



**CITY OF DURHAM
PARISH COUNCIL**

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20 April 2020

Dear Mr Spurgeon,

DM/20/00865/FPA | Change of use from a C3 family house to a C4 HMO, demolition of existing garage and replacement with two storey side extension and single extension to rear | 11 Cedar Drive Durham DH1 3TF

The Parish Council Planning Committee considered this application on 17th April 2020 and agreed to object to this application on the grounds that it fails five clear tests associated with the development of an HMO in a residential environment and should therefore be refused.

The application seeks permission to demolish the existing garage and replace this with a two-storey side extension, single extension to the rear of the property and a change of use from a C3 family house to a C4 HMO. The application also seeks to increase the number of bedrooms in this property from 3 to 6. The property sits within a mid-late 20th Century cul-de-sac estate.

First, it is clear that the applicant is taking advantage of the private student rental market that exists in Durham City. It is the Parish Council's view that the use of this dwelling in Cedar Drive as an HMO would fail to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix in this part of Durham City. It is therefore contrary to policy H13 of the City of Durham Local Plan which indicates that *"planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them."*

Second, Saved Policy H9 of the City of Durham Local Plan 2004 clearly 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 adequate parking (in accordance with policy T10), privacy and amenity areas are provided or are already in existence..."* Adequate parking cannot be provided for the proposed number of individual occupants for this property. Indeed, the locality is already overloaded with parked vehicles from the HMOs in this narrow cul-de-sac and residents report that the lane becomes blocked to the detriment of the local residents. The

application therefore fails to meet the test of Saved Local Plan Policy H9 in terms of privacy and amenity and should therefore be refused.

Third, the Parish Council also notes the concerns expressed by the owner of number 9 Cedar Drive (neighbouring property) in relation to the impact of this proposal on their own property. Saved Local Plan Policy Q8 requires that new developments must: *“provide adequate amenity and privacy for each dwelling, and minimise the impact of the proposal upon the occupants of existing nearby and adjacent properties.”* The Parish Council believes that the scale and bulk of the proposed building would have a significant impact upon the amenities of occupants of the existing and adjacent properties and would fail to provide adequate amenity for those occupants, as required by policy Q8 and its supporting text. The proposal is thus contrary to policy Q8 alongside the NPPF’s aim of *“creating places with a high standard of amenity for existing and future users”*.

Fourth, nearby residents have reported the detrimental impact on their local community caused by the anti-social behaviour students housed in HMO properties in this immediate locality. Paragraph 91 of the NPPF encourages policies that *“achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”*. The Parish Council believes that allowing further student accommodation in this case would only propagate an unbalanced population to the detriment of its character and is therefore contrary to Paragraph 91 of the NPPF.

Fifth, the NPPF promotes pre-application engagement on applications, Section 39 of the NPPF recommending that: *“early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community”*. The Council can find no evidence of any pre-application discussions having taken place in the preparation of this application.

Finally, sixth, residents have reported that the proposed extension to this property would cover a main sewer. Although this does not show on the applicant’s plans, if this is correct then the application would be contrary to Saved Local Plan Policy U8.

In summary, this application fails a number of clear tests associated with the development of an HMO in a residential environment and should therefore be refused. However, should the Planning officers be minded to approve this application under delegated powers then the Parish Council would ask that the matter be determined by the Planning Committee to allow their concerns and those of the local residents to be put to the committee members.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council