

**THEME 4: A CITY WITH ATTRACTIVE AND AFFORDABLE PLACES TO LIVE
PLANNING ISSUE OR ACTION FOR CONSIDERATION
19th February 2018**

The comments for Theme 4 that raise planning issues or actions that need consideration are listed below.

The comments have unique codes as follows:

- EQ = electronic questionnaire response
- Q = paper questionnaire response
- EM = email response
- WC = web comment

However, no personal details have been provided.

The letters making comments relevant to this theme are coded as follows:

- L2: Coal Authority
- L4: CPRE (Campaign to Protect Rural England)
- L9: Durham County Council (DCC)
 - L9b: Appendices A,B,C
- L12: Durham University
 - L12b: Response
- L13: Elvet Residents Association
- L14: Environment Agency
- L15: Gladman Developments
- L17: Hope Estates (via England Lyle Good)
- L18: Lovegreen Developments
 - L18a: Covering Letter
 - L18b: Stage A-B Feasibility Report
- L19: MGH Card LLP (developer via DPP Planning)
- L23: Nevilles Cross Community Association
- L24: Northumbrian Water
- L25: Persimmon Homes
- L26: Southlands Management (property owners)

The issues for consideration are listed under a general section and then under each policy. For clarity, under each section only the relevant text in the columns is included. Similar comments have been grouped together as far as is possible.

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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
General comments about theme, or relevant across policies		
Sections below covering: <ul style="list-style-type: none"> • monitoring and implementation • balance • projects • students, university • other text changes • masterplans • vision, objectives, context, justification • other 		
<i>Monitoring and implementation</i>		
EQ16 I understand that some of the new completed developments of student accommodation are under occupied like Chapel View which has closed a wing. The new accommodation near the Chains(is it Kepier House?) and the Village near the viaduct are similarly under occupied. Why are they building more large blocks?	c5. Factual comment about occupancy levels	In monitoring and implementation chapter consider monitoring of PBSA occupancy levels
EQ38 Much more of the University's undergraduate body should be accommodated in residences provide by the University itself. The University has let our city down providing accommodation for fewer than 50% of students. The resulting rise of private landlords has blighted swathes of the city and shows absolutely no sign of stopping. Whilst I support the plan it would seem it will do nothing to redress the balance and put back into family ownership those homes bought and ruined by the student landlords. How will the city's plan influence the University's plans? Do the University recognise the problem of their making and might they become more considerate of the needs of a city rather than solely they're own ends? We have all heard the argument of how much the University has brought to the city, we have also all witnessed what it has done to detract from its variety	c2. Concern how Plan will have an effect	Consider strengthening monitoring and implementation section

and stature as a great place to live. The city has been compliant in its support of the University; the horrid and over-sized Law building on Stockton Road, the massive new development at Houghall sports facility, for example. Perhaps it is time for the planners to assert that the University is good corporate citizen of our city and encourage them by being more critical of their plans?		
Q66 10%?! There must be 80% HMOs in my area. It is ridiculous that new build (22-24 Hawthorn Terrace, Juniper Way, Byland Close) has been allowed to become HMOs. Surely now, if a house is sold, the owner has to re-apply for an HMO licence.	c2. c5. Concern about student accommodation. Covered in Policy D2. Plus concern over implementation.	Consider strengthening monitoring and implementation section [Also included under Policy D2]
Q76 D5 <u>Meeting housing need</u> . The figures for affordable housing must be stuck to no matter what by the developers, and the quality of the housing stock maintained.	c5. Concern that planning policies are implemented, e.g. re number of affordable houses	Consider strengthening monitoring and implementation section
WC88 I also favour D3.3, but am uncertain how it could consistently be put into practice. D3.1 mentions the requirement to demonstrate 'consultation with the relevant education provider'. This is important, for one suspects the University has chosen to pursue so far a largely hands-off, laissez-faire policy, in so far as it has had a policy at all.	c2. Concern over implementation of D3.3 c2. Concern over implementation of D3.1	Consider strengthening monitoring and implementation section
Balance		
Q24 Shopping area too large; should encourage more residential. Copied From Theme 3 Not sure that there is a dominance of executive housing' and that 15% of units must be affordable on every site; although OK as an aspiration.	c3. Suggesting policy change re residential provision in city centre	Consider Theme 4 and Theme 3 policies re balance of residential and commercial properties
EQ24 There must be a plan for the direction of housing in Durham city. If aims are drawn out regarding the amount of each type and the quality of accommodation then this will cater for everyone fairly, and will be best for the city going forwards.	c3. c5. Re targets for the amount of housing of each type and of its quality	Consider changes to Theme 4 policies re targets for the amount of housing of each type and of its quality [Also included under Policy D6]
Q43 The policies are extremely welcome and the only question is whether	c3. Suggesting policy change	Consider policy change re

they are tough enough. Some thought ought to be given as to whether a 'cap' on the total number of student properties should be given, or perhaps an indication that homes for the other groups should be given precedence.		cap/preference
Projects		
<p>Q35</p> <ul style="list-style-type: none"> - change of HMOs into family homes – might ground floors become “Granny flats” & upper floors for younger / more physically able members of families? - use of unused PBSA space as flats for residential citizens / elderly: care about noise etc from nearby students - management of PBSAs to include close involvement of University, to “manage” students 	c3, c4. Suggesting change for policies D3, D4, D5, and Policy Implementation Project 2	Consider changes to Policy Implementation Project 2 [Also included in Policies D3,D4,D5]
<p>Q67</p> <p>I have real concerns that HMO would simply convert from student accommodation to DHSS bedsits and not be freed up as homes for professionals, couples and small families.</p>	c1c. Concern over future tenure of reconvered HMOs outside remit (not a planning issue)	Consider change to Policy Implementation Project 2 re future tenure of reconvered HMOs
<p>EQ43 Re: Policy D2.3. Consideration should be given to returning HMO's to C3 where the same property owner is selling multiple properties on the same street on a simultaneous basis for a single price. This would prevent scenarios where houses are sold in multiple quantities as going concerns and therefore exclude through cost C3 buyers - as has previously been the case on Tenter Terrace and Ravensworth Terrace.</p>	c3. Suggesting change to Policy D2 re strengthening	Consider change to Policy Implementation Project 2, e.g. bulk sales of HMOs by a landlord could be bought up by a community interest company dedicated to restoring HMOs to normal use. [Also included under Policy D2]
<p>WC145</p> <p>I am particularly supportive of the proposal to extend Article 4 to the remainder of Our Neighbourhood, as are WC4, WC84 and WC31.</p>	c1b. Making Article 4 directions outside remit (for Council)	Consider change to text of Project 15 to note that making Article 4 directions is a Council action
<p>WC173</p> <p>(section 4.154) I also support Article 4 Declarations being extended as proposed.</p>	c1b. Making Article 4 directions outside remit (for Council)	Consider change to text of Project 15 to note that making Article 4 directions is a Council action
<p>L12b</p> <p>Policy Implementation Project 2: Policy D2.3 - Reconversion of Some</p>	c4: Change to Policy Implementation Project 2, incorporating special	Consider change to Policy Implementation Project 2,

<p>Houses in Multiple Occupation Back to Family Homes and General Housing page 120 "developers of private PBSAs (purpose built student accommodation) and of University colleges donating into a fund, the level of the donation as a proportion of the number of beds in the PBSA/college" Policy does not account for the additional costs involved with developing and operating a college compared to a PBSA. The levy could impact on the viability of DU providing college accommodation. A mechanism to offset costs of providing the additional facilities that make a 'college', including Principal/senior staff accommodation, common rooms, libraries, and running costs should be incorporated. Further, the University provide bursaries to assist qualifying students with their accommodation costs but PBSA don't provide any 'affordable' (at 80% of market rent) accommodation.</p>	<p>circumstances of University colleges.</p>	<p>incorporating special circumstances of University colleges.</p>
<p>Students, University</p>		
<p>EQ20 The introduction to this Theme is unfairly biased against students and a more balanced view is needed. At community meetings I have attended, residents have often expressed positive views about the presence of students in their midst who contribute to the diversity, vibrancy and even security of the community. Restoration of social trust, understanding and respect, and mediation of disputes or conflicts of interest could be achieved through a revival of the "governance of the commons" (as set out in Ostrom's publication "The Governing of the Commons") which should be included as a policy objective.</p>	<p>c5. Concern about bias in Plan against students</p>	<p>Consider text for bias</p>
<p>EQ22 With new restrictions on student accommodation can you ensure that there will be sufficient housing for the growing student population? And would limiting the number of students accepted to Durham University resolve some of the issues?</p>	<p>c5. Query about student numbers</p>	<p>Consider coverage in text on student numbers</p>
<p>EQ26 The current data base for the number of houses occupied by students is hopelessly wrong I think it had an occupancy of about 25% for Ferens Close near my House when its 75% so a proper surveys is required</p>	<p>c5. Factual error pointed out</p>	<p>Check the figures</p>
<p>EQ38 Much more of the University's undergraduate body should be accommodated in residences provide by the University itself. The University has let our city down providing accommodation for fewer than 50% of</p>	<p>c2.Concern about University plans</p>	<p>Consider relationship of Neighbourhood plan to University plans</p>

<p>students. The resulting rise of private landlords has blighted swathes of the city and shows absolutely no sign of stopping. Whilst I support the plan it would seem it will do nothing to redress the balance and put back into family ownership those homes bought and ruined by the student landlords. How will the city's plan influence the University's plans? Do the University recognise the problem of their making and might they become more considerate of the needs of a city rather than solely they're own ends? We have all heard the argument of how much the University has brought to the city, we have also all witnessed what it has done to detract from its variety and stature as a great place to live. The city has been compliant in its support of the University; the horrid and over-sized Law building on Stockton Road, the massive new development at Houghall sports facility, for example. Perhaps it is time for the planners to assert that the University is good corporate citizen of our city and encourage them by being more critical of their plans?</p>		
<p>WC7 The vitally important role of the university in this city must be recognised.</p>	c5. Concern that importance of University not covered in Plan	Consider coverage of University in Plan text
<p>WC60 Comment on your post "Maps" Copied to Other Comments, Theme 2b, Theme 4 These maps are brilliant. Two suggestions. ... Could you upload an additional map depicting student accommodation densities. Perhaps you could illustrate densities of less than 10-20% in green rising to 30-40% in pale blue, 50-60% in dark blue, 70-80% in purple and 90-100% in red. It would be really helpful to capture on a map the full extent of studentification across the city, including PBSAs as well as houses. If you were able to go into even more detail it would be interesting to depict the scale of some landlords' housing portfolios as some landlords appear to own 100+ properties across the city and in surrounding villages eg: Bowburn. If you were able to go into yet more detail and capture student housing 25 years ago on a map it would be helpful to compare it to 2017. These maps would be useful in discussions about the pressing need for more balanced communities in the city.</p>	c5. Request for a student accommodation map	Consider providing a student accommodation map
<p>WC131 Comment on your post "Summary: Theme 1: A City with a Sustainable Future" Copied to Theme 4</p>	c2. Query over students' choice of housing type	Consider evidence of students' housing choice

<p>No one can fault these aspirations. However, there must be a balance between all factors with, above all, due weight given to the wishes of the full time residents and the local businesses of Durham City in preference to those residents, the student population, who are in transit. Are there any guarantees that the many examples of purpose built student accommodation will be occupied, or will the students always choose the least expensive options which would seem to be houses in multi-occupancy.</p>		
<p>L12b As a general point, the Neighbourhood Plan in place, refers to the University variously as the 'Durham University' 'University of Durham' and 'the University'. This should be consistent in approach and changed to 'Durham University' if directly pertaining to the University or 'Higher Education Institution' if it is a more general comment. Also references to 'colleges' should be clear whether they pertain to University residential accommodation or Further Education Colleges.</p>	c5. Suggesting text changes	Consider responding agreement to these text changes
<p>L12b Paragraph 2.6 and 2.7: The University considers these paragraphs to be unnecessarily pejorative. Over the same period most towns and cities have had a similar evolution due to the changing residential, retail & leisure preferences of the local populace. These paragraphs suggest that the changes faced by Durham City are purely as a result of the growth of Durham University which is an overly negative interpretation. The University considers that its growth has actually insulated Durham City from the worst of deprivations suffered by much larger towns and cities in the North East such that the city continues to be an attractive place to live, work, study and invest. Therefore we request that these paragraphs be rewritten in a neutral tone.</p>	c5. Suggesting text changes	Consider responding that paragraph 2.6 is considered to be a statement of fact but that paragraph 2.7 would benefit from revision; both will be discussed with Durham University officers
<p>Other text changes</p>		
<p>Q62 St Margaret's Allotments are shown as designated for housing. Is that correct? Copied to Theme 2b D.5.1 How can you provide 15% affordable housing with the minimum number of 10 housing units?</p>	c5. Query re site in map	St Margaret's Allotments are NOT designated for housing. They are designated as a Local Green Space in Policy G2. Change map to prevent

