

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

Dear Mr O'Connor,

DM/22/01650/FPA 1 Larches Road Durham DH1 4NL

Change from 6 bed C4 to 10 bed /Sui Generis HMO with single storey rear extension

The Trust regrets the nature of this application creating an HMO in a primarily residential area to the detriment of the other residents. It wishes to object to this application based on the significant design failings of the proposed extension and adverse impacts on local amenity.

The Trust also supports the County Council's HMO officer's objection on grounds that there is no appropriate means of escape for the new bedrooms through the kitchen.

Context

This house is not in the City Centre Conservation Area but is close to the Green Belt at Flass Vale and is in the inner setting of the World Heritage Site. Intensity of development, extent of open/garden space and trees are factors in this section of the WHS setting close to the skyline. It is within The Durham City Neighbourhood Plan area so the policies of the Neighbourhood Plan apply and should be afforded weight.

The Trust regrets the continuing spread of HMO use into residential areas and the intensification of built development that follows. This weakens the existing character of areas such as this and distorts community balance. In this instance there are already issues of nuisance and poor management as noted by a remarkably high number of local objectors. They cite noisy parties late at night, excessive parking in the surrounding area, and poor management of rubbish disposal.

This house and others nearby are larger than average 20thC development but useful in establishing a lower density of building coverage. Housing design varies but the area does have an overall character with occasional groupings that are of an earlier date and more coherent appearance.

There is a tree covered by a TPO that the applicant has failed to identify but which is affected by the proposed development.

Proposal

None of the context is noted in an applicant's statement and it fails to offer any justification for the design proposals for the extension. There is no justification for creating an HMO of this size in this location.

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The extension is large, based on three new bedrooms and an enlarged kitchen/diner. The design is oversized both for the building and in relation to neighbouring houses and very plain and utilitarian in design. It has little relation to the house or its location. It is a simple dormitory block. The kitchen/diner is a windowless space with no lounge area and lit only by roof lights. It is an artificial construct used to create space for more bedrooms. As the County Council's HMO officer's objection notes, this causes a failure to allow sufficient natural light or ventilation. The new block intrudes into the rear space of the houses on Shaw Wood Close and Fieldhouse Terrace.

This was a four bedroom house and was optimistically submitted as six bedrooms for the existing license for HMO purposes. The existing plans now submitted fail to show any conversion of the downstairs utility or room subdivision/creation need to house the six bedrooms. The applicant also appears to have created another bedroom on the second floor that is omitted from the existing plan. Without this the application should be for nine bedrooms only, not ten as submitted. The second floor bedroom may well fail natural light and space standards, but room dimensions are not provided. The proposal will create an inappropriately substantial HMO in a residential area with corresponding potential for loss of amenity by residents.

It is not clear whether the extension will impact the TPO tree or its root protection zone there is another failure in the supplied information. Improvement in relation to energy sustainability is not demonstrated. There is limited information on car parking – noted by another objector as an existing problem given that the garden can be accessed by cars through the open car port. An additional difficulty is that access to the rear of the property is a narrow lane that also provides access to Nos.1-6 Fieldhouse Terrace and there is potential for disruption to this access by excessive parking and by construction vehicles.

The Trust therefore considers that the proposal has substantial design failings and potential for loss of local amenity and disruption of a sustainable community.

Policies

In detail, as submitted, the proposal fails against the following policies:

County Durham Plan

Policy 29

Sustainable Design

The development proposals do not achieve a well-designed building and place and:

- a. Do not contribute positively to an area's character, identity, townscape helping to create and reinforce locally distinctive and sustainable communities.
- e. Do not provide high standards of amenity and privacy and minimise the impact of development upon the occupants of existing adjacent and nearby properties.

Extensions and Alterations

The proposals for this extension to a residential property do not ensure that the development is sympathetic to the existing building and the character and appearance of the area in terms of design, scale, layout, roof design and materials.

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Policy 31

Amenity and Pollution

The development should not be permitted because it cannot be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on living conditions and that it can be integrated effectively with existing community facilities. The proposal does not demonstrate that future occupiers of the proposed development will have acceptable living conditions. The proposals will have an unacceptable impact through overlooking, visual intrusion, visual dominance or loss of light, noise, and privacy. Mitigation measures are not demonstrated.

City of Durham Neighbourhood Plan

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

Conservation, preservation, and enhancement of Our Neighbourhood

The proposal fails to:

- c) Harmonise with its context in terms of scale, layout, density, massing, and materials.
- d) Conserve the significance of the setting, character, local distinctiveness, tranquillity, and the contribution made to the sense of place.

Securing equity and benefit to the local community:

m) Does not secure a design and layout which is capable of respecting privacy of, and visual impact on, occupiers of neighbouring properties.

Policy D4: Building Housing to the Highest Standards

As a new extension to existing housing, it is not of high quality design relating to:

- a) the character and appearance of the local area; and
- b) aesthetic qualities; and
- c) external and internal form and layout; and
- d) functionality; and
- e) adaptability; and
- f) resilience; and
- g) the improvement of energy efficiency and the reduction of carbon dioxide emissions.

Policy H3: Our Neighbourhood Outside the Conservation Areas

The development proposals are within 'Our Neighbourhood' outside the Conservation Areas but fail to demonstrate an understanding of the area of the proposed development and its relationship to Our Neighbourhood as a whole.

The development proposals are outside the Conservation Areas and do not take into account or meet the following requirements that are relevant to the area to which the proposal relates.

- a) They fail to sustain and make a positive contribution to the character and distinctiveness of the area; and
- c) Fail to use high quality design which contributes to the quality and character of the area; and
- d) Fail to have scale, density, massing, form, layout appropriate to the context and setting of the area; and
- e) Fail to use materials and finishes appropriate to the context and setting of the area.

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The Trust objects to the application, based on the above points and policies

Yours sincerely

John Lowe,
Chair, City of Durham Trust