



**CITY OF DURHAM  
PARISH COUNCIL**

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15<sup>th</sup> June 2021

Dear Mr Dalby,

**DM/21/01876/FPA | Demolition of existing house and construction of replacement house on same footprint | Sidegate House Sidegate Durham DH1 5SY**

The City of Durham Parish Council Planning Committee considered the above application at its meeting on 11<sup>th</sup> June 2021 and agreed to object to this application in its current form.

Planning law requires that decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The primacy of the development plan is reaffirmed in paragraph 47 of the National Planning Policy Framework (NPPF).

The policies within the statutory development plan that are relevant to the consideration of this application are contained within the:

- Durham City Neighbourhood Plan (2021 - DCNP);
- County Durham Plan (2020 - CDP).

Relevant material considerations comprise the NPPF and the Durham City Conservation Area Character Appraisal (DCCACA).

The application site lies within the Green Belt and the Durham City Conservation Area.

Green Belt

Policy 20 of the CDP states that development proposals within the Green Belt will be determined in accordance with national planning policy. The NPPF is clear that the government attaches great importance to Green Belts, with the fundamental aim being to prevent urban sprawl by keeping land permanently open (paragraph 133).

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings in the Green Belt as inappropriate, except for those which comprise: buildings for agriculture and forestry; appropriate facilities for outdoor sport, recreation, cemeteries and allotments; extension or alteration of a building provided it does not result in disproportionate additions; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; limited infilling in villages; limited affordable housing; and limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use.

With regard to the redevelopment of previously developed land, paragraph 145 goes on to clarify that this is only appropriate where it would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Furthermore, policy G4 of the DCNP is clear that proposals must not cause harm to the overall quality of the Green Belt environment, particularly its openness.

It is therefore clear, that whilst the application site can be considered to be previously developed, it is necessary that the proposed redevelopment of the site for one dwelling would not:

- be materially larger than the one it replaces;
- have a greater impact on the openness of the Green Belt than the existing development; or
- cause substantial harm to the openness of the Green Belt.

Whilst it is noted that the proposed dwelling would broadly follow the same footprint of the existing dwelling, its proposed scale and massing are significantly greater. It is intended to replace a simple, single storey dwelling with a 3-4 storey townhouse. This change in scale and massing is a relevant consideration; whereas the fact that the site is small in the context of the wider Green Belt is not. This was confirmed by the inspector who dismissed the appeal for eight town houses on the site (APP/X1355/W/18/3197881 – paragraph 7).

The Parish Council considers that by nature of its scale, massing and design, the development would be materially larger than the existing dwelling and cause substantial harm to the openness of the Green Belt in this location. This is clearly contrary to the requirements of national planning policy and also policy G4 of the DCNP.

Design and impact on the conservation area

The application site lies within the Durham City Conservation Area, as designated in 1968. The area in which the application site is located is described within the DCCACA as 'sub character area 3 – Milburngate/ Sidegate/ Crook Hall'.

Whilst it is acknowledged that there is a mix of different development styles within close proximity to the application site, this should not justify the development of a new dwelling that is out of character with this part of the Conservation Area.

Policy 44 of the CDP requires that development must sustain the significance of both designated and non-designated heritage assets. Also, that great weight will be given to the conservation of all designated assets and that these assets should be conserved in a manner appropriate to their significance. In accordance with national planning policy, development which leads to less than substantial harm to a designated heritage asset will be weighed against the public benefits of the proposal.

There are also a number of DCNP policies that are relevant to the issue of design:

- Policy S1 requires new development to harmonise with its context in terms of scale, layout, density, massing, height, materials and colour. It also requires new development to conserve the significance of designated heritage assets;
- Policy G4 supports proposals which sustain, conserve and enhance the Durham City Conservation Area; and
- Policy D4 requires all new housing development to be of high-quality design reflecting the character and appearance of the area, with an appropriate form and layout.

The Parish Council submits that, as a result of the inappropriate scale and massing of the proposed development, it would result in harm to the significance of the Conservation Area as it would not reflect the positive characteristics of the area. As the proposed development would only result in the provision of a replacement dwelling, there are no public benefits. The proposal is therefore clearly contrary to policy 44 of the CDP, policies S1, G4 and D4 of the DCNP and section 15 of the NPPF.

For the reasons set out in this response, the Parish Council urges the County Council to refuse this application. However, should you be minded to approve this application, we would wish this application to be called in to the Central and East Area County Planning Committee so that we may put our case to Councillors.

Yours sincerely,

**Adam Shanley**

**Clerk to the City of Durham Parish Council**