D6. Who defines “high quality design”?		confusion
Masterplans		
<p>WC56 Comment on your post "Chapter 5: Implementation and Monitoring" Theme 4 CHAPTER 5-IMPLEMENTATION &MONITORING-(Appendix A) By way of supplement to my earlier comments and with a view to an approved plan for the City which achieves a better balance between constraining development and pro-actively encouraging desirable development the Plan could be greatly improved by highlighting and including within Appendix A a redevelopment opportunity which will arise sooner or later within the heart of the City, and potentially within the Plan period. The relocation of Durham Prison, potentially including Crown Court accommodation, to a site outside the City under recent/current Government consideration would create a once-in-200 years opportunity for an innovative and transformational development within the heart of Our Neighbourhood with an emphasis on housing where the opportunity would exist to redress the current imbalance between the accommodation needs of "Town & Gown". I propose that provision be made within the Neighbourhood Plan for this unique redevelopment opportunity to be frameworked by reference to a Site Map and key criteria reflecting the type of development that would be welcomed by the citizens of Durham. (The process through which the current redevelopment of the hospital site has progressed is an excellent example of what, through intelligent forward-planning could and should be avoided.)</p>	c3. Suggesting general policy change re developments	Consider policy for windfall large housing development sites
<p>WC101 Comment on your post "Policy D3" Our comments on policy D2 apply also to D3. WC102 [It is essential that the university itself should provide the accommodation for any additional students. It is threatening the city by its massive expansion so that we are no longer a balanced community but more like a company town. The development of HMOs and PBSAs must be restricted outside the current controlled areas to prevent displacement of the problem. The</p>	c1b. Call for University masterplan assessment outside remit (for Council)	Consider changing housing policies re requirement for masterplans

university's Masterplan for expansion must be assessed as a whole for its impact on the city and not piecemeal as is happening at the moment.]		
<p>WC102 Comment on your post "Policy D2"</p> <p>It is essential that the university itself should provide the accommodation for any additional students. It is threatening the city by its massive expansion so that we are no longer a balanced community but more like a company town. The development of HMOs and PBSAs must be restricted outside the current controlled areas to prevent displacement of the problem. The university's Masterplan for expansion must be assessed as a whole for its impact on the city and not piecemeal as is happening at the moment.</p>	c1b. Call for University masterplan assessment outside remit (for Council)	Consider changing housing policies re requirement for masterplans
<p>WC151 Comment on your post "Theme 1: A City with a Sustainable Future" Copied to Further Comments, Copied from Theme 1</p> <p>THEME 1. Upon reflection I am clear that by far the biggest single challenge facing the City in the Plan period will be how the University will be permitted to progress its further growth aspirations and how the further worsening of the already severe imbalance between "Town & Gown" can be managed. Further University growth within the City on the scale recently announced will further substantially damage our City, create further pressures on infrastructure and support services, and challenge sustainability. Would I be naive in hoping that, once the Neighbourhood Plan is approved and in place, the planning system will enable unsustainable planning applications submitted piecemeal to be identified and rejected? At this late stage is there any way that the Neighbourhood Plan could include an additional provision which might give the City greater protection against University menace? Not an easy question, but worth thinking about.</p>	c2. Concern about University plans and how these can be managed in a balanced way	Consider requirement for development briefs for large scale developments to stop piecemeal submissions
<p>L18a</p> <p>However we have the following development management matter to draw your attention to. Development Briefs were in the past very useful to developers and the general public alike, not to mention the LPA. Would it not be in the interests of the City to restore them?</p>	c3. Suggest requirement for developments to have a Development Brief. Relevant to Theme 1 too	Consider suggestion
<i>Vision, objectives, context, justification</i>		
EQ20 The introduction to this Theme is unfairly biased against students	c5. Suggestion for new policy objective	Consider policy objectives

<p>and a more balanced view is needed. At community meetings I have attended, residents have often expressed positive views about the presence of students in their midst who contribute to the diversity, vibrancy and even security of the community. Restoration of social trust, understanding and respect, and mediation of disputes or conflicts of interest could be achieved through a revival of the "governance of the commons" (as set out in Ostrom's publication "The Governing of the Commons") which should be included as a policy objective.</p>	'governance of the commons'	
<p>EQ31 Slightly amending of the wording of the vision statements to provide consistency of wording with the overall vision would be helpful. For Theme 4: Durham City will have a range of housing types to meet the needs of a sustainable mix of local residents, of all ages and abilities, and students living in harmony.</p>	c5. Suggesting change to text	Consider text change to vision statement
<p>L9b Vision: The county council considers that this vision should be refined for the following reasons:</p> <ul style="list-style-type: none"> • Reference to students is superfluous and it could be construed as biased as other groups are not referenced. • The plan does not define what constitutes a sustainable mix • The term 'abilities' is not considered an appropriate term 	c5. Suggesting change to Theme 4 vision	<p>Consider responding that:</p> <ul style="list-style-type: none"> • The wording captures the overwhelming expressed wish of the public for harmonious balance of provision for local residents and for students • Sustainable mix is explained in the text and can be expanded upon. • Consider alternatives to the term 'abilities'
<p>L9b Objectives: The county council is concerned that Objective 1 is too generalised and does not reflect the nuances in different parts of the area that may demand a differing approach as reflected in the interim policy. Furthermore, it is considered that the term 'contribute' is considered to be more appropriate than 'provide' when considering these objectives against the relevant policies as there are other forces that will also contribute to such delivery alongside the neighbourhood plan. The council is unclear as to whether objective 3 is adequately evidenced. This should be clarified.</p>	c5. Suggesting change to Theme 4 objectives	<p>Consider responding that:</p> <ul style="list-style-type: none"> • Most of Our Neighbourhood is imbalanced according to the threshold of 10% properties • Replacing 'provide' with 'contribute' does not work • Agree to clarify
L9b	c5. Suggesting text changes	Consider responding that:

<p>Context: At 4.135 the county council is concerned that the implication of the masterplan is a view of the authors rather than an evidenced fact. The text suggests that there is an imbalance across the whole plan area in respect to student accommodation which is contrary to available evidence. In doing so this reinforces negative connotations reflected in the vision and objective 1.</p> <p>At 4.136 the county council considers that the text should make it clearer that the 200 unit target quoted is not a ceiling figure. Whilst the contribution to housing provision is supported the forthcoming Local Plan will determine the housing need for the entire County Durham Housing Market Area and its spatial strategy will apportion this to communities. Please note the most recent Issues and Options document sets out 9 sub areas, as opposed to the 5 referred to.</p>		<ul style="list-style-type: none"> • It is a fact that sites for significant amounts of residential development in the 2012 SHLAA have been lost to PBSA developments on the basis of the University's expansion plans • Most of Our Neighbourhood is imbalanced according to the threshold of 10% properties • Agree to correct to 9 sub-areas. The relevant sub-area is Durham City but Objectively Assessed Housing Need figures for 'Our Neighbourhood' are not expected from the County Council
<p>L9b Justification</p> <p>At 4.139 the text should be reworded to make it clear that this was one of the views expressed through the consultation rather than it being an evidenced fact, in the absence of such evidence. Furthermore the plan fails to clarify what is required to address the imbalance referred to. This is unhelpful from a decision taker's perspective.</p> <p>At 4.140 reference should be made to plan makers and decision takers given that the preparation of planning policies extends to qualifying bodies who are also bound by NPPF.</p> <p>At 4.143 an incorrect statement is made and this should be corrected to reflect the fact that housing allocations will be set out in the forthcoming County Durham Local Plan, not the SHLAA which is part of the evidence to assist in the identification of such suitable sites.</p>	c5. Suggesting text changes	<p>Consider responding that:</p> <ul style="list-style-type: none"> • It is not just one of the views expressed, it was the expressed views of most participants • The plan proposes strong planning policy controls over approving further HMOs in areas where more than 10% of properties are HMOs • 4.140 can be clarified in the agreed discussions with County Council officers • 4.143 says "housing allocations will be updated in the next SHLAA and the emerging County Local Plan"
<p>Other</p>		
<p>Q11 Of course (as many will say), this comes too late. The city centre is already dominated by student housing blocks (which are currently, if finished, not fully occupied) and privately owned student occupied houses</p>	c3,4,5 Factual comment about H&S. Assume this is suggesting that with yet more students the shops mentioned	Check H&S comment and relevance to policies Factual comment about H&S dealt

<p>whose gardens are not tended and – of course – whose occupants change termly / yearly resulting in a transient community. More on Theme 4: From Sept. 2018 shopping at Tesco & M&S in the city centre will be a health & safety violation due to likely extreme overcrowding. Copied to Theme 3 Q12 There should be a blanket ban or any further conversion to student accommodation or for any further purpose built student accommodation.</p>	<p>will be overcrowded and unsafe.</p>	<p>with in Theme 3.</p>
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D1: Land for Residential Development		
Sub sections below cover: <ul style="list-style-type: none"> • Other • Durham Prison site • Other sites • Housing numbers 		
Other		
Q19 D1:more for the elderly & not too many housing developments in the city. Develop what is already there perhaps.	c3. Suggesting change to housing policies re reuse of existing buildings	Consider change to housing policies re reuse of existing buildings
Q76 D1. Agree with these sites but design briefs are required and should be adhered to. We don't want more suburban poorly designed executive homes.	c3. Suggesting change to Policy D1 re requirement for design briefs	Consider change to Policy D1 re requirement for design briefs
EQ22 Also I was perhaps naively surprised to the policies with regards to housing for the elderly and for people with disabilities as Durham doesn't seem to be well-equipped for these people. Cobblestones, narrow pavements, poor public transport and steep hills don't strike me as the ideal place for people with limited mobility. Copied to Theme 5	c3. Query about appropriate location of accommodation for older people and people with disabilities	Consider accessibility issues for locations for Policy D4 and sites in D1 [Also included in Policy D4]
Q69 Purpose built student accommodation should be on University Campus / College sites, thus releasing current developments for wider housing needs. Car parking will be an issue. Good example would be Three Tuns Hotel which could be used for a wider client group and might be preferable for older people than the suggested sites – several of which are too far up steep hills. PART Copied to Theme 5 Reversing terrace housing to family use is supported in principle but cost and practicality issues are likely to prevent its achievement. Currently, with	c3. Suggesting policy change D1 and D4	Consider policy change D1 and D4 for suitable locations for housing for older people [Also included Policy D4]

<p>the culture of drunken, loutish behaviour, and the associated public urination and vomiting, the City can be argued to be unsuitable for older residents. This must change if the Plan is to have a chance of success.</p>		
<p><i>Durham Prison site</i></p>		
<p>EQ42 I support the plan for housing development as described in this section of the plan, particularly with regard to the Offices at Diamond Terrace, and Main Street USA. In both cases the nearby green belt area and right of way/access for existing residents should be protected/enhanced as the narrow entrance to the area from Framwellgate Peth is already hazardous. Copied to Theme 2b. Other residents have mentioned the notable absence of Durham Prison in this section as a key site for potential future housing development. It seems appropriate that any opportunity for this key site to be utilised for housing in future be explored fully.</p>	<p>c3. Suggesting change to Policy D1</p>	<p>Consider Durham Prison as site in Policy D1</p>
<p>WC50 I am constantly surprised that Durham County Council always seem to formulate policy long after it is needed or is relevant. I am surprised that the largest site in Durham has escaped the notice of the authors of this document. Very soon the City Prison will close and will come to market, once everything is built or at least planning applications have been lodged everyone will complain about what has been built or planned. The Prison is a key site and a plan issued by the council now with a planning brief would influence its market price and give some assurance that what the city needs is delivered. There are obvious heritage and tourism aspects to the site but there is scope for some housing too. Now is surely the time to address the question of what happens if or when, rather than when it is all built (to no one's satisfaction).</p>	<p>c3. Requesting change to Policy D1 re Durham Prison site</p>	<p>Consider change to Policy D1 re Durham Prison site</p>
<p>WC56 CHAPTER 5-IMPLEMENTATION &MONITORING-(Appendix A) By way of supplement to my earlier comments and with a view to an approved plan for the City which achieves a better balance between constraining development and pro-actively encouraging desirable development the Plan could be greatly improved by highlighting and</p>	<p>c3. Suggesting change to Policy D1</p>	<p>Consider change to Policy D1: Durham Prison as new site Consider policy for windfall large housing development sites</p>

