

City of Durham Parish Council

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17 August 2020

Access details for Zoom Planning Committee meeting:

Join Zoom Meeting

<https://us02web.zoom.us/j/84935135662>

Meeting ID: 849 3513 5662

Dear Planning Committee Member,

In accordance with both the Local Government Act 1972 and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of local authority and Police and Crime Panel meetings) (England and Wales) Regulations 2020, I hereby give you notice that a meeting of the **Planning Committee** will be held in **via Zoom** on **Friday 21 August 2020 at 2pm** 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 7 August 2020.**
- 4. To receive any public participation comments on the following agenda items. Please email the Parish Clerk parishclerk@cityofdurham-pc.gov.uk to register to speak.**
- 5. Matters arising:**
 - a. To approve responses on the following planning applications:**

DM/20/00885/AD - Various advertisements at The Riverwalk (amended description 04/08/2020)

DM/20/01107/FPA | Resubmission of DM/20/00387/FPA for the erection of a single House in Multiple Occupation (Use Class C4) | Land to the west of the White House, Newcastle Road Crossgate Moor DH1 4HZ

DM/20/01280/FPA and **DM/20/01286/LB** - Change of use, alteration and extension to existing Manor House to form Registry Office, County Records and Archive Services, and DLI Collection (Further letter following revised drawings)

DM/20/01402/FPA | Change of use from estate agents (A2) to HMO (C4) (amended) | 17 Old Elvet Durham DH1 3HL

DM/20/01961/FPA | Extension and conversion of the multi-level decked car park to form 3no. 2-bed apartments and 4no. 2-bed townhouses (Resubmission). | William Robson House Claypath Durham DH1 1SA

DM/20/02003/LB | Painting of shop frontage and installation of illuminated signs (Retrospective) | 48 North Bailey Durham DH1 3ET

b. Update on appeal from applicant for DM/20/01018/FPA | Change of use from C3 Residential Property to C4 Student HMO for 5 Students | 1 Wearside Drive Durham DH1 1LE

c. To consider making a further representation to the amended plans for application DM/20/01718/FPA | Temporary change of use of part circulation/amenity space to allow outdoor seating areas (until 30th September 2021) | The Riverwalk Millburngate Durham DH1 4SL

6. To consider these planning applications (the date in brackets is the deadline to call to committee):

a. To note:

DM/20/01965/FPA | Extension to existing raised decking area to rear of the property | 23 Chevallier Court Durham DH1 3RF (27 August)

DM/20/02001/TPO | To fell 1no. oak tree (88), to remove broken branches from 2no. oak trees and crown lift and thin 8no. other trees (80-87) | 43 Roundhaven Durham DH1 3TX (24 August)

DM/20/02081/FPA | 2No Air Conditioning Condenser Units | Her Majestys Passport Office Freemans Reach Riverside Place Durham DH1 1SL (3 September)

DM/20/02224/TPO | Fell 1no poplar tree (T5), prune hedge to boundary line and remove lowest limb of 1no birch tree back to main stem and prune back from property by 2m and summer house by 1m | 19 Richardby Crescent Durham DH1 3TY (2 September)

DM/20/02237/HPN | Prior notification for the erection of a single storey pitched roof extension | 12 St Aidans Crescent Crossgate Moor Durham DH1 4AP (3 September)

b. To consider making representations

DM/20/00102/FPA: Change of use from retail to C4 HMO with 4 bedroom units, 44 Saddler Street, Durham DH1 3NU (revised details received)

DM/20/02136/TPO | Various works to trees as specified including crown lifting, pruning, removal of deadwood and removal of dead specimen | Mount Oswald South Road Durham DH1 3TQ (26 August)

9. Neighbourhood Plan

(a) Decision Notice

(b) Progress report on preparing the version for referendum

10. County Durham Plan: Possible implications of the outcome of the case brought by Aireborough Neighbourhood Development Forum against Leeds City Council, which successfully challenged Green Belt deletions.

11. Planning for the Future

To decide whether to respond to this Government consultation, and if so, to agree a process to do this.

12. Dates of future meetings

Friday 21 August 2020 - 14.00 to 16.00 hrs – via Zoom.

Friday 4 September 2020 - 14.00 to 16.00 hrs – via Zoom.

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 will be 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 will be asked to leave the meeting.

13. Deregistration of Common Land at The Sands

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

Adam Shanley

Clerk to the City of Durham Parish Council

Minutes of Planning Committee meeting held via Zoom at 14:00 pm on Friday 7th August 2020.

