

CITY OF YORK LOCAL PLAN

PHASE 3 HEARINGS

MATTER 3: STUDENT HOUSING

STATEMENT BY FULFORD PARISH COUNCIL

JULY 2022

Q3.2 Is the general approach of the Plan to student housing justified?

1 Fulford is one of the communities close to the University of York which has been heavily impacted upon by the growth of HMOs to meet growing student numbers. Many previously family houses have been converted to student accommodation resulting often in significant harm to the living conditions of nearby residents and the wider residential environment. This harm arises because:

- Many younger students have very different lifestyles to adjacent residents who in Fulford are often young families with children or elderly. Often the only separation between them is a thin party wall, resulting in noise, aggravation and distress.
- Gardens and external areas are generally not maintained and bins are frequently left in front gardens. This leads to a general deterioration in the environmental quality of an area.
- Many student houses have been inappropriately extended to provide more study bedrooms. Many of the extensions are unduly large in comparison to the original house and detract from the previous pleasant domestic character of the area.

Both the Council and the University have accepted the detrimental impact that HMOs have on areas such as Fulford.

2 Due to the problems created by student HMOs, it is important that the need for more student accommodation arising from the further expansion of the two universities are fully met by purpose-built accommodation. However Policy H7 only requires that the universities “address” need rather than meet it. As a matter of common English, ‘address’ means considering or taking account of. It does not require that the identified need is met.

3 Policy H7 also contains a 'let-out' clause for the universities by allowing new student accommodation not to be provided if it would not be "*economically prudent.*" Given the harm that is caused by student HMOs, this 'let-out' clause should be deleted.

4 For these reasons, the first part of Policy H7 should be reworded as follows:

The University of York and York St John University should meet the need for any additional housing which arises because of their future expansion of student numbers. In assessing need, consideration will be given to the capacity of independent providers of bespoke student housing in the city...

5 These changes are necessary to make Policy H7 sound as it is not currently clear about how a decision-maker should react to a development proposal (NPPF para 154) nor is it effective in achieving its objective.

Q3.6: Is the manner in which Policy H8 approaches HMOs justified?

6 For the reasons already given the concentration of student HMOs in parts of Fulford is giving rise to significant problems for residents and the wider environment. Policy H8 is intended to control the growth of new HMOs and reflects the current draft SPD on the subject. However this SPD has proved remarkably ineffective in doing so, partly because the thresholds are too high and partly the Council has failed to maintain adequate records of the locations of HMOs.

7 The concern about HMOs is not limited to Fulford. CYC's Full Council approved a motion on 16 December 2021 resolving that the Executive consider initiating a review of the HMO SPD with a view to halving the acceptable percentage thresholds to 10% at neighbourhood level and 5% at street level. The motion also committed Council Officers to update concentrations of HMOs across the current Article 4 area (effectively the Main Urban Area), at residential and street levels, by providing up to date data on both the Council website and the York Open Data website.

8 The Executive considered the matter at its meeting on 21 April 2022. The Executive were advised by Officers not to proceed with the planned reduction to the thresholds set out in Policy H8 as it would require a suspension of the current Local Plan Examination and potential withdrawal of the Local Plan. Instead it was advised to defer consideration of a review of Policy H8 and the HMO SPD until such time as the Local Plan is adopted.

9 The Executive's decision is not sustainable for the following reasons:

- It delays action to meet the real problems being created for residential neighbourhoods by the continuing expansion of student numbers.
- A review of the HMO thresholds cannot take place after the adoption of the current Plan because these will be incorporated within local plan policy which cannot be altered by a SPD.
- There is no reason why CYC could not have promoted a proposed modification to Policy H8 in response to objections such as from FPC without triggering the need for suspension of the Examination and withdrawal of the Plan.

10 FPC considers that the HMO thresholds set out in Policy H8 should be halved for the reasons set out above and as resolved by Full Council in December 2021.