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Durham, DH1 1TH
22 October 2021

Michelle Stephenson
Planning Development
Central/East Room 4/86-102
County Hall
Durham, DH1 5UL

Dear Ms Stephenson,

DM/21/02447/FPA Erection of an extension to the rear of the property (C4 HMO)

50 Hawthorn Terrace Durham DH1 4EQ

1. The City of Durham Trust has reconsidered the above planning application in the light of the revised drawings. We continue to seek a refusal it for the revised reasons set out below.
2. We note that no change is now proposed in the number of bedrooms, so the arguments previously advanced by the Trust, and indeed the applicant, regarding Policy 16.3 of the County Durham Plan no longer apply.
3. Where this submission refers to statements made by the applicant, this is to the *Design and Access/Heritage Statement* on the public file. We note that, despite the word *Heritage* appearing in the document title, there is in fact no heritage statement or section.
4. The applicant has overlooked paragraph 5.303 in the supporting text for Policy 29. This refers to the council's *Residential Amenity Standards Supplementary Planning Document* which sets down standards for alterations, extensions and distances between new dwellings. In particular, it sets minimum privacy distances (paragraph 3.2). The ones that are relevant to this case are from the main facing elevation to main facing elevation containing window/s serving a habitable room:
 - 21 metres between two storey buildings
 - 18 metres between bungalows
5. The distance between the main facing elevations of 50 Hawthorn Terrace and 9 John Street is 16 metres. At lower ground level (where the view is blocked by a wall) it is 13.4 metres. This proposal would create an extension on the floor above with views over the back wall into the corresponding house in John Street only 13.4 metres away. At this level the back wall of 50 Hawthorn Terrace would be 2.4 metres closer to 9 John Street than currently.
6. There is a further provision in paragraphs 3.4 to increase the distance even further if there is a difference in height (John Street is about 4 metres lower than Hawthorn Terrace). Paragraphs 3.5 and 3.6 say the standards should not be applied rigorously and that in some circumstances such as urban areas shorter distances may be considered. But the shortfall is so great that these provisions cannot help.

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7. Paragraph 3.7 says

Nevertheless, where new development forms an interface with existing housing any relaxation in standards will only be permitted where it is clearly demonstrable that the privacy of existing residents will not be significantly compromised. Prospective residents can decide whether or not to move into a new house unlike existing residents who have already invested in their homes. It is therefore important to ensure that the amenity that existing residents can reasonably expect to enjoy is not significantly compromised.

8. Read this in conjunction with the submission from Professor Weeks, who has lived in his house in John Street for the past 26 years. He says “The proposed extension would add a further two windows with a line of sight into my bedroom and that of my daughter.”

9. The SPD is a 2020 document and supersedes any earlier ones that may have permitted other extensions elsewhere. The applicant has not attempted to address it; indeed, it is difficult to see how he could demonstrate how the privacy of existing residents will not be significantly compromised. The application should be refused on these grounds alone.

10. Finally, as no details have been submitted regarding materials, windows and doors, should, despite our arguments, this application be approved, these matters should be conditioned for detailed submission.

Yours sincerely

John Lowe

Chair, City of Durham Trust