element whose actions or the lack of actions to maintain their properties have caused residents concern and if breaches of planning conditions occur, the Council can take enforcement action leading to prosecution and fines for landlords.</i></p> <p><i>The Enforcement Team deal with all potential planning breaches, details are available at <a href="http://www.birmingham.gov.uk/planning">www.birmingham.gov.uk/planning</a></i></p> <p><i>HMOs are a vital part of the mix of housing provision in the city. They are not exclusively occupied by students though large concentrations of HMOs have brought with them a set of nationally recognised issues.</i></p> <p><i>The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>Economic conditions, price of properties are not material considerations for planning decisions.</i></p>

Comments	Other comments	Response
<p>are also growing in size and stature. This will put pressure for accommodation on a larger scale across the city. Converting ill-suited properties into 'hostels' for 6-12 students (the number in each property seems to be rising) has become a major issue because planning and building regulations are not being adhered to with the potential risk to the health and safety of students and young people.</p> <p>A copy of a framework for discussion has been attached. These are not matters that may arise but what has arisen, and for this reason it is not comprehensive. It is intended to follow this up in conjunction with the NPPF and other plans to see how far the Planning Department have strayed from the statutory guidelines.</p>		<p><i>Tenant or occupier is also not relevant to the consideration of land use in planning terms.</i></p> <p><i>The impact of the Direction will be monitored and reviewed in 12 months from the date when it comes into effect.</i></p>
<p><b>143</b> We act on behalf of the Police and Crime Commissioner for West Midlands (PCCWM), formerly known as the West Midlands Police Authority, and are instructed to make representations on proposals likely to affect policing and on local development documents in respect of securing policy reference and safeguards in such documents and proposals to, inter alia,:</p> <ul style="list-style-type: none"> <li>• recognise the community need for securing safe environments with crime reduction made a priority;</li> <li>• promote a safe and secure entertainment, leisure and evening economy; and</li> <li>• ensure the timely and effective engagement of the police and other emergency services in the processes likely to affect crime and fear of crime.</li> </ul>		<p><i>The aim of this Article 4 Direction is to manage the spread and concentration of HMOs so as to avert an imbalance. The HMO lobby has identified 20% at which an area is considered imbalanced if dominated by any one particular type of housing and most councils with this policy in place have used between 10-20% to identify areas in danger of becoming imbalanced.</i></p> <p><i>The Article 4 Direction area has been defined by considering the percentages of known HMOs and drawing a boundary around those areas that are at risk of imbalance.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and</i></p>

Comments	Other comments	Response
<p>The PCCWM clearly has a statutory duty to secure the maintenance of an efficient and effective police force for its area and, of course, the Council is also statutorily required to consider crime and disorder and community safety in the exercise of its duties with the aim of achieving a reduction in crime. Crime and the fear of crime are material considerations throughout the development process and Section 17 of the Crime and Disorder Act 1998 should be paramount. We are grateful for the opportunity to comment on the proposed Houses of Multiple Occupation Article 4 - Selly Oak, Edgbaston &amp; Harborne, but note that we have not been directly consulted by you. Please can you ensure that any public consultations are forwarded to the Police so there is the opportunity to make timely and effective representations?</p> <p>National Planning Policy</p> <ol style="list-style-type: none"> <li>1. The National Planning Policy Framework (NPPF), March 2012, paragraph 156 sets out the strategic priorities for local planning authorities when Plan-making, including, ‘the provision of health, security, community and cultural infrastructure...’ Security is therefore a national strategic planning objective for local authorities.</li> <li>2. Paragraph 58 in subsection 7, Requiring Good Design, requires that planning polices and decisions should aim to ensure that developments ‘... create safe and secure environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion...’</li> <li>3. Paragraph 69 in subsection 8, Promoting Healthy Communities, emphasises that planning policies and decisions should aim to achieve places which promote ‘... safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality</li> </ol>		<p><i>sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>The City Council is working closely with the police, the Guild of Students and the local community to better manage issues within Bournbrook and where possible, resolve them.</i></p> <p><i>The Article 4 Direction is subject to periodic review to see if the evidence base continues to apply. We will review the evidence in 12 months’ time to see if changes are required.</i></p>

Comments	Other comments	Response
<p>of life or community cohesion...'</p> <p>4. The NPPF, paragraph 17, requires local authorities as one of their 'Core Planning Principles', to 'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.'</p> <p>This clearly requires the local authorities to ensure there are appropriate levels of the social and community infrastructure of the police to meet the needs of the community.</p> <p>5. Paragraph 177, stresses that it is important to ensure that there is a reasonable prospect that planned infrastructure is delivered in a timely fashion and that to achieve this infrastructure and development policies should be planned at the same time.</p> <p>The Birmingham Unitary Development Plan</p> <p>6. The Council's current saved policy for the Bournbrook area shows it designated as an 'Area of Development Restraint'. Policy states that strategies are needed here to improve housing conditions and to deal with the problems associated with the high concentration of privately rented properties and houses in multiple occupation, many of which are occupied by students.</p> <p>Much of the area on the south-eastern side of Bristol Road is included within an Area of Restraint (Hi2A) within which planning permission may be refused for further houses in multiple occupation and purpose-built student accommodation.</p> <p>7. The PCCWM support the proposed requirement for planning permission in the identified areas of Selly Oak, Edgbaston and Harborne to change single dwellings into Houses in Multiple Occupation. It is agreed that the character of these areas is being eroded, with the areas</p>		

Comments	Other comments	Response
<p>proposed for inclusion in the Article 4 Direction being areas requiring more stable and less transient accommodation than is often characterised by HMOs. Anything which results in less stable and transient accommodation will hinder the reduction in crime and safekeeping of the public.</p> <p>8. The PPCWM object to the exclusion of Bournbrook from the proposed Article 4 Direction. In this respect, it is appreciated that more HMOs would be unlikely to make any significant difference in this area, however Bournbrook and the student population is a huge drain on Birmingham South Local Policing Unit's resources and numerous campaigns and operations are carried out, usually labour intensive, to make the area safer for all. It is a burglary hot spot.</p> <p>9. The exclusion of the Article 4 Direction from the Bournbrook area will exacerbate the existing conditions which could have been ameliorated against if the Council were able to exercise some control in this regard.</p> <p>10. The control of further HMOs in the Bournbrook area would be supported by the PCCWM, as would support of any strategies to improve housing and the built environment, specifically in relation to designing out crime and anti-social behaviour and would like to see the City Council supporting the ACPO initiative 'Secured by Design'.</p> <p>Conclusions</p> <p>11. The PCCWM support the proposed requirement for planning permission to change single dwellings into Houses in Multiple Occupation in the identified areas of Selly Oak, Edgbaston and Harborne, however, it objects to the exclusion of Bournbrook from the proposed Article 4 Direction. The exclusion of the Article 4 Direction from</p>		

Comments	Other comments	Response
<p>this area will exacerbate the existing conditions which could have been ameliorated against if the Council were able to exercise some control in this regard.</p> <p>12. My client would be grateful if you could reflect these representations when reporting to your Members on the Houses of Multiple Occupation Article 4 - Selly Oak, Edgbaston &amp; Harborne</p> <p>I should be grateful if you would acknowledge receipt of this letter of representation.</p>		
<p><b>144</b> Article 4 Direction (HMOs) Consultation and the Omission of Bournbrook as an Area for the Possible Adoption of this form of Supplementary Planning Regulation</p> <p>You state: National planning guidance has encouraged the promotion of sustainable, mixed and balanced communities. The City Council endorses this and aims to ensure that existing communities throughout the city remain mixed and balanced. [underlining emphasis added by author of this letter]</p> <p>By inference what you are saying is that where a mixed and balanced community exists, then this will be protected via regulation. Where an existing community “throughout the City remain(s) mixed and balanced” then somehow Bournbrook - Selly Oak does not fall within such an over-arching statement and objective. Bournbrook - Selly Oak is: “an existing community” and therefore not some sort of new abstract entity.</p> <p>You state:</p>		<p><i>National planning guidance has encouraged the promotion of sustainable, mixed and balanced communities. The City Council endorses this and aims to ensure that existing communities throughout the city remain mixed and balanced. Many local authorities have, in recent years, argued that areas close to universities cannot easily be maintained as balanced communities given the growth and popularity of both halls of residence and shared housing. Prior to 2010 there were no planning measures to control the latter, provided dwellings were occupied by no more than 6 single people.</i></p> <p><i>The aim of this Article 4 Direction is to manage the spread and concentration of HMOs so as to avert an imbalance. The HMO lobby has identified 10% at which an area is considered imbalanced if dominated by any one particular type of housing and most councils with this policy in place have used between 10-20% to identify areas in danger of becoming imbalanced.</i></p> <p><i>The Article 4 Direction area has been defined by considering the percentages of known HMOs and drawing a boundary around those areas that are at</i></p>

