



**CITY OF DURHAM
PARISH COUNCIL**

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17 February 2020

Dear Ms Jennings

DM/20/00191/FPA: Two storey rear extension and a change of use from a C3 family house to create a six bedroom C4 HMO at 34 The Hallgarth Durham DH1 3BJ

The Planning Committee of the City of Durham Parish Council considered the above application to create a six bedroom C4 HMO at 34 The Hallgarth at its meeting on 7 February 2020 and resolved to object on the following grounds.

The Council's Interim Policy on Student Accommodation adopted in September 2016 states:

"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 significant weight of being very up-to-date and in response to the Examination in Public Inspector’s specific question.

In the case of 34 The Hallgarth, the County Council finds that within a 100 metre radius some 39% of properties are student accommodation exempt from council tax charges. No figure is provided on licensed HMOs. Clearly around 34 The Hallgarth there are already well in excess of the proportion of student properties allowed under the Interim Policy and proposed Main Modification strengthened policy. It cannot be argued with any credibility that the area is already so ‘studentified’ that one more loss of a family home is not worth resisting. The applicant’s own Planning Statement quoting appeal Inspectors granting an additional conversion to C4 HMO shows that such cases have been in areas where the imbalance has reached the point where 61% or more of the properties are student HMOs. In The Hallgarth not even half of the properties are HMOs. The NPPF and County Council’s aims to *“promote create and preserve inclusive, mixed and balanced communities and to protect residential amenity”* are very much to be supported here.

On the matter of residential amenity, 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; and**
- 5. It will not involve significant extensions having regard to policy Q9, alterations or rebuilding which would unacceptably alter the character or scale of the original building.”**

The creation of a six-bedroom student HMO in this area would increase the presence of people whose life-styles are different to year-round residents and so introduce the very threat to nearby residential amenity that Part 2 of Saved Policy H9 is designed to prevent. It is probably unhelpful to the applicant’s case that her Planning Statement at paragraph 7.3 compares students favourably against loud dogs. The proposal would also reduce the range and variety of housing stock, contrary to part 4 of H9. Thus the application is in direct conflict with Saved Policy H9 of the statutory development plan for the area.

The Parish Planning Committee concludes that this application should be refused as contrary to Saved Policy H9 and the Interim Policy on Student Accommodation and County Durham Plan proposed Main Modification, and hopes that you agree. **However, should you be minded to approve this application, we would wish this application to be called to Committee so that we can put our case to Councillors.**

Yours sincerely,

ADAM SHANLEY

Clerk to the City of Durham Parish Council