

Meeting	Local Plan Working Group
Date	9 December 2013
Present	Councillors Merrett (Chair), Alexander (Substitute), Ayre, Barnes, D'Agorne, Funnell, Horton, Reid, Simpson-Laing, Steward and Watt (Vice-Chair)
Apologies	Councillor Riches
In Attendance	Councillor Fitzpatrick

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## **5. Declarations of Interest**

At this point in the meeting Members were asked to declare any personal, prejudicial or pecuniary interests they may have in the business on the agenda. None were declared.

## **6. Minutes**

Resolved: That the minutes of the last Local Plan Working Group held on 4<sup>th</sup> November 2013 be approved and signed by the Chair as a correct record.

## **7. Public Participation**

It was reported that there had been no registrations to speak under the Councils Public Participation Scheme.

## **8. Controlling the Concentration of Houses in Multiple Occupation - Supplementary Planning Document Review.**

Members considered a report which informed them of the review of the Controlling the Concentration of Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD).

Officers outlined the report and advised that the review explored the introduction of the SPD since April 2012 specifically looking at:

- Whether the approach is working.
- What impact the SPD has had.
- The approach to data collection of known HMO's.
- What is happening elsewhere to determine best practice.

Members questioned a number of points including:

- Page 13 of the agenda, bullet point 3 – whether there are any statistics' to support the statement that people are being put off purchasing buy to let properties when they discover a change of use planning application is required. Officers advised that it is still too early to know if this is the case but it is something that will be monitored.
- Members queried why the consultation with residents mentioned on page 19 appeared to have been focused around the York University area and not York St John. Officers confirmed that the groups that had been involved in this consultation were those who had been actively involved in the Article 4 and these Groups were mainly from the York University area. It was confirmed that The Groves area would be included in future consultations.
- Some Members queried the proposed change to the SPD in relation to allowing landlords to apply for flexible planning permission. This would enable a property to have both C3 (a family dwelling) and C4 use (small HMO). Members asked if this would address the problem of landlords being unable to rent HMOs to families if they wished to. Officers advised that it is possible under schedule 2 of the Town and Country Planning Act to apply for flexible permission and that if introduced, the situation would be monitored and a further report would be brought back to the LPWG after a year to allow for student turnover.

Councillor Horton moved an amendment to the SPD to amend the wording in paragraph 3.1 from 'The new use class C4, describes for planning purposes, a house that contains between three and six unrelated occupants'...to the words 'three to six inclusive' to avoid confusion as the original wording could be interpreted to mean 4 or 5 occupants. This amendment was seconded by Councillor Merrett and when put to the vote was carried.

Resolved: That in accordance with Option 1, the Local Plan Working Group recommended Cabinet to:

- (i) Note the contents of the report.
- (ii) Approve the proposed amendments to the SPD as outlined at Annex E and the additional amendment outlined above.
- (iii) Delegate to the Director of City and Environmental Services in consultation with the Cabinet Member for Transport, Planning & Sustainability the making of the amendments to the SPD and the republishing of the SPD.

Reason: So that the SPD be fit for purpose and can continue to be used effectively for Development Management purposes to support the emerging Local Plan and the Article 4 Direction which came into force on 20<sup>th</sup> April 2012.

Cllr D Merrett, Chair  
[The meeting started at 5.00 pm and finished at 5.45 pm].