

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

Dear Ms Price,

**DM/25/03386/FPA: 49 Annand Road, Gilesgate, Durham DH1 1PW
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.

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.

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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
chair@durhamcity.org

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