

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

David Richards
Durham County Council Planning Development
PO BOX 274
Stanley Co Durham
DH8 1HG

Dear Mr Richards,

DM/24/02174/FPA | Conversion and subdivision of dwellinghouse (Use Class C3) to form 2 No. apartments (Use Class C3) | 9 Station Lane Gilesgate Durham DH1 1LJ

The City of Durham Trust objects to this planning application because it does not meet the requirements of County Durham Plan Policies 16.2 (Purpose Built Student Accommodation) nor 29 (Sustainable Design).

The proposal is to sub-divide the property to form two flats, one entirely on the ground floor, which we shall refer to as *Flat 1*, and the other substantially on the first floor but with a kitchen on the ground floor, making it a two-storey dwelling, which we shall refer to as *Flat 2*.

Purpose Built Student Accommodation

The applicant's agent acknowledges that the proposal could be for student accommodation and, given that the applicant is the largest student landlord in Durham with at least 166 properties, we agree that this is extremely likely. It is therefore proper to assess this proposal against Policy 16.2 of the CDP, and in particular parts (a) and (b).

Part (a) requires it to be established *that there is a need for additional student accommodation of this type in this location*. Paragraphs 4.4 to 4.18 of the Planning Statement set out the applicant's arguments.

These include at paragraphs 4.5 and 4.15 a reference to application DM/23/00241/FPA which was for the sub-division of 24 Nevilledale Terrace. This application was successful at appeal, but the Inspector's report at paragraph 22 says

I note comments that Durham University's student numbers are reducing and questioning the need for the proposal. However, because the proposal is not for purpose-built student accommodation, I am not required to consider the issue of need.

The correspondence from local estate agents was not tested at appeal. This case has no relevance to the current case. It is not included in the documents submitted by the applicant.

The arguments in paragraph 4.17 that the proposal will provide "modern, high quality residential accommodation" is begging the question. Our comments regarding Policy 29 of the CDP show it is not.

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Part (b) requires *consultation with the relevant education provider pursuant to the identified need*. The applicant's Appendix 2 is an email to the relevant member of University staff. No reply is given, indeed since the email is dated 1 August and the Planning Statement was published on the portal on 7 August it would be surprising if it were. As it stands, this is an enquiry not a consultation.

Sustainable design

Paragraph 4.18 of the Planning Statement begins

On this basis, whilst the application proposals relate to the provision of 2 No. one bedroom flats falling within Use Class C3 that would appeal to a range of tenants seeking accessible, smaller housing units close to the City Centre such as couples or young professionals and student tenants seeking sole occupancy properties.

The reference to *couples* here and also at 4.27 and in Appendix 2 indicates that this possibility must be assessed.

Flat 1 is entirely on the ground floor and has a stated gross internal floor area of 37m². This is the bare minimum for a one person flat as set out in the NDSS, providing, as is the case here, that it has a shower not a bath. This flat cannot accommodate a couple and meet the NDSS as its gross internal floor area would then need to be at least 50m².

Flat 2 is on two floors and has a stated gross internal floor area of 39.43m². Clearly this is well short of the gross internal floor area required for a couple, which is 58m². The NDSS does not give a figure for a two-storey one person flat. Nevertheless the overriding principle of CDP Policy 29 is that development proposals must provide high levels of amenity (part e). This is expanded on at CDP paragraph 5.302 where the purpose of the NDSS is explained as being to reflect the need for *sufficient indoor space to ensure homes meet typical day to day needs at a given level of occupation*. The quoted area of 39.43m² includes the stairs between the two storeys. Looking at the NDSS for one bedroom, two person dwellings it is 50m² for a single storey dwelling and 58m² for two storeys. The clear implication is that 8m² or thereabouts should be added to the 37m² requirement for a single storey one person flat in order to provide sufficient indoor space. The proposal falls about 5m² short of this.

The kitchen might be better described as a galley, as the floor in front of the work surfaces is only one metre wide and it would not be possible to sit down. Having prepared the food, it would be necessary to carry it upstairs in order to eat it. This does not meet the requirement in Policy 29(e) of the County Durham Plan that developments will be required to "provide high standards of amenity".

For the reasons given above, we ask the Authority to refuse this application.

Yours sincerely,

JOHN LOWE
Chair