

## **THEME 4: A CITY WITH ATTRACTIVE AND AFFORDABLE PLACES TO LIVE**

### **TRACK CHANGES FROM 2019 CONSULTATION**

#### **Vision**

4.156 Durham City will have a range of housing types to meet the needs of a sustainable mix of local residents and students living in harmony.

#### **Objectives**

4.157 The objectives of this theme are:

1. To change the imbalance towards student accommodation back to a sustainable, balanced community;
2. To promote housing designed for the needs of older people and for people with disabilities;
3. To promote affordable housing for all sectors of the community, but particularly for families with children and young people starting out.

#### **Context**

4.158 Durham City's setting in a surrounding green bowl is of paramount importance. Development of all kinds should be encouraged up to its physical limits. Major physical constraints within the City include the River Wear, its floodplain and its gorge. The scale and design of new buildings need to respect the City's heritage and topography, especially regarding the World Heritage Site and the two Conservation Areas. These special Durham factors require that the best use is made of every piece of land within the urban area and especially the development of 'brownfield' land and the protection of green and attractive open spaces. The over-riding consideration that applies to all development proposals in Our Neighbourhood, including all forms of residential development, is that there shall be no harm to the historic environment, most notably the setting of the World Heritage Site.

4.159 When work started on the Neighbourhood Plan there were sites within the urban area capable of providing over 1,500 additional dwellings. However, many of these have subsequently been approved for the construction of Purpose Built Student Accommodation. Since 2012 a number of sites in Our Neighbourhood including several specifically identified at the time in the County Council's SHLAA that could have been for ~~long-term~~ year-long residents have been developed as private PBSAs, i.e.:

- Elvet Studios (Green Lane) 112 studio apartments
- City Block (formerly The Village @ The Viaduct) (Ainsley Street) 223 beds, in cluster and studio apartments
- Ward Court (formerly Neville's Cross Club) 36 apartments
- Chapel Heights 198 beds
- St Giles Studios (110 Gilesgate) 109 studio flats

- **New** Kepier Court (Mayorswell Close) 214 rooms, a mixture of cluster apartments and studios
- Ustinov College at Sheraton Park (formerly Neville House and Sheraton House) 418 beds, in cluster and studio apartments
- Duresme Court (formerly Berendsen Laundry) 277 studio flats
- Rushford Court (formerly County Hospital) 363 beds
- Houghall Court, East Durham College's Houghall campus, 222 beds in cluster and studio apartments

4.160 Other PBSA sites could have been for **year-long residents** or commercial activities, i.e.:

- Dun Holm House, The Riverwalk 253 beds in cluster and studio apartments
- Student Castle, Lower Claypath 473 beds in cluster and studio apartments, under construction
- Back Silver Street 56 beds, but construction not yet started
- The Three Tuns 168 beds, but construction not yet started

4.161 The few remaining areas of land potentially suitable for housing development are therefore extremely precious; it is imperative that the Neighbourhood Plan provides development policies that enable such areas of land within Our Neighbourhood to contribute as much as possible to the provision of appropriate new dwellings for Durham City as a whole.

4.162 One of the strongest concerns expressed in consultations has been the 'studentification' of former family housing areas of Durham; the NPPF (para. 62) expects planning policies to aim to create mixed and balanced communities and (para. 91) to achieve healthy, inclusive and safe places. The severe imbalance in parts of Durham City is damaging to community relations, to quality of life and to the future sustainability of schools, shops and other services and facilities. In 2015 the Durham City Neighbourhood Planning Forum collected data on residency in Our Neighbourhood (<http://npf.durhamcity.org.uk/themes/housing/property-information/>). Most of the information was gathered from public sources, primarily the Valuation Office Agency and Durham County Council, plus estate agents and landlord websites. The database at the time of writing (**October 2018** **September 2019**) has 2,913 permanent residents' dwellings, 2,029 student houses and flats, 26 empty properties, **6,209 215 (? Roger is checking)** **(L12)** other rented properties, 1,403 currently unknown occupants, making 6,586 properties in total. The 2,029 student houses and flats represent 30% of all residential properties in Our Neighbourhood, above the 10% figure for a balanced community. It should also be noted that a number of streets in the Viaduct and Crossgate area have student residencies of ~90+%.

4.163 A further issue is that Durham University (2016) has adopted its Masterplan for the growth of Durham University over the next 10 years. This is helpful in displaying Durham University's aspirations for physical development. This growth will, however, further diminish the very limited availability of sites for various forms of residential development

unless sufficient **College and Purpose Built Student Accommodation**, including new **Colleges**, is provided within the University estate. It is welcome, therefore, that Durham University has identified land in its ownership for six new Colleges and PBSAs. However, as shown in Appendix C, even if these are all built and are Colleges or University-affiliated PBSAs, meeting the aspiration of between 50% and 55% of students 'living-in' would require that all existing and planned PBSAs are given the designation 'University-affiliated'. This is not expected to be the case, and in addition student preferences are to live in HMOs. It follows that there may well be a demand for additional HMOs in Durham City which, if met, would further reduce the number of year-long residents and worsen the community imbalance. To avoid this retrograde scenario would require a reduction in the scale and pace of growth envisaged by Durham University, or for the University to require a higher percentage of students to live in College and University-affiliated accommodation.

