



**CITY OF DURHAM
PARISH COUNCIL**

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Building for the future.

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Dear Lisa

DM/21/00486/FPA: Demolition of existing outbuilding and utility room and erection of single storey pitched roof extension to rear of existing dwelling with habitable accommodation to roofspace, 136 Gilesgate Durham DH1 1QQ

DM/21/00487/LB: Demolition of existing outbuilding and utility room and erection of single storey pitched roof extension to rear of existing dwelling with habitable accommodation to roof-space, 136 Gilesgate Durham DH1 1QQ

The City of Durham Parish Council Planning Committee considered the above linked planning applications at its Zoom meeting held on 5 March 2021 and resolved to object on the following grounds.

The proposal is described as being the demolition of an existing outbuilding and utility room and the erection of a single-storey pitched roof extension to the rear of the existing dwelling with habitable accommodation in the roof-space. The applicant has received permission for extensions to this property in 2008 and 2012 but neither was implemented.

The property is Grade II Listed and is in C4 use with 6 bedrooms; two are on the ground floor, together with a bathroom, and four are on the first floor together with a bathroom.

The application describes the first floor of the extension as “habitable space”, a term wider than the statutory categories in the Use Classes of the planning system. This vagueness is exemplified by the drawings for the proposed extension, which label the first-floor use as bathroom (our emphasis) but the key displaying the internal floor areas says that the extension’s floor area is a bedroom of 7.4 square metres. Indeed, the application made in 2012 was for an extra bedroom in the extension.

The Parish Council wonders why a third bathroom is now being proposed for this property and would be most concerned if indeed the intention is for the extension to be a seventh bedroom. This would alter the Use Class from C4 (small HMO) to Sui Generis HMO. The Parish Council fully appreciates that a further planning application would be required to seek to legitimise a Sui

Generis HMO use, and would expect it to be refused under the terms of County Durham Plan Policy 16.3. The policy sets a threshold of 10% for the percentage of properties that are HMOs in a 100-metre radius of the proposal. A precise 100-metre radius figure is not available, but the postcode percentage is 21%, well above the 10% threshold.

The ground floor of the proposed extension is labelled as a 'utility room' and this too could be a potential extra bedroom, difficult to discover unless the property is inspected under, for example, licensing procedures.

The Nationally Described Space Standard (NDSS) requires that a single bedroom has a floor area of at least 7.5 m² and is at least 2.15 metres wide, and that any area with a headroom of less than 1.5m is not counted within the gross internal area. The first-floor bathroom which may be a bedroom is 7.4 m² but only 5.1 m² has the required 1.5 metres headroom and thus the room fails to achieve the minimum floor-space required by the National Standard.

County Durham Plan Policy 29 requires that:

“All new residential development will be required to comply with the Nationally Described Space Standards (NDSS). In order to allow for an appropriate transition period, the NDSS will only be applied to outline or full applications approved one year after the Plan is adopted.”

Although the transition period has six months to run, this does not remove the need to comply with the opening section of Policy 29, which states:

“All development proposals will be required to achieve well designed buildings and places having regard to supplementary planning documents and other local guidance documents where relevant, and: [...]

e. provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties...”

Furthermore, the County Council's Spatial Policy Team, when commenting recently on a proposal, advised *“we would encourage developers to use these standards as a reasonable benchmark when bringing forward applications during this transition period.”*

The Parish Council considers that the inadequate size of the first-floor room if it is a bedroom would mean that this application would not provide high standards of amenity.

In conclusion, the Parish Planning Committee urges that these applications should be refused if the proposed first floor room is a bedroom and the intention is to create a Sui Generis HMO use contrary to County Durham Plan Policy 16.3 and Policy 29.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council