THE CITY OF DURHAM TRUST

Web site:https://durhamcity.org/

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Durham, DH1 1TH

21 September 2026

Ms. Emma Price
Durham County Council
Planning Department
PO Box 274
Stanley
County Durham
DH8 1HG

Dear Ms. Price,

DM/26/01992/FPA - 61 Dragonville, Sherburn Road, Durham, DH1 2DX

Change of use from C3 to C4 HMO occupation

The Trust objects to this application based on failure to comply with several Policies contained within the County Durham Plan.

Firstly, Policy 16 requires that the provision of cycle and car parking has regard to the Parking and Accessibility SPD. This requires cycle storage to be "enclosed, secure and covered", but as can be seen from the submitted photographs the proposed facility is manifestly inadequate in that respect. It is also noted that there is no direct access to the rear of the property, meaning that cycles would need to be wheeled through the lounge, dining room then kitchen in order to reach the back garden, a situation that must surely be regarded as unacceptable. Additionally, the SPD requires 3 in-curtilage parking spaces to be provided, whereas none is possible. Instead, parking can only be provided by relying on the limited available space within the adjacent cul-de-sac and hammerhead turning area which is also used by several other neighbouring properties. There is obviously existing pressure on the limited provision this affords since a sign has been erected advising that parking is only for residents and their visitors. Occupation of an HMO by 4 unrelated persons, who may all have use of a car, is very different to occupation of the same property by a family and it is difficult to see how the extra vehicles might be accommodated. In relation to cycle storage and car parking, therefore, the Trust is of the view that the application fails to comply with Policy 16(d).

Secondly, Policy 29 requires all development proposals to achieve well designed buildings and provide high standards of amenity. Additionally, 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.

The Trust notes that the width of Bedroom 2 is only 2m whereas the NDSS requires a minimum width of 2.15m for a single bedroom; and Bedroom 4 measures only 6m^2 in area compared with the NDSS minimum requirement of 7.5m^2. Indeed, the area of Bedroom 4 does not even comply with the lower minimum requirement of 6.51m^2 in the Council's adopted 'Standards for Houses in Multiple Occupation'. Previously the LPA has held that these Standards carry no weight in Planning terms. However, 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. Since the proposals fail to comply with both the NDSS and the adopted HMO Standards, the application clearly fails to comply with Policy 29(e).

Thirdly, and perhaps most significantly, the proposed floor plans show that the stairs to the upper floors are not enclosed and originate within the open plan Kitchen/Dining Room which must be regarded as a major source of fire risk. In the event of a fire there is no protected means of escape from any of the 4 bedrooms on the first floor or the attic room on the second floor. Whilst escape windows may be fitted as an acceptable alternative escape route from the bedrooms, escape via windows from a second floor is not permissible. However, the application gives no indication that escape windows are to be fitted, and the only way the attic room could be used safely would be for substantial alterations to be made to the ground floor layout to provide a protected means of escape. Even if there were no issues with means of escape from the upper rooms, escape from the dining room itself can only be made via either the lounge or kitchen – a situation completely at odds with the usual advice from the Environmental Health team that "*Occupants escaping from all habitable rooms to a place of safety must be able to do so without the use of a key and without accessing any other room*". Consequently, the proposals as submitted represent a wholly unacceptable risk to the health and wellbeing of the property's occupants and thereby fail both Policies 29 and 31.

Finally, the submitted floor plans are clearly mis-drawn since it would be difficult to enter Bedroom 3 given the apparent minimal size of its door. Revised plans, drawn accurately to scale, need to be submitted. Elevations also need to be provided showing the dimensions of windows so that compliance with requirements for natural ventilation and light can be checked. The revised floor plans also need to show the locations of these windows, and additionally they need to show height lines within the attic room to check compliance with required usable areas. Without this additional information, the Environmental Health team will not be able to provide comprehensive comment on the proposals.

Given the obvious failures to comply with Policies 16, 29 and 31 of the CDP, the Trust requests that this application be refused. However, should the LPA be minded to approve it, the Trust requests that a condition be attached limiting occupation to 4 persons given the undefined nature of the attic room.

Yours sincerely,

John Lowe
Chair, City of Durham Trust
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