THE CITY OF DURHAM TRUST

Web site:https://durhamcity.org/

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH

22 September 2026

Ms. Jess White
Durham County Council
Planning Department
PO Box 274
Stanley
County Durham
DH8 1HG

Dear Ms. White,

DM/26/01812/FPA - 6 High Wood Terrace, Durham, DH1 3DS

First floor rear extension over existing kitchen offshoot to create 2no shower rooms with associated internal alterations to existing C4 HMO

Further to its letter of 20 August 2026, the Trust wishes to respond to the email dated 03 September submitted by the applicant's Agent and to add further comment.

In that email, the Agent queries the source of the information quoted by both the Trust and the City of Durham Parish Council that the property is currently licensed for occupation by 5 persons. The information is available online from the Council's 'Landlord Licence Public Register' website, and the relevant extracts from Licence number DUR-934343834550 are attached. It is plainly the case that the current licence, which commenced on 01/09/2024, confirms the presence of 6 bedrooms but limits the maximum number of occupants to 5. Licence number DCCHMO19/85642 submitted with the application expired on 01 September 2024 and is consequently irrelevant.

It follows that the Inspection Report dated 13 February 2026 is incorrect when it states "Licence Conditions - the dwelling shall be occupied by no more than 6 persons", as is the Nuisance Action Team consultee response dated 4 September 2026 which states "The works are necessary as the existing kitchen does not meet the space and amenity standards for the number of occupants under Durham County Council HMO shared house standards".

In fact, the area of the existing kitchen ($7.24m^2$) is compliant with the Council's space requirement of $7m^2$ for the stipulated 5 occupants (and see below regarding the number of bedrooms that may be deemed compliant and hence the number of permissible occupants). It is only necessary to carry out the proposed alterations to permit an increased occupancy of 6 or more persons. Accordingly, the Trust maintains its position that this application is effectively seeking to provide one additional bedspace, contrary to CDP Policy 16.3a) and 16.3b) should the percentage of HMOs within the surrounding 100m be greater than 10%. In that respect, it is noted that the relevant HMO percentage has yet to be provided by the HMO Data team.

As per its previous letter, the Trust would reiterate that Policy 29 requires all development proposals to achieve well designed buildings and provide high standards of amenity, and that Policy 31 requires proposals to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions.

In the specific context of Policy 29(e), the LPA accepts that the NDSS is a relevant measure against which to assess the suitability of internal space provided within all residential development. Indeed, the Housing Needs SPD confirms that the NDSS should be regarded as a guide to best practice when considering all C4 applications, and it further states (under the heading 'Use Class C4/Sui Generis') "*For this type of use, properties must also meet DCC HMO licensing standards*".

The very recent Delegated Report in respect of an HMO at 26 Newton Drive (DM/26/01696/FPA) stated that changes to the submitted plans necessary to achieve compliance with the Standards "*thereby ensured compliance with Policy 29(e) of the CDP and the requirements set out within the NDSS*". Additionally, the Delegated Report regarding an HMO at 119 Bradford Crescent (DM/25/00735/FPA) made exactly the same point when it stated "*Failure to meet those standards, although not in itself a local plan policy requirement, is nevertheless a tool to measure the quality of the development with regard to Policy 29(e) of the CDP",* adding that such failure *"negatively impacts upon the amenity of future residents and must be considered when assessing compliance with CDP Policy 29(e)*". These examples confirm that, in addition to the NDSS, the Standards are also a relevant measure against which to assess the suitability of proposals in terms of amenity.

Two of the proposed bedrooms are not compliant with these criteria: Bedroom 3 on the first floor measures only 1.7m wide, considerably less than the minimum 2.15m required by the NDSS; and, in the loft, Bedroom 6 has a minimum ceiling height of 2.15m over only 41% of the eligible floor area (2.8m^2 out of 6.8m^2) compared with the Council's requirement for a minimum of 50%. It is also dubious, given the restricted headroom in both the loft bedrooms, whether the NDSS requirement for a minimum floor to ceiling height of 2.3m for at least 75% of the Gross Internal Area can be achieved. Since the proposals fail to comply with both the NDSS and the adopted HMO Standards, the application fails to comply with Policy 29(e). The Trust considers that the inadequate amenity provided by these facilities also fails to provide the acceptable living conditions required by Policy 31.

Finally, the Trust notes that as a result of its previous letter the Housing Multiple Occupation team has now been included as a consultee to the application (on 28 August); however, Design and Conservation's comments, apparently uploaded on 27 July 2026, are not available on the portal.

To summarise, the Trust maintains its objection to this application based on non-compliance with CDP Policies 16, 29 and 31 and consequently asks that it be refused.

Yours sincerely,

John Lowe
Chair, City of Durham Trust
trust@durhamcity.org

The Trust, founded in 1942, is a Charitable Incorporated Organisation, registered as a charity, No. 502132.
Registered Office: c/o BHP Law, Aire House, Belmont, Durham, DH1 1TH

6, High Wood Terrace, Durham, DH1 3DS

Licence number DUR-934343834550

Licence information | Additional details

Licence type
Mandatory HMO licence

Licence reference number
DUR-934343834550

Year built
Pre 1919

Property description
House in multiple occupation

Licence holder name
ALLERGATE INVESTMENTS LIMITED (Karen Clark)

Managing agent name
NICHOLAS HUMPHREYS DURHAM (Robbie Bell)

Licence start date
01/09/2024

6, High Wood Terrace, Durham, DH1 3DS

Licence number DUR-934343834550

Licence information | Additional details

No. of storeys
3

Sleeping accommodation
6

Living accommodation
1

No. of non-self contained flats if the property is a licensed HMO consisting of flats (otherwise, this shows no. of bedrooms)
6

Kitchens
1

Bathrooms
2

Maximum permitted occupants
5

Maximum permitted households
5