



**CITY OF DURHAM
PARISH COUNCIL**

Learning from the past.
Building for the future.

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

City of Durham Parish Council
Office 3 D4.01d
Clayport Library
8 Millennium Place
Durham City
DH1 1WA

12th August 2021

Dear Ms Morina,

DM/21/02731/FPA - Retention of enlarged hardstanding/access area at front of site at Braeside, Newcastle Road, Crossgate Moor, Durham, DH1 4HZ

Thank you for notifying the City of Durham Parish Council of the above-mentioned planning application. The Parish Council has reviewed the submitted application documents and considered their contents. The Parish Council objects to the proposed development.

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).

The NPPF and National Planning Practice Guidance (NPPG) are relevant material considerations.

The Parish Council is concerned that the development, which was completed in July 2020, has resulted in the loss of an area of amenity open space. This part of the A167 is characterised by grass verges and the Parish Council considers that the development has resulted in a loss of open space which was important to the character of the local area. It is submitted that the approval of the proposal could create a dangerous precedent that would seriously harm the character of the area if other residents in the immediate surrounding area were permitted to undertake the same works.

DCNP policy H3 is clear that development proposals should sustain and make a positive contribution to the character and distinctiveness of the area, this includes avoiding the loss of open space that contributes to the character and appearance of the area. Also, CDP policy 29 requires new development to contribute positively to an areas character.

Paragraph 4.71 of the DCNP defines green infrastructure, included within that definition are highway verges and green corridors. Consequently, the application site forms part of the green infrastructure of the area. Paragraph 4.73 of the neighbourhood plan is clear that the attractiveness and character of the city is enhanced by the natural open spaces and networks of greenery. Therefore, policy G1 seeks to resist proposals which would result in the loss of green assets, including green corridors. Similarly, policy 26 of the CDP requires development to maintain and protect the county's green infrastructure network.

It is therefore submitted that the development is contrary to policies H3 and G1 of the DCNP and policy 29 of the CDP and should be refused as there are no material considerations that would support a departure from established development plan policies.

In addition to the clear conflict in relation to the principle of development, the Parish Council is concerned that whilst the submitted application form refers to a soakaway, no details are provided on the submitted plan. Therefore, it is considered that the proposal does not accord with the provision of CDP policy 35 to ensure that there is no net increase in surface water runoff.

There are also several technical discrepancies with regards to the application:

- It is considered that given the nature of the development, the description is incorrect, the development for which planning permission is sought is clearly the change of use of open space to provide hardstanding. The established use of the land is a grassed highway verge;
- The size of the application site is unclear. Section 4 of the application form states the site area is 40 square metres, yet the Durham County Council Asset GIS plan states the area 'verged red' is 0.02477ha; and
- Section 25 of the application form does not appear to have been correctly completed and therefore CDPC questions whether the appropriate notice has been served on the owner of the land. It is understood that the current owner is the county council.

For the reasons set out in this response, the Parish Council request that the application should be refused and appropriate enforcement action taken to return the site to its lawful use as an area of grassed open space.

We trust that you agree with our assessment of these applications, however should you be minded to approve these applications, the Parish Council wishes to have these applications called into the Central and East Area County Planning Committee so that we may put our case to Members.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council