<p>including within Appendix A a redevelopment opportunity which will arise sooner or later within the heart of the City, and potentially within the Plan period.</p> <p>The relocation of Durham Prison, potentially including Crown Court accommodation, to a site outside the City under recent/current Government consideration would create a once-in-200 years opportunity for an innovative and transformational development within the heart of Our Neighbourhood with an emphasis on housing where the opportunity would exist to redress the current imbalance between the accommodation needs of "Town & Gown".</p> <p>I propose that provision be made within the Neighbourhood Plan for this unique redevelopment opportunity to be frameworked by reference to a Site Map and key criteria reflecting the type of development that would be welcomed by the citizens of Durham.</p> <p>(The process through which the current redevelopment of the hospital site has progressed is an excellent example of what, through intelligent forward-planning could and should be avoided.)</p>		
<p>WC57 Copied to Theme 4</p> <p>I support all of these policies and the naming of specific sites. At the moment it feels as if every old building in Durham is either being knocked down and turned into a Purpose Built Student Accommodation (PBSA) or renovated and turned into a PBSA. What next - will Durham Prison be the next building to be sold off and converted into a PBSA?</p>	<p>c2. Concern over future of Durham Prison</p>	<p>Consider management plan for Durham Prison site. Might be wider than housing?</p>
<p>WC83</p> <p>Policy D. 1. Whilst I have already commented elsewhere (under Chapter 5- Appendix A) about the opportunity which will arise upon the relocation of Durham Prison to a site outside the City it is essential that the opportunity is not lost to factor in to the Plan the potential for the Durham Prison site to make a very substantial contribution towards meeting housing targets within the City during the Plan period.</p> <p>The earmarking of this site for longer-term residential development would provide a much-needed opportunity to re-balance housing provision within the City, reflecting ascertained need, at the same time relieving pressure for the further release of land for residential development on designated green</p>	<p>c3. Requesting change to Policy D1 re Durham Prison site</p>	<p>Consider change to Policy D1 re Durham Prison site</p>

<p>belt land around Durham City. Whilst the site may or may not become available for redevelopment within the Plan period, Durham Prison, built in 1810, is bound to be relocated in due course. It would be grossly negligent if the Neighbourhood Plan failed to recognise and take account of this very significant longer-term opportunity.</p>		
<p>Other sites</p>		
<p>Q48 Surely the old cinema in North Road could be converted into something useful (but not for students) Copied From Theme 2a</p>	c3. Suggesting policy change	Consider policy change: North Road cinema site. Also applicable to Theme 3 and 6 for non-housing uses as well
<p>Q63 Para 4.147 D1.3 & D1.4 And Para 4.148 D1.9 References to Flood Risk suggest danger signals; any proposals for development here should be examined with great caution. Plan wording should clearly reflect this.</p>	c3, c5. Suggesting change to Policies D1.3, D1.4 and D1.9 plus accompanying text re flooding risk	Consider change to Policies D1.3, D1.4 and D1.9 plus accompanying text re flooding risk
<p>See also L9b below re flooding risk and sites</p>		
<p>WC51 Regarding the proposals at Sidegate the ideas proposed are impractical. I have done a good deal of research and the cost to move the sub station to the nearest site (the sewage Works) is in excess of £4m the only way that this could happen is with a more intensive development on D1.9 and D1.10 plus subsidies from the council; or government, this may be lessened if the flood risk increased but this in turn may make housing less viable. D1.9 Sidegate electricity sub-station (12): this site is not a formal allocation at this stage because it lies within Flood Risk Zones 2 and 3. If this can be mitigated, It would be suitable for terraced houses matching Sidegate; provided that development proposals protect surrounding trees and woodland habitats and carry out a site-specific flood risk assessment. D1.10 Council-owned car park, Sidegate (20): this site is not a formal allocation at this stage because the owner does not agree at present. It is suitable for two or three rows of terraced houses; provided that development</p>	c3, c5. Suggesting text change re sites D1.9 and D1.10, re impracticality	Consider policy and text change re sites D1.9 and D1.10, re impracticality

proposals protect surrounding trees and woodland habitats.		
<p>L2 As you will be aware the Neighbourhood Plan area lies within the current defined coalfield. According to the Coal Authority Development High Risk Area Plans, there are recorded risks from past coal mining activity including; 33 mine entries, recorded and likely unrecorded shallow coal workings and 19 reported hazards. It is noted that the Neighbourhood Plan appears to propose the allocation of sites for future development. I can see no reference in the Neighbourhood Plan to the potential risks posed to development by past coal mining activity or any evidence that consideration has been given to these issues. The Coal Authority would therefore wish to see consideration given to the risks posed to the proposed developments by past coal mining activity in accordance with National Planning Policy prior to any formal allocation. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy: https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries In addition any allocations on the surface coal resource will need to consider the impacts of mineral sterilisation in accordance with National Planning Policy.</p>	c3. Suggesting change to policies	Consider change to Policy D1 and allocation of sites. Check for mining issues Consider change to Theme 1 policies on this issue
<p>L14 Site allocation D1.3 I would recommend that design and layout of site allocation D1.3 Former Bernard Gilpin Society is carried out in a way to locate residential properties outside of flood zones 2 and 3. We also support the requirement of a detailed site-specific flood risk assessment.</p>	c3. Suggesting change to site D1.3	Consider change to site D1.3
<p>L15 It is noted that the sites listed under Policy D1 all benefit from planning permission, as such, they should not be promoted as housing allocations in the neighbourhood plan but instead referred to as existing commitments in the neighbourhood area.</p>	c3. Suggesting change to sites, because most are existing commitments	Consider change to sites

<p>L18a (see also feasibility report L18b for full details of site plans) Under the auspices of Lovegreen Developments we have a number of comments on the Durham Neighbourhood Plan for your consideration. Lovegreen Developments is a development company set up primarily to explore the regeneration potential of the area of land between the Radisson Hotel and Crook Hall along Framwellgate Waterside. The general aims and aspirations are outlined in the attached feasibility report. In essence the proposal seeks to deliver a complementary form of family housing development in a relatively neglected area of the city, at the same time finding a more appropriate home for the primary substation, a significant inhibitor to the visual amenity. The feasibility report is now several years old, having been overtaken by events in the form of the emerging Durham Plan, and some of the issues may need to be revisited. For example the listed stakeholders and supporters of the scheme would need to be re-consulted. In addition the car park adjacent to the substation is now owned by Lovegreen Developments.</p> <p>We believe this initiative is totally compliant with the 6 themes of the DNP Vision and Objectives and would contribute greatly to the amenity of the River Corridor. It is obviously not without its challenges but at some point the future of the substation needs to be tackled at a civic and townscape level, much as the development of the Radisson Hotel finally resolved a number of inappropriate land use issues.</p>	c3. Suggested development of site in Sidegate area	Consider site: impacts on current sites D1.9 and D1.10
<p>L23 In respect of 4.148, where recommendations D1.8 and D1.11 have been made without local consultation, we would propose their removal unless suitable wording could be added that ensured any proposed development was for D4.1 or affordable residential housing schemes. We are well aware, as has been raised in relation to the planning application for The Avenue, D1.7, the DCC is unable or unwilling to add conditions on types of occupancy. We would rather such recommendations were removed unless there was certainty that such accommodation did not become student accommodation by default.</p>	c3. Suggesting change to sites D1.8 and D1.11	Consider change to sites D1.8 and D1.11

Housing numbers		
<p>WC152 Paragraph 4.146 refers to the SHLAA update that formed part of the evidence base for the withdrawn County Durham Plan. It is a matter of regret that the Council has not published a more up-to-date version of this document. However, there is a more current document in the public domain, whose existence was pointed out to me when I made a request under Freedom of Information legislation. In the list of files for planning application DM/15/02626/OUT is one titled APPEAL THOMAS BENNETT APPENDIX I and this contains information about sites as provided to a Planning Inspector in June 2017. I suggest that this document is added to our evidence base, until a more recent SHLAA is published by the County Council.</p>	c5. Request for addition to Plan's evidence base re 2017 SHLAA update	Consider addition to Plan's evidence base re 2017 SHLAA update Consider change to housing theme text and Appendix D text re 2017 SHLAA update
<p>WC94 ... There should need to be a proven demographic need for development, in the case of residential development, by comparison of number of residences with certain number of bedrooms and number of families in permanent residence together requiring that number of bedrooms. In general household size is shrinking so never mind squeals of developers, smaller properties are needed, not luxury developments.</p>	c3, c5. Request for housing need calculation	Consider housing need calculation
<p>L19 Pg 150. Milburngate House is listed in Table D3 as a 'longer-term achievable site' for housing capable of delivering 440 units. The 'approved' development (DM/16/01228/FPA) is for 441 residential units and as such, the housing figure should be updated to reflect this.</p>	c3. Suggests changes to the number of residential units for site D1.4	Consider changes
<p>L25 Policy D1 - Land for Residential Development The County Durham Plan Issues and Options June 2016) set out three 'growth scenarios' and consulted upon four 'distribution scenarios'. Dependant upon which distribution scenario is taken forward in the emerging County Durham Plan Preferred Options early indications are that the City of Durham will need to identify residential allocation sites to deliver between 600 - 8,000 new homes. It is appreciated that the Durham City Neighbourhood Plan is being</p>	c3. Suggests changes to Policy D1	Consider changes to Policy D1. Consider changes to Appendix D re housing requirements to recognise that approved sites count towards meeting "need" and that the methodology for calculating "need" has to include that part of the population that will be accommodated in HMOs and PBSAs

<p>progressed ahead of the County Durham Plan and as such it is difficult to predict an exact level of allocations required to meet the identified housing need. However it is disappointing, as the Neighbourhood Plan Area covers much of the City, given that as a minimum Durham City will need to allocate for approximately 600 new homes that the Neighbourhood Plan proposes only 3 new allocation sites capable of delivering 11 dwellings as sites 1-4 are already committed developments.</p> <p>It is noted that the Neighbourhood Plan identifies four further potential allocation sites which could be delivered if current deliverability issues are resolved. However, even if all these sites do become deliverable they would only deliver 38 no. additional homes. The identification of non-committed residential allocation sites for a total of 49 dwellings will not meet the emerging housing need of the Neighbourhood area and will certainly not provide significant supply in aiding the national objective of 'boosting significantly the supply of housing". If additional housing sites are required in Durham City to meet the identified housing need the area runs the risk of allocations being forced upon them from a County level through the County Durham Plan .</p> <p>In order to ensure that as much of the required development is directed towards sites preferred by the Neighbourhood Planning Forum it is suggested that the site allocations are revisited and further allocations are identified which maximises the ability of the Neighbourhood Plan to direct as much development as possible to sites of their choosing. In order to do so many more sites capable of delivering significantly more dwellings are required to be identified.</p>		
<p>L26 We do not object to the 'land for residential' set out in draft Policy D1, but there does not appear to be an identified housing requirement. We query however the reference in paragraph 4.136 which states "Although the new Durham County Plan will set the housing need figure for the whole County and for its five sub-areas, it will not specify figures of need for Our Neighbourhood". Whilst the Neighbourhood Plan is likely to come forward in advance of the emerging County Durham Plan, it is the role of the Local Plan to establish the strategic priorities and strategic policies for the area – as outlined in NPPF paragraph 156. As such, the Neighbourhood Plan</p>	<p>c3. c5. Concern expressed re lack of a housing requirement for the Neighbourhood Plan</p>	<p>Consider housing requirement with County Council officers</p>

should not prejudice the emerging County Durham Plan.		
<p>L9b</p> <p>Context: At 4.135 the county council is concerned that the implication of the masterplan is a view of the authors rather than an evidenced fact.</p> <p>The text suggests that there is an imbalance across the whole plan area in respect to student accommodation which is contrary to available evidence. In doing so this reinforces negative connotations reflected in the vision and objective 1.</p> <p>At 4.136 the county council considers that the text should make it clearer that the 200 unit target quoted is not a ceiling figure. Whilst the contribution to housing provision is supported the forthcoming Local Plan will determine the housing need for the entire County Durham Housing Market Area and its spatial strategy will apportion this to communities. Please note the most recent Issues and Options document sets out 9 sub areas, as opposed to the 5 referred to.</p>	c5. Suggesting text changes	<p>Consider responding that:</p> <ul style="list-style-type: none"> • It is a fact that sites for significant amounts of residential development in the 2012 SHLAA have been lost to PBSA developments on the basis of the University's expansion plans • Most of Our Neighbourhood is imbalanced according to the threshold of 10% properties • Agree to correct to 9 sub-areas. <p>The relevant sub-area is Durham City but Objectively Assessed Housing Need figures for 'Our Neighbourhood are not expected from the County Council</p>
<p>L9b</p> <p>Whilst the principle of identifying housing sites within the plan area is an appropriate role for a neighbourhood plan the county council has a number of concerns regarding the approach taken by the Forum.</p> <p>At 4.147 the text suggests that the focus of the Sustainability Appraisal has been heritage impacts which is too narrow a focus. Furthermore it is not clear as to whether the neighbourhood plan policies referred to will provide adequate mitigation for any impacts identified, particularly where they extend beyond heritage matters.</p> <p>The council is also concerned that sites have been included with known flood risk in the absence of a sequential test. This matter must be addressed even where these have planning consent to ensure any alternative proposals are in accordance with the PPG.</p> <p>In respect to the sites selected for allocation the council is aware that 4 of these already have planning consent for residential purposes and as such they are already included within the countywide housing land supply calculation. It is unclear as to whether the 200 dwelling unit need identified in the draft plan has taken these commitments into account and therefore</p>	c3 and c5. Suggesting changes to Policy D1 and text	<p>Consider responding that:</p> <ul style="list-style-type: none"> • 4.147: agree to amend • Only one site (D1.9 - Sidegate electricity sub-station) lies within known flood risk; agree to discuss with officers • Agree to discuss with officers dwelling unit need, existing allocations, clarifications and the involvement of site owners

