

Delegated decision

August 2021



Confirmation of an Article 4 Direction covering changes of Use from Class C3 to Class C4 in Mount Oswald, Carrville and Belmont in Durham City

Ordinary Decision

Report of Corporate Management Team

Amy Harhoff, Corporate Director of Regeneration, Economy and Growth

Councillor Elizabeth Scott, Cabinet Portfolio Holder for Economy and Partnerships

Councillor James Rowlandson, Cabinet Portfolio Holder for Resources, Investment and Assets

Electoral division(s) affected:

Framwellgate and Newton Hall, Belmont, Neville's Cross

Purpose of the Report

- 1 The purpose of this report is to provide an overview of the response to the consultation on the non-immediate Article 4 Direction made on 13 January 2021 to remove permitted development rights under planning legislation for changes of use from dwelling houses (Class C3) to small Houses in Multiple Occupation (HMOs) (Class C4) in Mount Oswald, Carrville and Belmont in Durham City and to seek authorisation for its confirmation.
- 2 Having considered all of the comments made in response to the consultation and noting the original justification for making the Direction, this report recommends that the proposed Article 4 Direction for Mount Oswald, Belmont and Carrville is confirmed.

Executive summary

- 3 National planning legislation enables a dwelling house occupied as a family home (Class C3) to change to a small HMO with up to six people (Class C4) without the need for a planning application. This is referred

to as 'permitted development'. The effect of an Article 4 Direction is to remove these permitted development rights meaning that an application for planning permission is required for such a change of use. This would enable proposals to be assessed against relevant policies in the County Durham Plan.

- 4 On the 6 March 2020, the Head of Development and Housing under delegated powers agreed to the making of a non-immediate Article 4 Direction to remove permitted development rights in relation to changes of use from Use Class C3 (dwelling house) to Use Class C4 (small HMO). It was agreed that the Direction would apply to the Mount Oswald area, Belmont and Carrville and that the proposed Article 4 Direction should be subject to consultation. A map of the area of the proposed Article 4 Direction is set out at Appendix 2.
- 5 In line with this delegated decision, the proposed Article 4 Direction was 'made' on the 13 January 2021. Statutory publicity on the proposed Direction commenced on the 14 January 2021, with further public consultation being undertaken between the 15 January 2021 and 26 February 2021.
- 6 There were a total of 69 responses to the consultation, with 59 of these responses in favour of the proposed Article 4 Direction. Therefore, the vast majority of respondents to the consultation supported the proposed Article 4 Direction.
- 7 Following the consultation there are two options for the proposed Article 4 Direction. The Direction could be 'confirmed' meaning that it would come into force on 14 January 2022, or alternatively, it could be allowed to lapse. This report recommends that the proposed Article 4 Direction is confirmed. In this context, consideration is given to the original justification for making the Article 4 Direction and the responses to the consultation.
- 8 Following confirmation, as a non-immediate direction it would come into force on 14 January 2022.

Recommendations

- 9 The Head of Development and Housing is recommended to:
 - a) Note the contents of the representations as summarised in paragraph 24 of this report and set out in Appendix 3, the Statement of Consultation; and
 - b) Confirm the non-immediate Article 4 Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 1995 to remove permitted development rights

contained in Class L(b) of Part 3 of Schedule 2 to the Town and County Planning (General Permitted Development) (England) Order 2015 in relation to changes of use from Use Class C3 to Use Class C4 (as defined in the Town and Country Planning (Use Classes) Order 1987). The Direction shall apply to the area shown on the maps at Appendix 2.

Background

- 10 On the 6 March 2020, the Head of Development and Housing under delegated powers agreed to the making of a non-immediate Article 4 Direction¹ to remove permitted development rights² in relation to changes of use from Use Class C3 (dwelling house) to Use Class C4 (small HMO)³. It was agreed that the Direction would apply to the Mount Oswald area, Belmont and Carrville in Durham City and that the proposed Article 4 Direction should be subject to consultation. A map of the area of the proposed Article 4 Direction is set out at Appendix 2.
- 11 In line with this delegated decision, the Article 4 Direction was ‘made’ on the 13 January 2021. The timing of the making of the consultation reflected the impact of the Covid 19 pandemic and associated ‘lockdown’ response and specifically that the student population of Durham City, a stakeholder group who would potentially have an interest in the consultation, had been asked to depart from Durham City. Following the making of the Article 4 Direction, Statutory publicity on the Article 4 Direction commenced on the 14 January 2021 with further public consultation undertaken between the 15 January 2021 and 26 February 2021.

Strategic impact of Durham University and impact of students on communities

- 12 As background to the proposed Article 4 Direction, it is recognised that Durham University is a major asset to Durham City, shaping the built environment, contributing to the cultural and heritage offer, developing highly skilled individuals as well being a major employer and a purchaser of local goods and services. The University is also renowned for its research departments and facilitates business and industrial research, including at NETPark, the North East’s only science park. In this context, the positive impacts of the economic, social and environmental benefits brought about by the University are felt across the county.
- 13 However, there can also be adverse impacts on the amenity of residents in areas where student HMOs are dominant. The use of an Article 4 Direction enables the Council to assess the acceptability of a proposal for an HMO, balancing the contribution that such a conversion will make to meeting housing demand against the potential harm that might be caused to the character and amenity of the surrounding area. There are existing Article 4 Directions covering much of Durham City, Framwellgate Moor, Pity Me and Newton Hall.

¹ Under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995)

² Contained in Class L(b) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015

³ As defined in the Town and Country Planning (Use Classes) Order 1987.

Context to Article 4 Directions

- 14 National planning legislation enables a dwelling house occupied as a family home (Class C3) to change to a small HMO with up to six people (Class C4) without the need for a planning application. This is referred to as 'permitted development'.
- 15 An Article 4 Direction can be made under the Town and Country Planning (General Permitted Development) (England) Order 1995. The effect of a Direction is to remove permitted development rights in relation to the change of use from C3 (dwelling) to C4 (HMO) within the defined area. Within an Article 4 Direction area, a planning application is required for such a change of use.
- 16 An Article 4 Direction can be implemented as an 'immediate' Direction or a 'non immediate' Direction. The Article 4 Direction was made as a 'non immediate' Direction as this has the advantage of overcoming liability for compensation which may otherwise be incurred but means that it cannot come into force for 12 months.
- 17 Paragraph 53 of the National Planning Policy Framework (NPPF) sets out that the introduction of an Article 4 Direction should be limited to situations where an article 4 Direction is necessary to protect local amenity or the well-being of an area and be based on robust evidence, and apply to the smallest geographical area possible.
- 18 It is recognised that HMOs can provide accommodation for a wide range of groups. In County Durham the majority of HMOs are located in Durham City and are occupied by students of Durham University.

Consultation on proposed Article 4 Direction

- 19 Statutory publicity on the Article 4 Direction commenced on the 14 January 2021 by way of a press advert in the Advertiser North with further public consultation being undertaken between the 15 January 2021 and 26 February 2021. In order to publicise the consultation, site notices were displayed across the areas to be covered by the direction, consultees on the Council's spatial policy contact list were notified and the Council promoted the consultation through its website and social media channels.
- 20 During the consultation, two online drop-in events were undertaken, which provided an opportunity to provide further information on the proposals and answer questions. These events were held online in response to the prevailing Covid 19 guidance at the time.
- 21 There were a total of 69 responses to the consultation. Table 1 below sets out the responses to the question 'Do you support the proposed Article 4 Direction?'

Table 1: Overview of responses to the consultation question: Do you support the proposed Article 4 Direction?

Response to: Do you support the proposed Article 4 Direction?	Number of responses	Percentage
Yes	59	86%
No	7*	10%
No answer provided	3**	4%
Total	69	100%

** To note, 6 representations noted that they did not support the proposed Article 4 Direction, but the comments provided in support of the answer indicated that there was a misunderstanding as to the intention and impact of the proposed Article 4 Direction.*

*** 1 of these respondents did not select 'yes' or 'no' but the comments indicated they were in support of the proposal.*

- 22 Respondents were asked whether they supported the proposed Article 4 Direction and to provide any reasons for their response. 59 respondents stated 'yes', that they supported the proposed Article 4 Direction and 7 respondents stated 'no' that they did not support the proposed Article 4 Direction. A further 3 responses to the consultation did not provide a yes / no answer as to whether or not they were in favour of the proposed Direction.
- 23 To note, within the 59 responses in support of the application, analysis indicates 2 respondents each submitted 2 representations in favour of the proposed Article 4 Direction, albeit with different comments. This duplication in response would mean that technically there were 57 respondents in favour of the proposals with 59 responses in support of the proposed Article 4 Direction.
- 24 Furthermore, amongst the 7 responses who stated 'no' they did not support the Article 4 Direction, in 6 of these, the reasoning provided to justify their response indicated there was a misunderstanding as to the intention and impact of the proposed Direction. In these 6 representations concern was expressed about the impact of HMOs in an area. Furthermore, amongst the 3 respondents who did not formally select 'yes' or 'no', 1 of the respondent's comments indicated they were in support of the proposal.
- 25 It is therefore clear that the vast majority of respondents to the consultation were in favour of the proposed Article 4 Direction. This is the case, accounting for duplications in submission and however those responses which noted they did not support the consultation, but where

it is considered there was a misunderstanding as to the intention and impact of the proposed Article 4 Direction, are recorded.

26 The comments received as part of the consultation can be summarised as follows:

- Concentrations of HMOs can change the overall character of an area and have an impact upon an area through the maintenance of the properties and gardens, properties being empty outside of term times, increased refuse at HMO properties and a reduced number of homes available for families;
- Concern over impact of HMOs in other parts of the City outside of the proposed Article 4 Direction Area;
- It is important to retain balance in the proposed Article 4 Direction areas, proposals for HMOs being subject to planning scrutiny will preserve that balance. It was noted that the balance can be impacted upon with multiple HMOs being sited in streets;
- Concern HMOs are spreading out of central residential areas to the outer residential areas. The college and student hub development on Mount Oswald will mean that the area would become more attractive to students;
- The proposed Article 4 Direction would link up with the existing Article 4 Directions in place;
- Representations sought further expansion of Article 4 Direction areas in the City, to expand the boundary of the proposed Direction and to remove permitted development sites by condition on new housing development;
- Concern was expressed over the fact the Direction was a non-immediate direction;
- Disappointed that the consultation was postponed because of Covid 19;
- Support and proud of the University but, concern was expressed in respect of the University's long term expansion plans. University expansion should be restricted;
- There is not sufficient evidence for the Article 4 Direction and the proportions of student HMOs in the Mount Oswald area do not justify the Article 4 Direction; and

- Mount Oswald is intended to deliver mixed use accommodation and is a suitable location for student accommodation.

27 An overview of the consultation is set out in the Statement of Consultation at Appendix 3. The Statement of Consultation includes a schedule of individual comments made and the Council's responses to those comments.

Next steps for the Article 4 Direction

28 Following the consultation there are two options for the Article 4 Direction. The Article 4 Direction could be 'confirmed' meaning that it would come into force on 14 January 2022, or alternatively the Article 4 Direction could be allowed to lapse which would mean it would not come into force. This report recommends that the proposed Article 4 Direction is confirmed. In this context, consideration is given to the original justification for the Article 4 Direction and the responses to the consultation.

29 Four factors were considered as part of the justification for making the proposed Article 4 Direction. These are still considered as being relevant in justifying the Direction. These factors are as follows:

- (a) it can be demonstrated that the areas to be covered by the Direction have experienced concentrations of student properties to an extent to which they will have an impact upon inclusive mixed and balanced communities;
- (b) residents have expressed concerns about the impact of concentrations of HMOs in an area;
- (c) the University Strategy proposes growth in the student population; and
- (d) there has been a continued market demand for HMOs in Durham City.

30 All comments received as part of the consultation have been carefully considered. Responses to these comments have been set out in the Statement of Consultation (Appendix 3). The vast majority of responses to the consultation were in favour of the proposed Direction. Of those submissions which provided representations noting they were not in favour of the proposed direction, there were no comments or evidence provided which justify letting the Article 4 Direction lapse. In terms of the guidance in paragraph 53 of the NPPF, it is considered that the Direction is based on robust evidence and would apply to the smallest geographical area possible.

- 31 On this basis it is recommended that the proposed Article 4 Direction for the Mount Oswald area, Belmont and Carrville is confirmed. Formal publicity is required to publicise the Article 4 Direction, including notifying the Secretary of State. The Article 4 Direction will come into force on 14 January 2022.

Impact of proposed Article 4 Direction

- 32 There are two existing Article 4 Directions relating to the change of use to HMOs, one in Durham City and a further Direction covering Pity Me, Framwellgate Moor and Newton Hall. The Durham City Article 4 Direction was confirmed for a defined area of Durham City and came into force on 16 September 2016. An Article 4 Direction is also in place for Framwellgate Moor, Newton Hall and Pity Me which came into effect on 13 May 2017. The proposed Article 4 Direction would have the impact of extending the area of this coverage.
- 33 When in force, the Article 4 Direction would enable proposals to be assessed against relevant policies in the County Durham Plan and specifically Policy 16.3. This policy seeks to promote create and preserve inclusive, mixed and balanced communities and to protect residential amenity.

Conclusion

- 34 This report has set out the background to the Article 4 Direction, the approach to the consultation and has provided an overview of the comments received as part of the consultation.
- 35 It is noted that the vast majority of responses to the consultation were in favour of the Article 4 Direction. Having considered all of the comments made in response to the consultation and noting the original justification for making the Direction, this report recommends that the Article 4 Direction for Mount Oswald, Belmont and Carrville is confirmed in exercise of delegated powers contained in paragraph 12 of Table 3 of the Delegations to Officers. As a non-immediate Direction, this would come into force on the 14 January 2022.
- 36 The Council will continue to monitor evidence as to whether further Article 4 Directions are required.

Background papers

- Delegated decision ref. RLS 4825: Consideration of an Article 4 Direction covering changes of Use from Class C3 to Class C4 in Mount Oswald, Carrville and Belmont Durham City (06/03/20).

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Appendix 1: Implications

Legal Implications

Statutory publicity is required following the confirmation of the Article 4 Direction.

Finance

There will also be costs involved in the making of the confirmation of the Direction in relation to the publicity procedure.

Compensation is not payable if 12 months prior notice of the withdrawal of permitted development rights is given i.e. a non-immediate Article 4 Direction and that is what is proposed here.

Consultation

Statutory publicity and consultation has been undertaken on the proposed Article 4 Direction. Statutory publicity on the proposed Article 4 Direction commenced on the 14 January 2021 with further public consultation was undertaken between the 15 January 2021 and 26 February 2021.

Equality and Diversity / Public Sector Equality Duty

Section 149 of the Equality Act requires the council when exercising its functions to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council has carefully considered whether there will be any impacts arising from the proposed Article 4 Direction and it is not considered that that this proposal will impact either positively or negatively on any particular group.

The Article 4 Direction would remove permitted development rights for changes of use from dwelling houses (Class C3) to small Houses in Multiple Occupation (HMOs) (Class C4). In Durham City, HMOs appeal to the student population. Students living in HMOs are typically younger age adults and it is recognised that 'age' is a protected characteristic. However, it is not

considered that the Article 4 would prejudice any particular group. The Article 4 Direction would require that a change of use from a dwelling to an HMO would require planning consent. Any application would be considered under relevant planning policies which seek to create and maintain inclusive, mixed and balanced communities. The student population has a range of options for housing, including different types of accommodation and in different locations, therefore the proposed Article 4 Direction would not result in housing needs not being met.

Human Rights

Whilst the proposed withdrawal of PD rights for changes of use from C3 to C4 may impact upon rights under Article 1 of the first Protocol ECHR of owners of C3 properties within the proposed direction area, it is considered that such interference would be in accordance with planning legislation and would also be proportionate.

Crime and Disorder

None.

Staffing

Administration of the scheme will be done within existing staffing levels. It is not known how many applications may be submitted. The use of a 100m threshold for the assessment of HMOs will require the development of a bespoke data set for each application.

Accommodation

None.

