

**2019 PRE-SUBMISSION CONSULTATION  
CATEGORISATION OF COMMENTS AND PLANNING ISSUE OR ACTION IDENTIFIED**

**Theme 4 - A City With Attractive and Affordable Places to Live**

**12 September 2019**

The comments have unique codes as follows:

- SEQ = electronic questionnaire response
- SQ = paper questionnaire response
- SEM = email response
- SWC = web comment

However, no personal details have been provided.

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

- L2 = City of Durham Trust
- L4 = Durham City Access For All
- L5 = Durham County Council
  - L5b = Durham County Council Appendix
- L6 = Durham University
  - L6a = Durham University Response
- L8 = Historic England
  - L8a = Historic England, Letter on Plan
- L10 = Nevilles Cross Community Association
- L11 = Northumbrian Water
- L12 = Resident1
- L16 = St Nicholas Community Forum
- L17 = Southlands Management Ltd
- L18 = WHS Coordinator

The codes for categorising the comments are as follows:

- c1: outside the remit of the neighbourhood plan
  - c1a: outside the Plan area
  - c1b: planning issue that has to be dealt with by the Council or by other bodies not by a neighbourhood plan
  - c1c: not a planning issue
- c2: a generic style comment of praise, blame, opinion etc not requiring a response just an acknowledgement

- c3: suggesting changes to the policies
- c4: suggesting input into initiatives in 'Looking Forwards'
- c5: suggesting changes to the other text of the Plan

#### THEME 4

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<b>COMMENTS RELEVANT TO THEME 4</b>		
<b>SEQ3:</b> I am concerned that the aims with housing development are to protect the rights of young couples and workers who want to move into affordable houses (definitely important) and to stop student accommodation developers from 'winning'. However, nothing has been done to address the overpriced student accommodation as we have little choice but to pay extremely high rents which keep rising as the uni expands because the landlords (many who aren't local) know they can get away with it. {DH1 Student}	C1b Price of student housing is a University/DCC/housing market matter.	Covered in paragraphs 4.197 and 4.198 and Policy D5 of the NP and also made by the Parish Council to the County Council regarding County Durham Local Plan 15 that the affordable housing % should apply to new PBSAs and new Colleges. It cannot apply to an individual new HMO. County Durham Local Plan Policy 15 should explicitly apply to new PBSAs, new Colleges and new HMO schemes where more than 10 units are proposed.
<b>L12</b> Resident1 {parts copied to Themes 3,4,6, Comments} 4.140 on p.83: I'm surprised to see the statement "...the evidence indicates that there is an ample supply of student accommodation in Our N". This is not in accord with the evidence presented in Appendix C, paras C16 – C21.	C5 Apparent contradiction in texts.	The sentence is a carryover from an earlier time when the planned growth of Durham University was much less. Delete that final sentence from paragraph 4. 140.
<b>L12 /cont (i)</b> 4.162 on p.95: The sums don't add up to 6,586. I get 12,580. If this is correct than the student percentage is about 17%.	C5 <i>The figure for "other rented" has been mistyped and should be.....</i>	<i>To be checked</i>

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<p><b>L12 /cont (ii)</b> 4.165: I don't understand why DCC's housing figure is "automatically sufficient".</p>	C5 Text need clarification	<p>It is automatically sufficient because the County Council's figure for the housing requirement is simply the figure for how many new homes have been approved. If more are approved the 'housing requirement' would increase by exactly the same amount. Explain better in paragraph 4.165</p>
<p><b>L12 /cont (iii)</b> p.96: I don't understand why the map of the Durham City Local Plan Monitoring Area suddenly appears here. The NP doesn't deal with Monitoring until p.143.</p>	C5 Map is misplaced.	<p>Note: Despite the title, this map is nothing to do with monitoring of the NP. This area is the smallest scale at which DCC states the population figures, and therefore it is about the NP housing requirement. Delete the map, it just confuses.</p>
<p><b>L12 /cont (iv)</b> 4.175, D1.2: Is it 2 or 5? Their original planning permission was for 5. There are no rights of way, trees or surrounding woodland associated with this site. There is an issue about access across the land now owned by Hanro, the company developing the new offices at the back of Diamond Terrace, but there are no rights of way as such.</p>	C5 Comment relates to supporting text.	<p>The correct number is 5 and residents and former occupants of the offices have a right of way from Framwellgate Peth over the land now owned by a developer to get to their properties. Revise the text accordingly.</p>
<p><b>L12 /cont (v)</b> 4.182: The final sentence is vague and I understand why, but the policy text itself needs to address explicitly the issues that arise if most of the C3 houses in a street have already been converted to HMOs.</p>	C3 A wording change within Policy D3 is suggested.	<p>The position taken is that the policy should not try to include circumstances where an area has been so densely studentified that it might as well become 100% student HMOs/PBSAs. No change</p>

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<p><b>L12 /cont (vi)</b>            4.183: Can we be more explicit about the additional area that needs covering by an Article 4 Direction? Framwellgate and Newton Hall are outside Our N and reference to them could be confusing. And the issue of Letting Boards is not relevant to this policy.</p>	<p>C5            This is a matter of amending explanatory text.</p>	<p>The Article 4 in Framwellgate &amp; Newton Hall is a fact but a phrase saying outside the City of Durham Parish area would eliminate the possible confusion. Similarly, the additional area sought within Our Neighbourhood can be explained as completing Article 4 coverage of the whole of the City of Durham Parish area. Add a phrase saying 'outside the City of Durham Parish area' to eliminate the possible confusion over Framwellgate &amp; Newton Hall. Similarly, the additional area sought within Our Neighbourhood can be explained as completing Article 4 coverage of the whole of the City of Durham Parish area. The reference to Letting Boards is considered to be relevant because the need to control them is a direct consequence of their environmental harm to Durham city as a by-product of intensive HMOs.</p>
<p><b>L12 /cont (vii)</b>            C21 on p.160: I find the pairs of numbers given totally confusing</p> <ul style="list-style-type: none"> <li>• line 4: "1,600 or so some 1,430"</li> <li>• penultimate line: "about 640 530"</li> <li>• last line: "about 1,400 1,000 people".</li> </ul>	<p>C5            Typing errors.</p>	<p>Rewrite Paragraph C21 to reflect the latest figures.</p>
<p><b>L12 /cont (viii)</b>            C28 on p.163: The claim that perhaps 500 houses could revert from student to family use seems to be contradicted by the argument put forward in C21 (confusing figures notwithstanding).</p>	<p>C5            Paragraph C28 on page 163 needs additional explanation compared with C21.</p>	<p>Rewrite C21 with the latest figures; this removes the previous apparent contradiction.</p>