<p>whether they have been double counted. This needs to be clarified. The county council is very concerned that the approach taken appears to be an attempt to restrict a renewal of any of these specific permitted schemes which through the grant of consent has determined their suitability. Further clarification as to why this approach has been taken should be provided. The county council considers that the issues relating to the sites listed in 4.148 should have been addressed prior to this consultation for them to be included within the plan at all. The purpose of the consultation is to allow third parties to consider specific proposals. Notwithstanding this, as they have been included the county council also wishes to emphasise that it would be inappropriate to allocate any of the sites listed in 4.148 unless the issues identified can be resolved as they would not constitute suitable, deliverable sites. The county council considers that it is unclear as to the degree of involvement site owners have had in the preparation of this policy. It is urged that this dialogue takes place at the earliest possible time.</p>		
<p>L12b Paragraph 4.135 needs to be deleted/reworded to remove the emotive language regarding the masterplan. Further the NPF cannot assume that landowners will want to develop certain sites for residential use (whether private dwellings or PBSA) therefore the Masterplan is not relevant in this regard beyond its stated aims.</p>	<p>c5. Suggesting changes to text</p>	<p>Consider responding that it is a fact that sites for significant amounts of residential development in the 2012 SHLAA have been lost to PBSA developments on the basis of the University's expansion plans</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D2: Student Accommodation in Houses in Multiple Occupation (HMO)		
EQ13 20 percent is much too high a value for student population in any area. It should be little higher than the value suggested for a 100-m stretch - perhaps 12 percent.	c3. Suggesting change to Policy D2	Consider Policy D2
Q20 I don't understand how you are going to reverse some of the HMOs. Does this mean that further building of intended HMOs will stop from now – such as the plan to build 'flats' at Providence House (in the garden).	c5. Query re implementation of interim policy	Consider improved explanation in text
EQ23 D2 - Recently Durham County Council has begun to exercise its authority on this issue but MUCH more needs to be done. The developers are powerful, manipulative and concerned only with money. Many have no local interest of any kind other than property ownership and the money that flows from it. Much more power needs to be exercised to retain the parts of the City that have not been 'studentified'. The presumption should be that HMO's will NOT be permitted i.e. any conversion or use should need explicit permission with the presumption that it will NOT be granted. Further, there should be a designation of zones in which no HMO's will be granted under any circumstances and in which any sale of a property that is currently in use as an HMO must revert to single occupier use.	c3. Suggesting change to Policy D2 re strengthening.	Consider change to Policy D2 re strengthening
EQ43 Re: Policy D2.3. Consideration should be given to returning HMO's to C3 where the same property owner is selling multiple properties on the same street on a simultaneous basis for a single price. This would prevent scenarios where houses are sold in multiple quantities as going concerns and therefore exclude through cost C3 buyers - as has previously been the case on Tenter Terrace and Ravensworth Terrace.	c3. Suggesting change to Policy D2 re strengthening	Consider change to Policy D2 re strengthening [Also included under General]
EQ50 I wonder, given the pressure to increase student numbers, if fruitful comparison might be made with the situation in Oxford, where I believe planning policy requires the university to provide a specific amount of suitable accommodation for students in order not to squeeze out local residents. This continues to be a growing concern. Copied From Further	c3. Suggesting change to Policies D2 and D3	Consider change to Policies D2 and D3 [Also included under Policy D3]

Comments		
<p>Q66 10%?! There must be 80% HMOs in my area. It is ridiculous that new build (22-24 Hawthorn Terrace, Juniper Way, Byland Close) has been allowed to become HMOs. Surely now, if a house is sold, the owner has to re-apply for an HMO licence.</p>	c5. Query re HMO licences	Answer query. [Also included under General]
<p>Q75 I feel that any future developments proposed for student accommodation re HMO's should not be approved if more than 20% of these properties within 100m are already HMOs, or if student population exceeds 30% within the area rather than 10% or 20% respectively as in summary document. All developers must have the approval of the education developer and should be situated wherever possible on the provider's land.</p>	c3. Suggesting change to policies D2 and D3	Consider change to policies D2 and D3 [Also included under Policy D3]
<p>Q76 D2. Residents should not be trapped however by these policies.</p>	c3. Suggesting change to Policy D2 re trapping of residents (i.e. unable to sell a house at a fair price because the whole of the rest of the street is HMOs but they cannot get planning permission to convert because of the Article 4 direction)	Consider change to Policy D2 re trapping of residents
<p>WC96 Whilst supporting the policy I suggest that it needs to be strengthened so that the 10% include PBSAs and properties which have HMO and PBSA permission but are not presently being used as such. It is the permission or use which is relevant NOT Council tax exemption, which is not always claimed. Similarly the population should be calculated as bed spaces of HMO and PBSAs in being or approved.</p>	c3. Suggesting change to Policy D2 re strengthening	Consider change to Policy D2 re strengthening
<p>WC110 I support the Draft Plan. I also endorse the comments of WC84 [i.e. calculation of percentage limits; enforced management plans.; mandatory licensing of all HMOs not just those with 5 or more occupants and three or more storeys]. and WC96 [i.e. calculation of percentage limits]. The main planning issue in Durham City is the large number of houses and</p>	c3. Suggesting change to Policies D2 and D3	Consider change to Policies D2 and D3 (see WC84 re Policy D3) and WC96 for full details) [Also included under Policy D3]

<p>flats in the city centre being occupied by students and the effect of that on the life of the city and on the residents. The residents have been, and are being, driven out either by being priced out of the market or by the antisocial behaviour of students. For the city to remain a healthy and balanced community long-term residents must be brought back. Therefore policies should aim to bring back student houses and HMOs into occupation by long-term residents. If PBSA has this effect then it may not be objectionable provided it does not give rise to antisocial behaviour which affects neighbouring people.</p>		
<p>WC139 This University and very few others have the desire or means to provide all accommodation itself. Much of the university accommodation in Durham and elsewhere is of poor quality and HEI are moving to more private partnerships with accommodation providers. Modern purpose built student accommodation is very expensive and beyond the means of many, it is no cheaper if built and run by the University. HMO providers a lower cost option which is a lifeline for many students. Article 4 Directions have, in all cities in which they have been imposed, had a large benefit to landlords in terms of capital values. Their success has varied and many appeals have been successful. Whilst the lower limit of 10% is in place it provides a clear definition for applicants however the lack of an upper limit can cause concern for longer term residents who may feel trapped in an area that has changed in character. An upper limit needs to be defined and whilst everyone is seeking a balanced society it is arguable that a 10% lower limit does not create a balance but a minority group within a community. More effort needs to be put in to expanding HMO into unused and underused space above retail, such as in the excellent repurposing of the large redundant spaces above and behind the former Silver Street post office and the new development about the Riverwalk centre. Creating income from these spaces may take financial pressure from beleaguered retailers and breathe fresh life into city centres. Far too many ill-informed onlookers believe that student accommodation will replace the shops but in fact they may keep the shops open.</p>	<p>c3. Suggesting change to Policy D2 re upper and lower limits c3. Suggesting change to Policy D2 re HMO location, in e.g. unused and underused space above retail</p>	<p>Consider change to Policy D2 re upper and lower limits Consider change to Policy D2 re HMO location, in e.g. unused and underused space above retail</p>

<p>WC160</p> <p>I support the policy's aim of avoiding an over-concentration of student properties. The planning policies of Bath and Lincoln also use a threshold of 10% in a 100m radius. The Bath policy counts properties which have planning permission for HMO use, not just properties which are already in use as HMOs. The wording of D2.1 seems to offer a loophole. The Bath policy also disallows change of use if that would result in another property ending up having an HMO on both sides. That would be a worthwhile amendment to consider. The Lincoln policy does not allow change of use to HMO if there would then be more than 2 HMOs in a row, to prevent local concentration.</p> <p>Oxford City Council has a policy which restricts each university to a maximum of 3000 students living out, by refusing planning permission for other university buildings if they have not got a plan in place to bring the numbers living out down to that level. Will the neighbourhood plan policy manage to reverse the current imbalances, or does it need to be stronger?</p>	<p>c3. Suggesting change to Policy D2, drawing on other cities' policies</p>	<p>Consider change to Policy D2, drawing on other cities' policies</p>
<p>WC206 Copied to Theme 4, Theme 5, Other Comments</p> <p>Student housing is a problem because in Gilesgate we have lost so many neighbours. While many students are nice, they just come and go. It is such a transient population.</p> <p>The restrictions on properties of multiple student occupation are not working at all. We lost our old neighbour's home to an 11 double bedroom student house (formerly residential at 97 Gilesgate). And now the small medieval narrow croft at the rear of this large student house, with an old garden and trees, will be lost too, as a three storey - 6 double bedroom student house will be squashed into the same property as this 11 double bedroom property. Gross overcrowding. What is really going on?</p>	<p>c2. Query over working of interim student accommodation policy</p>	<p>Consider implementation of interim student accommodation policy in practice and effect on Policies D2 and D3 [Also included under Policy D3]</p>
<p>L17</p> <p>We are writing on behalf of Hope Estates to make representations on the consultation draft of the Durham City Neighbourhood Plan (November 2017). These representations relate solely to draft Policy D2 'Student Accommodation in Houses in Multiple Occupation (HMO).' Hope Estates were established in 1990 and provide high quality student accommodation in both Durham and Stockton-on-Tees. The company manage over 100</p>	<p>c3. Changes proposed to Policy D2</p>	<p>Consider response along lines of response to L9b below</p>

properties in the local area, the majority of which are located within the Neighbourhood Plan Area. Hope Estates are therefore one of the largest student accommodation providers in the City.

Draft Policy D2 of the Neighbourhood Plan suggests that, in order to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix, development proposals for new build HMOs, extensions that result in additional bed spaces and a change of use from any use to Class C4 (HMO) or large HMO (sui generis) will not be permitted if more than 10% of the total number of properties within 100m of the application site are already in use as HMOs or student accommodation exempt from Council Tax charges or the student population exceeds 20% of the total population of that area. The draft policy also outlines a number of development management considerations that will be applied to such proposals, including cycle parking, bin storage, design and security.

It is noted that the draft wording of Policy D2 broadly reflects that proposed by the Neighbourhood Planning Forum on behalf of various local amenity and community groups as part of the consultation on Durham County Council's Interim Policy on Student Accommodation. A copy of the consultation response dated October 2015 is enclosed at Appendix 1 and sets out the following suggested additions and omissions to the draft policy (suggested additions highlighted in green and omissions in red):

'In order to promote sustainable, mixed and balanced communities and maintain an appropriate housing mix in accordance with Paragraph 50 of the National Planning Policy Framework and Paragraph 21 of the Planning Practice Guidance, the following policies will apply.

PART A: HMOs

Applications for new build and extensions to Houses in Multiple Occupation (both C4 and sui generis) and changes of use from any use to:

- a Class C4 (House in Multiple Occupation), where planning permission is required; or
- a House in Multiple Occupation in a sui generis use (more than six people sharing)

will not be permitted if more than 10% of the total number of properties within 100 metres of the application site are already in use as licensed HMOs or student accommodation exempt from Council Tax charges, or the

population exceeds 20% of the total population in that area.