4.164 The County Council has provided an estimate of the overall numbers of dwelling units required in Our Neighbourhood, but not for each kind of housing need. To be able to retain the long-term number of residents would need sites for at least 200 additional dwellings at the very minimum (from Appendix C para. C15). The County Council's estimate at the time of writing (~~October 2018~~ **September 2019**) (which will be revised in due course) is that a minimum of 1,297 new dwellings are required, comprising 639 on sites now under construction, 120 with planning permission but not yet under construction, 488 with planning permission and included in the emerging County Durham Local Plan, and 50 on a proposed new site (details are in Appendix C **para.26**). This requirement figure therefore will assist in re-balancing the permanent resident population of Our Neighbourhood.

4.165 The County Council's figure of the housing requirement for Our Neighbourhood is ~~in effect the supply of new dwellings 'in the pipeline'~~ **the current figure for how many new homes there is planning permission to build (L12)** and is thereby automatically sufficient. If more are approved the 'housing requirement' would increase by exactly the same amount. Additional suitable sites would be useful in case of non-delivery of some of the approved sites and would provide flexibility and a contingency provision. Accordingly, further sites, however small, have been sought and these are included in Policy D1.

~~Map 6: Durham City Local Plan Monitoring Area~~ LET'S DELETE MAP 6, it serves no purpose and just confuses L12

4.166 The Neighbourhood Plan does set out qualitative needs: the County's population age structure is projected to shift dramatically (Office for National Statistics, 2016b), with the numbers aged 75 and over increasing by 67% from being 8.6% of the total population in 2014 to 13.3% in 2035 (in the 2016 household projections the figures are an increase of 58% from 8.7% of the total population in 2016 to 13% of the total population in 2035 (Office for National Statistics, 2018b)). This makes the provision of suitable accommodation for older people a particular priority. Nevertheless, there are other categories of provision that will be needed, including students, families with children, professionals and people starting out in the housing market (NPPF, para. 61).

### **Justification**

4.167 This justification refers to the Housing theme as a whole. Additional, specific justification for each housing policy is given with the policy itself.

4.168 The results of the Forum priority survey looking at the public's views about what is good, bad and needs to change about the City (Durham City Neighbourhood Planning Forum, 2015) emphasised housing as a key issue. In particular, the responses indicate that there is an urgent need to redress the huge imbalance towards student accommodation, and the various problems this causes and to provide more housing (e.g. affordable housing; housing for families of various kinds including families with children; older people; and young professionals). The particular importance of ensuring provision for families with children is in order to restore and sustain community balance, inclusiveness and sustainability, notably with regard to school places and children's and parent's facilities.

4.169 The NPPF (para. 67) states the need for the ~~local~~ Local Planning Authority to identify a sufficient supply and mix of specific, deliverable sites (the Strategic Housing Land Availability Assessment (SHLAA)). The NPPF's aims are to meet household and population projections, address the need for all types of housing including affordable housing, address the needs of different groups in the community (including families with children and older people), and contribute to the objective of creating mixed and balanced communities. However, the Local Planning Authority should also protect the Green Belt (NPPF para. 133 to 136) and encourage reuse of brownfield land (NPPF para. 117). These national planning policies apply not just to the Local Planning Authority but to all relevant plan-makers and decision-takers.

4.170 The White Paper 'Fixing our broken housing market' (Department for Communities and Local Government, 2017a) and the Government Response to consultation comments (Ministry of Housing, Communities and Local Government, 2018) aim to boost housing supply and, over the long term, create a more efficient housing market. The Government proposes to prioritise the use of brownfield land, incentivise housing for rent, encourage the smaller development firms, discourage 'land-banking' and promote good design.

4.171 The Sustainable Communities Strategy for County Durham 2014-2030 (County Durham Partnership, 2014) has a section 'Altogether greener' with the aim of promoting sustainable design and protecting Durham's heritage.

4.172 The Durham City Regeneration Masterplan (Durham County Council, 2014) and its update (Durham County Council, 2016c) have a number of implementation projects and actions relevant to housing in Our Neighbourhood (a subset of the Durham City area covered by the Masterplan), i.e. ensuring services are in place including schools, and planning for housing allocations. The Masterplan update notes what has been delivered and outlines key future activities. Completed projects include the introduction of an Article 4 direction and a policy framework with which to determine student accommodation proposals. Housing allocations are set out in the prevailing Local Plan, and the Neighbourhood Plan seeks to supplement these to provide flexibility and contingency in case of non-delivery.

