



**CITY OF DURHAM
PARISH COUNCIL**

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29 July 2020

Dear Ms Jennings,

Planning Application DM/20/01347/FPA | Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) | 24 May Street Durham DH1 4EN

The Parish Council Planning Committee discussed this application at its meeting on 24 July 2020, held using the Zoom teleconferencing software, and resolved to object. We hope you find the arguments set out below to be persuasive, but should you be minded to approve we would like to take this to the relevant County Planning Committee so that we can put our case.

The Council Tax data reported by the Research and Intelligence Officer gives the percentage of student properties within 100m as 59.3% and we accept this figure. That percentage significantly exceeds the threshold of 10% of permissible conversions to HMO's within a 100m radius of any application site contained within the Interim Policy on Student Accommodation. However it does not trigger the exception where there is such a high concentration of HMOs that a change of use would not cause further detrimental harm.

We note the suggestion in paragraph 4.5 of the Planning Statement that "this 100m radius encompasses residential areas to the west of the Viaduct area around Farnley Hey Road and Farnley Mount, which accommodate very high proportions of general housing stock [...] with little physical relationship with the terraced properties on May Street." The Parish Council has property location information from the Ordnance Survey. There are four houses in Farnley Hey Road within 100m of 24 May Street, the closest being 94m, and none of the houses in Farnley Mount are close enough to count. The formula used in the IPSA provides a clear and consistent way of assessing whether the application site falls within its purview. Its use has been endorsed by Planning Inspectors, and this methodology is being carried forward into the County Durham Plan where consultations on the proposed Main Modifications have now been completed and the Inspector's Final Report is awaited. The formula should not be tweaked as is being suggested here.

The Planning Statement makes no mention of properties in The Avenue, which runs parallel to May Street and where, because of the topography (it stands higher) the sound carries considerably louder and further than it would on flat ground. There are 45 properties in The Avenue within 100 metres of 24 May Street. They already suffer disturbance from properties in May Street.

The most recent appeal is reference APP/X1355/W/19/3241732 (council reference DM/19/02853/FPA) and this related to 27 May Street, across the street and only 21 metres from the application site. This is dated 28 May 2020, just two months ago, and repays reading in its entirety. The following paragraphs are particularly relevant:

12. Should this dwelling become converted to a C4 HMO use, this would reduce the number of C3's retained as family accommodation. The loss of another C3 family unit within the 100m radius of the appeal site would result in substantial harm by further imbalancing the range and variety of local housing stock. To this end it would not uphold the principle aims and objectives of the Direction and the IPSA to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix.
13. The evidence before me confirms the concentration of HMO's within 100m of the appeal site is approximately 47.3%. Increasing this figure would therefore be at odds with the aims of Policy H9 of the LP to prevent conversions to HMO's, with particular regard to the detriment of the local housing stock.
28. The Council have demonstrated that the concentration of HMO's within 100m of the appeal site is well above the level set by the IPSA. In the final balance, the loss of C3 family accommodation and the increase of another HMO would detrimentally intensify the concentration of HMO's within this specific area. It would undermine the purpose of the Direction to redress the concentration of HMO's to create a housing mix within the area. In addition, I have found that a C4 use would substantially compromise the living conditions of local residents through increased noise and disturbance. It would therefore conflict with the relevant policies of the development plan that seeks to resist development that adversely affects residential amenity. No material considerations lead me to determine otherwise in accordance with the development plan.

Converting a family home to an HMO reduces the range and variety of local housing stock, as the Inspector noted in paragraph 12.

Consequently we ask that that this application be refused on the grounds that there would be an adverse effect on residential amenity, contrary to Saved Policies H9 and H13 of the City of Durham Local Plan, and because it does not meet the criteria set out in the Interim Policy on Student Accommodation.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council