In all cases proposals will only be permitted where:

- a. the quantity of cycle and car parking provided is in line with the County Council's adopted Car Parking and Accessibility Standards relevant saved policies from the City of Durham Local Plan, the Council's Parking and Accessibility Guidelines and the relevant institution's restrictions on students' cars: and
- b. they provide acceptable arrangements for bin storage and other shared facilities and consider other amenity issues in line with relevant saved policies E22 and H9 from the City of Durham Local Plan; and
- c. the design of the building or any extension would be appropriate in terms of the property itself and the character of the area in accordance with relevant saved policies H2, H7, H8, H9, H13, Q1-Q17, E3, E6, E14, E16-18, E21-24 and E26 of the City of Durham Local Plan.

However, such changes would not be resisted in the following circumstances:

- d. Where an area already has such a high concentration of HMOs that the conversion of remaining C3 dwellings will not cause further detrimental harm; or
- e. Where the remaining C3 dwellings would be unappealing and effectively unsuitable for family occupation.

Changes of use from an HMO to C3 will be supported, including policies and initiatives outside of the Plan that can bring funding and other measures to assist the re-balancing of neighbourhoods.'

Whilst the suggested amendments were viewed as 'important omissions and additions' by the Neighbourhood Planning Forum, it is important to acknowledge that they were not subsequently adopted in full by Durham County Council, most notably the suggested omission of the policy provision that such changes will not be resisted where an area already has such a high concentration of HMOs that the conversion of remaining C3 dwellings will not cause further detrimental harm. National Planning Practice Guidance (PPG) recognises that, where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place, the qualifying body and the Local Planning Authority (LPA) should discuss and aim to agree the relationship between policies in:

- The emerging Neighbourhood Plan;
- The emerging Local Plan;
- The adopted Development Plan

They should also pay appropriate regard to national policy and guidance. Draft Policy D2 of the Neighbourhood Plan clearly departs from the adopted Interim Policy on Student Accommodation in a number of key areas, most notably the omission of Part A(c) of the Interim Policy, which confirms that new build HMOs and changes of use will not be resisted where an area already has such a high concentration of HMOs that the conversion of remaining C3 dwellings will not cause further detrimental harm. The Interim Policy has been adopted relatively recently following an extensive public consultation exercise and the policy approach has been endorsed by independent Inspectors in determining planning applications for HMOs in the City in the intervening period. In particular, we would make reference to a recent appeal decision relating to the creation of 1 No. HMO in Use Class C4 at Peartree Cottages, High Wood View, Durham (APP/X1355/W/16/3165827) and a copy of the appeal decision is contained at **Appendix 2**. It was established that 61.8% of properties within 100m of the appeal site were in use as HMO's and student accommodation, and, in the context of such a high concentration of HMO and student accommodation, the Inspector concluded that *'the effect of one additional HMO would be negligible'* (ELG Planning emphasis) and that the proposal would not conflict with Part 6 of the NPPF with regard to the creation of sustainable, inclusive and mixed communities and the maintenance of an appropriate housing mix. Moreover, Paragraph 4.59 of the County Durham Plan Issues & Options (May 2016) stated 'given the extensive public consultation and responses received, we propose to incorporate the interim policy on student accommodation in the Plan.' There is therefore an extremely strong likelihood that the wording of the adopted Interim Policy on Student Accommodation will be incorporated into the draft County Durham Local Plan and will give rise to a clear conflict between draft Policy D2 of the Neighbourhood Plan and the corresponding policies of the County Durham Local Plan. PPG highlights that it is important to minimise any conflict between policies in the Neighbourhood Plan and emerging Local Plan because S.38(5) of the Planning & Compulsory Purchase Act 2004 requires

<p>that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.</p> <p>Accordingly, it is clear that there is a very real prospect that draft Policy D2 will be superseded by the corresponding policy of the new County Durham Local Plan once adopted, which is extremely likely to follow the wording of the adopted Interim Policy on Student Accommodation. It is noted that Paragraph 4.153 of the draft Neighbourhood Plan contends that Policy D2 incorporates 'minor but vital improvements' to the Interim Policy on Student Accommodation, however, we would reiterate that the Interim Policy was subject to extensive public consultation prior to adoption and the general policy approach allowing further HMOs in areas where there is already a high concentration has been endorsed by independent Inspectors through recent S.78 Planning Appeals. It is therefore apparent that the adopted Interim Policy on Student Accommodation provides an appropriate mechanism to deliver the key objective outlined within the draft Neighbourhood Plan of addressing the imbalance towards student accommodation back to a sustainable, balanced community. Draft Policy D2 and, in particular, the omission of the adopted policy provision confirming that new build HMOs and changes of use will not be resisted where an area already has such a high concentration of HMOs, is unduly restrictive and is highly likely to be overridden by the new County Durham Local Plan in due course. On this basis, we would strongly urge the Neighbourhood Planning Forum to revise draft Policy D2 to reflect the wording of the Durham County Council's adopted Interim Policy on Student Accommodation, which remains an appropriate mechanism to achieve the Neighbourhood Plan's stated objectives in relation to student housing. We trust that this information is of assistance and would request that we are kept updated on progress with the preparation of the Neighbourhood Plan.</p>		
<p>L9b Paragraph 156 of NPPF states that 'local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver homes and jobs needed in the area.' The county council maintains that the inclusion of this policy is straying into a strategic planning matter and emphasises that it is the intention to address this issue</p>	<p>c3 and c5. Suggesting changes to Policy D2 and text</p>	<p>Consider responding that:</p> <ul style="list-style-type: none"> • Neighbourhood Plans should provide the finer grain appropriate for their particular area • The 20% threshold is proved to be necessary in the light of the

<p>in the forthcoming County Durham Plan in the Issues and Options document (Question 25). This matter is already the subject of an interim policy which covers the whole of the county, including other parts of the city that fall beyond the designated neighbourhood area. The consequence would be a conflicting, unjustified policy approach to this strategic matter which falls beyond the scope of a neighbourhood plan.</p> <p>Notwithstanding the council's concerns regarding the scope of the plan in this respect the county council is concerned that Policy D2 includes a 20% population threshold, which is an additional unjustified requirement to the interim policy. It is not clear how 20% threshold has been derived.</p> <p>Furthermore, it is unclear how this can be monitored from a practical perspective. A realistic mechanism is properties.</p> <p>Furthermore, this policy does not include an exception clause (criterion e of the interim policy). There may be circumstances where an exception is justified.</p>		<p>Interim Policy in practice being unable to recognise that a single property containing 400 students has a massive impact on the balance of a neighbourhood</p> <ul style="list-style-type: none"> • The exception clause has in practice led to arbitrary decisions and is regarded as a 'counsel of despair'
<p>L12b</p> <p>This is a strategic issue and should be dealt with at a higher planning level. NPF plan area doesn't cover all of City and so will have different policies for different areas. This policy is too prescriptive – unless developers and landlords can access the Council's database, this cannot be monitored prior to submitting an application. Policy also uses two different measures; 10% of properties & 20% of the total population. Considered to be difficult to accurately ascertain total population of an area.</p>	<p>c3 and c5. Suggesting changes to Policy D2 and text</p>	<p>Consider responding that:</p> <ul style="list-style-type: none"> • Neighbourhood Plans should provide the finer grain appropriate for their particular area • The 20% threshold is proved to be necessary in the light of the Interim Policy in practice being unable to recognise that a single property containing 400 students has a massive impact on the balance of a neighbourhood • The Council's map is in the published SEA Draft Scoping Report • Up-to-date proxy for total population could be the annual electoral roll or number of bed-spaces
<p>L23</p> <p>This theme focusses us on our main area of concern and one we believe</p>	<p>c2 Discussion of student housing</p>	<p>Consider Policies D2 and D3 in light</p>

<p>may influence a number of other themes in the Plan. Unless residents comprise the majority or quantum of the City occupancy, then the need for or demand for recreational, retail and other facilities will be driven by the dominant population (assuming, as noted above, the DCC continues not to prioritise the City as a substantive tourist destination). As has been pointed out to the DCC and the University on more than one occasion, the latter's plan is for a net increase in 5-7000 students within the next decade. Despite its own plans for a 50% occupancy of existing and planned colleges, there is likely to be a net expectation of over 2-3000 students seeking private sector accommodation in coming years.</p> <p>Despite the numbers of PBSAs, which are more likely to be more attractive to the overseas market, this additional demand could translate into a significant number of residential homes being used as student rentals – possibly over 500 houses, as well as pressure to expand occupancy levels for existing HMOs (as well as the rise in illegal HMOs). Not only does this decimate the availability of entry-level or affordable housing but it continues the expansion of student accommodation into what the Plan describes as 'predominantly residential' areas. Views from, for example, Sheraton Park suggest a potential for the studentification of such areas, and a departure of residential populations, once there is perceived influx of student occupancy. Similar concerns can be seen on Nevilles Cross Bank.</p> <p>Any consequential decline in residential occupancy will affect Theme 3 and 6, etc., and the proposals under D1 would never offset the loss to student occupancy. The focus must be on minimising additional student occupancy and ring-fencing 'predominantly residential' areas to protect existing residential stock. This suggests an unequivocal policy prohibiting PBSAs and further HMOs conversions or extensions and a commitment to prosecuting illegal HMOs. At the same time the University must be persuaded of a suitable pricing and residential policy to maximise use of existing and new colleges so that the University absorbs any net increase of student numbers in terms of retained college occupancy.</p>	<p>market</p>	<p>of these discussions [Also included under Policy D3]</p>
<p>L23 We would propose D2 ... amended as follows: Existing: will not be permitted if more than 10% of the total number of properties within 100 metres of the application site are already in use as</p>	<p>c3. Suggesting change to Policy D2</p>	<p>Consider change to Policy D2</p>

<p>HMOs or student accommodation exempt from council tax charges or the student population exceeds 20% of the total population in that area Proposed: will not be permitted if more than 5% of the total number of existing properties within 250 metres of the application site are already in use as HMOs, or PBSAs, or any other student accommodation exempt from council tax charges or where the existing student population exceeds 10% of the total population in an area of 1000 meters circumference of the application site.</p>		
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D3: Purpose Built Student Accommodation (PBSA)		
<p>Q35</p> <ul style="list-style-type: none"> - change of HMOs into family homes – might ground floors become “Granny flats” & upper floors for younger / more physically able members of families? - use of unused PBSA space as flats for residential citizens / elderly: care about noise etc from nearby students - management of PBSAs to include close involvement of University, to “manage” students 	c3, c4. Suggesting change for policies D3, D4, D5, and Policy Implementation Project 2	Consider changes to D3, D4, D5, and Policy Implementation Project 2 [Also included in General and Policies D4,D5]
EQ26 The current data base for the number of houses occupied by students is hopelessly wrong I think it had an occupancy of about 25% for Ferens Close near my House when its 75% so a proper surveys is required	c5. Factual error pointed out	Check the figures
EQ50 I wonder, given the pressure to increase student numbers, if fruitful comparison might be made with the situation in Oxford, where I believe planning policy requires the university to provide a specific amount of suitable accommodation for students in order not to squeeze out local residents. This continues to be a growing concern. Copied From Further Comments	c3. Suggesting change to Policies D2 and D3	Consider change to Policies D2 and D3 [Also included under Policy D2]
EQ25 D3: I think I'd make the same recommendation again here, introducing a rent cap. A big worry for me is that purpose built student accommodation is very expensive and attracts wealthy students. Ensuring that all new purpose built student accommodation at least has tiered rent options would be an alternative idea?	c1c. Rent cap outside remit (not planning issue) c3. Suggesting change to Policy D3 re affordability	Consider change to Policy D3 re affordability
Q40 D3: Enough already Better family homes needed. Too many tall narrow town houses. Too little for young professionals & older people. In term time there is severe congestion on pavements. Siting of PBSOs need to take this into account. Copied From Theme 5	c3. Suggesting change to Policy D3 re siting	Consider change to Policy D3
Q57 Attached comments [provided as scanned document in pdf format] Developers always seem to be given the green light to their developments.	c3. Re Policy D3: proof of demand	Consider change to Policy D3

