

THE CITY OF DURHAM TRUST

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

c/o Blackett, Hart & Pratt, LLP
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Belmont
Durham, DH1 1TH

31 December 2025

Ms Clare Walton,
Durham County Council Planning Development
PO BOX 274
Stanley
County Durham
DH8 1HG

Dear Ms Walton,

**DM/25/03521/FPA: 4 Goodyear Crescent, Sherburn Road Estate, Durham DH1
2EB**

**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 GDPO,
including single-storey infill extension to rear,**

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.

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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, the application proposes the formation of a four-bed property that would be sub-standard in several respects.

- The majority of bedroom 3 is only 1.77 metres wide, significantly below the minimum width of 2.15m required by the NDSS.
- The County Council's own HMO Standards require non-attic rooms to have a minimum height of 2.3m. The front part of bedroom 1 seems to reduce to approximately 1.8m. The ceiling heights in this room need to be clearly shown on the plan and elevations in order that compliance (or otherwise) can be confirmed.
- The shower room on the ground floor is accessible only via the combined lounge/kitchen/dining room (a significant source of fire risk) and has no possibility of having an alternative means of escape introduced; consequently, the proposed ground floor layout fails to comply with basic safety standards and the Council's 'Fire Safety Standards in Houses in Multiple Occupation' in particular.
- The property, currently 3 bedrooms, has only 1 in-curtilage car parking space - while the Car Parking SPD requires 2. The addition of one bedroom raises the requirement to 3. The applicant argues that the property is intended for students and they don't bring cars - but there are three flaws with this. First, this is a flexible C4/C3 application, so C3 use has to be considered; secondly, the University has recently pointed out that students do have cars for a variety of reasons; and thirdly, C4 use need not result exclusively in student use.
- The drawings do not indicate any bin storage or 'secure, covered' cycle storage, as required under CDP Policy 16.3.

So the proposal would create a sub-standard residential property, contrary to CDP Policies 16.3 and 29; this should be not accepted.

Accordingly, the current application should be refused. If the recommendation is nevertheless for approval, then the Trust reiterates that the safeguards for community balance in CDP Policy 16.3 as set out above should be incorporated into the decision.

Yours sincerely

Sue Childs

Vice-Chair, City of Durham Trust
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