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<b>SQ1</b> Definition of residential unit or HMO with students should be 'a building containing students' rather than defining them by 'exempt from council tax'. {Resident DH1}	C3 The policy uses a definition that includes HMOs as well as Council Tax exemptions.	The position taken is that the definition ensures that HMOS are counted whether or not the property has been granted exemption from Council Tax.
<b>SQ6</b> Policy D2: more careful assessment of student PBSAs - do they get council tax exemption - they are huge businesses. {Resident DH1}	C5 Question about assessment.	PBSAs get Council Tax exemption on a room by room basis. No change.
<b>SQ6 /cont (i)</b> Policy D3: Make sure all houses occupied by 3+ students are counted; some landlords may pay council tax. {Resident DH1}	C5 Seeks wording change in Policy D3 or accompanying text.	The policy uses a definition that includes HMOs as well as Council Tax exemptions. The definition ensures that HMOS are counted whether or not the property has been granted exemption from Council Tax. No change.
<b>SQ10</b> Parts copied to Theme 1, 2b,3,4,Comments} Policy D2: Not at all sure there is <u>proven</u> demand for more PBSAs! {Resident DH1}	C5 Questions wording of D2.	The word 'proven' does not occur in the Plan. No change.
<b>SQ13</b> {Parts copied to Theme 3,4} Need to think about planning of services in relation to student number growth and needs of students at service level. ... {Resident, work/run business DH1}	C5 Important message for planning and service providers.	Already embedded in Theme 6.
<b>SQ13 /cont (i)</b> Policy D2/D3: Important to think about cost & quality of both permanent resident and student accommodation (HMOs, PBSAs). If limiting growth	C5 Comment on standards.	Covered by Policy D6.

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of PBSA supply need to think about other ? on cost, quality. {Resident, work/run business DH1}		
<p><b>SQ14</b>            {Parts copied to Themes 1,3,4}            D2: No more PB student accommodation if we want to keep a balanced community. D5: with covenants preventing affordables becoming HMO/student rentals. {Resident DH1}</p>	<p>C4            Suggesting a blanket ban on PBSAs.</p> <p>C1c            Suggesting covenants</p>	<p>More are needed if the 50% living in aspiration is to be achieved, and the University has identified sites on its own estate.</p> <p>Covenants are outside of planning policy and depend upon civil action for enforcement.</p>
<p><b>SQ15</b>            {Parts copied to Themes 4,5,6}            Given the growth in student numbers, the plan seems designed to prevent rather than supporting direct demand in the City; we'd prefer a plan which addressed the reality rather than divert it. This is a complex issue with interdependencies that it would be good to acknowledge. ... Broad concerns across D, Housing policies. {Work / run business DH1}</p>	<p>C3            Suggesting a policy stance of encouraging more provision of student accommodation; implicitly wanting more HMOs than the 10% threshold permits.</p>	<p>To accord with the wishes of the population of Our Neighbourhood the policies should remain as drafted.</p>
<p><b>SQ18</b>            On D5: It is important for new housing built with the City &amp; designed to improve the mix of residents, to be covenanted. Our development (Byland Close, off Laburnum Avenue) was great when we all moved in - a mix of working-aged / retired / lower-income / single people &amp; (small) families - but the original purchaser have often sold to landlords, and the inevitable (?) is happening. {Resident &amp; student DH1}</p>	<p>C1c            Seeks covenants to prevent new housing becoming HMOs.</p>	<p>The draft policies reflect the Interim Policy which has been reasonably effective in resisting changes from C3 to C4 uses. The Neighbourhood Plan proposes tighter controls than in the Submitted County Plan which weakens the Interim Policy.</p>
<p><b>SQ23</b>            {Parts copied to Themes 2a,2b,3,4,5}            D6. All new housing to contain solar panels. {Resident DH1}</p>	<p>C3            Suggesting adding a solar panels requirement into Policy D6</p>	<p>Covered by the umbrella Policy S1.</p>
<p><b>L18</b></p>	<p>C2</p>	

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<p>WHS Co ordinator {parts copied to Themes 1,2a,2b,3,4,5, Comments}</p> <p><b>Theme 4: A City with Attractive and Affordable Places to Live</b>  <b>Policy D2: Purpose Built Student Accommodation (PBSA)</b>  <b>Policy D3: Student Accommodation in Houses in Multiple Occupation (HMO)</b></p> <p>Policy D2 may assist in reducing impact from overscaled and large PBSA buildings or elements of development that have been impacting on key WHS approaches and views out to the green inner setting of the WHS. Encouraging more diverse housing use beyond student accommodation will help strengthen the resilience of the city core.</p>	Expressing support for Policies D2 and D3.	Support noted.
<p><b>L18 /cont (i)</b>  <b>Policy D6: Building Housing to the Highest Standards</b></p> <p>Because of the limited scope for new housing with direct relevance for the WHS this is less of an issue but changes to existing housing can impact on the townscape. The guidelines will prove helpful in active conservation of the historic townscape.</p>	C2 Expressing support for Policies D2 and D6.	Support noted.
<p><b>SWC2</b></p> <p>I welcome Policy D3 {mistake, should be Policy D2 see note re this in SWC4} and in particular section (e) as under the current Interim Policy on Student Accommodation PBSAs are not counted when assessments are made about the percentage of student accommodation/HMOs in a postcode area/within 100 metres of a new PBSA development or the conversion of a C3 home to a C4 HMO.</p>	C2 Expressing support for Policy D2.	Support noted.
<p><b>SWC2 /cont (i)</b></p> <p>I question the strength of the word 'appropriate' in (g), (h) and (i), as recently-built student accommodation, such as the new accommodation blocks at Van Mildert College, lacks the careful and creative design of earlier accommodation blocks, such as the hexagonal style blocks surrounded by trees in Trevelyan College. The new blocks at Van Mildert may be 'appropriate', but are higher and more densely packed in than earlier equivalents, and this trend is mirrored across various new PBSA developments in Durham. I am concerned that 'appropriate' is an</p>	C3 Suggesting change to policy D3 wording.	Covered by the requirements of Policy D6. The Plan must be read as a whole. No change.