<p>That is why Durham City needs a CITY COUNCIL and not one that was located in east Durham County. An excellent move by the Member of Parliament. However, for Durham city it is too late and too many Purpose Built Student Accommodation developments have been built. They are government backed - Build To Let - with significant financial advantages over Buy To Let properties. Some of these sites have been built for financial reasons ONLY - they do provide accommodation for students and to support Durham University BUT do nothing for the Durham City. Proof of demand for these developments MUST be made more stringent. Conditions laid down by the planners MUST be met and the planner should have ore "teeth" and less "bones" to achieve this.</p>	<p>must be made more stringent</p>	
<p>Q65 Re pressure for student developments on housing provision in Durham City: is it possible to require the university to build new colleges / expand accommodation in existing colleges BEFORE it unloads another 6000 students onto Durham? To date, the university has unilaterally decided to expand, & Durham city centre has paid the price.</p>	<p>c3. Suggesting change to Policy D3</p>	<p>Consider change to Policy D3</p>
<p>Q75 I feel that any future developments proposed for student accommodation re HMO's should not be approved if more than 20% of these properties within 100m are already HMOs, or if student population exceeds 30% within the area rather than 10% or 20% respectively as in summary document. All developers must have the approval of the education developer and should be situated wherever possible on the provider's land.</p>	<p>c3. Suggesting change to policies D2 and D3</p>	<p>Consider change to policies D2 and D3 [Also included under Policy D2]</p>
<p>Q76 D3. The design and layout should be of a high standard and should pick up the distinctiveness of Durham, scale, roofscape, massing. The layout needs to integrate with the townscape. Copied to Theme 2a</p>	<p>c3. Suggesting change to Policy D3 re design</p>	<p>Consider change to Policy D3 re design</p>
<p>EM3. This is an additional comment to be added to my e-questionnaire response. [EQ31] Policies D3,D4, D5: It has been pointed out to us that Liverpool has included the following point in their student housing policy: "Proposals for purpose built student accommodation outside the City Centre will only be permitted where: ... d. The buildings can adapt to changing market conditions. Proposals should incorporate future-proofing arrangements to ensure the building is able to respond to changing market conditions, by embedding flexibility of use</p>	<p>c3. Suggesting change to Policy D3 re future proofing</p>	<p>Consider change to Policy D3 re future proofing</p>

<p>within the design to enable the building to readily accommodate a viable alternative use."</p> <p>This would be a useful addition to our policy D3, and achieve making accommodation available to the other groups of the population in Our Neighbourhood (as covered in policies D4 and D5)</p>		
<p>WC31</p> <p>POLICY D 3. Whilst I support this Policy I wish to point out and give emphasis to the need for each PBSA to have a Management Plan approved by DCC in place prior to occupation.</p> <p>A draft outline Management Plan would not be adequate, and to be meaningful DCC would need to be satisfied that the Management Plan, once approved, would be adhered to subsequent to occupation.</p> <p>I strongly support the proposal to extend Article 4 Direction to the remainder of Our Neighbourhood, given the extent and speed of planned University development within the City, and the further damage to our environment which will follow.</p>	<p>c3. Suggesting change to Policy D3 re management plans</p>	<p>Consider change to Policy D3 re management plans</p>
<p>WC52</p> <p>It is very clear from the research that I have undertaken that the view is that in Durham too many PBSA beds are being built and very definitely too many at the same time. Studios will not deliver the returns expected as the void rate will be high and some degree of redesign may be needed in future.</p> <p>Lack of council control seems to be the problem with the overwhelming opinion that the policies on HMO and PBSA came far too late. Some PBSA schemes will prosper either through exceptional location (or with good transport links), great design, keen pricing or excellent management, however these are unlikely to be in all studio schemes as a mix is needed.</p> <p>Developments such as Chapel Heights or the proposed site at the Berendsen Laundry seem, based on the information above, if not doomed to failure then perhaps doomed to very challenging times ahead as they have between them over 500 studios and the laundry site is described as being, on the wrong side of the road in the wrong area. There is no evidence that developers have canvassed local students for opinions or had much interaction with Durham University. They appear to be relying on national trends and hoping that 'one size fits all'.</p>	<p>c3. Suggesting change to Policy D3 re proportion of studio flats to cluster flats</p>	<p>Consider change to Policy D3 re proportion of studio flats to cluster flats</p>

The likely scenario is that the PBSA will compete amongst each other for the students who can afford the very high prices, which will include some who would have formerly chosen university or HMO type housing, however the effect on HMO properties would be greater if the pricing structure was more competitive however by the time price reductions come into place these blocks will not be as attractive as they will be four to five years old. If the PBSA reduce prices then the return to investors and the ability to refresh the properties regularly will in turn reduce.

The great unknown factor remains the effect of greater licensing of HMO and the influx of 2500 students from Stockton. Equally any increase in students yet to be announced may create a situation where extra students may be introduced to Durham but without any greater ability to pay the requirements of the rents demanded by the PBSA which may create more voids or if the university recruits only those more able to pay may create a university whose members create an establishment more elite than it already is. However if academic qualification is the bar to entry there will be more pressure on the HMO market with the university able to demand terms from PBSA that will leave investors in the current schemes short-changed. Greater licencing is needed but with the extra undergraduates provided by the Stockton realignment will not immediately provide the boost to the HMO landlords that they are expecting unless they are prepared to invest.

Durham University is unlikely to close and therefore city occupancy patterns are unlikely to change unless tourism fills the voids. Whilst residents who had previously railed against HMO and now feel that PBSA are an equal problem, there is no solution, evidence shows that even if the HMO properties were emptied of students it is unlikely that families will return. We have seen that residents fighting against schemes for residential projects (Mayorswell Close) and offices (Sheraton Park) now have very large PBSA following successful battles against the previous uses, these residents must now be wondering if the previous proposals would have been that bad after all.

HMO properties are unlikely to disappear but will face large challenges over the next few years. Retailers in Durham will continue to face the twin challenges of the internet revolution and the seasonality of business caused by students. The biggest losers will be local residents who feel

<p>disenfranchised and ignored. They will now face the likelihood of a two tier housing market which will reduce the value of their homes but perhaps make non-HMO properties more affordable to all.</p>		
<p>WC84 Comment on your post "Policy D3" Please see my comment re D2 [WC96] regarding the calculation of percentage limits.</p>	<p>c3. Suggesting changes to Policy D3, re calculation of percentage limits, management plans, strengthening</p>	<p>Consider changes to Policy D3, re calculation of percentage limits, management plans, strengthening</p>
<p>WC110 I support the Draft Plan. I also endorse the comments of WC84 [i.e. calculation of percentage limits; enforced management plans.; mandatory licensing of all HMOs not just those with 5 or more occupants and three or more storeys]. and WC96 [i.e. calculation of percentage limits]. The main planning issue in Durham City is the large number of houses and flats in the city centre being occupied by students and the effect of that on the life of the city and on the residents. The residents have been, and are being, driven out either by being priced out of the market or by the antisocial behaviour of students. For the city to remain a healthy and balanced community long-term residents must be brought back. Therefore policies should aim to bring back student houses and HMOs into occupation by long-term residents. If PBSA has this effect then it may not be objectionable provided it does not give rise to antisocial behaviour which affects neighbouring people.</p>	<p>c3. Suggesting change to Policies D2 and D3</p>	<p>Consider change to Policies D2 and D3 (see WC84 and WC96 for full details) [Also included under Policy D2]</p>
<p>WC137 The requirement that proposed new PBSAs demonstrate a need for additional accommodation must, if taken seriously, result in a moratorium until existing PBSAs and those currently in construction are filled. I would like to see condition 3: "consultation with the relevant education provider."; made stronger. Durham still claims to be a collegiate university; the norm for student accommodation should therefore surely be the college. Certainly I see no disadvantage to all PBSA accommodation taking the form of university colleges. At the very least the policy should be that PBSAs be run in association with the relevant education provider. This would make it much more likely that they have proper management schemes in place, and means to enforce them.</p>	<p>c3. Suggesting change to policy D3.1.3 re strengthening</p>	<p>Consider change to policy D3.1.3 re strengthening</p>

<p>WC206 Copied to Theme 4, Theme 5, Other Comments Student housing is a problem because in Gilesgate we have lost so many neighbours. While many students are nice, they just come and go. It is such a transient population. The restrictions on properties of multiple student occupation are not working at all. We lost our old neighbour's home to an 11 double bedroom student house (formerly residential at 97 Gilesgate). And now the small medieval narrow croft at the rear of this large student house, with an old garden and trees, will be lost too, as a three storey - 6 double bedroom student house will be squashed into the same property as this 11 double bedroom property. Gross overcrowding. What is really going on?</p>	<p>c2. Query over working of interim student accommodation policy</p>	<p>Consider implementation of interim student accommodation policy in practice and effect on Policies D2 and D3 [Also included under Policy D2]</p>
<p>WC217 Copied to Theme 4 New Purpose Built Student Accommodation schemes should be required to be designed with the capability to be reasonably easily converted to suitable accommodation for young couples starting out on the housing ladder, or professional people or elderly people in case the development proves to be surplus to the market for student accommodation.</p>	<p>c3. Suggesting change to Policy D3 re easy conversion, linked to Policies D4, D5</p>	<p>Consider change to Policy D3 re easy conversion, and links to Policies D4, D5 [Also included under Policies D4 and D5]</p>
<p>WC219 Policy d2.3 should include all new PBSA's should be designed wit flexibility to allow other housing needs to be met to meet future changes in demand eg housing the elderly who wish to downsize or housing for single workers.</p>	<p>c3. Suggesting change to Policy D3 re repurposing</p>	<p>Consider change to Policy D3 re repurposing</p>
<p>WC220 Given the under use of existing PBSA's and those in the pipeline, Policy D3.2 should include a requirement for any new student developments to be designed to allow future modification for accommodating people with housing needs other than students. The two blocks on Claypath and a third one just off it occupy sites which would be prime locations for residents wishing to down size or with needs for more sheltered housing than they currently occupy.</p>	<p>c3. Suggesting change to Policy D3 re repurposing</p>	<p>Consider change to Policy D3 re repurposing</p>
<p>L23 This theme focusses us on our main area of concern and one we believe may influence a number of other themes in the Plan. Unless residents comprise the majority or quantum of the City occupancy, then the need for or demand for recreational, retail and other facilities will be driven by the</p>	<p>c2 Discussion of student housing market</p>	<p>Consider Policies D2 and D3 in light of these discussions [Also included under Policy D2]</p>

<p>dominant population (assuming, as noted above, the DCC continues not to prioritise the City as a substantive tourist destination). As has been pointed out to the DCC and the University on more than one occasion, the latter's plan is for a net increase in 5-7000 students within the next decade. Despite its own plans for a 50% occupancy of existing and planned colleges, there is likely to be a net expectation of over 2-3000 students seeking private sector accommodation in coming years.</p> <p>Despite the numbers of PBSAs, which are more likely to be more attractive to the overseas market, this additional demand could translate into a significant number of residential homes being used as student rentals – possibly over 500 houses, as well as pressure to expand occupancy levels for existing HMOs (as well as the rise in illegal HMOs). Not only does this decimate the availability of entry-level or affordable housing but it continues the expansion of student accommodation into what the Plan describes as 'predominantly residential' areas. Views from, for example, Sheraton Park suggest a potential for the studentification of such areas, and a departure of residential populations, once there is perceived influx of student occupancy. Similar concerns can be seen on Nevilles Cross Bank.</p> <p>Any consequential decline in residential occupancy will affect Theme 3 and 6, etc., and the proposals under D1 would never offset the loss to student occupancy. The focus must be on minimising additional student occupancy and ring-fencing 'predominantly residential' areas to protect existing residential stock. This suggests an unequivocal policy prohibiting PBSAs and further HMOs conversions or extensions and a commitment to prosecuting illegal HMOs. At the same time the University must be persuaded of a suitable pricing and residential policy to maximise use of existing and new colleges so that the University absorbs any net increase of student numbers in terms of retained college occupancy.</p>		
<p>L9b The county council's concerns regarding the inclusion of Policy D2 extend to Policy D3. Again this policy represents a different approach to that set down in the interim policy. The council is concerned that this policy includes additional unjustified policy requirements in terms of introducing a 10% threshold regarding student exempt properties and a 20% threshold for PBSA. It is not clear how the 20% threshold has been derived. Furthermore</p>	<p>c3 and c5. Suggesting change to Policy D3 and text</p>	<p>Consider responding that:</p> <ul style="list-style-type: none"> • Neighbourhood Plans should provide the finer grain appropriate for their particular area • The 20% threshold is proved to be necessary in the light of the

