



**CITY OF DURHAM
PARISH COUNCIL**

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25 November 2019

Dear Jennifer,

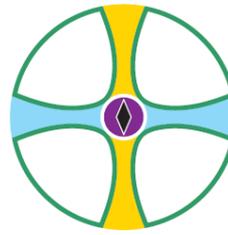
**DM/19/03227/FPA: Two storey rear extension to existing C4 property,
3 Juniper Way, Durham DH1 4GZ**

The City of Durham Parish Council's Planning Committee considered this application at its meeting on 22 November 2019 and agreed to object.

The proposal is to extend an existing 3 bedroom C4 HMO into a 6 bedroom C4 HMO. The property in question was in C3 residential use until approval was given under delegated powers three months ago for a change of use from C3 residential to C4 HMO.

The Parish Council is aware that the Submitted County Durham Plan policy for HMOs seeks to drop control over extensions to existing HMOs, but the County Council itself formally considers that the Submitted County Durham Plan carries no weight as yet. Accordingly, the application must be determined by the Interim Policy and by Saved Policies of the City of Durham Local Plan 2004.

National Planning Policy Framework paragraph 8b describes the key social objective of the planning system as being to support strong, vibrant and healthy communities; paragraph 62 sets the objective of creating mixed and balanced communities, and paragraph 192 seeks sustainable communities. Communities are people, not buildings, but planning policies have to deal with physical development. An extension as proposed here which doubles the number of student bedrooms from 3 to 6 is equal to the creation of a second 3 bedroom student HMO and is equally harmful to the balance and mix of the community. Accordingly, the Interim Policy rightly opposes extensions to existing HMOs.



The County Council's Interim Policy on Student Accommodation states in the relevant section:

"HMO

In order to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix, applications for new build Houses in Multiple Occupation (both C4 and sui generis), extensions that result in additional bed-spaces, and changes of use from any use to:

- **a Class C4 (House in Multiple Occupation), where planning permission is required;**
or
- **a House in Multiple Occupation in a sui generis use (more than six people sharing)**

will not be permitted if more than 10% of the total number of properties within 100 metres of the application site are already in use as HMOs or student accommodation exempt from council tax charges....."

In the case of 3 Juniper Way, within a 100 metre radius the County Council calculates that 59.8% of properties are student HMO properties (the applicant says 68.2%). Clearly there are already well in excess of the 10% proportion of student HMO properties allowed under the Interim Policy, and therefore the application is contrary to the Interim Policy.

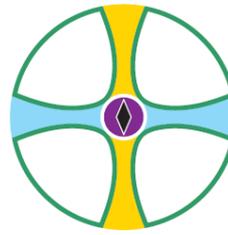
The County Council's proposed Main Modification to County Plan Submitted Policy 16.3 is that the proportion of properties that are HMOs would have to be over 90% to justify consideration of allowing a further HMO. Whether or not this is appropriate, it is the County Council's formally adopted position. It should mean that an additional HMO in Juniper Way would not be acceptable on the basis that the 59.8% current proportion is far below the County Council's 90%.

It is regrettable that the conversion from C3 to C4 was approved three months ago and is now being proposed to double the number of bedrooms. This is exactly the process of continual relentless erosion of balanced and mixed communities that the NPPF enjoins local planning authorities to resist.

Saved Policy H9 of the City of Durham Local Plan 2004 states that:

"The sub-division or conversion of houses for flats, bedsits or for multiple occupation, or proposals to extend or alter properties already in such use will be permitted provided that:

- 1. Adequate parking (in accordance with policy T10), privacy and amenity areas are**



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provided or are already in existence;”

There is no parking provision and thus the application fails to meet the requirements of Saved Policy H9.

We note that the area of the kitchen/dining area is 12.7 square metres but the County Council’s HMO specification states that the combined ground floor kitchen/ dining area used by 6-10 persons is required to be a minimum of 19.5 square metres. The proposal is unacceptable in this regard.

In conclusion, the Parish Planning Committee urges that this application should be refused as contrary to the Interim Policy for Student Accommodation and Saved Policy H9. If the officer recommendation is approval then the Parish Council would wish this application to be called to Committee so that it can put its case to Members.

Yours sincerely,

ADAM SHANLEY

Clerk to the City of Durham Parish Council