Risk

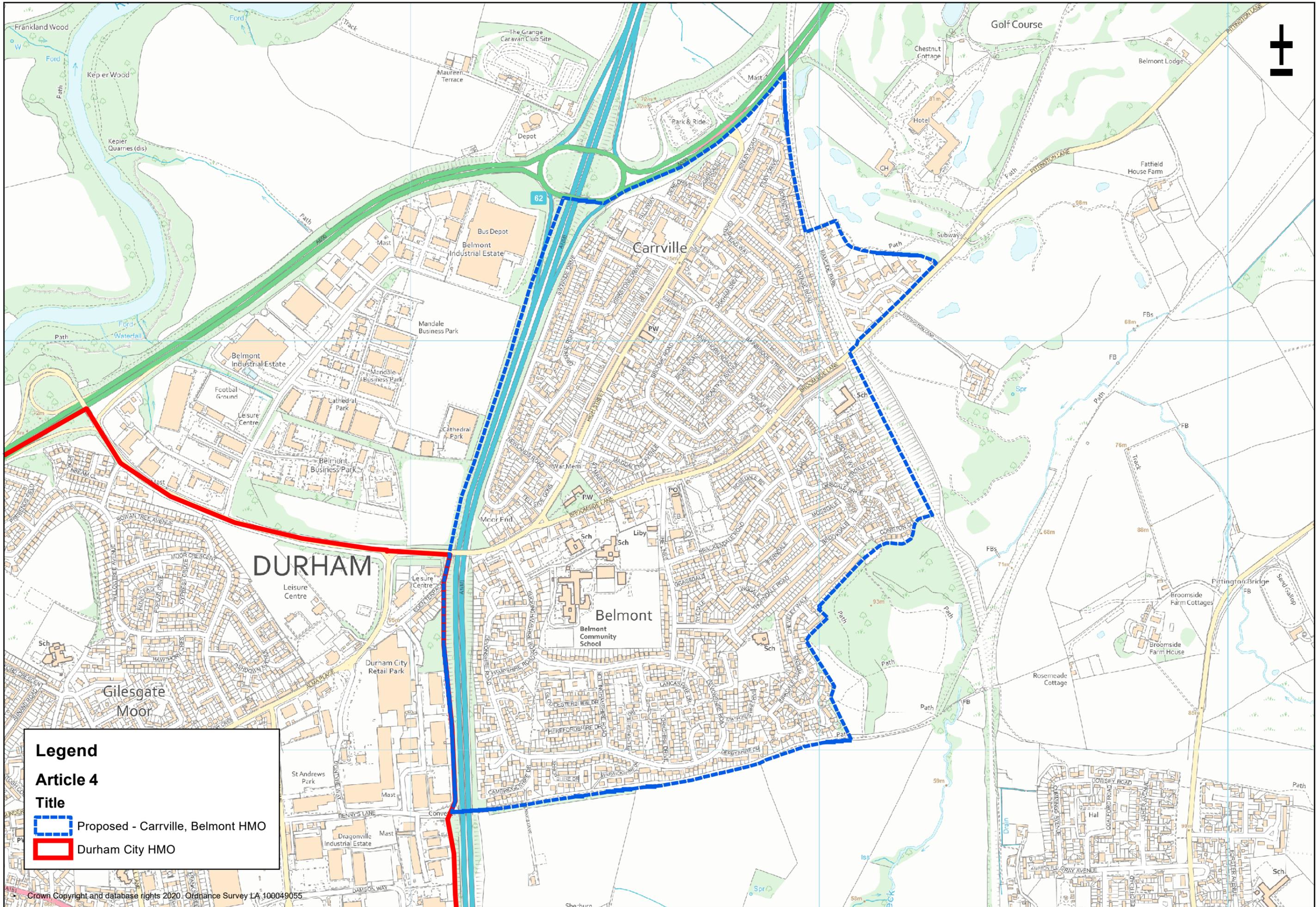
None.

Procurement

None.

Climate Change

None

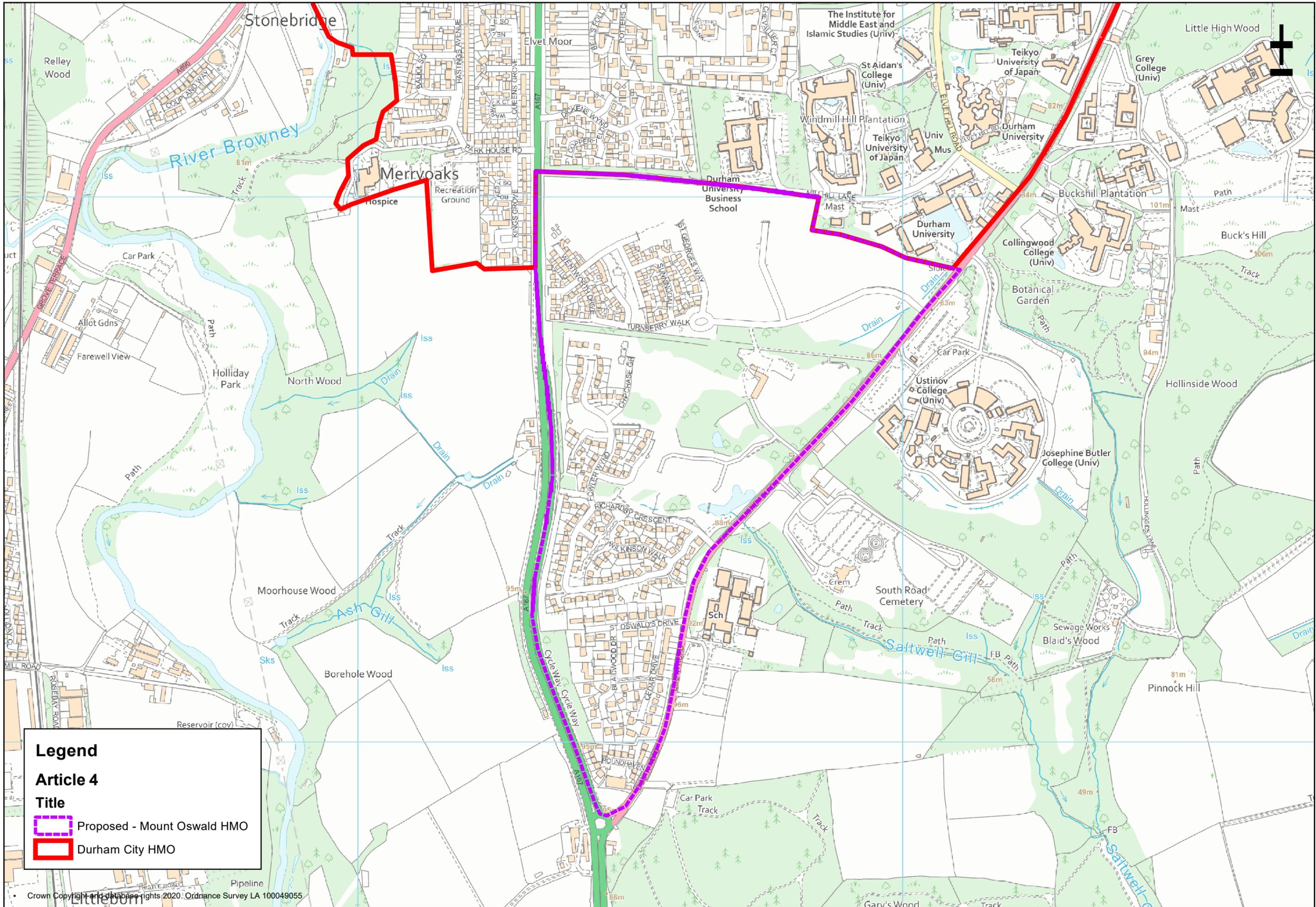


Legend

Article 4

Title

- Proposed - Carrville, Belmont HMO
- Durham City HMO



Legend

Article 4

Title

 Proposed - Mount Oswald HMO

 Durham City HMO

Statement of Consultation

Proposed Article a Direction for Belmont, Carrville and the Mount Oswald Area.

Introduction

This statement of consultation has been developed following the consultation on a proposed Article 4 Direction for Belmont, Carrville and the Mount Oswald Area.

The Statement of Consultation:

- Provides an overview of the background to the proposals;
- Sets out the approach to the consultation;
- Provides an overview of the response to the consultation;
- Sets out the comments received and responses to these comments; and
- Provides an overview of the monitoring questions and responses to these questions.

Background to proposals

National planning legislation enables a dwelling occupied as a family home to change to a small house in multiple occupation (HMO) with up to six people without the need for a planning application. This is referred to as 'permitted development'. The effect of an Article 4 Direction is to remove these permitted development rights meaning that planning permission is required for such a change of use. This would enable proposals to be assessed against relevant policies in the County Durham Plan.

On the 6 March 2020, delegated approval was provided to make and consult on a proposed Article 4 Direction for the Mount Oswald area, Belmont and Carrville. In line with this decision, the proposed Article 4 Direction was 'made' on the 13 January 2021. Statutory publicity on the

proposed Direction commenced on the 14 January 2021, with further public consultation being undertaken between the 15 January 2021 and 26 February 2021.

Overview of consultation approach.

Statutory publicity on the Article 4 Direction commenced on the 14 January 2021, with further public consultation being undertaken between the 15 January 2021 and 26 February 2021. In advance of the consultation and in accordance with the regulations¹, the Article 4 Direction was formally 'sealed' to make the Direction. A copy of the direction was sent to the Ministry of Housing, Communities and Local Government. The statutory press notice appeared in the Advertiser North. Given the Covid 19 restrictions at the time of the consultation with the libraries were closed, the Direction was not deposited in a library.

In order to publicise the consultation, information relating to the Article 4 Direction was made available on the Council's consultation website and social media channels. All of the consultees on the Council's spatial policy database were informed of the proposed Direction via letter or email. This ensured, local members, parish councils and any statutory consultees were informed of the proposed Direction. The Durham City Area Action Partnership was also consulted on the proposed Direction.

To notify local residents, a number of site notices were displayed across the areas to be covered by proposed Direction. This would also serve to publicise the proposals with any local businesses or other stakeholders in the local area. The site notices reflected likely circulation routes and entrances to the estates to ensure the maximum opportunity for interested parties to view the notices.

Other groups were also specifically targeted as part of the consultation who would potentially have an interest in the proposed Direction. This includes Durham University and private sector landlords operating within the County.

During the consultation, two online drop-in events were undertaken, which provided an opportunity to provide further information on the proposals and answer questions. These events were held online in response to the prevailing Covid 19 guidance at the time of the consultation and replaced the traditional face to face drop-in events which have been undertaken in comparable consultations. Upon request, a presentation with question and answer was provided to the Durham University Residents Forum. This provided a further opportunity to raise awareness of the consultation and address queries with a group including representatives from resident groups, City of Durham Parish Council, Durham University and student representatives.

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015. Statutory Instrument No 596. Schedule 3

Overview of the response to the consultation

As part of the consultation, respondents were asked to set out whether they supported the proposed Article 4 Direction. They were also invited to provide any comments in relation to this response. Table 1 sets out responses to whether or not respondents supported the proposed Article 4 Direction.

Table 1: Overview of responses to the consultation question: Do you support the proposed Article 4 Direction?

Response to: Do you support the proposed Article 4 Direction?	Number of responses
Yes	59*
No	7**
No answer provided	3***
Total	69

** To note, within the 59 responses in support of the application, analysis indicates 2 respondents each submitted two representations in favour of the proposed Article 4 Direction, albeit with different comments. This duplication in response would mean that technically there were 57 respondents in favour of the proposals and 59 responses in support of the proposed Article 4 Direction*

***To note, 6 representations noted that they did not support the proposed Article 4 Direction, but the reasoning provided indicated that there was a misunderstanding as to the intention and impact of the proposed Article 4 Direction.*

**** 1 of these respondents did not select 'yes' or 'no' but the comments indicated they were in support of the proposal.*

It is clear that the vast majority of respondents were in favour of the proposed Article 4 Direction. This is the case, accounting for duplications in submission and however those responses which noted they did not support the consultation, but where it is considered there was a misunderstanding as to the intention and impact of the proposed Article 4 Direction, are recorded.

Responses received and comments to responses

As part of the consultation, 69 comments were received on the proposed Article 4 Direction. The comments received as part of the consultation can be summarised as follows:

- Concentrations of HMOs can change the overall character of an area and have an impact upon an area through the maintenance of the properties and gardens, properties being empty outside of term times, increased refuse at HMO properties and a reduced number of homes available for families.
- Concern over impact of HMOs in other parts of the City outside of the proposed Article 4 Direction Area.

- It is important to retain balance in the proposed Article 4 Direction areas, proposals for HMOs being subject to planning scrutiny will preserve that balance. It was noted that the balance can be impacted upon with multiple HMOs being sited in streets.
- Concern HMOs are spreading out of central residential areas to the outer residential areas. The college and student hub development on Mount Oswald will mean that the area would become more attractive to students.
- The proposed Article 4 Direction would link up with the existing Article 4 Directions in place.
- Representations sought further expansion of Article 4 Direction areas in the City, to expand the boundary of the proposed Direction and to remove permitted development sites by condition on new housing development.
- Concern was expressed over the fact the Direction was a non-immediate direction.
- Disappointed that the consultation was postponed because of Covid 19.
- Support and proud of the University but, concern was expressed in respect of the University's long term expansion plans. University expansion should be restricted.
- There is not sufficient evidence for the Article 4 Direction and the proportions of student HMOs in the Mount Oswald area do not justify the Article 4 Direction.
- Mount Oswald is intended to deliver mixed use accommodation and is a suitable location for student accommodation.

Table 2 sets out the individual comments made and the Council's response to these comments. Table 2 notes the respondent, that is who submitted the comment, whether an individual or an organisation. Comments could be submitted anonymously and this is reflected in Table 2. Those responding to the consultation were also invited as an optional requirement to provide any further information about themselves or their organisation to provide context to their response. There were a series of options to choose from in this regard, as well as an opportunity to provide further information. The responses to this question have been included in Table 2 where information was provided. Any personal information provided such as the address of a respondent, has been removed. Those responding to the consultation were asked whether or not they supported the proposed Article 4 Direction and any comments in support of this answer. The Council's responses to the individual comments made are included in Table 2.

Table 2: Individual comments and responses to comments

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	We have already had to move further out of the city than we wanted to, due to the lack of suitable housing for families, which is very much impacted by them being turned into HMOs. It would be a shame if this happened in Mount Oswald and forced us yet further out. I also feel that it is important to maintain a balanced mix of residents in any neighbourhood in order to retain a sense of community, and without regulation this balance has sadly been lost in parts of Durham City. By regulating it now it should hopefully preserve that balance in the other areas.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission.</p> <p>This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>Live in mount Oswald and have a young family. Often go for walks with young boy</p>	Yes	People who own property look after it and maintain the building and surrounding area.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission.</p> <p>This would mean the Council could assess the impacts of the proposal in</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	and cycle with young boy on estate and local woods.			accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes		Support for the proposed Article 4 Direction noted.
Anonymous	I am a resident living in the proposed Article 4 Direction area. I live in the Belmont area with my family.	Yes	I don't feel that houses of multiple occupancy fit in well with the area. They encourage temporary residents who may not have the same respect for the area or its values as the residents. It also pushes up house prices and creates more landlord owned properties. I really don't feel this fits with the ethos of the village.	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	N/a	Yes	I feel that a high concentration of student accommodation will upset the balance of the population. I have no objection to students in	Support for the proposed Article 4 Direction noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>Durham, and no objection to them living amongst the community, as long as there are opportunities for all.</p> <p>Young adults who are not students already have difficulty affording rented accommodation in the city, as it is more profitable to convert a home into HMO and rent individual rooms than to rent a home to a young family. My 30+ year old is living at home for that reason.</p>	<p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>House prices are not a material planning consideration.</p>
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	Yes	<p>Town Centre has changed to largely student living!! Ive lived there, and know the issues, good and bad. We need to keep areas of housing outside the centre as balanced living areas, so student lets dont swamp a Community, as this slowly destroys the essence of community. Community has NEVER been so important, as now!! Durham City area is small and needs to keep some vibrancy in all areas. Too many HMOS will tip this balance, as we have seen, as the residents, making a life here, will see their</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			seivces will gradually shrink, and neighbourhood vibrancy slowly dies. The University must respect these dynamics, and the Planners too.	Article 4 Directions were introduced in Durham City on the 17 th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13 th May 2017.
Anonymous	I am a resident living in the proposed Article 4 Direction area	No	Too many student lets in Durham centre now you want them to take over other area's	<p>It is noted that this representation does not support the proposed Article 4 Direction.</p> <p>However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>Having lived in Durham all my life with my family both on my side and my wife's we have seen the reduction in affordable housing for our siblings orotund Durham by the insurgence of Students and HMO's</p>	Yes	As above about myself	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p> <p>House prices are not a material planning consideration</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>I have lived in Belmont all my life and was only lucky</p>	Yes	Landlords buying up property to rent to students drives up the prices for everyone and pushes people out of the communities they grew up in. The prices in this area are already quite high due to the transport links to Durham and proximity and ease to get to	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	<p>enough to buy property in the area as I knew the lady selling my house and she wanted rid of it as quickly as possible - it was inherited and needed completely renovating so not desirable to first time buyers or families. Instead of auctioning the house she sold it to us directly for a greatly reduced price compared to those in the area. We would have struggled to get enough deposit to buy a house in Belmont otherwise.</p>		<p>Sunderland and Newcastle. It would be awful to have whole streets of only students and families driven out of the village when there is plenty university accommodation buildings being built in Durham city and the surrounding areas (including those recently built on Claypath, the one next to Tesco at Gilesgate, the one at the top of Gilesgate bank next to Dunelm Vets and those currently being developed like the former Three Tuns Hotel).</p>	<p>with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The County Durham Plan includes a policy to consider proposals for Purpose Built Student Accommodation (PBSA) and allocates sites for PBSA</p> <p>House prices are not a material planning consideration</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p>	Yes	<p>Theses HMOs are creeping more and more into the the outer residential areas , there does need to be a control relating to this expansion by landlords ,which is taking the opportunity of owning your own home away from the younger people of the City and the surrounding areas. Durham City is</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>blighted by student accomodation which is given priority and even shops are being converted into HMOs which is affecting the viability of the City as a shopping destination. please bring in the necessary regulation to protect the surrounding areas from landlords who have no interest or respect for what is left of the City and its environs.</p>	<p>of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	I'm a Belmont Parish Councillor and so am aware of the impact of HMO housing in our community.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living outside of the	Yes	None provided	Support for the proposed Article 4 Direction noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	proposed Article 4 Direction area.			
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>We live on the Mount Oswald, Durham estate.</p>	Yes	<p>New houses have been converted, rented , made into HMO accommodation all over the estate! Need controlling with regulations. Some (new) Houses filthy after students move on each year. Residents keep front gardens tidy for them or they would be over -run. Need rules and regulations enforced regarding cleanliness, noise, appropriate behaviour, etc</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	No	Too many students already in that area, parking and too much traffic. Noise and air pollution.	<p>It is noted that this representation does not support the proposed Article 4 Direction.</p> <p>However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				<p>impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>
Anonymous	N/a	Yes	<p>Student HMOs concentrated in one area causes a sad emptiness in an area outside termtime. The greatly increased rents available to landlords also discourages families as in the viaduct area.</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				and in Framwellgate Moor, Newton Hall and Pity Me in 13 th May 2017.
Anonymous	<p>I am a resident living outside of the proposed Article 4 Direction area.</p> <p>Longstanding Durham resident (since 1994)</p>	Yes	<p>I agree with all the points made by the Parish Council about the need to extend the existing Article 4 Direction. The largely uncontrolled spread of HMOs has made Durham a much less attractive place to live in - both visually and as a community. The Article 4 Direction belatedly tries to redress the balance.</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>It is considered that it is appropriate to introduce an Article 4 Direction at this time. The evidence suggests that whilst the concentrations of student households is subject to change year on year in the areas under consideration, the Mount Oswald, Belmont and Carrville areas do appeal to student households. Indeed, there have been instances where the concentrations of student properties at a postcode level have exceeded 10%. It is at this point at which the concentration of HMOs would have a</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				negative impact upon inclusive mixed and balanced communities, the wellbeing of the area and residential amenity. On this basis it is justified to introduce the Article 4 Direction in order to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living in the proposed Article 4 Direction area.	Yes		Support for the proposed Article 4 Direction noted.
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	Further HMO are detrimental to the area.	Support for the proposed Article 4 Direction noted.
Anonymous	I am a resident living outside of the proposed Article 4 Direction area Resident of Nevilles Cross, living on a street where around 40% of properties are	Yes	I fully support the proposed Article 4 Direction. I would wish to see this extended to encompass the full area of the former Durham City Council area. I would also like to see the Direction order extended in scope from its current emphasis on new conversions to HMO in order to	Support for the proposed Article 4 Direction noted. The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald,