### **Planning Policies and Proposals for Land Use**

4.173 The policies related to this theme are:

- Policy D1: Land for Residential Development
- Policy D2: Purpose Built Student Accommodation (PBSA)
- Policy D3: Student Accommodation in Houses in Multiple Occupation (HMO)
- Policy D4: Housing for Older People and People with Disabilities
- Policy D5: Affordable Housing
- Policy D6: Building Housing to the Highest Standards

#### **Policy D1: Land for Residential Development**

The following sites as shown on the proposals map are allocated for housing development:

- a) John Street
- b) Main Street USA
- c) The Avenue

Development proposals for housing should:

- a) target occupancy type to rebalance the community towards permanent residents;
- and**
- b) use a style sympathetic to that of existing housing in the local area; **and**
  - c) **ensure no adverse impact on the Conservation Areas and the World Heritage Site.**

High density design in areas that are characterised by existing higher densities will be supported provided that adequate green and open space is included.

Contributions from conversions of existing buildings into residential use will be supported in principle.

**Proposals Map 7: Housing Sites (make this landscape?)**

4.174 Potential sites for residential development are listed in the SHLAA 2018 (Durham County Council, 2018e,f). The Neighbourhood Plan endorses these and in Policy D1 adds other sites that have been identified. Sites that are now under development do not need to be allocated.

4.175 The following notes provide additional information about the sites (shown on Proposals Map 7). The principles to be followed are: (i) target occupants to rebalance the community away from predominantly student accommodation; (ii) include provision for older people wherever viable; (iii) style to mirror that of existing housing in the local area; and (iv) use high quality design standards. In all cases the sites have been assessed through the Sustainability Appraisal process to ensure that the potential social, economic and environmental impacts including those on known heritage assets has been identified, and additionally to ensure that appropriate mitigation and/or enhancement measures will be applied in accordance with the sustainability policy S1 and the four heritage policies H1 to H4 of this Plan. The three site allocations are located within the Durham City Conservation Area and have the potential to adversely impact upon the Conservation Area itself, including its special qualities, distinctiveness and setting. Additionally, the location and visibility of Site D1.2 Main Street USA is likely to also be sensitive in relation to the Durham Cathedral and Castle World Heritage Site. Accordingly, it is essential that the Conservation Area Appraisals and the World Heritage Site Management Plan are used in considering residential development proposals for these allocated sites so as to provide an appropriate basis for the protection and enhancement of heritage assets. The ~~four~~ ~~three~~ possible allocations should similarly be assessed against these policies and protections if housing development applications come forward. The number of housing units given below for each site is indicative and numbers can be greater or fewer depending on how proposals are designed to deal with topographical and landscape issues and requirements.

- D1.1: John Street (anticipated yield 22): approved for apartments; a good site for older people or for young professionals/young couples starting out. Also a single terrace house could be sited as an addition to the end of the terrace next to the Spiritualist Church.
- D1.2: Main Street USA: (anticipated yield 5): existing space could provide for ~~2~~ ~~5~~ terraced houses, provided that ~~rights-of-way and~~ trees and surrounding woodland are protected ~~and that the right of way that residents and occupants of the Main Street USA offices have from Framwellgate Peth over the land now owned by a developer to get to their properties is retained.~~ (L12). The site's location and visibility make it very sensitive in relation to the paramount consideration of safeguarding the setting of the World Heritage Site when evaluating specific development proposals.
- D1.3: 24 a, b and c The Avenue: (anticipated yield 12): 12 apartments have been approved but not commenced.

4.176 In respect of a further four sites shown on the Proposals Map 7, the intention is they should be allocated ~~in the final Plan~~ **in due course** if the issues identified below can be resolved:

- D1.4: Former Shell Garage, A167 (anticipated yield 4): this site is not a formal allocation at this stage because the owner has not declared that it is available, but the aspiration is ~~to include it as an allocation in the final Plan~~ **that it should be allocated in due course**. Although approved for 8 units, the surrounding house-style indicates that 4 average to low density 2 storey houses would be more suitable, with access via St Johns Road rather than the A167; important to keep trees on the boundary of the site; may be costly to develop to deal with underground fuel storage tank.
- D1.5: Sidegate electricity sub-station (anticipated yield 12): this site is not a formal allocation at this stage because of constraints including the fact that it lies within Flood Risk Zones 2 and 3 **and that the existing substation would need to be relocated.** (L5b). If the constraints can be mitigated, **It** 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.
- D1.6: Council-owned car park, Sidegate (anticipated yield 20): this site is not a formal allocation at this stage because the owner has not declared that it is available. It is suitable for two or three rows of terraced houses; provided that development proposals protect surrounding trees and woodland habitats.
- D1.7: Small site next to Sainsbury supermarket on A167 (formerly Pot and Glass Public House) (anticipated yield 2): this site is not a formal allocation at this stage because the owner has not declared that it is available, but the aspiration is that it should be ~~included as an allocation in the final Plan~~ **allocated in due course**. It is suitable for 1 or 2 family houses, average density 2 storey houses; protect mature black poplar tree.

4.177 To maximise the contribution that these and any other sites make towards appropriate residential developments, high densities will be encouraged in areas that are characterised by existing higher densities, provided that adequate green and open space provision is included. Contributions from conversions of existing buildings into residential uses will also be supported in principle, including residential use of upper floors of retail and commercial premises.

