

## AGENDA SUPPLEMENT

### Customer and Corporate Services Scrutiny Management Committee (Calling In)

- To:** Councillors Crawshaw (Chair), Baker, Hollyer, Hook (Substitute for Cllr Fenton), Musson, Norman, Rowley, Vassie (Substitute for Cllr Orrell) and Wann (Substitute for Cllr Pearson)
- Date:** Monday, 9 May 2022
- Time:** 5.30 pm
- Venue:** The George Hudson Board Room - 1st Floor West Offices (F045)

The Agenda for the above meeting was published on **29 April 2022**. The attached additional document is now available for the following agenda item:

- 3. Called-in Item: Review of the "Controlling the Concentration of Houses in Multiple Occupation" Supplementary Planning Document 2012 (revised 2014) in response to the Council Motion of December 2021** (Pages 1 - 6)

Additional information submitted by one of the Calling-in Members and published with the permission of the Chair.

This agenda supplement was published on **6 May 2022**.

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**From:** Mark Warters <[mark@markwarters.co.uk](mailto:mark@markwarters.co.uk)>

**Date:** 6 December 2021 at 21:55:22 GMT

**To:** "Cllr. R. Melly" <[Cllr.rmelly@york.gov.uk](mailto:Cllr.rmelly@york.gov.uk)>

**Subject: Re: 21/02604/FUL | Change of Use from dwelling (use class C3) to House in Multiple Occupation (use class C4) | 15 William Court Blue Bridge Lane York YO10 4NL**

Evening Rachel,

Thank you for replying and taking an interest, whilst there is no specific reference to the proposed HMO being for student use it is a fair assumption given it's location and the likelihood of the property being alongside a huge student block in the near future.

People giving up on their neighbourhoods, selling up and moving to escape the 'studentification' of their areas has been much discussed in the past by the National HMO lobby.

<https://hmolobby.org.uk/lobbystudentif.htm>

The William Court example is just a very topical example, another 'out of town' landlord submitting a HMO application.

Certainly in my ward every HMO application is for student let use (only one exception that I know of and that was a house whereby the owner wished to rent out rooms to reduce the burden of the mortgage - owner living at the property, no problems with car parking, rubbish disposal or late night noise) these student lets are not conducive to good communities - over the years I've dealt with problems associated with noise and disturbance, police incidents involving serious sexual crime and a fatal drug overdose, rubbish disposal issues, car parking of course and the general run down state of many of the properties much to the annoyance of surrounding council tax paying residents.

There's two more applications up at Area Planning this week for Osbaldwick no doubt going to be waved through.

It was the last Labour government that recognised the problems associated with 'studentification' after much lobbying from the National HMO lobby and if I remember correctly Leeds MPs were particularly vocal at the time one of the last acts of that government was to introduce a C4 HMO use classification and require all changes from C3 to C4 use to have to obtain planning permission.

The new Conservative/Lib Dem government in 2010, after lobbying from the Landlord's groups very quickly scrapped that specific requirement instead of which local authorities were required to introduce Article 4 Directions in specific areas if they were at risk of having unbalanced communities - in practise this was to deal with the problem of Student Cities and towns where 'studentification' of whole areas was taking place.

I remember using the new Labour legislation in 2010 to get a planning application for a student HMO refused in Osbaldwick largely because all factors were considered in making a decision.

After the damaging decision by the Coalition government I was at the front of the campaign to get CYC to introduce an Article 4 Direction to (in theory) control the spread and concentration of HMOs (again almost exclusively Student HMOs in this and many wards around the Universities.

This went out to a years consultation largely with the landlords groups before coming into force in April 2012.

I argued at the time that the acceptable percentage thresholds were far too high - 20% at neighbourhood level and 10% on a street level and were higher than some other University cities and that there was no 'escape' route for owner occupiers wanting to sell in streets long ago ruined in Hull Rd Ward such as Siward Street which had a HMO percentage at the time of something like 80% from memory.