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overly elastic term that will be used to justify any overly tall and overly jam-packed off-the-shelf building, be it built by Durham University or by private PBSA developers.		
<b>SWC2 /cont (ii)</b> Regarding (j) I am concerned that 'PBSA Management Plan' sounds good on paper but is less effective in practice, as neither Durham University nor Durham County Council/Durham Parish Council have much control over the operations of private PBSA businesses, and they also appear (from anecdotal evidence and inspection of staff lists on their websites) to have very few enforcement officers.	C5 Querying value of “ PBSA Management Plans”	Management Plans set conditions that can be monitored and breaches addressed, albeit by persuasion and publicity rather than statutory action. No change.
<b>SWC2 /cont (iii)</b> I welcome the references to 'affordable' and 're-purposing' in the bottom three paragraphs, and live in hope that they will not become elastic words stretched to mean something different from the original intention.	C2 Support for this wording in Policy D2.	Support noted.
<b>SWC3</b> I welcome D5, and 4.197 and 4.198, and the ways in which you envisage the reversion of HMOs to affordable homes.	C2 Support for D5 etc.	Support noted.
<b>SWC4</b> I welcome Policy D3 (apologies for using D3 in my earlier comment on D2 which should have had D2 in the text not D3) as it tightens up the Interim Policy on Student Accommodation.	C2 Support for D3.	Support noted.
<b>SWC4 /cont (i)</b> I welcome the inclusion of 'new-build HMOs' and 'extensions' in the first paragraph as perusal of Durham County Council planning website shows that there has been an increase in the number of approvals for expansions of small terraced houses in eg: the Viaduct area from 3 to 5,6 and even 7 bed houses, and also an increase in applications to turn any empty bit of land into a money-making HMO.	C2 Support for D3.	The Neighbourhood Plan proposes tighter controls than in the Submitted County Plan which weakens the Interim Policy. Support noted.
<b>SWC4 /cont (ii)</b> In (a) I welcome the addition of the words 'including the proposed development' as currently the Interim Policy only seems to cover	C2 Support for D3.	Support noted.



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existing C4 houses eg: when the Corner House was given C3 to C4 permission on 15.5.2019 the (disputed) 8.8% figure did not include the Corner House itself.		
<p><b>SWC4 /cont (iii)</b>  In (a) I welcome the addition of the words 'including those in Purpose Built Student Accommodation' as currently the Interim Policy only covers C4 houses eg: when 45 Dalton Crescent was given C4 conversion permission on 16.2.2017 and 56 Dalton Crescent on 13.7.2017, the existence of the neighbouring huge PBSA - that is now Ustinov College - was ignored.</p>	C2 Support for D3.	Support noted.
<p><b>SWC4 /cont (iv)</b>  In (a) I am concerned about the words 'already in use'. One of the justifications for awarding 45 and 56 Dalton Crescent C4 conversion status was that the PBSA was not occupied, even though plans were well underway for students to move in during autumn 2017, and furthermore Durham University was publicising its plans to move Ustinov College from Howlands Farm to Sheraton Park in autumn 2017. Can you nuance the word 'in use' and add something about 'definite plans' in order to strengthen this bit of the policy?</p>	C3 Suggesting changes to the policy D3 wording.	Change wording to “have planning permission”
<p><b>SWC4 /cont (v)</b>  I welcome (c) as anyone who has seen/driven past/found themselves caught up in flows of student pedestrians knows how overcrowded the pavements can become eg: Margery Lane, Church St.  Is there any chance of you strengthening (c) by carrying out a pedestrian origins and destinations survey jointly with Durham County Council and Durham University?</p>	C2 Support for Policy D3 c	The pedestrian flows issue is in the Submitted County Durham Plan too, so the suggested joint surveys could be undertaken for assessing a planning application. Support noted.
<p><b>SWC4 /cont (vi)</b>  Is there any chance of you strengthening D3 as a whole so that it covers not only 3-6 bed HMOs and PBSAs, but also 1 and 2 bed flats? There is a rise in the number of developers applying to build 1-2o bed flats eg: 24 The Avenue, 36 The Hallgarth, 10 Redhills Terrace. These fall into the C3 category but are developed with the student market in mind.  Is there any chance of you counting the number of category D (ie: non-</p>	C3 Suggesting changes to policy D3 wording.	Planning policies have to operate within the Use Classes Order. No change.

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<p>council tax paying) students in each postcode area/100 metre area in Durham in order to develop an accurate picture of the true extent of studentification across the city? The weakness in the Interim Policy is that it only covers certain categories of properties and students. Some students/properties fall outside these categories eg: properties where the landlord pays council tax, properties owned by students' parents/guardians, properties sub-divided into 1-2 bed flats and properties where the owners have spare rooms and take in student lodgers. A door to door survey (similar to a census survey) would shed lights on the extent of the different categories and help with the construction of an accurate evidence base which could be drawn on by decision-makers.</p>		
<p><b>SWC4 /cont (vii)</b>  I must emphasize that I am not anti-student, I moved to Durham because it is a university city and I value the university. But over the past 10 years in particular the university has grown too big, the community has become increasingly unbalanced, and the feeling of cumulative damage and loss is intensifying. Some students notice this and they say things like " we realise how many of us there are in the city, it's less intimate in Durham than we thought it would be, it must be annoying, I realise we don't pay council tax so you are paying for our bins to be emptied." They have a right to a decent home during their time in Durham and they lose out from the current system as much as permanent residents in that they pay huge rents - hence their 'ripped off' campaign against over-priced (and sometimes shoddy) accommodation. A stronger Interim Policy on Student Accommodation (and better enforcement) would benefit us all.</p>	<p>C2  Support.</p>	<p>Support noted.</p>
<p><b>SWC5</b>  I welcome policy D4 and the emphasis on re-purposing - population ageing is an increasingly significant issue in the UK and progressive policy-making is needed. There are some good examples in Durham eg: the conversion of the old Post Office building on Claypath. Could the policy be further strengthened in ways which will increase the likelihood</p>	<p>C2  Support.  C3  Suggesting changes to the policy wording.</p>	<p>Support noted.  The Policies for student accommodation are considered to be the most effective approach. No change.</p>

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of other old buildings being converted in this way rather than becoming student accommodation?		
<p><b>SEM1</b>            {parts copied to Themes 2b,3,4}            I believe that a robust policy is needed for the HMP Durham Site as I believe that it will soon be surplus to use or beyond repair.            ... would seek liberalisation of building in the green belt - green belt policy seems to have been written by home owners to prevent others getting on the property ladder. For Durham to thrive we need more industry and more housing to do so we need to build up or out</p> <p>Redundant retail on edges of business district to allow conversion to Residential use</p>	<p>C3            Suggesting policy changes.</p> <p>C3            Amend Policy E3</p>	<p>This has been investigated and the Parish Council has been informed that HMP Durham will not be released within the Neighbourhood Plan period. The Plan will be monitored and reviewed, so any future changes in the status of HMP Durham will be taken on board. No change.</p> <p>Refer to Theme 3.</p>
<p><b>SEM6</b>            {parts copied to Theme 4, Comments}            Livin {Livin Housing Limited} has considered your letter regarding the development of a neighbourhood plan and currently we do not have any stock nor plans for stock within the Parish boundary.</p>	<p>C2            Comment.</p>	<p>Comment noted.</p>
<p><b>SEM7</b>            Re: Housing sites D1.5 and D1.6 and objection to their non-allocation in policy D1.  <b>Note:</b> Correspondence re these sites and how they are provisionally covered in the Neighbourhood Plan resulted in the following additional comments from SEM7            Thanks for your clarification. The exclusion came as a bit of a shock because I wasn't aware of the allocation criteria. The obstacle is obviously one of deliverability rather than sustainability. FRA issues have already been addressed so we probably need to have another</p>	<p>C2            Comment.</p>	<p>Resolving the issues around D1.5 and D1.6 would be welcome. No change.</p>

