



**CITY OF DURHAM  
PARISH COUNCIL**

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3 February 2020

Dear Ms Hurton,

**Planning Application DM/19/03967/FPA | Change of use of upper floors from retail including loft conversion into residential accommodation providing 5 no. studio apartments | 9 And 9A Silver Street Durham DH1 3RB**

The Parish Planning Committee considered this application at its meeting on 24 January 2020 and decided to ask that 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*.

**Personal Safety**

The proposed entrance is on a narrow pathway leading from Silver Street to Moatside Lane, but 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 at about 10pm and the path is in complete darkness. 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. Again, these are private lights and Moatside Lane is an adopted street.

Referring to the photographs on page 4 of the Statement, the top two are looking up from Silver Street with the entrance beyond the bend, the third picture is looking down to Silver Street with the entrance to the premises behind, and the bottom right picture shows the entrance (on the left) but Silver Street is hidden round the bend.

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. In addition, empty lemonade bottles are frequently seen on Moatside Lane 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.

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**

We welcome the change that has been made since the previous application for a C4 HMO, so that the development is not visible from the Castle terrace. However, the upper windows of the keep *are* visible from outside the door of the premises, so obviously the site will be visible from the keep. More evidence is required on this issue.

If it is decided to address the issue of the unlit Moatside Lane by lighting it, this needs to be done with great care due to the proximity to the World Heritage Site.

### **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 then these will need 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. Please let us know if this will be possible, ideally before 7 February when this application will be considered again by the Parish Planning Committee.

Yours sincerely,

**Adam Shanley**

**Clerk to the City of Durham Parish Council**