

# 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 April 2022

Dear Ms Ackerman,

**DM/22/00644/FPA and DM/22/00682/AD 35 Silver Street Durham DH1 3RD**

*Fit out and change of use of an existing vacant unit to form a cafe takeaway under sui generis, including a new kitchen extract ducting to the rear and 2 new condensers*

**And - Erection and Display of 1no illuminated fascia sign and 1no non illuminated projecting sign**

1. The Trust objects to both applications based on the negative impact on the river frontage, Conservation Area, and World Heritage Site (WHS) and the size of the illuminated signage.

**Context**

2. Silver Street is one of the key City Centre historic streets and fundamental in establishing the character of the conservation area. It is one of the approaches through the city to the World Heritage Site. It has suffered very substantially by removal of historic and character-forming buildings in the past. This has included the large 20thC buildings originally for Woolworths, Burtons and Marks and Spencer. This last is subject to an additional large extension to create student accommodation. Retail premises have failed and the upper floors have become subject to applications for conversion to student accommodation. This has all been without the benefit of a clear strategy for dealing with this both to avoid empty premises and ensure conservation of the street character.
3. 35 Silver Street is one of the 20thC block that has also been extended extensively to the rear, facing the river. It is a bland building distinguished only by being discordant in an historic context, adding nothing to street character and that of the riverside. However, the rear of the building at upper levels is not yet cluttered by kit servicing the Silver Street units. It is marred at the lower level by condenser units that impinge on Back Silver Street, an important historic vennel.
4. The previous sign for the Hotter store was inappropriate by size but not illuminated.

**Proposal and Impact**

5. The proposal introduces a discordant stainless steel ducting to the rear building – on view across the river and from Fowlers Yard. Two new condenser units are added above Back Silver Street just above head height. These add to the vennel-level clutter.
6. The signage to the shopfront is out of scale due to its inappropriate size (over 2.0m long and nearly 0.5 m high) and the extent of coloured backdrop. It is halo lit and this will create a substantial intrusion into the street day and night.
7. Together the two applications create negative impact and therefore trigger failures against a range of County Durham and Neighbourhood Plan policies.

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## Policies

8. The Trust considers that the proposals fail against the following planning policies:

### County Durham Plan

#### Policy 29 Sustainable Design

a. The proposals fail to contribute positively to an area's heritage significance and townscape

#### Policy 31 Amenity and Pollution

The proposals will have an unacceptable impact such as through visual intrusion, visual dominance, without satisfactory mitigation measures. The development does not minimise light pollution and demonstrate that the signage lighting proposed is the minimum necessary for functional purposes.

#### Policy 44 Historic Environment - Conservation Areas

f. The proposals fail to demonstrate understanding of the significance, character, appearance and setting of the conservation area and how this has informed proposals to achieve high quality sustainable development, which is respectful of historic interest, local distinctiveness and the conservation or enhancement of heritage assets.

### Durham City Neighbourhood Plan

#### Policy S1: Sustainable Development Requirements of all Development and Redevelopment Sites Including all New Building, Renovations and Extensions

c) Fails to harmonise with its context in terms of scale, and materials.

d) Fails to conserve the significance of the setting, character, local distinctiveness, important views, tranquillity and the contribution made to the sense of place by the Neighbourhood's designated heritage assets.

#### Policy H1: Protection and Enhancement of the World Heritage Site

The development proposals to a minor degree do not sustain, conserve, or enhance the setting of the World Heritage Site by causing negative impact on the setting.

f) The proposals fail to protect important views

#### Policy H2: The Conservation Areas, Durham City Conservation Area

The development proposals negatively affect the Durham City Conservation Area by not taking into account, and meeting, the following requirements:

g) Protecting important views of the Durham City Conservation Area from viewpoints within the Conservation Area; and

j) Using materials, detailing, and lighting appropriate to the vernacular, and setting.

#### Policy E3: Retail Development

The proposals fail to enhance the character and attractiveness of the City Centre by:

c) improving the public realm including back lanes and vennels for all users; and

d) improving the City Centre environment

Based on these policy failures, the Trust objects to the proposals as currently submitted.

Should lit signage be approved it should be conditioned to ensure it is turned off outside of opening hours.

Yours sincerely

John Lowe,  
Chair, City of Durham Trust