<p>there could be a scenario where further campus development could be restricted due to the application of then 10% threshold which would seem to be an unintended consequence.</p> <p>At 4.154 it is not the role of the draft plan to propose an Article 4 Direction. It is recommended that the text be reworded to clarify that support would be given to the council in the making of such a direction should it be required. The reference to letting boards should read Regulation 7 which is subject to its own process.</p>		<p>Interim Policy in practice being unable to recognise that a single property containing 400 students has a massive impact on the balance of a neighbourhood</p> <ul style="list-style-type: none"> • The 'unintended consequence' will be re-considered • 4.154 is text not policy and clearly states that it is for the County Council to take forward. The reference to letting boards will be corrected
<p>L12b D3 1.3 This could be strengthened by the addition of "Priority will be given to schemes which are part of the relevant education providers' plans or which are being progressed in partnership with the relevant education provider"</p>	c3. Suggesting change to Policy D3	Consider responding that the point is understood but that it was agreed with the County Council's officers at the time of drafting the policy that development managers have to address the application that is before them and cannot give greater or less priority to a separate application.
<p>L12b D3.2.1 Double negative; reword as: "D3.2: Development proposals will be permitted if 1. not more than 10% of....."</p>	c3. Suggesting change to Policy D3	Consider appropriate wording to ensure that provisions D3.2.2 to D3.2.8 work
<p>L12b It appears that D3.2.1 & D3.2.2 are contradictory. It is likely that sites adjacent to existing University sites, specifically the Hill Colleges, would fail the test in 1 and so would be unacceptable development. Therefore suggest a reword to: "...total population in that area; or"</p>	c3. Suggesting change to Policy D3	Consider responding that the point is understood and will be discussed with Durham University officers
<p>L12b 3.2.2 Clarify if 'college' means FE College or University residential college. If the latter, delete text 'academic'. What is the definition or test of adjacent in this context? Also some sites on excellent public transport links and close to existing retail and residential centres may be more sustainable than ones adjacent to existing academic sites. There should be a qualitative</p>	c3. Suggesting change to Policy D3	Consider responding that the points are understood and will be discussed with Durham University officers

<p>element to what constitutes an acceptable site.</p>		
<p>L12b The University would like to put forward the following sites for redevelopment as student accommodation: Elvet Hill car park; land at Green Lane; James Barber House; Mill Hill Lane; and these sites for in-fill development of student accommodation: Leazes Road; land adjacent to St Aidan’s College; and land adjacent to St Mary’s College (plans provided)</p>	<p>c3. Suggesting change to Policy D3</p>	<p>Consider responding that this is a welcome level of engagement and the proposed allocations and appropriate policy wordings will be discussed with Durham University officers</p>
<p>L23 We would propose ... D3 amended as follows: For D3.1 we would also propose: Existing: it would not result in a significant negative impact on retail, employment, leisure, tourism or housing use, or would support the Council’s regeneration objectives Proposed: it would not result in a negative impact on retail, employment, leisure, tourism or housing use, or the existing residential amenity, or would support the Council’s regeneration objectives</p>	<p>c3. Suggesting change to Policy D3</p>	<p>Consider change to Policy D3</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D4: Housing for Older People and People with Disabilities		
<p>Q35</p> <ul style="list-style-type: none"> - change of HMOs into family homes – might ground floors become “Granny flats” & upper floors for younger / more physically able members of families? - use of unused PBSA space as flats for residential citizens / elderly: care about noise etc from nearby students - management of PBSAs to include close involvement of University, to “manage” students 	c3, c4. Suggesting change for policies D3, D4, D5, and Policy Implementation Project 2	Consider changes to D3, D4, D5, and Policy Implementation Project 2 [Also included in General and Policies D3,D5]
<p>EQ21 I'm very pleased with the recognition of older residents needs. Access [for older residents] is all important: shops, public transport, parking spaces & so on. Copied to Themes 3 and 5</p>		Consider whether Policy D4 and text sufficiently highlights the access issues
<p>EQ22</p> <p>Also I was perhaps naively surprised to the policies with regards to housing for the elderly and for people with disabilities as Durham doesn't seem to be well-equipped for these people. Cobblestones, narrow pavements, poor public transport and steep hills don't strike me as the ideal place for people with limited mobility. Copied to Theme 5</p>	c3. Query about appropriate location of accommodation for older people and people with disabilities	Consider accessibility issues for locations for Policy D4 and sites in D1 [Also included in Policy D1]
<p>Q69 Purpose built student accommodation should be on University Campus / College sites, thus releasing current developments for wider housing needs. Car parking will be an issue. Good example would be Three Tuns Hotel which could be used for a wider client group and might be preferable for older people than the suggested sites – several of which are too far up steep hills. PART Copied to Theme 5</p> <p>Reversing terrace housing to family use is supported in principle but cost and practicality issues are likely to prevent its achievement. Currently, with the culture of drunken, loutish behaviour, and the associated public urination and vomiting, the City can be argued to be unsuitable for older residents. This must change if the Plan is to have a chance of success.</p>	c3. Suggesting policy change D1 and D4	Consider policy change D1 and D4 for suitable locations for housing for older people [Also included in Policy D1]
<p>Q76 I support the extension of Article 4.</p>	c3. Suggesting change to policy D4 re	Consider change to policies D4

D4.1 All new housing for older people and people with disabilities as well as adaptations will be permitted providing the buildings are of high quality and pick up some of the distinctive features of Durham i.e. steep roof pitch, fenestration pattern	design	
WC100 The SRA [Sidegate Residents Association] fully supports this policy and would like consideration to be given to the development of Durham as a dementia friendly city. This would have implications beyond housing.	c3. Suggesting change to Policy D4 re dementia friendly provision	Consider change to Policy D4 re dementia friendly provision
WC177 We agree that there should be a policy regarding housing for elderly and disabled people in the Neighbourhood Plan. The policy rightly recognises the need for elderly and disabled people to be fully part of the community in which they live. They should therefore be able to enjoy the benefits of the community and its environment as much as any other member. We agree that when considering suitable City sites for houses for elderly and disabled people, proximity to the City's facilities is of course important, but proximity does not necessarily mean accessibility. Safe and easy access to facilities and services using accessible public transport and well-designed safe footpaths, are what really matter. Copied to Theme 5	c5. Suggesting change to text re accessibility	Consider change to text re accessibility
WC217 Copied to Theme 4 New Purpose Built Student Accommodation schemes should be required to be designed with the capability to be reasonably easily converted to suitable accommodation for young couples starting out on the housing ladder, or professional people or elderly people in case the development proves to be surplus to the market for student accommodation.	c3. Suggesting change to Policy D3 re easy conversion, linked to Policies D4, D5	Consider change to Policy D3 re easy conversion, and links to Policies D4, D5 [Also included under Policies D3 and D5]
L15 The above policy seeks at least 10% of private and intermediate dwellings to be provided in the form of housing for older people. Whilst recognising the issue of an ageing population is very much of concern to the steering group, in its current form, the policy would apply to all residential developments across the neighbourhood area. Gladman consider that in seeking to apply this principle wholly, sustainable development opportunities could be missed over genuine concerns around viability and could result in an overly prescriptive policy tool. Indeed, it is further noted at paragraph	c3. Suggesting change to 10% figure in Policy D4 c5. Suggesting text change re optional technical standards	Consider Policy D4 change Consider text change: Note that DCC role is covered in para 4.161, but this could be made clearer

<p>4.160 of the draft plan is the implementation of adaptable dwelling standards through the optional technical standards. Although the supporting text seeks to encourage developers to implement these standards, Gladman consider that the reference to optional technical standards should be removed as the Written Ministerial Statement 2015 made clear that these standards should only be undertaken through an emerging Local Plan based on a clear and up-to-date assessment of need and that neighbourhood plans should not be used to apply the new national technical standards.</p>		
<p>L25 Persimmon Homes object to D4.1 which appears to have taken inspiration from the revoked County Durham Plan "meeting the needs of older people" policy although the Neighbourhood Plan policy is less flexible than that of the CDP as the neighbourhood plan does not allow for Housing products that can be shown to meet the specific needs of a multigenerational family nor does it allow as a suitable alternative provision where this requirement would undermine the viability of the scheme. Persimmon Homes object to Policy D4.1 as it does not incorporate sufficient flexibility in regards to development sites upon which it is not appropriate to provide elderly persons housing. Paragraph 4.159 of the Plan supports this point in stating that "new provision for older people should meet particular criteria relating to access to shops, medical services and other essentials, either by being close to or by being on a readily accessed public transport and appropriately designed and sited footpaths". Clearly development sites which do not or cannot meet these criteria are not suitable for the delivery of elderly persons housing. As such, if the policy is to be retained, greater flexibility should be inserted into Policy D4.1 in consideration of this point. Persimmon Homes object to policy D4.1 as, although the Strategic Housing Market Assessment identifies that older people would like to move to other types of housing, it is unclear as to why the requirement is 10%. Further it is Persimmon Homes' market experience, as is reflected in the SHMA, that the majority of elderly people do not want to move to "Elderly persons housing" and in fact wish to stay in their own home. This point is backed by the Durham County Council SHMA report 2016 paragraph 6.9.</p>	<p>c3. Suggests changes to Policy D4 e.g. inclusion of multigenerational family homes; requirement of criteria to be met is too restrictive (if sites do not meet these then they are not suitable for older people housing and therefore do not need to include such provision); why 10%; look at what priority survey says re this issue (para 4.156) (but note that there are 5 responses re housing for older/elderly people in the priority survey, and the discussion of population figures in para D.3 in Appendix D); viability of developments.</p>	<p>Consider changes to Policy D4</p>

<p>In justifying Policy D4.1 the Neighbourhood Plan states at paragraph 4.156 that "Locally, it has been highlighted in our consultations as a key issue for our Neighbourhood Plan". However conversely a lack of elderly persons housing offer is not listed as a frequent comment in answer to either the "what is Bad about Durham City Centre" or "What Needs to Change" Neighbourhood Planning Forum consultation responses noted at paragraphs 3.6 and 3.7 of the Plan. Further in reviewing the 'Durham City Neighbourhood Planning Forum (2015) The public's views. Results of priorities' document it can be seen that of the 40no. issues raised in response to topic of housing only 2no note a need for bungalows or housing for older people. Therefore it is clear that the need for 'Elderly persons housing' is not a specific issue priority for the Neighbourhood requiring a specific policy response.</p> <p>Further to the above, throughout the previous County Durham Plan process, Persimmon Homes objected to the "Elderly Persons Housing" policy as insufficient consideration had been given to the implications of the policy on the economic viability of development sites. The NPPF is clear in paragraph 173 that "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision taking" adding that "Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". In reflecting the CDP 'elderly persons housing' policy this concern around impact on development viability within the city remains. As there is no clear justification for percentage of Housing for Older People required or clear evidence that the policy will not impact on the economic viability of development in the neighbourhood Persimmon Homes object to Policy D4.1 and must insist that the policy is removed or replaced by an appropriately worded policy which simply encourages the provision of Older Persons Housing as part of an appropriate housing mix informed by the latest up-to-date SHMA.</p>		
<p>L9b The county council supports the intent of this policy, which is aimed at helping to meet the needs of the County's aging population, and acknowledges that the Forum have changed this policy in response to some</p>	<p>c3 and c5. Suggesting changes to Policy D4 and text</p>	<p>Consider responding that:</p> <ul style="list-style-type: none"> • The positive help provided by the County Council on this matter is much appreciated