4.178 In addition to housing sites allocated in the Neighbourhood Plan, additional houses would become available from small 'windfall' sites. Indeed, any new sites that come forward that have the potential for mixed residential development will be supported in principle subject as always to relevant NPPF, County Durham Local Plan and the Neighbourhood Plan policies. Although the possibility of redevelopment on the site of

Durham Prison in New Elvet has been raised, the Home Office does not envisage closing the Prison in the lifetime of the Plan.

<p><b>Policy D2: Purpose Built Student Accommodation (PBSA)</b></p> <p>The following sites are allocated for Purpose Built Student Accommodation:</p>	
<p><b><i>PBSA1: Leazes Road</i></b></p>	<p>retain trees and site's leafy character</p> <p><b>Site 1:</b> preserve or enhance the significance and setting of the non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion; ensure that views towards the World Heritage Site (WHS) are protected and opportunities taken to enhance views or create new views; respect and conserve the landscape quality of the site including retention of key landscape features; and retain key historic boundary features within the site.</p> <p><b>Site 2:</b> preserve or enhance the setting of the designated and non-designated heritage assets adjacent to the site; preserve or enhance the character and appearance of the conservation area; maximise opportunities to redevelop the buildings which currently have a negative impact on the character and appearance of the surrounding conservation area; retain key historic boundary features within the college site; and preserve or enhance the significance and setting of the non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion.</p> <p><b>Site 3:</b> preserve or enhance the significance and setting of the designated and non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion; ensure that views towards the WHS are protected and opportunities taken to enhance views or create new views; respect and conserve the landscape quality of the site including retention of key landscape features; retain</p>

	<p>key historic boundary features within the site; and maximise opportunities to better reveal the significance of the listed building within the site</p>
<p><b>PBSA2: Howlands -Josephine Butler and Ustinov</b></p>	<p>respect the strong radial pattern of the existing buildings</p> <p>preserve or enhance the significance and setting of the non-designated heritage asset contained within the site, specifically the historic farm buildings; development will consist of limited infill or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development; respect the strong radial pattern of the existing buildings; and respond positively to the landscape features and topography of the site</p>
<p><b>PBSA3: James Barber House</b></p>	<p>retain the existing trees around the periphery of the site</p> <p>ensure that views towards the WHS are protected; preserve or enhance the setting of the designated and non-designated heritage assets adjacent to the site; retain the existing trees around the periphery of the site; respond positively to the height constraints of the site; and be confined to the existing developed areas of the site</p>
<p><b>PBSA4: Elvet Hill car park</b></p>	<p>retain the existing trees</p> <p>ensure that views towards the WHS are protected; preserve or enhance the setting of the designated and non-designated heritage assets adjacent to the site; retain the existing trees around the periphery of the site; respond positively to the height constraints of the site; and be confined to the existing developed areas of the site</p>
<p><b>PBSA5: Land adjacent to St Mary's College</b></p>	<p>development will continue the existing built form of the development on the site; consist of appropriate refurbishment and limited infill; respect the college's architectural qualities and plan form while</p>

	<p>reinforcing its local distinctiveness; and respond positively to the landscape features and topography of the site</p>
<p><b>PBSA6: Mill Hill Lane and St Aidan's College</b></p>	<p>retain the existing tree belt to the east and west of the site; maintain a central belt of trees through the site; retain the most significant tree groups to the west of the site; and preserve or enhance the setting of the non-designated heritage asset of St Aidan's College and its grounds adjacent to the site</p>
<p>In order to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix, any development proposal for new Purpose Built Student Accommodation, extensions to existing Purpose Built Student Accommodation, or conversions of existing buildings to Purpose Built Student Accommodation other than the above six allocations within the University Estate, will be required to demonstrate:</p> <ul style="list-style-type: none"> <li>a) that there is a need for additional student accommodation of this type in this location; and</li> <li>b) consultation with the relevant education provider pursuant to the identified need; and</li> <li>c) it would not result in a significant negative impact on retail, employment, leisure, tourism and housing use and existing residential amenity; and</li> <li>d) it would support the Council's regeneration objectives; and</li> <li>e) not more than 10% of the total number of residential units within 100 metres of the application site are already in use as, or have planning permission to be, HMOs or student accommodation exempt from council tax charges.</li> </ul> <p>All proposals for the development of Purpose Built Student Accommodation will not be permitted unless:</p> <ul style="list-style-type: none"> <li>f) the development is readily accessible to an existing Durham University or Higher or Further Education College academic site, or hospital and research site; and</li> <li>g) the design and layout of the student accommodation and siting of individual uses within the overall development are appropriate to its location in relation to adjacent neighbouring uses; and</li> <li>h) the design meets the appropriate criteria for student living accommodation as set out in the Building Regulations; and</li> <li>i) the internal design, layout and standard of accommodation and facilities is of appropriate standard; and</li> <li>j) the activities of the occupants of the development will not have an unacceptable impact upon the amenity of surrounding residents in itself or when considered alongside existing and approved student housing provision. Prior to occupation a management plan or draft outline management plan appropriate to the scale of the development shall be provided and approved by Durham County Council;</li> </ul>	

and

- k) the quantity of cycle and car parking provided is in line with the Council's Parking and Accessibility Guidelines and Policies T32 and T43 of this Plan; and
- l) the applicant has shown that the security of the building and its occupants has been considered along with that of other local residents and legitimate users.

