

05.07.10

For the attention of:

Mr J Carr
Head of Development Control

Dear Mr Carr

Re: 10/00645/FUL-53, Thirkleby Way, Osbaldwick, York – Application to convert 3 bedroom semi-detached house into a house in multiple occupation (HMO)

Would you please accept this email/letter as conveying my complete and utter opposition to the establishment of yet another house of multiple occupancy (HMO) in our street, namely number 53.

I have had the opportunity to study the report prepared for the East Area planning committee by Mr Michael Jones in readiness for their meeting on July 7th 2010, when the application in regard to No.53, Thirkleby way will be considered. Arising from this, I think it very important to initially set the scene out accurately (as it actually is) before going any further.

Mr Jones makes reference in his report to there being 50 houses in Thirkleby Way. This is however both unhelpful and misleading to the committee when they come to deliberate on the issue. In all but name, Thirkleby Way constitutes three completely separate entities both physically and as independently identifiable communities. Their common title appears to be a simple quirk of their building history. It is much simpler to refer to them (A) / (B) & (C) sectors of Thirkleby Way with the middle section (B) being the relevant sector this case.

It is also most important to clarify the facts regarding existing HMO,s in our street (B) section. There are multiple occupancies at numbers 26 / 45 / 49 with occupancy levels of 4 - 5 & 6 respectively. The conversion of No. 53 would mean that there would be four HMO's (in a short street of just 9 semi-detached family houses. Add to this the fact that No.55 could well follow suite (the occupants, Mr & Mrs Helme feel they are being driven out) and you can see the scale of the problem for our small community.

My initial reaction to the report by Mr Jones is to marvel at its breathtaking complacency! It just seems that at a time when local residents are sick to their stomachs with worry regarding the future of their homes and the community they have lived in for many years, your department comes up with this anodyne, ill researched & cliché ridden document. Tiptoeing around and even avoiding issues that are very serious and real to us, issues which, if wrongly handled, some of us will have to live with for the rest of our natural lives and yet, despite all this, it has the affrontary recommend approval.

One particular aspect of this document in the appraisal section I found quite staggering! Namely the suggestion that parking was not a problem in our street (B) section of Thirkleby Way; nothing could be further from the truth!!

If the application for No.53 were to be approved, it would mean that 3 of the HMO's would be on the same side of the street. The very side which incorporates the limited car park and loading bay for Sainsbury's Local, one of the busiest stores on the east side of York. The store opens from 6am and remains open for 17hours, every day, seven days a week 364 days a year, selling grocery's, alcohol, tobacco, lottery tickets and even providing cash facilities from an ATM machine.

At any one time, there is an overflow of customer and staff vehicles into our street, constantly outside my own home but at certain peak periods this can stretch half way up the street making it difficult at times to get our own cars in and out of our drives.

The loading bay is another issue and the result of another classic planning debacle. Just 8 feet from a domestic dwelling house and sighted so far forward that these very large lorries block off the entire pavement and at least half the roadway for lengthy periods forcing mothers with prams, invalidity vehicles and young children into the roadway with all the dangers that involves. At these times, even other vehicles have to re-route and combined with constant and dangerous parking practices all around the end of our street and the junction with Farndale Ave, you can see this is no ordinary quiet suburban street but constantly busy shopping traffic. We have raised the problems time and time again, even through our Parish Council but all to no avail and the idea that some body, namely the Highway Network Management, has our best interests at heart is nonsense! We have never seen or heard of them and to place any credence in anything they may or may not have objected to, as Mr Jones appears to-do in pursuit of a justification for his "recommendation to approve" is a double nonsense.

What is more startling is the fact that none of the fore-going vital information is even hinted at in the 'report'. How on earth can right thinking person take the report seriously and how can the planning committee come to a fair and informed decision on the basis of its contents. A potential of a number of extra vehicles just seven doors up from this car park and loading bay is the very last thing we need. One of the main difficulties in all this is the fact that no face to face personal consultations have taken place, not at any stage, just an exchange of emails/letters and the rest appears to have been an academic exercise in pursuit of the all important "recommend acceptance". From what we can gather, any fact finding visits have been limited to periods involving daytime hours during the working week. This is of course pointless as communities only come into their own during the evenings and at weekends, not when most of the residents are either at work, at university or at school.

We do not, under any circumstances, want another HMO in (B) sector of Thirkleby Way. It's true to say we have more than our fair share already and any addition would constitute an excessively high concentration for small street like ours. But, however, there lies the problem! On the reports own admission, the Council and or the planning committee have no policy/strategy for deciding what constitutes an excessive concentration HMO's in any given situation. Mr Jones concludes that in the absence of any such policy or in his words guidance, "it is difficult to conclude that creating an additional HMO in the street would create an excessively high concentration, which would be detrimental to the area" but by the same logic it is just as difficult to conclude that it would not. It all depends on just how you view the issue, and certainly the latter logic would be less than helpful if you were looking to produce an argument in favour approval. Surely, in such a dilemma the status quo should prevail.

It seems to me that the entire report has been approached from the point of view of finding a final conclusion that approval should be sought and from therein, the appraisal developed around that theme. A kind of mindset that believes it is bound to be approved, they always are!

I suppose the simple and yet brutal truth is simply that the residents as council tax paying citizens of York are basically cynical. They are pre-conditioned by the harsh experience of what they see all over the east side of York and I give just 3 examples:-

- (1) Badger Hill in general and Yarborough Way, specifically No's 41/43/45 (simply a residential slum)
- (2) Birstow Ave: - 16 HMO's out of 62 houses and now only six children left in the entire avenue
- (3) The house on the corner of Hull Rd. and Green Dykes Lane, No 32 I believe. A complete disgrace to the City of York

All three of these eyesores must have had, at some point, recommendations for approval attached to them in the beginning. It beggars belief. All the local residents see these disasters on a regular basis and it is little wonder they are cynical. They simply have no confidence in the planning procedures in this City.

Evidence all about them shows clearly that neither the planning committee nor its planning officers have any record what so ever of ever having had any kind of control over the steady and constant growth of HMO's in the community and the foregoing examples are testament to that fact.

We can't go on for ever hiding behind central governments policies, ministerial announcements or possible amendments to present legislation and take responsibility for and control of our own problems. As a planning authority, we should take control by designating " Article 4 Directions " for the eastern area of York as would ,I believe, be open to us to use to remove the automatic right to change between family houses to HMO's without planning permission. I understand these changes should be coming about late this year.

In the meantime imminent case should be put on hold whilst a public meeting is held with the residents of the area along with perhaps our MP's and representation from York University. In this way any subsequent policies adopted to manage and control the constant spread of HMO's can be based on factual information and grass root concerns.

In the meantime, I implore you to take note of the sector (B) of Thirkleby Way's communities plea's not to impose yet another HMO on us by approving this application for No.53.

One other point needs making with regard to the bigger picture, and that is that what ever the final outcome in this matter, it will not be the last word! As sure as night follows day, the issue of the inexorable uncontrolled spread these HMO's will not just go away and is bound to figure hugely in future local elections, certainly so in the eastern wards.

Yours sincerely

Laurence Pye

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