Comments	Other comments	Response
<p>It is our objective to disperse the locations of HMO5 and avoid over-concentrations occurring in future, thus being able to maintain balanced communities. The neighbourhoods included in the proposed Article 4 area have capacity to accommodate further HMO5 in the right locations, but clustering will be avoided. [underlining emphasis added by author of this letter]</p> <p>You clearly do not intend “to disperse the locations of HMOs and avoid over-concentrations” where you see the task as being a lost cause or rather one which is difficult and which could be unpopular to certain factions. And so what is the “future” with regards to Bournbrook - Selly Oak? Dare I say it, and without wishing to sound trite, then the “future” has already arrived as far as Bournbrook is concerned and what do you intend to do about that? From my research then the whole issue regarding whether or not the Bournbrook area of Selly Oak can ever be included in an Article 4 Direction (HMO5) hinges upon intensity/density or clustering.</p> <p>The key argument from the Councils point of view being that of precedent i.e. an area already predominantly being one constituted of Houses in Multiple Occupation (HMO). However, evidence shows that Article 4 Directions (HMO5) can still be applied to areas that are high in the number or concentration of HMO5. A Local Authority is permitted to set the density criteria for HMO5 and there is no guidance given for this via statute. In other words it is a purely a local matter.</p> <p>The Planning Inspectorate has demonstrated that they only look at cases in terms of the National Planning</p>		<p><i>risk of imbalance.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>The Article 4 Direction is subject to periodic review to see if the evidence base continues to apply. We will review the evidence in 12 months’ time to see if changes are required.</i></p>



Comments	Other comments	Response
<p>Policy Framework. I therefore fail to understand why Birmingham City Council do not make (naturally consult firstly) an Article 4 Direction for Bournbrook - Selly Oak on the basis of using the legislation to gradually leverage back a form of “balanced and mixed community.</p> <p>As I have already stated, in essence, whether or not an Article 4 Direction succeeds or fails in its objective is one that revolves purely upon the setting of the density/clustering criteria. As we are all aware, an Article 4 Direction (HMO5) does not rule out applications being made for the conversion of a normal dwelling house into an HMO; it does however bring about much needed regulation. You admit that fact in your statement. The effectively implied blanket statement by the Council that Bournbrook cannot be included in an Article 4 Direction (HMO5) is not acceptable given the points I make here. Furthermore, and on the basis of all the counter arguments expounded by those lobbying about this issue, then it is seemingly incongruous that you are choosing to only include the immediate environs that are adjacent to Bournbrook.</p> <p>Would you please respond to this letter with your fully reasoned arguments as to why you are currently excluding the Bournbrook area in your consultation and hence any possible implementation of an Article 4 Direction (HMOs) for this area of Selly Oak?</p>		
<p><b>145</b> It is the view of the Society that the defined area would benefit substantially from the introduction of an Article 4 Direction to control the growth of Houses in Multiple Occupation. We therefore fully support the action to</p>		<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and</i></p>

Comments	Other comments	Response
<p>control the growth of HMO's in the Article 4 proposal. We do however have serious reservations concerning the exclusion of Bournbrook from the Article 4 area. Especially in view of the large concentrations of HMO's there.</p> <p>Separating Bournbrook from the rest of the Selly Oak Ward seems to do nothing to further the sense of a coherent community whole. Rather negating the city policy of maintaining balanced communities. Birmingham Core Strategy Consultation SP28:</p> <p>In residential neighbourhoods where the conversion of existing residential dwellings has resulted in high concentrations of student accommodation the City Council will take appropriate measures to prevent further conversion of family dwellings where this would:</p> <ul style="list-style-type: none"> <li>• Impact on the quality of the residential environment;</li> <li>• Erode the quality of life of residents within these neighbourhoods;</li> <li>• Hinder the creation of sustainable, mixed communities through the further homogenisation of the neighbourhood.</li> </ul> <p>The present boundary proposal seems to regard Bournbrook as an area the city is prepared to abandon. We note that many other towns (Leeds, Oxford, Worcester, Sandwell, and Sheffield) in the country have taken a different view and seek to rebalance local communities rather than support their destruction. Much of the work of the Society is carried out in Bournbrook and we see examples everyday of poor</p>		<p><i>sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>The Article 4 Direction is subject to periodic review to see if the evidence base continues to apply. We will review the evidence in 12 months' time to see if changes are required.</i></p>

Comments	Other comments	Response
<p>housing management and development. Bournbrook badly needs a means of controlling the excesses of the privately rented HMO market.</p>		
<p><b>146</b> I would like to make a representation on behalf of Platinum Property Partners, a franchise of landlords across the country and four in the Birmingham area who provide high-quality HMOs for professionals, which is shown by the attached brochure.</p> <p>An Article 4 Direction over the Selly Park, Selly Oak, Harborne and Edgbaston parts of Birmingham would lead to difficulty for landlords establishing HMOs, which will in turn result in a decrease in a vital housing supply in the area. HMOs are not only for students, they provide valuable, affordable accommodation in an area where house prices are high and it is increasingly difficult to get on to the housing ladder or afford market rent of a whole property. It is unfair to penalise young professionals, graduates, migrant workers and many others by restricting the supply of this type of accommodation. PPP landlords will be limited by the introduction of such a Direction as the anti-HMO attitude of the council could prejudice a fair assessment of our applications. This will lead to a decrease in the supply of our much-needed properties and contribute to the housing shortage in the area.</p> <p>Rogue landlords will be unburdened by the introduction of an Article 4 Direction and it is they who cause the problems. If there was better policing of the existing licensing and planning regulations then the ‘problem’ areas would improve, it is difficult to see how rogue</p>		<p><i>The Council recognises the contribution of landlords and HMOs in the provision the diverse housing offer in the area. However, the introduction of the Article 4 Direction is not to restrict HMOs at all, it is simply to avoid the concentrations that has led to some areas with very high concentrations of any one house type and so leading to an imbalance in the neighbourhood.</i></p> <p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>The Council has had discussions before during and after the consultation for the Article 4 with landlords forums and recognises the need to continue to support good landlords.</i></p> <p><i>At present Mandatory HMO licensing currently only applies to buildings 3 storeys or above and occupied by five or more tenants as defined by the Housing Act. This means a potentially large number of small HMOs are neither registered nor licenced but operating as a HMO nonetheless.</i></p>