In order to provide affordable accommodation within Purpose Built Student Accommodation developments, 205% of the total units of accommodation shall normally be required to meet the prevailing definition of affordable.

Where appropriate, development proposals in accordance with the above requirements should contribute to the re-use of listed buildings, heritage assets and other buildings with a particular heritage value. Development will be expected to sustain the significance of heritage assets and seek opportunities to better reveal it.

Purpose Built Student Accommodation comprising only self-contained flats, or with blocks/sections of self-contained flats that can be separated from student occupants, should be flexibly designed to enable re-purposing for other types of occupants, such as young couples starting out, or professional people, or older people. Such re-purposing must include accessibility provision appropriate for older people or people with disabilities and appropriate arrangements for car parking, refuse storage and collection, and management of the flats.

**Proposals Map 8: Purpose Built Student Accommodation Sites**

### **Policy D3: Student Accommodation in Houses in Multiple Occupation (HMO)**

In order to promote the creation of sustainable, inclusive and mixed communities and maintain an appropriate housing mix, development proposals for new build Houses in Multiple Occupation (both C4 and *sui generis*), extensions that result in additional bed-spaces, 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:

- a) including the proposed development, more than 10% of the total number of residential units including those in Purpose Built Student Accommodation within 100 metres of the application site are already in use, **or have planning permission for use (SWC4)**, as HMOs or student accommodation exempt from council tax charges;
- b) there are existing unimplemented permissions for Houses in Multiple Occupation within 100 metres of the application site which, in combination with the **existing number of existing and approved HMO properties and those** exempt from council tax charges, would exceed 10% of the total residential properties within the 100 metres radius; or
- c) less than 10% of the total residential properties within the 100 metres radius are exempt from council tax charges but the application site is in a residential area and on a street that is a primary access route between Purpose Built Student Accommodation and the town centre or a University campus.

In all cases development proposals will only be permitted where:

- d) The quantity of cycle and car parking provided is in line with the Council's adopted Parking and Accessibility Guidelines and Policies T2 and T3 of this Plan; and
- e) They provide acceptable arrangements for bin storage and other shared facilities and consider other amenity issues; and
- f) The design of the building or any extension would be appropriate in terms of the property itself and the character of the area; and
- g) The applicant has shown that the security of the building and its occupants has been considered along with that of other local residents and legitimate users.

Changes of use from an HMO to C3 will be supported. Opportunities to enable this will be explored as they arise in order to assist the re-balancing of neighbourhoods.

4.179 PBSAs comprise a number of cluster flats and/or self-contained flats. Each flat in a PBSA is counted as a residential unit. **University colleges are PBSAs and Policy D2 endorses the identification by the University of six sites on its own estate where additional PBSAs can be built. Extensions to existing and future PBSAs on the University Estate are in principle welcome.**

4.180 The C3 planning use class covers dwelling-houses for up to six people living together as a single household. Houses in Multiple Occupation (HMO) are properties shared by between 3 and 6 unrelated individuals and are planning use class C4; an HMO where more than six unrelated individuals are sharing is known as “Sui Generis” (of its own class). Enabling changes of use from an HMO to C3 will be a challenge as there is some evidence that students prefer HMO accommodation to PBSAs or college accommodation (Durham University, Geography Department, 2015)

### **Justification for Policies D2 and D3**

4.181 Student accommodation in Durham City is one of the most frequently mentioned issues in the Plan's consultations (Durham City Neighbourhood Planning Forum, 2015), and the subject of much debate over many years. Working in partnership with Durham University and residents' groups, the County Council adopted an Interim Policy (Durham County Council, 2016d) to deal with applications to develop HMOs (houses in multiple occupation) and PBSAs (purpose built student accommodation) and this has proved to be reasonably effective. The emerging County Durham Local Plan proposes significant improvements in the light of experience. This is most welcome. The Neighbourhood Plan provides the opportunity to make minor but vital further improvements, and these are incorporated into Policies D2 and D3 in order to enable the number of student accommodation units within a PBSA to be counted towards the threshold rather than the whole PBSA simply to be counted as one property.

4.182 The over-riding consideration within these policies on whether additional HMOs or PBSAs are acceptable is the objective in the NPPF (para. 62) of creating mixed and balanced communities. The context section above explains how 'studentification' can be and has been damaging to community harmony and balance. The proposed policy D2 allocates six sites on University land for PBSA developments and allows for further PBSAs elsewhere unless the 10% threshold is breached (L5b), but proposals for purpose built student accommodation on sites allocated for general housing will not be acceptable (L10).

