

# City of Durham Parish Council

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18 April 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 Office 2, Clayport Library Building at 14:00 on Friday 26 April 2019** 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 12 April 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/18/03487/VOC** | Variation of condition 13 pursuant to planning permission DM/18/00310/VOC so as to extend the opening hours for the D2 cinema use | The Riverwalk Millburngate Durham DH1 4SL (amended proposal).  
**DM/19/00761/FPA** | Two storey rear extension and loft conversion with rooflights for C4 house in multiple occupation (6 bedrooms). | 6 May Street Durham DH1 4EN.
6. Oversight of the work of the Neighbourhood Plan Working Party
7. **Planning applications:** To consider making representations on the following:  
**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 extension and external alterations. | 51 Whinney Hill Durham DH1 3BD (revised details)  
**DM/19/00834/FPA** | Alteration to existing window and balcony to front | Flat 2 Reform Place North Road Durham DH1 4RZ  
**DM/19/00855/FPA** | Erection of 1 no. detached bungalow | Land At Flass Bungalow Flass Vale Durham DH1 4BN  
**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 (held over from 29 March)

**DM/19/00872/TPO** | Works to Oak Tree | 23 Dalton Crescent Nevilles Cross Durham DH1 4FB

**DM/19/00874/FPA** | Change of use from shop (use class A1) to cafe (use class A3). | First Floor Owengate House 1 Owengate Durham DH1 3HB

**DM/19/01006/FPA** | Change of use from A1 (shop) to D1 (dental practice) | Belle Evening Wear 113 - 114 Gilesgate Durham DH1 1QG

**DM/19/01070/FPA** | Replacement of 16no windows. | Durham University Trevelyan College Elvet Hill Road Durham DH1 3LN

**DM/19/01084/FPA** | Infrastructure works including provision of new footpath route, highways works including new signalised crossing at the Hollingside Lane and South Road junction, and the creation of a car park of up to 215 spaces at Upper Mountjoy | Land South Of The New Inn Junction Along South Road To Mount Oswald And Hollingside Lane To Upper Mountjoy

**DM/19/01113/FPA** and **DM/19/01114/LB** | Stone Piers and Cast Iron Railings | Abbey House Palace Green Durham DH1 3RS

**DM/19/01156/FPA** | External alterations of new windows, door and roof light to rear elevation and internal alterations to an existing sui generis HMO (8 bedrooms). | 53 Hawthorn Terrace Durham DH1 4EQ

**DM/19/01164/FPA** | Provide 6 bedroom C4 residential accommodation with shared living space and small extension to the rear and dormer loft conversion. | 9 And 9A Silver Street Durham DH1 3RB

**DM/19/01185/AD** | Hand painted signage directly onto the exposed brick work on the east gable elevation and to the shop front timber fascia on the north front elevation. 5 no fully retractable awnings to provide advertisement to the north and east elevations. | 19-20 Elvet Bridge Durham DH1 3AA

**DM/19/01180/FPA** | Single storey extension to side and two storey extension to rear (Resubmission) | 9 North Crescent Durham DH1 4NE

**DM/19/01220/TPO** | Various tree works | University Hospital Of North Durham North Road Durham DH1 5TW

**DM/19/01244/AD** | Erection and display of 16no non-illuminated signs (Retrospective) | Lovegreen Car Park Frankland Lane Durham DH1 5SZ

**DM/19/01260/FPA** | Replace existing roof to the kitchen and extend with a Garden Room | 23 Albert Street Durham DH1 4RL

**8. Proposed new County HQ on the Sands** (planning reference DM/18/02369/FPA): to consider developments

**9. Dates of future meetings**

10 May 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

24 May 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

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

Adam Shanley

Clerk City of Durham Parish Council

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# City of Durham Parish Council

## Minutes of Planning Committee meeting held at 14:00 pm on Friday 12<sup>th</sup> April 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, G Holland and C Reeves.

Also present: Parish Clerk Adam Shanley and 2 members of the public

Apologies: None received.

### 2. Declarations of interest: Cllr C Reeves declared an interest in application DM/19/00761/FPA

### 3. Minutes of the Meeting on 29<sup>th</sup> March 2019: agreed as a correct record.

### 4. Public participation

Cllr R Cornwell welcomed all members of the public present and invited them to ask their question(s).