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<p>chat with {DCC} about the car park. To be realistic this isn't going to be straightforward because of the upcoming car parking problems the city is going to experience city-wide so we are grateful for your provisional acknowledgement of the sites in the plan.</p> <p>At the outset of our interest in the area – XX as a resident and myself as the owner of a business there – there has been widespread consensus that this part of Durham is neglected, with unrealised potential, mainly due to the presence of the substation. It would be nice to think it can be resolved in my lifetime!</p>		
<p><b>SEM9</b>          {parts copied to Themes 2a,3,4,5,Comments}  <b>Housing for Older People.</b>          It may prove impossible, but proposals for age-related housing developments should be on relatively flat sites, with good access to local services of all kinds. We cannot alter the unfortunate topography of the City, with all its gradients, but should not compound the difficulties for Older People by positioning such housing at the top of steep banks. Perhaps some of the existing streets of HMOs might usefully be compulsorily purchased and returned to normal family living with an emphasis on the older population?</p>	<p>C4          Suggesting a housing agency initiative.</p>	<p>Agree, but not a matter for planning policy and therefore covered in the associated 'Looking Forwards' document. No change.</p>
<p><b>SEM9 /cont (i)</b>          As an associated issue, the ban on further HMOs should be rigidly enforced, with support for rigorous surveys to expose exactly how houses are being used, to avoid the existing classifications being corrupted or misused. Minimum standards on student room sizes and facilities in such houses are required where they do not already exist. Places on University Campuses should be the preferred accommodation solution for students - not just the suggested 50% - which is clearly inadequate.</p>	<p>C1b          Comment.</p>	<p>The Parish Council is commissioning such surveys. No change.</p> <p>Control over where students should be accommodated and in what proportions lies with the University; the choices are made by students,</p>

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		within a specialised market. No change
<p><b>SEM11</b>            {parts copied to Theme 4, Comments}            I particularly welcome the opportunity to comment on housing policy, following a frustrating moment in April 2019 when the Spatial Policy Team in Durham County Council told me that my one chance to comment on the Interim Policy on Student Accommodation had been during the consultation on the County Durham Plan (which closed in March 2019). Failing that I had to wait for another 10 years, or 5 years if the County Durham Plan had a mid-term review. I was not told that the Neighbourhood Plan could provide another opportunity.</p> <p>... I must emphasize that I am not anti-planners, as I recognise that they are in a difficult position trying to balance the interests of different stakeholders whilst constrained by planning law, and whatever they do, someone will always complain.</p> <p>But, sadly, my sympathy has been eroded following Durham County Council's East and Central planning committee's decision to approve the conversion of the Corner House from a C3 to a C4 property, even though both the officers and councilors had been presented with credible evidence (by residents, the Neville's Cross Community Association and the Parish Council) that their figure of 8.8% of HMO accommodation within 100 metres of the property might be inaccurate. They acknowledged the risk of inaccuracy, but nether put their decision on hold in order to seek out further information, nor said 'we need to improve our methodology'. That is not good decision-making.</p> <p>Since then I have been reading planning applications on Durham County Council's planning website, and am struck by the repeated failure of ordinary residents to have their views taken into full and proper consideration in decision-making. Whinney Hill residents are a particularly painful example - they appear to be up against the unspoken but very powerful assumption that it's inevitable that their</p>	<p>C2            Comment re dissatisfaction with DCC planning decisions.</p>	<p>Comment noted.</p>

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housing estate (and whole swathes of the city centre) will be taken over by landlords renting to transient students, and that's the way it is, tough.		
<p><b>SWC7</b> Housing Sites How do our roads cope with the additional vehicles that these planning approvals will bring? 1,297 households will equate to approximately 2,000 cars all trying to get in, out and around the city centre. Where are the schools, medical services and other infrastructure to support these households? What safeguards will be put in place to prevent landlords and their agents speculating, buying into these developments thereby interspersing residential communities with transient populations and the ASB these bring? Who will risk paying premium prices (and let's face it you will always pay a premium to live in DH1) to end up living next to students?</p>	<p>C2 Comment re infrastructure pressures from more housing development.</p> <p>C1b Comment re further action by DCC</p>	<p>More houses within the physical framework of Durham City are welcome in principle. Reducing car usage is necessary as a basic principle of safeguarding the future and should be pursued whether or not all these houses are built. The policies limiting student properties to 10% in a 100 metre radius are specifically for preventing 'studentification', and therefore the Article 4 Directions to remove permitted development rights to move between C3 and C4 should be made by the County Council to cover the whole of the Neighbourhood Plan area.</p>
<p><b>SEM16</b> {parts copied to Themes 1,2b,3,4,5, Comments} <b>The Climate Crisis and the Neighbourhood Plan</b> Recent and growing concern about the climate crisis and the need for rapid transition to a low carbon economy suggests that neighbourhood plans will increasingly be judged by their effectiveness in these matters. Our Plan has been successful in doing this, but could benefit from more direct evidence that it is formative part of the development of the Plan. Here are some suggestions for changes in presentation to bring these concerns into a clearer focus.</p> <p>...</p> <p><b>Theme 4: A City with Attractive and Affordable Places to live</b> Policy D6 should perhaps refer somewhere to 'a new generation of</p>	<p>C3 Suggesting D6 policy wording changes.</p>	<p>Planning policies are not for exhortations or manifestos, but some words can be added to the justification text.</p>