4.183. Whilst the proposed policy D3 on HMOs sets a clear threshold for resisting further HMOs, it is recognised that individual cases of personal circumstances will be additional considerations in deciding on particular cases. Such considerations are best made on the merits of an individual application (L12). rather than setting a 'tipping point' allowing more HMOs if an area has more than say 50% HMO properties already. One additional HMO may be represented as being a negligible addition, but there would no stopping point to prevent the area becoming 100% 'studentified'. A policy that permits this would be directly contrary to NPPF para. 62 which expects planning policies to aim to create mixed and balanced communities.

**Map 7: Studentification**

Note: Map supplied by Durham County Council

4.183 Implementation of the interim policy and its successor depends for HMOs (houses in multiple occupation) upon the introduction of an Article 4 Direction to remove certain householder development rights within a prescribed part of the City. Such a Direction was approved for a large part of the centre of the City and came into force on 17th September 2016. A further Direction for much of Framwellgate and Newton Hall (**outside Our Neighbourhood**) (L12) came into force on 17th May 2017. In order to be able to resist the overspilling of HMO developments into the rest of Our Neighbourhood, a third Direction to cover the remaining part of this **Parish** area (L12) would be needed. This is an action which will be for the County Council to take forward. **Similarly, Another direct consequence of 'studentification' has been the proliferation of letting boards which have had a degrading effect on the local environment.** ~~a~~An Article 7 Direction to control letting boards across Our Neighbourhood **is the responsibility of** ~~has been sought by~~ (L12) the County Council who carried out a public consultation in early 2017 and is now proceeding through the statutory procedures for adoption, hopefully in 2019/20.

#### **Policy D4: Housing for Older People and People with Disabilities**

##### **Housing for older people**

In order to help meet the needs of the ageing population in Our Neighbourhood, 10% of private and intermediate housing on sites of more than 10 housing units, or of more than 0.4 hectares, must be of types and design appropriate for older people.

Accommodation that would meet this requirement are:

- level access flats; or
- level access bungalows; or
- sheltered housing; or
- extra-care schemes; or
- housing products that meet the specific needs of a multi generational family.

If this is not viable on the development site, then the required number of housing units appropriate for older people must be built within, adjacent to or nearby Our Neighbourhood.

Housing schemes that are solely for older people are encouraged and will be supported.

New provision for older people should either be located close to shops, healthcare services and other essentials, or provide access to such facilities by being near a public transport route, as well as being served by appropriately designed and sited pavements and footpaths.

**Purpose Built Student Accommodation comprising only self-contained flats, or with blocks/sections of self-contained flats that can be separated from student occupants, should be flexibly designed to enable re-purposing for older people as occupants. Such repurposing must include accessibility provision appropriate for older people and**

appropriate arrangements for car parking, refuse storage and collection, and management of the flats.

### **Housing for older people and for people of all ages with disabilities**

Extensions to houses and flats, and other building works within the curtilage of a residential property, which are needed to enable a resident to continue to live there rather than go into a nursing or residential care home and which also require planning permission will be permitted providing they are in keeping with the building and its surroundings.

### **Housing for younger people with disabilities**

Provision of units designed for younger people with disabilities within a housing development, and housing schemes that are solely for younger people with disabilities, are encouraged and will be supported.

4.184 Provision of nursing homes and residential care homes are covered in community Policy C4.

4.185 Our Neighbourhood provides a topographical challenge in the provision of housing sites suitable for older people. Section 106 money could be used to provide suitable public transport facilities, pavements and footpaths across Our Neighbourhood that are designed for older people and for people of all ages with disabilities.

4.186 Of the specific sites listed in Policy D1, site D1.1 (John St) would be appropriate for housing for older people.

### **Justification**

4.187 The NPPF (para.61) states that: "the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students". The NPPF Annex 2 defines the housing needs of older people as:

*People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.*

4.188 The Government's Planning Practice Guidance notes that: "The need to provide housing for older people is critical, **People are living longer lives and as** the proportion of older people in the population is increasing." (PPG 'Housing **for older and disabled people' and economic needs assessment' para. 017 Para. 001).**

4.189 The figures in Appendix C show that 33% of the long-term (i.e. non-student) population are retired, and 11% are aged 75 or over. The increase in the numbers and proportion of the population that are in the older age groups is a challenge across many areas of national policy, not just housing. Locally, it has been highlighted in the Plan's consultations as a key issue for the Neighbourhood Plan (Durham City Neighbourhood Planning Forum, 2015). Accordingly, The Neighbourhood Plan sets out this policy to implement the expectations of the NPPF and of Parliamentary Committees and pressure groups.

4.190 Durham County Council's (2016c) strategic housing market assessment surveyed housing needs for older people:

*... modern properties aimed at the elderly, dementia schemes, extra care schemes, ground floor apartments and 2 bed bungalows were highlighted as key areas. In terms of stock shortages amongst older people stakeholders recognised; energy efficient homes for life, extra care facilities, sheltered accommodation and affordable rent schemes as priorities. (para. 6.16 )*

4.191 As well as providing for older people in new builds through the policy set out above, much of the existing housing stock in Our Neighbourhood could be suitable for older people either as it is or by adaptations and conversions.

