



**CITY OF DURHAM
PARISH COUNCIL**

Learning from the past.
Building for the future.

Paul Hopper
Durham County Council
Planning Development Central/East
Room 4/86-102
County Hall
Durham
DH1 5UL

City of Durham Parish Council
Office 3 D4.01d
Clayport Library
8 Millennium Place
Durham
DH1 1WA

26 March 2021

Dear Mr Hopper,

Planning applications DM/21/00376/FPA and DM/21/00377/AD | Alterations to existing shop front and installation of external extraction equipment in association with a change of use from Retail to Restaurant | 20-21 Silver Street Durham DH1 3RB

The Parish Planning Committee considered these linked planning applications at its virtual meeting on 19 March 2021 and has reservations as set out below.

The planning context

As well as the current version of the NPPF (February 2019) and the County Durham Plan (approved 21 October 2020), the City of Durham Neighbourhood Plan is relevant as it has received a Decision Notice and is proceeding to referendum on 6 May 2021. This means that, in accordance with the Coronavirus regulations, it already carries significant weight and, depending on when these applications are determined, it may have received a majority vote in the referendum.

The World Heritage Site

The application site sits below Durham Castle, part of the WHS. The iconic view of the WHS from Framwellgate Bridge includes it. This relationship is very well illustrated by the photograph on page 2 of the applicant's Heritage Statement. Furthermore, the planned extension of the boundary of the World Heritage Site will include Framwellgate Bridge itself, then wrap around 20-21 Silver Street.

Policy 45 of the County Durham Plan states

Durham Castle and Cathedral World Heritage Site

The Durham Castle and Cathedral World Heritage Site is a designated asset of the highest significance. Development within or affecting the World Heritage Site and its setting will be required to:

- a. sustain and enhance the significance of the designated asset;
- b. be based on an understanding of the Outstanding Universal Value of the site, having regard to the adopted World Heritage Site Management Plan and Statement of Outstanding Universal Value; and

c. protect and enhance the Outstanding Universal Value, the immediate and wider setting and important views across, out of, and into the site.

Development that would result in harm to the Outstanding Universal Value of the World Heritage Site or its setting will not be permitted other than in wholly exceptional circumstances.

The supporting text at paragraph 5.463 states that

Applicants will be required to demonstrate that account has been taken of the impact of their proposals upon the significance of the WHS (including cumulative harm) and its setting and demonstrate that those proposals will have no adverse effect upon its OUV.

Policy H1 of the City of Durham Neighbourhood Plan states

Development proposals within the Durham Cathedral and Castle World Heritage Site should sustain, conserve, and enhance its Outstanding Universal Value and to support the current adopted management plan.

[...]

Development proposals throughout Our Neighbourhood should be shown to sustain, conserve and enhance the setting of the World Heritage Site where appropriate by:

- e. carrying out an assessment of how the development will affect the setting of the World Heritage Site, including views to and from the World Heritage Site; and
- f. protecting important views; and
- g. taking opportunities to open up lost views and create new views and vistas.

The applicant's Heritage Statement is essentially descriptive and it has not addressed the requirements of paragraph 5.463 of the County Durham Plan or Policy H1(e) to carry out an assessment of how these proposals will affect the setting of the World Heritage Site.

Both policies cited above include a requirement to *enhance* the significance and the setting of the World Heritage Site. This aspect has not been addressed in either application and we would welcome a revised Heritage Statement to include this. The grey painted side elevation does not have planning permission; the report for application DM/17/03129/FPA included

The initial application that was submitted has been amended and the proposed shop front is now a traditional painted shop front, the exposed brick work will now remain on the side elevation, the imitation glazing bars have been removed from the side windows, the large sign to the river side elevation has been removed as has the proposed illumination of the adverts and the front roof-light.

A subsequent application (DM/18/00506/VOC) did gain permission for a sign, but not of the size actually installed (see below). Restoring the exposed brickwork would meet the requirement to enhance the setting of the WHS.

Planning application DM/21/00376/FPA

We have no problem with the proposed change of use. However, the occupier before Psyche was not a coffee shop but Café Rouge, a French style restaurant.

We would like more details of the bi-folded doors onto Silver Street. If the intention is for something similar to those at Café Rouge this would be acceptable.

We now understand that proposals for dining on the terrace have been withdrawn. This we welcome, since the accompanying lighting and possible reflections from the glazed balustrade would have been intrusive in views of the Castle, part of the WHS. We would also point out that a feature of several recent Lumières has been a projection onto the Castle and 20-21 Silver Street appears in these views. We would resist any attempt to introduce tables on the terrace by way of a subsequent amendment.

We have had problems interpreting the plans because, having set the scale as 1:100 in the Idox online measuring tool, the length of the scale bar is 4.314m not 5m as stated. If the scale bar is correct then the scale would be a non-standard 1:116. Also, the arrow that should point north is pointing south. These matters should be corrected and revised plans submitted.

This is important as, assuming the toilet on the ground floor is for disabled use, it appears it is not large enough even on the more generous assumption that the scale bar should be used for measurements. The minimum size should be 2200mm x 1500mm and the measurement is 2100mm x 1500mm. Policy 29(e) of the County Durham Plan requires developments to provide high levels of amenity and an under-sized disabled toilet would fail that test.

Planning application DM/21/00377/AD

The existing sign on the river side is not in accordance with the planning permission granted in application DM/18/00506/VOC and should not be taken as a precedent. The letters appear to be about 650mm high and the ones shown on the drawing were 500mm high. The drawing showed the wording as PSYCHE but it reads PSYCHE.CO.UK The sign is back-lit but the approval was for an unilluminated sign.

Not enough detail has been provided in the current application to enable it to be assessed, particularly given the building's location. We consider the signage should meet the following criteria:

- Be smaller than the current PSYCHE.CO.UK sign. The letters on the CAFÉ ROUGE sign on the side of the building were 250mm high (see planning application 4/08/00033/AD) and this was appropriate and any replacement sign should also be 250mm high.
- Not be illuminated.

Conclusion

The proposals as submitted should not be approved due to the shortcomings set out above. We hope that revised and expanded details can be brought forward to address our concerns, and would welcome the opportunity to comment on these.

Yours sincerely,

Adam Shanley
Clerk to the City of Durham Parish Council