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housing built on ecological principles in response to the climate crisis' ?		
<p><b>SQ25</b>            {parts copied to Themes 2a,3,4}            D1: Agree on the basis the dwellings do not become HMOs. ... The City is increasingly becoming a campus and affordable housing a rarity for young professionals. Policy D5: 20% is not enough. {Resident}</p>	<p>C3            Suggesting D5 policy wording changes.</p>	<p>The Neighbourhood Plan had been instructed to use the County Council's figure of 20%, based on the commercial viability of schemes. Now DCC say 25% for Durham City, so this change will be made. A public affordable and social housing programme should be a priority alongside the County Plan and Neighbourhood Plan.</p>
<p><b>SQ26</b>            {parts copied to Themes 3,4,5, Comments}            Policy D1: could be stronger in promoting residential development. {Resident DH1}</p>	<p>C3            Suggesting D1 policy wording changes</p>	<p>Every possible housing site has been allocated, even very small ones. No change.</p>
<p><b>SQ26 /cont (i)</b>            Policy D2: should be stronger in resisting P.B.S.A. {Resident DH1}</p>	<p>C3            Suggesting D2 policy wording changes</p>	<p>Policy D2 puts stiff tests against new PBSAs other than the six on the University estate. No change.</p>
<p><b>SQ27</b>            Policy D3: It is essential that the council adheres strictly to the 10% limit and does not allow any new HMOs above this, particularly in areas like mine that already far exceed the limit. Otherwise there will never be any change. Too many opportunities have been missed in the past that could have redressed the balance. Also, when an HMO is sold, the new owner should have to re-apply for a licence. {Resident DH1}</p>	<p>C2            Comment re Policy D3.</p> <p>C1b            Comment re DCC actions</p>	<p>The Parish Council is vigilant in highlighting applications that would exceed the 10% limit.</p> <p>Mandatory Licensing of Large HMOs provides for a new owner to be assessed as a 'fit and proper person'. The County Council could require all HMOs to be licensed. No change.</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p><b>SQ28</b>            {parts copied to Themes 3,4}            D2 - These requirements aren't enough, PBSAs should only be approved if there is not a need for non-student residential accommodation, or Any development proposals should include non-student accomodation (a minimum of 50%). {Resident DH1}</p>	<p>C3            Suggesting D2 policy wording changes</p>	<p>The housing need figure provided for Our Neighbourhood is matched by the capacity of identified housing sites. Policy D2 requires that need for the proposed PBSA is demonstrated. No change.</p>
<p><b>SQ28 /cont (i)</b>            D5 - The required percentage is too low: it should be at least 40%. {Resident DH1}</p>	<p>C3            Suggesting D5 policy wording changes.</p>	<p>The Neighbourhood Plan had been instructed to use the County Council's figure of 20%, based on the commercial viability of schemes. Now DCC say 25% for Durham City, so this change will be made. A public affordable and social housing programme should be a priority alongside the County Plan and Neighbourhood Plan. No change.</p>
<p><b>SQ29</b>            {parts copied to Themes 4,5, Comments}            But I think 20% affordable housing is too low. {Resident DH1}</p>	<p>C3            Suggesting D5 policy wording changes.</p>	<p>The Neighbourhood Plan had been instructed to use the County Council's figure of 20%, based on the commercial viability of schemes. Now DCC say 25% for Durham City, so this change will be made. A public affordable and social housing programme should be a priority alongside the County Plan and Neighbourhood Plan. No change.</p>
<p><b>SQ32</b></p>	<p>C2</p>	



COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p>{parts copied to Themes 3,4}            Approve of almost every issue here especially policies D3, D4 and D5. ... Policy D3 I agree strongly. {resident DH1}</p>	Support	Support noted
<p><b>SEQ8</b>            {parts copied to Theme 4, Comments}            Affordable housing is being sadly neglected, as an important issue and should be addressed quickly. Whilst progress rolls on, the developers need to be reined in and attention brought back to the needs of the city's residents and not only its student population. {resident, DH1}</p>	C2 Comment re affordability	Comment noted.
<p><b>L16</b>            St Nicholas Community Forum is the residents' group for the centre of Durham City, encompassing The Peninsula, The Sands, and Claypath/Lower Gilesgate. This area has a great deal of student housing both HMO and PBSA. ...            We do however have major concerns regarding the scale and pace of growth of Durham University because of the impact it brings, already out of balance with this small town. To date we have 17,000 students and only 7,000 residents.            Every potential site for building family homes has been taken up with huge Purpose Built Student Accommodation buildings, and the resident population is being driven out by the loss of family homes to Houses in Multiple Occupation. Two bedroom flats in the area are heavily occupied by students. There is the particular concern about the clash in lifestyles between students and families notably the nightly noise disturbance until early morning preventing families from normal sleep and the knock on effect of constant tiredness on work, school and family life. Policies D2 and D3 are therefore of great importance to SNCF.</p>	C2 Comment re studentification and support for Policies D2 and D3.	Comment and support noted.
<p><b>L16 /cont (i)</b>            With regard to Policy D2, we are very glad to see the University is proposing six PBSAs within its own estate. This is the way to accommodate growth. But they will not be sufficient to accommodate all</p>	C2 Support for D2 but seeks more.	Policy D2 provides for more PBSAs. No change.

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
the planned increase in student numbers.		
<p><b>L16 /cont (ii)</b> We welcome that Neighbourhood Plan Draft Policy D2 on additional PBSAs which includes the 10% limit i.e. saying that no more will be allowed if HMOs and PBSAs already there within the 100 metre radius are more than 10% of the total number of dwelling units.</p>	C2 Support for D2	Support noted. No change
<p><b>L16 /cont (iii)</b> Similarly, HMO Draft Policy D3 counts other HMOs in the 100 metre radius and counts the hundreds of students in a PBSA. Their loud comings and goings in the early hours are equally disruptive and damaging to balanced and sustainable communities. This Policy is fully endorsed by SNCF.</p>	C2 Support for D3	Support noted. No change
<p><b>L16 /cont (iv)</b> We support the part of Policy D3 covering proposed extensions to existing HMOs. Extensions add students. The County Council's Interim Policy stops extensions as well as new HMOs beyond the 10% threshold, and this is rightly retained in Draft Policy D3.</p>	C2 Support for D3	Support noted. No change
<p><b>L16 /cont (v)</b> We have a significant amendment to propose for Policies D2 and D3. As currently drafted, the Durham City Neighbourhood Plan policies on HMOs and PBSAs defines them in terms of student exemptions from Council Tax. This is because the County Council does so. But it has become obvious that a lot of HMOs go 'under the radar' by some means or another (landlords choosing to pay Council Tax, for example) and these are not counted in total numbers. It now seems wrong to lock into the policies any reference to whether or not the properties are Council Tax Class N Student Exempt. The reference should simply be to HMOs. This model is already in use in equivalent policies for another University city Oxford. Accordingly, the PBSA Policy D2 and the HMO Policy D3 and should simply refer to HMOs and PBSAs and should delete from the Policies and from the associated texts the definition of 'being exempt from council tax charges'.</p>	C3 Suggesting D2 and D3 policy wording changes.	Whilst appreciating the point, in fact the policies capture both HMOs and properties exempt from Council Tax and therefore ensure that HMOs where Council Tax is paid are included in the count towards the 10% limit. No change.

