

THE CITY OF DURHAM TRUST

c/o Blackett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
25th February 2022

Kelly Scott,
Durham County Council Planning Development
PO BOX 274
Stanley Co Durham
DH8 1HG

Dear Ms Scott,

DM/25/00269/FPA 22 Silver Street Durham DH1 3RD

Change of use of commercial first floor and attic roof space (Class E) to create a 5-bed HMO (Class C4) including insertion of rooflights to front and rear

The Trust objects to the conversion based on the negative impact of bin storage, lack of bicycle storage, safety issues with balcony access and failure to meet the required room height area of the roof conversion.

Context

This building is sited on one of the most prominent locations relative to the historic Framwellgate Bridge approach into Silver Street and panoramic views of the Castle and Cathedral. The recent reconfiguring of The Gates into The Riverwalk has opened up views from the new promenade across the river towards the Castle and Cathedral in which the application site is prominent. The mass, siting and basic design of the building are less than fortunate relative to its historic location sitting over the remains of the bridge fortifications and dominating the entrance into Silver Street. Accepting the reality of this, the building has further suffered in appearance due to its inadequate detailing. The shop frontage, although modelled on a traditional style, has over emphasised the bulk of its component parts. The upper window choice is wholly inappropriate and has been exacerbated by the recent addition of another window to the riverside gable that lacks even a matching window sill detail. uPVC windows with added multipane detailing fail to coordinate with the building. Under any street appraisal it should be marked as needing improvement. All features down to the smallest detail need careful handling because of the building's prominence.

Proposal

The proposal struggles to find an adequate means of access, bin and bicycle storage. It uses a separate access link across the small riverside balcony. This was used in connection with cafe/restaurant use. The Trust considers that this seems to present safety issues for regular student use as it is cantilevered directly over the river and riverbank below. Its visual prominence mean that it is an unsuitable position for bin storage – it is on direct view from the Bridge and will feature in WHS panoramic views. There is no bicycle storage and nowhere to achieve it – leading to concern that the balcony will be used for this, adding to the clutter. If the ground floor remains in leisure use, the view out across the river will be impaired.

Forming the two bedrooms directly into the roof space leads to room height issues. The Council's HMO standards require *'a minimum height of 2.15m over an area of the*

THE CITY OF DURHAM TRUST

floor equal to not less than half of the area of the room. The Trust estimates that the percentage falls below the 50% requirement. In addition, there appears to be a failure to achieve the Nationally Described Space Standards requiring that at least 75% of the floor area has a height of at least 2.3m. Plans and sections are needed to clarify this. The rooflights will require careful detailing to avoid negative impact on the roof appearance.

The Trust objects to the application, based on the above points.

Yours sincerely

John Lowe,
Chair, City of Durham Trust

THE CITY OF DURHAM TRUST

Appendix - Policies

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

County Durham Plan

Policy 16 Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation

3. Houses in Multiple Occupation

The proposals fail to meet the requirement that in all cases applications for change of use to Houses in Multiple Occupation will only be permitted where:

d. the quantity of cycle and car parking provided has regard to the council's adopted Parking and Accessibility Guidelines;

e. they provide acceptable arrangements for bin storage and other shared facilities and consider other amenity issues.

Policy 29 Sustainable Design

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

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 heritage assets.

h. The proposal fails to show respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including, features, materials, and detailing).

Policy 45 Durham Castle and Cathedral World Heritage Site

The Durham Castle and Cathedral World Heritage Site is a designated asset of the highest significance. This development affects the World Heritage Site and its setting and fails to:

- c. Protect and enhance the immediate setting (*and an important access into the site*).

Durham City Neighbourhood Plan

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

The proposal fails because it does not:

d) Conserve the significance of the setting, character, local distinctiveness, and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets.

Policy H1: Protection and Enhancement of the World Heritage Site

The development proposals within the Durham Cathedral and Castle World Heritage Site should sustain, conserve, and enhance its Outstanding Universal Value and support the current adopted management plan.

The development proposal is within the Parish area and fails to sustain, conserve and enhance the setting of the World Heritage Site:

e) There was inadequate assessment of how the development will affect the setting of the World Heritage Site, including views to the World Heritage Site; and

f) The proposals fail to protect an important view.

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) Having detailing appropriate to context, and setting; and

k) Using high quality design sympathetic to the character and context of the local area and its significance and distinctiveness.