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	occupied by students within an HMO.		<p>convert some existing HMO properties back to private dwellings.</p> <p>This should leave HMO occupation as not greater than an agreed % of properties within each postcode area.</p> <p>This action will help to support the newly constructed larger student let developments and should achieve a better balance between town and gown. Your consultation would be easily to follow if it were accompanied by a map showing the proposed area and its proximity to existing Article 4 Direction areas.</p>	<p>Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p> <p>The conversion from a small HMO (Use Class C4) to a dwelling House (Use Class C3) is permitted development and would not require planning permission.</p> <p>Thank you for your feedback on the consultation materials. The Council sought to ensure there was no confusion as to the area proposed for the Article 4</p>

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				Direction. The public presentations provided as part of the consultation did set out a map which included the existing and proposed Direction areas for context.
Anonymous	<p>I am a resident living outside of the proposed Article 4 Direction area</p> <p>I am not sure whether my area is in this new proposal. I moved to my home 26 years ago. At that time, everyone who lived there was a family: the garens and properties were well maintained, children played in the back lane and we had a community of support. Now, with over 75% of the properties being student occupied, however nice individual students are, there is no community. No</p>	yes	anything which would halt the march of domination by students is welcomed. But it is too little too late.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p> <p>I can confirm that your property is within the area of the existing Durham City Article 4 Direction.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	more children live here, the gardens are a disgrace, the properties - apart from mine and a couple of others - left to deteriorate. Where can people now find inexpensive housing in the area?			House prices are not a material planning consideration
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	Yes		Support for the proposed Article 4 Direction noted.
Anonymous	I am a resident living in the proposed Article 4 Direction area	yes	These 3 areas are still primarily residential and need to stay this way as several other DH1 areas are already over used for HMOs and the balance across the district needs addressing so that the city is not destroyed as a desirable area for families.	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.

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Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>me and my partner and 2children live in the area. I chose to live in this area as it is quiet and family orientated</p>	yes	<p>to much student housing stops other people renting it becomes a shortage. Families can't move to the area and use the schools. To many areas have been over ran with landlords buying houses to change to HMOs and it has negative impact. If the universities want more students then they should provide suitable accommodation. If landlords are genuine about renting to students then making harder shouldn't be a problem they will comply, at the moment it's too easy to make a property HMO and people start getting greedy. I have seen other cities and the surrounding areas near to universities wrecked due to the amount of HMOs and the negative impact it has on local residents (Birmingham and Selly oak).Â</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The County Durham Plan allocates 6 sites for purpose built accommodation.</p>
Anonymous	<p>I am a home owner on the Mount Oswald site and have lived there for 3 years. I am a professional</p>	Yes	<p>I have concerns that concentrations of HMOs will negatively impact upon the quality of my area and potentially impact the peace and quality of my life. It</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would</p>

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	working in the medical arena.		<p>also has the potential to negatively affect property prices and the overall appearance of my estate. We have 1000s of students in new accommodation very near to our estate already and I have experienced disruption of my peace already. Been woken in the early hours of the morning with students aimlessly wandering the streets.</p> <p>Students do not pay council tax either, we do and there is always an increase in litter wherever they live.</p>	<p>require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>House prices are not a material planning consideration.</p>
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	yes	We considered moving closer to Durham and this was a big reason why we decided not to. Students moving in next door would cause noise and risk to our children. I completely agree that neighbours need to have the opportunity to object via the planning system.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive</p>

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				<p>mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area</p> <p>I have lived in Belmont for 26 years.</p>	yes	I believe the amount of HMO arising around Belmont and carville is becoming conceding for locals, having an effect on the area and is making it very difficult for locals to find houses for themselves.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	People avoid going into Durham itself because of the student population, and conveying houses up here to HMOs would being the same problems. Houses once owned by generations of families are now lived in by students, meaning people cannot purchase	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance</p>

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			houses in Durham city centre as they once could, or are otherwise put off from doing so due to the student population. To allow easy change of occupancy in these outer areas of Durham would push more people away from the area and mean people would struggle to get on the housing ladder themselves. Especially during times like the pandemic, where on my way to work I see students mixing in large groups with no masks or social distancing, I can't help but think that if they began to move into gilesgate and Belmont etc. that the area would take a turn for the worse.	with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area</p> <p>I have been a resident in the Mount Oswald area for over 30 years.</p>	yes		Support for the proposed Article 4 Direction noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	This definitely needs to happen! There are numerous properties on the mount Oswald estate and Sheraton Park up for rent on Facebook market place for students! The properties should be for families to buy/rent! There are far too many student let's in the Neville's cross ward!	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	Yes	Durham requires a more balanced approach to its rented accommodation sector, as for the size of the city it has a particular high number of students.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

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				Article 4 Directions were introduced in Durham City on the 17 th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13 th May 2017.
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	This seems a reasonable adjustment as there are many young families living in the area. The students already living here are nice but they don't have the same motivation to keep the area tidy - e.g. gardens, rubbish, as the permanent residents. We also have empty houses for much of the year.	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living in the proposed Article 4 Direction area	No	Too many students in that area and making too much of noise and anti social behaviour.	It is noted that this representation does not support the proposed Article 4 Direction. However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	<p>I am a resident living outside of the proposed Article 4 Direction area</p> <p>I live in Durham City, within the existing Article 4 Direction Area.</p>	yes	<p>The relentless conversion of family homes into HMOs is the single biggest problem facing Durham City. Without regulation (and enforcement) this trend will eventually result in the total loss of the permanent resident community in the suburbs, as it has done already in the city centre. This would be to the further detriment of businesses, who already find it difficult to trade in a city with a large student population that is only present for part of the year. The increase in HMOs also places an extremely unfair burden on permanent residents, who pay very high Council Tax in order to subsidise the many students lets that do not. As the existing Article 4 Directions start to limit supply there</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

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			will inevitably be increased pressure on surrounding areas to absorb more HMOs, and this needs to be resisted for the good of the whole city.	
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>Thought this was already in place in mount Oswald as we were told this but the house builder</p>	yes	As above thought it was already a requirement for planning permission to change the hmo	<p>Support for the proposed Article 4 Direction noted.</p> <p>Change of use from a residential dwelling house (C3) to an HMO between 3 and 6 unrelated occupiers (C4) is permitted development, therefore would not require planning permission.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>To note, change of use from a C3 residential dwelling house to a larger HMO (7 or more unrelated occupiers) <i>sui</i></p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				<i>generis</i> would require planning permission.
Anonymous	<p>I am a resident living outside of the proposed Article 4 Direction area.</p> <p>I live in one of the existing Article 4 Direction Areas and I'm a member of the City of Durham Trust and a Parish Councillor on the City of Durham Parish Council. I am also the secretary of the Durham University and Residents' Forum and a member of the University's Community Engagement Task Force.</p>	yes	<p>We have lived in the middle of Durham City for 55 years and seen the University expand from 3,600 students to nearly 20,000 now. The University is a very important and valued presence in the City, as are its students mostly, but the growth was not matched by purpose-built accommodation and therefore the growth was achieved by taking over swathes of mainly working-class family housing. As a result, large parts of the city are empty for five months of the year, the community and services are damaged, and there is no affordable housing for people on modest incomes to live here. There is also chronic anti-social behaviour by a minority of students, making established residents desperate, despairing and worse. For many years the previous City of Durham District Council claimed there was nothing they could do to prevent family homes becoming student</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p> <p>The County Durham Plan policy 16.2 contains 6 allocations for purpose built student accommodation.</p>

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			HMOs. After several more years of campaigning, the County Council accepted that Article 4 Directions could be used. The two that have been introduced are hugely welcome and largely successful, though they cannot turn back into balanced communities the many streets that have become almost entirely student HMOs.	
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	I do not want to end up surrounded by houses full of students who have no respect for their neighbours or the local env	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living in the proposed Article 4 Direction area.	No	I do not support HMO within Carrville and Belmont. The price for privately renting accommodation is already at an extortionate price and buying	It is noted that this representation does not support the proposed Article 4 Direction.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			houses has become even more harder. Turning these two villiahrs into a HMO area will deprive local people to be able to afford to rent or buy driving them away from their home town villiages. This is not fair to loca families and single occupants. If the council then Carrville and Belmont into HMO area the pricing of both buying and renting will become more expensive and it's not right to change homes into shared accommodation.	<p>However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>I detail above my precise location to demonstrate how much the existing University accommodation at Mount Oswald, together with the recently agreed</p>	yes	I detail above my precise location to demonstrate how much the existing University accommodation at Mount Oswald, together with the recently agreed outline planning permission for an additional 850 bed accommodation has on my property and my life. In addition, in this street there are already 3 properties let to Students (well within the Article 4 Direction 100 metre rule). Therefore I feel it imperative to support the extension of the Articel 4 Direction to try to	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	<p>outline planning permission for an additional 850 bed accommodation has on my property and my life. In addition, in this street there are already 3 properties let to Students (well within the Article 4 Direction 100 metre rule). Therefore I feel it imperative to support the extension of the Article 4 Direction to try to alleviate further unreasonable impact on my property and my life. My only concern is that it will not come into effect until 2022 which will not stop even more HMO rentals during 2021, but the Article 4 Direction will have no influence on those already in place.</p>		<p>alleviate further unreasonable impact on my property and my life. My only concern is that it will not come into effect until 2022 which will not stop even more HMO rentals during 2021, but the Article 4 Direction will have no influence on those already in place.</p>	<p>If confirmed, as a non immediate direction, the Article 4 Direction would come into force on 14 January 2022. The previous article 4 Directions relating to HMOs were non immediate directions. A risk of an immediate direction would open the Council up to compensation</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Carole Lattin	N/a	yes	<p>I am sending you an e-mail with the point I wish to make because I have already responded to the consultation on line. The point I am making did not occur to me when I completed that. It relates to coverage of new and as yet unbuilt, residential housing - specifically at Sherburn Road/Bent House Lane. I have just attended the teams consultation and heard the response to my question about whether this development would and could be covered by the new article 4 proposals - and learned that they could not because there is as yet no housing there. I was told that it would be a process of 'wait and see' and that article 4 could be proposed in that area should the development prove popular with student landlords. There would therefore be a delay of two to three years after the residential houses were built. The council surely knows that prospective or existing student landlords buy up such houses off plan. Existing new developments of housing, meant to provide much</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>needed homes for our community therefore fall short of the aspirations of DCC as evidenced in their plan. I have heard that Highgate for example, has 65% student occupation, Sheraton Park has 35%. 450 houses are deemed necessary for residential occupation on the Bent House Lane site but it is more than likely therefore that a minimum of 10% and probably more, would NEVER be available for families. Surely this is not what DCC wishes, yet you are unable to take steps now to limit this.</p> <p>My second question is : why should HMOs being sold by their owners remain HMOs.? Recently, in my street which already has a high student occupancy and is in an Article 4 area, a landlord sold his house. It was bought by another landlord. Why could this house not have been returned to community use? I am an ex-Durham University student myself, but at a time when the university took responsibility for housing its students. Now as a</p>	<p>Any permission for a change of use relates to the property rather than the owner, therefore if a property is sold the use is not affected.</p> <p>However, planning permission is not required for a change of use from a HMO between 3 and 6 unrelated occupiers (C4) to a residential dwelling house (C3).</p> <p>The student exemption from Council Tax is set nationally.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>member of a community which no longer exists because of students, I feel that the damage done by too many students is irreversible. I do not understand why DCC is so eager to support the loss of council tax for its use when this is so much needed. Please take more meaningful steps to halt this student takeover in our suburbs: you have already lost in the City.</p>	
Clare Hammond	N/a	Yes	I support the Article 4 Direction	Support for the proposed Article 4 Direction noted.
Michael Watson, Durham Road Block	<p>I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)</p> <p>Mr Michael Watson on behalf of Durham Road Block</p>	yes	<p>The Durham Road Block management committee and members, whom many are from the aforementioned areas of Mount Oswald, Belmont and Carrville areas, wish to support the proposed DCC Article 4 Direction that would ensure that any change from a family home to a Home in Multiple Occupation (HMO), often for student accommodation, but for other purposes too, would in future, require planning permission from Durham County Council. We would agree with the effect, if approved, of requiring planning permission to</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>change the use of an existing or new-built property from residential (C3) to small HMO (C4). We at DRB identify that County Durham currently has two Article 4 Directions for HMOs: the majority of Durham City (in place from 17 September 2016) and Newton Hall, Framwellgate Moor and Pity Me (in place from 13 May 2017). We acknowledge that Gilesgate Moor and the Sherburn Road estates are included in the original Article 4 Direction. The Article 4 Direction would mean that any change from a family home to an HMO would require planning permission. This would enable the Council to assess the suitability of the proposals in line with the County Durham Plan. DRB identify that some types of housing development or change of use, can be done without the need for planning permission and are known as 'permitted development'. Changing a family house to a small HMO (a shared house of three to six unrelated people with shared things such as kitchen or bathroom) is normally a permitted</p>	<p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>development. DRB further identify that a change of use to a larger HMO (more than six people) needs planning permission. We acknowledge and agree that the Article 4 Direction allows DCC to remove permitted development rights for small HMOs in specified areas, and make planning permission a requirement. DRB looks on favourably and understands the proposed Article 4 Direction, if implemented, would link up with the existing Article 4 Directions in place, with the impact of enlarging the Article 4 Direction area in and around Durham City. We realise that any existing HMOs within the proposed Article 4 area would not be affected by the proposed introduction Article 4 Direction. DRB supports and is proud of the excellent Durham University academic institution for the reasons of a great place of with excellent results, the traditions, history, and employment opportunities and of course the value of the University to the local economy. We welcome and would</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>offer support to students who live in our area if needed. However, as the Article 4 Direction covers the Mount Oswald, Belmont and Carrville area, we agree with DCC that there is strong empirical evidence of a growing number of student households (often HMOs) that have crept up from Durham City, for example, to the unparished area of Gilesgate. This is to the point that there is one street that has 100% HMO student occupancy and another almost with 100%. Other streets there have HMOs with the majority HMO student occupation. Despite this HMO exodus from Durham City, who still have an enduring market demand for HMOs, HMO numbers have now crept into the areas mentioned in this consultation. We, as local people, would like to communicate our concerns within this consultation that concentrations of HMOs can on occasion, unfortunately adversely impact upon residential areas and change the overall character of an area. This change</p>	

