

THE CITY OF DURHAM TRUST

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

30th January 2025

Ms Kelly Scott
Durham County Council Planning Development
PO BOX 274
Stanley Co Durham
DH8 1HG

Dear Ms Scott,

DM/24/03252/FPA Land To The Rear Of 164A Gilesgate Durham DH1 1QH

Erection of 1 no. self-build dwelling

The Trust objects to this application based on the threat to tree cover and the tree group, negative impact on the Conservation Area and landscape setting to the Grade 1 St Giles Church and lack of access. It is unnecessary and unsuitable backland development.

Context

The site contains both mature trees and an extensive grouping. The understorey is thickly developed in the group and the mature trees have low canopies. This has the impact of creating a solid mass of greenery along the boundary of the churchyard. The church setting is encroached on by terraces to the north and a modern house to the east. The west and south are dense woodland linking to the Gilesgate lower rear gardens and the separate Grove House plot. In combination it separates Hild and Bede College from the Gilesgate street buildings and joins Pelaw Woods. This all merges to form the wooded slopes visible from the racecourse area and riverside. The church would once have been more prominent on its site overlooking the river and this is now lost through tree growth. However, the woodland now serves as pleasant backdrop to the church. There is an unmade public footpath around the southern boundary of the property that drops down to the College. There is no vehicle access to the application site and the footpath, being unmade and having stone steps, is not accessible by wheelchairs and mobility scooters. It can present difficulty in access for all in the winter months.

While there are buildings extending outwards from the rear of the Gilesgate buildings there is no development to the lower garden areas. Grove House is an earlier large house with its own substantial setting with mature trees. It is clear that the application property garden forms part of the green setting to the church maintaining the character of the historic undeveloped west and south boundaries. The footpath has an attractive almost rural character and the garden area covered by the application plays a contributory part in forming the character of the churchyard.

The approved felling of the Beech (T3 on the earlier tree submission and No. 968 on the new plan) will create a gap in the canopy.

Proposals

The proposal is for an unexceptional panel built single storey building. The wood cladding and green roof do nothing to enhance the design beyond the norm for such buildings. It is not of sufficient quality to justify the negative impact from its construction and residual impact on the tree area. Construction will require substantial ground level clearance and further trimming and crown raising of trees. The Trust identifies the following failures in this proposal.

- 1. Access.** The site has no vehicle access and a very substandard pedestrian access from an unmade public footpath. Although not covered by the application in the submitted tree survey, panel erection and screw piling will require cranes and machinery in the construction phase. This can only be through the church car park taking out part of the stone boundary wall. The church submitted an objection to the last application. Constructing the building will lead to knock-on effects on the trees through the panels being craned into position – there being no room for onsite pre-construction (or storage for materials). Proposing the project as self-build simply amplifies the probable consequences on the site.

The site therefore has wholly inadequate unlit access for its residents, no car parking or access for deliveries. There is the very high likelihood of trimming of trees and ground clearance for the building. Also, there is concern that, lacking its own parking, the new property will lead to abuse of the church car park.

- 2. Character of the Conservation Area and Setting of the Church.** The Trust draws attention to the ‘green’ setting that these trees provide to the church. The building will intrude and combine with the Church Hall to substantially weaken this corner of the site. Instead, the current very pleasant green corner of the site will be substituted with a view of a basic building created after ground clearance, crown raising, tree trimming and loss of the poor quality Beech tree (T3). The large plate glass windows and need for lighting of the building access and boardwalk through the tree group will combine to substantially change the nighttime character of this area. The inevitable clutter that follows domestic use will be highly visible in the very limited external space. It seems likely that additional boundary treatments will be needed for site security. The Trust maintains that this is detrimental to the church setting and will negatively alter the current character of the public footpath. It will therefore help to erode the positive impact of the tree area and its important contribution as part of the extensive woodland areas on the slopes down to the river. It will reduce the quality of the green corridor and its valuable function as a dark corridor. There is no enhancement of the conservation area.

- 3. Urban Grain.** The Trust believes that the County Council Design and Conservation response to the previous application is incorrect in its analysis of the immediate area’s urban grain. The immediate adjacent rear areas off the Gilesgate buildings split clearly into two zones. There are the upper levels closer to the original buildings and containing various additions and extensions and also the back area more to the south consisting of changes in level and now extensively covered in trees. This is predominantly a landscape area with only

THE CITY OF DURHAM TRUST

Grove House that is separately and purposefully cut in at a lower level into the slope – probably to allow a view back to the City and the WHS, now lost through tree growth. The proposed building clearly intrudes into this area. The Trust maintains it is unnecessary backland development.

- 4. Biodiversity.** The submitted ecological survey notes that there is the possibility of the presence of hedgehogs. There previously has been concern about fencing at nearby Grove House restricting access for hedgehogs. There is a similar concern about the erection of the proposed dwelling and any new boundary treatment that may follow from it.
- 5. Need.** The Trust sees little benefit in the creation of this small two bedroom development. The likelihood is that at some point it would revert to use as student rental. It certainly does not outweigh the negative impact it will cause.

Summary

The Trust therefore objects based on the above failures in respect of negative impact, character loss and need. The policies that the proposal fails against are listed below in the Appendix.

Yours sincerely,

John Lowe

Chair, City of Durham Trust

THE CITY OF DURHAM TRUST

Appendix – Policy Failures

County Durham Plan

Policy 29 Sustainable Design

The development proposals do not achieve *well designed buildings and places* that:

- a. *contribute positively to an area’s character, identity, heritage significance, townscape, and landscape features, helping to create and reinforce locally distinctive and sustainable communities.*

Policy 44

Historic Environment - Conservation Areas

The development proposals fail to:

- f. *Demonstrate an 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;*
- h. *Show respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including pattern, layout, features, form, 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 development proposals do not demonstrate the following relevant and appropriate principles:

Conservation, preservation, and enhancement of Our Neighbourhood by:

- c) *Harmonising with its context in terms of scale, layout, density, massing, height, materials, colour, and hard and soft landscaping.*

Policy H2: The Conservation Areas

Durham City Conservation Area

The development proposals do not take into account, and meet the following requirements by:

- a) *sustaining and enhancing the historic and architectural qualities of buildings, and*
- b) *sustaining and enhancing street patterns, boundary treatments; and*
- g) *protecting important views of the Durham City Conservation Area from viewpoints within and outside the Conservation Area; and*
- i) *having appropriate scale, massing, form, layout, landscaping; and*
- j) *having materials, detailing, and lighting 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, and to the immediate landscape; and*
- l) *avoiding adding to the cumulative impact of development schemes which dominate either by their scale, massing, or uniform design.*

Policy G1: Protecting and Enhancing Green and Blue Infrastructure

Enhancing green and blue assets

The development proposals fail to be *appropriate to the context*,

THE CITY OF DURHAM TRUST

having regard to the landscape, townscape and ecology of the locality and the setting of heritage assets.

Protecting and enhancing public rights of way and other footpaths

Development proposals do not *have regard to the local distinctiveness, character, quality and biodiversity of a public right of way.*

Protecting and enhancing green corridors

The development proposals negatively impact on a green corridor and work against maintaining and enhancing its *functionality and connectivity*

The development proposals fail to *improve an existing green corridor.*

Protecting dark corridors

The development proposals will need to *incorporate new lighting* and cannot be *designed to avoid significant harm to an existing dark corridor.*