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p><b>L16 /cont (vi)</b>            We would like future consideration given to the many student occupied premises of two bedrooms and how the Council propose to gain accurate figures of real student density in Durham City, important if following the model of percentage occupancy within a certain radius.</p>	<p>C2            Comment re accuracy of figures.</p>	<p>The Parish Council is engaged in this very exercise. No change.</p>
<p><b>L11</b>            Northumbrian Water            {parts copied to Themes 1,2b,3,4,Comments}            We encourage all policies to adopt the principles of sustainable drainage and water management in order to support climate change, resilience and minimise flood risk. ... The same principles should be applied to new housing development within the Neighbourhood area also. In advance of the County Plan being adopted with its County wide Water Management and Water Infrastructure policies these principles should be clearly identified within the Neighbourhood Plan. To this end we note under Policy D6 Building Housing to the Highest Standards a reference to the need to apply this policy in conjunction with Policy S1 which we welcome.</p>	<p>C2            Support</p>	<p>Support noted. No change.</p>
<p><b>L11 /cont (i)</b>            .....Finally, we take this opportunity to remind you again, in relation to Theme 4: A City With Attractive and Affordable Places to Live, that for any development of three or more dwellings we would encourage early consultation with Northumbrian Water prior to the planning process to ascertain a sustainable drainage strategy for each site, including suitable connection points and discharge rates to the public sewer network where appropriate.</p>	<p>C1b            Comment re role of Local Planning Authority (DCC)</p>	<p>No change.</p>
<p><b>L2</b>            {parts copied to Themes 1,2b,4,5,6, Comments}            The City of Durham Trust ...            .....Studentification has greatly affected Durham City this century, often to the detriment of its character. The Trust welcomes the overdue</p>	<p>C2            Support</p>	<p>Support noted. No change.</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
element in Policy D3 that people living in PBSAs should be part of any count when determining the percentage of students inhabiting the area within 100 metres of a proposed HMO, with the aim of maintaining a more balanced mix of residents.		
<p><b>L2 /cont (i)</b> Likewise, the Trust warmly supports Policy D5 that, in new housing sites of more than 10 units, at least 20% should fall in the category of “affordable housing”.</p>	C2 Support	Support noted. No change.
<p><b>L2 /cont (ii)</b> Policy D4, “Housing for Older People and People with Disabilities”, is a welcome recognition of the need to safeguard housing for these groups in the face of other development pressures.</p>	C2 Support	Support noted. No change.
<p><b>L17</b> {parts copied to Theme1,2a,2b,3,4,Comments} We respond on behalf of our client Southlands Management Ltd who are property owners in the City. ... <b>Theme 4</b> We do not object to the policies in Theme 4 but our client considers that it is important to reiterate our previous response in relation to the housing numbers. Paragraphs 4.164-4.165 in the supporting text refer to housing need. As explained in our client’s earlier response, it is the role of the Local Plan (emerging County Durham Plan) to establish the strategic priorities and strategic policies for the area. This includes setting out the requirements in terms of the level of housing needed.</p>	C2 Comment on housing need calculation	The Local Planning Authority has provided the housing need figure as set out in paragraph 4.164. The Submitted County Plan makes no estimate for Durham City. No change.
<p><b>L10</b> Nevilles Cross Community Association {parts copied to Themes 2b,4,5,Comments} <b>RECOMMENDED</b> (iv) That in the light of the planning application and decision on the Corner House, opposite the Duke of Wellington, the Plan’s policy on HMO application criteria be tightened, with specific reference to the data</p>	C3 Suggesting D3 policy wording changes.  Suggesting (5.139) that proposals for	The Parish Council is engaged on developing a more accurate methodology. No change.  Paragraph 5.139 is in the Submitted County Plan and covers this point.

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p>used to determine the existing level of student occupancy.</p> <p><b>CHANGES TO THE PLAN</b></p> <p>The NXCA propose changes to the Plan as follows: That in relation to (iv), the experience of a local planning application - DM/19/00371/FPA Corner House Potters Bank Durham – has emphasised that the County Council is reliant on, by their own admission, a flawed dataset which could have significant adverse implications for areas such as Nevilles Cross. The overall limited amount of terraced housing in the City, traditionally occupied by students, means that students are now occupying what are longstanding residential areas, such as Nevilles Cross, and what are being built as new areas for executive and other residential housing such as Sheraton Park and Mount Oswald. Increasingly the balance between a residential City and a student campus is being blurred. These areas have represented more stable, balanced and established communities, with a mix of families, retired people, and those in employment. An increasing influx of students, who are transient by nature, and often have very different lifestyles and attitudes to issues such as refuse, accommodation appearance and noise, will change that balance and also adversely affect the attractiveness of these areas for those who have traditionally sought properties for family and work reasons.</p> <p>....Unless means are found to address this there are a number of consequences:</p> <ul style="list-style-type: none"> <li>• Houses traditionally suitable as starter homes will not be available within the City because the asking price is artificially high as developers are well aware of the rental income to be achieved;</li> <li>• Residential areas suitable for families and professional couples will be degraded – the impending DCC County Plan notes (5.150) that residents already note that HMOs ‘negatively impact upon residential amenity and change the overall character of an area. This is primarily as a result of noise, the general appearance of properties, refuse management and parking issues. Properties becoming unoccupied outside of term times can also have a negative impact upon remaining</li> </ul>	<p>purpose built student accommodation on sites allocated for general housing will not be acceptable.</p> <p>C1b Suggesting that Policy D3 be adapted as described.</p>	<p>Similar wording will be added to the justification text in the Neighbourhood Plan.</p> <p>The suggestions are outwith the scope of the Neighbourhood Plan and need to be pursued with the Local Planning Authority. No change.</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p>residents’;</p> <ul style="list-style-type: none"> <li>• Student use of retail, sports and night economy facilities skew the footfall pattern that disadvantage residents in terms of their shopping, recreational and entertainment requirements.</li> </ul> <p>Ironically the continued use of the dataset to determine which applications fall within County Council’s own policy makes a nonsense of its own case to reverse the HMO proliferation in the County Plan which argues:</p> <ul style="list-style-type: none"> <li>• 5.139 New student accommodation should not be built at the expense of general housing as the council must address the need for new family and affordable housing. In order to protect the delivery and supply of sites for general housing, proposals for purpose built student accommodation on sites allocated for general housing, will not be acceptable;</li> <li>• 5.150 The council’s approach is to seek to maintain and create sustainable inclusive and mixed communities in Durham City;</li> <li>• 5.160 The council would like the areas with high concentrations of HMOs to become more mixed.</li> </ul> <p>The NXCA proposes that Policy D3 be adapted in ways that may be better phrased by the Working Party but which address:</p> <ul style="list-style-type: none"> <li>• All houses where at least one occupant claims Class N student exempt council tax should be classed as an HMO;</li> <li>• In the 100 meter circumference any part of a house included in that circle should be included as a whole property for the purposes of the calculation and that for the purposes of transparency that map is included with the Planning Department report on an planning application;</li> <li>• That the County Council must also draw on the Parish Council dataset and address any discrepancies in the Planning Department report on the planning application;</li> <li>• That any property paying council tax but where the owner requires correspondence other than that property, the property be deemed an HMO unless and until the owner provides evidence that the address on which council tax is being paid is their permanent residence.</li> </ul>		

