



**CITY OF DURHAM  
PARISH COUNCIL**

Learning from the past.  
Building for the future.

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30 September 2020

Dear Jennifer,

**DM/20/02278/FPA Proposal for a single storey rear extension, rear double dormer and various alterations to a recently established HMO use class C4. 8 High Wood View Durham DH1 3DT**

The City of Durham Parish Council Planning Committee considered the above application at its virtual meeting held on 18th September 2020. It decided to object to this application on the following grounds.

The application site is located at the Southern boundary of the designated Conservation Area of Durham City. The property is situated in a cul-de-sac leading off Stockton Road and is within a group of streets built around the late 19th and early 20th century. The streets are characterised as 'short linear uniformed terraces either fronting or running parallel to Stockton Road, and has access to a back lane running along the rear of the terrace'. The terraced houses are typical of their age of construction and similar to those developed on a much greater scale on the West side of the city. For generations they housed families in this central part of the City.

The applicant's proposal ***"seeks to create a comfortable, spacious and well ventilated 5 bed HMO for end users to comfortably live in."*** Because, until now, the accommodation offered to the students has been sub-standard the applicant now "looks to bring the property in line with the HMO regulations, mainly in terms of light, ventilation, bedroom size and kitchen space." To achieve this laudable ambition, however, does not require an extension, merely an upgrading of the property as it now stands. But the applicant suggests "an extension to the rear of the ground floor will enable the creation of a high standard kitchen/living/dining area which will allow for more food preparation space and storage" adding the essential requirement of "other alterations [which] will allow for a spacious bedroom to be created on the ground floor." Some plastic windows and "the installation of a double dormer and Velux windows will enable two new bedrooms to be created bringing the total to 5 for the property."

That is all very well. Not once does the applicant address the relevant policies designed to govern the ever expanding studentification of Durham City that has, by uncontrolled increment, had such a serious, detrimental and irreversible long term impact on the welfare of the City and its permanent community.

To address this problem the Council has both inherited and developed its own raft of policies designed to protect the city, both now and in the future, from the ever-growing and damaging incursion of HMOs which will ultimately destroy the city entirely as a place in which families can reside and enjoy their lives.

The policies that require this application to be refused are both clear and straightforward.

In addressing these policies, we note that:

(a) on 17 September the Inspector's Final Report on the Examination of the County Durham Plan was issued, and

(b) on 21 September the Council issued a press release which said that ***"The plan with the modifications will go to our Cabinet and ultimately full council for adoption in the coming months"***.

Therefore, all that remains are the formal steps necessary for its adoption and, consequently, in accordance with paragraph 48 of the NPPF:

(sub clause a), its preparation is complete:

(sub clause b), there are no unresolved objections

(sub clause c), the whole focus of the Examination was to ensure that the Plan was completely consistent with the NPPF

Consequently, we conclude that the County Durham Plan can now be given considerable weight.

As a result:

First, the County Council's proposed Main Modification to Examined County Plan Submitted Policy 16.3, which now carries significant weight, states that:

***"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), [or] 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 percentage of Class N exemptions within 100m of this property is 77.8%, a figure well in excess of the 10% proportion of student properties. The application should be refused.

Secondly, the Durham County Plan Policy 16.3, in the relevant section, states that the proportion of properties that are HMOs would have to be over 90% to justify consideration of allowing a further HMO and is the County Council's formally adopted position. Therefore, the increase in student numbers at 8, High Wood View, Durham City is not acceptable, because the 77.8% current proportion is below the County Council's own 90%. The application should be refused.

Third, the definitive National Planning Policy Framework (NPPF) Paragraph 8b describes the key social objective of the planning system dedicated to supporting strong, vibrant and healthy communities. In particular, Paragraph 62 sets the objective of creating mixed and balanced communities; and Paragraph 192 seeks to create sustainable communities. Communities are people, not buildings, but planning policies must deal with physical development which ensure that the constraints of the NPPF are met. The proposed conversion in this application represents a further increase of additional students in this area which will be unoccupied for a significant proportion of the year and is therefore contrary to NPPF Paragraphs 8b, 62 and 192. The application should be refused.

Fourth, Saved Policy H9 of the City of Durham Local Plan 2004, which continues to carry full weight, 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 .....*”**

This application involves the extension of a C4 property to accommodate additional students. Such an extension is contrary to H9 paragraphs 2, 3 and 4: it will clearly affect the amenity of nearby residents, contrary to part 2 of H9. The proposed extensions to change a two bed roomed house to a five bed roomed house will leave very little external amenity space for residents and is therefore in breach of H9 part 3. Furthermore, the proposed extension reduces the already limited space in the back yard and apparently removes the space for the bins and the cycle racks (both visible on the plans). That is, there is very little amenity space remaining for the increased number of residents, and Durham County Plan Policies 16.3 (clauses (e) (f) and (g)) and 30 carry forward the provisions of Local Plan Policy H9. The application should be refused.

In conclusion, the Parish Planning Committee urges that this application should be refused. It is contrary to the requirements of the County Durham Plan Policy 16.3, NPPF Paragraphs 8b, 62 and 192, and key elements of Saved Policy H9 governing the extensions to HMOs.

However, if you are minded to approve this application under delegated powers then the City of Durham Parish Planning Committee asks that it be called to the Durham Central and East Planning Committee to be determined.

Yours sincerely,

**Adam Shanley**  
**Clerk to the City of Durham Parish Council**