

# THE CITY OF DURHAM TRUST

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Web site: <http://www.DurhamCity.org>

Lisa Morina  
Durham County Council  
Planning Development  
Central/East Room 4/86-102  
County Hall  
Durham  
DH1 5UL

22 August 2022

Dear Ms Morina,

**Planning application DM/22/02292/VOC | Variation of condition 2 of planning permission 4/99/00534/FPA to allow a change in opening hours to allow 24 hour opening for the amusements. | 5 North Road Durham DH1 4SH**

The City of Durham Trust objects to this planning application because it does not meet the requirements of Part 15 of the National Planning Policy Framework, Policy 31 of the County Durham Plan and Policy E4 of the City of Durham Neighbourhood Plan. Our concern is the adverse effect on the living conditions of local residents.

The applicant's agent says at the top of page 2 of their covering letter

Other nearby occupiers include Sainsbury's Local, Iceland, Kwik Tan, Boots, The British Heart Foundation and the Three Bridges Public house. The surrounding area comprises a mix of retail, leisure and commercial uses

The first four of these are in the DH1 4SH postcode, the last two in DH1 4SQ. We have identified 34 residential properties on the upper floors of premises in these two postcodes. They are listed in an appendix at the end of this letter. Consequently the surrounding area comprises a mix of retail, leisure, commercial **and residential** uses.

We have read the report into application DM/22/00760/FPA where I see you were also the case officer. We agree with your conclusion in that case that

24 hour opening was considered an issue due to the potential impact on noise and disturbance issues and therefore, a restriction on opening hours should be applied. It is considered that these opening hours should be no greater than the adjacent bar/nightclub premises and therefore, a condition to reflect this has been added.

5 North Road is not adjacent to the bar/nightclub but is 45 metres away. We would not resist some relaxation in the closing time but feel it should align with the premises identified as nearby by the applicant, in particular Kwik Tan (10pm), Sainsburys Local (11pm) and The Five Bridges (midnight). This would ensure that there was no unacceptable impact upon the amenity of existing neighbouring residents, as required by CDP Policy 31.

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NP Policy E4 and supporting paragraph 161 require a supporting statement to be submitted with the planning application to address the negative impact on local and residential amenity including mitigation for noise. The required mitigation would be a limit on opening hours. The covering letter does not mention residents and this requirement has not been met.

For these reasons we ask you to refuse this application in its current form.

Yours sincerely,

JOHN LOWE

Chair

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## Appendix: nearby residential properties

### Postcode DH1 4SH

Studio 1 Greenland Studios, 4-5 North Road  
Studio 2 Greenland Studios, 4-5 North Road  
Studio 3 Greenland Studios, 4-5 North Road  
Studio 4 Greenland Studios, 4-5 North Road  
Studio 5 Greenland Studios, 4-5 North Road  
Studio 6 Greenland Studios, 4-5 North Road  
Studio 7 Greenland Studios, 4-5 North Road  
Studio 8 Greenland Studios, 4-5 North Road  
Studio 9 Greenland Studios, 4-5 North Road  
7a North Road  
11a North Road  
12a North Road  
12b North Road  
12c North Road  
15 To 17, North Road

### Postcode DH1 4SQ

Tenter Chambers A, 58-62 North Road  
Tenter Chambers B, 58-62 North Road  
Flat 3, 63 North Road  
Flat 4, 63 North Road  
Flat 5, 63 North Road  
Flat 1, 64b North Road  
Flat 2, 64b North Road  
66a North Road  
66b North Road  
66c North Road  
69a North Road  
Flat At 72, North Road  
First Floor, 76 North Road  
72a North Road  
77a North Road  
77b North Road  
77c North Road  
77d North Road  
77e North Road