<p>of the council's previous concerns.</p> <p>The county council particularly welcome that the Forum have standardised the requirement for private and intermediate housing to a threshold of sites of ten houses to reflect the Government's Planning Practise Guidance. The county council also welcomes that the Forum have removed reference in the policy to granting permission for adaptations on a temporary basis, a requirement which would be contrary to the government's Planning Practise Guidance on planning conditions. However, the final two sentences of paragraph 4.162 also need to be deleted to reflect this change.</p> <p>The county council continues to have concerns about the use of the term 'adaptations' in policy D4.2 which does not have sufficient clarity with respect to determining planning applications. As written, it could be assumed that the policy includes adaptations to the interior of a dwelling which may be subject to Building Regulations, with this impression being reinforced by paragraph 4.162 of the supporting text. Building Regulation standards are defined in statute and their application cannot be amended by policy in Neighbourhood Plans.</p> <p>As previously suggested, this terminology would benefit from being replaced with the following wording: 'Extensions to houses and flats, including building works within the curtilage of a residential property which are needed to enable a resident to continue to live there and which also require planning permission will be permitted providing they are in keeping with the building and its surroundings'. However, this aspect of the policy does not appear to give any added value with respect to the determination of planning applications. Such proposals would, in any event, be permitted with respect to existing policies and the NPPF. The Forum may therefore wish to consider if this aspect of policy D4 is worthwhile.</p> <p>Justification The comments we previously made with respect to justifying the requirements in the policy remain relevant and should be referenced.</p> <p>Technical References There are a number of references to guidance and regulations in the supporting text which would benefit from greater clarity:</p> <ul style="list-style-type: none"> • Paragraph 4.155 states that 'The NPPF notes that'. This would benefit 	<ul style="list-style-type: none"> • The final two sentences of 4.162 will be deleted • The other text changes and clarifications will be discussed and resolved in the agreed officer meetings
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<p>from being replaced by: 'The government's Planning Practise Guidance states that':</p> <ul style="list-style-type: none">• Paragraph 4.160 states 'One way is through adoption and use of the relevant optional housing regulations. Housing regulations cover accessible and adaptable dwellings (M4 (2) Category 2: UK Government 2016)'. This would benefit from being replaced by 'One way is through adoption and use of the relevant building regulation standards. These optional building regulations include a standard for accessible and adaptable dwellings (M4 (2) Category 2: UK Government 2016)'. <p>Paragraph 4.161 states that 'We would strongly encourage developers to implement this housing regulation in building new houses or renovating existing houses'. This would benefit from being replaced by 'We would strongly encourage developers to implement this optional building regulation standard in building new houses or renovating existing houses'.</p>		
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D5: Meeting Other Housing Needs		
EQ05 Developers should not be able to attempt to discharge their Section 106 Affordable Housing obligations through substandard offerings	c5. Factual comment on Policy D5.	Consider change to text
EQ31. Policy D5.3: The restriction on residential accommodation is too constraining, delete the phrase "(outside the primary and secondary frontage)". Policy sections E3.A. and E3.B.2 may need some slight rewording to ensure consistency across themes. Copied to Policy E3	c3. Suggesting change to policies D5.3,E3.A and E3.B.2 re restrictions (lower)	Consider change to policies D5.3,E3.A and E3.B.2 re restrictions (lower)
EQ43 Re Policy D5.3. Consideration should be given for alternative use of upper floors of commercial premises outside of primary and secondary frontages. If these premises can be adapted to include separate access for student accommodation they can be adapted to include access for commercial use including offices and professional services. Once again, the lack of space for businesses not requiring primary or secondary frontage contributes to the lack of critical mass in attracting people into the city centre. Copied to Policy E3	c3. Suggesting change to policy D5.3 re restrictions (higher)	Consider change to policy D5.3 re restrictions (higher)
Q24 Shopping area too large; should encourage more residential. Copied From Theme 3 Not sure that there is a dominance of executive housing' and that 15% of units must be affordable on every site; although OK as an aspiration.	c5. Query re dominance of executive housing c3. question 15% affordable figure	Consider text re executive houses Consider policy D5
Q35 - change of HMOs into family homes – might ground floors become “Granny flats” & upper floors for younger / more physically able members of families? - use of unused PBSA space as flats for residential citizens / elderly: care about noise etc from nearby students - management of PBSAs to include close involvement of University, to “manage” students	c3, c4. Suggesting change for policies D3, D4, D5, and Policy Implementation Project 2	Consider changes to D3, D4, D5, and Policy Implementation Project 2 [Also included in General and Policies D3,D4]
Q48. D5 This figure should be at least 30% if not more	c3. Suggesting change to Policy D5 re	Consider change to Policy D5 re

	percentage	percentage
Q60 I gather that some of “our” affordable housing has been relocated to East Durham.	c3. Suggesting change to Policy D5	Consider change to Policy D5 re acceptable location of affordable housing
Q62 St Margaret's Allotments are shown as designated for housing. Is that correct? Copied to Theme 2b D.5.1 How can you provide 15% affordable housing with the minimum number of 10 housing units? D6. Who defines “high quality design”?	c3. Suggesting change to Policy D5.1	Consider change to Policy D5.1
WC33 POLICY D 5. Whilst I support this Policy, I am not sure I understand the logic of giving priority to the retention of commercial space instead of proposed residential accommodation (D 5. 3). This is not explained in the Justification.	Suggesting change to Policy D5.3 re restrictions (lower)	Consider change to Policy D5.3 re restrictions (lower)
WC217 Copied to Theme 4 New Purpose Built Student Accommodation schemes should be required to be designed with the capability to be reasonably easily converted to suitable accommodation for young couples starting out on the housing ladder, or professional people or elderly people in case the development proves to be surplus to the market for student accommodation.	c3. Suggesting change to Policy D3 re easy conversion, linked to Policies D4, D5	Consider change to Policy D3 re easy conversion, and links to Policies D4, D5 [[Also included under Policies D3 and D4]
L4 CPRE notes the first objective in the Theme referring to the imbalance between student and other residential accommodation in the City Centre. We fully support this objective as we believe this has led to “ordinary” residential accommodation in the City Centre becoming unattractive and so has placed a greater burden than may be necessary on the surrounding Green Belt and greenfield sites beyond it. CPRE supports in particular Policy D5.1 in relation to affordable housing as this, in our opinion, helps a community to thrive. We do however question what happens in, say, a development of 10 houses when 15% must be affordable – will that result in 1 or 2 affordable houses?	c3. c5. Suggesting change to Policy D5.1 or accompanying text	Consider change to Policy D5.1 or accompanying text
L9b Criteria 5.1 The county council is concerned that this policy sets a threshold	Suggests changes to criteria 5.1, 5.2 and 5.3	Consider changes to Policy D5

<p>of 15% which is 5% lower than the council’s delivery evidence base. If this lower threshold is to be pursued then it needs to be evidenced. Furthermore the policy should have regard to the fact that this requirement is a starting point for negotiation and will be subject to viability considerations, in accordance with national guidance on this matter.</p> <p>Criterion 5.2 The county council is concerned that the scope of the criteria is too narrow as there are other issues which may need to be factored into the consideration of whether conversion of a PBSA to self-contained units is appropriate, including parking and amenity space.</p> <p>Criterion 5.3 The county council is concerned that this criteria is too restrictive and fails to recognise that there may be circumstances where change of use to other types of residential use is acceptable on the upper floors within the plan area. Furthermore, when read in conjunction with the policies set out in the economy chapter the draft plan fails to recognise the contribution that residential development, particularly on upper floors can make to town centres in the context of paragraph 23 of NPPF. If this is not the intention of the plan then further clarity is required.</p>		
<p>L13 It is hoped that the policies protect Durham’s diverse range of residents, and encourage families back to the city. There are concerns over the definition of “affordable housing”, as the current government definition is not affordable for the average family. Control of “to Let” boards has long been promised, but is still ignored. Any controls in place will need to be monitored, and consequences for not upholding.</p>	<p>c1b. Concern over affordable housing definition: outside remit (for other bodies)</p>	<p>Consider if there is anything that can be done re really affordable housing</p>
<p>L25 Policy D5.1 should be amended to allow some flexibility in the affordable housing provision where economic viability issues arise and are evidenced either through the ability to provide a reduced affordable housing percentage and / or through a flexible approach to the affordable housing mix. Persimmon Homes suggest that policy D5.1 is amended to require an affordable housing percentage in accordance with the latest up-to-date evidence of need and viability. By specifying a percentage within the policy</p>	<p>c3. Suggests changes to Policy D5 e.g. flexibility and no inclusion of a percentage figure</p>	<p>Consider changes to Policy D5</p>

there is a risk that it becomes out-of-date as and when new Strategic Housing Market Assessment's are undertaken which may evidence the need for an alternative affordable housing percentage.		
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
Policy D6: Design of New and Renovated Housing to the Highest Standards		
EQ05 NDSS and BfL etc are only advisory and as such the Council cannot insist that developers build to any space standard or quality. There is no requirement or incentive for developers to provide larger space standards than their competitors. Councils can lobby central government however.	c5.Factual comment on Policy D6.	Consider change to supporting text of Policy D6 re NDSS and BfL
EQ24 There must be a plan for the direction of housing in Durham city. If aims are drawn out regarding the amount of each type and the quality of accommodation then this will cater for everyone fairly, and will be best for the city going forwards.	c3. c5. Re targets for the amount of housing of each type and of its quality	Consider changes to Theme 4 policies re targets for the amount of housing of each type and of its quality [Also included under General]
EQ45 New housing and renovations must be to the highest energy efficiency standards eg passivhaus	c1b. Energy efficiency: Building regs outside remit (for Council/other bodies)	Energy efficiency: Consider change to text under Policy D6 similar to para 4.162
Q62 St Margaret's Allotments are shown as designated for housing. Is that correct? Copied to Theme 2b D.5.1 How can you provide 15% affordable housing with the minimum number of 10 housing units? D6. Who defines "high quality design"?	c3. Suggesting change to Policy D6	Consider change to Policy D6
Q68 Does the shortage of building sites not make affordable housing a dream? Housing for the elderly and disabled should be made a priority. The ageing population need to live independently D2 & D3. Its time this was addressed The balance between town and gown needs to be addressed. The city is rapidly becoming a campus. How many more student flats need to be sited in the city. Copied From Theme 3 Attachment [provided as a scanned pdf document] Access to Buildings. Making places and buildings accessible to all makes lie easier for everyone. You just have to look how many customers use the automatic doors at	c3. c5. Changes to policy D6 and text re access	Consider changes to Policy D6 and text re access

<p>Marks and Spencers compared to those using the other doors. It helps the mother pushing the pram or someone with both hands full of shopping as well as the disabled.</p> <p>It is important with new builds and refurbishments for the plans to [be] checked by a qualified access consultant rather than an architect who thinks he knows. After the work is completed it is difficult and expensive to rectify mistakes. Copied to Themes 1, 3, 4, 6</p>		
<p>Q76 D6 <u>Design of New and Renovated Housing</u> All new design of housing and renovated housing should be of a high quality design that picks up the distinctiveness of Durham. The spaces, boundary treatment, landscaping material of the schemes should provide an appropriate sense of space and fit into the townscape.</p>	c3. Suggesting change to Policy D6	Consider change to policies D6
<p>WC34 Would it be worth making specific reference to the need to make provision for electric charging points for cars in the context of new residential development? Copied to Policy T4</p>	c3. Suggesting change to Policy D6 re electric car charging points	Consider change to Policy D6 re electric car charging points [note: adding to Policy T4?]
<p>WC71 All new houses should be built to conserve as much energy as possible. This will make them cheaper to run and help the environment. We absolutely must try to return houses built for families to families. I agree with this policy.</p>	c1b. Energy efficiency: Building regulations outside remit (for Council/other bodies)	Energy efficiency: Consider change to text under Policy D6 similar to para 4.162
<p>WC196 Support and agree with the comment above. [WC216]</p>	c1b. Floorspace standards outside remit (for Council/other bodies)	Consider changing text in this section re space standard, strengthening
<p>WC216 I suggest that minimum floorspace standards should be added if not already a standard requirement. This arises from an appeal decision I have seen in which a proposed conversion for student accommodation was dismissed as failing the Mayor of London's minimum floorspace standards.</p>	c1b. Floorspace standards outside remit (for Council/other bodies)	Consider changing text in this section re space standard, strengthening
<p>L15 This policy requires housing developments to meet the Building for Life Criteria, however, the policy as worded seeks to treat this guidance as</p>	c3. Suggesting change to Policy D6 re BfL	Consider change to Policy D6

<p>though they comprise of national policy. Building for Life criteria simply sets out guidance to help new housing attain higher quality design. All of the principles within Building for Life may not apply in all cases and therefore does not allow a decision maker to apply this policy consistently and with ease. It is therefore recommended that this policy seeks to 'encourage' development to incorporate building for life principles where necessary and where these would not harm the viability of a development proposal.</p>		
<p>L25 Persimmon Homes seek clarification in regards to Policy D6.2. It is unclear if the policy will require all developments to seek Building for Life accreditation. Persimmon Homes feel it would be more appropriate for the policy to require all housing developments to be designed in accordance with the principles of Building for Life, or any other national standard of equivalent or higher level.</p>	Suggests changes to Policy D6	Consider changes to Policy D6
<p>L9b Criterion D6.1 The county council considers that criterion D6.1 would benefit from further clarification as to what represents high quality design. At 4.170 the county council advises that the text is out of date. Building for Life refers to all buildings, not just housing. There are now 12 tests and a traffic light scoring system has now been adopted</p>	c3. c5. Suggesting change to Policy D6 and text	<p>Consider responding that:</p> <ul style="list-style-type: none"> • The text changes and clarifications will be discussed and resolved in the agreed officer meetings