Comments	Other comments	Response
<p>landlords would be caught by the introduction of an Article 4 Direction when they do not obey current regulations.</p> <p>Planning permission does not control the quality of the HMO for which permission is sought, it just controls the land use. Therefore, an Article 4 Direction will do little to address current problems with bad quality HMOs. An Article 4 Direction should prevent rogue landlords from setting up unlawful HMOs, however it may also punish the best landlords by preventing them establishing more good quality HMOs and allowing the illegal ones to flourish, which will do little to improve neighbourhood balance.</p> <p>As an alternative I would like to suggest the council introduce additional or selective licensing which will improve the quality of existing HMOs and regulate environmental issues associated with poor quality accommodation.</p>		
<p><b>147</b> We are writing to you to comment on the above mentioned proposals. We rent and manage approximately 800 properties in the area and are council tax payers.</p> <p>1. I believe the whole basis for setting up the scheme on the 'fact' that HMO's are increasing in a widening area which is encroaching on the more non student areas. I have not seen this evidence in the public domain and fear that the statistics are not being interpreted correctly by Birmingham City Council.</p> <p>Anecdotally we, and many other companies and</p>		<p><i>We have used the most reliable data at our disposal at present, namely the Council Tax exemptions, Mandatory Licences and approvals for C4 Small HMOs and sui generis applications.</i></p> <p><i>The proposals and the boundary have been arrived at on the basis of this. We acknowledge that the data is under represented by about 50% of the actual number of HMOs in operation.</i></p> <p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not</i></p>

Comments	Other comments	Response
<p>landlords active in the area has actually seen a shrinking of the student accommodation catchment area which has been caused mainly by the development of properties in Selly Oak from 4 beds to 6,7,8+ bed properties. Many years ago we would have seen many more properties in Warwards Lane and Milner Road etc being used as student properties. There has been a natural concentration as more residential owners in the main Selly Oak area have sold up for their properties to be converted into student properties.</p> <p>I can understand that to someone who isn't an expert in statistics may interpret the statistics you have about HMO licences being issues could look like the number of HMO's is growing and expanding and jump to that conclusion. The number of licensable HMO's being applied for (which I imagine are the statistics Birmingham City Council are using) will naturally be increasing as more landlords realise they need to be registered, properties change hands, properties which were already non-licensable HMO's were converted and so require a licence. This will look like the number and catchment of HMO's is expanding but I believe the opposite to be true.</p> <p>If you take this to the extreme as an example, when the first two properties were registered as HMO's the catchment area would have been limited to the distance between the two, if you add the next two, the catchment area will appear to have grown and the number of HMO's double. This obviously wouldn't be a realistic representation of what was happening.</p> <p>The council should have access to data about which</p>		<p><i>materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>The proposal has been discussed at length with the various landlords' forums and has been supported. There is a 12 month notice period built in to safeguard landlords so that they are not penalised by the introduction of the Direction without prior notice.</i></p>

Comments	Other comments	Response
<p>properties have received full exemption from council tax due to the tenants being students. I'm sure that if this data was analysed over a period of 10 years it would show a contraction of the catchment area rather than an expansion. I would request that the actual statistics the council are using to put forward this case are published for public scrutiny.</p> <ol style="list-style-type: none"> <li>2. This regulation is going to cost the council money to implement at a time when the council's budget is contracting.</li> <li>3. It's going to prevent not just students but recent graduates and young professionals from renting in the restricted areas in shared accommodation.</li> <li>4. It will reduce the house value of all properties within the restricted area which aren't already rented out as HMO's. This may push some property owners into negative equity.</li> <li>5. If the proposals are to go ahead it will be vitally important that landlords will have deemed usage as a HMO if the property is being rented out on that basis on the date the regulations are brought in OR if the landlord can prove that the property was rented out on that basis in the last 12 months. It is important that this 12 month prior provision is included so that landlords aren't deterred from refurbishing their properties (which would mean their properties may be vacant) during this period.</li> </ol>		

Comments	Other comments	Response
<p>statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>From the information provided with this application, it does not appear to fall within the scope of the consultations that Natural England would routinely comment on. The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority (LPA) to fully take account of the environmental value of this site in the decision making process, LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.</p> <p>When should Natural England be consulted? Unless there are additional local consultation arrangements in place, Natural England should be consulted for all developments where:</p> <ul style="list-style-type: none"> <li>• The proposal requires an Environmental Impact Assessment; or</li> <li>• The proposal affects nationally important landscapes including an Area of Outstanding Natural Beauty or National Park; or</li> </ul>		

Comments	Other comments	Response
<ul style="list-style-type: none"> <li>• The proposal is likely to damage features of a Site of Special Scientific Interest (SSSI); or</li> <li>• The proposal is likely to have a significant effect upon Special Area of Conservation (SAC), Special Protection Area (SPA) or Wetland of International Importance under the Ramsar Convention (Ramsar Sites); or</li> <li>• The proposal could lead to the loss of more than 20 ha of the best and most versatile agricultural land: or</li> <li>• Any minerals and waste development where agriculture is a proposed after use following restoration.</li> </ul> <p>Information on any local consultation arrangements between your authority and Natural England can be found on the Local Resources page.</p>		
<p><b>149</b> We strongly support the establishment of this planning enforcement because a significant part of the area which we serve has similar types of housing as Bournbrook &amp; we have been experiencing similar problem to those experienced by TARA on a lesser scale.</p> <p>We wish to support any initiative that will limit the extension of the change of the environment of the areas surrounding Birmingham University due to the uncontrolled overdevelopment of houses to change them to HMO status. we are concerned that the area of Bournbrook has been excluded as a lost cause &amp; that the lessons to be learned about the ignoring of standards accepted by responsible property owners &amp; landlords are being forgotten or pushed under the carpet.</p>		<p><i>Noted</i></p>



Comments	Other comments	Response
<p>Please listen carefully to the representations made by the City Councillors for our Ward who are in close contact with us.</p>		
<p><b>150</b> Frederick Road and Rachel Garden's Residents Association supports the introduction of an Article 4 planning declaration for Selly Oak and surrounding areas in respect of Houses in Multiple Occupancy (HMO)</p> <p>Background Selly Oak and more particularly Bournbrook are currently blighted by a high proportion of HMO properties most rented to students at the University of Birmingham. We stress that we have no objection to students living in the ward most of who we find to be pleasant neighbours. Our concern is that a large proportion of HMOs in the ward are owned / managed by landlords who overcharge, fail to maintain their properties, fail to repay deposits where they should, do not leave contact details with their tenants, and themselves act as poor neighbours. Many of these landlords have scant regard for the planning process, covert good family houses into mini-hostels for up to 10 students, often perform conversions without planning permission and to a sub-standard quality and frequently flout planning rules by clamming domestic occupancy.</p> <p>The extension made to these properties is often large, unsightly, overlook neighbouring properties, and are out of keeping with the area. Two of our member groups: Langley's Rd Neighbourhood Watch Association and TARA neighbourhood forum have recently reported</p>		<p><i>HMO's play a vital role in the housing provision and on the whole, the vast majority of landlords are responsible people who take pride in the appearance and maintenance of their property and investments. However, there is a small element whose actions or the lack of actions to maintain their properties have caused all residents concern, put the lives of their tenants at risk and continue to breach rules.</i></p> <p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p> <p><i>Breaches of planning conditions can lead to enforcement and prosecution and fines for landlords. The vast majority of landlords comply with the rules.</i></p>

Comments	Other comments	Response
<p>cases of builds which have been dangerous, and have left neighbouring properties in a potentially lethal state. These developments have either had no planning permission or have not built to the approved plans. Owing to the rapid spread of HMOs in recent years Selly Oak as a whole risks slipping into an unhealthy demographic mix where there are too few families to support our primary schools and no sense of community. Some pockets of housing are already in this state.</p> <p>The main reason for the skewed demography of Selly Oak is the geographical context of the University of Birmingham. Unlike other city based universities which are bounded on many sides by residential areas the University of Birmingham is mostly surrounded by areas with no housing. This leaves Bournbrook / Selly Oak and a tiny section of Harborne as the only residential areas within walking distance of the University. Only Bournbrook has a ready supply of inexpensive, easily convertible houses. It is natural then that as the University has expanded Bournbrook and Selly Oak has borne the brunt of the exposition in rented accommodation.</p> <p>The case for regulation</p> <p>In our view Selly Oak should have been protected from such an expansion in HMOs long ago; either by a better application of existing restraints on large HMO's, by better application and enforcement of planning regulations, legislation, or by better provision of halls of residence within the University footprint. Some – not us – would appear regard central Selly Oak as a 'lost cause'. However, there are areas of the ward such as the St Mary's Neighbourhood Forum, Langley's Rd, Selly Park</p>		

