

THE CITY OF DURHAM TRUST

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4 March 2024

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

Dear Ms Hurton,

**DM/24/00402/FPA: Change of use of ground floor office (E) to a 2 bedroom flat (C3)
for student accommodation including replacement of 1no window
for 1no door and window to rear, 44 Claypath Durham DH1 1QS**

The City of Durham Trust objects to this planning application because it is *de facto* creating student accommodation for three or more un-related individuals and thereby fails against Policy 16.3 of the County Durham Plan.

In commenting on the preceding application (DM/24/00007/FPA) the Trust drew attention to the fact that the conversion of the office into a four-bed House in Multiple Occupation (HMO) would be contrary to Policy 16.3 of the County Durham Plan and that the internal arrangements offered poor privacy and living conditions, contrary to Policies 29 and 31. That application has been withdrawn and the current application describes the proposal as a two-bedroom flat Class C3 for student accommodation.

The application is accompanied by a 'Student Accommodation Demand Letter' from Morgan Douglas, Student Lettings. This letter opens with the statement that *"Quite simply, there is not enough accommodation to meet the demand for students in Durham City."* It goes on to quote figures from a national firm called Sturents dated 2022 predicting that there will be a shortfall in Durham City and asserts that *"in the context of the number of planning applications granted, it is evident that soon the demand will outstrip the supply, leaving us in the difficult situation of having to turn students, who would come to Durham, and invest in local businesses, away."* Morgan Douglas conclude that *"Properties becoming unoccupied outside of term times can also have a negative impact upon remaining residents. It follows therefore that locations in the centre away from residential areas are more suitable for student accommodation, particularly when making beneficial use of unused space."*

It is, frankly, astonishing that such mis-placed claims are still being submitted in support of more student accommodation. The actual facts are well-known and well-publicised. The University has analysed its records and demonstrated that there was a surplus of student beds last

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Academic Year, and a bigger surplus this year, as the Covid-related intake bulge is managed downwards. There are fewer Durham University students now - the figures are 22,220 in 2021/22; 22,130 in 2022/23; and 21,600 in 2023/24. For local letting agencies to even now be asserting that future growth will outstrip supply, knowing that the University has declared that it will remain stable at about 21,500 students, is truly unhelpful.

Further, describing the location for this HMO as being “*in the centre, away from residential areas*” is a chronic departure from reality. Within a 100m radius of, and including 44 Claypath, 28.0% of properties are Class N exempt student properties as defined by Council Tax records. Thus 72% properties - the overwhelming majority - continue to be occupied by year-round residents. This is a residential area, it is significantly outside the centre of Durham City as defined in the Durham City Neighbourhood Plan, and the description seeking to justify this additional student accommodation is wrong.

Turning to the details of the revised scheme, the proposed internal layout of the student flat is peculiar. Bedroom 1 comprises two rooms with a connecting doorway. It is declared to be 15 square metres floorspace and is illustrated with a double bed. Bedroom 2 is L-shaped, also 15 square metres floorspace and also illustrated with a double bed. Each bedroom has its own shower and toilet room. A shared lounge of 19 square metres floorspace is accessible from the two bedrooms and from the entrance lobby. A shared kitchen is provided.

Policy 29 of the County Durham Plan requires all new residential development to comply with the Nationally Prescribed Space Standard. The Standard lays down that, in order to provide one bedspace, a single bedroom has a floor area of at least 7.5 square metres and is at least 2.15m wide. In order to provide two bed spaces, a double (or twin) bedroom must have a floor area of at least 11.5m square metres and must be at least 2.75m wide. Clearly, the proposed one-bed rooms each have precisely double the floorspace that the Standard requires. Combined with the illustrated two double-beds, the deduction cannot be avoided that there will not be just two students but three or more, using the shared lounge and shared kitchen. This would be a *de facto* HMO.

Conclusion

There have been several schemes in Durham City that have gained approval as consisting of one or two bed flats or apartments. The Trust appreciates that a fresh planning application would be required to authorize this conversion being not C3 residential but a C4 HMO. As a correctly described C4 HMO it fails CDP Policy 16.3 because there are more than 10% of properties within 100 metres enjoying Class N student exemption from Council Tax. Whilst the application avoids this fate by presenting as a two bedroom flat, the Trust considers that the layout drawings give sufficient grounds for determining that it should be refused as being contrary to Policy 16.3.

Yours sincerely

JOHN LOWE

Chair, City of Durham Trust