

# THE CITY OF DURHAM TRUST

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2 February 2022

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**

Thank you for reconsulting the City of Durham Trust following the provision of updated documents by the applicant. Some of the issues we raised in our letter of 2 September 2021 have been addressed, others have not. This letter supersedes the earlier one and sets out the Trust's current position on this application.

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. This was raised in the Trust's earlier letter and we regret that our concerns have been neither addressed nor answered. 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 ion [sic] each apartment block*. This is insufficient. Highways Development Management, in their

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comment dated 10 Dec 2021, set out a set of criteria and we agree with these. However, the parking places shown on the plans appear to be both too narrow and too short.

The Planning Statement claims conformity with the Nationally Described Space Standards (NDSS). This is clearly not the case. The requirement in the County Durham Plan Policy 29 to comply with the NDSS came into effect on 21 October 2021, one year after the Plan was adopted.

It is difficult to check precise measurements as the new floor plans still 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. Even so, there are no drawings showing the floor-to-ceiling height so this component cannot be checked.

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 latest proposals are worse than the previous set. Bedroom 2 in the left and right apartments are each at least a square metre below the standard of 7.5m<sup>2</sup>.

The applicant continues to disregard 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 9.5m<sup>2</sup> but the minimum for a double bedroom is 11.5m<sup>2</sup>. Consequently one of the bedrooms in each of these apartments is about 2m<sup>2</sup> short of the required standard.

The minimum area for a two-bedroom, three-person dwelling (2b3p) is 61m<sup>2</sup>. All of the apartments on the upper floors now appear to comply with this particular standard but are very close to the minimum. We recommend that this be checked.

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:

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- 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 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 as it still does not meet the requirements of County Durham Plan Policy 29. We would welcome the opportunity to comment on any revised documentation.

Yours sincerely

John Lowe  
Chair