Comments	Other comments	Response
<p>South and the Selly Park conservation area where the demographic mix is still reasonably normal and these areas need urgent protection by all measures available including Article 4. These areas are currently proposed for such protection and we wholeheartedly support that proposal.</p> <p>It might be argued that Article 4 restricts the rights of students to choose their place of residence. We would disagree with this. Article 4 does not of itself prevent conversion of a property to a large HMO as this is already regulated by planning rules. Nor does it prevent any individual house from becoming a small HMO as the council retains the power to approve applications under Article 4. Rather by limiting HMO conversions Article 4 will protect the right of all residents, students and non-students alike, to live in a balanced community. It will allow the city to plan HMO expansion in the reasoned way and to better spread the burden of HMO's.</p> <p>I might also be argued that by limiting the available rented housing stock Article 4 will increase rents by restricting the supply of rented housing. This view is most likely based on a false projection of increased student numbers. There is nothing locally in Birmingham or nationally to suggest that student numbers will continue to increase at their recent rapid rates. Undergraduate numbers at the University have stabilised and may even be falling slightly. Any increase in numbers is likely to come from an overseas market which will favour halls of residence style accommodation. We conclude therefore that Article 4 will not unduly limit the supply of rented housing as there is already enough such housing</p>		

Comments	Other comments	Response
<p>available.</p> <p>We see no reason why Article 4 should not be applied successfully in Selly Oak.</p> <p>Mr S Stafford - Chair Frederick Road and Rachel Garden's Residents Association</p>		
<p><b>151</b> Thanks for your prompt reply. I wouldn't disagree with anything in your response.</p> <p>My concern is primarily that in planning terms the need to maintain a mixed and balanced community should be extended to Stirchley Village - just as it has been to parts of Harborne and Edgbaston Wards adjacent to Selly Oak Ward. Otherwise, having excluded those parts of Harborne and Edgbaston Wards adjacent to Selly Oak Ward through an Article 4 direction, the obvious place to "concentrate" HMOs would be Stirchley Village (as it has the same types of properties, Victorian terraces, as in Bournbrook, the properties are still relatively affordable, the area is immediately adjacent to Selly Oak Ward and has a direct and frequent train route to Selly Oak, the University of Birmingham and Birmingham City Centre as well as good bus links all of which make the area attractive to HMO conversion and misbalancing the local community.</p> <p>Already many former commercial properties along Bournville Lane, Stirchley have been converted to HMOs and this conversion is happening in other roads in Stirchley Village. The extension of the Article 4 direction to Stirchley Village and a fixed level of HMO properties</p>		<p><i>The Article 4 Direction needs the Secretary of States approval and as part of that process, we need to justify its introduction and the proposed boundary. We have used the most reliable data sets at our disposal, namely Council Tax exemption records, licenced HMOs, planning approval for C4 uses and sui generis approvals.</i></p> <p><i>The date used to determine the boundary does not indicate that Stirchley is affected to a sufficient level to suggest community imbalance at present.</i></p> <p><i>However, we will review this in 12 months' time to see if changes to the boundary are required.</i></p>

Comments	Other comments	Response
<p>would future proof a mixed and balanced community in, as well as a sustainable future for Stirchley Village.</p>		
<p><b>152</b> Since I was elected in 2012, a significant proportion of my casework has been about Houses in Multiple Occupation (HMOs). This has particularly been the case since July 2013, when a huge number of property extensions started. These issues have included:</p> <ul style="list-style-type: none"> <li>- Failure to observe party wall responsibilities</li> <li>- Failure to apply for planning consent until reported by a third party</li> <li>- Failure to notify Building Control (Acivico) of work commencing</li> <li>- Moving shared access ways to accommodate extensions</li> <li>- Building over shared sewers without the necessary Severn Trent consent (including concreting over damaged sewers)</li> <li>- Skips, including multiple skips per property, without licences</li> <li>- Working outside permitted hours and making excessive noise during permitted hours</li> <li>- Storing building materials and waste on the highway and pavement</li> <li>- Working on the highway and pavement, including using cement mixers</li> <li>- Unsafe working including working at height, disposing of rubble from height, provision of PPE and provision of facilities for workers</li> </ul> <p>Two of the worst cases involved separate builders/ landlords removing chimneys which served as flues for elderly neighbours' gas fires. In both cases, only the</p>		<p><i>All breaches of planning conditions are dealt by enforcement and can lead to fines for landlords.</i></p> <p><i>We rely on a combination of information including those we collect and those that are brought to our attention.</i></p> <p><i>The majority of landlords comply with the rules but we have landlords who flout rules and the Council works with the local community to address concerns often resulting in fines and prosecution.</i></p> <p><i>One way of to better manage the HMOs and their standards is possibly to extend the licencing of HMO with an Additional Licencing Scheme to include all HMOs.</i></p>

Comments	Other comments	Response
<p>intervention of other neighbours who recognised the danger averted tragedy. One of these cases was in the excluded area of Bournbrook, the other was not. My casework as detailed above covers both Bournbrook and the wider area, with particular problems in Langleys Road and Warwards Lane.</p> <p>The insistence of landlords in submitting Householder Applications when they do bother to apply for planning consent particularly annoys residents. Although this may be technically correct, it means they are treated as if they were extending their homes for family use. There has also been substantial drift from permitted development (3-6 bed HMOs) to 7 and more bed HMOs which require change of use consent, for which landlords rarely apply. Removal of permitted developed rights would assist in stopping this.</p> <p>I have also encountered several planning applications which detail an extension to a family home (although the property is already let) at the same time as advertising the property to 8 or more students. When I spoke about one of these at Planning Committee, I – and the Committee – were advised that the decision had to be made on the information on the form submitted. Needless to state, the properties were immediately let as large HMOs on completion of the building work.</p> <p>The landlords who behave in this way seem to behave in a similar way to their tenants:</p> <ul style="list-style-type: none"> <li>- Trying to move students to another property during the exam period</li> <li>- Starting work on ground floor extensions before the end</li> </ul>		

Comments	Other comments	Response
<p>of the tenancy and continuing work once new tenants have moved in</p> <ul style="list-style-type: none"> <li>- Failing to observe privacy rights of tenants – including workers gaining access to properties without notifying tenants</li> <li>- Poor standards of work so that newly extended properties leak or plumbing is not connected</li> <li>- General failure to carry out repairs</li> <li>- Failure to provide contact details of landlord</li> </ul> <p>A more recent development has been complaints from landlords that their properties had been affected by these problems in neighbouring properties. I have also been involved in efforts to clean up the area during the July changeover. I remain convinced that no student leaves for home having first dumped their mattress and carpet on the pavement. This is a failure of landlords to meet their responsibilities.</p> <p>Local residents' organisations have been pro-active in looking for solutions, and have looked at other areas with high levels of HMOs. Experience in these areas indicates that Article 4 is one of a range of measures which will be needed. Many of these areas start from a higher level of HMOs than is suggested in this proposal. Projections of future demand also indicate that any increase in student numbers will be from groups likely to prefer hall of residence accommodation. With over 1500 beds in halls in development (unbuilt) in Selly Oak and Edgbaston, there is a real risk that the over-extended properties in Bournbrook will be unlet in future or become hostel-type accommodation.</p>		

