



**CITY OF DURHAM
PARISH COUNCIL**

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8 March 2021

Dear Mr Sturgeon,

DM/20/03811/FPA | Erection of detached dwelling and garage. | Land To The West Of Western Cottage Whitesmocks Durham DH1 4HN

The City of Durham Parish Council Planning Committee discussed this application at their virtual meeting on the 5th March 2021 and it was decided to object on the following grounds.

This is an application to build a 3 bedroomed detached dormer bungalow with two upstairs bedrooms, one with a dormer window, on the site of a disused garage in the garden of Western Cottage. The whole site is owned by the applicant who lives in the area. This development is contrary to Policy 6 (b) of the County Durham Plan which states that *“inappropriate backland development”* will not be permitted. It is inappropriate because this is an area of large houses with large gardens in a sylvan setting and the end result of this application will be to introduce to the area a small house in a small garden. CDP Policy 6 also states in part (d) that development should be *“appropriate in terms of scale, design, layout and location to the character form and setting of the settlement”*. Policy H3 of the Durham City Neighbourhood Plan states *“Development proposals within Our Neighbourhood outside the Conservation Areas should demonstrate an understanding of the area of the proposed development and its relationship to Our Neighbourhood as a whole.”*

Both of these policies are underwritten by NPPF paragraph 127.

In addition, CDP Policy 29 refers to the criteria which it considers contribute towards sustainable design. Part (a) states development proposals should *“contribute positively to an area’s character, identity, heritage significance, townscape and landscape features”*. Part (e) adds that such development must *“provide a high standard of amenity and privacy and minimise the impact of development upon the occupants of existing adjacent and nearby properties”* The Planning Committee considers that this development manifestly does not meet these criteria.

The properties in this area are all surrounded by high hedges and include mature trees. The Planning Committee is uneasy that no arboricultural report has been commissioned as it is very likely that the

roots of these will be damaged during any construction process. It would appear that only the hedge to the south is on the applicant's land which means that the hedges to the west and north will overshadow the kitchen and living room windows of the intended development.

Furthermore, the Planning Committee would like to point out that this site does have a planning application history. An approach was made by this same applicant to the City of Durham Council in 1995 asking for a pre-application advice regarding the likelihood of building a bungalow on this site. The answer was that it was very unlikely because of the detrimental impact on the amenity of the area, the fact that it would be backland development and because of poor vehicular access. Despite this caution an application was subsequently made in 1999 to convert the garage into a dwelling which was withdrawn 13 days later.

In 2001 an outline application was made to build on this site (Ref. 4/01/00461/OUT) This was refused at committee on several grounds. Firstly, because the proposed development would compromise residents (both new and existing) amenity and privacy by virtue of the restricted nature of the site, Secondly the proposed development would be out of keeping with the character, density and scale of development in the surrounding area and thirdly there was no safe and satisfactory access.

This decision was appealed. In 2002 the planning inspector dismissed this appeal. He not only supported the committees' reasons for refusal but identified other grounds including the height of the proposed structure which would lead to significant visual impact and the fact that, unlike a garage, a dwelling would be permanently occupied. He also mentioned "the relatively spacious quality of the area". He was particularly concerned about the way the dwelling hugged the boundaries of the site creating a "cramped appearance".

In conclusion the Parish Council Planning Committee feel that this application should be refused because it is contrary to CDP Policies 6 (b) and (d), 29 (a) and (e), Neighbourhood Plan Policy H3 and NPPF paragraph 127. We would also direct officers' attention to the historical reasons for refusal and suggest that the principles of our present planning policies have changed little from those in force when this application was originally refused.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council