Present: Cllr J Ashby (in the Chair), Cllr L Brown, Cllr J Elmer and Cllr G Holland.

Also present: Parish Clerk Adam Shanley and Mr John Pacey and Cllr E Ashby (members of the public).

1. Welcome and apologies

Apologies were received from Cllrs V Ashfield and R Cornwell.

2. To receive any declarations of interest from members.

Cllr J Ashby declared an interest in application DM/20/01018/FPA and took no part in the discussions on this application.

3. To receive and approve as a correct record the minutes of the meeting on 24 July 2020.

The Minutes of the meeting held on 24th July 2020 were unanimously agreed as a true and accurate record of proceedings.

4. To receive any public participation comments on the following agenda items.

Cllr E Ashby advised that she was attending the meeting to listen to the discussions on matters on the Agenda and specifically on application DM/20/01107/FPA.

Mr John Pacey advised that was attending to listen to discussions on application DM/20/01107/FPA as well as on items 5a, 5b, 6, 7 and 8 on the Agenda.

Mr John Pacey also asked how the Parish Council expected to be consulted on the plans for A167. Cllr J Ashby advised that the Parish Council is very keen to have this input and will be asking the County Council for a meeting to discuss it as soon as the final wording for the County Plan's policies relating to the A167 is known.

The Clerk also advised that this would be discussed at a future Planning Committee and he would ensure that Mr Pacey receives a copy of the Agenda for the meeting where this is discussed.

5. Matters arising:

a. To approve responses on the following planning applications:

DM/20/01347/FPA | Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) | 24 May Street Durham DH1 4EN. The response to this application was **approved** by the Committee.

DM/20/01606/FPA | Change of use of open space to beer garden including shelving, stools, parasol and metal barriers. | Ebony Unit 8 Freemans Place Durham DH1 1SQ. The response to this application was **approved** by the Committee.

DM/20/01846/FPA | Hybrid planning application: detailed planning application for an office block (Class B1) ... and an outline planning application, with all matters reserved apart from site access, for the demolition of the existing County Hall site and the development of a business park (Class B1) with supporting retail and leisure uses

| Land At Aykley Heads Durham DH1 5UQ. The response to this application was **approved** by the Committee.

b. To reconsider whether the Secretary of State should be asked to call in DM/20/01846/FPA

Members considered the proposal to call application DM/20/01846/FPA in to the Secretary of State for determination. It was **agreed** that the Parish Council should wait to see if the County Council refers the application to the Secretary of State as should be usual practise before making any further decisions on this.

c. To consider the following amendments to previously considered planning applications:

DM/20/01286/LB - Alterations and extension to existing Manor House to facilitate Registry Office, County Records and Archive Services, and DLI Collection. It was **agreed** to write an updated letter of support for this application. The Clerk **agreed** to draft this letter.

DM/20/01280/FPA - Change of use, alteration and extension to existing Manor House to form Registry Office, County Records and Archive Services, and DLI Collection. It was **agreed** to write an updated letter of support for this application. The Clerk **agreed** to draft this letter.

DM/20/00885/AD - Various advertisements including 2no. digital display boards, new advertisements to Framewellgate entrance (including pillar sign, advertisements above entrance ways, illuminated hanging sign, application of paint with The Riverwalk logo and additional lighting), new staircase signage and temporary advertisements relating to new retailers and temporary closure of car park 1 (part retrospective) (amended description 04/08/2020). It was **agreed** to write an updated letter for this application to state that the revised scheme had resolved the Parish Council's concerns about illuminated signage in Zone 1. The Clerk **agreed** to draft this letter.

DM/20/01332/VOC - Variation of condition 23 of DM/18/02924/FPA to permit works between 7am-8pm Monday-Friday & 8am-6pm on Saturdays until 13/05/2021 (Amended Description). It was **agreed** to object to this application and also to call this in to the Central and East County Planning Committee for consideration. Cllr J Ashby **agreed** to draft the response to this application.

6. Closure of New Elvet Bridge:

The Clerk reported that he was still awaiting the date for the proposed site visit with DCC officers and he would keep Members updated on this.

Members also considered the proposal from the meeting of 24th July for the Parish Council to host a Town Hall style meeting with DCC Officers and the public on the issue of the closure of the Bridge. It was **agreed** that the Parish Council should not host such a meeting but instead continue to deal with representations from Members of the public in writing as is currently the case.

Concerns were expressed by Members regarding the introduction of the Busgate and its impact on traffic in the City. It was **agreed** that Cllr G Holland should draft a letter to the relevant officer at DCC to highlight some of the concerns highlighted.