Comments	Other comments	Response
<p>For all these reasons, I support the introduction of an Article 4 direction, which will enable these issues to be addressed with landlords. I am disappointed that Bournbrook has been excluded: if the advice remains that it would not be enforceable, then an alternative range of measures needs to be deployed which include additional licensing and real enforcement of existing powers by Planning, Building Control, and Environmental Health.</p> <p>As a local resident, a “student who stayed”, and a parent of student-aged children, as well as a local representative, I believe that these measures are needed to bring safety, security and a better quality of life to everyone in Selly Oak.</p>		
<p><b>153</b> I write to give my response to the Article 4 consultation in Selly Oak and Harborne concerning the restriction of HMO licensing. I apologise for the lateness of my submission, but have been waiting for responses from officers to questions I have raised about the proposals. As of close of consultation I had yet to receive a response. As such, the questions are re-asked here.</p> <p>Concerns regarding planning in Selly Oak have been the single biggest casework issue that has been brought to me in my nearly three years as a councillor. These generally surround houses being converted into HMOs without planning permission, and inconsiderate, illegal and often life threatening practices by the builders who carry out these works. The response from the council has been historically poor and uncoordinated and I welcome these new efforts to address this issue. I think extra measures to scrutinise and regulate building</p>		<p><i>The definitions of HMOs are a central Government classification and we do not have powers to define our own.</i></p> <p><i>With regards to the proposed policy threshold of 10% across a 100 meter radius, this is something currently being developed and will be out to public consultation.</i></p> <p><i>The threshold based policy approach tackles concentrations of HMO properties and identifies a point beyond which issues arising from concentrations become harder to manage and community cohesion is undermined.</i></p> <p><i>Whilst there is no formal definition of what this point is there is a view that imbalance occurs at around 10% of the population of an area occupying a single tenure type.</i></p>



Comments	Other comments	Response
<p>activity in the area will increase safety and quality of life of residents both in and near HMOs.</p> <p>However I have some concerns surrounding the Article 4 proposals which I would like to be taken into consideration when amending the plans post consultation. These are as follows.</p> <p>1) The proposal is that the threshold for permitting future HMO conversion under the new definition is that the percentage of houses that are HMOs in a 100m radius of the new HMO does must not already exceed 10%. I have asked officers why this threshold was suggested and have yet to receive a response. I cannot support this proposal without being convinced that the reasoning behind it is sound. The reason for this is concerns that have been raised with me that the housing market for students and young people will be restricted to the point where rents are forced upwards and quality decreases. I also have concerns that by restricting too far the numbers of permitted HMOs students will be forced to live a distance from the University of Birmingham that necessitates an expensive commute, and graduates will be restricted in their ability to settle in the area, thus creating a "brain drain". Before I give my support to the proposal I would like to see the studies that were undertaken to arrive at the 10%/100m limit, and understand the impact of other limits that were considered before this one was proposed so that I can be assured that these concerns will not come to fruition.</p> <p>2) The proposal is that buildings in which three or more unrelated people live should be classified as HMOs. My</p>		<p><i>The average occupancy of HMOs is twice that of the average household implying that a 10% property threshold actually reflects a 20% population threshold.</i></p> <p><i>Bournbrook has been excluded because keeping it in would require the entire proposed area to have a minimum threshold of 85% which is the current Bournbrook level. This will not provide the protection the surrounding area requires to be it balanced and therefore the Direction will be deemed irrelevant and unworkable.</i></p>

Comments	Other comments	Response
<p>concern is that this threshold is too low. Most terraced or semi-detached houses in the proposed area could house three people without the need for internal or external adaptation, and as such could easily become family homes again with no changes necessary. For the majority of properties, it is only once the threshold of four unrelated people is reached that any modifications are necessary and that the problems we have seen around conversions actually start to develop. I have approached officers to ask why this threshold is being considered and as yet have received no response.</p> <p>3) The proposal does not concern the Bournbrook area, and this has raised significant concern amongst local residents groups. This is the area that has generated by far the biggest number of complaints about rogue landlords and builders, and evidence suggests that it is already populated by far more HMOs than are officially licenced. Residents, both permanent and students, have raised concerns that by leaving Bournbrook out of the proposal entirely this will in effect abandon the area to unacceptable landlord practices. My view, and that of the majority of residents who have approached me, is that this area requires some form of additional regulation, such as Article 4 restrictions with a higher HMO limit, or retrospective enforcement of planning law where violations have occurred.</p> <p>4) I would be very supportive of additional licencing in both the area proposed and the Bournbrook area.</p>		

End of comments on the proposal and responses

Article 4 Direction  
 Consultation comments on the boundary and responses

Comments	Response
<p>1 It does not need to cover such a large area?</p>	<p><i>The area has been defined based on statistical data relating to concentrations of HMOs and contains neighbourhoods where we aim to avoid high concentrations occurring.</i></p>
<p>2 Extend this to all areas of Birmingham as the areas where HMO's will be in the future will shift anyway.</p>	<p><i>The Article 4 Direction for Selly Oak, Harborne and Edgbaston has been proposed based on statistical data relating to concentrations of HMOs. Selly Oak ward has the highest concentration of all wards in the City.</i></p>
<p>3 Extension to include War Lane.</p>	<p><i>At this moment in time, the statistics do not point to any similar concentrations in this area. However, we will be able to review this in 12 months' time to see if changes to the boundary are required.</i></p>
<p>4 The boundary line is totally bizarre. The proposal is introduced by saying the concerns about HMOs starts with the "Bournbrook area" of Selly Oak. Yet the boundary line excludes all the streets to the southwest of the Bournbrook "high street"! The terms of the proposed Direction require only for new proposal of HMOs to be managed with respect to a total number (for the whole area, or for specified streets within it?). The Direction itself does not commit the Council to doing anything to change existing HMOs in number or in occupancy etc. The boundary should run all along the whole length of the former Bristol Road from Oak Tree Lane to Bournbrook Road, especially as it excludes from the Direction the proposed and existing student housing on the Battery Park, Aston Webb Boulevard and Bristol Road NE of Edgbaston Park Road (which does not convert family homes in any case).</p>	<p><i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.</i></p> <p><i>The Direction cannot be applied of existing HMO's retrospectively.</i></p> <p><i>The area follows boundary lines and where parts of roads are included or excluded, it is to reflect manageable neighbourhoods in planning terms.</i></p> <p><i>Purpose built student accommodation is not included in the remit of this Article 4 Direction.</i></p>
<p>5 Not sure why the roads across from Raddlebarn have been left out</p>	<p><i>The area follows boundary lines and where parts of roads are included or</i></p>

<p>- are they HMO's already?</p>	<p><i>excluded, it is to reflect manageable neighbourhoods in planning terms.</i></p>
<p><b>6</b> Boundary should be extended to ensure restrictions along war lane and Northfield Road i.e. past the site of the Scarlet Pimpernel.</p>	<p><i>The impact of the Direction will be monitored and reviewed in 12 months from the date when it comes into effect. This will present us with an opportunity to consider any amendments as evidenced by the information collected.</i></p>
<p><b>7</b> Bournbrook Road should be included in the Article 4 area. This is the line of defence against further encroachment into Selly Park. The East side of Bournbrook Road so far remains relatively untouched. The same applies to the frontage on the South side of Bristol Road.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p>
<p><b>8</b> The boundaries should be extended to include Bournbrook and Selly Park.</p>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p>
<p><b>9</b> Bournbrook / Selly Oak should not be regarded as beyond redemption. Selly Oak is the commercial and civic centre of the area adjacent to the University.</p>	<p><i>The Bournbrook area will continue to be supported by City Council services. In fact, the Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.</i></p> <p><i>The aim of the Article 4 Direction is to manage the future growth and spread of HMOs in the proposed area so that we retain a balanced community that serves the needs and interests of all those who wish to live, work and enjoy the area.</i></p>
<p><b>10</b> The HMO's in the centre of Harborne have reduced dramatically in the last 30 years, as the houses have been turned back into family homes. No Landlord would turn a family house into an HMO in this</p>	<p><i>The area follows boundary lines and where parts of roads are included or excluded, to reflect manageable neighbourhoods in planning terms.</i></p>

