

c/o Blackett, Hart & Pratt, LLP
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Mandale Business Park
Belmont
Durham, DH1 1TH
2 May 2022

Kelly Scott,
Planning Development Central/East
Room 4/86-102
County Hall
Durham City
DH1 5UL

Dear Ms Scott,

DM/24/00743/VOC 50 The Avenue Durham DH1 4EB

Variation of condition(s) 2 (Approved Plans) and condition 3 (Materials) pursuant to DM/22/01606/FPA to install UPVC Bygone sash windows

The Trust objected to the original application based on negative impact within the Conservation Area on street character and an unlisted heritage asset. There would have been a failure to protect and enhance the house and its original features, the terrace, and their character. Having moved forward to repair of the windows, this application takes a step back to proposing uPVC replacements. The Trust therefore objects to this proposal to install uPVC windows on similar grounds to its original objection.

Context

This house is the end of a short terrace of five houses that are part of the grouping of fifteen houses on this side of the Avenue. They are divided by rear accessways. They vary in size between double fronted and semi-detached/single frontage. All show similar original detailing but there are changes to some. This house is one of the large double fronted buildings. It is one of the more prominent buildings in the Avenue and its rear is on view from the access lane (upper storey) and the rear of Crossgate Peth houses.

The windows and bays are distinguishing features with the double front door being original and an important feature on the larger houses. Consistency of brickwork and detailing are important in maintaining the character, integrity, and significance of the terraces. The door and windows appear original on this house, but this is not confirmed.

The County Council's Conservation Area Appraisal notes this street as follows; '*Crossgate Peth and The Avenue are streets of considerable character.*' It includes The Avenue as an unlisted asset and considers that preservation should be the presumption; '*The following buildings are not statutory listed but do make a positive contribution to the character and appearance of the conservation area, and through the planning process could be identified as non-designated heritage assets. There is a presumption in favour of preservation of these structures.*'

Ensuring similar treatment to identical buildings is essential in maintaining the character of this this street and the City Conservation Area. This has been recognised in the 2016 Article 4

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Direction that was set up to ensure that original features were retained and that replacements are authentic. The Durham City Neighbourhood Plan reinforces the requirement to ensure positive treatment of such assets and again lists The Avenue as an unlisted asset. Its policies particularly stress the need to '*Sustain and enhance a continuous frontage.*'

Proposal

The proposal is to replace the bay windows with uPVC (to match No 51 The Avenue). This is a false justification as No 51 windows cause negative impact and should not be taken as a precedent. There is, therefore, loss of original windows and unsuitable replacements.

The proposals are directly counter to the requirements of the Article 4 Direction, the County Council's own policies and Conservation Area Appraisal. It significantly fails against the requirements of the Durham City Neighbourhood Plan policies. (Policies are shown below in the Appendix).

The Trust objects to the application, based on the above points.

Yours sincerely

John Lowe,
Chair, City of Durham Trust

Appendix - Policies

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

County Durham Plan

Policy 44 Historic Environment

Conservation Areas

The proposals fail to:

f. Demonstrate understanding of the significance and character and appearance of the conservation area and how this has informed proposals to achieve high quality sustainable development, which is respectful of local distinctiveness and the conservation or enhancement of the (unlisted) asset.

h. Respect, and reinforce the established, positive characteristics of the area in terms of appropriate design (including, features, materials, and detailing).

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 materials.

d) Conserve the significance of the setting, character, local distinctiveness, and the contribution made to the sense of place by Our Neighbourhood's non-designated heritage assets.

Policy H2: The Conservation Areas - Durham City Conservation Area

The proposals fail to:

a) Sustain and enhance the historic and architectural qualities of a building,

b) Sustain and enhance a continuous frontage.

e) Avoid harm to an element of an asset which makes a positive contribution to its individual significance and that of the surrounding area.

j) Have materials and detailing appropriate to the vernacular and context.

k) Use high quality design sympathetic to the character and context of the local area and its significance and distinctiveness.