



**Councillor Neil Barnes**  
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**RE: Planning application ref: 15/00209/FUL – 8 Pinewood Hill**

Dear members of the committee,

Firstly I would like to apologise for not being able to provide my representation in person. It would usually be my default position to attend and reiterate the case I made for calling in this application to committee. However, my daytime work commitments mean I have a 'three line whip' from my employer to be away from York on the 11<sup>th</sup> June.

I have already made representations on behalf of local residents, and from reading the report to committee, I can see that these have largely been conveyed accurately. However, I wish to pick up on two key points for your consideration.

**1) Has the 10% street level for Houses in Multiple Occupation (HMO) – as set out by an 'Article 4' direction – been breached? If not, should it be allowed to be breached?**

***A) Has the level been breached?***

The question of whether the 10% street level has been breached is a key one. Local residents have identified the properties they believe to be within the 100 metre walking distance and concluded that 3 out of 24 houses are HMOs – putting the current level at 12.5% and therefore this application would be unacceptable.

But the opposing view put forward in the report you have states the calculation as 2 out of 22 properties – indicating the current level of HMOs to be 9.09%.

So which is the correct calculation? This is an important point that the committee needs to be clear on before it can make a determination. I couldn't see in the reports or on the planning portal any drawings that would indicate which properties are to be included within the 100 metres being used. I'm aware that the council would not be able to indicate the exact HMOs themselves due to data protection, but we could see the total properties to be included in the calculation? Having this verified would be a good evidence base.

However, should the conclusion then remain that the current level is 9.09%, then should the committee allow the level to then be breached by this application? If 8 Pinewood Hill were to be a HMO then the street level would become 13.6% (if you accept the 9.09% original figure).

## ***B) Should the level be allowed to be breached?***

The officer's report at paragraph 4.16 describes how the wording of the Article 4 direction/Supplementary Planning Document (SPD) on HMOs is not explicit on whether a street level should be allowed to be breached if an application were to do so.

Therefore, I think that because the main principle of the introduction of an Article 4 direction on HMO was to prevent neighbourhoods from becoming 'unbalanced', it is grossly unfair on the neighbourhood that further potential HMO applications would be rejected only after the street level of HMOs has been deemed 'unbalanced'.

**We should be refusing planning applications on a principle of protecting the neighbourhood from becoming unbalanced.**

## **2) Why be a House in Multiple Occupation?**

Looking at the correspondence between officers and the planning agent, it is clear that an application would only be approved with conditions preventing further expansion. The planning agent has accepted this view – stating, in their opinion, that the impact would be no more than that of a small family.

My question to the applicant then is this – why not test the rental market for a family first? York is sorely in need of family housing and young families are finding it difficult to get a foot on the housing ladder. Therefore many will turn to the rental market. Badger Hill is a lovely place to live – it could be very attractive to a modest sized family to rent this house. I would hazard a guess that should this be advertised as a family house for rent, the landlord would end up with a long term tenant that would care for the house and offer a similar return on investment.

Considering the level of objection and the potential resentment towards the landlord – why not go for the more amenable option?

I appreciate that is not a question for the committee to use, but I felt it was necessary to make the point in writing.

Thank you for taking the time to read this representation.

Yours sincerely,

**Neil Barnes**  
Councillor for Hull Road Ward