

# THE CITY OF DURHAM TRUST

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

Emma Price  
Durham County Council  
Planning Department  
PO Box 274  
Stanley  
County Durham  
DH8 1HG

20 June 2025

Dear Ms Price,

**DM/25/01134/CEU - 33 Long Acres, Gilesgate, Durham, DH1 1JF**

*Use of property as 4 bedroom HMO (Use Class C4)*

The City of Durham Trust wrote to you on 2 June 2025 setting out its concerns regarding the above application and now wishes to submit a formal objection on the same grounds.

To recap: firstly, Section 5 of the Planning Statement states that several documents are attached as evidence supporting the application for a lawful development certificate (i.e. a Statutory Declaration, Assured Shorthold Tenancy details and Council Tax exemption details), none of which is provided; secondly, Bedroom 4 is only 5.46m<sup>2</sup> in area, significantly less than the 'good practice' minimum size of 7.5m<sup>2</sup> required by the NDSS and the absolute minimum of 6.51m<sup>2</sup> required by The Housing Act 2004 and the Council's own adopted 'Standards for Houses in Multiple Occupation'.

The Planning Department recognises that the HMO Standards, although not in themselves a local plan policy requirement, nevertheless provide a tool to measure the quality of the development with regard to Policy 29(e) of the CDP. Clearly in this regard Bedroom 4 is fundamentally unacceptable for use as a bedroom, its substandard size causing significant negative impact upon the amenity and wellbeing of both current and future occupants of this room. Consequently, the application fails to comply with the requirement in Policy 29 to provide high standards of amenity.

Whilst not contesting a Certificate of Lawful Development allowing the continued use of the property as an HMO, the Trust requests that, should the application be recommended for approval, a condition be imposed limiting the occupancy of the property to no more than three persons in order that the significantly undersized 'bedroom' may not be used as such in the future; and, consequently, that the description of the application be amended to "*Use of property as a 3 bedroom HMO (Use Class C4)*".

Finally, in the absence of any supporting evidence being available for scrutiny, the Trust fails to see how the application can be determined at all.

Yours sincerely,

JOHN LOWE

Chair, City of Durham Trust

The Trust, founded in 1942, is a Charitable Incorporated Organisation, registered as a charity, No. 502132.  
Registered Office: c/o BHP Law, Aire House, Belmont, Durham, DH1 1TH