



**CITY OF DURHAM
PARISH COUNCIL**

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11 March 2020

Dear Ms Jennings,

DM/20/00102/FPA: Change of use from retail to C4 HMO with 4 bedroom units, 44 Saddler Street, Durham DH1 3NU

The City of Durham Parish Council's Planning Committee considered this application at its meeting on 6 March 2020 and agreed to object to the proposal to create a 4 bedroom C4 HMO on the following grounds.

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. A change of use here which would create four student bedrooms is counter to the aim of fostering a balanced and mixed community.

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....."***

This policy has been strengthened in the following Main Modification to the Draft County Durham Plan proposed by the County Council in light of the Independent Inspector's questions at the Examination in Public:

“In order to promote create and preserve inclusive, mixed and balanced communities and to protect residential amenity, applications for new build Houses in Multiple Occupation (both Use Class C4 and sui generis), extensions that result in specified or potential additional bedspaces, 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 licensed HMOs or student accommodation exempt from council tax charges.”**

Whilst the County Durham Plan does not yet carry statutory weight, the approved Main Modification does constitute formally adopted County Council policy and is therefore to be afforded the same or greater weight as the Interim Policy is already afforded because it is very up-to-date and is in response to the Examination in Public Inspector's specific question.

In the case of 44 Saddler Street, the County Council finds that within a 100 metre radius some 76% of properties are student accommodation exempt from council tax charges. There may be a few other properties that are HMOs but have not claimed Council Tax exemption. Clearly around 44 Saddler Street there are already well in excess of the proportion of student properties allowed under the Interim Policy and proposed Main Modification strengthened policy.

The Parish Planning Committee concludes that this application should be refused as contrary to the Interim Policy on Student Accommodation and the proposed Main Modification to County Durham Plan Submitted Policy 16.3.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council