

Romaldkirk Parish Council
c/o The Rectory
Romaldkirk
Barnard Castle
Co Durham

Planning Department
Durham County Council
County Hall
Durham

By Email: planning@durham.gov.uk

Date: 22 January 2021

Dear Sirs

RE: Planning Application: DM/21/00002/LB | Listed Building application for installation of CCTV equipment, 2no raised deck areas to front garden and erection of detached exercise room to rear garden (retrospective) | Rose Stile Cottage Sennings Lane Romaldkirk Barnard Castle DL12 9ED

I write on behalf of Romaldkirk Parish Council to object to the proposals contained within DM/21/00002/LB. The basis for the objection can be found under the headings below.

Amount of development

Rose Stile Cottage has been subject to a significant level of recent development. The property having seen a two-storey side extension, single storey rear extension which incorporates a rear garage into integral living space, the erection of an outbuilding in the rear garden which is also used for habitable accommodation and a recently built large shed and stone wall in the southwestern corner of the rear garden, the latter not detailed on the plans. To allow further development within the already developed rear garden will leave approximately only 25% of the garden undeveloped. The amount of newly created floorspace within this site now exceeds the amount provided by the original cottage with any further development only serving to increase the overdevelopment of the site. Such overdevelopment of the site will most certainly harm the architectural and historic merit of the original building.

It should be noted that the site is visible from the B6277 entering Romaldkirk and the Teesdale Way, both of which are well used by members of the public. In this instance, the ad hoc development in the rear appears cluttered and has already had an adverse impact on the character and appearance of the Romaldkirk conservation area, to allow further such development will deal yet more harm to both the conservation area and the listed building.

Scale, form and design of exercise room

The exercise room and pergola will abut the stone boundary wall adjacent to Sennings Lane. This lane is a well-used public right of way which contributes greatly to the character and appearance of Romaldkirk conservation area. The area proposed for development also being visible from the Low Green area of the Village.

There exists a disparity in site levels between Sennings Lane and the rear garden at Rose Stile Cottage, with the garden of Rose Stile Cottage sitting at least 1m above Sennings Lane. Due to this disparity and the design of the proposed building, the exercise room would be visually dominant when viewed from Sennings Lane and will therefore adversely impact on the visual

character and appearance of the listed stone boundary wall and surrounding conservation area. This impact will be particularly stark given the proposed materials, a point addressed below.

The plans for the 'exercise room' propose windows on the east elevation which will sit significantly higher than the stone boundary wall and therefore will overlook Sennings Lane. This lane is currently characterised by stone boundary walls, creating a feeling of privacy and seclusion. The introduction of the windows abutting the wall and overlooking the lane will have a significantly adverse effect the character and appearance of this historic track and its surroundings.

Having given regard to the materials proposed for use in the building, it is clear they are wholly inappropriate for a listed building and the conservation area. It is noted that there is an existing corrugated metal roof on the kitchen, however it is not clear from researching the planning history whether this was approved in previous applications.

Nevertheless, this should not set a precedent within the site or the wider conservation area, to allow further unacceptable materials to be used to the detriment of the existing building. Given the scale and prominence of the exercise room, the use of the proposed materials will most certainly detract from the character and appearance of the conservation area and the merit of the listed building.

Also of significant concern is the continuous line of development the allowing of this proposal would create. In this instance the proposal would create a solid line of development extending from the front elevation of the property to the rear boundary which is approximately 36 meters running along the boundary with Sennings Lane, creating a visual effect which is clearly incongruous with, and damaging to, both the listed building and the conservation area.

Decking and storage

The decked areas and storage in the front garden are built across a terrace area. This terrace is an original feature within the setting of the listed building. The decked areas diminish the contribution that the terrace makes to the setting of the listed building. As has been raised in this objection, it is vital that no further damage be dealt to either Rose Stile Cottage as a listed building or the wider conservation area. As such it would be a significant loss for Rose Stile Cottage to lose yet more of its original form and design by allowing the decking to become a permanent fixture. It is unfortunate that the Design & Conservation officer has not had the ability to consult on this prior to the works being undertaken.

CCTV

The Parish Council has had ongoing concerns regarding the usage of existing CCTV cameras, particularly the lack of compliance with GDPR requirements. This became apparent at the 2019 Public Inquiry, commissioned by DCC, in relation to land at the front of Rose Stile Cottage. Several photographic images (spanning several months) of residents accessing both the lower green and the public right of way that is Sennings Lane were used during the inquiry by the applicant. No consideration of whether this was appropriate or breached privacy laws was given to the use of the captured images. Information Commissioner Office (ICO) guidance confirms:

"If you are capturing images beyond your property boundary, you should have a clear and justifiable reason for doing so. In particular, you will need to think why you need these images. If asked by an individual or the ICO, you will need to be able to explain your reasons, so you should write them down now. You should also write down why you think capturing the images is more important than invading the privacy of your neighbours and passers-by."

You will also need to:

- *Let people know you are using CCTV by putting up signs saying that recording is taking place, and why.*
- *Ensure you don't capture more footage than you need to achieve your purpose in using the system.*
- *Ensure the security of the footage you capture – in other words, holding it securely and making sure nobody can watch it without good reason.*
- *Only keep the footage for as long as you need it – delete it regularly, and when it is no longer needed. “*

The Parish Council is not aware of any signage regarding the CCTV on this property. If it exists or has recently been erected, it is not obvious or in line with ICO requirements. The Public Inquiry also clearly demonstrates the cameras' ranges extend significantly beyond reasonable boundaries, footage was inappropriately captured, used inappropriately, and held longer than needed by the applicant. As such, this is a clear breach of residents' and visitor rights and the GDPR.

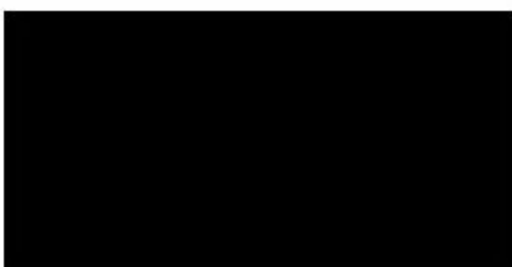
In considering the application the applicant should also be made aware that if they intend to relocate cameras in the future, then it is likely that a new listed building consent would be required and not to assume that the granting of this consent will allow the cameras to be moved whenever they wish.

Conclusion

Rose Stile Cottage is a Grade II listed building which has experienced a significant amount of development in recent years. Unfortunately, some of this development has been subject to retrospective applications and appears not to have had clear thought or has been guided by good conservation principles. The proposals contained within DM/21/00002/LB would result in further overdevelopment of the site, introduce additional inappropriate materials, create an inappropriate continuous line of development along Sennings Lane and wear yet further at the architectural and historic merit of Rose Stile Cottage and its setting. The proposals do not comply with the principles set out in the NPPF '*Conserving and enhancing the historic environment*' or the adopted County Durham Plan (2020) Policy 44 '*Historic Environment*'.

On the basis, of the significant harm to both Rose Stile Cottage and the Romalldkirk conservation and the non-compliance with national and local policy, Romalldkirk Parish Council object to the proposals and ask the overseeing Officer to take the above into account and reject the proposal, so as to ensure the integrity of both the building and conservation area are defended.

Yours sincerely



Joanne Nixon, on behalf of

Romalldkirk Parish Council