

## Appendix 2

### Interim Policy on Student Accommodation - general issues that were raised during the consultation and responses

#### Interim Policy PART A: HMOs

In all cases proposals will only be permitted where:

- a) the quantity of cycle and car parking provided is in line with relevant saved policies from the City of Durham Local Plan , the Council's Parking and Accessibility Guidelines and the relevant institution's restrictions on students' cars;
- b) they provide acceptable arrangements for bin storage and other shared facilities and consider other amenity issues in line with relevant saved policies from the City of Durham Local Plan; and
- c) The design of the building or any extension would be appropriate in terms of the property itself and the character of the area in accordance with relevant saved policies of the City of Durham Local Plan.

#### Comment summary

- The relevant saved policies in the Local Plan should be listed in the Interim Policy.
- The University's parking standards are only applicable to their land – this is not therefore relevant.
- A criteria relating to secured by design should be added to the Policy.

#### Response:

- *Including the Local Plan saved policies would date the Interim Policy and not be relevant when the policy is included in the revised County Durham Plan.*
- *The reference to the University's parking standards will be removed*
- *Secured by design will be included*

#### Interim Policy PART A: HMOs

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

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

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

#### Comment summary

- Paragraphs d) and e) should be removed – not in keeping with the aim to promote mixed and balanced communities, a ‘loophole’ for the policy.
- Paragraphs d) and e) should be retained – some residents may need to sell homes in ‘student areas’.
- Support for recognition that change of use from an HMO to C3 would be supported.
- The Policy should be specific about what measures would be used to rebalance neighbourhoods – A Regulation 7 Direction should be considered.

*Response:*

- *If paragraphs d) and e) were removed the effect could be to trap people in houses they couldn't sell. It might also leave the Council open to significant compensation claims by the creation of blighted properties*
- *The Policy can't be specific about particular measures as there is no money to implement any measures – opportunities will be explored if they arise*

**Interim Policy Part B: PBSA**

When considering proposals for new, extensions to, or conversions to, Purpose Built Student Accommodation (PBSA) the Council will consult with key stakeholders in accordance with Appendix A of the Statement of Community Involvement.

Any proposal will be required to demonstrate:

a) that there is a need for additional student accommodation. Developers should demonstrate what specific need the proposal is aimed at and why this need is currently unmet;

b) It would not result in a negative impact on retail, employment, leisure, tourism or housing use or would support the Council's regeneration objectives ; and

c) partnership working with the relevant education provider.

**Comment Summary**

- The Statement of Community Involvement (SCI) does not need to be mentioned – any consultation would have to be in line with SCI.
- There is no need for further student accommodation.
- Bed space within HMOs should be quantified as part of any assessment of need.
- The Policy could be made more succinct by putting the reasons / explanation into the supporting text.
- Impacts should be measured – ‘significant’, ‘adverse’ etc.
- The requirement for ‘partnership working’ is unlawful.

*Response:*

- *The reference to the SCI will be removed*
- *Reasons / Explanation will be put into the supporting text*
- *The requirement for ‘partnership working’ will be removed but consultation will be needed*

## **Interim Policy Part B: PBSA**

Proposals for new development will not be permitted unless:

- 1) The development is in close proximity to an existing university or college academic site, or hospital and research site;
- 2) 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. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street-scene either from the proposed development itself or when combined with existing accommodation;

### **Comment Summary**

- In close proximity' is open to interpretation. Should be replaced by 'on or adjacent' or similar.
- The Policy should provide opportunities to site PBSA next to public transport routes.
- The reasons or explanation should be separated from policy statements in order to ensure the policy is as succinct as possible.
- Disabled access should be specifically identified.
- The Policy should contain reference to building regulations.
- The Policy should contain reference to relevant Local Plan saved policies.

### *Response:*

- *'Close proximity' will be replaced with 'readily accessible'. This will also allow for the site to be on a good transport route.*
- *Reasons / Explanation will be put into the supporting text*
- *The internal design will be 'of appropriate standard' which allows for disabled access and the building regulations*
- *Including the Local Plan saved policies would date the Interim Policy and not be relevant when the policy is included in the revised County Durham Plan.*

## **Interim Policy Part B: PBSA**

- 3) The internal design, layout and standard of accommodation and facilities is of a high specification;
- 4) The impacts from 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. A management plan appropriate to the scale of the development shall be provided. Implementation of the management plan will be controlled through the use of planning conditions or an appropriate legal agreement;

### **Comment Summary**

- Cross reference to Local Plan Saved Policies in the Interim Policy.
- 'High specification' should be replaced with 'appropriate standard'
- Make provision for the submission of a 'draft' or 'outline' management plan.

*Response:*

- *Including the Local Plan saved policies would date the Interim Policy and not be relevant when the policy is included in the revised County Durham Plan.*
- *'Appropriate standard' will be used instead of 'high specification'*
- *Draft or outline management plan will be included*

### **Interim Policy Part B: PBSA**

5) The quantity of cycle and car parking provided is in line with relevant saved policies of the City of Durham Local Plan, the Council's Parking and Accessibility Guidelines and the relevant institution's restrictions on students' cars; and

6) It has been demonstrated to the local planning authority that the proposals are deliverable. To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that PBSA will be delivered on the site within five years. Sites with planning permission will be considered deliverable until permission expires.

Where appropriate, 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.

#### **Comment Summary**

- Parking requirement should only refer to the Council's standards.
- Deliverability should not be considered – planning does not require it for other forms of development.

*Response:*

- *The parking standards will be amended*
- *References to deliverability will be removed*

#### **Supporting Text Comment Summary**

- There are duplications, typographical errors and references that need to be corrected / removed
- Reasons or explanation should be incorporated into supporting text rather than policy.

*Response:*

- *Corrections to the text will be made*
- *Reasons / Explanation will be put into the supporting text*