



**CITY OF DURHAM
PARISH COUNCIL**

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14 July 2020

Dear Ms Jennings,

DM/20/01655/FPA | Change of use from two-bedroom apartment (Use Class C3) to small House in Multiple Occupation (Use Class C4) | 28 Clements Wharf Back Silver Street Durham DH1 3RP

The City of Durham Parish Council Planning Committee considered the above application at its Zoom meeting held 10 July 2020 and decided to object to this application.

28 Clements Wharf (“the application site”) is an existing two-bedroom apartment, located within a relatively modern development of 29 apartments which sits adjacent to the River Wear in the heart of Durham City.

This application seeks permission for a change of use from a two-bedroom apartment (Use Class C3) to a small House in Multiple Occupation (Use Class C4). This application also involves the internal sub-division of the existing kitchen / living / dining room to create a third bedroom.

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 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.....”

We understand that the percentage of Class N exempt properties within 100 metres of the application site is 50%. 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 extensions aspect of the Interim Policy.

The County Council’s proposed Main Modification to Examined County Plan Policy 16.3 is that the proportion of properties that are HMOs would have to be over 90% to justify consideration of allowing an extension to an existing HMO. Whether or not this proposed Main Modification is appropriate, it is the County Council’s formally adopted position. It should mean that an HMO extension in this location would not be acceptable, on the basis that the 50% current proportion is well below the County Council’s 90%.

Furthermore, Saved Policy H9 of the City of Durham Local Plan 2004 clearly 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 it will not result in concentrations of sub-divided dwellings to the detriment of the range and variety of the local housing stock ...”** The Parish Council believes that this application fails to meet the test of Saved Local Plan Policy H9 and should therefore be refused.

In conclusion, the Parish Council Planning Committee urges that this application be refused as it is 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