

City of Durham Parish Council

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25 March 2019

Dear Planning Committee Member

In accordance with the Local Government Act 1972 I hereby give you notice that a meeting of the **Planning Committee** will be held **in Room 2, Alington House, 4 North Bailey, Durham DH1 3ET** on **Friday 29th March 2019 at 14:00** to transact the following business:

1. Welcome and apologies
2. To receive any declarations of interest from members.
3. To receive and approve as a correct record the minutes of the meeting on 15 March 2019.
4. To receive any public participation comments on the following agenda items.
5. Matters arising:
to approve the following responses (for text of letters see parish web site):
DM/18/03418/FPA | Rebuttal letter re this appeal for 24 Mistletoe Street Durham DH1 4EP
DM/18/03785/FPA | Erection of 4 dwellings | Land To The Rear Of 63 Crossgate Durham DH1 4PR
DM/19/00371/FPA | Change of use from C3 dwelling house to HMO *Sui Generis* (Student Accommodation) | Corner House Potters Bank Durham DH1 3PS
DM/19/00442/FPA and **DM/19/00443/LB** | Replacement of existing extension and minor internal alterations | 22 Allergate Durham DH1 4ET
DM/19/00564/FPA | Change of use from C3 dwelling to C4 house in multiple occupation and two storey rear extension | 18 Boyd Street Durham DH1 3DP
DM/19/00643/AD | Printed vinyl advertisement on external glass of this empty unit | Marks And Spencer 4 - 6 Silver Street Durham DH1 3RB
DM/19/00649/FPA | Change of use from a C4 house in multiple occupation to a 7 bedroom HIMO with a wrap round single and 2 storey and external alterations | 51 Whinney Hill Durham DH1 3BD

- DM/19/00650/FPA** | Two storey side extension, single storey front and rear extension and replacement rear storage building | 30 Toll House Road Crossgate Moor Durham DH1 4HU
6. Oversight of the work of the Neighbourhood Plan Working Party
 7. **Planning applications:** To consider making representations on the following:
 - DM/19/00637/VOC** | Amendment to opening hours from 12.00 - 14.00 and 17.30-23.00 Tuesday to Sunday to 11.00 - midnight on Monday to Sunday. (Amendment to condition 11 on planning permission 4/03/01178/FPA) | Lebaneat 47 North Bailey Durham DH1 3ET
 - DM/19/00706/AD** | 2No Non-Illuminated Fascia Signs and 6No Window Vinyls | 46B High Street Durham DH1 3UL
 - DM/19/00753/FPA** | Demolition of industrial buildings and construction of 7 townhouses | Former R W D Motor Body Repairers Back Western Hill Durham DH1 4RG
 - DM/19/00762/LB** | Installation of secondary glazing and secondary doors, new AV equipment and associated services. Access control fittings to doors | Divinity House Palace Green Durham DH1 3RL
 - DM/19/00813/AD** | Various advertisements comprising 2no. wall mounted signs, 9no. pedestrian and vehicle wayfinding signs and 8no. cycle parking/cycle route signs | Durham University Lower Mountjoy Teaching And Learning Centre South Road Durham DH1 3LS
 - DM/19/00866/FPA** | Change of use of a C3 dwelling to be used as either a C3 dwelling, or a small HMO Class C4 | 28 Douglas Gardens Merryoaks Durham DH1 3PU
 - DM/19/00868/AD** | Illuminated Fascia Sign and Non-Illuminated Window Vinyl Sign | Unit 6 1 - 4 North Road Durham DH1 4SH
 - DM/19/00897/TPO** | Felling of 1no. Willow (T15) | St Cuthberts Hospice Park House Road Durham DH1 3QF
 - DM/19/00914/FPA** | Replacement windows, render to all elevations, single storey rear extension and internal alterations | 13 Springfield Park Durham DH1 4LS
 8. **Proposed new County HQ on the Sands** (planning reference DM/18/02369/FPA): to consider developments.
 9. **Tree works:** update on **DM/18/01126/TCA** | Removal of Tree T2321 & T2320 identified on the Tree Survey Plan. | Kepier House The Sands Durham DH1 1BW
 10. **Dates of future meetings**
 - 12 April 2019 - 14.00 to 16.00 hrs – *[fill in venue]*
 - 26 April 2019 - 14.00 to 16.00 hrs – *[fill in venue]*

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting.

