# Walsall residents accuse landlords of exploiting planning loopholes as multi-storey builds disrupt cul-de-sac



Residents on a quiet cul-de-sac in Walsall are expressing increasing frustration over what they perceive as rampant disregard for planning regulations by local landlords. The tranquillity of Brookhouse Road has been severely disrupted by developments that have escalated from the construction of a garden gym to plans for a multi-storey living space, raising serious concerns among homeowners about the integrity of their community.

The issue began when a landlord applied for permission to build a gym in the garden of a property that already accommodates multiple self-contained flats. Local residents were taken aback when this gym transformed into a living space for a family, effectively altering the character of the neighbourhood. One resident, Asadul Haque, shared his bewilderment, stating, “We all thought it seemed like a very big gym to have in your back garden,” highlighting how expectations about development had shifted dramatically.

Adding to the chaos, another landlord on the street is currently constructing a two-storey structure, having initially claimed only a need for single-storey garages. This has incited further ire among locals, as excessive building work is emerging from what many see as intentional misrepresentation of plans to the council. “If one HMO landlord can do it, then what will stop the one next door from doing the same thing?” remarked Jay Hussain, a local auditor spearheading the community's complaints.

Such instances are not isolated; similar trends have been observed across various local authorities, including Hounslow Council, which has recently enforced regulations requiring landlords to secure planning permission before converting family homes into Houses in Multiple Occupation (HMOs). This shift, known as the 'Article 4 Direction', aims to mitigate disruptions caused by HMOs, such as increased noise, fly-tipping, and traffic issues, thus ensuring that community standards are upheld and local residents are protected.

Despite these regulatory efforts in other areas, Walsall Council has come under fire for their perceived leniency regarding planning enforcement within Brookhouse Road. Recently, the council faced scrutiny after withdrawing a Breach of Condition Notice for a property whose plans had inaccurately represented the proposed build, leading to obstructive views for neighbouring residences. Critics suggest that this leniency sets a dangerous precedent, making the enforcement of planning regulations seem ineffective.

Compounded by a surrounding environment where a high volume of HMOs exists, residents feel that their concerns are being ignored. Jenny Smith, a long-time resident, articulated the deep sense of loss: “This road was lovely. It has always been quiet. Now, we have rubbish lying around and changes we never agreed to.” Her sentiments echo a growing unease among residents about the sustainability and livability of their community.

As the cul-de-sac continues to bear the brunt of development mismanagement, residents are taking a stand. In their latest correspondence to the council, they accused officials of exhibiting bias towards property developers, declaring that current practices are “normalising planning breaches” within their area. Their frustration culminated in a plea for action against landlords exploiting loopholes to bypass regulations intended to maintain the character and safety of residential areas.

In response to the upheaval, a spokesperson for Walsall Council acknowledged the ongoing investigations into the raised issues, maintaining that they are obliged to assess all retrospective planning applications. They asserted that while evidence gathered so far did not substantiate actions against complaints about traffic or anti-social behaviour, they are committed to ensuring ongoing conversations with property owners to resolve outstanding concerns.

The situation on Brookhouse Road encapsulates a broader, concerning trend across the UK where the rise of HMOs is often conducted with little regard for community impact. Navigating the complex intricacies of planning laws remains an ongoing challenge for local authorities, especially in areas where demand for rental properties has surged. Implementing effective regulations and ensuring compliance has never been more urgent, as communities strive to balance the need for housing against the preservation of their neighbourhoods' integrity.

As residents hold onto hopes of reinstating their once-quiet community, the developments along Brookhouse Road serve as a stark reminder of the ongoing tensions between property development and the rights of those who live in the shadow of rapid change.

