

Durham County Council
Planning Development
Central/East Room 4/86-102
County Hall
Durham
DH1 5UL

City of Durham Council
c/o Room 103
Floor 1
County Hall
Durham
DH1 5UF
5 July 2018

Dear Ms Jennings,

Application: DM/18/01446/FPA (10 Lawson Terrace Durham DH1 4EW)

I am writing on behalf of the City of Durham Council to object to the above retrospective planning application to replace all the windows with uPVC. I would hope that, having considered the facts, this application will be refused but should you be minded to approve it we would like it to be considered by the appropriate Planning Committee.

This application is almost identical to three cases in Hawthorn Terrace at numbers 37, 38 and 51, which were for uPVC windows and composite doors. These were also retrospective and all were refused under delegated powers. The applicant appealed and the appeals were all refused as far as the uPVC windows were concerned, but the doors were allowed. We feel this sets a very powerful precedent as these other properties are literally round the corner from Lawson Terrace and are in the same sub-character area of the Durham City Conservation Area: Character Area 3: Crossgate.

The references for these cases are DM/17/02623/FPA, DM/17/02624/FPA and DM/17/02625/FPA, and the appeal references are APP/X1355/W/17/3188392, 3188397 and 3188736.

We accept the applicant's description of the proposed works and the reasons given for the windows needing to be replaced. However, the choice of uPVC windows is the wrong one for this part of the Conservation Area, and wooden sash windows should have been installed. Secondary glazing could be used to improve the energy efficiency of the building, or alternatively double glazed units fitted in wooden frames. The argument that many of the adjacent houses have been converted to uPVC was one that the inspector considered in the appeals referred to above. He concluded

Nonetheless, for the reasons I have set out I find the proposal to be contrary to policies E6 and E22 of the City of Durham Local Plan (LP) and it fails to preserve or enhance the character or appearance of the CA. These policies, taken together with the provisions of the National Planning Policy Framework (the Framework), seek that proposals preserve or enhance the character or appearance of, in this instance, the Durham City Conservation Area.

The NPPF advises that where a proposal would cause less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal. Any harm should require clear and convincing justification. In this case there is harm to the Conservation Area, which is less than substantial, but the public benefits such as they are can be achieved by installing windows in a different design and materials that would be compatible with the Conservation Area.

Those policies E6 and E22 cited by the Inspector are the ones that should be used to refuse this application, which we urge you to do as soon as the statutory consultation period is over, so that the remedial works can be done over the University summer vacation.

Yours sincerely,

ROGER CORNWELL

Chair, Planning Committee