Rosemary (member of the public) advised that she was concerned about the felling of the 65 trees and the 4 groups of trees as part of planning application **DM/19/01100/TCA** which is to support the proposed works of the new County Council headquarters and asked if there is anything the Parish Council may be able to do to prevent this. The Clerk responded to the query to advise that he had contacted Richard Buxton solicitors who had in turn written to the County Council about this. The Clerk reported that the County Council had responded to state that no tree felling would take place during the judicial review period, i.e. over the next 4 and a half weeks. The Clerk also reported that Richard Buxton Solicitors had recommended that the Parish Council seek advice from an independent ecologist as to whether there were any birds nesting in the trees. The Clerk advised that such a survey was required by the applicant in accordance with the Wildlife and Countryside Act 1981.

Cllr J Ashby also highlighted that bats ought to be considered as part of any ecology report.

Cllr J Elmer advised that a ground-based ecology survey could be carried out over a few weeks and would cost in the region of £1,000.

Cllr G Holland advised that he felt this was needed to ensure that the Parish Council is informed in its decision-making on the matter.

Cllr J Ashby proposed that the Parish Council undertake to have an ecology survey carried out of the area, Cllr L Brown seconded this and this was unanimously agreed by the Committee.

Rosemary advised that she was greatly relieved to hear that the felling of the trees would not be taking place within the next few days as previously believed to be the case.

The Chair also requested that the Clerk also write to the Case Officer to request that the survey be carried out by the County Council and that the Clerk also submit an FOI request to the County Council in relation to the felling of trees.

The Chair also asked to minute the Committee's thanks to Kathryn Banks (local resident) who had highlighted this issue to the Parish Council.

Bob (local resident) also attended the meeting and advised that he was concerned about the development at Allergate as a local resident of the area. Bob advised that he had attended the Committee hearing in relation to 22A and felt that local planning policies had been dismissed in respect of this application. Bob advised that he spoke against the application.

Cllr J Ashby reiterated the point about saved local planning policies being dismissed.

Cllr L Brown advised that she felt that part of the problem is that the County Planning Committee is made up of Councillors from outside the local area.

## **5. Matters arising**

Cllr L Brown raised the issues of the trees at Kepier House. There was concern that the roots of the trees were being compromised and these trees did have a tree protection order on them. Cllr L Brown advised that she had requested that the officer attend the area, which he had agreed to do. Councillors were asked to approve the following responses (for text of letters see parish web site):

**DM/19/00637/VOC** | Amendment to opening hours | Lebaneat 47 North Bailey Durham DH1 3ET. The response for this was agreed.

**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. The letter was approved; however, it was reported that this application is to be amended. Cllr L Brown reported that County Officers were unhappy with the density of the proposed development.

## **6. Report of outcome of Area Planning Committee of 9<sup>th</sup> April:**

**DM/19/00324/AD** - Student Castle, Claypath, Durham

Cllr J Ashby advised that the application in relation to the proposed signage had been deferred. Cllr J Ashby advised that he felt that the Planning Committee ought to formally register a number of key points they would like to have implemented in relation to this application. Cllr J Ashby advised that such a representation should include:

The point that the Committee Report says that "the Council's Street Naming and Numbering Team have confirmed that the building is formally named 20-29 Claypath", but that the name does not appear on any of the proposed signage.

The building should have an actual name, as is the case with all the other PBSAs in the city. That name will be how the building is known and found. That name

should be prominent. Smaller signs for the name of the business would be acceptable.

There should be two, not four, prominent name signs.

The signs should not be illuminated.

Cllr G Holland and Cllr V Ashfield advised that they felt that the building should not be named after the developer working on this scheme.

It was **agreed** that the Clerk sends these points to the County Council.

**DM/18/03671/FPA** - 22a Allergate, Durham.

Cllr J Ashby advised that the saved local policies had been disregarded on this application. Cllr G Holland highlighted that policies were the only protection that Durham City has against this sort of development.

Cllr J Ashby advised that the policy relating to back land development had been ignored in this instance.

Cllr R Cornwell advised that whilst there was now nothing the Committee could do on 22A, the Committee would undertake to make representations in relation to 22 as and when this came before Committee.

