



**CITY OF DURHAM
PARISH COUNCIL**

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Mr George Spurgeon
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

7th September 2021

Dear Mr Spurgeon,

DM/21/02697/FPA | Addition of conservatory and terrace to serve the restaurant and bar | Farnley Tower The Avenue Durham DH1 4DX

The City of Durham Parish Council Planning Committee discussed this application at their meeting on the 3rd September 2021 and decided to object as follows.

Firstly, a little background information. Farnley Tower is a non-designated heritage asset (NDHA) situated at the top of The Avenue which is characterised by large houses in large gardens. It sits in the Durham City Conservation Area and is within the setting of the World Heritage Site.

This application should be looked at in the context of two other planning applications for the same site both of which are still extant. The first is alluded to in the Heritage Design and Access Statement (Page 2) and is the application for an 8 bedroomed extension to the hotel (DM/18/02983/FPA). The second is a TCA for the removal of 3 copper beech trees (21/02519/TCA). If these applications are taken into account, this would mean the removal of 11 trees from a relatively small site. This would be contrary to County Durham Plan (CDP) Policy 40 and Durham City Neighbourhood Plan Policy G1

As an NDHA within the Conservation Area there are a several policies which prevent inappropriate development. NP Policy H2 states that development in the Conservation Area should enhance the significance of the asset. This application fails against parts a), d), e), f), g), i), j), k), and l). It also fails against CDP Policy 44 which states in its overview that "Great weight will be given to the conservation of all designated assets and their settings (and non-designated assets)" It also fails against parts f), g) and h) of Policy 44.

CDP Policy 45 and NP Policy H1 protect the setting of the WHS. On its website Farnley Towers proudly proclaims "It provides stunning views of Durham Castle and Cathedral". Views go both ways and it is considered that this planned development does not protect or enhance the setting of the WHS.

The design represents overdevelopment of a residential area of the Conservation Area. Demolition is planned on the fabric of the building to facilitate the building of the balcony, conservatory and terrace. Materials to be used are not in keeping with the area or the fabric of the building. Indeed, a previous application for development at another NDHA of a similar age at the top of the Avenue also had plans for a glass balcony (19/02153). This was changed by the applicant before permission was given, the reason being highlighted in the officer's report "concerns were raised regarding the proposed material as being too modern".

NP Policy S1 and CDP Policy 29 support sustainable development both in and out of the conservation area. Policy S1 part c) requires new development to "harmonise with its context in terms of scale, layout, density, massing, height, materials, colour and hard and soft landscaping" and part d) requires new development to "conserve the significance of the setting, character, local distinctiveness, important views, tranquillity and the contribution made to a sense of place by Our Neighbourhoods designated and non-designated heritage assets" Policy 29 a) requires development proposals to "contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities" Policy 29 also states "proposals for alterations and extensions to residential property, and development associated with the incidental enjoyment of a dwelling, should ensure the development is sympathetic to the existing building(s) and the character and appearance of the area in terms of design, scale, layout, roof design and materials." Policy 6 d) requires developers to ensure that new development "is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement"

This application fails to satisfy the requirements of all three policies

We note that at present Farnley Tower provides 14 parking spaces (This proposal will reduce this to 12) for 17 bedrooms and 35 covers in the restaurant plus a take-away offering. The Parish Council Planning Committee notes the effect of Covid on small businesses but feel that the lack of suitable onsite parking plus the addition of up to 50 covers to the restaurant will lead to loss of amenity in what is primarily a residential community which would certainly be against the spirit of CDP Policy 21 and NP Policy T1. Complaints have already been made about noise, odour and thoughtless parking and increasing the size of the restaurant will exacerbate this. We would also draw planners' attention to the stipulations of Policy 31 regarding Amenity and Pollution and also CDP Policy 29 e) which requires new development to "provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties" The terrace will overlook the gardens of neighbouring buildings.

To summarise. The Parish Council Planning Committee feel that this application breaches CDP Policies 6, 29, 31, 40, 44, and 45 and NP Policies S1, G1, H1 and H2. It should naturally be refused on those grounds. If officers are minded to approve, the Planning Committee asks that it be brought before the Central and East Planning Committee to be determined.

Yours sincerely,

Adam Shanley

Clerk to the City of Durham Parish Council