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			<p>can be from one of a community of local people, who largely look after their properties, to HMOs with short term stay occupants, who do not take good care of their properties, often with absent landlords not being able to offer checks or be inclined regarding encouraging their tenants to clean up rubbish or keep gardens tidy, for example. There has to be a need to consider the private rented sector in our area as demonstrated in Durham City and Gilesgate, things can quickly escalate regarding multiple HMOs sited in residential streets. DRB also are concerned that the affordable housing properties in our area may not be available for local people to purchase who are trying to get onto the property ladder. For example, this includes our young adults who may have to leave the area to seek affordable housing as affordable properties are bought by private landlords to convert into HMOs. This is already evidenced in Durham City and parts of Gilesgate that has altered the community demographic for</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>ever. Moreover, DRB recognises and offers concerns that Durham University's long term expansion plans indicate a large gradual increase in student numbers over a period of years. The lack of governmental policy and the inability of the local authority for many years to regulate the residential topographies regarding student accommodation are often presenting communities not indigenous to our areas around Durham City and the villages/suburbs. This is a worrying factor in the rise of 'studentification' and the disintegration of established communities. DRB is very concerned that with the future Durham University student population expansion will have a detrimental effect on Durham and the surrounding areas environment with the huge increase of motor vehicles that will occur. There will be added motor vehicle carbon emissions and pollutants in Durham City and the mentioned areas in the Article 4. DRB are apprehensive about the existing</p>	

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			<p>Durham City Direction which the consultation undoubtedly indicates will not be affected by these new proposals. This is in reference to a new large housing development regarding an area of agricultural land at Bent House Lane, Gilesgate, just outside Belmont Parish. This area has been approved and delegated for a housing development within the recently approved County Durham Plan. Discussions are currently ongoing for the building of over 400 houses and its infrastructure. DRB are aware of other housing developments in other parts of Durham City where many properties were acquired when they came onto the market for the purpose of HMO, unfortunately reducing the potential number of new family homes. We are concerned regarding a recurrence of such repetition at the Bent House Lane development. DRB wonder if the existing Durham City Direction boundary could be revised to take account of the newly built properties on the</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>development at Bent House Lane. DRB entirely appreciate that, contrary to the usual prerequisite, the evidence of a requirement cannot stringently be established if the housing has not yet been built. DRB observe that if possible, a caveat or stipulation to be levied on the Bent House Lane planning development, eliminating the HMO component of permitted development rights without having an affect on the other facets of those rights. This would mean on the upshot, that any application for a HMO would require planning permission. DRB offer this observation regarding the matter with a view to see if such a circumstance was possible and to wonder at what stage in the planning procedure should it be necessary. Could it be at the stage of for example, Outline Approval or later at the stage of Reserved Matters, this could be a part of layout and design. In conclusion, DRB offer our full agreement to the implementation of the proposed DCC Article 4 Direction that would</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			ensure that any change from a family home to a Home in Multiple Occupation (HMO), would in future; require planning permission from Durham County Council pertaining to the Mount Oswald, Carrville and Belmont area. A	
Jacqui Salt, Natural England	I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)	N/a	Natural England has no comments to make on the Proposed Article 4 Direction. The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document. Should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.	Response noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
S Overton, Belmont Parish Council	I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)	Yes	Supplementary enquiry from Belmont Parish Council Planning Committee. Belmont Parish Council members have submitted their main response to the above consultation expressing their prime views and support for an Article 4 Direction to cover the areas of Carrville and Belmont which are in our parish. We did not raise the following matter as we did not wish to detract from the main purpose of that consultation and our agreement with confirmation of the Direction. However, we do have a related concern relevant to the existing Durham City Direction which the consultation brief clearly states will not be affected by these new proposals. As is widely known, an area of agricultural land, east of Bent House Lane, Gilesgate, (just outside Belmont Parish) has been approved and delegated for housing within the County Durham Plan. It is currently subject to the possibility of the building of 400+ properties. We have heard of other housing developments in other parts of the city where numerous	<p>Support for the proposed Article 4 Direction noted.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p> <p>The requirement for any conditions as part of planning application are considered as part of the processes of assessing and determining the planning application.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>properties were purchased at the onset of coming on the market for the purpose of multiple occupancy, thus reducing the potential number of new family homes. We seek advice regarding repetition of such practice at Bent House. Will there be a time when the present Durham City Direction boundary can be reviewed to include newly built properties on this site? We fully understand that, contrary to the usual requirement, evidence of need cannot strictly be established if the properties do not yet exist. Would it be possible for a condition to be imposed on the planning development, removing the HMO element of permitted development rights without affecting the other aspects of those rights? This would mean in effect that any application for multiple occupancy would require planning permission. Members raise this issue simply to seek advice and ask further if such a condition was possible at what stage in the planning process should it be required “ at the time of Outline Approval or subsequently</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			under Reserved Matters “ eg. as part of layout and design? If you could clarify the possibilities and offer guidance we would very much appreciate it. With many thanks for your consideration of the matter.	
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	I do not want to see the impact HMOs have had in and around the city centre replicated elsewhere. If the university is allowed to expand further then the housing available for local families will continue to fall and prices will rise. The collapse of the business environment in the city centre is proportional to the decrease in population (excluding students) in the city. The County Council should be adopting a policy to reduce the no. of HMOs	<p>Support for the proposed Article 4 Direction noted.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>The University Strategy is separate to the proposed Article 4 Direction</p> <p>Planning permission is not required for a change of use from a HMO between 3 and 6 unrelated occupiers (C4) to a residential dwelling house (C3).</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes		Support for the proposed Article 4 Direction noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Anonymous	I am a resident living in the proposed Article 4 Direction area	No	HMO would spoil the residential area. Students have already taken over parts of the city and properties are not maintained and makes areas shabby. The city has been ruined.	<p>It is noted that this representation does not support the proposed Article 4 Direction.</p> <p>However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	No	I am a resident in the proposed area for the past 40 years and I believe that there is enough student development already and the proposed area is a family area for families and should remain so	<p>It is noted that this representation does not support the proposed Article 4 Direction.</p> <p>However, it is considered that there may be a misunderstanding as to the intention and impact of the proposed Direction.</p> <p>The proposed Direction would mean that change of use to a small HMO would</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	Yes		Support for the proposed Article 4 Direction noted.
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	Would prefer Belmont to be kept as family homes only.	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	It is quite clear that the mass accommodation of students in private housing has changed the demographic of many areas already in and around Durham. In addition, change of use of existing buildings is occurring all the time to feed the demand for such accommodation. I know personally of long-standing residents moving out from the Mount Oswald area primarily because of the negative impact of the growing student population on day-to-day life. This should not be allowed to continue without control into ever widening areas around Durham. My children have chosen to live in the Belmont/Carville area and have been fortunate enough to obtain property of their own, but the volume of decent quality affordable property available to local people is shrinking fast. The controls proposed would be a very small but welcome step to hopefully assist in ensuring that local people have a reasonable opportunity to live in the area they choose without being surrounded by student tenants in	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>properties owned by faceless landlords, neither of which have much, if any, interest in the current future upkeep of the area. The evidence of this is already all around Durham and the surrounding areas. The University is part of Durham City; it does not own Durham City - yet.</p>	
City of Durham Trust	N/a	yes	<p>The City of Durham Trust is pleased to support your proposed Article 4 Declaration for the areas of Mount Oswald, Belmont and Carrville. The four reasons you give are entirely valid and were explained very clearly by [name removed] in the recent consultation events.</p> <p>They are also supported by the City of Durham Parish Council's excellent evidence report. The Trust agrees with the Parish Council that eventually the whole Parish area should be covered by an Article 4 Direction, but that should follow as a result of a separate proposal and consultation process. We have no intention of</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>As noted, the process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p> <p>The requirement for any conditions as part of planning application are considered as part of the processes of assessing and determining the planning application.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>delaying the implementation of the current proposal.</p> <p>The Trust would also wish to see the forthcoming significant housing developments at Bent House Lane and Sniperley Park protected from the development of HMOs. They have unbalanced many older parts of the City and we would not wish the same to happen to these new areas. We understand that an Article 4 Direction cannot be applied to areas as yet unbuilt, but we think that planning conditions should be applied to protect them.</p>	
Dominic Smith, Barratt Homes	N/a	No	<p>Re: Consultation on Houses in Multiple Occupancy (HMOs) in Mount Oswald, Belmont and Carrville</p> <p>On behalf of Barratt David Wilson Homes North East ('BDW'), I write to you in relation to the above consultation being undertaken by Durham City Council. Barratt are one of the largest housebuilders in the County and have a substantial track record of housing delivery</p>	<p>Objection to proposed Article 4 Direction noted.</p> <p>The following factors were considered to justify the making of an Article 4 Direction for the identified areas and in order to promote mixed and balanced communities and achieve inclusive places:</p> <ul style="list-style-type: none"> • there is evidence of student households (which are generally HMOs) in these areas;

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>over a number of years across County Durham.</p> <p>One of BDW's most successful developments in the County has been our delivery of the residential elements of the Mount Oswald development. The current proposals to extend the Article 4 Direction would cover this development and this is the area to which our comments in this representation relate.</p> <p>The policy basis for Article 4 directions is set out in paragraph 53 of the NPPF, which sets out that such directions should be limited to 'situations where this is necessary to protect local amenity...'. Based on the evidence supporting the proposed Article 4 extension we don't believe that there is sufficient justification that local amenity needs to be protected.</p> <p>The Mount Oswald site, including the BDW development, is being brought forward in line with an approved masterplan. This</p>	<ul style="list-style-type: none"> • residents have expressed concerns that concentrations of HMOs can negatively impact upon residential amenity and change the overall character of an area; • the University Strategy notes a planned increase in student numbers; and • there is a continuing market demand for HMOs in Durham City. <p>In the context of the above evidence, the Article 4 Direction is considered to be in accordance with NPPF paragraph 53 in that it would be necessary to protect local amenity and the well-being of the area.</p> <p>It is considered that Purpose Built Student Accommodation can have a different impact to HMO's located amongst the general housing stock. This is reflected in the policy approach of the County Durham Plan.</p> <p>It is considered that it is appropriate to introduce an Article 4 Direction at this time. The evidence suggests that whilst the concentrations of student households is subject to change year on year in the areas under consideration, the Mount Oswald, Belmont and Carrville areas do appeal to student households. Indeed,</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>masterplan includes student accommodation, which is located to the north east of the site. The masterplan is intended to deliver a mixed use development where specific residential needs, such as student accommodation, are met. On this basis it is unclear why an Article 4 is required for this area as it is clear that it is a suitable location for student accommodation as evidenced by the Council's approval for purpose built student accommodation within the masterplan.</p> <p>The need for Article 4 directions removing Permitted Development rights elsewhere in the City have been based on the percentage of student exempt properties per postcode. Some historically residential areas of the City, such as Viaduct, have over 90% student exempt postcodes in what was originally an area dominated by private residential properties.</p> <p>There is a stark contrast between the above scenario upon which</p>	<p>there have been instances where the concentrations of student properties at a postcode level have exceeded 10%. It is at this point at which the concentration of HMOs would have a negative impact upon inclusive mixed and balanced communities, the wellbeing of the area and residential amenity. On this basis it is justified to introduce the Article 4 Direction in order to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>existing Article 4 directions were introduced and the situation at Mount Oswald. The Council's map showing concentrations of student exempt properties (Student Exemptions - % of Student Exempt properties per postcode - Nov 2020) shows that percentage in the residential areas of the Mount Oswald masterplan are well under 10%. There is a higher concentration to the north- east in the purpose built student accommodation area, which demonstrates that the land use set out within the masterplan is evidently working. The part of the Mount Oswald site closest to the University contains purpose built student accommodation which will meet significant amounts of demand for student accommodation in this part of the City.</p> <p>The removal of Permitted Development rights in an area of the City with under 10% student exempt properties is an</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			unnecessary use of the Article 4 process.	
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area.</p> <p>My family have resided in the Belmont area for over 30 years. Our children have grown up- been to university and returned to still live within this area</p>	yes	The need to retain family housing and the communities of the City of Durham especially within Belmont, Carrville and Mount Oswald. If further addition accommodation is required for the universities, let them develop this requirement within their existing campus areas.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The County Durham Plan allocates 6 sites for purpose built accommodation.</p>
Anonymous	I am a resident living outside of the proposed Article 4 Direction area	Yes		Support for the proposed Article 4 Direction noted.
S Overton, Belmont Parish Council	I am a community/public-based organisation / group / association etc (please tell us the	yes	The members of Belmont Parish Council are strongly in favour of an Article 4 Direction to include Carrville and Belmont. They recognise that there are two	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	<p>name of your organisation, group or association etc).</p> <p>for Mount Oswald, Carrville and Belmont. The views of Belmont Parish Council.</p>		<p>existing Article 4 Directions: one covering most of Durham City (in place since 17 September 2016) and one for Framwellgate Moor, Pity Me and Newton Hall (in place since 13 May 2017). The parish ward of Gilesgate Moor is already part of the Durham City Article 4 Direction and we consider extending this to incorporate Carrville and Belmont would rightly enable regulations pertaining to Houses of Multiple Occupation (HMOs) to be applied consistently across all three wards of the parish.</p> <p>We are aware of 'permitted development' which allows some types of development and changes of use eg. changing a dwelling house to a small HMO (3 - 6 unrelated people sharing facilities), to be undertaken without requiring planning permission, as is the case at present in Carrville and Belmont. Members would greatly welcome the inclusion of these areas in an Article 4 Direction to facilitate</p>	<p>require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>removal of permitted development rights and require proposals to be subject to planning permission.</p> <p>This uniformly applied Article 4 throughout the parish would clearly establish the requirement of planning permission from Durham County Council to change the use of an existing or a newly- built property from residential (C3) to small HMO (C4). Landlords would be in no doubt of the regulation, regardless of geographical parish location and it would enable the County Council to assess the suitability of proposals, like for like, in line with County Durham Plan. Likewise it would assist parish councillors in judging their recommendations.</p> <p>Our concerns regarding the need to control the occurrence of HMOs in the parish stem from our observations as related to the County Council's justification for proposing an Article 4 Direction in Mount Oswald, Carrville and Belmont.</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>As presented in their on-line consultation they read:</p> <p>Proposed Article 4 Direction to cover the Mount Oswald area, Belmont and Carrville.</p> <p>These areas have been identified because:</p> <ul style="list-style-type: none"> • there is evidence of student households (which are generally HMOs) in these areas; • residents have expressed concerns that concentrations of HMOs can negatively impact and change the overall character of an area; • the University Strategy notes a planned increase in student numbers; and • there is a continuing market demand for HMOs in Durham City. <p>We have observed the spread of student occupied HMOs in areas</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>adjoining the parish and note reports of the negative impact where in some instances practically whole streets have become student accommodation. We believe that any future proposed take-up of existing housing stock or new builds in Carrville and Belmont should at least be subject to planning scrutiny and permission. There can be a tendency for short stay occupants, often with absentee landlords, not to take very good care of properties or keep gardens tidy. Also this diversion of stock from family use depletes the availability of affordable homes for people of all ages and due to differing life-styles over-provision of student occupation can affect community cohesiveness.</p> <p>We note that this Proposed Article 4 Direction is presented as a 'non-immediate' Direction and if confirmed would not come into effect until 14th January 2022. Parish Council members would have preferred to see the removal</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>of permitted development rights pertaining to HMOs in force across the whole parish with immediate effect, but understand that the time-scale is to protect against any compensation requirements.</p> <p>Therefore Belmont Parish Council firmly states its support for extension of the Durham City Article 4 Direction to cover Carrville and Belmont and asks Durham County Council to 'confirm' it. Thank you for attention to our views.</p>	
<p>Michael Watson, Carville and Belmont Residents Association (CBRA)</p>	<p>I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)</p> <p>Carville and Belmont Residents Association (CBRA)</p>	<p>yes</p>	<p>In principle the CBRA committee would support the proposed DCC Article 4 Direction that would ensure that any change from a family home to a Home in Multiple Occupation (HMO), often for student accommodation, but for other purposes too, would in future, require planning permission from Durham County Council. We would agree with the effect, if approved, of requiring planning permission to change the use of an existing or new-built property from residential</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>(C3) to small HMO (C4). In the following work find our responses to the DCC consultation.</p> <p>We recognise that County Durham presently has two Article 4 Directions for HMOs: most of Durham City (in place from 17 September 2016) and Newton Hall, Framwellgate Moor and Pity Me (in place from 13 May 2017). We acknowledge that part of our Belmont Parish area at Gilesgate Moor and incidentally the Sherburn Road estates are included in the original Article 4 Direction. The Article 4 Direction would mean that any change from a family home to an HMO would require planning permission. This would enable the Council to assess the suitability of the proposals in line with the County Durham Plan.</p> <p>The CBRA committee identify that some types of housing development or change of use, can be done without the need for planning permission and are known as 'permitted development'.</p>	<p>The University Strategy is separate to the proposed Article 4 Direction</p> <p>The Council has introduced Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p> <p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>Changing a family house to a small HMO (a shared house of three to six unrelated people with shared things such as kitchen or bathroom) is normally a permitted development. We further identify that a change of use to a larger HMO (more than six people) needs planning permission.</p> <p>We acknowledge and agree that the Article 4 Direction allows DCC to remove permitted development rights for small HMOs in specified areas, and make planning permission a requirement. The committee looks on favourably and understands the proposed Article 4 Direction, if implemented, would link up with the existing Article 4 Directions in place, with the impact of enlarging the Article 4 Direction area in and around Durham City. We realise that any existing HMOs within the proposed Article 4 area would not be affected by the proposed introduction Article 4 Direction.</p>	<p>phase, whilst still confirming the proposed Direction area. There is also no scope to amend the boundaries of existing Article 4 Directions.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p> <p>The requirement for any conditions as part of planning application are considered as part of the processes of assessing and determining the planning application.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>CBRA supports and is proud of the excellent Durham University academic institution for the reasons of tradition, history, and employment, and of course the value of the University to the local economy. We welcome and would offer support to students who live in our area if needed.</p> <p>However, as the CBRA covers the Belmont and Carrville area, we agree with DCC that there is strong empirical evidence of a growing number of student households (often HMOs) that have crept up from Durham City to the Unparished area of Gilesgate, to the point that there is one street that has 100% HMO occupancy and another almost with 100%. Other streets there have HMOs with the majority HMO occupation over local residents. Despite this exodus from Durham City, who still have an enduring market demand for HMOs, HMOs numbers have now crept into the Carrville and Belmont area.</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>We, as local people, would like to communicate our trepidations within this consultation. These are that concentrations of HMOs can on occasion unfortunately adversely impact upon residential areas and change the overall character of an area. This change can be from one of a community of local people who largely look after their properties, to HMO's with short term stay occupants who do not take good care of their properties, often with absent landlords not being able to offer checks regarding their occupants to clean up rubbish or keep gardens tidy, for example.</p> <p>There has to be a need to consider the private rented sector in our area as demonstrated in Durham City and Gilesgate, issues can quickly escalate regarding multiple HMO's sited in residential streets to the point there is a cost to the public purse regards local authority and other services having to intervene.</p>	