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p><b>L4</b>  Comments by Mr G.B.Pickering  George Brian Pickering  Treasurer Durham City Access For All  {parts copied to Themes 1,4,5}  Access to Buildings  ...Making places or buildings accessible to all makes life easier for everyone. You just have to look at how many customers prefer to use the automatic doors compared to those using the normal doors. It helps the mother pushing a pram or someone with both hands full of shopping as well as the disabled.  ...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.  {see also coverage under Theme 1}</p>	<p>C2  Comment on access problems.</p>	<p>Covered by Policy D5. No change.</p>
<p><b>L8a</b>  <b>Historic England</b>  {parts copied to Themes 1,2a,2b,3,4, Comments}  Elsewhere in the plan, ... Whilst I accept the plan should be read as a whole, Policy D1 could be strengthened by making clearer reference to the need to address impacts on the historic environment (in the same way as clauses in E3 attempt to do). In addition, in clause (b) the meaning of 'style' is unclear and I suggest it is swapped either for 'type' (ie. which sort of dwelling) or 'design' (ie. architecture) depending on the meaning you intend. If the latter, this might conflict with design policies earlier in the plan.</p>	<p>C3  Suggesting changes to policy D2.</p>	<p>Amend Policy D2 to read 'ensure no significant harm to the Conservation Area and the World Heritage Site'.</p>
<p><b>L5b</b>  Durham County Council  {parts copied to all Themes, Comments}</p>	<p>C3  Suggesting changes to policy D1.</p>	<p>The John Street allocation protects the site for housing in case the</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p><b>D1 LPA Comment</b> The county council would question whether these need to be allocated. Whilst it is accepted that John Street is still pending, Main Street now has permission for offices and The Avenue is approved subject to S106.</p>		<p>current application falls. Main Street is an office, DCC probably mean nearby Framwell House. The Avenue site has not progressed since approval in January 2017, and the allocation protects the site for housing in case the current approval lapses. No change.</p>
<p><b>L5b /cont (i)</b> <b>D1 LPA Comment</b> The desire to allocate 4 sites D1.4-D1.7 is flawed as it would in some cases go against policies elsewhere in the neighbourhood plan.</p>	<p>C5 Suggesting changes to supporting text.</p>	<p>These four sites are not in a policy. No change.</p>
<p><b>L5b /cont (ii)</b> <b>D1 LPA Comment</b> It is noted that some but not all of the site's constraints are listed in the descriptions, for example D1.5 does not make clear that the existing substation would need to be relocated.</p>	<p>C5 Suggesting changes to supporting text.</p>	<p>The additional constraint will be added to the text.</p>
<p><b>L5b /cont (iii)</b> <b>D2 LPA Comment</b> Paragraph 20 of NPPF notes 'Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: a) housing (including affordable housing), employment, retail, leisure and other commercial development;' There is concern that Policy D2 is seeking to cover a strategic matter. The council noted its intention to address the issue of PBSA in the Issues and Options Document (question 25) and prepared Preferred Options Stage and Pre-Submission Draft stage policies on PBSA, where the policy was specifically noted as being a strategic policy. In addition, 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, policy approach to this strategic matter which falls beyond the scope of a neighbourhood plan.</p>	<p>C3 Suggesting deletion of Policy D2</p>	<p>The Submitted Plan carries no weight according to the County Council. Until the County Plan is approved, the Neighbourhood Plan is entitled to set out the planning policies considered to be needed in Durham City. No change.</p>



COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p>The policy mostly seems to reflect a version of the Interim Policy / emerging CDP policy. However, the following aspects are of concern:</p> <p><b>Suggested Action</b> This policy should be deleted.</p>		
<p><b>L5b /cont (iv)</b> <b>D2 LPA Comment</b></p> <ul style="list-style-type: none"> <li>The allocations seem to reflect the output of the county council's call for sites, although they do not replicate the content in the County Durham Plan Pre-Submission draft (this would pose a conflict in decision taking with superfluous / inconsistent allocations). The allocations in the County Durham Plan are evidence based, therefore the inconsistent elements in the draft neighbourhood plan would be contrary to the council's evidence, with seemingly no alternative evidence offered.</li> </ul>	<p>C3 Suggesting changes to policy D2.</p>	<p>All six PBSA sites are the same as in the Submitted County Plan. No change.</p>
<p><b>L5b /cont (v)</b> <b>D2 LPA Comment</b></p> <ul style="list-style-type: none"> <li>The policy contains a 10% test, which would have the (likely unintended) consequence of limiting otherwise appropriate campus-based development.</li> </ul>	<p>C3 Suggesting changes to policy D2.</p>	<p>The 10% test is only for sites off campus. Make clear in the text.</p>
<p><b>L5b /cont (vi)</b> <b>D2 LPA Comment</b></p> <ul style="list-style-type: none"> <li>The policy includes a requirement for 20% of the total units for PBSA to be affordable, though the evidence base for this is unclear. In addition, it is questionable as to how the typical units within PBSA could be delivered and managed as affordable housing in line with the NPPF definition. If the policy is not deleted as recommended by the council then further clarification is required on this matter.</li> </ul>	<p>C3 Suggesting deletion of Policy D2 or clarification re delivery.</p>	<p>Discussion through existing mechanisms between the Parish Council, the University and PBSA providers will provide the clarity sought. No change.</p>
<p><b>L5b /cont (vii)</b> <b>D3 LPA Comment</b></p> <p>This policy is noted as a 'strategic policy' in the Preferred options and Pre-Submission Draft stage County Durham Plan. It was also subject to a question in the Issues and Options Document. This policy is therefore subject to the same overarching concerns as policy D2.</p> <p><b>Suggested Action</b></p>	<p>C3 Suggesting deletion of Policy D3</p>	<p>The Submitted Plan carries no weight according to the County Council. Until the County Plan is approved, the Neighbourhood Plan is entitled to set out the planning policies considered to be needed in Durham City. No</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
This policy should be deleted.		change
<p><b>L5b /cont (viii)</b>  <b>D3 LPA Comment</b>  Notwithstanding these concerns:</p> <ul style="list-style-type: none"> <li>The policy differs from the current interim policy and proposed approach as set out in the emerging County Durham Plan in that it omits an 'exception clause'. There may be circumstances where an exception is justified.</li> </ul>	C3 Suggesting changes to policy D3.	There will be cases where exceptions are justified. This is stated in Neighbourhood Plan paragraph 4.182. The personal exception circumstances should be outside of policy. No change.
<p><b>L5b /cont (ix)</b>  <b>D3 LPA Comment</b></p> <ul style="list-style-type: none"> <li>The policy differs from the proposed approach in the CDP (Pre-Submission) in that includes extensions that result in additional bed-space</li> </ul>	C3 Suggesting changes to policy D3.	It restores the treatment of extensions that is contained in the Interim Policy. Extensions to existing C4 properties or Sui Generis properties add more students to the neighbourhood and therefore need to be included in policy. No change.
<p><b>L5b /cont (x)</b>  <b>D3 LPA Comment</b></p> <ul style="list-style-type: none"> <li>The policy differs from the proposed approach in the CDP (Pre-Submission in respect of criterion g).</li> </ul>	C3 Suggesting changes to policy D3.	The Durham City Neighbourhood Plan criterion (g) refines the similar criterion in the County Plan. No change.
<p><b>L5b /cont (xi)</b>  <b>D3 LPA Comment</b></p> <ul style="list-style-type: none"> <li>Para 4.183 proposes an Article 4 Direction for the neighbourhood area (as an action for the council to take forward) this is not the remit of a neighbourhood plan.</li> </ul>	C1b Comment on explanatory text	It is not the remit of a Neighbourhood Plan, which is why it is in accompanying text in support of the role of the County Council. No change.
<p><b>L5b /cont (xii)</b>  <b>D4 LPA Comment</b>  Again, this policy, as currently worded could be considered as a strategic policy as it seeks to 'make sufficient provision for: a) housing (including affordable housing)' (para 20 NPPF).  <b>Suggested Action</b></p>	C3 Suggesting changes to policy D4.	What NPPF paragraph 20 actually says is " <i>Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: a)</i>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
more locally specific.		<i>housing (including affordable housing).....”</i> The Submitted County Plan Policy 19 is brief and generic, making no mention of older people or people with disabilities. Neighbourhood Plan Policy D4 provides considerable fine grain detail for provision to meet these specific needs. No change.
<b>L5b /cont (xiii)</b> <b>D4 LPA Comment</b> This policy includes a student sub clause around the adaptability of PBSA which is likely to be overly onerous to PBSA developers and may leave the decision maker open to challenge.	C3/C5 Suggested policy changes/comment	Reasonable comment but preference is to retain. No change.
<b>L5b /cont (xiv)</b> <b>D4 LPA Comment</b> It is not clear why there is a sub section specific to younger people with disabilities. This needs to be evidenced.	C3/C5 Suggested policy changes/comment	This sub-section was suggested by the Durham City Access For All Group and by the County Council’s Housing for Disabilities Officer. No change.
<b>L5b /cont (xv)</b> <b>D4 LPA Comment</b> There is no definition of what is meant by younger people.	C3/C5 Suggested policy changes/comment	Nor is there a definition of what is meant by older people either. These terms are well understood. No change.
<b>L5b /cont (xvi)</b> <b>D4 LPA Comment</b> Paragraph 4.184 states that nursing homes and residential care are covered in Policy C4, but sheltered housing and extra-care would seem to be covered by this policy. There appears to be some potential for some overlap?	C3/C5 Suggested policy changes/comment	These are different kinds of housing and are cross-referenced. No change.
<b>L5b /cont (xvii)</b> <b>D5 LPA Comment</b>	C5 Suggested policy change.	Previously advised by DCC to use

