

THE CITY OF DURHAM TRUST

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

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11 March 2026

Kelly Scott
Durham County Council
Planning Department
PO Box 274
Stanley
County Durham
DH8 1HG

Dear Ms Scott,

DM/25/01397/FPA - 3 Roosevelt Road, Gilesgate, Durham, DH1 1PS

Change of use from dwellinghouse (Class C3) to house in multiple occupation (Class C4) including single storey rear extension, cycle parking and bin storage

The City of Durham Trust welcomes the fact that the proposed internal layout has now been amended to avoid the compromised means of escape from Bedroom 2 noted in the Trust's objection of 22 June 2025. However, scrutiny of the revised proposals gives rise to further concerns which lead the Trust to renew its objection to the application.

Policy 29 of the CPD requires all new residential development to comply with the Nationally Described Space Standard (NDSS), albeit clarified by the adopted Housing Needs SPD in relation to HMOs as follows: *"The Council considers that the NDSS, as best practice, will ensure that development provides adequate amenity standards in line with Policy 16, Policy 29 and Policy 31"*.

The NDSS requires a minimum gross internal floor area (GIA) of 97m² for a two storey 4-bedroom 5-person property and 110m² for a 5-bedroom 6-person property. Interpolating between these two figures would suggest a required GIA of some 103m² for 5-bedrooms and 5-persons. However, the measured area of the property is only 93m², representing a shortfall of 10% compared with the interpolated figure and a failure to meet even the minimum threshold of the NDSS requirements. Such a significant shortfall in area means that the proposals cannot be considered to achieve anything like best practice, and therefore they fail to comply with Policies 16, 29 and 31 as set out in the SPD.

Additionally, the NDSS requires that the property must have at least 1 double (or twin) bedroom with a floor area of at least 11.5m², but the largest proposed bedroom has an area of only 10.8m² which again cannot be considered as achieving best practice.

Furthermore, national legislation and the Council's own HMO Standards require habitable rooms to have direct ventilation to open air with openings equivalent to at least 1/20th of the total floor area of the room.

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The combined living/dining/kitchen area is 23m², but the openable window area shown on the elevations measures less than 1m² meaning that the proposals fail to provide the necessary ventilation. The Trust considers that this does not accord with the well-designed buildings required by CDP Policy 29 (especially as defined in paragraph 5.303) or the acceptable living conditions that CDP Policy 31 seeks.

Our final area of concern relates to the methodology of counting which properties are classed as relevant HMOs for the purposes of evaluating compliance with Policy 16.3. In June 2025 the percentage of HMOs within a 100m radius of the applicant property was reported as being 12.8%, whereas now, as reported on 4 December 2025, it is stated as being only 9.2%. Given that there are 109 properties within the 100m radius, this suggests that there were previously 14 relevant HMOs whereas now there are only 10.

The Trust has previously observed that several HMOs within the Gilesgate area are lying unlet and vacant thus causing relevant percentages to fall. With specific regard to this application, the Trust is aware that 38 Cooper Square, a property with C4 consent within the 100m radius of the applicant site, is currently vacant and being renovated; however, it has recently been advertised by Harringtons on the StuRents website quoting a move-in date of 1 July 2026 and a move-out date of 30 June 2027. From this it is clear that the property, although currently vacant, will be let again as a student HMO later this year without requiring further planning consent, and consequently (as per the now agreed position regarding 'flexible' C3/C4 consents) the Trust believes it should be regarded as having 'unimplemented permission' in respect of Policy 16.3(b). If just this one property were to be included on that basis, then the relevant number of HMO properties would increase to 11 and the associated percentage would rise to 10.1%, in which case the application would fail to comply with Policy 16.

For all of the reasons set out above, the Trust considers that the application fails to comply with CDP Policies 16, 29 and 31 and consequently should be refused.

Yours sincerely,

JOHN LOWE

Chair, City of Durham Trust
chair@durhamcity.org

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