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			<p>CBRA also are concerned that the affordable housing properties in our area may not be available for local people to purchase who are trying to get onto the property ladder. For example, this includes our young adults, who may have to leave the area to seek affordable housing, as affordable properties are bought by private landlords to convert into HMO's. This is already evidenced in Durham City and parts of Gilesgate that has altered the community demographic for ever.</p> <p>Moreover, the CBRA committee/members offer recognition and offers concerns, that Durham University's long term expansion plans indicate a large gradual increase in student numbers over a period of years. The lack of governmental policy and the inability of the local authority for many years to regulate the residential topographies regarding student accommodation are often presenting communities</p>	

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			<p>not indigenous to our areas around Durham City and the villages/suburbs. This is a worrying factor in the rise of 'studentification' and the disintegration of established communities. Short term tenants in HMO's and absent landlords often do not offer a stabilised community that takes an interest in their local environment including the fellow residential properties in the locality. We are aware that the City of Durham Parish Council, DCC and other services have to spend time and resources dealing with issues associated with HMO's.</p> <p>CBRA are apprehensive about the existing Durham City Direction which the consultation indicates will not be affected by these new proposals. This is in reference to a new large housing development regarding an area of agricultural land at Bent House Lane, Gilesgate, just outside Belmont Parish. This area has been approved and delegated for a housing development within the</p>	

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			<p>recently approved County Durham Plan. Discussions are currently ongoing for the building of over 400 houses and its associated infrastructure.</p> <p>CBRA are aware of other housing developments in Durham City where many properties were acquired for the sole purpose of HMO therefore reducing the potential number of new family homes available for residents. We are concerned regarding a recurrence of such repetition at the Bent House Lane development. CBRA wonder if the existing Durham City Direction boundary could be revised to take account of the newly built properties on the development at Bent House Lane. We entirely appreciate that, contrary to the usual prerequisite, the evidence of requirement cannot stringently be established if the housing has not yet been built.</p> <p>CBRA discern that if conceivable, a limitation could be levied on the Bent House Lane planning</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>development, eliminating the HMO component of permitted development rights without having an effect on the other features of those rights meaning that any application for a HMO would have a requirement of planning permission.</p> <p>This community group offer this observation regarding the matter with a view to see if such a circumstance was possible and to wonder at what stage in the planning procedure should it be necessary. Could it be at the stage of for example, Outline Approval or later at the stage of Reserved Matters, this could be a part of layout and design?</p> <p>In summary, the CBRA committee and members offer our support in positive terms to the implementation of the proposed DCC Article 4 Direction that would ensure that any change from a family home to a Home in Multiple Occupation (HMO), would in future; require planning permission from</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			Durham County Council pertaining to the Mount Oswald, Carrville and Belmont area. CBRA would also like to see, if feasible, some kind of a limitation that could be levied on the Bent House Lane planning development, eliminating the HMO component of permitted development rights.	
Anonymous	N/a	Please select	I support the Article 4 Direction.	Support for the proposed Article 4 Direction noted.
Eric and Lesley Mavin Durham County Council	<p>I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)</p> <p>Councillors Eric and Lesley Mavin, Belmont Division</p>	Yes	<p>As elected County Councillors for the Belmont Division we fully support the implementation of Article 4 in our Ward , in our opinion it is long overdue . When we receive an Application regarding an H M O in our area our hearts sink , H M O for us stands for How Many Others !!!!! Our Communities are being watered down by the influx of students , this is only going to get worse as the University expands . We therefore fully support the implementation of Article 4. We would just like to make a couple of suggestions that we would like to be looked at . Will the new housing development at</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>Benthouse Lane be covered by Article 4 ? Would it be possible for Article 4 to be implemented straight away if the Consultation is favourable , if we wait until January 2022 we may be inundated with H M O s trying to beat the deadline ?</p>	<p>evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The proposed Article 4 Direction does not cover the area of the Sherburn Road housing allocation</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area. There is also no scope to amend the boundaries of existing Article 4 Directions.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
				<p>The requirement for any conditions as part of planning application are considered as part of the processes of assessing and determining the planning application.</p> <p>If confirmed, as a non immediate direction, the Article 4 Direction would come into force on 14 January 2022. The previous article 4 Directions relating to HMOs were non immediate directions. A risk of an immediate direction would open the Council up to compensation</p>
Kelly Hetherington	<p>I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)</p> <p>Residents of Mount Oswald</p>	Yes	We are residents of Mount Oswald and would like to express our support for article 4 to make sure this stays a suitable community to bring up our young children.	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
Liz Brown	<p>I am a resident living outside of the proposed Article 4 Direction area</p> <p>County Councillor Liz Brown for Neville's Cross Ward</p>	yes	<p>As the County Councillor for the Nevilles Cross ward, I wish to express my support for this extension of the Article 4 Direction. Whilst I am not qualified to comment on the extension in Belmont and Carrville, I have watched the building of the new colleges on the Mount Oswald site and realised that the provision of a "Student Hub" and the proximity of transport links into town would mean that this area would become more attractive to students and that private landlords would move in. Something similar happened in Sheraton Park when Ustinov College opened, and this is very much to the detriment of residential amenity. I was disappointed when the original consultation was called off at the 11th hour because of Covid, as we would now be close to adoption date should it have been agreed. Hopefully, this consultation will result in an Article 4 direction for the Mount Oswald area, as in my</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The timing of the consultation following the approval of the proposed direction reflected the impact of the Covid 19 lockdown. In particular this was recognition that the student population has been asked to depart the City and that the student population may have an interest in the proposals.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			opinion, it cannot come soon enough.	
Anonymous	I am a resident living in the proposed Article 4 Direction area	Yes	Belmont & Carville is a close knit community who look out for each other. It is populated predominantly by home owners who have worked hard to own their home and who therefore look after their property, take pride in their property, and respect their area and other residents. They are invested in the area and the community. Residents of HMOs are not. They are transient and have no reason to maintain the house in which they live or to contribute to the community. Can you imagine what would happen to the price of a semi if its neighbour was converted to an HMO. It certainly wouldn't go up in value. It would become a race to jump the Belmont & Carville ship before it was overran. Those who couldn't, would find themselves trapped, unable to find a buyer. Durham is a small city, much smaller than other university cities around the UK. The rapid expansion of the university has	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>The University Strategy is separate to the proposed Article 4 Direction.</p> <p>Article 4 Directions were introduced in Durham City on the 17th September 2016 and in Framwellgate Moor, Newton Hall and Pity Me in 13th May 2017.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>dessimated our city and is now, it seems, threatening to encroach on our suburbs. If left unchecked it will dessimate them too. The local population has been driven from our historic city and if left unchecked from our suburbs too. HMOs should be banned from our suburbs - there should not even be a planning application process. Instead of closing campus sites like Stockton, the university should be opening them. They can provided lecture theatres, libraries, halls of accommodation, and leisure facilities all on one site without forcing the people who have chosen to make Durham their permanent home to leave cheek by jowl with this transient group of people. You need to think about who you represent. Is it your local, permanent residents or the university? It can't be both.</p>	
Anonymous	I am a resident living in the proposed Article 4 Direction area.	Yes	Local people are very proud of being part of this family orientated community. Turning even parts of Belmont and Carrville into student accommodation will have a very	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	I am a resident who has lived in Belmont for 50 years. I have family also living in the area. My children and grandchildren went to local primary schools.		adverse affect on the life of our community. It will also drive up house prices so that younger people will be unable to afford homes in the area, losing the community spirit over time. It is clear for all to see the effect that HMO'S had on our city, there is no community left.	require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	I am a resident living in the proposed Article 4 Direction area I have lived in Belmont for forty years,my children attended local school ,I worked in Belmont at Philips for 33 yrs.	yes	I don't want any student houses to spring up in the Belmont area as they have around Gilesgate.We are a good residential area and don't want the cohesion of our residents to alter.	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
A Shanley, City of Durham Parish Council	I am a community/public-based organisation / group / association etc (please tell us the	Yes	The City of Durham Parish Council would firstly like to take the opportunity to thank Durham County Council for launching this consultation and for the detailed	Support for the proposed Article 4 Direction noted. The proposed Direction would mean that change of use to a small HMO would

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	name of your organisation, group or association etc)		<p>work which has gone into this proposal.</p> <p>The City of Durham Parish Council very much welcomes and supports this proposal of extending the current Article 4 Direction Area to Mount Oswald in our parish. As you are aware, there is a particular concern in the City of Durham parish area around the growing levels of student Houses in Multiple Occupation (HMOs) and the impact that this has on creating and preserving inclusive, mixed and balanced communities.</p> <p>In anticipation of this consultation, the Parish Council contracted the services of a consultant to look into this matter in mid-2020 and we hereby attach her report which supports this proposal. You will see that this report also proposes further extending the Article 4 Direction area beyond that which is proposed at present. We hope that these areas will be considered in the near future by the County Council.</p>	<p>require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>It is noted that the consultancy report: <i>Managing student accommodation development in Durham City</i> reflects work prepared by Durham County Council to inform the preparation of the County Durham Plan and the Durham County Council Report in February 2020 which sought authorisation to make and consult on the proposed Article 4 Direction. The report also includes data and analysis on crime and antisocial behaviour. [This report, an appendix to the City of Durham Parish Council's submission, is at Annex 2 of this Statement of Consultation.]</p> <p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties. This evidence demonstrated that whilst the concentration of student occupied</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>We look forward to seeing this proposal progress.</p>	<p>households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon inclusive mixed and balanced communities.</p> <p>The process for proposing an Article 4 Direction does not allow for amending the boundary following the consultation phase, whilst still confirming the proposed Direction area. There is also no scope to amend the boundaries of existing Article 4 Directions.</p> <p>Should the evidence indicate there is a need for it, the Council will consider and propose further Article 4 Directions as required.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	yes	detail above my precise location to demonstrate how much the existing University accommodation at Mount Oswald, together with the recently agreed outline planning	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
	<p>I live on the Mount Oswald Estate less than 200 metres distance to John Snow College and 300 metres from South College - these two colleges house accommodation for 1000 students. In addition, recent outline planning permission was granted to Banks to construct an additional facility to house 850 students - this would be approximately 25 metres from my front door.</p>		<p>permission for an additional 850 bed accommodation has on my property and my life. In addition, in this street there are already 3 properties let to Students (well within the Article 4 Direction 100 metre rule). Therefore I feel it imperative to support the extension of the Article 4 Direction to try to alleviate further unreasonable impact on my property and my life. My only concern is that it will not come into effect until 2022 which will not stop even more HMO rentals during 2021, but the Article 4 Direction will have no influence on those already in place.</p>	<p>require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p> <p>If confirmed, as a non-immediate direction, the Article 4 Direction would come into force on 14 January 2022. The previous article 4 Directions relating to HMOs were non-immediate directions. A risk of an immediate direction would open the Council up to compensation</p>
Anonymous	<p>I am a resident living in the proposed Article 4 Direction area</p>	Yes	<p>There are now at least 3 HMO in our immediate vicinity within 3 streets. At least 2 of these are very recent adaptations, one currently being adapted for students. The occupants have never made any attempt to engage with or integrate into the community within these</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>streets. This is in stark contrast to the very strong community feel of the residents, who all know each other by name and have built a strong community. Many residents have lived here for more than 30 years. With the new university accommodation extremely close by and within 10 minutes walk from St Oswalds and Cedar Dr it is difficult to see why students need to live in residential areas rather than in university accommodation. Durham is already heavily influenced by the university and while there are positives in that, as residents we would like to keep this area for permanent long term family homes.</p>	<p>with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.</p>
Anonymous	I am a resident living in the proposed Article 4 Direction area	yes	<p>There are now 3 HMOs in our street in the space of 6 houses. Restricting the number of HMOs is essential to maintain the character of the area. Durham University has greatly expanded the number of student beds in the past 5 years (on what was Mount Oswald golf course), there is little need to turn</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The proposed Direction would mean that change of use to a small HMO would require planning permission. This would mean the Council could assess the impacts of the proposal in accordance with the County Durham Plan. Policy 16.3 of the County Durham Plan relates to</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			all the surrounding streets into student residences too.	Houses in Multiple Occupation and seeks to promote, create and preserve inclusive mixed and balanced communities and to protect residential amenity.
Anonymous	<p>Other please explain</p> <p>I am the Community Liaison Officer for Durham University, facilitator to Durham University Residents Forum and the University's Community Engagement Task Force and member of sub-groups associated with the latter.</p>	yes	<p>In principle we support the proposed Article 4 Directions outlined in this consultation.</p> <p>Discussion with local stakeholders in groups organised and facilitated by the University have confirmed that the proposal is overall welcomed by members of those groups. Durham University has previously commented on planning applications for new student-occupied HMOs within the existing Durham City Article 4 Direction area and is aware therefore of how the directions operate, concerns that have been raised, how these have been addressed and, lastly, the benefits local communities experience from having the existing directions in place.</p> <p>In previous consultations prior to the introduction of the existing Article 4 Directions in and around</p>	<p>Support for the proposed Article 4 Direction noted.</p> <p>The Council notes the analysis provided of the University's term time address data. It is assumed that this is taken from the current academic year.</p> <p>The proposed Article 4 Direction boundary was determined by monitoring concentrations of student properties and specifically, the 'Class N' student exemption from council tax. This evidence demonstrated that whilst the concentration of student occupied households is subject to change over the time periods shown, the Mount Oswald, Belmont and Carrville areas appeal to student households. Whilst there has been change in the level of concentrations over the data periods, there are instances where concentrations in these areas exceed 10% and therefore would have a negative impact upon</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>the City, the University acknowledged that they may need to be reviewed as housing needs changed and development of both private sector and University purpose built student accommodation across the area progressed. The directions proposed in this consultation are in line with that, acknowledging changing patterns of occupation and intelligence from planning applications.</p> <p>However, our response has been primarily based on consideration of the stated reasons for putting forward the proposals. We monitor the Threshold Maps for the existing directions and which are produced by Durham County Council to show those areas where HMOs exist / are emerging. We also monitor our own term-time address data. These are the two sources of data we have taken into account in putting forward our consultation response and our comments on the two proposed directions are as follows:</p>	<p>inclusive mixed and balanced communities.</p>

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>On the Belmont / Carrville area - our term-time address data suggests only very limited numbers of students registered as living in the area (approximately 14 students in 13 units of accommodation). It is notable from this data that most of the units of accommodation appear to be single occupancy - though our data only really tells us that there is 1 student living there so it is worthy of acknowledging these could be Post-Graduate students with families, or potentially individual students renting a room. This suggests that the area may be addressing a housing need which is not addressed elsewhere by housing development in areas closer to University sites. We note that single occupancy units would not be classed as HMOs and therefore the proposal would not prevent future student occupation of similar units in the area. It would however support them remaining balanced communities should future HMO development occur in years to come.</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>On the Mount Oswald area - our term-time address data suggests a moderate number of students registered as living in the area (approximately 55 students in 26 units of accommodation). Within this data, almost two thirds (65%) of the units of accommodation house only 1 or 2 students. Again, therefore, an Article 4 direction may not necessarily prevent further students from finding their housing needs addressed by accommodation in this area. What we can see however is that there are 9 units of accommodation with 3 or more students registered as living at each unit within the proposed area. An Article 4 Direction could indeed prevent further loss of non-student housing particularly in the southernmost part of the direction area, where over half of these HMOs are situated and the new David Wilson, 'The Drive at Mount Oswald' development where the remainder are situated.</p>	

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>In conclusion, in the medium to long term, new directions should serve to prevent an over-saturation of HMO accommodation (no matter who the occupants) and balance the fixed-term housing needs of students with those of the permanent residential community. We therefore support the proposed direction for the Mount Oswald area as there is clear evidence it would function in this way in this area. Our data does not suggest student-occupied HMOs are present in the Belmont / Carrville area however, of course, we acknowledge there is a bigger picture and expect this will be considered in reviewing all the consultation responses. The University therefore makes no further comment on the Belmont / Carrville proposal.</p>	
Henry Cumbers, Historic England	N/a	Please select	Dear Sir/Madam, RE: Consultation on new Article 4 directions Mount Oswald area, Belmont and Carrville Thank you for consulting Historic England on new Article 4 directions for Mount Oswald area, Belmont	Response noted.

