

THE CITY OF DURHAM TRUST

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24 January 2026

Ms Clare Walton
Durham County Council
Planning Department
PO Box 274
Stanley
County Durham
DH8 1HG

Dear Ms Walton

DM/25/03505/FPA: Subdivision of existing dwellinghouse into 2no. self-contained flats (Use Class C3) and two storey rear extension, 18 Boyd Street, Durham DH1 3DP

The City of Durham Trust believes that this proposal is intended to avoid the fate of previous multiple refusals and dismissed appeals by proposing C3 apartments rather than seeking C4 HMO use.

Whatever the intentions, the Planning Statement reveals in the table of space standards compliance on page 10 that each apartment is 2b3p. We take that to mean that each apartment has two beds or bedrooms and three persons. The drawings illustrate that the apartments each have a single bed and a double bed. Accordingly, each apartment might potentially become occupied by three unrelated persons sharing facilities and thereby become an HMO. Since the Statement goes to great lengths to justify the development as Purpose-Built Student Accommodation (including the lack of car parking - see below), the Trust has formally asked whether the application should, as a precaution, be assessed as two HMOs under County Durham Plan 16.3. We note that the Planning Statement does not tackle Policy 16.3, which is understandable given the proposal is for Use Class C3, but we suspect that such an assessment would confirm that there are already considerably more existing HMOs than the allowable threshold for a new HMO, namely of 10% of residential properties within 100 metres of the application site are exempt from council tax charges (Class N Student exemption).

Aside from that possibility, the Trust is aware that the Adopted Supplementary Planning Document on Housing Need sets out a template for assessing the need and justification for Purpose Built Student Accommodation. Unfortunately, the application and Planning Statement have ignored the template, and so fail to comply with the County Council's requirements in this respect.

The application also fails the County Council's Adopted Parking and Accessibility Supplementary Planning Document which follows from County Durham Plan Policy 29.

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The application is for Use Class C3 and therefore the adopted residential parking standards apply. The SPD explains that *“adequate parking provision for residents and visitors improves road safety and limits harm to residential amenity from parking on pavements and verges.”* *“The Council therefore considers that the following number of car parking spaces should be provided at each dwelling, based on the number of bedrooms per dwelling.”*

The SPD sets a minimum of 2 car parking spaces within the curtilage of a 2-bed dwelling, and a minimum of one EV active chargepoint per dwelling. This application should therefore provide four car parking spaces within the curtilage of the property and 2 EV active chargepoints.

However, the terraced-housing site has no curtilage space for car parking. Thus, the Planning Statement in paragraph 6.36 says that *“the property currently utilises existing on-street parking on Boyd Street and it is not considered that the proposed two-bedroom flats will give rise to a material increase in demand for on-street parking in comparison with the existing property.”*

The Trust does not regard this claim as well-founded, particularly as the application is at pains to describe the proposed accommodation as suitable for a wide range of occupants, not necessarily just students. The Trust considers that it should be anticipated that the occupants would expect the allowable four permits in this Controlled Parking Zone. Boyd Street in University term-time is fully occupied by on-street parked cars. The occupants of the proposed accommodation would be very unlikely to enjoy convenient parking near to their accommodation, and will add to the swirling extra traffic as cars trawl nearby streets and beyond trying to find parking spaces in the middle of Durham city. This is unsatisfactory and contrary to the intentions of CDP policies 29 and 31 and Durham City Neighbourhood Plan Policies S1, T1 and T2.

Accordingly, the Trust asks that this application be refused as contrary to CDP Policies 29 and 31, as failing to provide an assessment as a PBSA using the adopted template, and as contrary to Durham City Neighbourhood Plan Policies S1, T1 and T2.

Yours sincerely,

John Lowe

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