



**CITY OF DURHAM
PARISH COUNCIL**

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Ms Michelle Hurton
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

21st December 2021

Dear Ms Hurton,

DM/21/03443/FPA | Replacement of 4 windows on ground floor flat with uPVC double glazed units. | 2 The Grey House Princes Street Durham DH1 4RP

The City of Durham Parish Council Planning Committee writes to object to this application.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the planning policies of the County Durham Plan (CDP) and the Durham City Neighbourhood Plan (DCNP)

The application site is a non-designated heritage asset and located within the Durham City Conservation Area (designated 1968). This proposal should therefore be assessed against CDP Policy 44 (Historic Environment) which is clear that development proposals will be expected to show *“respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including pattern, layout, density, massing, features, height, form, materials and detailing).”*

This approach is entirely consistent with Neighbourhood Plan Policy H2, which is equally clear that development proposals within and affecting the Durham City Conservation Area should *“have materials, detailing and lighting appropriate to the vernacular, context and setting”*.

The Parish Council objects to the use of uPVC as a material for the windows. This element of this proposal clearly fails the test set by CDP Policy 44 and DCNP Policy H2.

It should also be noted that the application site is covered by an Article 4 (2) Direction. It is understood the Direction resulted from the evidence-base as part of the Durham City Centre Conservation Character Appraisal. Accordingly, the Direction was served to restrict Permitted

Development Rights in order to control minor forms of development that could otherwise have an adverse impact and further erode the character and appearance of the historic area through loss of traditional features, details and materials and also offering a means of potentially reversing past unsympathetic alterations. Therefore, the proposal by virtue its proposed uPVC alternatives would be considered in conflict with these aims.

The Parish Council believes that the proposal would be considered harmful and would not be considered to either preserve or enhance as preserve means doing no harm and enhance relates to a positive change. It is considered uPVC stands out as an inferior modern alternative to the natural appearance of a more suitable and sustainable material such as the introduction of traditional timber sashes.

The Parish Council believes that the cumulative impact of these alterations would fail to preserve or enhance the designated Conservation Area, when tested against National Planning Policy Framework, the level of harm would be "less than substantial". As such, the Policy test of Paragraph 202 then applies stating that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use". In this particular case, no public benefits are identified for the use of this material and therefore this fails to conform with the NPPF.

The proposed windows would be discordant with the historic character of this area and be harmful to the character and appearance of the street scene. The development would fail to preserve or enhance the significance of the conservation area contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Part 16 of the National Planning Policy Framework, Policy 44 of the County Durham Plan and Policy H2 of the Durham City Neighbourhood Plan.

It should also be noted that it is unclear from the submitted documentation what the original material of the windows is and whether these are the original windows for this property.

A change in the use of materials for the windows from uPVC for this development would satisfy the Parish Council's objection. This application should be refused in its current form. If amended plans are submitted, the Parish Council would expect to be re-consulted on this application.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council