	area, because they are too expensive to purchase to give a rental return to become a viable investment. I would suggest the northern boundary should stop at Old Church Road, St Marys Road, and Abbey Road.	<i>We will be able to review this in 12 months' time to see if changes to the boundary are required.</i>
11	It should be extended to include Stirchley as this area is also rapidly being overtaken by HMOs . HMOs are destroying the community in Stirchley, making house prices fall and putting off anyone with a family from moving to the area.	<i>The data used to determine the boundary does not indicate that Stirchley is affected to a sufficient level to warrant a redraw of the boundary at this stage. However, we will be able to review this in 12 months' time to see if changes to the boundary are required.</i>
12	Seems to cover the area most affected/at risk of the changes.	<i>Noted</i>
13	To include the wider Selly Park/Stirchley area including the Avenues, Hobson/Kitchener/Cecil Roads, where student housing is also on the increase but community could still be retained if action is taken quickly.	<i>The data used to determine the boundary does not indicate that Selly Park/Stirchley is affected to a sufficient level to warrant a redraw of the boundary at this stage. However, we will be able to review this in 12 months' time to see if changes to the boundary are required.</i>
14	I look forward to the enforcement of an Article 4 Direction within the proposed boundary.	<i>Noted</i>
15	I think it has to be this wide or even wider as landlords will set up just outside the line. There is a point which is going to be too far for students to walk. On second thoughts wouldn't it be better if there was a blanket introduction of Article 4 as you will still be considering proximity of other HMOs?	<i>For the purpose of this Direction, the proposed area is considered to be that immediately at risk.</i>
16	Suggest the boundary be increased to cover the whole city so that other areas do not become blighted by the same problem.	<i>There needs to be clear justification for the introduction of an A4D with evidence of the problems it wants to address. At this moment in time, the statistics do not point to any similar concentrations in the city like Bournbrook and Selly Oak.</i>
17	We need more HMOs on the area to allow our wonderful student residence to flourish.	<i>Noted</i>

<p><b>18</b> It needs to include Bournbrook Road - this is one of the roads where there are still a considerable number of family houses, but every time one goes on the market it is at risk of being bought by unscrupulous landlords who don't care how their tenants treat the property/neighbours.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p>
<p><b>19</b> My house on Langleys Road is included, but the top of the road since it is part of the Bournbrook Ward is not included. It is not a very sensible place to draw a boundary in terms of the integrity of the neighbourhood.</p>	<p><i>The boundary is not based on any existing established ward, constituency boundary but rather smaller Super Output Areas. The line is drawn to reflect smaller manageable neighbourhoods and in this instance, the proposed lines are considered to be reflecting the risks identified through the data.</i></p> <p><i>We will be able to review the boundary in 12 months' time to see if changes are required.</i></p>
<p><b>20</b> I'd like to understand why Bournbrook Road is excluded from this Article 4 and propose it be included.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p>
<p><b>21</b> It seems highly appropriate and the council should ensure that it is rigorously enforced.</p>	<p><i>Noted</i></p>
<p><b>22</b> Should include Bournbrook itself to limit numbers of HMOS and attempt to bring the area back to a reasonable standard in terms of the upkeep of properties, gardens etc.</p>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOS is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.</i></p>
<p><b>23</b> We have read FAQ no.7 "Why is the Bournbrook area not included?" and we basically understand this point. But the boundary line of the Bournbrook area is drawn to include BOURNBROOK ROAD itself, where many houses are very</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p>

different (larger building and landscape, semis and detached, character houses, etc), AND A SUBSTANTIAL NUMBER OF THESE ARE NOT HMOs AT PRESENT, especially on the East side. They have an affinity with and join on to the other areas called "Mixed, Balanced and Sustainable".

But the effect of NOT applying "Article 4" to Bournbrook Road along with the other areas will exactly create enormous pressure for the remaining non-HMOs in the road to be swallowed up and converted to HMOs, because it will be the only remaining road in the whole surrounding area NOT to require planning permission for this.

THE RESULTS WILL BE DEVASTATING FOR THE REMAINING FAMILIES IN TERMS OF HOUSE PRICES, MESS, TRAFFIC PROBLEMS AND OTHER NUISANCE. WE SUBMIT THEREFORE THAT ARTICLE 4 SHOULD BE APPLIED TO BOURNBROOK ROAD, OR AT LEAST MOST OF IT, TO PROTECT THEM FROM THIS FATE.

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**24** We believe our part of Langleys Road should be included in the boundary.

*The boundary is not based on any existing established ward, constituency boundary but rather smaller SOAs. The line is drawn to reflect smaller manageable neighbourhoods and in this instance, the proposed lines are considered to be reflecting the risks identified through the data.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**25** Probably it does not extend far enough. Why exclude Bournbrook- that seems very odd.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

**26** I don't think this is a massive issue in areas such as Harborne, as it is so far from the Edgbaston Campus. But areas (such as where i

*Noted*

live on Langleys Road) nearer the uni need this amount of student accommodation at an affordable price.

- |  |   |
|--|---|
| <p><b>27</b> I think it should go into Bournville as I have a great concern about the way the whole character of Selly Oak has been changed. The boundary puts those houses on the edge of the boundary at risk and should be extended.</p>  | <p><i>The data used to determine the boundary does not indicate that Bournville will be affected to a sufficient level to warrant a redraw of the boundary at this stage. However, we will be able to review this in 12 months' time to see if changes to the boundary are required.</i></p>  |
| <p><b>28</b> I am a postgraduate student at the university and no longer live in the area concerned. However I was an undergraduate student there and lived in Selly Oak for 3 years. I agree that it is not a nice place to live. Noisy, dirty and congested. However, I think the proposed Article 4 is the wrong solution. It should be made easier to make a noise or antisocial behaviour complaint and these should be dealt with on an individual basis. Parking should be better policed. The rents were high for student housing even then (2009-2012) and this directive would push them up even further. This would certainly have priced me out of the market, and so forced me out of university.</p> | <p><i>Noted. The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.</i></p> |
| <p><b>29</b> Consider neighbourhood watch or sanctions for the supposed 'anti-social' behaviour.</p>   | <p><i>Noted</i></p>   |
| <p><b>30</b> Harborne, Selly Oak and Selly Park are all huge areas of student population, this 'article' would force them out of these areas and put huge pressure on the small area that they would be allowed to live.</p>   | <p><i>There is no intention to limit the numbers of HMOs; it is simply to manage the spread and concentrations. The policy therefore does not materially reduce the numbers of potential HMOs that could be created to meet demand.</i></p>   |
| <p><b>31</b> Get rid of it.</p>  | <p><i>Noted</i></p>   |
| <p><b>32</b> 'Imposing boundaries' on where people can live seems a lot like 'ghettoization'.</p>  | <p><i>The aim of the Article 4 Direction is to manage the future growth and spread of HMOs in the proposed area so that we retain a balanced community that serves the needs and interests of all those who wish to live, work and enjoy the area.</i></p>  |



<p><b>33</b> As a resident of Bournbrook myself, I do not see the problem of having multiple HMO's in the area. I find the whole concept of the proposed boundary completely unnecessary and feel that the council should be focussing on the more important issues found in Birmingham.</p>	<p><i>The Article 4 Direction is a planning response to the spread of HMOs beyond Bournbrook to the extent that communities are at risk of imbalance. The Direction will not restrict HMOs but simply manage the spread and concentrations.</i></p>
<p><b>34</b> I cannot understand why Bournbrook Road has been excluded from the proposed Area 4. It forms the boundary between Selly Park on one side of the road and Bournbrook on the other and has seen a significant increase in HMOs on the Selly Park side over the past 10yrs. Surely it therefore deserves to be protected like the rest of Selly Park. I feel with the boundary where it is that Bournbrook Road has been lumped together with Bournbrook where most houses are already HMOs and therefore does not warrant consideration for protection. In fact it is more important to do so if you wish to maintain a mixed functioning community which you say is the aim of this project.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p> <p><i>We will be able to review the boundary in 12 months' time to see if changes are required.</i></p>
<p><b>35</b> Scrap the proposed boundary.</p>	<p><i>Noted</i></p>
<p><b>36</b> I especially think Selly Park should be excluded from this.</p>	<p><i>Noted</i></p>
<p><b>37</b> Terrible idea, targeting a group that contributes £1billion to the local economy.</p>	<p><i>The Article 4 Direction does not in any way seek to discriminate against any resident group.</i></p> <p><i>It is a planning tool available to us to help manage the growth and concentration of HMOs within the proposed area. It does not seek to restrict where students or other tenants live.</i></p> <p><i>The Council recognises the value students bring to the area and the city as a whole. The aim is to try and maintain balanced communities by maintaining the concentration of HMOs to avoid unacceptable pressure on services and impact upon the quality of life of all the residents.</i></p>

