

City of Durham Parish Council  
c/o Room 103  
Floor 1  
County Hall  
Durham DH1 5UF

8 February 2019

Paul Hopper  
Durham County Council  
Planning Department  
Central/East Room 4/86-102  
County Hall  
Durham City  
DH1 5UL

Dear Mr Hopper,

**DM/18/03736/VOC:Variation of Condition 3 of Planning Permission DM/18/01731/FPA to  
remove restriction on the maximum period of any single let,  
Ingleside, Whinney Hill Durham DH1 3BE**

I am writing on behalf of the City of Durham Parish Council to object to the above application to remove restrictions on the maximum period of any single let at Ingleside, Whinney Hill Durham DH1 3BE

The City of Durham Parish Council Planning Committee discussed this application at its meeting on 1st February 2019 and resolved to object on the following grounds.

Condition 3 was imposed by the Central and East Planning Committee at its meeting on 11 September 2018 when considering application ref. DM/18/01731/FPA: Part change of use from C3 (dwellinghouse) to C1 (holiday let) retaining the existing C3 use across the remainder of the property. Condition 3 states:

*“The 4 rooms forming part of the C1 use hereby approved shall not be occupied for any purpose other than that falling within Class C1 of the Town and Country (Use Classes) Order 1987 as amended and shall not be occupied as permanent residential accommodation, or for any single continuous period of occupation in excess of 3 weeks in any 6 month period.”*

The reason given for this condition is:

*“To maintain a balanced community and the character of the residential area in accordance with the aims of policy H13 of the City of Durham Local Plan and paragraph 91 of the NPPF.”*

It is clear that the applicant intended to abide by this condition; in rejecting the concerns of the Whinney Hill Community Group the applicant states:

*“The unknown author of the email appears not to understand that in submitting this application we must adhere to the approval and conditions.”*

A letter on behalf of the applicant dated 6 December 2018 appeared on the Planning Portal on 1 February 2019. Such a major delay in making the letter public is unfortunate. The letter states that it is Condition 4 that they are seeking to vary; however, we think they meant to refer to Condition 3. Condition 4 is:

*“The site operator shall keep a register of the names, addresses and telephone numbers of the primary residences of all guests. Such register shall be maintained up to date by the operator and shall be made available for inspection by the local planning authority at all reasonable times.”*

The reason given for this condition is:

*“To maintain a balanced community and the character of the residential area in accordance with the aims of policy H13 of the City of Durham Local Plan and paragraph 91 of the NPPF.”*

However, no explanation is given for seeking a variation in Condition 4, nor should any variation be entertained. The Planning Authority might wish to assure itself that Condition 4 is being adhered to as firmly asserted by the applicant.

The letter does provide arguments for variation of Condition 3; it states:

*“The client is contacted by various people, many connected to the University, for a variety of lengths of stay. The calls and messages Mrs Dunn receives are:*

- *Lecturers who are employed or placed for a University term length or more*
- *A couple awaiting the purchase of a house*
- *Workers who need to stay longer than a hotel would be financially viable*
- *Parents of Durham students for a visit.*

*Mrs Dunn is unable to offer these rooms due to this condition”*

The Parish Council Planning Committee carefully considered these points, aware that in the planning statement with the planning application the applicant stated that:

*“The rooms will be individually let on a short-term basis, the only shared facilities will be the wc/bathroom. A typical let is expected to be 1-3 nights, sometimes extending to a number of weeks if the guest requires.”*

Four months on from that statement, the applicant is asking for the condition to be completely removed. The Parish Council fully supports the County Planning Authority’s reasons for imposing Condition 3 which allows stays of up to three weeks and is entirely in accordance with the applicant’s stated intentions at the time. It finds it difficult to give credence to the claim that parents of Durham students here for a visit would stay for more than a few days never mind three weeks.

Accordingly, the Parish Council urges that Condition 3 should not be removed. If a further application is made to vary Condition 3 for a longer period of less than 12 months, the Parish Council would wish to be consulted.

Should you be minded to approve this application, we would wish this application to be called to Committee so that we can put our case to Councillors.

Yours sincerely,

ROGER CORNWELL

Chair, Parish Planning Committee