



**CITY OF DURHAM
PARISH COUNCIL**

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3 June 2020

Dear Ms Jennings

DM/20/01068/FPA: Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4), 8 High Wood View, Durham DH1 3DT

Thank you for providing access to the Planning Statement accompanying the above application. The City of Durham Parish Council Planning Committee considered the Statement at its Zoom meeting held on 29 May 2020 and decided to make comments in addition to its earlier objection. For the sake of clarity the following comments are a complete statement of our objections and replace our earlier letter.

The proposal is to convert and sub-divide a two-bedroom residential property (C3) to form a three bedroom house in multiple occupation (C4). 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. The conversion and sub-division proposed here represents the loss of a family home for year-round residents, replaced with a student HMO which will be unoccupied for a significant proportion of the year.

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; 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....."**

The applicant provides percentage figures for a 100 metre radius of 8 High Wood View of around 69%. 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 Examined 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 High Wood View would not be acceptable, on the basis that probable 69% current proportion is well below the County Council's 90%.

The applicant's Statement asserts that the Main Modifications carry no weight. This assertion has been overtaken by events. They have the weight of being Main Modifications required by an Independent Planning Inspector at an Examination in Public and are now the subject of ongoing statutory public consultations.

The Parish Council is aware that 12 months ago an Appeal Inspector concluded on a similar application at 10 High Wood View that *"the situation at the property is one where the addition of a further student HMO would not cause material harm to the range and variety of the local housing stock, the living conditions of residents or the character and appearance of the area"*. The Parish Council disagrees with that particular conclusion because it considers that the Interim Policy is fundamentally about preventing the erosion of living conditions for residents, and there are still some year-round residents in High Wood View. In any case, that appeal decision pre-dates the Examination of the County Durham Plan and the specific endorsement of the policy as carried forward into Policy 16.3 along with the County Council's formal re-affirmation in a Main Modification which continues to oppose additional HMOs in an area with the percentage HMO level at High Wood View.

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 provided or are already in existence; and**
 - 2. It will not adversely affect the amenities of nearby residents; and**
 - 3. It is in scale and character with its surroundings and with any neighbouring residential property; and**
 - 4. It will not result in concentrations of sub-divided dwellings to the detriment of the range and variety of the local housing stock**"

The proposal involves the sub-division of one of the two existing upstairs bedrooms to form a third bedroom, and the conversion of a house to create a multiple occupation house, to the detriment of the amenity of the remaining year-round residents and with no parking provision: it is thus

contrary to parts 1, 2 and 4 of Saved Policy H9.

In conclusion, the Parish Planning Committee urges that this application should be refused as contrary to Saved Policy H9, the Interim Policy for Student Accommodation, and Examined County Durham Plan Policy 16.3 with its proposed Main Modification. Therefore, no matter what stage the County Durham Plan has reached when this application is determined, there is a policy that should lead to its refusal.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council