<p><b>38</b> The proposed boundary includes some of the most popular student roads.</p>	<p><i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs. The area follows boundary lines and where parts of roads are included or excluded, it is to reflect manageable neighbourhoods in planning terms.</i></p> <p><i>We will be able to review this in 12 months' time to see if changes to the boundary are required.</i></p>
<hr/>	
<p><b>39</b> Please do not increase the boundary from where it currently lies.</p>	<p><i>Noted</i></p>
<p><b>40</b> In Harborne it is surprising that War Lane and Harteldon Road have not been included. The downhill side of War Lane in particular is very largely rented accommodation.</p>	<p><i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs. The area follows boundary lines and where parts of roads are included or excluded, it is to reflect manageable neighbourhoods in planning terms.</i></p> <p><i>We will be able to review this in 12 months' time to see if changes to the boundary are required.</i></p>
<p><b>41</b> It looks like a sensible boundary - extending far enough away from the university. If it was any smaller than the danger would be that houses just beyond the boundary would be targeted to be converted in HMOs.</p>	<p><i>Noted</i></p>
<p><b>42</b> Bournbrook Road should be included in the area proposed for Article 4. Presently Bournbrook Road is probably still predominantly made up of single-family houses but HMOs are very rapidly taking over. The character of the road is changing fast and in a highly adverse way. It is not at all clear why you have decided to excluded Bournbrook Road from the Article 4 area - it seems quite arbitrary. If you include it in the Article 4 area you will greatly improve the quality of life for the residents.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p> <p><i>We will be able to review the boundary in 12 months' time to see if changes are required.</i></p>
<p><b>43</b> Please keep the boundary where it currently lies.</p>	<p><i>Noted</i></p>

**44** Bournbrook should be assessed together with Selly Oak etc. What makes it special? I live in Selly Park and all student areas should see the same treatment.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.*

**45** The Bournbrook area needs to be included otherwise this is a morally unfair use of this piece of legislation - supplementary planning regulations.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**46** It is of vital importance Bournbrook should be included in proposed Article 4 Direction, it is a small area that has been damaged beyond repair by developers /landlords/builders. The area has to be protected by the City Council residents have to be protected by legislation to prevent the indiscriminate conversion of terrace houses into H.M.O. properties, the infrastructure is collapsing and the area of Bournbrook is at saturation point. We need help not abandonment from the powers that be.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**47** Ensure all of Langleys Road in included in the Article 4 Direction.

*The boundary is not based on any existing established ward, constituency boundary but rather smaller SOAs. The line is drawn to reflect smaller manageable neighbourhoods and in this instance, the proposed lines are considered to be reflecting the risks identified through the data.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**48** The Bristol Road boundary seems appropriate.

*Noted*

**49** I think the proposed area is far too large and has clearly been done by someone who doesn't understand student housing. Areas where lots of students currently live have been included and other areas where very few or no students live have been left out.

*The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**50** It is essential that both sides of Bournbrook Road are included inside the boundary because the houses on the Eastern side are covenanted and part of Selly Park estate. You would be eroding the boundaries by excluding it. Secondly, your descriptions of the Bournbrook area indicate the whole area is in desperate need of also being included in the Article 4 area. The long-term residents must otherwise feel you have washed your hands of them and their needs.

*Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**51** Do not have a boundary, stop discriminating against students.

*It is a requirement of an Article 4 Direction that an area be defined within which the policy is to apply.*

*The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.*

**52** Further away from the University.

*Noted*

**53** We do not agree with the contention in para 5.1.8 of the public

*The key aim of Article 4 Direction is to manage the spread and concentrations*

report that the inclusion of Bournbrook would 'jeopardise the successful operation of the policy'. Some 15% of the housing stock in Bournbrook is, on the Council's figures, not an HMO and we presume that these houses are in occupation as family homes. We believe this is not an insignificant number and every effort should be made to protect the existing use with an Article 4 Direction.

*of HMOs so as to avert an imbalance. The HMO lobby has identified 10% at which an area is considered imbalanced if dominated by any one particular type of housing.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**54** It really should be extended to cover the main student areas of Bournbrook.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**55** It should not even be proposed. It is a very bad idea.

*Noted*

**56** I live in Tiverton Road, which appears on the map as being in the excluded Bournbrook area. I feel that, because the planners say the number of HMOs already exceeds the level proposed for the rest of the area, is no reason to not defend us now from further building exploitation. Why should we, who live in this area, be subjected to yet more properties being converted to HMOs just because, as this seems to imply, we are already a lost cause. This is faulty reasoning and not fair on local residents in this area. Tiverton Road, in particular, has been like a builders yard for the past year with no builders, apparently, having to gain permission to do anything they want to increase the capacity of these once 2/3 bedroom houses to house 6/8 individuals.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**57** The designated area should include Bournbrook. It is appreciated

*Noted. In the Bournbrook area of Selly Oak, the existing concentration of*

that special, local factors will need to be used when refusing planning permission but the area in terms of density, building fabric and environmental conditions is close to crisis and may be detrimental to the well-being and possibly good health of residents.

*shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**58** Include Bournbrook as well.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**59** Excluding the area of Bournbrook is a serious omission. The Cabinet report spells out in great detail what impact the lack of an adequate local planning policy has created. The cost to the public purse in terms of policing and environmental impact being huge. The Planning Department have the option to create a policy which enables Bournbrook to be included. Refusing to include Bournbrook is just dumping the problem onto the community and other department's budgets.

*The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance. The HMO lobby has identified 10% at which an area is considered imbalanced if dominated by any one particular type of housing.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**60** Beyond Bournbrook to Selly Park and the top end of Selly Oak.

*Noted*

**61** The Boundary should cover all of Selly Oak and its surroundings to ensure there is greater control of the spread. If only Selly Oak is affected by the Article 4 it will just spread to the immediate surrounding areas. The Boundary should definitely include the Heeley Rd. area that has currently been excluded and should enable a better control for the area as a whole.

*The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in*

*streets adjacent to Bournbrook. The Bournbrook area will continue to be supported by City Council services.*

**62** The exclusion of the area bounded by Healey Road, Bournbrook Road, the Selly Oak bypass and Raddlebarn Road is presumably because the houses in this area have been largely taken over by HMO dwellings and few long term residents remain. Are the University, City Council and Landlords prepared to ensure this area is responsibly managed?

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.*

**63** It should include the whole of Selly Oak Ward.

*The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

**64** Bournbrook must not be excluded from the boundary, we need a mixed residential outlook with families and offices for businesses, it is already spoiled so don't ruin it anymore.

*See above (63)*

**65** I think it would be fairer to include the whole ward, although I do understand Bournbrook could be considered a lost cause.

*The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*The Council is working closely with the local community, the Guild of*

*Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.*

**66** Should be expanded to include whole of area and work should be done to prevent the Bournbrook area looking like a third world country.

*See above (65)*

**67** I believe that the Bournbrook area which has a high proportion of HMOs should be included in the zone so as to try and address the balance of that community.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

**68** The boundary as per the document is reasonable, but the area should be extended to include Elmdon Road and Selly Avenue. The document seems to exclude Elmdon Road from this directive.