Respondent	Further information provided about the respondent (optional)	Do you support the proposed Article 4 Direction?	Please provide any comments below in support of your answer	DCC Response
			<p>and Carrville. Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for. Historic England has no representations to make on the proposed Article 4 directions. If you have any queries about any of the matters raised or consider that a meeting would be helpful, please do not hesitate to contact me. Â</p>	

Monitoring questions

Alongside the core consultation questions as to whether or not respondents supported the proposed Article 4 Direction and the reason for this response, additional data was collected as part of the consultation for monitoring purposes. This related to contextual information and information to support equalities and diversity monitoring. The responses provided to the monitoring questions are set out in this section.

Information about the respondent

The response form included a question inviting the respondent to provide more information about themselves from a list of options. This provided contextual information to assist in understanding which groups had responded to the consultation for monitoring purposes. This question does not have bearing on informing the output of the consultation, as a response to the consultation from any group is just as valid as from another.

As set out at Annex 1, this question sought information on whether the respondent was a resident or a student and whether they were living in or outside the of the proposed Article 4 Direction area. This question also asked whether the respondent was a private landlord or a business. In addition, the question also asked if the respondent represented a community group, public-based organisation or association. Respondents could also note whether they considered they formed part of another group. This question was optional.

Table 3: Breakdown of responses to question: Please tell us about yourself?

Response	Number	Percentage*
I am a resident living in the proposed Article 4 Direction area	39	57%
I am a resident living outside of the proposed Article 4 Direction area	13	19%
I am a community/public-based organisation / group / association etc	8	12%
No response provided	8	12%
Other	1	1%
Total	69	101%

* Figures exceed 100% owing to rounding.

Table 3 notes that the majority of respondents to the consultation were residents living within the proposed Article 4 Direction area and that the second largest response group was from residents living outside of the proposed Article 4 Direction. 12% of the respondents were representing community organisations or public sector bodies. Responses in this group included from community and residents' associations and also government statutory consultees. It is of note that private landlords or students either did not respond to the consultation or did not provide a response to this specific question.

Gender

For equality and diversity monitoring purposes, respondents were asked which of the following options best describes their gender. The responses were as follows:

Table 4: Breakdown of response to question: Which of the following options best describes your gender?

Response	Number	Percentage
Female	31	45%
Male	17	25%
No response provided	21	30%
Total	69	100%

Age

Respondents were invited to respond to a multiple choice question relating to their age. This question was included for equality and diversity monitoring purposes.

Table 5: Breakdown of response to question: What is your age?

Response	Number	Percentage*
25-34 years	4	6%
35-44 years	10	14%
45-54 years	9	13%
55-64 years	10	14%
65-74 years	12	17%
75-84 years	5	7%
No response provided	19	27%
Total	69	98%

* Figures do not sum 100% owing to rounding

Disability

Respondents were asked whether or not they were a disabled person. The responses to this question are set out below. This question was included for equality and diversity monitoring purposes.

Table 6: Breakdown of response to question: Do you consider yourself to be a disabled person? This may include any long-standing illness, disability or infirmity which has a substantial effect on your day-to-day life. Long standing means it has lasted, or is likely to last, for at least a year

Response	Number	Percentage
Yes	2	3%
No	46	67%
No response provided	21	30%
Total	69	100%

Conclusion

This statement of consultation has provided an overview of the consultation on the proposed Article 4 Direction for Belmont, Carrville and the Mount Oswald Area.

The Statement of Consultation has provided an overview of the background to the proposals, noting that the effect of an Article 4 Direction is to remove permitted development rights meaning that planning permission is required for a change of use from a family home to an HMO. This would enable proposals to be assessed against relevant policies in the County Durham Plan.

The Statement of Consultation has set out the approach to the consultation. Statutory publicity on the Article 4 Direction commenced on the 14 January 2021, with further public consultation being undertaken between the 15 January 2021 and 26 February 2021. The consultation has met the statutory requirements. In order to publicise the consultation, the Council made use of press notices and publicity on the Council's website and social media. All of the consultees on the Council's spatial policy database were informed of the proposed Direction via letter or email and site notices were displayed across the areas to be covered by proposed Direction. Other groups were also specifically targeted as part of the consultation who would potentially have an interest in the proposed Direction. During the consultation, two online drop-in events were undertaken, which provided an opportunity to provide further information on the proposals and answer questions.

The Statement of Consultation provides an overview of the response to the consultation. Respondents were asked whether they supported the proposed Article 4 Direction and to provide any reasons for their response. Of the 69 responses received, 59 responses stated 'yes', they supported the proposed Article 4 Direction and 7 responses stated 'no', they did not support the proposed Article 4 Direction. A further 3 responses to the consultation did not provide a yes / no answer as to whether or not they were in favour of the proposed Direction.

To note, within the 59 responses in support of the application, analysis indicates 2 respondents each submitted 2 representations in favour of the proposed Article 4 Direction, albeit with different comments. This duplication in response would mean that technically there were 57 respondents in favour of the proposals with 59 responses in support of the proposed Article 4 Direction.

Furthermore, amongst the 7 responses who stated 'no' they did not support the Article 4 Direction, in 6 of these, the reasoning provided to justify their response indicated there was a misunderstanding as to the intention and impact of the proposed Direction. In these 6 representations concern was expressed about the impact of HMOs in an area. Furthermore, amongst the 3 respondents who did not formally select 'yes' or 'no', 1 of the respondent's comments indicated they were in support of the proposal.

It is therefore clear that the vast majority of respondents to the consultation were in favour of the proposed Article 4 Direction. This is the case, accounting for duplications in submission and however those responses which noted they did not support the consultation, but where it is considered there was a misunderstanding as to the intention and impact of the proposed Article 4 Direction, are recorded.

As an output from the consultation, the Statement of Consultation sets out all of the individual comments made and provides responses to these comments.

The Statement of Consultation also compiles and presents for information, monitoring data gathered as part of the consultation.

Annex 1: Consultation response form

Proposed Article 4 Direction Mount Oswald area, Belmont and Carrville.

Background

Some types of development or changes of use can be undertaken without the need for planning permission and are known as 'permitted development'. An Article 4 Direction allows local authorities to respond to the specific needs of their area by removing permitted development rights that would normally apply.

The change of use from a dwelling house to a small HMO is classed as permitted development. A dwelling house is a home occupied by a single person or people living together as a family. A small HMO is a shared house occupied by between three and six unrelated individuals, as their only or main residence and who share basic amenities such as kitchen or bathroom. To note, change of use to a larger HMO, with more than six occupants would require planning permission.

An Article 4 Direction would have the impact of removing the permitted development rights for the change of use to a small HMO. This would mean that planning permission would be required to change a dwelling house to an HMO.

This means when seeking to change a property from a residential property into an HMO, planning permission would need to be sought and approved for the change to be made. Planning officers would consider the proposed change of use and its likely impact against national and local planning policy. Proposals for HMOs which would not meet the requirements set out in policy would not be approved. Where consent is given the property becomes an HMO. Where consent is not given the property would remain as a single household residence. There is a right of appeal against the refusal of planning permission.

County Durham currently has two existing Article 4 Directions relating to houses in multiple occupation HMOs. They are already in place across most of Durham City, Newton Hall, Framwellgate Moor and Pity Me. Durham City's Article 4 Direction came into force on 17 September 2016, and the Article 4 Direction covering Newton Hall, Framwellgate Moor and Pity Me came into force on 13 May 2017.

Proposal for a new Article 4 Direction

The Council is consulting on a further Article 4 Direction that would cover the Mount Oswald area, Belmont and Carrville.

These areas have been identified as requiring an Article 4 Direction on the basis that:

- a) there is evidence of student households (which are generally HMOs) in these areas;
- b) residents have expressed concerns that concentrations of student accommodation in HMOs amongst the general housing stock can negatively impact upon residential amenity and change the overall character of an area;
- c) the University Strategy notes a planned increase in student numbers; and
- d) there is a continuing market demand for HMOs in Durham City.

The proposed Article 4 Direction area if implemented would adjoin the existing Article 4 Directions in place, with the impact of enlarging the Article 4 Direction area in Durham City.

Existing HMOs within the proposed Article 4 area would not be affected by the proposed introduction Article 4 Direction.

The proposed Article 4 Direction would be a 'non immediate' Direction, meaning it would come into force 12 months after publicity requirements are satisfied, subject to confirmation having considered the comments received as part of the consultation. Should the Article 4 Direction be confirmed it would come into force on 14 January 2022.

Have your say

Provide us with your comments on this newly proposed Article 4 Direction by:

- Complete an online feedback form on our website:
<http://durhamcc-consult.limehouse.co.uk/portal/planning/article4hmo>
- register to attend a [public virtual consultation event on 2 February at 10.30am](#)
- register to attend a [public virtual consultation event on 10 February at 7.00pm](#)
- Emailing us at spatialpolicy@durham.gov.uk
- Writing to us: Spatial Policy, Rm 4/24-35, Durham County Council, County Hall, DH1 5UL

Document downloads

 [Privacy notice - spatial policy_\(PDF, 38.6kb\)](#)

Deadline for comments is 5.00pm on 26 February 2021

Consultation feedback questions

Q1. Please tell us about yourself:

- I am a resident living in the proposed Article 4 Direction area
- I am a student living in the proposed Article 4 Direction area
- I am a resident living outside of the proposed Article 4 Direction area
- I am a student living outside of proposed Article 4 Direction area
- I am a private landlord
- I am a business (please tell us your business name)
- I am a community/public-based organisation / group / association etc (please tell us the name of your organisation, group or association etc)
- Other – please explain

Q2. Please indicate if you are responding as an individual or as a collectively as part of a group, organisation, business etc?

- I am responding as an individual (as one person)
- I am responding collectively (on behalf of more than one person)

Q3. Do you support the proposed Article 4 Direction?
<ul style="list-style-type: none">- Yes- No- Don't know / undecided
Q4. Please provide any comments below in support of your answer to Q3.

--

We ask for your following personal details for the purpose of updating you as the Article 4 Direction progresses. You can choose to leave an anonymous comment.

Name
Organisation (if appropriate)
Contact details (postal address or email address)

Note: all comments will be added to our planning consultation system but we won't publish your information. We may use your comments in summary documents, but your name will not be included

Questions about you

Our aim is to involve as many people as possible and, as such, we would like to make sure everyone has the opportunity to become involved. If you could answer a few questions about yourself it will help us to monitor our performance. These questions are optional.

Which of the following options best describes your gender?

- Male
- Female

What is your age?

- 16-24 years 25-34 years
- 35-44 years 45-54 years
- 55-64 years 65-74 years
- 75-84 years 85 and over

Do you consider yourself to be a disabled person? This may include any long-standing illness, disability or infirmity which has a substantial effect on your day-to-day life. Long standing means it has lasted, or is likely to last, for at least a year.

- Yes
- No



JO-ANNE GARRICK LTD
Chartered Town Planner

Managing student accommodation development in Durham City

Prepared for the City of Durham Parish Council

May 2020

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Report prepared by: Jo-Anne Garrick BSc (Hons) MTP(UC) MRTPI
Director
Date: 29 May 2020

1. Introduction

Background

- 1.1 This report has been prepared by Jo-Anne Garrick Ltd. to inform the response by the City of Durham Parish Council to Durham County Council's forthcoming consultation on new Article 4 Directions to remove permitted development rights for the change of use from a dwelling house (class C3) to smaller houses in multiple occupation (HMO) (class C4).
- 1.2 It is fully acknowledged by City of Durham Parish Council that Durham University is a major asset. However, despite the development of new student accommodation, there remains a growing demand for new HMOs. Feedback from the local community highlights that there can be adverse impacts on the amenity of residents in areas where student HMOs are dominant. The City of Durham Parish Council therefore considers the use of Article 4 Directions are a vital tool to enable a full assessment of the acceptability of proposals for HMOs within the parish.
- 1.3 This report considers the available evidence on the impact of HMOs within the parish, focusing mainly on areas which are not managed through the existing Article 4 Direction.

Format

- 1.4 The report is structured as follows:
 - section two provides some background to HMOs and controls that are in place in the city as well as the proposals to extend the area covered by Article 4 Directions;
 - section three considers the available evidence; and
 - section four identifies issues that the parish council could consider as part of its response to the forthcoming consultation by Durham County Council on additional Article 4 Direction within the parish.

2. Background

House in Multiple Occupation

- 2.1 The Housing Act (2004) clarifies the definition of a house in multiple occupation (HMOs). HMOs are where three or more people forming separate households live together in a residence. In 2010, amendments were made to the Use Classes Order and the General Permitted Development Order, which allowed change between a conventional dwelling house (use class C3) into a small HMO (class C4) without requiring planning permission. A small HMO is defined where three to six people, forming more than one household, live in a dwelling house. Large HMOs, which are those where more than six people form more than one household live in a dwelling house, fall within the sui generis use class, therefore planning permission is required for conversion of a property to a large HMO.
- 2.2 Neither the National Planning Policy Framework (NPPF) nor National Planning Practice Guidance (NPPG) set out any specific guidance on HMOs. However, local planning authorities have the power to introduce Article 4 Directions which remove certain permitted development rights. Where these are introduced, they require development which would normally be considered permitted development, therefore not requiring planning permission, to be subject of a planning application.
- 2.3 An Article 4 Direction can only be made where the local planning authority is satisfied that it is expedient that development, which would normally be considered permitted development, should not be carried out unless planning permission is first granted through the formal planning application process. The making of an Article 4 Direction should be limited to situations where this is necessary to protect local amenity or the well-being of the area. Evidence is therefore required to justify the removal of permitted development rights.

Article 4 Directions controlling HMOs in Durham

- 2.4 There are existing Article 4 Directions covering part of the City of Durham, at Framwellgate Moor, Pity Me and Newton Hall. These were introduced in 2016 to control the conversion of dwelling houses (C3) to small HMOs (C4). At that time, the evidence for the introduction of the Article 4 Directions included: levels of crime, antisocial behaviour, noise and nuisance, waste and parking; council tax exemptions for students; and comments made by residents¹. The Article 4 Directions that are in place, as well as those that are proposed, are illustrated in figure 1.

HMOs in the City of Durham

- 2.5 Students living in HMOs in the city is long-established; this type of accommodation appeals typically to second and third year students as well as postgraduates. The planning policy approach set out by Durham County Council is to limit the proportion of HMOs, in order to safeguard sustainable, mixed and inclusive communities.
- 2.6 HMOs are not spread evenly across the city, with the highest concentrations in the Viaduct area, in more recent years more students have been occupying properties around Elvet,

¹ <https://democracy.durham.gov.uk/documents/s52769/FINAL%20Evidence%20Paper%20-%20Houses%20in%20Multiple%20Occupation.pdf>

Lower Gilesgate and Whinney Hill. As a result of a reduction in the number of available accommodation linked to the effects of the current Article 4 Directions, students are now moving further away from the university campus.

- 2.7 Residents within the City of Durham Parish are concerned that concentration of student accommodation in HMOs within the general housing stock negatively impacts upon their amenity and is changing the overall character of the area. Noise, the appearance of properties, waste and parking and the main issues of concern. However, empty properties during holiday times can also impact upon on the functioning of the community.
- 2.8 The City of Durham Parish Council fully supported the introduction of the Article 4 Direction which covers part of the parish area, but strongly believe this should be extended given the growing numbers of HMOs within the parish. The remainder of this report presents the evidence in support of extending the Article 4 Direction within The City of Durham Parish.

