

THE CITY OF DURHAM TRUST

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20 May 2026

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

Dear Ms Walton,

DM/26/01032/FPA - 27 St Bede's Close, Crossgate Moor, Durham, DH1 4AA

Change of use of 3 bed dwellinghouse (C3) to 3 bed HMO (C4) including cycle parking and bin storage.

The Trust wishes to object to this application based on several concerns it has regarding the proposals.

The first relates to inadequate amenity provision for future occupants.

Policy 29 of the County Durham Plan requires all development proposals to achieve well designed buildings and provide high standards of amenity; and Policy 31 requires the proposal to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions. The Housing Needs SPD is also relevant – particularly in paragraph 6.7 where it states under heading 'Use Class C4/Sui Generis': "***For this type of use, properties must also meet DCC HMO licensing standards***" (emphasis by the Trust).

The Council's adopted Standards require a minimum area of 11m² for a combined Living Room/ Dining Room; however, the effective available area is less than 6m² given that an unencumbered circulation and escape route must be maintained within the room for access between the stairs and both the main and side entrances. Accordingly, the Trust is of the view that the proposals do not comply with Policies 29 and 31 or the Housing Needs SPD.

This raises the second issue concerning the Trust, that of fire safety.

The stairs to the upper floor are not enclosed and originate within the open plan Lounge/Dining room which must be regarded as a source of fire risk. A further, and more likely, source of fire risk is presented via the serving hatch that opens directly from the kitchen at the bottom of the stairs. In the event of a fire there is no protected means of escape from the bedrooms on the upper floor, and the windows are not suitable as a secondary means of escape. The proposals therefore represent a wholly unacceptable risk to the health and wellbeing of the property's occupants and once again fail both Policies 29 and 31.

What is particularly concerning in this case is that the Housing Multiple Occupation team has failed to identify the issue in its consultee report meaning that the applicant has not been made aware of the essential works required to make the property safe. Should the application be approved, there is no guarantee that the necessary safety measures will ever be put in place.

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Indeed, The National Fire Chiefs Council (NFCC) has recently stated that fire safety must once again become a fundamental consideration within the planning system and warned against the long-standing disconnect between Planning and Building Regulations. The NFCC has specifically cautioned that planning decisions can embed unsafe layouts and arrangements for years to come and that reliance upon later regulatory intervention is inadequate. The Trust considers that this application, and several other recent HMO approvals, illustrates the problem well.

Our third area of concern relates to parking and cycle storage.

The Parking and Accessibility SPD requires two in-curtilage parking spaces to be provided for a three bedroomed property. In the Planning Statement, the applicant states that the space in front of the garage meets the national standard of 4.6m x 2.4m and the length of the space exceeds this by 215mm by reason of the recess to the garage door. However, the SPD requires a perpendicular parking space to be at least 5m x 2.5m. Scaling the provided site plan suggests that the shortest length of this uneven space is only 4m, and the recess in front of the garage door does not count because it does not extend across the required width of the space. The potential additional spaces referred to in the Statement measure only 4.7m and 4.4m in length, while the garage measures significantly less than the SPD's requirements in terms of both length and width. Consequently, none of the parking provision complies with the SPD.

In recently upholding refusal of an HMO application at 53 Frank Street on the basis of unacceptable parking (Appeal Decision ref: 600330, dated 6 May 2026) the Inspector noted that the size of cars that could park at the site could not be controlled and would lead to vehicles overhanging the footway thus reducing the pavement width and leading to pedestrian safety issues. As a result of the inadequate lengths of the proposed parking spaces, the likelihood of vehicles overhanging the footpath holds true in this instance as well.

Furthermore, the proposals fail to provide either the 'covered, secured and enclosed' cycle storage or the active EV chargepoint required by the SPD.

In setting out the requirements above, the SPD is intended to supplement and be read in conjunction with both Policy 16 and Policy 21 of the CDP. In failing to comply with the SPD, the application consequently fails to comply with the Policies themselves.

On the basis of the three areas of failure identified above, the Trust asks that this application be refused as contrary to CDP Policies 16, 21, 29 and 31.

Yours sincerely,

Sue Childs

Vice-Chair, City of Durham Trust

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