

THE CITY OF DURHAM TRUST

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
29th November 2023

Dear Ms Scott,

DM/23/02758/FPA 164A Gilesgate Durham DH1 1QH

Erection of single storey dwellinghouse

1. The Trust objects to this application based on poor access, poor design, fragmentation of garden space and harm to mature trees.

Context

2. The garden plot at the rear of 164A Gilesgate is an extended and fragmented area. It forms part of the setting to the C12-C19 constructed Grade 1 listed St Giles Church. The mature trees in the garden are an extension of the woodland behind Hild and Bede College that merges into Pelaw Woods.

The Church Hall that backs onto the proposed site for the new dwelling is a valuable community resource but unfortunately it is a discordant design in the setting of the Church and this important part of the City Conservation Area.

Access is very restricted and is proposed to be for pedestrians only and some distance down the public footpath running from Church Lane across the Church car park entrance and down to Hild and Bede College.

Proposals and Impact

3. The proposed dwelling mimics the design of the Church Hall that is a discordant building; this will considerably add to this negative impact. It is over half the size of the Hall and copies its basic wood cladding and felt roof materials. It will fall considerably below the standard that should be expected within the setting to the Church, the historic Gilesgate character area and the conservation area. It would therefore also have a cumulative negative impact.

4. The Trust is concerned that unless such a building were constructed to a very high specification it would not offer an adequate level of amenity for the occupants. This high standard seems very unlikely from the design approach described in the submission.

5. The access to the new dwelling is shown as being only from the nearby public footpath with no access from 164A Gilesgate. This is a footpath only; no bicycles are allowed. It passes through a stone wall and down a flight of stone steps and is a characterful route into the woodland. The access is overextended, completely unsuitable for anyone with mobility problems and impractical for access to a dwelling. Cycle and bin storage are functionless in the context of this lack of access.

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6. The length of footpath and change in level will make servicing the house by vehicle very difficult and bin collection is unfeasible. There is no construction route into the site, it would be over privately owned land and require demolition of part of the attractive stone boundary wall. It may damage trees and require unnecessary removal of useful screening planting.

7. The Trust notes the tree works accepted without objection in March 2023. The recommendation was to allow felling of a Beech (T3) but keeping it as a standing trunk for biodiversity. T2, the Beech overhanging the Church Hall, was to be crown reduced and retained, not, as seems to be indicated on the submitted plan, felled - (See Tree submission Feb. 2023: *Crown reduction by <25% to balance and create a more compact crown structure, crown clean to remove any damaged, dead or crossing branches.*) The Elm (T1) was to have some work done and as a surviving Elm tree it should be carefully maintained. The excavation and construction of the Church Hall and its position under the Beech tree were not desirable and were it not for the Hall proximity it may not have needed the tree work proposed. However, it is important to retain it and not fell it as now proposed. The tree should not be felled for the construction of this badly designed dwelling. If built, it will also impact adversely on T1, the elm. It is unlikely that this would survive the construction of the dwelling.

8. The main house is in use as an HMO, and it is assumed that the dwelling will also fall to student rental. No reason is given for its construction and the Trust sees no public benefit in this proposal.

Conclusion

9. The proposal has very substantial design failings and fails to fit appropriately onto the site. Its access is very poor, and it would require a mature tree removing and threatens another. It is going to harm the setting of a listed building and the conservation area. For these reasons, the Trust objects to the application. I list the policies the proposal fails against in the following appendix.

Yours sincerely,

John Lowe,
Chair, City of Durham Trust

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Appendix - Policies

The Trust considers that the proposals fail against the following planning policies:

County Durham Plan

Policy 29 Sustainable Design

- a. The proposals fail to contribute positively to an area's heritage significance and townscape.

Policy 31

Amenity and Pollution

This development should not be permitted because it cannot be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that it can be integrated effectively with any existing business and community facilities. The proposal does not demonstrate that future occupiers of the proposed development will have acceptable living conditions.

Policy 44 Historic Environment

Conservation Areas

f. The proposals fail to demonstrate 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 heritage assets.

Durham City Neighbourhood Plan

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

The proposal fails because it does not:

- c) Harmonise with its context in terms of scale, materials, and soft landscaping.
- d) Conserve the significance of the setting, character, local distinctiveness, and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets.

Policy H2: The Conservation Areas, Durham City Conservation Area

The development proposals negatively affect the Durham City Conservation Area by not taking into account, and meeting, the following requirements,

- a) Sustaining and enhancing the historic and architectural qualities of buildings
- e) Avoiding harm to an element of an asset which makes a positive contribution to its individual significance and that of the surrounding area.
- g) protecting important views of the Durham City Conservation Area from viewpoints within and outside the Conservation Area; and
- i) having appropriate scale, density, massing, form, layout, landscaping, and open spaces; and
- j) Having, detailing appropriate to the vernacular, context and setting.
- k) Using high quality design sympathetic to the character and context of the local area and its significance and distinctiveness.
- l) avoiding adding to the cumulative impact of development schemes which dominate either by their scale, massing or uniform design.