7. To consider these planning applications (the date in brackets is the deadline to call to committee):

a. To note:

DM/20/01498/FPA | First floor and single storey extensions to rear and dormer window to front and rear | 17 North Crescent Durham DH1 4NE (11 August). It was **agreed** to note this application.

DM/20/01862/AD | To replace existing non-illuminated fascia sign to front elevation | 19 North Road Durham DH1 4SG (20 August). It was **agreed** to note this application. It was also **agreed** that the Committee would resolve to request that a neutral tone of colour be used for any subsequent application for painting to be carried out to the frontage of the premises.

DM/20/01873/TPO | Crown lift to 5m and pruning of branches of 3 no. Beech trees (T1, T2 and T3) | Sheraton Park North Of Kirkwood Drive Nevilles Cross DH1 4FF (21 August). It was **agreed** to note this application.

DM/20/01906/LB | Lightning Protection System | Bishop Cosins Library Durham University Palace Green Library Palace Green Durham DH1 3RN (20 August). It was **agreed** to note this application.

DM/20/01908/LB | Installation of lightning protection system to Exchequer Building (Grade I) | Exchequer Building Durham University Palace Green Library Palace Green Durham DH1 3RN (20 August). It was **agreed** to note this application.

DM/20/01947/FPA | Insert new window to store with obscure glazing | 4 Southend South Road Durham DH1 3TG (21 August). It was **agreed** to note this application.

DM/20/01956/TPO | Crown lift and dead wooding of 1 no. Maple tree, Felling of 1 no. Sorbus tree and reduction of 1 no. Yew tree. | 28 Dalton Crescent Nevilles Cross Durham DH1 4FB (17 August). It was **agreed** to note this application.

DM/20/01970/FPA | Alterations to front elevation, erection of two storey extension to rear, first floor extension above existing detached garage and single storey extension to rear | 37 Old Dryburn Way Durham DH1 5SE (19 August). It was **agreed** to note this application.

DM/20/01989/TPO | Felling of one Birch tree (1 on map) protected by a trees preservation order. | 7 Almoners Barn Durham DH1 3TZ (14 August). It was **agreed** to note this application.

b. To consider making representations

DM/20/01825/FPA | Erection of single storey rear extension, single storey side extension, alterations to front window & door. | St Oswalds Church Institute Church Street Durham DH1 3DQ (7 August) (Deferred from 24 July). It was **agreed** to note this application.

DM/20/01961/FPA | Extension and conversion of the multi-level decked car park to form 3no. 2-bed apartments and 4no. 2-bed townhouses (Resubmission). | William Robson House Claypath Durham DH1 1SA (18 August). It was **agreed** to object to

this application and also to call this in to the Central and East County Planning Committee for consideration. Cllr J Ashby **agreed** to draft the response to this application.

DM/20/02003/LB | Painting of shop frontage and installation of illuminated signs (Retrospective) | 48 North Bailey Durham DH1 3ET (20 August). It was **agreed** to object to this application. Cllr L Brown **agreed** to draft the response to this application.

DM/20/01402/FPA | Change of use from estate agents (A2) to HMO (C4) (amended) | 17 Old Elvet Durham DH1 3HL (originally considered and noted on 12th June on the basis of a change of use to Use Class C3 **not** C4). It was **agreed** to object to this application. The Clerk **agreed** to draft the response to this application.

c. To consider making representations at the Central and East Area Planning Committee regarding this application (the Parish Council's representations were made on 15 May):

DM/20/01107/FPA | Resubmission of DM/20/00387/FPA for the erection of a single House in Multiple Occupation (Use Class C4) | Land to the west of the White House, Newcastle Road Crossgate Moor DH1 4HZ. It was **agreed** that Cllr G Holland would speak on behalf of the Parish Council's objection at the Central and East County Planning Committee meeting in September.

d. To consider making a further representation regarding this application where an appeal has been lodged:

DM/20/01018/FPA | Change of use from C3 Residential Property to C4 Student HMO for 5 Students | 1 Wearside Drive Durham DH1 1LE. Cllr G Holland took the Chair for this part of the meeting in light of Cllr J Ashby's declared interest. The Clerk reported that he had still not yet heard back from the planning officer as to why a determination of this application had not been made. It was **agreed** that the Clerk should draft a follow up letter to the planning officer requesting a response within 3 working days.

