

# THE CITY OF DURHAM TRUST

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c/o Blackett, Hart & Pratt, LLP  
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Durham, DH1 1TH  
3 April 2023

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

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

Dear Ms Morina,

**Planning Application DM/23/00456/FPA | Change of use from dwelling (use class C3) to House in multiple occupation (HMO) (use class C4). | 3 Wentworth Drive Durham DH1 3FD**

The City of Durham Trust objects to this planning application and asks you to refuse it.

We support the objection made by the City of Durham Parish Council and make the following additional points:

We note that the data regarding Class N exemptions from Council Tax is due to be updated this month, and ask that the latest figures are used when determining this application.

The proposal is to convert the property from a four bed family home into a six bed HMO by converting the lounge and study on the ground floor into bedrooms. The supporting statement asserts that both of these new bedrooms meet the DCC Shared Housing Standards, specifically a minimum floor area of 6.51m<sup>2</sup>. 3 Wentworth Drive is a David Wilson Homes house, the Bradgate. There are several of these on this estate, all to the same design. A resident of a neighbouring Bradgate design has measured their study and advises that its dimensions are 223cm x 265cm, which equates to 5.91m<sup>2</sup> or 0.60m<sup>2</sup> short of the standard. Obviously this will have to be checked on the application site but we question if permission could be given for a six bed HMO.

On the other hand, bedrooms 1, 2 and 5 are large enough to be doubles and so, unless there is a suitable planning condition, the house could contain as many as nine individuals.

The sanitary arrangements do not appear to meet the requirements of the DCC Shared Housing Standards. The bathroom shared by bedrooms 1 and 2 has a shower and a WC but no hand basin, as required by part 7(d). Part 7(c) requires the WC to “be situated in a room separate from the bathroom or shower room” unless if, in exceptional circumstances, the Council waives this provision. Both WCs on the first floor are in a bathroom and no case has been made for exceptional circumstances and there is no proof that DCC has waived this provision.

The supporting statement also says that the proposal will “help relieve the student housing crisis”. No evidence is offered that such a crisis exists. The Trust has conducted research<sup>1</sup> which

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<sup>1</sup> <https://durhamcity.org/2022/12/31/press-release-student-housing/>

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shows that the total number of student bed spaces available for next year (2023/24) will be 25,400 compared to projected student numbers of 21,317, meaning there is in fact already a surplus of student bed spaces.

On 14 March 2023 the Area Planning Committee (Central and East) considered application DM/21/04262/FPA for nine four- and five- bedroom houses, also at Mount Oswald. In debate, as reported in the minutes, Councillor K Shaw said that the application did meet the need in County Durham for executive housing, giving diversity to the housing offer and helping to meet the 10 year need for such homes. Approving the current application to convert 3 Wentworth Drive to an HMO would remove an executive home from the available stock.

Policy 29(e) of the County Durham Plan requires all development proposals to provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties. Although the houses in Wentworth Drive are quite generously proportioned, they are close to their neighbours. The estate was given planning permission before the 2020 Residential Amenity Standards SPD was approved. This SPD requires 21 metres between the main facing elevations of two-storey houses. In the case of Wentworth Drive this distance is 12 metres. In these circumstances the impact of new residents with a lifestyle that differs from that prevailing is likely to have an adverse effect on the amenity of their neighbours. The comments from nearby residents show this is already the case.

The first part of Policy 31 says

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.

It should be noted that there is a requirement to demonstrate that there will be no unacceptable impact. Neighbouring residents have raised well-founded and legitimate concerns that need to be addressed. There is nothing in the supporting statement to do so. Consequently the requirements of Policy 31 have not been met.

For the foregoing reasons we ask you to refuse this application.

Yours sincerely,

JOHN LOWE

Chair, the City of Durham Trust