### Reference Map

1. Paragraph 1-3: [[1]](https://www.dailymail.co.uk/news/article-14714559/Locals-quiet-cul-sac-wits-end-neighbour-turns-garden-gym-home-moves-FAMILY-adds-extra-storey-garage.html?ns_mchannel=rss&ns_campaign=1490&ito=1490)
2. Paragraph 4-6: [[2]](https://www.hounslow.gov.uk/news/article/2908/hounslow_council_cracks_down_on_landlords_with_hmos)
3. Paragraph 7-9: [[5]](https://www.expressandstar.com/news/local-hubs/walsall/2024/10/30/council-accused-of-being-too-lenient-over-planning-enforcement-case/)
4. Paragraph 10-12: [[3]](https://www.mortgagesolutions.co.uk/specialist-lending/2024/10/15/landlords-tripped-up-over-hmo-planning-rules-on-almost-daily-basis/), [[6]](https://www.tlt.com/insights-and-events/insight/houses-in-multiple-occupation-hmos-important-changes/), [[7]](https://hughesalexaner.com/hmo-property-management/hmo-compliance-and-legal-requirements/)
5. Paragraph 13-15: [[4]](https://planninghouse.co.uk/navigating-the-complexities-of-hmo-planning-what-you-need-to-know/)

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## Bibliography

1. <https://www.dailymail.co.uk/news/article-14714559/Locals-quiet-cul-sac-wits-end-neighbour-turns-garden-gym-home-moves-FAMILY-adds-extra-storey-garage.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.hounslow.gov.uk/news/article/2908/hounslow_council_cracks_down_on_landlords_with_hmos> - Hounslow Council has implemented a regulation requiring landlords to obtain planning permission before converting family homes into Houses in Multiple Occupation (HMOs) for three to six tenants. This measure aims to address concerns about the negative impact of HMOs on local communities, including increased anti-social behaviour, fly-tipping, and noise. The regulation, known as the 'Article 4 Direction,' became permanent after a year-long pilot and consultation with residents. Councillor Tom Bruce emphasized the need for thorough oversight to protect both tenants and surrounding communities.
3. <https://www.mortgagesolutions.co.uk/specialist-lending/2024/10/15/landlords-tripped-up-over-hmo-planning-rules-on-almost-daily-basis/> - Landlords frequently misunderstand the distinction between obtaining an HMO licence and securing planning permission, leading to compliance issues. A specialist lending conveyancer noted that landlords often assume that obtaining an HMO licence equates to having planning consent, which is not the case. In areas with Article 4 Directions, planning permission is required for HMO conversions, regardless of the number of tenants. This misunderstanding can result in legal complications and enforcement actions by local authorities.
4. <https://planninghouse.co.uk/navigating-the-complexities-of-hmo-planning-what-you-need-to-know/> - Converting a property into a House in Multiple Occupation (HMO) involves navigating complex planning and regulatory requirements. Key considerations include understanding HMO licensing requirements, determining if planning permission is needed, adhering to local planning policies and restrictions, assessing the impact on the local community, and ensuring compliance with building regulations. Working with a qualified town planning consultant can help property developers and investors navigate these complexities to ensure legal compliance and project success.
5. <https://www.expressandstar.com/news/local-hubs/walsall/2024/10/30/council-accused-of-being-too-lenient-over-planning-enforcement-case/> - Walsall Council faced criticism for being 'too lenient' in a planning enforcement case involving a residential property on Brookhouse Road. The council had approved plans for a replacement five-bedroom dwelling with conditions to preserve a 45-degree line of sight from neighbouring windows. However, inaccuracies in the submitted plans led to partial obstruction of views, causing frustration among neighbours. The council issued a Breach of Condition Notice, which was later withdrawn due to the applicant's inaccurate plans, sparking further criticism from residents.
6. <https://www.tlt.com/insights-and-events/insight/houses-in-multiple-occupation-hmos-important-changes/> - Significant changes have been made to the mandatory licensing requirements for Houses in Multiple Occupation (HMOs) in England. As of October 1, 2018, HMOs occupied by five or more people forming more than one household are subject to mandatory licensing, regardless of the number of storeys. Additionally, new mandatory conditions have been introduced, including specific minimum bedroom sizes and compliance with local authority schemes for waste storage and disposal. These changes aim to improve safety and living conditions in HMOs.
7. <https://hughesalexaner.com/hmo-property-management/hmo-compliance-and-legal-requirements/> - Converting a property into a House in Multiple Occupation (HMO) may require planning permission, especially if it involves a change of use. Local authorities assess various factors, including the impact on local housing supply, noise levels, parking, and waste management. Compliance with building regulations, particularly concerning fire safety and structural changes, is also mandatory. Failure to obtain necessary planning permission or comply with regulations can result in enforcement actions, fines, and potential legal consequences for property owners.