

THE CITY OF DURHAM TRUST

c/o Blackett, Hart & Pratt, LLP
Aire House
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Belmont
Durham, DH1 1TH
30 October 2022

Web site: <http://www.DurhamCity.org>

Jack Burnett
Durham County Council
Planning Development
Central/East Room 4/86-102
County Hall
Durham DH1 5UL

Dear Mr Burnett

Planning application DM/22/02837/FPA | Alterations and extensions to existing HMO to create four self-contained flats. Refurbishment and architectural works to improve building cohesion and appearance. | 45A Sunderland Road Gilesgate Durham DH1 2QH

The City of Durham Trust objects to this planning application because County Durham Plan Policy 16.3 states that

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:

- a. including the proposed development, more than 10% of the total number of residential units within 100 metres of the application site are exempt from council tax charges (Class N Student Exemption); [...]

The *Design and Access Statement* says "The four separate HMO units have been designed in accordance with DCC guidance and conform to statutory lounge, bedrooms, and kitchens to approved sizes." We would not dispute that the proposals meet the space requirements of the NDSS, but the key point is that they are described as HMOs bringing them within the ambit of Policy 16.3. Since the HMO data is that 32% of properties within 100m of the application site have a Class N exemption from Council Tax, the criteria in Policy 16.3 for refusing this application have been met, and we ask you to do so.

Yours sincerely

JOHN LOWE

Chair, The City of Durham Trust

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