

**CITY OF DURHAM
PARISH COUNCIL**

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30 December 2019

Dear Ms Eden,

Planning application DM/19/03159/FPA | Change of Use of A3 (Restaurant) to Restaurant (Use Class A3) and Bar (Use Class A4) and external alterations to create a new shopfront | Units 35A-C The Riverwalk Millburngate Durham DH1 4SL

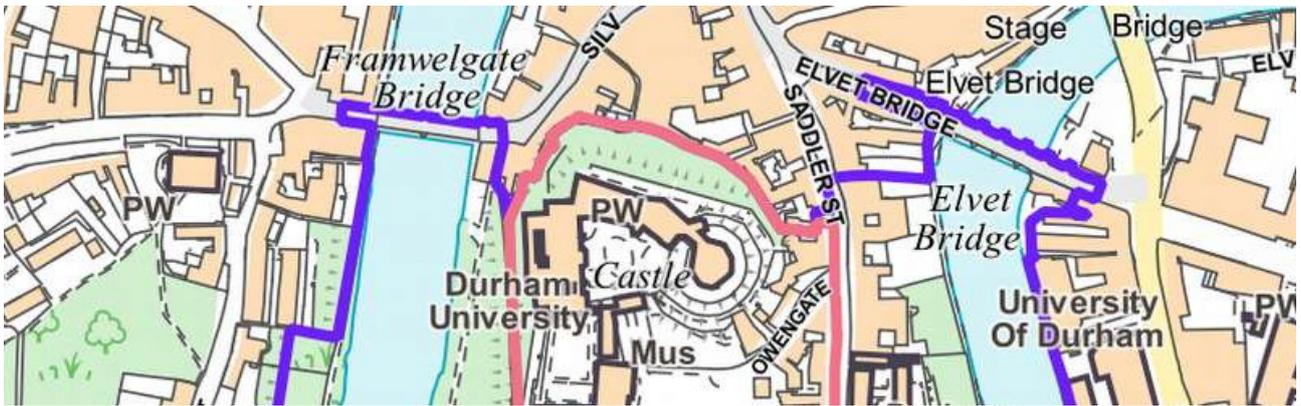
The Parish Council objects the above planning application and asks that it be refused for the reasons set out below. We hope you agree with our conclusions, but if you are minded to grant this application we would like it to be considered by the relevant Planning Committee, where we would make our case to the councillors.

The plans show a ground floor area of 835 sq ft and a first floor area of 2,030 sq ft. These total 2,865 sq ft which is 266.2m². Since the site is in the City of Durham Conservation Area, a Design and Access Statement should have been provided as the floor area exceeds 100m². Without this essential document the planning application should not have been validated. The Heritage Statement does not address the necessary points. A D&A Statement should now be required and sufficient time allowed for the Parish Council and other interested parties to evaluate it. The statement should address the issues raised in this letter.

NPPF paragraph 180 requires that planning ... decisions should ... ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

There are already three A4 premises within 30 metres of this site. They are Revolution, the Fighting Cocks and Old Tom's Gin Bar. The Three Bridges is 90 metres away. The upper storeys of Bridge House, opposite this development, are being converted from offices to residential accommodation under the terms of planning permission DM/19/02214/PNC, which included a requirement for noise mitigation measures to deal with disturbance from the *existing* premises.

The eastern half of the site is along Framwelgate Bridge, which is not only a grade I listed structure but which will, within a few months, become part of the World Heritage Site when its boundary is extended. In the map at the top of the next page the red line shows the existing boundary, the purple line the future one.



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The addition of a further licensed premises this close to the World Heritage Site is inappropriate. We note that the Heritage Statement states (para 9.1) that the proposed development will add to the range and diversity of public houses in Durham City. This claim relates to the concept for The Curious Mr Fox, which is more a matter for the licensing authority. In planning terms the application is for a mixed C3 and C4 development and within those use classes a variety of operations is possible, and might change if the site passes to a different operator at some point in the future.

There is no lift shown on the plans and there are internal steps connecting some of the rooms on the first floor. The only DDA compliant toilet is on the ground floor, and its width appears to be around 1350mm which is narrower than the 1500mm minimum. This is such a comprehensive reworking of the internals of this building that it qualifies as new development, and saved Policy Q1 of the City of Durham Local Plan is engaged, and in particular subsection 2, which refers to “The access needs of people with disabilities, the elderly and those with children”.

Consequently we ask you to refuse this planning application and, as stated above, to refer it to the relevant committee if you are minded to approve.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council