

# THE CITY OF DURHAM TRUST

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Web site: <https://durhamcity.org/>

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Durham, DH1 1TH

29 December 2025

Ms Emma Price  
County Council Planning Development  
PO BOX 274  
Stanley  
County Durham  
DH8 1HG

Dear Ms Price

**DM/25/03438/FPA – 33 Bradford Crescent, Gilesgate**  
***Change of use from dwellinghouse (Use Class C3) to a flexible use permission as a HMO (Use Class C4) and a dwellinghouse (Use Class C3) under the provisions of Class V of Part 3 of the GPDO including a single storey rear extension.***

The City of Durham Trust notes that this is yet another of many applications in Durham for a flexible C3/C4 use of a property. We regard this as an ingenious effort for widespread permanent exemption from the Article 4 Direction and CDP Policy 16.3.

The Trust believes that there is a clear risk of thwarting the very purpose of the Article 4 Directions here through the proposed flexible use permissions. There is no requirement for planning permission to convert a C4 property to a C3 property, so the flexibility being sought is to be able to switch from C3 to C4 from time to time without needing to seek planning permission each time.

The County Council needs to protect the purpose of the Article 4 Directions and the terms of CDP Policy 16.3 by making clear that any property granted a flexible C3/ C4 use will always be included in the count of Houses in Multiple Occupation and treated as being an un-implemented approved C4 while it is operating for the time being as a C3 property.

We strongly support the inclusion of a safeguard to this effect in the officers' reports on the cases that have been referred to the County Council's committee, and urge that the same terms are applied in this case.

Further, County Durham Plan (CDP) Policy 16.3 blocks the conversion of C3 properties to C4 properties where the percentage of HMOs within a 100m radius is 10% or more. HMO

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Data have now posted that the figure is 10.3%. Refusal on these grounds is even more necessary as other applications for provision of HMOs in Bradford Crescent are being made. Additionally, the ground floor layout is quite unacceptable in that the shower room has a dead end access via two rooms with a high fire risk (kitchen then utility) and no possibility of introducing an escape window. This contravenes CDP Policy 29 (Sustainable Design) and fire regulations.

Accordingly, the current application should be refused under Policy 16 and Policy 29. If the recommendation is nevertheless for approval, then the Trust reiterates that the safeguards for community balance in CDP Policy 16.3 should be incorporated into the decision.

Yours sincerely

**Sue Childs**

Vice Chair, City of Durham Trust  
chair@durhamcity.org

***Celebrating, Protecting, and Enhancing the City of Durham***