The fact of the matter was that CYC leadership in 2011 didn't really want to bring the legislation in for the Article 4 Direction hence it being introduced with the high thresholds which has led as I said it would at the time to the spread of the student HMOs into nearby areas to the Universities, especially York University who have long not faced up to the responsibility of accommodating their students on campus in greater numbers or limiting the numbers of their students enrolled - hence the current situation of students being based in from Hull.

<https://www.westlincs.gov.uk/planning/planning-policy/article-4-directions.aspx>

<https://www.portsmouth.gov.uk/wp-content/uploads/2020/05/development-and-planning-hmo-spd.pdf>

Probably the most interesting and sensible policy is that pursued by Leeds Council (which incidentally is one of a number of local authorities making its full HMO database public in contrast to the 'secret' CYC database. Please also note the approach in Leeds to streets 'where the battle is lost' allowing HMOs to be created in streets well above what would be considered the level at which harm would be caused.

<https://www.leeds.gov.uk/planning/planning-permission/how-we-decide-on-planning-permission-for-hmos>

This was taken from a recently withdrawn student flat application which I've no doubt will be back in a revised form in the new year, very revealing information on student numbers;

bedspaces with associated communal facilities, car parking and landscaping

the aspirational growth projections of both Universities compared to the forecasts made in 2015. This data has been obtained from the University of York and York St John University, both of whom are represented by O'Neill Associates. It assumes:

- The student population at the University of York continues to grow at 4% each year, which is based on historic growth rate over the last 10 years
- The number of students at York St John University has already reached their target of 10,000 students by 2026 and continues at the same rate

Table 6.3: Comparison of projected student populations undertaken in 2015 and 2021

Academic Year	ARUP Housing Requirement in York (2015 Update)		Projected student population (2021)	
	UoY	YSJU	UoY	YSJU
2021/22	19480	8420	21404	8000
2022/23	19830	8670	22260	8500
2023/24	20180	8920	23150	9000
2024/25	20530	9170	24076	9500
2025/26	20880	9420	25039	10000
2026/27	21230	9670	26040	10500
2027/28	21580	9920	27081	11000
2028/29	21930	10170	28164	11500
2029/30	22280	10420	29335	12000

The important message here is that the student population in York is continuing to grow, and at a quicker rate than was anticipated in the forecasting exercise undertaken in 2015. This will place greater demands on existing student bedspaces and will create a need for extra provision.

Supply of PBSA (Existing and Projected)

6.13 Existing data on the operational PBSA developments in York is outlined in a number of recent planning applications for additional student housing at Fawcett Street (21/01570/FULM), the

Whatever is built in the way of off campus Purpose Built Student Accommodation will never accommodate the unrestrained growth of York University, enough is enough and it should not fall to York as a local authority or its residents to bear the burden of York University's purely economic interests in encouraging students from all over the world to come to York.

Quite agree that there needs to be an overhaul of the housing system in York but I'll never agree that there is a housing 'crisis' in York, there are more homes in York this year than there were last year and there will be more next year and the year after.

There is though a population crisis in York, 65% of population growth according to figures used to support the Local Plan is down to 'International Inward Migration' largely I would suggest by the huge numbers of overseas students brought into York.

Young York residents seeking flats or starter homes are priced out of the market by the demands of housing these students, the price of family homes near the University of York is inflated by the potential to cram in 5/6 or more students into a property and the inflated price is certainly affordable for the professional student let landlords.

Landlords who have little or no consideration of the communities in which their business properties are located, properties that are responsible for the loss of around £6 million in lost

council tax revenue every year (and don't let anyone tell you that loss is made up by government grants - it isn't) the last figure for 2020/21 was 3890 Class N council tax exempt properties despite being in the midst of a pandemic when student numbers were at a reduced level.

Similarly how much in the way of affordable flats have been built in recent years for single York residents compared with the off campus Purpose Built Student Accommodation?

