

THE CITY OF DURHAM TRUST

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

Dear Ms Penman,

DM/23/02414/FPA 80 Hallgarth Street Durham DH1 3A

Proposed first floor side extension and part two storey and single storey rear extensions to small HMO (Use Class C4)

1. The Trust objects to this application based on poor design and negative impact on the Conservation Area and adjacent listed building. It also considers the increase in bedspaces in this HMO as inappropriate and contrary to policy.

Context

2. Hallgarth Street is one of the key radial historic streets forming the core of Durham City. The buildings along Hallgarth Street are varied in style and age forming an important part of the character of the Conservation Area. This building is adjacent to an important 18thC listed building with a 19thC extension immediately next to the proposed extension (Hallgarth House Grade II). The house is one of a pair of 20thC semi-detached houses. Both have retained their basic form but the other one of the pair has been painted with negative effect. While of less historic interest than others in the street, they are part of the varied range of buildings in the street, are approaching a century in age and will grow in interest in the future.

The listed building is currently separated from the semi-detached house by a gap allowing the building to be seen as a separate entity.

The current use is shown as 4 bedrooms with 7 bedspaces.

Proposals and Impact

3. The heritage statement submitted fails to identify fully the context of the building. This is a failure against planning policy.

Currently the pair of semi-detached houses match on the street frontage; the proposal will unbalance that symmetry by extending to join the listed building. Closing the gap against the listed building will result in losing the side view of it and the presentation of the building as a complete entity. The side extension will merge at the rear by building on the shared garden wall. This is a poor quality design solution and does not add positively to the Conservation Area.

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The proposal will add another bedroom and increase the bedroom size of existing rooms resulting in an increase to 10 bedspaces. Within a 100m radius 40% of properties are Class N exempt. Adding another room and more bedspaces will be contrary to County Durham Plan Policy 16.3a.

The Trust also considers that Hallgarth Street is currently under pressure of student numbers resulting in amenity nuisance and excessive car parking. Adding to this should be considered unacceptable and contrary to policy.

Conclusion

4. The application should be refused.

(The policies the proposal fails against are listed 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 16 Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation

3. Houses in Multiple Occupation

In order to promote, create and preserve inclusive, mixed and balanced communities and to protect residential amenity, applications for new build Houses in Multiple Occupation (both Use Class C4 and sui generis), extensions that result in specified or potential additional bedspaces and changes of use from any use to: a Class C4 (House in Multiple Occupation), where planning permission is required; or a House in Multiple Occupation in a sui generis use (more than six people sharing) will not be permitted if:

- a. including the proposed development, more than 10% of the total number of residential units within 100 metres of the application site are exempt from council tax charges (Class N Student Exemption)

Policy 29 Sustainable Design

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

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 health, living or working conditions or the natural environment. The proposals will have an unacceptable impact through cumulative noise and satisfactory mitigation measures cannot be demonstrated.

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.
- h. The proposal fails to show respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including, features, materials and detailing).

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.

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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; and
- g) protecting important views of the Durham City Conservation Area from viewpoints within the Conservation Area; and
- j) Having, materials and detailing appropriate to the vernacular, context and setting;
and
- k) Using high quality design sympathetic to the character and context of the local area and its significance and distinctiveness.