8. Neighbourhood Plan

The Committee noted that the County Council has indicated acceptance of all the modifications recommended by the Independent Examiner and the Clerk advised that the Decision Notice is due to be published some time week commencing 10th August. It was also **agreed** that the Members of the former Neighbourhood Plan Working Party be asked to make the necessary changes to the Plan as set out by the Examiner. The Clerk reminded Members that this needed to be provided in two formats; one in a 'clean' file and the other using tracked changes to highlight the amendments made.

The Clerk also reported that the Government has now published its white paper on planning called "Planning for the Future" which had implications for neighbourhood planning. It was agreed that this ought to be an item on the Agenda for 21st August and Cllr J Ashby **agreed** to draft a report for this meeting on the white paper consultation.

9. Dates of future meetings

Friday 21 August 2020 - 14.00 to 16.00 hrs – via Zoom.

Friday 4 September 2020 - 14.00 to 16.00 hrs – via Zoom.

There being no further business, the Chair thanked Members of the Committee and members of the public for their input and attendance and closed the meeting.

Signed,

Chair of the City of Durham Parish Council Planning Committee

City of Durham Parish Council Planning Committee meeting on 21 August 2020 – discussion on Item 10 of the Agenda

Note on a case in Leeds that might bear upon the County Durham Plan housing land releases in the green belt

Summary

1. A Judicial Review finds that Leeds City Council failed to withdraw its proposals for large-scale releases of green belt for housing development in the light of a significant reduction in the calculated housing need. Is there a close analogy between Leeds and Durham sufficient to merit a concerted challenge on the use of Sniperley Park for the building of over 1,700 houses? Very probably not.

Background

2. The County Durham Plan's Main Modifications do not propose removal of the two 'sustainable urban extensions' in the green belt for 1,700 new dwellings at Sniperley and 420 new dwellings at Sherburn Road (Policy 5). Both are argued as meeting the test of "exceptional circumstances". There are five grounds argued in summary on page 63 of the County Plan.
3. The Parish Council did not object to the principle of housing development in the green belt as both sites are outside its area. It did object to Sniperley on grounds of traffic consequences for the Parish.
4. The County Plan as submitted acknowledges that the NPPF standard methodology for calculating housing need produces a lower figure for calculated housing need than previously. The result was a gross need for 24,852 additional dwellings between 2016 and 2035. Given 'pipeline' etc supply there is a net residual need for 5,323 additional dwellings by 2035. (This figure has been slightly modified to 5,214 through the EiP).
5. The new methodology proposed in the Government's *Consultation on changes to planning policy and regulations* is for a 10 year figure that is 5% of the current housing stock blended with the latest household projections. Whichever is higher of 0.5% of existing stock or the projected average annual household growth over a 10-year period would be used as the baseline. This is then adjusted with affordability data. The cap at local authority level would be removed. To my mind, the formulae have been chosen so as to hit the national target of over 300,000 new dwellings per year.

The big issue

6. Does the Government's proposed new standard methodology produce such a significantly large reduction in the calculated housing need for County Durham as to challenge the 'justification' for releasing green belt land at Sniperley and Sherburn Road?

7. County Durham has 243,474 dwellings as of 31 March 2019¹ (the latest available figure) so 5% is 12,174 new dwellings over the next 10 years. This is only slightly lower than the figure used in the Submitted and Examined County Durham Plan (24,852 over the 19 years represents 1,308 per annum or 13,080 over 10 years). The latest (29 June 2020) Household Projections² have the mid-year number of households in County Durham as 235,608 in 2020 and 247,039 in 2030, an increase of 11,431.
8. Consequently it is the 5% figure of 12,174 that would be used, and for the County Plan 19 year period the requirement figure will be in the region of 23,130. The Leeds issue simply does not arise.
9. A complication is that about 19,000 sites have been approved already or are otherwise to be expected, so the residual for allocation was about 5,200. The Submitted and Examined County Durham Plan placed 40% of these at Durham to support job growth and as the most sustainable location in the County. In other words, the case was not made on a requirement that brownfield and urban land could not fulfil the need and therefore green belt land had to be sacrificed.

My conclusion

10. We do not have a case to make along the lines of Leeds, and I suggest that we should at the moment do nothing and wait until we know what the new methodology actually produces for County Durham, but it seems to me very unlikely that it will change the position outline above.

John Ashby

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/886263/LT_125.xls

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<https://www.ons.gov.uk/file?uri=%2fpeoplepopulationandcommunity%2fpopulationandmigration%2fpopulationprojections%2fdatasets%2fhouseholdprojectionsforengland%2f2018basedprincipalprojection/2018basedhpsprincipalprojection.xlsx>