Of course the PB student Accommodation benefits from a collective council tax exemption that would not be enjoyed if flats were built for sale to or rent by working York residents and of course the recent planning permission granted on GreenBelt at Dunnington specifically refer to the demand for one bedroom accommodation for York residents.

I will be submitting a motion to Full Council on the 16th requesting that Executive initiate a review of the CYC HMO policy and specifically the threshold levels which in the wake of all the off campus accommodation built, under construction or granted planning permission ought to mean that a reciprocal reduction in the thresholds for further loss of family homes in areas close to York University especially is made.

I'm open to amendment/debate if anyone wants to introduce elements of the Leeds Policy into the motion or indeed the assessments of other authorities who have a shorter distance for calculation from an application property - some down to 40yards when applying a 10% threshold and some authorities also stipulate that two HMOs side by side will not be approved or that a C3 residential property can not be sandwiched between two C4 HMOs.

<https://present.brighton-hove.gov.uk/documents/s107179/Enc.%202%20for%20Houses%20of%20Multiple%20Occupation%20-%20Response%20to%20matters%20raised%20at%20full%20Council.pdf>

Personally I think such detail ought to be looked at with a review of the CYC SPD on Houses of Multiple Occupancy as the whole policy has needed review almost since day one, I've been asking since 2015 but the LPWG, despite only meeting infrequently has always been too busy to put this on the agenda.

The administration of the CYC database has also been, since day one 'not fit for purpose' hence a recent critical LGO report and of course the desire of CYC to keep the document 'secret'.

I hope you understand my position in all this is to represent as best as possible the residents in my ward and not have anymore areas of the community ruined whilst primarily York University sits back without taking responsibility for the accommodation of its students.

Mark.

Regards,

Cllr. Mark Warters.  
T:01904 413370

On 6 Dec 2021, at 11:41, Cllr. R. Melly <[Cllr.rmelly@york.gov.uk](mailto:Cllr.rmelly@york.gov.uk)> wrote:

Hello Mark,

I've had a quick look through the application form and other documents on my phone and I can't see anything about this house being student accommodation (though I haven't thoroughly read all the documents). Many people live in HMOs who aren't students. We have a housing crisis in this city which is even worse than the situation in most of the rest of the country. People are living in HMOs into their 30s because it's the only affordable form of housing. Most people in their 20s can't afford to rent a house or flat by themselves, and rely on HMOs. But over the last few months the rental market in York has got even worse, and a lot of people can't even get HMO rentals.

In the past there have been concerns about house prices; young people from York not being about to buy homes here, and graduates not being able to buy homes here after moving here for university. But now the situation is so bad that I know several people who have had to leave York (and take their skills and spending with them) because they cannot find anywhere to rent, even in an HMO.

As you say, we haven't yet been provided with any evidence either way on whether or not purpose built student accommodation frees up other housing stock, but if it does then that will include family homes and HMOs. A variety of housing types is needed.

We need huge overhaul of the housing system that means people aren't relying on HMOs as the only "affordable" form of housing, but in the meantime it is relied on by younger people and people on low incomes, not just students.

Thanks,  
Rachel

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**From:** Mark Warters <[mark@markwarters.co.uk](mailto:mark@markwarters.co.uk)>

**Sent:** Monday, December 6, 2021 9:27:39 AM

**Subject:** 21/02604/FUL | Change of Use from dwelling (use class C3) to House in Multiple Occupation (use class C4) | 15 William Court Blue Bridge Lane York YO10 4NL

Dear All,

How very interesting the 'studentification' of surrounding residential areas by absentee landlords has started even before the determination of the Mecca Bingo Site.

So much for the facile argument often used but never evidenced that Purpose Built Student Accommodation Blocks take the pressure off residential family homes!

Mark.

<https://planningaccess.york.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=R3BQ8LSJMDW00>

**Regards,**

**Cllr. Mark Warters**

T: [01904 413370](tel:01904413370)