4.192 The 2011 Census gives a figure of 3% of the population of Durham City who are sick or with disabilities. As with older people, the aim of this policy is to enable independent living in a person's own home. 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). This comprises the optional requirement of:

- (1) Reasonable provision must be made for people to—*
  - (a) gain access to; and*
  - (b) use, the dwelling and its facilities.*
- (2) The provision made must be sufficient to—*
  - (a) meet the needs of occupants with differing needs, including some older or disabled people; and*
  - (b) to allow adaptation of the dwelling to meet the changing needs of occupants over time.*

4.193 The Neighbourhood Plan would strongly encourage developers to implement this optional building regulation in building new houses or renovating existing houses. This is optional unless the requirement is implemented through the Local Plan. The developing County Durham Local Plan contains the requirement that housing for older people must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings). It is good practice for new buildings to be checked by a qualified access consultant for accessibility.

4.194 Recognising both that people often wish to remain in their own homes for as long as possible, and that in any case places may not be available in care homes, this policy facilitates extensions to allow people to continue living independently for as long as possible. Additionally, adaptations of existing buildings, which would not be covered by a Neighbourhood Plan, would be very suitable for this goal.

#### **Policy D5: Affordable Housing**

Any scheme for new residential development, or for conversions of existing sites, on sites of more than 10 housing units, or of more than 0.4 hectares, must include ~~20~~ 25% (SQ25, SQ 28, SQ29, L5b) as affordable housing.

Affordable housing should be located on the proposed site. If there are very strong reasons why this is not viable, then the affordable housing should be located within adjacent to, or nearby Our Neighbourhood.

4.195 If the percentage of affordable units is not a whole number then round to the nearest whole number as follows: if the number is followed by .5, .6, .7, .8, or .9, round the number up; if the number is followed by .0, .1, .2, .3, or .4, round the number down.

4.196 A **recent** House of Commons Briefing Paper (Wilson and Barton, 2018, p.5) looked at affordable housing and noted that "There is no all-encompassing statutory definition of affordable housing in England". The NPPF defines affordable housing in Annex 2 covering social housing for rent and intermediate housing for sale or rent. There are proposed amendments to NPPF guidance on this topic with the overall premise that affordable is at least 20% below market rent or market value. **The emerging County Durham Local Plan proposes, on the basis of evidence, that in Durham City the percentage should be 25% affordable provision. (SQ25, L5b)**

4.197 Affordable housing in Our Neighbourhood is affected by a premium on the value of housing caused by three main factors: (i) the strength of the buy to rent market because of the large number of students as a percentage of the population (53%), (ii) the high level of provision of new executive housing, and (iii) the large number of residential properties that are listed buildings or non-designated heritage assets. This means that 80% of market value is way beyond most people's income levels. To achieve more realistically affordable houses to revitalise Our Neighbourhood requires more creative mechanisms than dependence on the market. For example: Durham County Council owns property in Our Neighbourhood that could be developed for realistically-affordable housing; Durham University could support its expansion by providing realistically-affordable housing for young academics starting out in the profession.

4.198 Affordable accommodation is also an issue for students. Durham Student's Union (2018a,b) have been carrying out a campaign to address the cost of Durham University college accommodation. Though this does not include private PBSAs, many of these

charge higher levels than the colleges. Durham University provide bursaries to assist qualifying students with their accommodation costs, but PBSAs do not provide any 'affordable' (at 80% of market rent) accommodation.

### **Justification**

4.199 The Plan priority consultation (Durham City Neighbourhood Planning Forum, 2015) shows that family housing and affordable housing, for renting and for buying, are a particular need in Durham City and that appropriate provision is needed here for people starting out in the housing market, for families with children and for young professionals. The NPPF (para. 61) expects that such categories of need are recognised. Changes in law nationally tilt the provision from renting to owning and do not protect the affordable price in perpetuity. The Neighbourhood Plan seeks to keep both renting and buying as options. Provision can be made by new build or by conversions of former Houses in Multiple Occupation.

4.200 Large tracts of the centre of Durham City consist of terraced housing that is almost entirely given over to student accommodation. In the interests of fostering mixed and balanced communities as envisaged by the NPPF (para. 62) and the Plan's Policy D1, the Neighbourhood Plan attaches great importance to securing the reversion of some Houses in Multiple Occupation back to family homes and general housing, as covered in Policy D3.

#### **Policy D6: Building Housing to the Highest Standards**

All new housing, and extensions and other alterations to existing housing that need planning consent, must be of high quality design relating to:

- a) the character and appearance of the local area; and
- b) aesthetic qualities; and
- c) external and internal form and layout; and
- d) functionality; and
- e) adaptability; and
- f) resilience; and
- g) the improvement of energy efficiency and the reduction of carbon dioxide emissions.

D6.2: Houses and housing developments must meet the Building for Life Criteria by avoiding any red traffic light scores and achieving as many green traffic light scores as possible. Application for accreditation of sites is not required.

