

THE CITY OF DURHAM TRUST

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

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

Dear Mr Richards,

DM/23/00099/FPA | Subdivision of an existing 4 bedroom bungalow C3 dwellinghouse to form 2 No C3 two bedroom dwellinghouses with associated external works and internal alterations | 4 North End Durham DH1 4NG

The City of Durham Trust objects to this planning application for the reasons set out below and asks the Authority to refuse it.

We support the statement from the eminently qualified neighbours at 6 North End:

The current application does not constitute a conversion to two separate dwellings. It simply proposes the provision of a central communal corridor or hallway with two bedrooms on each side. No changes are proposed to the external doors of the property. The front door access remains shared, as does the garden, access gates, driveway, parking, bin and cycle store. The proposed increase in parking to the rear of the property will reduce its amenity space.

Consequently this application should be refused on precisely the same grounds as its predecessor DM/21/01858/FPA, the refusal of which was upheld on appeal.

The applicant is now contending that the converted apartments are to be let on the open market, as set out in the Planning Statement:

2.6 Whilst not being solely offered to students for let, it is anticipated that the new units may be of interest to students despite not being a formal PBSA or a larger purpose built student HMO and that will be addressed further in this report.

2.7 The units will be let on the open market and given the location and quality of accommodation proposed it is anticipated that they could appeal to mature renters, young professionals, or nurses and doctors working at the hospital or professionals at the newly proposed Aykley Heads business park for which it will be ideally situated. Indeed the current tenants are young professionals working in the city.

If the tenants are as described in 2.7 then they will have expectations of being in a self-contained unit, free from disturbance from neighbours and with a reasonable degree of privacy. Indeed doctors and nurses may be working shifts at the hospital and need quiet in the

THE CITY OF DURHAM TRUST

daytime as well as at night. These expectations are met in the County Durham Plan by these policies:

Policy 29: Sustainable Design

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;

Policy 31: Amenity and Pollution

Development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions. Proposals which will have an unacceptable impact such as through overlooking, visual intrusion, visual dominance or loss of light, noise or privacy will not be permitted unless satisfactory mitigation measures can be demonstrated whilst ensuring that any existing business and/or community facilities do not have any unreasonable restrictions placed upon them as a result.

Since the applicant is running the argument that her proposal is aimed at young professionals, she needs to show that each of the lettable units meets those requirements. She has not done so. As the objection from 6 North End quoted earlier points out, what is proposed does not constitute a conversion to two separate dwellings

This proposal will not provide high standards of amenity and privacy, and minimise the impact upon the occupants of the other apartment in this proposal, as CDP Policy 29 requires. Policy 31 says that “The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions.” This is not something that can be inferred from plans, it must be demonstrated. Paragraphs 4.37 and 4.40 of the Planning Statement claim that neighbour amenity will not be affected but do not address the mutual impact of the proposal on the adjoining apartments. There will be an unacceptable impact particularly on noise and privacy. Given that the apartments will be offered both on the open market and to students the possibility of a clash of lifestyles is evident.

Consequently the incompatibility with CDP Policies 29 and 31 means the application should be refused if the intention is to let the two apartments on the open market.

The applicant has concluded that “Officers are likely to request that the proposals should be assessed in line with Part 2 of Policy 16 of the adopted County Durham Plan”. We hope this is the case. We now consider the criteria in Policy 16.2, three of which have not been met:

a. that there is a need for additional student accommodation of this type in this location;

The only “evidence” offered for there being a need is links to two stories in the online student

THE CITY OF DURHAM TRUST

website *The Tab*. The first of these is a story about students queueing overnight to secure accommodation for the following academic year, based on their belief that there is a shortage. The fact is, there is in Durham a surplus of student beds, but landlords and their agents deliberately promote a rush by students to secure a bed for next year and to achieve the high rents involved. The second story is about the position in the current academic year, which the University has blamed on the unprecedented number of A-Level successes as a result of the national changes to the exam process after Covid.

The University accommodates some 7,500 students, mainly first-years, in its seventeen Colleges. StuRents is a website that aggregates student accommodation available in University towns and cities. In Durham it has 17,900 places on its books. That makes a total of 25,400. In addition some private providers are not listed by StuRents and some students live at home. The projection by StuRents is that Durham will need to find places for 21,317 students in 2023/24. There is no shortfall, indeed the surplus is over 4,000 places.

b. consultation with the relevant education provider pursuant to the identified need

There has been no consultation with the University and no evidence that this has been attempted.

e. the design and layout of the student accommodation and siting of individual uses within the overall development are appropriate to its location and in relation to adjacent neighbouring uses;

The County Council's decision in case DM/21/01858/FPA was that

The introduction of a C4 house in multiple occupation within this locale due to its location on a primary access route from an existing PBSA to the Town Centre Location would result in further imbalance in the community and have a detrimental impact on surrounding residential amenities through further noise and disturbance in contravention of Policy 16, 29 and 31 of the County Durham Plan, and paragraph 130(f) of the National Planning Policy Framework.

While the location on a primary access route is a consideration for Policy 16.3 and not Policy 16.2, the fact remains that in terms of disturbance to neighbouring properties, and in particular 6 North End, the noise and disturbance would be the same with this proposal as in the application that was refused. Consequently this criterion has not been met.

The conclusion, therefore, is that if this proposal is for a development to be let on the open market then it fails the tests in County Durham Plan Policies 29 and 31. If, on the other hand, the apartments are to be let to students, then this constitutes purpose built student accommodation and it fails the tests in Policy 16.2. Either way, this application should be refused.

Yours sincerely,

JOHN LOWE
Chair