

THE CITY OF DURHAM TRUST

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
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Web site: <http://www.DurhamCity.org>

Dear Ms Jennings,

DM/22/01988/FPA Court Inn Court Lane Durham DH1 3AW

Extension and conversion of the first floor and roof space to create 4no. 2-bed apartments to be used as visitor accommodation (Use Class C1).

The City of Durham Trust submits the following objection to this application based on poor design and negative impact on the WHS and Conservation Area.

Context

The view from the Courts to the World Heritage Site (WHS) is aligned on a gap between Dunelm House and the University Elvet buildings on the riverside. This offers a high quality view of the WHS. The alignment of the front of the courts building is set back to allow this view. It is emphasised in the County Council's own Conservation Area Appraisal: *'but the most dramatic view is from the front of Durham Crown Court where the monument's sheer scale and mass dominates above all else and the rose window is clearly visible. The drama of this view is exaggerated even further from Court Lane where the enclosed street channels the eye to the cathedral majestically rising high above the trees canopy.'*

The best part of the Court Inn is the east elevation, which has an underlying well balanced design. There is a canopy that is appropriate in its basic form to the building age and style. The hipped roof and chimneys are a positive benefit to the view. These reduce the building's impact and help merge it into the townscape while it obscures the unfortunately discordant 1930's houses further down Court Lane. Court Inn is badly cluttered with various additional elements and extensions. The rear extension and west elevation are particularly poor. However, it does not detract from the key view and the roofscape adds to it. It is in a prominent position and it needs very careful handling during change to avoid increasing its impact on the view.

Proposals

The lengthy heritage analysis repeats much pre-existing information but does little to explain the building and its relationship to the WHS, Conservation Area and the WHS view. It is directly misleading in describing the Court Inn as being in the WHS 'wider' setting and slightly disparaging in noting that the WHS Management Plan does not detail 'notable' views. It confuses the Management Plan descriptions with the County Durham Plan's Policy 45. It is very clearly in the WHS Management Plan's described inner setting, and the key view is fully described in the Conservation Area Management Plan.

The changes described that followed the pre-application advice have not prevented negative change – the failure of the west elevation is now repeated in the proposal. The proposals only succeed in making the building look worse.

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The main points of the Trust's objection are:

1. Raising the height of the building knocks out more of the view of the Cathedral and makes the building more prominent in the view – considerable failures.
2. The very poor design of the proposed gable takes away the existing roof and chimney arrangement that is the best part of the building in the view.
3. The ground floor canopy, if cleared of clutter, adds to the building with its detailing. Turning this into a poorly designed bin store offers only an obvious increase in negative impact.
4. The introduction of a commercial scale of stainless steel flue onto the rear extension is also an obvious failure in a Conservation Area. It will be on view and would increase the detracting of the worst part of the Court Inn buildings.

There is nothing positive or enhancing in the proposals for the Conservation Area. Adding to the accommodation provided by the building is a minimal benefit in comparison to the harm that would be caused by the building change.

Planning Policies

As submitted, the proposals fail against the following:

County Durham Plan

Policy 29 Sustainable Design

The proposals fail to contribute positively and reinforce local distinctiveness as required by this policy.

All development proposals will be required to achieve well designed buildings and places..., and:

- a. *contribute positively to an area's character, identity, heritage significance, townscape and, helping to create and reinforce locally distinctive and sustainable communities.*

Policy 44 Historic Environment

The proposals fail to 'sustain significance':

Development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment.

Conservation Areas

The proposals and submission do not demonstrate understanding or respond to the Conservation Area Appraisal or reinforce positive characteristics of the area.

In determining applications, particular regard will be given to the following:

- f. *the demonstration of understanding of the significance, character, appearance and setting of the conservation area and how this has informed proposals to achieve high quality sustainable development, which is respectful of historic interest, local distinctiveness and the conservation or enhancement of the asset;*
- g. *the manner in which the proposal responds positively to the findings and recommendations of conservation area character appraisals and management proposals;*
- h. *respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including pattern, layout, density, massing, features, height, form, materials, and detailing).*

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Policy 45 Durham Castle and Cathedral World Heritage Site

The proposals negatively affect the WHS setting and key view, and this constitutes 'harm' that is not outweighed by the minimal public benefit of the proposals.

The Durham Castle and Cathedral World Heritage Site is a designated asset of the highest significance. Development within or affecting the World Heritage Site and its setting will be required to:

- a. sustain and enhance the significance of the designated asset;*
- b. be based on an understanding of the Outstanding Universal Value of the site, having regard to the adopted World Heritage Site Management Plan and Statement of Outstanding Universal Value; and*
- c. protect and enhance the Outstanding Universal Value, the immediate and wider setting, and important views across, out of, and into the site.*

Development that would result in harm to the Outstanding Universal Value of the World Heritage Site or its setting will not be permitted other than in wholly exceptional circumstances.

Durham City Neighbourhood Plan

Policy S1: Sustainable Development Requirements of all Development and Redevelopment Sites Including all New Building, Renovations and Extensions

The proposals do not demonstrate the following required principles:

All development proposals should, where relevant and appropriate, demonstrate the following principles.

Conservation, preservation, and enhancement of Our Neighbourhood by:

- c) Harmonising with its context in terms of scale, massing, height;*
- d) Conserving the significance of the setting, character, local distinctiveness, important views, and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets.*

Policy H1: Protection and Enhancement of the World Heritage Site

The proposals do not support the WHS Management Plan, are not properly assessed, and do not conserve the WHS setting or protect an important view.

Development proposals throughout Our Neighbourhood should be shown to sustain, conserve and enhance the setting of the World Heritage Site where appropriate by:

- e) carrying out an assessment of how the development will affect the setting of the World Heritage Site, including views to and from the World Heritage Site; and*
- f) protecting important views.*

The Trust therefore objects to this application based on its failures against the County Durham Plan and Neighbourhood Plan policies as discussed above.

Yours sincerely,

John Lowe,
Chair, City of Durham Trust