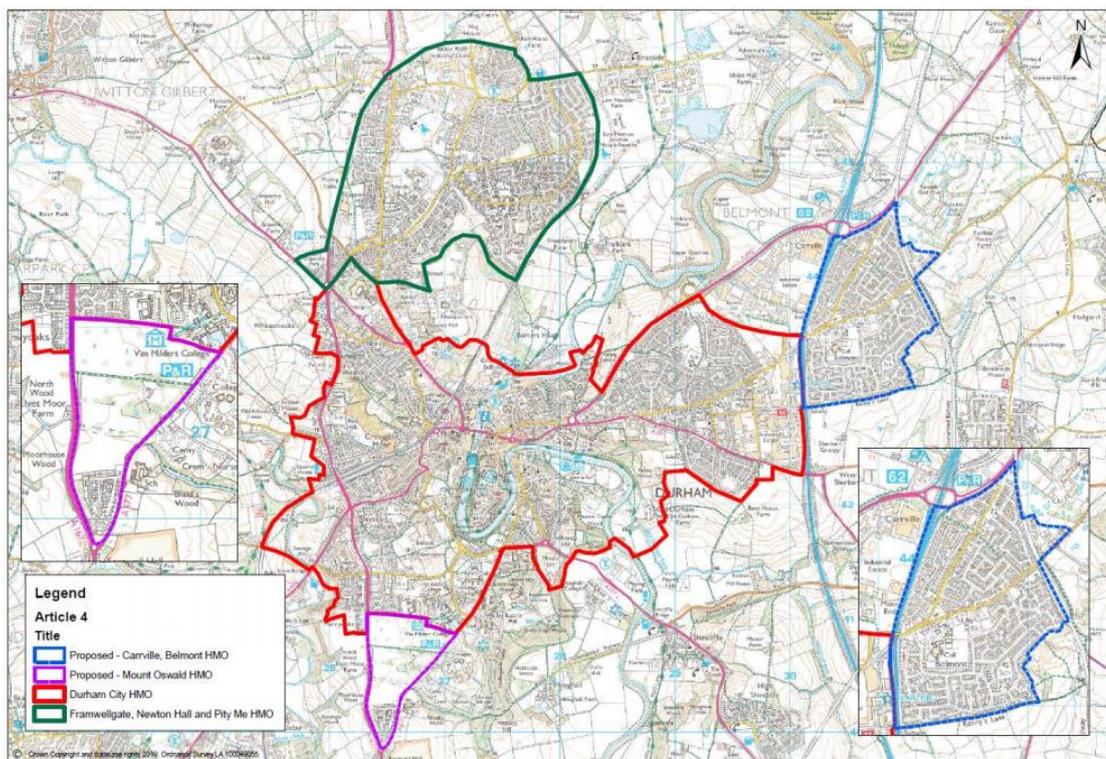


Figure 1: Existing and proposed HMO Article 4 Direction boundaries

3. Evidence

Introduction

- 3.1 In 2008, the then Department for Communities and Local Government published a report², prepared by ECOTEC Research & Consulting Limited, which detailed the outcome of an evidence gathering exercise undertaken to review the problems caused by concentrations of HMOs. The report highlighted that whilst HMOs make an important contribution to the private rented sector they also identified a number of problems caused by high concentrations of HMOs, particularly in relation to a concentration of student populations.
- 3.2 The report described the social, economic, physical and environmental impact of HMOs. In terms of the social impact, the report identifies that an increasing student population can lead to the displacement of established residents, replaced by an increasingly younger and transient population. It was argued that this can have an impact on associated community infrastructure. The report also linked an increasing number of student housing HMOs to diminishing community cohesion and identity. In terms of the physical and environmental impacts, the report highlights that private rented stock is often the poorest quality when compared to other tenures and thus the concentration of such stock can lead to a poor-quality local environment.

Growth in student numbers

- 3.3 Work undertaken by Durham County Council to inform the preparation of the County Durham Local Plan (CDLP)³ illustrates that student numbers at the university have grown steadily since 2003/04. The analysis looked at the proportions of students living in different forms of accommodation, this is illustrated in figure 2 below. This clearly shows an increase in students living in the private rented sector.
- 3.4 In 2003/06, 46% of students in Durham were living in university accommodation and 36% of students lived in privately rented accommodation. Figure 2 illustrates that in 2016/17 the level of students living in university accommodation was at 43%, with 48% living in private accommodation. Updated figures for 2018/19 show that the level of students living in university accommodation in Durham has reduced even further to 36%, with a further increase in students in privately rented accommodation at 50%.
- 3.5 Analysis was also undertaken by the county council to look at past growth of students. Figure 3 illustrates a large projected increase in students in Durham City to 2026/27, the largest increase follows the relocation of students from the Queens Campus in Stockton.

²

<https://webarchive.nationalarchives.gov.uk/20120919230509/http://www.communities.gov.uk/documents/planningandbuilding/pdf/evidencegatheringresearch.pdf>

³ <http://durhamcc-consult.limehouse.co.uk/file/4958762>

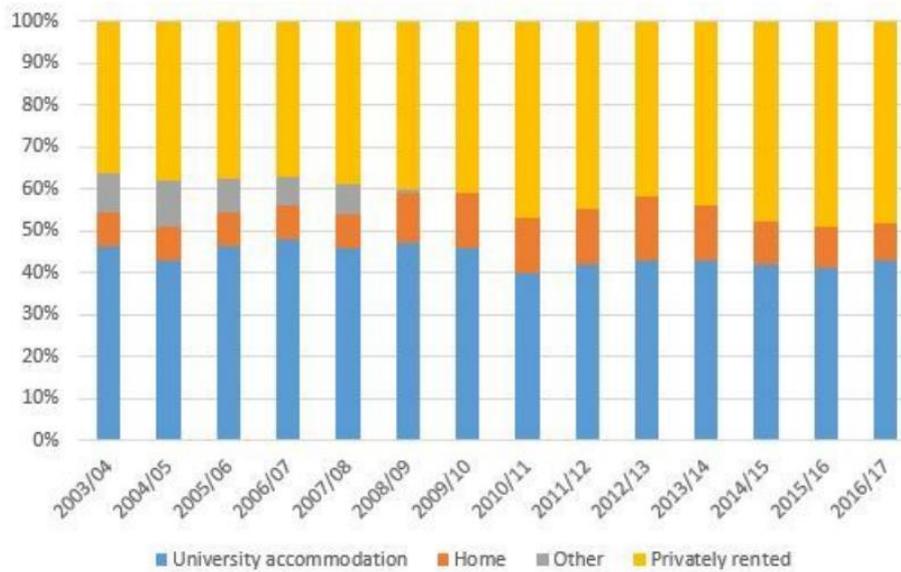


Figure 2: Student accommodation

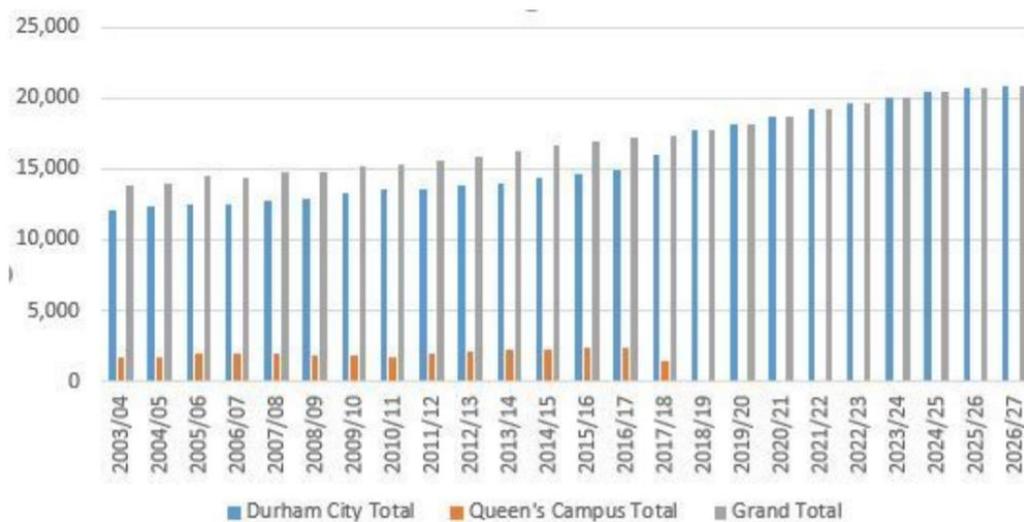


Figure 3: Student numbers - past growth and projected growth

3.6 The projected increase in student numbers within the city is clearly a key consideration in terms of planning to meet accommodation needs. This matter is discussed in detail in the university master plan and the emerging CDLP. The aspiration of the university is to house 50-55% of students in college affiliated accommodation by 2027 and is seeking to achieve this by developing on their own land and working with purpose-built student accommodation providers. The masterplan notes that this approach is with the specific intention of mitigating the need for HMOs. This target is ambitious, it will exceed the peak set in 2006/07 when 48% of students were living in university accommodation (figure 2). The approach within the emerging DLP accords with that set out within the university masterplan. Emerging CDLP policy 16 – Durham University development, purpose built student accommodation and houses in multiple occupation, states that if more than 10% of the total number of residential units within 100m are exempt from council tax charges as a result of a student exemption, further HMOs will not be permitted.

3.7 In March 2020 authorisation was given⁴ for the county council to consult on two further Article 4 Directions to cover the Mount Oswald and Carrville area of the city. The report highlighted that since the introduction of the current Article 4 Directions in 2016, 73 planning applications have been submitted to the county council for HMOs. This demonstrates a continuing market demand for HMOs in the city.

Location of the student population

3.8 As part of the evidence base for both the CDLP and possible additional Article 4 Directions, the county council has considered council tax data, specifically mapping (by postcode) those who are exempt from council tax on the basis that the property is wholly occupied by students. The most recent mapping work (April 2020) clearly illustrates that there are student properties across the City of Durham Parish outside those areas currently covered by the Article 4 Direction (extract contains within figures 4 and 5 – note a larger scale version of the plan is available in appendix 1).

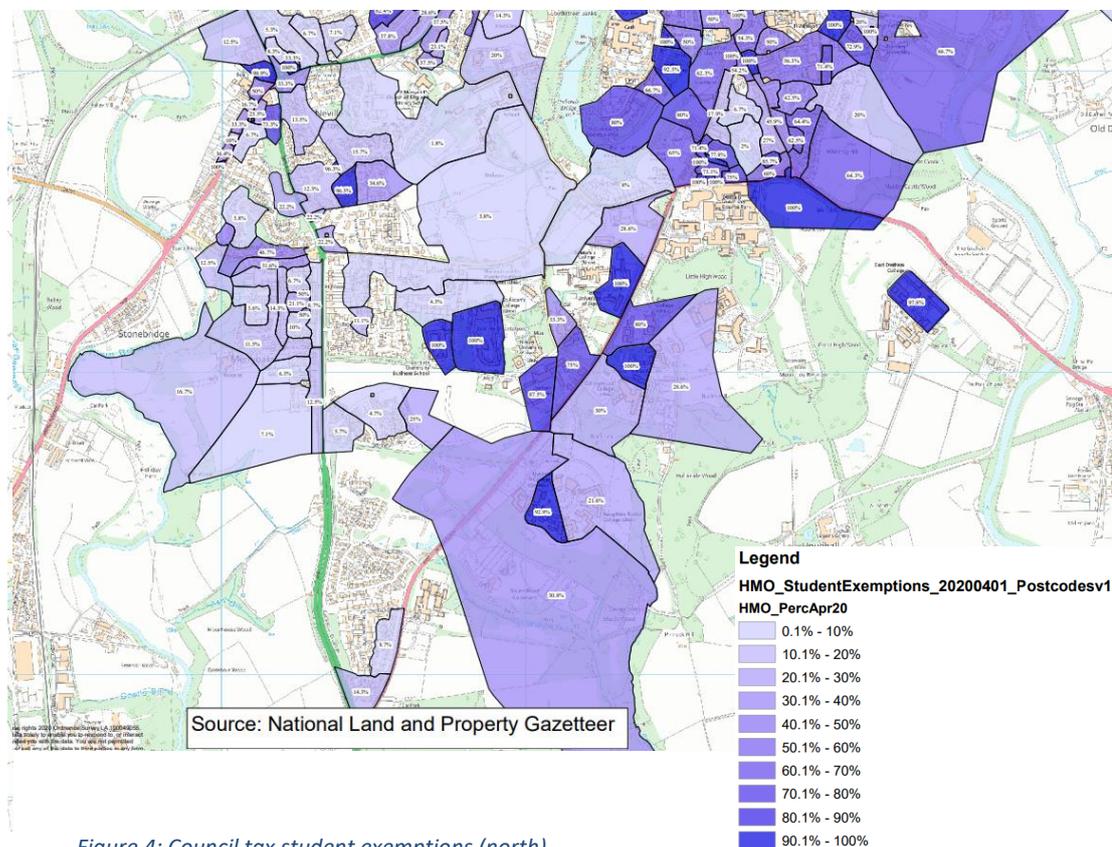


Figure 4: Council tax student exemptions (north)

3.9 It is clear that the Mount Oswald area is seeing an increasing level of student occupation, which is likely to grow further given the new residential development in the area. There are currently no student exemptions identified for the new Aykley Woods development.

⁴ <https://democracy.durham.gov.uk/documents/s121506/RLS%204285%20-%20Change%20of%20Use%20-%20Consideration%20of%20Article%204%20Direction.pdf>

3.10 Figure 5 illustrates pockets of high percentages of student only occupation of properties around the university buildings to the east of South Road (Josephine Butler College, Collingwood College and Mountjoy Centre) as well as at the Houghall Campus, to the south of the A177. It is considered that there is a need for a further understanding of the properties in these areas and why the council has not included them within the proposed Article 4 Direction area, given the level of student properties which are exempt from paying council tax.

Disturbance

3.11 Levels of disturbance experienced by residents living areas can be assessed by looking at matters such as crime, antisocial behaviour, as well as noise and nuisance.

Crime and antisocial behaviour

3.12 Official data for crime specifically linked to students is not available. The complete university guide presents crime data that is most relevant to students (robbery, burglary, violence and sexual crimes) and ranks universities on the combined rate of all three crimes occurring in the past 12 months in areas where students live during term times. For Durham, there were 50.6 incidents per 1,000 residents. Figures in England range from 20.6 (Royal Agricultural University) to 98.3 (Bradford).

3.13 Published police data⁵ provides details of reported crimes within the City of Durham Parish as a whole. The most recent information is for March 2020, where the top reported crimes were: violence and sexual offences (56 offences); antisocial behaviour (52 offences); burglary (22 offences); and shoplifting (19 offences). In October 2019, the top reported crimes were: violence and sexual offences (63 offences); antisocial behaviour (62 offences); shoplifting (27 offences); and other theft (15). Figure 6 illustrates the levels of reported crimes between March 2019 and March 2020.

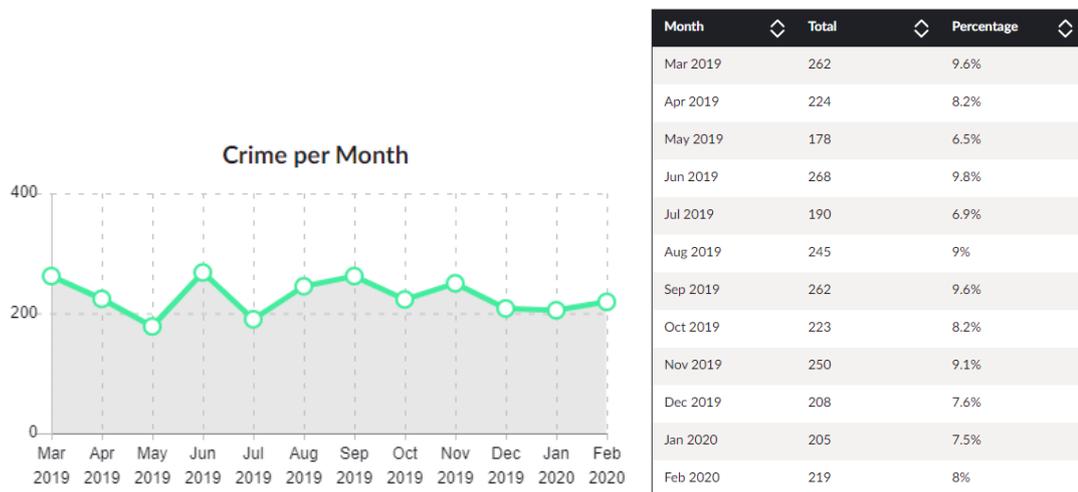


Figure 6: Reported crimes within the City of Durham Parish

3.14 Figures 7 and 8, illustrate reported crime in October 2019. The highest concentrations of crime appear to be within those parts of the parish that are covered by the existing Article 4 Direction. Figure 9 highlights how the types of crime in the City of Durham Parish has varied

⁵ www.police.uk

since April 2019. Figure 9 shows what appears to be spikes in anti-social behaviour in September and June. Figure 10 provides a breakdown of the types of crime across the parish. Table 1 illustrates types of reported crime between March 2017 and March 2020.

