

THE CITY OF DURHAM TRUST

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c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
13 July 2021

DM/21/02227/FPA: 12 Silver Street, Durham DH1 3RB

Dear Ms Morina,

The City of Durham Trust objects to this application in its current form, but hopes that the applicants can address the issues we raise and produce an acceptable scheme. There is an associated planning application DM/21/02228/LB which deals with the listed building aspects and is the subject of a separate letter.

We appreciate that there is an earlier planning permission for this property, but that was granted under planning policies which have now been superseded and it cannot be a precedent. The recently adopted County Durham Plan and City of Durham Neighbourhood Plan have enhanced policies protecting the World Heritage Site and the conservation area, and the County Durham Plan Policy 16.3 is a new policy covering the creation of student HMOs.

The Heritage Statement makes no reference at all to the Durham Castle and Cathedral World Heritage Site which lies immediately to the rear of the application site across Moatside Lane. Any development here must affect the setting of the WHS, and County Durham Plan Policy 45(a) requires that any changes must sustain and enhance this setting. Policy 45(b) requires development to be based on an understanding of the Outstanding Universal Value, and we consider that this can be demonstrated by revising the Heritage Statement. Policy H1 of the City of Durham Neighbourhood Plan is also applicable, in general but also specifically

... Development proposals throughout Our Neighbourhood should be shown to sustain, conserve and enhance the setting of the World Heritage Site where appropriate by:

e) carrying out an assessment of how the development will affect the setting of the World Heritage Site, including views to and from the World Heritage Site...

We welcome the decision to move the principal entrance to Silver Street since we consider that the rear entrance, now proposed as an emergency exit, is dangerous. Please refer to the photographs on the final page of this letter. There are no railings on these steps. Anybody coming out the door is faced with a 1.5 metre drop and has to turn left to go down the steps which are in a poor state of repair. They are open to the weather and in the winter could be icy with frost and snow. There are no lights on Moatside Lane, and to add them would affect the setting of the WHS, contrary to the policies just cited. (There is a lighting strategy for the WHS which needs to be taken into account.)

The steps themselves are not, as far as we can tell, within the red line boundary of the application site. However, these must be made safe before the HMO is occupied. Currently they would almost certainly not meet the standards set by the HMO Licensing Team or the Fire Brigade. It is beyond the scope of this letter to specify how this should be done, but the use of a S106 agreement suggests itself. The Design and Access Statement is silent about these steps.

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Moatside Lane is in a poor state and there is evidence of it being used for drug-taking. It is a pity that the comments of the Police Architectural Liaison Officer, uploaded on 30 June, do not address this issue since the problem is well known to front-line police officers and PCSOs. Improving Moatside Lane would enhance the setting of the WHS and help meet the requirements of County Durham Plan Policy 45. Again this could possibly be achieved via a S106 agreement.

The Heritage Statement also fails to identify any other impacts on the fabric of the building. Plans fail to show the design of the new shop and residential doors. Details are required to identify the appropriateness of the door alterations in respect of the shopfront and listed building. It is not certain that the changes include other windows and again details are needed of originals and any changes to them, specifically to avoid insertion of new inappropriate uPVC or similar windows.

We have no objection to the proposed C4 use at this location, since we consider the proposals meet the criteria set out in Policy 16.3(i) of the County Durham Plan.

In conclusion, we hope that the applicants can provide further information and address our concerns. If this is done we would review the objections we have raised.

Yours sincerely,

John Lowe
Chair, City of Durham Trust

(Photographs on next page)

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Photographs

