



**CITY OF DURHAM  
PARISH COUNCIL**

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20<sup>th</sup> July 2021

Dear Ms Morina,

**DM/21/02227/FPA Change of use of upper floors to a 5 bed HMO (use class C4), retail to remain at ground floor and installation of new access door in existing shop front, and**

**DM/21/02228/LB Listed building consent to allow internal alterations for the change of use of upper floors to a 5 bed HMO (use class C4), retail to remain at ground floor and installation of new access door in existing shop front.**

The City of Durham Parish Council considered the amendments to these applications at its meeting on 17<sup>th</sup> September 2021 and wishes to make the following observations.

As you are aware, our letter of 20<sup>th</sup> July 2021 set out a number of concerns (at bullet points 2,3 and 4 of that letter) relating to these proposals and specifically that:

- a) the applicant's submitted Heritage Statement made no reference at all to the Durham Castle and Cathedral World Heritage Site, which lies immediately to the rear of the application site across Moatside Lane, despite any development here significantly affecting the setting of the WHS.
- b) The impact of the proposal on the internal historical features of the building (specifically those which led to the listing of this building); and
- c) the lack of detail on the proposed appearance of the outer building and its features.

The Parish Council has considered the revised Heritage Statement submitted by the applicant on 6<sup>th</sup> September and is satisfied that the above points have been suitably addressed. The Parish Council supports the conclusion of the Design and Conservation Officer that *"overall, it would be considered that the conclusion of the Heritage Statement is accurate in that the significance of the designated heritage asset would be preserved and enhanced in accordance with the principles of NPPF Section 16 and County Durham Plan Policy 44"*. As such, the Parish Council wishes to withdraw its objection in relation to application DM/21/02228/LB.

That being the case, the Parish Council very much maintains its objection to application DM/21/02227/FPA. The fact remains that the steps to the rear of this development – proposed as the emergency exit (figure 1) – are entirely unsuitable for the reasons given at our letter of 20<sup>th</sup> July 2021. Furthermore, the significant water ingress issue to the ground floor retail space has not been addressed and must be prior to any works commencing on site.

**Figure 1 – steps to the rear of the application site**



Similarly, the Parish Council maintain its concerns in relation to the poor condition of Moatside Lane. Improving Moatside Lane would enhance the setting of the WHS and help meet the requirements of County Durham Plan Policy 45. This, along with the repair of the rear steps, could possibly be achieved via a S106 agreement and this must to be considered.

In its present form, planning application DM/21/02227/FPA remains contrary to key parts of the County Durham Plan, the Durham City Neighbourhood Plan and the National Planning Policy Framework and should therefore be refused without delay.

We trust that you agree with our assessment of these applications, however should you be minded to approve this application, the Parish Council wishes to have this called into the Central and East Area County Planning Committee so that we may put our case to Members.

Yours sincerely,

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