Adam Shanley
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City of Durham Parish Council

Minutes of Planning Committee meeting held at 15:00 pm on Friday 15th March 2019 in Room 2 Alington House, 4 North Bailey, Durham DH1 3ET

1. Welcome and apologies:

Present: Cllrs R Cornwell (Chair), J Ashby, V Ashfield, L Brown, J Elmer and G Holland.
Also present: Ged Lawson and Parish Clerk Adam Shanley
Apologies: Cllr C Reeves

2. Declarations of interest: No declarations of interest received from Members.

3. Minutes of the Meeting on 1st March 2019: agreed as a correct record.

4. Trees and hedges in the City: discussion with Ged Lawson

The Chair welcomed Ged Lawson, DCC Landscape Architect, to the meeting. The Chair advised that Mr Lawson had been invited along to the planning committee meeting following a number of concerns with recent planning application which had involved the felling of trees and Members were concerned about the cumulative impact of this activity.

Mr Lawson began his remarks by stating that, at present, although there is a County woodland tree strategy, there is no tree strategy for the city centre. Mr Lawson advised that in planning the County Council will always look to mitigate the felling of trees wherever possible or otherwise issue a tree preservation order on trees of particular value. However, at present, there is no long-term plan about the location or management of trees in the city centre.

Cllr J Ashby advised that the Neighbourhood Plan being worked on did not go as far as identifying trees of value and views, however there is no reason why this should not be raised as a suggestion during the forthcoming public consultations.

Cllr V Ashfield said that she was surprised there was no city centre strategy for trees. Mr Lawson responded saying that this matter was recently the subject of a Government consultation looking into local accountability for tree felling in streets. The results of the consultation were still being drawn up by Government.

Mr Lawson advised that the Parish Council may wish to take a lead in pushing such a strategy forward. Cllr J Elmer advised that he felt this is work which ought to be led by the County Council but which the Parish Council could work together with DCC on.

Cllr L Brown advised that she was concerned about the cumulative effect of tree felling from a number of applications on the city centre.

The Clerk asked whether the County Council has a policy of planting a new tree wherever another is felled so as to mitigate from the environmental impact of the felling. Mr Lawson advised that the pre-submission draft County Durham Plan specifies taking a pragmatic approach to tree felling and it wasn't as simple as a being a matter of numbers alone but rather entailed better management of where trees ought to be located too.

Cllr G Holland advised that he was concerned once plans were approved, trees marked for preservation were being removed by developers and the County Council had no teeth to deal with this sort of activity. He advised that he felt there was no policy dealing with the protection of trees which had sufficient teeth to combat non-permitted felling.

Cllr J Ashby advised that the Neighbourhood Plan started with joint work with the County Council's Design and Conservation Officers to identify important features of the buildings in each character area and it had been important to include the community in doing this. Cllr J Ashby advised that he felt that a supplementary planning document identifying important tree groups as part of the character of each area and the corresponding tree protection and enhancement measures could accompany the Neighbourhood Plan to help give greater management of trees in the city centre.

Mr Lawson advised that he was happy to work with the tree conservation team at DCC to survey public trees.

It was **agreed** that Mr Lawson would speak with the tree conservation team to look into this matter further and the Clerk would circulate a copy of the Government consultation on trees.

Cllr J Ashby advised that all members of the Planning Committee should look at the Government consultation document and at the Pre-submission draft of the Durham Local Plan to see what each said about protecting trees.

