



**CITY OF DURHAM
PARISH COUNCIL**

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29 April 2020

Dear Ms Hurton,

Planning Application DM/20/00911/FPA | Change of use of upper floors from retail including loft conversion into residential accommodation providing 4no. bedroom with shared living accommodation (Revised and Resubmitted) | 9 And 9A Silver Street Durham DH1 3RB

The Parish Planning Committee considered this application at its meeting on 17 April 2020 (held using Zoom videoconferencing software) and decided to ask that, in its present form, it be refused because of the risks to the personal safety of the intended occupants caused by the siting of the entrance. We also have concerns about its potentially adverse impact on the World Heritage Site, specifically Durham Castle.

This response comments on the *Design and Access Statement & Heritage Statement*, which for the sake of brevity we will refer to as *the Statement*.

Design

The changes to the design from the previous application, DM/19/03967/FPA, are welcomed.

Personal Safety

The proposed entrance is on a narrow pathway leading from Silver Street North to Moatside Lane, but, as may be seen from the photographs on page 4 of the Statement, it cannot be seen from Silver Street because of a bend in the path. This pathway is not lit. We have walked this as night was falling and can confirm this is the case. There are a couple of lights over doorways but on our first visit these were not working. One was on during a second visit, but we noted it was supplied from the premises which we think are M&Co. We have also looked up the path from Silver Street North at about 10pm and the path is in complete darkness.

The access from Silver Street South is up a flight of stairs (as may be seen in the photographs on page 5 of the Statement) and then there is a right-angled turn to the left, up an uneven and unlit path with steps to the junction with the path from Silver Street North. It is on this stretch that we have frequently seen empty lemonade bottles in such a state that it is clear that they have been used to concentrate the fumes from cannabis that is being smoked. The residents of these

premises should not have to pass people misusing class B drugs. Of the three approaches this is the worst.

We note that paragraph 13.1 of the Statement says that the approach from Saddler Street “is well lit at night due to existing student lettings at Moatside Mews and the rear access to the commercial properties”. In fact these only serve the student lettings and none are within 20 metres of the footpath junction. The properties at Moatside Mews also have entrances from Saddler Lane which are better lit. Such lights as there are are private. There are no public lights on any of these paths although Moatside Lane is an adopted street.

Saved Policy Q1 of the City of Durham Local Plan states

The layout and design of all new Development should take into account the Requirements of users. It will be expected to Incorporate the following as appropriate:

1. Personal safety and crime prevention; [...]

The justification in the supporting text (paragraph 12.10) reads

Good design practice in new development, can not only aid in the prevention of crime but can increase personal safety and help reduce the fear of crime. Examples of such measures include the need to ensure that access points should be limited: public spaces should be designed to ensure that they can be surveyed and easily maintained, and wherever possible all areas should be well lit. **Care should be taken to avoid sharp bends, dark recesses and restricted views.** *[Our emphasis]*

This proposed development fails on all three counts.

This application is one where we urge the Council to seek the advice of the Police Architectural Liaison Officer since it seems to meet the criteria set out in paragraph 12.6 of the Local Plan.

Possible adverse impact on the World Heritage Site

The Statement says at paragraph 21.5 "For the safety of the residents additional lighting will be required because of the location however, discussions with the Parish Council and World Heritage Association *[sic]* will be sought to determine the best solution with regard to the appropriate styles of lighting that will both be adequate to provide a well lit access but also take into consideration any adverse effects the lighting could have on the views to and from the World Heritage Site." We welcome this statement and ask that determination of this application should await the outcome of those discussions, after which we will respond to this aspect of the application.

Deliveries during construction

The statement says that access for deliveries of materials will be from Silver Street only, before 10am or after 6pm. When Café Rouge was being converted to Psyche (21 Silver Street) builder's wagons were parked up adjacent to the site at all hours. However there was no suitable condition on that planning application (DM/17/03129/FPA). Consequently, should permission be granted, we consider that there should be a condition on loading hours, and also a construction plan.

Conclusion

As this application stands, it should be refused because it does not provide for the personal safety of its residents, as Saved Policy Q1 requires. Should measures be proposed to deal with this issue,

these will need to take into account Saved Policy E3 in order to avoid an adverse effect on views to and from the World Heritage Site.

But we hope that revised proposals are brought forward to address the issues described above. In these circumstances we feel a S106 agreement would be an appropriate way to achieve sensitive improvements to the public realm via low-level lighting that did not impinge on views of the Castle.

Yours sincerely,

Adam Shanley

Clerk to the City of Durham Parish Council