

THE CITY OF DURHAM TRUST

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2 September 2021

Leigh Dalby
Durham County Council
Planning Development
Central/East Room 4/86-102
County Hall
Durham
DH1 5UL

Dear Mr Dalby,

DM/21/01697/FPA | Erection of 2no. apartment blocks containing 8no. residential apartments (C3) (16no. in total) with associated parking. | Land East And West Of 5-8 Rosewood Walk Ushaw Moor DH7 7JY

The City of Durham Trust objects to this planning application because it falls short of the requirements of County Durham Plan Policy 29, and because it is not clear whether it meets the requirements of Policy 21 in regards to appropriate provision for electric vehicle charging.

We note that the applicant asserts that he owns the land within the red line boundary, but the County Council's map of adopted highways shows Rosewood Walk to be an adopted street, and the two areas overlap. The application form asserts that there are no existing parking places on the site, but cars park on Rosewood Walk both fully and partially on the public highway and this development will reduce that availability as parking spaces on the north-east side of Rosewood Walk will be lost to give access to the new parking spaces in the development.

We agree that the proposal meets the requirements of County Durham Plan policies 1, 6, 15 and 19. However, Policy 21 *Delivering Sustainable Transport* includes

- appropriate provision for electric vehicle charging, including charge points and laying of cables, should be made on both residential and non-residential development where parking is provided.

The *Sustainability Statement* states that *An electric car charging point will be installed on [sic] each apartment block*. This is insufficient. The Parking and Accessibility SPD (2019)¹ requires one passive chargepoint per dwelling. This requirement was carried forward to the successor SPD² that was consulted on in February, which clarified in paragraph 4.13 that this means that cabling would be provided. While the SPD has not yet been finalised, it is consistent with its predecessor and it is clear that just one charging point per block will not be enough.

1 <http://www.durham.gov.uk/media/26916/County-Durham-Parking-and-Accessibility-Standards-2019/pdf/CountyDurhamParkingAndAccessibilityStandards2019.pdf?m=636839346853430000>
2 <https://consult-durhamcc.objective.co.uk/kse/event/35965/section/s15949019075861>

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The Planning Statement claims conformity with the Nationally Described Space Standards (NDSS). It is difficult to check whether this is the case as the floor plans lack dimensions or areas and so it has been necessary to rely on the Idox Online Measuring Tool and the stated scale of 1:100@A2.

The single bedroom ground floor apartments appear to meet the requirements of the NDSS. However, for the two bedroom apartments on the first and second floors, the applicant appears to have overlooked Technical Requirement 10b that *a dwelling with two or more bedspaces has at least one double (or twin) bedroom*. The bedrooms all have areas around 8m² but the minimum for a double bedroom is 11.5m². Consequently one of the bedrooms in each of these apartments is about 3.5m² short of the required standard.

In addition, the minimum area for a two-bedroom, three-person dwelling (2b3p) is 61m² and all of these apartments on the upper floors appear to be less than this – the middle apartment noticeably so at 53m² and the other two at 59m² only marginally.

The requirement in the County Durham Plan Policy 29 to comply with the NDSS comes in on 21 October 2021, one year after the Plan was adopted. Consequently if this application is determined on or after 21 October the NDSS will apply.

But the other requirements in Policy 29 already apply. Paragraph (e) requires the development to “provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties”. The area set aside for bins and bicycle storage is below ground level and appears to lack both natural light and ventilation. Paragraph 5.303 refers to the need to consider both of these. Given that there are now fortnightly collections, it seems probable that this enclosed communal area will become malodorous particularly in summer. Also, the bins would need to be dragged about 25 metres to the kerbside, and there may not be room for eight bins per property.

Paragraph 5.303 also refers to the council's Residential Amenity Standards Supplementary Planning Document which sets standards for minimum distances between adjacent properties. The basic requirement is for 21 metres between main facing elevations, increased by 3 metres for every additional storey, which is the case here. The proposed blocks are within 17 metres of the extensions to the houses in Rosewood Walk and the distance to the original houses is less than 23 metres. Consequently these apartments are too close to the houses in Rosewood Walk.

Policy 29 continues

In addition all major new residential development will be required to:

- n. when assessed against the Building for Life Supplementary Planning Document(97) secure as many greens as possible, whilst minimising the number of ambers. Schemes with one or more red will not be acceptable and will be refused planning permission unless there are significant overriding reasons;
- o. achieve reductions in CO2 emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on current Building Regulations(98). The

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policy would not apply in the event that the relevant Building Regulations were enhanced;

As this application has been set down for determination by a Planning Committee we infer that it is *major new residential development*. We note the brief Sustainability Statement but consider that it does not demonstrate that the requirements of Policy 29 have been met.

In conclusion, we ask the County Council to refuse this application unless the shortcomings set out above can be addressed. We would welcome the opportunity to comment on any revised documentation.

Yours sincerely

John Lowe
Chair, City of Durham Trust