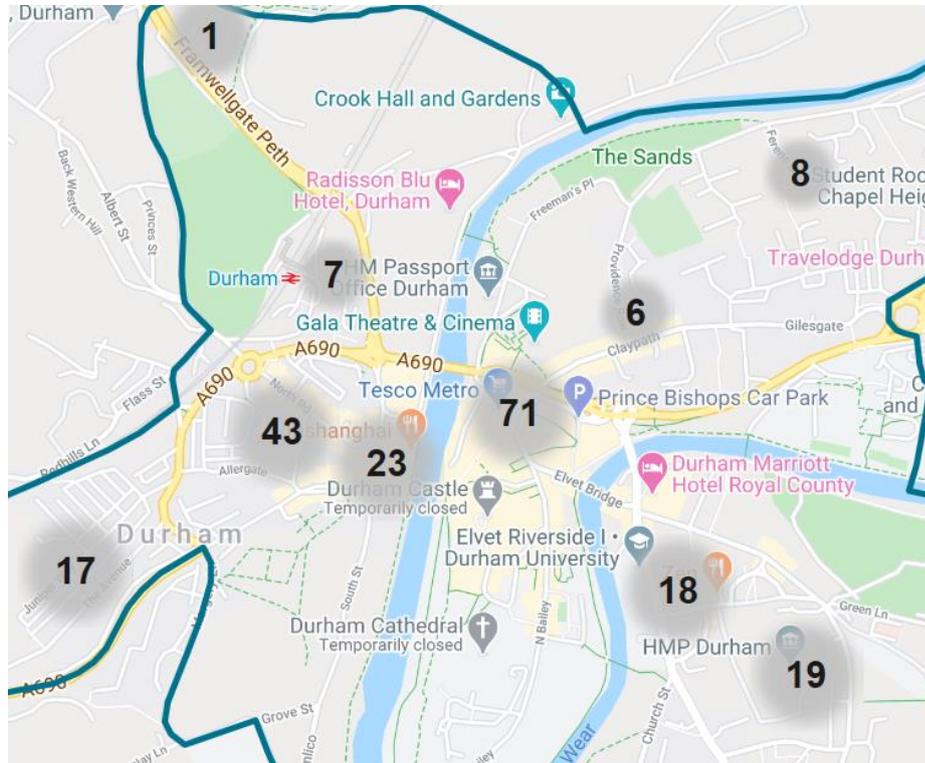


Figure 7: Reported crime in October 2019 (north)

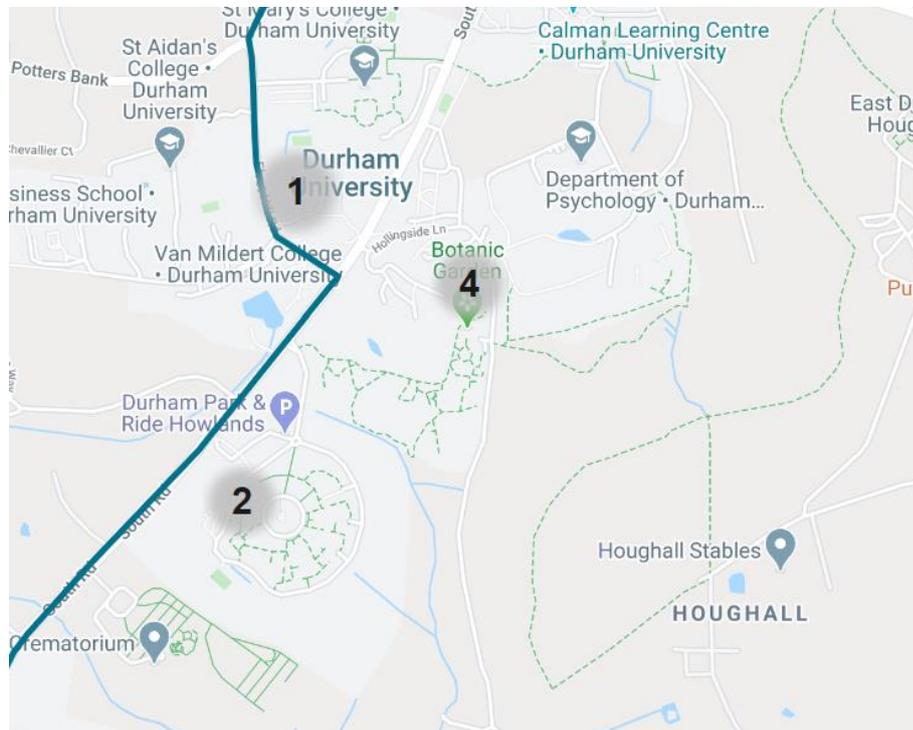


Figure 8: Reported crime in October 2019 (south)

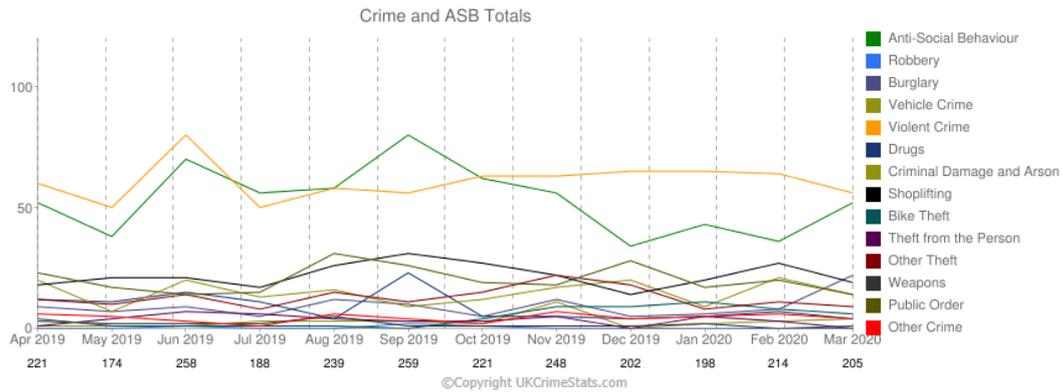


Figure 9: Reported crime April 2019 - March 2020

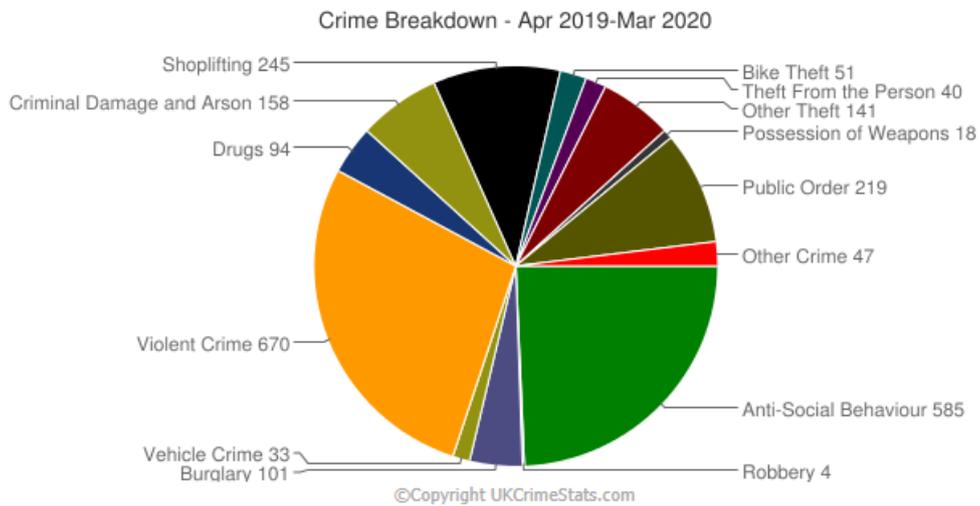


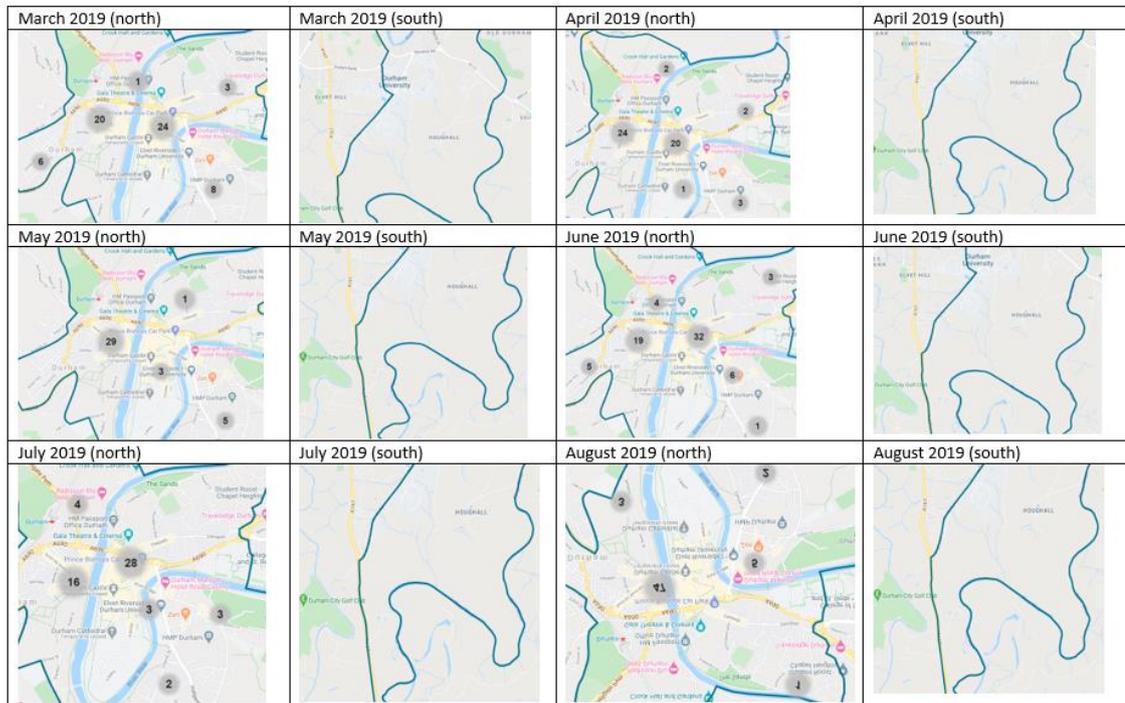
Figure 10: Crime breakdown April 2019-March 2020

Table 1: Types of crime March 2017-March 2020

	ASB	Burglary	Robbery	Vehicle	Violent	Shoplifting	CD&A	Other theft	Drugs	Bike theft	Theft from person	Weapons	Public order	Other	Total
Mar 2020	52	22	0	4	56	19	14	9	4	6	0	1	14	4	205
Feb 2020	36	8	0	3	64	27	21	11	7	8	3	0	20	6	214
Jan 2020	43	6	0	2	65	20	9	8	5	11	5	2	17	5	198
Dec 2019	34	5	0	0	65	14	20	18	4	9	0	1	28	4	202
Nov 2019	56	12	0	11	63	22	17	22	5	9	5	1	18	7	248
Oct 2019	62	5	1	2	63	27	12	15	5	4	3	1	19	2	221
Sep 2019	80	10	2	3	56	31	9	11	23	0	3	1	26	4	259
Aug 2019	58	12	0	3	58	26	16	15	4	1	4	5	31	6	239
Jul 2019	56	5	0	3	50	17	13	8	11	1	6	2	15	1	188
Jun 2019	70	9	1	1	80	21	20	14	15	1	7	2	14	3	258
May 2019	38	7	0	1	50	21	7	10	11	1	4	2	17	5	174
Apr 2019	52	9	0	1	60	18	20	12	12	4	1	3	23	6	221
Mar 2019	62	22	1	0	60	19	18	23	15	6	4	1	23	7	261
Feb 2019	56	9	3	6	61	11	35	13	9	8	2	3	25	8	249
Jan 2019	43	9	0	2	77	26	17	14	6	11	4	3	24	5	241

	ASB	Burglary	Robbery	Vehicle	Violent	Shoplifting	CD&A	Other theft	Drugs	Bike theft	Theft from person	Weapons	Public order	Other	Total
Dec 2018	28	2	1	0	57	11	17	12	7	5	4	1	24	8	177
Nov 2018	52	9	0	4	74	32	21	19	8	8	2	2	32	6	269
Oct 2018	63	5	2	1	79	31	16	15	5	5	3	1	18	5	249
Sep 2018	48	7	3	1	44	20	12	10	3	2	3	0	21	8	182
Aug 2018	42	8	1	0	44	21	11	13	6	1	3	0	23	27	200
Jul 2018	36	6	1	2	72	24	22	13	10	7	4	1	38	10	246
Jun 2018	76	3	2	4	41	8	12	16	11	3	2	1	30	8	217
May 2018	60	10	0	3	72	23	12	14	7	1	4	1	22	11	240
Apr 2018	28	6	1	10	71	18	11	13	13	1	1	0	20	3	196
Mar 2018	52	5	0	8	54	35	12	14	12	3	2	1	20	2	220
Feb 2018	47	12	0	9	74	28	16	15	6	8	4	4	25	2	250
Jan 2018	55	11	1	3	41	14	28	14	11	12	2	2	12	3	209
Dec 2017	37	10	0	4	76	16	20	21	5	2	5	1	17	5	219
Nov 2017	49	13	1	2	53	38	15	19	16	11	1	1	23	7	249
Oct 2017	96	7	1	14	66	11	38	20	6	2	2	0	12	3	278
Sep 2017	62	8	0	4	44	29	16	12	4	3	2	0	23	1	208
Aug 2017	49	11	0	2	47	41	19	12	1	6	2	0	26	0	216
Jul 2017	50	3	1	2	62	31	15	13	11	4	2	3	24	4	225
Jun 2017	92	11	0	12	57	7	27	15	1	1	2	0	17	4	246
May 2017	53	4	0	4	49	25	12	11	7	10	1	1	25	10	212
Apr 2017	42	10	3	3	63	20	30	16	2	14	0	0	26	7	236
Mar 2017	54	15	0	4	48	26	19	23	8	4	4	2	14	10	231

3.15 Figure 11 considers the location of incidents of antisocial behaviour in the parish over the past year. This illustrates that the highest levels of reported antisocial behaviour are experienced in areas that lie within the areas of the parish that are covered by the existing Article 4 Direction.





Noise and nuisance

3.16 The county council monitors the level of complaints received regarding noise and nuisance. Information provided by the county council in response to a freedom of information request, highlighted that in the financial year 2019-2020, 2,729 noise and nuisance complaints were received across the county. Of these, 64 were directly linked to HMOs, with 1 complaint linked to an HMO in the City of Durham Parish, lying outside the area covered by Article 4 directions. This was in the Maiden Castle area. However, this data clearly conflicts with the published crime information. It could therefore be that such matters are reported to the police rather than the county council.

Local environment

3.17 Residents have expressed concerns that the level of waste generated from HMOs is higher than owner occupied properties. The county council monitors complaints regarding untidy gardens, fly tipping and litter. When looking at the area of the parish that is not covered by the current Article 4 Direction, information from the county council illustrates that over the last two years there have only been a small number of complaints: untidy gardens (three complaints in the part of Aykley Heads area that lies within the parish); fly tipping (two complaints, one in Mountjoy and the other Aykley Heads); and litter (one report in Aykley

Heads). There is no data held by the county council to suggest these reports were directly related to HMOs.

Summary

3.18 This section has illustrated:

- That numbers of students living in private accommodation within the city have grown significantly over recent years;
- Student numbers are projected to continue to grow over the next five years;
- The level of planning applications for HMOs in the city illustrates a continuing demand;
- New housing developments within the parish, particularly those at Aykley Woods and Mount Oswald have the potential to be converted to small HMOs without requiring planning permission;
- Council tax data illustrates an increasing concentration of residential dwellings with student exemptions within the Mount Oswald area, with three postcode areas identified as having 8.7%, 14.3% and 30.8% of properties with student exemptions;
- There is a need for a greater understanding and analysis of the occupation of properties that lie within the part of the parish to the east of South Road and around the Houghall Campus. The council tax data illustrates a high concentration of properties with a student exemption;
- Areas that contain a higher level of antisocial behaviour crimes appear to be located within the area lying within the established Article 4 Direction; and
- The available evidence regarding complaints linked to noise, untidy gardens, fly tipping and litter is inconclusive. It does not appear to suggest that parts of the parish which lie outside the area covered by the Article 4 Direction are experiencing high levels of nuisance.

4. Key issues regarding proposals for new Article 4 Directions

- 4.1 It is recommended, that informed by the evidence review, the following matters are the key issues to be included within the response of the City of Durham Parish to the forthcoming consultation on new Article 4 Directions within the parish.
- 4.2 The latest council tax data in particular provides justification to demonstrate a need for the proposed Article 4 Direction at Mount Oswald.
- 4.3 As the numbers of students living in private accommodation within the city has grown significantly in recent years, there is still a demand for new HMOs and student numbers are projected to grow over the next five years, the county council should give serious consideration to the introduction of Article 4 Directions to cover the other built up parts of the parish. In particular the new housing development at Aykley Woods.
- 4.4 In accordance with the CDLP policy it is suggested that a trigger point should be established by the county council which means if more than 10% of the total residential units within a postcode area are exempt from council tax charges as a result of a student exemption, a Article 4 Direction should be put in place in those areas. As part of this monitoring, it is believed that the council should also monitor information such as crime statistics and other data which highlights issues around nuisance.
- 4.5 It is considered that there is a need for a greater understanding and analysis of the occupation of properties that lie within the part of the parish to the east of South Road and around the Houghall Campus. The council tax data illustrates a high concentration of properties with a student exemption. This area should also therefore be considered for an Article 4 Direction.

Appendix 1 – Student Council Tax Exemptions <http://www.durham.gov.uk/media/10614/Durham-City-Threshold-Map/pdf/HMOStudentPostcodeDurhamCity.pdf>