## **7. Neighbourhood Plan**

### **Draft version of the plan**

Cllr R Cornwell advised that this second Neighbourhood Plan was a lot stronger than the first draft put forward.

Cllr J Ashby advised that this was the opportunity to discuss any amends required to the draft plan circulated ahead of the meeting, so as to approve a draft to go forward to Full Parish Council in April. No amendments were proposed. Cllr J Ashby advised that the Working Party were still on track to submit the Draft Neighbourhood Plan for public consultation from 17<sup>th</sup> May to 28<sup>th</sup> June.

It was agreed to put the draft plan in its current form to Full Council and the Clerk advised that he would seek written comments ahead of the Full Council meeting to allow for a smoother process at the Full Council meeting. Cllr J Ashby noted that Parish Councillors could submit their particular suggestions as individuals during the consultation period.

It was agreed that electronic copies only would be sent as part of the Agenda. Cllr V Ashfield requested a hard copy of the Neighbourhood Plan and the Clerk advised that he would organise this accordingly.

### **Oversight of the Neighbourhood Plan Working Party**

The Clerk reported that he had a meeting with Sue Childs of the Working Party next week to discuss the process of payments as and when required.

Cllr J Ashby reported that the Working Party had everything in place (posters, banners, etc) to take the Plan out to public consultation on 17<sup>th</sup> May.

## **8. Planning applications**

**DM/18/03487/VOC** | Variation of condition 13 pursuant to planning permission DM/18/00310/VOC so as to extend the opening hours for the D2 cinema use | The Riverwalk Millburngate Durham DH1 4SL (amended proposal). It was **agreed** to object to this application given its proximity to nearby residential properties. Cllr R Cornwell agreed to draft the objection.

**DM/19/00761/FPA** | Two storey rear extension and loft conversion with rooflights for C4 house in multiple occupation (6 bedrooms). | 6 May Street Durham DH1 4EN. At this point, Cllr Carole Reeves declared an interest in this application. It was **agreed** to object to this application on the grounds that it breached the interim policy relating to HMOs. Cllr L Brown agreed to write the objection.

**DM/19/00904/FPA** | Enlargement of 6 no. existing window openings on the east (river) elevation and installation of new uPVC windows. | Bridge House North Road Durham DH1 4PW. It was **agreed** to note this application.

**DM/19/00912/AD** | Illuminated and non-illuminated car park and public WC related fascia and hanging advertisements | The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application

**DM/19/00989/FPA** | Change of use from shop (use class A1) to restaurant (use class A3). | Former Cooplands Unit 6 1 - 4 North Road Durham DH1 4SH. It was **agreed** to note this application

**DM/19/01023/LB** | Re-laying slate roof, repair and re-pointing of external stone walls. Internal works include repairing of water damaged plaster, stabilising a spiral stair | Bishop Cosins Library University Library Palace Green Durham DH1 3RN. It was **agreed** to note this application

**DM/19/01032/LB** | Pointing and repair to parapet roof and 6no. windows | University Library (Exchange Building) Palace Green Durham DH1 3RN. It was **agreed** to note this application

**DM/19/01053/LB** | Installation of new fire system | Durham University University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to note this application

**DM/19/01054/LB** | Installation of new fire system | Durham University University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to note this application

## **9. Discussion on application DM/19/01100/TCA**

The Chair advised that this item had been dealt with under public participation.

## **10. Pre-consultation re: new radio base station at Stockton Road**

It was agreed to wait for the application and to note the pre-consultation at this stage.

### **11. Dates of next meeting**

26 April 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

10 May 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

Due to the confidential nature of the following items, in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and the public were excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the LGA 1972 Act and section 1(2) of the Public Bodies (Admission to Meetings) Act 1960. At this point in time the press and the public were asked to leave the room.

### **12. Update on Durham County Council Headquarters move**

At this point in the meeting, Cllr L Brown proposed suspending Standing Orders to allow discussion to continue after 2 hours, this was seconded by Cllr J Ashby and agreed by the Committee.

The Clerk reported that since the extraordinary meeting of the Parish Council, a press release in relation to the judicial review had been released and he had notified Richard Buxtons Solicitor of the Parish Council's decision.

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

Signed,

Roger Cornwell

Chair of Planning Committee