



**CITY OF DURHAM
PARISH COUNCIL**

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13 September 2020

Dear Mr Harding,

DM/20/01983/FPA | 2no. additional dwellings located within Phase 2A | Mount Oswald (Phase 2A) South Road Durham DH1 3TQ

The City of Durham Parish Council Planning Committee considered this application at its virtual meeting on the 4th September 2021 and it was decided to object to it on the following grounds. At first glance this appears to be a simple application – an extra two houses to fill in an open corner site. However, City of Durham Saved Policy E5B specifically mentions that development on Mount Oswald will only be permitted “if it is of low density and sets aside most of the site for landscaping/open space”

Once the site of this application is visited however it becomes a different story. Due to discrepancies in the site survey, the marking pegs for the site of these two houses are over the hedge line on the boundary between Mill Hill Lane and almost onto the lane itself. Should the application be allowed it would involve the loss of much of the remaining hedge and encroach onto the residential amenity of Nickleby Chare in breach of Saved Policy H13. The removal of this hedgerow would also be in breach of Saved Policy E14 and would interfere with the wildlife corridor to the side of the footpath a possible breach of Saved Policy E19. (It should be pointed out that already 25m of this hedgerow and associated trees have been lost due to the discrepancies in the survey moving a turning hammerhead 2m north). We note too that there is no arboricultural survey to highlight the trees within this hedgerow that could be lost. There are certainly one or two that would merit protection orders.

It would also appear that the hedgerow is protected under the Hedgerow Act, 1997. Could you clarify if a formal request for removal of a protected hedgerow has been made by the applicant and whether permission has been granted for its removal?

Given the problems which have come to light the Committee would wish to see a new site survey carried out to ensure any anomalies are rectified across the whole of the Mount Oswald site while building is still taking place. Already houses that have been sited too far west are inhabited, with no

space for the associated shelter belt between them and the A167. An arboricultural survey should also be commissioned with special reference to the trees along Mill Hill Lane.

This application must be refused on the grounds shown above. Although we would stop short of asking that work be paused across the Mount Oswald site, we certainly feel that planners should be taking a closer look at how the Mount Oswald outline plans are being translated onto the ground.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council