

THE CITY OF DURHAM TRUST

Web site: <http://www.DurhamCity.org>

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
23 November 2022

Dear Mr Richards,

DM/22/03024/FPA Tower Cottage The Avenue Durham DH1 4EB

Raising of roof height and creation of upper floor. Rear and side extensions to existing house, including terraces to side and front and internal re-configuration. Detached car port with gazebo and garden storage facility and new vehicular access.

The City of Durham Trust submits the following objection to this application based on the negative impact of the carport and vehicle access on The Avenue and the Conservation Area. It also has reservations about the building design, roof design and height increase.

Context

The Trust considers that the current layout with a substantial garden fronting onto The Avenue is a significant contribution to the character of this part of the Conservation Area. It contends that the origins of plot boundaries and the building's contribution remain undervalued.

In response to a previous application for the site the Trust drew attention to its character, role, and importance. This is repeated below as submitted in October 2019.

'The site is at an important break in the topography defining the Inner Setting edge relative to the World Heritage Site (WHS). The original building on the site was associated with the first villa development based loosely on the original field layout. This is a very distinctive and important part of the historic development of the area. The side boundary retaining wall is on the original field boundary and the open section fronting the Avenue approximates to the original field pattern. This frontage area has, apparently, never been developed and its trees form part of the area's setting, the villa development, and the City's setting.'

'The County Council conservation area appraisal identifies the value of the villa grouping and the green backdrop to the area and city. (This was supported by extracts from the Appraisal) The use of the original Tower Cottage buildings is uncertain what is certain is that the 19thC part of the building relates to the villa settlement predating the terrace development that extended from the lower levels of the hillside. The layout of the site and parts of the Cottage therefore have heritage value. The retaining wall is also significant relating to the original field boundary and the villa development. Tower Cottage is listed as a local heritage asset.'

'Tower Cottage is set on the crossfall at a lower level relative to The Avenue and is largely obscured but adds an attractive roofline when seen. The roofline sits below the retaining wall and there are views over the plot to the Terraces below.'

'The trees of the villa complex are a very important part of its character and its distinction set against the lower terraces. Collectively this also forms an important part of the skyline and is

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identified as the defining boundary to the WHS Inner Setting area. The trees of Tower Cottage are locally part of this.'

It is appreciated that the original building is masked in part by later extensions that are discordant. The essential 'traditional' pitched roof remains in views to the Cottage in its extensive landscape setting, especially when viewed from The Avenue. This harmonises well with the garden space. It is at a lower level in the garden setting and is an attractive contribution to this important green 'wedge' that separates the different housing character areas. In winter there is an important view over the house roof to the woodland at the rear of Byland Lodge and by the railway embankment. This is a positive contribution.

Proposals

The raising of the building height coupled with additional width from the new extensions will lead to the large new roof becoming very prominent. It is considered that the current County Council Design and Conservation response underestimates the increased impact. However, the Design and Conservation comments from 2018 on the earlier application DM/18/02372/FPA generally reflect the Trust's views also and they remain relevant to this application. The front terrace will detract from the current traditional roof appearance and the loss of the chimney stacks will add to this. It will also be potentially on view from the adjacent Lane and May Street. There may be cross views from The Avenue. None of these impacts is identified in the submission and the Trust considers that the increased height and terrace will detract from these views.

It is very concerning that previous advice from the CK21 Structural Report produced in 2018 (DM/19/92504/FPA) drew attention to potential issues with the earliest and more interesting stone built parts of the building:

It would not be recommended to add any additional load to the original stone walls due to the age and reported condition of the stone, as well as the unknown state of the existing foundations. The previous extensions have already added weight onto the existing stone walls and foundations. If the owner decided to extend the existing property then there would need to be further investigations carried out to determine the current condition of the existing walls and foundations, to establish the potential ability to support additional loads. Investigations could include trial pitting to check

The height increase proposed is therefore an issue. This report also drew attention to the need to support the retaining boundary wall that is a significant part of the site setting and a local asset.

The design remains stylistically unconvincing when the new extensions are added to the original structure. This adds to the negative impact.

Of particular concern is the prominence and design of the carport. Much is made in the heritage statement of access into the site from the Avenue. This does not relate to, or form a justification for, forcing a new vehicle access from the road. The structure will be exceptionally large and extremely prominent from below. The Avenue view will be of the carport interior and cars, blocking the view down into the lower area. The tree loss will add to its impact. Its very large size, design and use are discordant with the character of the area and detract from it. The carport design does not relate to local character or make a positive, contemporary contribution to it.

Additionally, street parking will be removed to create the access. This is already under considerable pressure from Farnley Tower users and the increasing student population staying in

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the houses nearby. No indication is given as to how many spaces will be lost and no mitigation is offered to offset the loss of these spaces.

The point at which the new access is proposed is situated on a hill and just before a bend in the road where cyclists going downhill towards that bend naturally tend to pick up speed. The Avenue is a popular pedestrian and cycling route into the City Centre and there is local concern, with at least one report of a cycling accident. It is an additional concern that cars entering or exiting the car port, particularly where this entails a reversing manoeuvre, will create a potential hazard for people using the Avenue. The application does not offer any mitigation to offset the adverse impact on pedestrians, cyclists, or vehicle drivers.

Taken together the house and carport proposals fail to make a positive contribution and will instead have a negative impact on the character of the area.

Planning Policies

As submitted, the proposal fails 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 have a minor negative affect on the WHS setting.

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:

*c. protect and enhance the Outstanding Universal Value, the immediate **and wider setting**, and important views across, out of, and into the site.*

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 fully assessed, and do not conserve the WHS setting.

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

Policy H2: The Conservation Areas - Durham City Conservation Area

The development proposals are within and affect the setting of the Durham City Conservation Area. They fail to sustain and enhance its significance as identified within the Conservation Area Appraisals.

The development proposals fail to take into account, and meet, the following requirements, by:

a) Failing to sustain and enhance the historic and architectural qualities of buildings, and

b) Failing to sustain and enhance street patterns, boundary treatments, and roofscapes; and

c) Failing to respect historic boundaries and curtilages;

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