It was **agreed** that the work would sit within the planning committee to set up a supplementary planning document on trees.

The Chair thanked Mr Lawson for his time in coming to speak with the Parish Council planning committee and Mr Lawson left the meeting.

5. Public participation – no representations were received from the public.

6. Matters arising

Councillors were asked to approve the following responses (for text of letters see parish web site):

DM/18/03785/FPA | Erection of 4 dwellings | Land To The Rear Of 63 Crossgate Durham DH1 4PR

DM/19/00442/FPA and **DM/19/00443/LB** | Replacement of existing extension and minor internal alterations | 22 Allergate Durham DH1 4ET

The Clerk advised that he had not yet received the formal text for these applications to submit to the website. It was agreed that Cllr G Holland would provide the Clerk with the representation on application DM/18/03785/FPA and that Cllr R Cornwell

would provide the representation on application DM/19/00442/FPA and DM/19/00443/LB to the Clerk.

The Clerk advised that he had contacted the Head of Planning to seek feedback on planning application outcomes as requested by the committee on 1st March and these had been circulated for this week and this would be done going forward.

Cllr J Ashby reported that DM/18/02975/FPA and DM/18/02976/FPA: Proposals for a total of 49 Class C3 studio apartments (60 residential bed spaces) at William Robson House, Claypath, Durham City for Hillcrest NW Ltd) had been unanimously rejected at the Central and East Planning Committee in line with the Parish Council's objection.

7. Oversight of the work of the Neighbourhood Plan Working Party

Cllr R Cornwell advised that the County Council had now updated the map on their website indicating the designated area of the Neighbourhood plan. It was envisaged that a copy of the draft plan would come to the Parish Council planning committee meeting on 12th April for amends and an agreed copy would go to Full Council in April as a recommended plan for the Full Council to adopt.

Cllr J Ashby recommended that the current copy of the plan be circulated electronically to all Members of the Parish Council for them to consider. The Clerk agreed to do this. It was also agreed that 1 hard copy would be printed of the plan in its current form in case any Members needed a non-electronic version too.

8. Consideration of the following planning applications

DM/18/03592/FPA | New shop front and awnings | 20 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application.

DM/18/03593/AD | Proposed non-illuminated fascia, hanging and window decal signage | 20 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application.

DM/18/03733/LB and **DM/19/00198/FPA** | Shopfront alteration to provide new entrance door and access to first floor. Window replacement. Internal alterations. | Post Office 33 Silver Street Durham DH1 3RE. It was **agreed** to note this application.

DM/19/00371/FPA | Change of use from C3 dwelling house to HMO *Sui Generis* (Student Accommodation) | Corner House Potters Bank Durham DH1 3PS (held over from 1 March meeting). Concern was expressed about the level of HMOs in the area already. It was **agreed** to object to this application. Cllr J Elmer to draft the objection.

DM/19/00542/LB | Brick/Stone/Window Restoration, Re-pointing, Re-Render, Re-roofing, Localised Gutter Replacement and Associated Works
8 And 8A South Bailey Durham DH1 3EE. It was **agreed** to note this application.

DM/19/00564/FPA | Change of use from C3 dwelling to C4 house in multiple occupation and two storey rear extension | 18 Boyd Street Durham DH1 3DP. It was **agreed** that Cllr Brown draft an objection to object to this application and also for this application to be called in to the Central East County Planning Committee if the officer is "minded to approve".

DM/19/00581/LB | 1no metal plaque and 1no non-illuminated hoarding sign | North Platform Railway Station Station Approach Durham DH1 4RB. It was **agreed** to note this application.

DM/19/00583/FPA | Change of use from home C3 to student accommodation C4 | 55 Hastings Avenue Durham DH1 3QG. It was **agreed** to note this application.

DM/19/00593/FPA | Part demolition of existing two storey rear extension, two storey rear extension, extension sun room., attic conversion, part conversion of existing garage and additional car parking space to front | 14 The Grove North End Durham DH1 4LU. It was **agreed** to note this application.

