



**CITY OF DURHAM
PARISH COUNCIL**

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10 January 2020

Dear Allan

**DM/19/03929/FPA: Retention of External Extract Equipment,
17 Hallgarth Street Durham DH1 3AT**

The City of Durham Parish Council's Planning Committee considered the above retrospective application at its meeting on 10 January 2020 and resolved to object on the following grounds.

The documentation on the County Council's Planning Portal for this application is very sparse. There is no indication that there are in fact two local objectors. Most of the relevant papers, including several drawings and photographs and the two objections have been discovered on the site of an earlier application to vary the Sunday closing time of these licensed premises now the subject of an appeal against refusal by the Local Planning Authority.

Strangely, the retrospective application form for the extraction equipment responds to question 19: "Are the hours of opening relevant to this application?" by saying "no".

Clearly the hours of opening are relevant, and objector 1 makes this specific point, claiming that *"the extraction equipment as installed presents an unacceptable level of noise intrusion to occupants of residential properties in Hallgarth Street, Mavin Street and Deansgate House detrimentally impacting upon the levels of amenity that they should reasonably be expected to enjoy."* This 'missing' objection in fact puts forward a series of concerns such as that the extension building is higher than approved, that externally mounted water and soil pipes are visually damaging, that unapproved fencing has been built, and that the kitchen exhaust system as installed does not comply with the retrospective application drawings.

The other missing objection comments that *“the extraction system makes a surprisingly loud humming noise. And the disposal of empty bottles at the end on the night obviously creates a loud crash.”*

The site is within the designated Durham City Centre Conservation Area. The Planning Officer’s report on the earlier variation of conditions application notes that *“Indeed, the building makes a positive contribution to the designated Durham City Centre Conservation Area both singularly and collectively as part of the varied historic building stock in the locale that creates a rich historic streetscape.”* The Parish Council Planning Committee agrees with that assessment. It considers that the installed extraction equipment detracts from the qualities of the Conservation Area, contrary to Saved Policy E6.

Accordingly, the Parish Council considers that this retrospective application should be refused as contrary to Saved Policy E6 of the City of Durham Local Plan 2004 which requires that the special character, appearance and setting of the Durham City Centre Conservation Area will be preserved or enhanced. Further, it is contrary to Saved Policies Q7 and Q8 which require that the design and external appearance of all new business development is of a standard appropriate to the designated area within which it is located, that residential amenity is respected, and that the impact of the proposal upon the occupants of existing nearby and adjacent properties is minimised.

The Parish Planning Committee also recommends that the alleged breaches of a number of conditions noted by Objector 1 are investigated and enforcement action taken if appropriate.

Yours sincerely,

ADAM SHANLEY

Clerk to the City of Durham Parish Council