*The boundary is not based on any existing established ward, constituency boundary but rather smaller SOAs. The line is drawn to reflect smaller manageable neighbourhoods and in this instance, the proposed lines are considered to be reflecting the risks identified through the data. We will be able to review the boundary in 12 months' time to see if changes are required.*

**69** Should be wider boundaries.

*The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.*

*We will be able to review this in 12 months' time to see if changes to the boundary are required.*

**70** I cannot understand why Bournbrook area is not included. Suggestion is that it is not enforceable as landlords have right to object if permission is not granted. What about over rights to a balanced community.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*



71	Please include Bournbrook area.	<i>Noted</i>
72	See above.	<i>Noted</i>
73	The area of the new control is appropriate for the purpose it is designed. In the central area the number of the new blocks of self-contained student rooms has the effect of rising student's expectations and over time private landlords will have to improve or go out of business.	<i>Noted</i>
74	It seems strange to not include Bournbrook in the boundary - it would allow council to control the remaining non-HMO houses and force standards on any future conversions.	<i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i>
75	The boundary should include the whole of Selly Oak – prevent insidious changes to smaller housing i.e. Weelman Croft. Or the larger houses i.e. Langleys that have an increasing opportunity due to an aging population to buy the houses to convert to HMOs. The large gardens offer an opportunity to build larger extensions.	<i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.</i>  <i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable.</i>  <i>We will be able to review the boundary in 12 months' time to see if changes are required.</i>
76	To include Lodge Hill Road (B28) both side.	<i>The boundary has been proposed based on statistical data relating to existing and potential concentrations of HMOs.</i>  <i>We will be able to review this in 12 months' time to see if changes to the boundary are required.</i>
77	By extending existing boundaries, it touches on the Parkinson's Lane. There is going to be enough stress on local services, traffic,	<i>Noted</i>

car parking, schools, rubbish collecting and other infrastructure. We already have the new QE hospital plus the proposed Sainsbury's development, plus the Selly Oak Hospital. We do not need a proliferation of HMOs however such 'an important sector' they are in the housing market.

**78** The council should amend the consultation map to show, after researching it, the current distribution of HMO5 in the curtilage of its proposals so that the real impact of its proposed constraints on development rights could be assessed by those it is consulting. Where other enclaves west of QEH already have a substantial percentage of HMOs these should be excluded from any Article 4 Designation area to provide for young, single keyworkers at the hospital campus who frequently have to do shift work and for whom the NHS no longer makes dedicated housing provision. As they fulfil an essential public function they should rightly be favoured in terms of access to nearby housing provision.

*We will be able to review the boundary in 12 months' time to see if changes are required.*

*Legislation does not permit the planning authority to differentiate between keyworkers and other tenants. Planning consideration is in relation to the use of a property.*

**79** It should be kept as close as possible to the University. I don't think there is any need or more HMOs when you look around half their properties are not fully occupied. If the university went more they should be built in their own back yard.

*Noted*

**80** Confirm agreement of boundary proposal.

*Noted*

**81** We want Bournbrook to be included in the proposed Article 4 direction. There are just a small amount of us in permanent residence left in this area. We love where we live some cannot afford to move, the landlords have no respect or consideration for us.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

<p><b>82</b> Planning permission should be sought for all HMOs regardless of boundaries – key is to know when to limit the amount of HMOs. This should take into account, especially local families and the impact it will have on them and the surrounding institutions currently in Bournbrook we are like sardines in a can. It is always too little too late. Everybody knows what will happen, but greed economics and corruption take hold!</p>	<p><i>Noted</i></p>
<p><b>83</b> Those measures are taken to stop it going further. Appendices 1-4 say it all by wanting to exclude Bournbrook; the council seems to be throwing up its hands.</p>	<p><i>The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.</i></p> <p><i>The HMO lobby has identified 10% at which an area is considered imbalanced if dominated by any one particular type of housing.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.</i></p>
<p><b>84</b> Why is not Bournbrook Road included in this directive? Bournbrook road already has a high level of HMOs which cause disruption to normal residents.</p>	<p><i>Both sides of Bournbrook Road have been excluded from the Article 4 Direction area because, for the purposes of assessing the impact of a change of use, both sides of the road should be taken into account.</i></p> <p><i>We will be able to review the boundary in 12 months' time to see if changes are required.</i></p>
<p><b>85</b> These HMO properties should be used in the areas nearest to the</p>	<p><i>Noted</i></p>

university, and should not be used in residential areas were people feel pressured into moving home due to inconveniences caused i.e. noise, disruption, and parking.

86 Bournbrook should be included.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*We will be able to review the boundary in 12 months' time to see if changes are required.*

87 Boundary should be extended to stop further development and destruction of residential areas.

*Noted*

88 I would like to see Bournbrook included. I understand that the vast majority of dwellings are now HMOs in Bournbrook but would like to see something done to start to redress this balance back to more family dwellings.

*The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.*

*The HMO lobby has identified 10% at which an area is considered imbalanced if dominated by any one particular type of housing.*

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible, resolve them.*

89 I think Bournbrook should be included. The area's been blighted

*See above (88)*

by huge extensions and continual noise for years. Make the landlords, students clean the area up.

<p><b>90</b> The long term residents and owners (not landlords of houses to let) in Selly Oak, Harborne and Edgbaston should have a greater say and influence in the decisions that affect their neighbourhood such as density of population parking and open space. There is very little room for emergency and refuge vehicles</p>	<p><i>Noted</i></p>
<p><b>91</b> I hope you do take Bournbrook into the equation. This madness of mindless pack them in houses has to stop.</p>	<p><i>The key aim of Article 4 Direction is to manage the spread and concentrations of HMOs so as to avert an imbalance.</i></p> <p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>We will be able to review the boundary in 12 months' time to see if changes are required.</i></p>
<p><b>92</b> I am waiting to see what happens.</p>	<p><i>Noted</i></p>
<p><b>93</b></p> <ul style="list-style-type: none"><li>• Why is Bournbrook excluded?</li><li>• Do you feel it is beyond redemption?</li><li>• Should Edgbaston not also be included or do they have their own special plan?</li></ul>	<p><i>In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.</i></p> <p><i>Part of Edgbaston ward is included and this is based on data showing potential concentrations of HMOs in the future.</i></p> <p><i>The Council is working closely with the local community, the Guild of Students, the University and the Police to better manage and respond to issues of unauthorised planning activity, waste, unauthorised building works, the external areas and anti-social behaviour and crime and where possible,</i></p>

*resolve them.  
We will be able to review this in 12 months' time to see if changes to the boundary are required.*

**94** No, but should be extended in the future.

*Noted*

**95** As above, I feel that area should be extended. The Planning Department should be stricter all over Birmingham.

*Noted*

**96** These houses that were once family homes are being altered to accommodate 6 or 7 students which means if each student comes with a car – it's a nightmare – it already is difficult to park outside your own house – There is often all – still people living in these roads that have lived here all their lives because of their circumstances they can't leave and if it wasn't for the car situation could still be happy here.

*Noted*

**97** Bournbrook should be included.

*In the Bournbrook area of Selly Oak, the existing concentration of shared, largely student HMOs is already so great that the community here can no longer be regarded as mixed, balanced and sustainable. The imperative for the City Council here is to prevent the replication of these same high levels in streets adjacent to Bournbrook.*

*We will be able to review this in 12 months' time to see if changes to the boundary are required.*

**98** Include the whole of Bournbrook Road, (along with Luton Road), Croydon Road, Alton Road, if not already included)

*See above (97)*

**99** Extend it to cover Bournbrook

*See above (97)*

End of comments on the boundary and responses



RESPONSE SCHEDULE

ON THE PROPOSAL TO MANAGE THE GROWTH OF HOUSES IN MULTIPLE  
OCCUPATION (HMOS) IN SELLY OAK, HARBORNE AND EDGBASTON

This document is available on Be-Heard and BCC Article 4 Direction web page :