DM/19/00635/FPA | Erection of first floor extension above existing kitchen to rear of dwelling | 6 Rhodes Terrace Nevilles Cross Durham DH1 4JW. It was **agreed** to note this application.

DM/19/00639/LB | Internal and external alterations to facilitate infrastructure and cable route updates (amendment to DM/18/02737/LB) | Durham University University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to note this application.

DM/19/00643/AD | Printed vinyl advertisement on external glass of this empty unit | Marks And Spencer 4 - 6 Silver Street Durham DH1 3RB. It was **agreed** to write a letter of support for this application. The Clerk agreed to draft this.

DM/19/00649/FPA | Change of use from a C4 house in multiple occupation to a 7 bedroom HIMO with a wrap round single and 2 storey and external alterations | 51 Whinney Hill Durham DH1 3BD. It was **agreed** to object to this application. Cllr J Ashby to agreed to draft the objection.

DM/19/00650/FPA | Two storey side extension, single storey front and rear extension and replacement rear storage building | 30 Toll House Road Crossgate Moor Durham DH1 4HU. It was **agreed** to object to this application. Cllr V Ashfield agreed to draft the objection.

DM/19/00672/FPA | Demountable Building | East Durham And Houghall Community College Houghall Durham DH1 3SG. It was **agreed** to note this application.

DM/19/00701/FPA | New Entrance Lobby with Reception and Waiting Area | Durham High School For Girls South Road Durham DH1 3TB. It was **agreed** to note this application.

DM/19/00719/FPA | Erection of extension to side of dwelling | 2 St Nicholas Drive Durham DH1 4HH. It was **agreed** to note this application.

Cllr R Cornwell made the general observation once applications on the Agenda had been considered by all Members that applications for change of use from C3 to C4 is clearly an endemic problem for the Parish, given the level of applications we receive.

9. Notification of Appeal for DM/18/03418/FPA: 24 Mistletoe Street

Cllr R Cornwell reported that the deadline for the appeal was the 22nd March and that, following review from Members, he would advise the Clerk to submit the proposed rebuttal letter on this accordingly.

10. Pre-Submission Draft of the County Durham Plan

The Clerk reported that he had received confirmation of receipt of all representations made by the Parish Council on the Pre-submission draft of the Durham Local Plan, without any issues.

The Committee again thanked Cllr J Ashby for his work on formulating the Parish Council's response to the Pre-submission draft of the Durham Local Plan.

11. Proposed new County HQ on the Sands.

The Clerk reported that the deadline for the Secretary of State to respond to the call-in request on this application was the 26th March, however the decision on this may be taken sooner than this date or indeed after; in either circumstance the Parish Council would be notified accordingly.

At this point in the meeting, Cllr J Ashby proposed suspending Standing Orders in relation to the length of the meeting being limited to two hours so as to allow for further discussion. This was unanimously **agreed** by the Committee.

Cllr R Cornwell also reported that over 3,000 had now signed a petition to have the application called in by the Secretary of State. The Clerk advised that it was as yet unclear whether these additional representations would mean that the decision on the call-in would be put back to allow sufficient time for consideration.

Cllr J Ashby advised that he felt that Richard Buxton Solicitors ought to be contacted to seek advice on what further options were available to the Parish Council and others should the Secretary of State decide not to call in the application. The Clerk agreed to contact Richard Buxton Solicitors accordingly.

Cllr J Ashby also advised that the organiser of the petition had recently been contacted about a potential meeting in relation to the proposed HQ move. It was **agreed** that Cllr V Ashfield should also seek to attend this meeting.

12. Dates of future meetings.

29 March 2019 - 14.00 to 16.00 hrs – Alington House

12 April 2019 - 14.00 to 16.00 hrs – venue to be confirmed

There being no further business, the Chair closed the meeting.

Signed,

Roger Cornwell

Chair of Planning Committee