

THE CITY OF DURHAM TRUST

c/o Blakett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
3 July 2023

DM/23/01588/FPA
44 Canterbury Road

Dear Mr Fenwick

This application is for a change of use from retail shop (Class E) to hot food takeaway (Sui Generis). The location, which is on the row of shops on Canterbury Way, is about 260 metres from the entrance to Finchale Primary School.

Policy 30 of the County Durham Plan includes:

"In order to promote healthy lifestyles in young people, proposals for A5 uses outside of defined centres but within 400 metres of an entry point of an existing or proposed school or further education college will not be permitted."

However, the applicant's Planning statement also says that "However, it is not proposed that the hot food takeaway would be open during school hours. Indeed, it is proposed that the hot food takeaway would only open for business from 5.00pm each day at the earliest. As such, it is contended that the proposal would not conflict with this element of Policy 30."

The Trust submits that if the application is to be approved a condition must be attached so that the business would not be permitted to operate any earlier than 5.00 pm each day.

Yours sincerely

John Lowe
Chair, City of Durham Trust