

# THE CITY OF DURHAM TRUST

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

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Durham, DH1 1TH

6 July 2023

Mr David Richards  
Planning Development Central/East  
Room 4/86-102  
County Hall  
Durham City  
DH1 5UL

Dear Mr Richards

**DM/23/01564/FPA and DM/23/01565/LB: Alterations to internal layout, re-paint of rear, install 2 No. vent axia fans to first floor rear side elevation, repairs to external wall on ground floor front elevation, The Big Jug, 83 Claypath, Durham DH1 1RG**

The City of Durham Trust has some concerns about the above applications. In part these are matters of clarification but there is a serious issue about noise potentially affecting the amenity of nearby residents.

The first point of clarification is that the Heritage & Design Statement may well have referenced the wrong policies as it refers to the local authority as Durham City Council and the relevant planning policies as “the saved policies” which means they have been looking at the City of Durham Local Plan 2004. This of course has been superseded by the County Durham Plan 2020 and the Durham City Neighbourhood Plan 2021 which together comprise the Development Plan for the area.

The second point of clarification needed is that the Heritage and Design Statement in paragraph 2 describes the proposed works as repairs to the external wall in the alleyway whereas the application refers to repairs to the wall on the ground floor front elevation. Clearly, works to the front of the building would be particularly sensitive due to the prominence of this Grade II Listed Building in the Claypath scene. Our understanding is that the application description is incorrect and that the proposed repairs are to the side wall.

The proposals for the rear part of the building are to move the existing bin store from the open-air yard and to install tables and seating there instead. In the immediate vicinity are the 5 residential properties of Blue Coat Court, a total of 47 residential and student bed-spaces currently under construction in William Robson House and the adjacent former car park, and 2 five-bed HMOs at 84 Claypath. This is a significant number of people who live or will live within earshot of the proposed outdoor seating area.

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Noise mitigation measures have rightly been imposed on the nearby HMOs at 84 Claypath in the interests of their student residents. None have been imposed on the William Robson House developments. The Trust believes that noise levels from the proposed outdoor seating area could adversely affect the amenity of nearby residents and therefore conditions will need to be imposed as to permissible maximum noise levels and hours of use (as were imposed on the rear open seating area of the Claypath Deli). Also, in the preceding application which was approved but has lapsed, the Environmental Health Officer considered the noise and odour levels from the extractor fans and was satisfied with the details provided; no such details accompany the present application. It is important to safeguard local residential amenity, recognising the cumulative impact of noise nuisance in this part of Claypath.

The Trust is aware that a subsequent application is expected to address the treatment of the frontage of this historic building. The Trust will urge the full restoration of the existing painted timber glazed shopfront which replicates the original Edwardian detailing including hand painted signage to the fascia band. In addition, there should be no question of uPVC replacement windows. In this respect, it is concerning that the list of proposed materials includes white pvc.; this is totally inappropriate if intended for any of the external works on the Grade II Listed Building.

Yours sincerely

**John Lowe**

Chair of the City of Durham Trust