

THE CITY OF DURHAM TRUST

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

c/o Blackett, Hart & Pratt, LLP
Mandale Business Park
Belmont
Durham, DH1 1TH

26 September 2023

Ms Michelle Hurton
Planning Development Central/East
Room 4/86-102
County Hall
Durham City
DH1 5UL

Dear Ms Hurton

DM/23/02236/FPA: Sub-divide dwelling (C3) into 3no flats, 1 Beech Crest, Durham DH1 4QF

The Trustees of the City of Durham Trust considered the above planning application at our meeting held on 19 September 2023 and resolved to submit the following objection.

The consultant's Statements accompanying the application betray the thinking behind this proposal. Paragraph 1.2 of the Planning Statement says:

"This Statement sets out the relevant Planning Policies, which needs to be considered in support of this application."

Paragraph 2.4 of the Planning Statement says:

"My client proposes to further refurbish the ground floor, first and second floor, to accommodate three new flats, these are to be rented out. At this stage my client would not be looking to accommodate students."

Unfortunately, it then goes on to name only one policy - County Durham Plan Policy 16 which is about student accommodation. No other policies of the County Durham Plan or the Durham City Neighbourhood Plan are even mentioned. There is no mention of CDP Policy 21 on Sustainable Transport, Policy 29 on Sustainable Development, Policy 31 on Amenity and Pollution, or Policy 44 Historic Environment, nor of DCNP Policy S1 Sustainable Development, H2 The Conservation Areas, D4 Building Housing to the Highest Standards or Policy T2 Residential Car Parking.

It is incumbent on the application to address all relevant statutory planning policies and to provide a reasoned justification as to how the proposal complies with each policy. In this case the Statements are concerned only with the policy on student accommodation, and even with that they omit the only section that is relevant.

The Trust has tested the proposal against each relevant policy, as follows.

CDP Policy 16: the applicant's Planning Statement spells out part 1 of this policy but that part is about the University's own development which this is not. The Statement then goes through part 2 which is about Purpose Built Student Accommodation which this proposal is not. Bizarrely, the statement ignores part 3 of Policy 16 which is about Houses in Multiple

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Occupation whether by new build or by sub-division or extension. This is the part of the policy that the proposal should be assessed under but is totally absent. The Trust believes that the percentage of properties that are Class N Exempt from Council Tax within 100 metres of the application site is well above 10% and therefore the proposal fails Policy 16.3 if for student occupation.

CDP Policy 21 includes the following principle: “**car parking at residential development should ensure that a sufficient level is provided for occupants and for visitors**”. The application is to change from a single residential unit to three separate residential units but does not provide any assessment under this policy of the consequent increase in need for car parking provision. The Planning Statement does declare elsewhere that:

“The development is in an area in which parking is of a premium. The dwelling does own a garage which is situated adjacent to the side of the building and there are shared car parking spaces outside, the access up to the development is narrow. It is felt that while the car parking is at a premium the impact will not be negative because of the location of the dwelling, residents in this area normally use public transport, the main bus station in Durham is 3 minutes’ walk. And the train station 6 minutes’ walk.”

The Trust considers that this does not constitute an adequate assessment in line with the Council’s Car Parking Standards.

CDP Policy 29 on Sustainable Development part c requires renewable and low carbon energy generation but no mention is made in the Statements. Part e requires high standards of amenity and privacy but the tiny back yard is full of wheelie bins and cycle racks shared by all three separate residential units. Part 6 requires well-defined private amenity space but again the tiny yard is shared. Part n requires compliance with the Nationally Described Space Standard, and a Statement is provided demonstrating compliance.

CDP Policy 31 on Amenity and Pollution requires that “**future occupiers of the proposed development will have acceptable living conditions**”. Creating three separate residential units into the current property with a shared entrance and minute backyard is not of the standard of living conditions that ought to be provided, in the Trust’s opinion.

CDP Policy 44 Historic Environment: the application totally ignores the fact that it is within the Durham City Conservation Area and therefore part f of Policy 44 is relevant. This requires the demonstration of an understanding of the significance, character, appearance and setting of the Conservation Area, how this has informed the proposal, and respect for and reinforcement of the positive characteristics of the area. No external changes are proposed to the existing property and so it is acceptable under these terms but the application fails to make any such assessment.

DCNP Policy S1 Sustainable Development part h requires new buildings and renovations, where appropriate, to minimise energy consumption and carbon emissions. No mention is made in the consultants’ Statements as to whether the sub-division of this property into three residential units includes any measures to reduce energy consumption and carbon emissions.

DCNP Policy H2 The Conservation Areas expects development proposals within the Durham City Conservation Area to sustain and enhance its significance. For the reasons set out above in relation to CDP Policy 44 the Trust considers that the application fails to make any assessment under DCNP Policy H2.

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DCNP Policy D4 Building Housing to the Highest Standards part g asks for the improvement of energy efficiency and reduction of carbon dioxide emissions. No assessment of compliance is offered in the Statements.

DCNP Policy T2 Residential Car Parking part a looks to any off-street parking being designed to minimise additional vehicle movements on residential streets. The application is vague about parking provision - *“The dwelling does own a garage which is situated adjacent to the side of the building and there are shared car parking spaces outside, the access up to the development is narrow.”* There should be a clear assurance as to whether or not the creation of three residential units is accompanied by parking provision that meets the County Council’s standards.

On the above grounds of failing to address all of the relevant statutory planning policies, and of being contrary to many of them, the City of Durham Trust asks the County Council to refuse this application.

Yours sincerely,

John Lowe

Chair, City of Durham Trust