4.201 This policy should be used in conjunction with Policy S1, policies H1 to H4, policy G1, and policies T1 to T3.

## Justification

4.202 The NPPF (para. 124) sees good design as a key aspect of sustainable development, and states that:

*Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. (NPPF para. 125).*

4.203 It was commented on in the results of the priority survey of local opinion that the City has been blighted by poor building design from the 1960s and 1970s (though some of this is being addressed by new developments in progress to replace such buildings). There are also some examples of modern architecture that complement the historic character of the City such as the Calman Learning Centre on South Road and the café/meeting room in Wharton Park. Newer building developments in the outer areas of the City have tended to be of uninspiring, standard-product semi-detached and detached houses. But options for better design of new housing exist.

4.204 Design of housing is a huge topic. Much of this is covered by building regulations (UK Government. Planning portal) and is outside the remit of the Neighbourhood Plan. The view taken in this Neighbourhood Plan is that there are a few key principles of importance to the local community. These comprise:

- sufficient space, with housing designed to achieve at a minimum the government's nationally described space standard (Department for Communities and Local Government, 2015). Durham County Council has adopted this optional standard in the emerging Durham County Local Plan.
- accessibility. The developing Durham County Council's Local Plan contains the requirement that housing for older people must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings). The Neighbourhood Plan would like to see, as a general aim, all housing to be built to this standard.
- energy efficiency. (See also policy S1).
- aesthetics, to achieve housing that is sympathetic to their area, but not a pastiche. Theme 2a policies address this aspect.

4.205 The RIBA (2009) discussion paper noted that “the design quality of many developments built before the credit crunch was inadequate, with only 18% of schemes rated as ‘good’ or ‘very good’” and that “many buyers of new homes have concerns over a lack of space and an inconvenient layout.” (p.1) It concluded that “there is a huge potential for the market for new homes to be expanded by placing more emphasis on design quality and providing a more diverse product.” (p.1) Concerns about lack of space were reiterated in RIBA (2011): consumers felt that new houses failed to provide adequate inner and outer space. Over 90% of these houses did not meet minimum size standards set by the ‘Nationally Described Space Standard’ (Department for Communities and Local Government, 2015) and were smaller than new houses in Western Europe. Ipsos MORI

and RIBA (2012) surveyed the housing needs and expectations of consumers and the key findings were (p.4-5):

- Large windows for natural light, large rooms and high ceilings;
- Large main living area for eating and socialising;
- Layouts which take into account technology used within the home;
- Space for private time away from other members of the household;
- Private space outside, particularly for families, or access to green public space in urban locations;
- Long-term and short-term storage for functional items, and for personal possessions;
- Dedicated space for domestic utility tasks, such as, washing, drying and ironing clothes, as well as for storing vacuum cleaners, rubbish bins and recycling;
- Options for different layouts, with flexibility.

4.206 Access to high speed Internet and mobile access in the home for both leisure and home working is crucial. The provision of this technology infrastructure needs to keep pace with new technological developments, e.g. the need for electric car charging points.

4.207 'Locality' has produced guidance on design in neighbourhood planning (Design Council and Cabe, 2016). It states (p.5) that good design means "solutions that put people first by addressing the way the building or space functions – thinking about what it is used for and how it is used; ensuring it is designed to last and valued by those who use it." It also states that good design should be functional, support a mix of uses and tenures, be adaptable and resilient and have a distinctive character. It also supports use of the Building For Life criteria.

4.208 The Building for Life criteria (Birkbeck and Kruczkowski, 2015) are a set of quality tests agreed nationally by The Design Council, the Housebuilders' Federation and Design for Homes to ensure that the design of new homes and the spaces that surrounds them are as attractive, functional and sustainable as possible. The scheme uses 12 questions that are scored using a traffic light system. The Design Council offer an accreditation scheme that developers can apply for related to proposals that have received planning approval.

4.209 The 12 Building for Life questions are:

- Integrating into the neighbourhood (covering Connections, Facilities and services, Public transport, Meeting local housing requirements)
- Creating a place (covering Character, Working with the site and its context, Creating well defined streets and spaces, Easy to find your way around:)
- Street & home (covering Streets for all:, Car parking, Public and private spaces, External storage and amenity space)

4.210 Durham County Council have adopted an in-house review process to assess schemes against the Building for Life Standards. Their related Supplementary Planning

Document formalises the review process and establishes the guidelines and standards for its operation (Durham County Council, 2018a). The aim is to use this process to obtain improvements in the design of proposals submitted by developers. The Building for Life Standards are a requirement in the emerging County Durham Local Plan. Durham County Council's Building for Life review process covers all major residential-led schemes of 50+ units (or 1.5 hectares+), as well as any smaller schemes in particularly sensitive locations at the discretion of Durham County Council. It would seem appropriate that all developments within Our Neighbourhood should be reviewed, because of the sensitivity of the World Heritage Site and the Durham City Conservation Area.

4.211 Many policies in this Neighbourhood Plan would contribute to the achievement of green traffic light scores to these Building for Life questions, e.g. policies S1, H2, H3, G1, T1, T2, and T3.