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
This policy sets a lower affordable housing requirement than the CDP evidence base which indicates 25% would be appropriate in Durham City.		20%. Amend to this new figure of 25%.
<p><b>L5b /cont (xviii)</b>  <b>D5 LPA Comment</b>  The reference to a financial contribution needs to be based upon evidence that this can be achieved.</p>	<p>C3/C5  Suggested policy changes/comment</p>	<p>There is no reference in Policy D5 to “financial contribution”. Requiring a percentage of housing developments to be affordable is standard planning policy practice. DCC have the evidence for proposing 25% in Durham City. No change.</p>
<p><b>L5b /cont (xix)</b>  <b>D6 LPA Comment</b>  Criterion g: It is not possible to require existing buildings to improve their energy efficiency. New buildings and extensions are already covered by Building Regulation requirements.</p>	<p>C5  Suggested policy change.</p>	<p>The policy says “...that need planning consent...” No change.</p>
<p><b>L5b /cont (xx)</b>  <b>D6 LPA Comment</b>  As worded the reference to BFL is not policy. It is an assessment tool cannot be policy. Any reference to it should be included within supporting text only.</p>	<p>C5  Suggested policy change.</p>	<p>DCC advised that the policy should refer to BFL. No change.</p>
<p><b>L6a</b>  Durham University  {parts copied to all Themes, Comments}  <b>Page 102 –Policy D2:</b>  The amendments made in line with our comments on the previous consultation draft are welcomed.</p>	<p>C3  Comment</p>	<p>Noted, no change.</p>
<p><b>L6a /cont (i)</b>  <b>Page 102 –Policy D2:</b>  The allocations reflect the draft allocations within the Draft County Durham Plan Pre-Submission Draft (2019) and are supported.</p>	<p>C3  Support</p>	<p>Support noted, no change.</p>
<p><b>L6a /cont (ii)</b></p>	<p>C5</p>	

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
<p><b>Page 102 –Policy D2:</b> Part e) of the proposed policy however does preclude from the potential sustainable extension of existing University colleges or other University affiliated residential accommodation. Obviously these locations could be the most sustainable and practical areas for minor increases to University student accommodation and therefore the wording of this part of policy should be amended so as not to preclude this type of development being undertaken.</p>	Suggested policy change.	Agree; extensions to existing University colleges or other University-affiliated residential accommodation would in principle be most welcome. Clarify wording. (Note that the same issue arises with Submitted County Durham Plan Policy 16.2).
<p><b>L6a /cont (iii)</b> <b>Page 102 –Policy D2:</b> The requirement for 20% of PBSA units to be affordable is considered to be unjustified and not supported by appropriate evidence or national policy requirements. This element of the policy is therefore not considered to be in accordance with guidance in the NPPF and PPG and should be removed.</p>	C5 Suggested policy change.	NPPF para 61 expects policies to provide for students and for affordable housing. Para 64 exempts student accommodation being built for home ownership. This is not the case with Colleges and PBSAs in Durham. No action.
<p><b>L6a /cont (iv)</b> <b>Page 102 –Policy D2:</b> The University seeks to provide a range of accommodation provision over the masterplan period to meet the varying needs of its students. For example all the accommodation developed in the last 10 years by the University has been self-catered in response to student demand to be able to manage their own budget and in the latest developments on Mount Oswald there are shared bathrooms in the town houses to reduce costs further.”,</p>	C2 Comment on types of student accommodation	Noted, no change.
<p><b>L6a /cont (v)</b> <b>Page 105 –Policy D3</b> The NPPF outlines at Paragraph 18 that neighbourhood plans should just contain non-strategic policies. On this point and in terms of the requirement relating to number of properties within HMO use, this is considered to be a strategic issue and should be dealt with at a strategic planning level.</p>	C5 Suggested policy change.	The student accommodation HMO policy D3 is considered to be specific to Durham city area and therefore not a strategic matter as defined in NPPF (para 21 and 28) i.e. strategic policies "should be limited to those necessary to address the strategic

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	CATEGORISATION	PLANNING ISSUE OR ACTION IDENTIFIED
		<i>priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies." "Non-strategic policies ... set out more detailed policies for specific areas, neighbourhoods or types of development."</i> No change.
<p><b>L6a /cont (vi)</b>  <b>Page 105 –Policy D3</b>                      Furthermore, this is considered to be too prescriptive and there is no clarity provided on how this would be measured, monitored and thus enforced.</p>	<p>C3/C5                      Suggested policy changes/comment</p>	<p>Planning policies are by their nature prescriptive as development management tools. Monitoring arrangements are covered in Table 4 of the Sustainability Assessment document. No change.</p>