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Durham, DH1 1TH  
16 July 2025

Laura Eden  
Durham County Council  
Planning Department  
PO Box 274  
Stanley  
County Durham  
DH8 1HG

Dear Ms Eden

## **DM/25/01525/VOC: Removal of the Riverwalk Lift Condition**

This application is the cynical rejection of a condition once the desired permission had been obtained and the project developed. It is a blatant attempt to avoid the financial responsibility of providing a lift to connect the Riverwalk with Framwellgate Waterside, as required by condition 12 within the latest operative planning permission for the development (ref. DM/18/03487/VOC).

This financial dimension is explicit in Lichfield's covering letter in which they refer to "discussions ... between the Council and Clearbell regarding the funding for the lift." As a result of these discussions they conclude that "there are no feasible alternative schemes to improve connectivity within the immediate surrounding area, to which Clearbell could contribute financially." Such admissions are repeated in the Planning Statement.

The applicants put forward a series of untenable arguments to prop up their case. They rely heavily on the provision of a similar lift linking the Milburngate site with Framwellgate Waterside. Leaving aside the ludicrous claim that the Milburngate project has been delivered and assuming there was a functioning lift on the Milburngate site, people using that lift would still have to cross the barrier of the four-lane A690. The applicants themselves dismiss the feasibility of a new direct at-grade crossing between Milburngate and the Riverwalk, though it perhaps deserves more serious consideration. Meanwhile the non-functioning Milburngate lift does nothing to substantiate their claim that a Riverwalk lift is no longer necessary. We can agree that "the Milburngate lift is located within 50m of the site for the Riverwalk lift", but only as the crow flies.

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The applicants also claim that there have been significant increases in traffic on Framwellgate Waterside that make it unfeasible to construct the lift. This claim is based on two misleading statements about “the development of the new multi-storey car park for the adjacent Milburngate development, and also the relocation of Durham’s main city centre coach park just to the east, adjacent to the Radisson hotel.”

Firstly, the entrance to the new multi-storey car park for the adjacent Milburngate development is on Framwellgate Peth, the A691, and not on Framwellgate Waterside. The ‘multi-storey car park’ entrance on Framwellgate Waterside is clearly signposted as the delivery entrance for the Premier Inn. Secondly, the so-called ‘main city centre coach park’ is a maximum of four parking bays for coaches. Even taken together, these two factors do not constitute “the intensification of Framwellgate Waterside as a main vehicular route.”

Much is also made of the problem that there were a number of operational difficulties and concerns regarding the approved lift scheme which, as approved, would necessitate the significant narrowing of the carriageway. It is hard to understand why the scheme was approved if such difficulties would be caused. It is instructive in this context to study the Delegated Report for DM/16/02599/VOC. This gives careful consideration to a proposal to locate the lift in the current position.

“The proposed repositioning of the lift does pose some highways implications due to its grounding on the public highway beneath Milburngate Bridge. The Highway Authority have raised no objections to this proposal, however, it is considered that the submitted plans does not detail with enough precision the design and any highway lining works in this location. As a result a condition would be necessary to agree this precise detail.”

The same report considered the flood risk and concluded that appropriate measures could be taken in the revised location. It is quite clear that, while details needed refining, it would be feasible to construct a lift in the proposed location.

Other difficulties raised by the applicant are flimsy. The fact that the City of Durham Local Plan policies T1 and T21 have been superseded by County Durham Plan policy 21 makes no material difference. Part 9 of the NPPF was also cited. The fact that the area in which the lift would be grounded is dark and unattractive is readily remedied, especially by a firm that boasts of its commitment to Lumiere.

One serious difficulty in drafting a response to this application is that the planning portal contains a series of “VOC” applications going back to 2015 when DM/15/01626/FPA was approved on 19 November. Those plans contained no reference to a lift but included an underpass North/South under the A690.

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Eventually, Condition 18 attached to approval of DM/16/02599/VOC stipulates that “No development other than demolition and the erection of any supporting structural framework of the redevelopment proposed shall take place until final, detailed design of the proposed lift at Milburngate Bridge/Framwellgate Waterside has been submitted to and approved in writing by the Local Planning Authority. The details should be based upon drawing Proposed Planning Revisions 01 Public Lift & 06 Bookend SK-050-810 Rev A received 24 March 2017 and must include precise highway amendments on Framwellgate Waterside and details of the timescales/phasing of the delivery of the lift. The development must thereafter be implemented in accordance with the approved details.” There is no indication here that the provision of the lift will not be possible and Condition 18 was retained in subsequent applications as Condition 12.

The additional plans were subsequently submitted and approved, as can be seen from Condition 12 of DM/18/03487/VOC, which lists nine documents. The only unsatisfied part of the condition was the submission of the timescales for the construction of the lift.

And importantly, the reason given for the condition is that it is “in the interests of highway safety and pedestrian connectivity having regards to the City of Durham Local Plan Policies T1 and T21 and part 9 of the NPPF.” Highway safety and pedestrian connectivity are still required today, despite the unfounded claim in the Planning Statement that “The original reasoned justification for attaching planning condition no.12 therefore no longer exists and it is acceptable for the condition to be removed.”

The applicants have not justified this claim and the condition should be enforced by the County Council in the interests of highway safety and pedestrian connectivity.

Yours sincerely

John Lowe  
Chair, City of Durham Trust