

City of Durham Parish Council

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17 June 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 21 June 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 7 June 2019.**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA):**
 - a. Update on latest position.
 - b. Progressing the CrowdJustice fundraising
 - c. De-registration of the Common land at The Sands.
 - d. Any other relevant developments
- 6. Matters arising:**
 - a. to approve the following responses (for text of letters see Parish web site):
DM/19/01578/FPA and **DM/19/01579/LB** | Construction of passive ventilation system (including lowering of ground level, retaining walls, ventilation stack, staircase and metal railings) | Durham University University College Durham Castle Palace Green Durham DH1 3RW
DM/19/01582/FPA | Extension to existing kitchen to rear of property with internal alterations from 4-bedroom C4 HMO to 5-bedroom C4 HMO | 18 East Atherton Street Durham DH1 4DG
DM/19/01700/FPA | Change of use from Class C3 dwelling-house to Class C4 House in Multiple Occupation | 3 Juniper Way Durham DH1 4GZ
DM/19/01711/FPA | Demolition of sections of enclosure and provision of access in association with use of a car park and associated works | Durham Sixth Form Centre The Sands Durham DH1 1SG
DM/19/01503/AD | Internally illuminated light box to display information

related to St. Cuthbert and The Journey Statue | The Journey Millennium Place Durham (reconsideration)

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

8. Update on student HMO investigation

9. Application to place tables and chairs on the highway - Hotel Indigo, Old Elvet, Durham City, DH1 3HL

10. Planning applications: To consider making representations on the following:

DM/19/01308/FPA | Change of use and subdivision of 1no A2 (financial Institution) unit to 1no sui-generis (distillery) unit and 1no A3 (cafe) unit including the installation of 4no. windows to south elevation | 30 High Street Durham DH1 3UL (re-consideration)

DM/19/01428/AD | Non-illuminated vertical sign | Dun Holm House 8 The Riverwalk Millburngate Durham DH1 4SL

DM/19/01463/AD | Erection of 2no. non-illuminated fascia signs, 1no. window graphic and 1no. non-illuminated projecting hanging sign. | Country Fashions 10 - 11 Silver Street Durham DH1 3RB

DM/19/01673/FPA and **DM/19/01674/LB** | Demolition of existing extension, erection of two-storey extension, minor internal alterations, like of like replacement of bay window and change of use to a house in multiple occupation (sui generis) | 22 Allergate Durham DH1 4ET

DM/19/01680/FPA | Change of use from a dwelling (use class C3) to be used as either a dwelling (use class C3) or a small HMO (use class C4) | Dungraston House Nevilles Cross Bank Durham DH1 4JW

DM/19/01683/FPA | The change of use of dwelling (Use Class C3) to a small HMO (Use Class C4) and the erection of a dwelling in small HMO use (Use Class C4) | 36 The Hallgarth Durham DH1 3BJ

DM/19/01689/FPA | Change of use from A3 (food and drink) to A4 (drinking establishments) | The Holy Grail 57 Crossgate Durham DH1 4PR

DM/19/01720/FPA | Erection of two storey side extension to C4 (House in multiple occupation) dwelling. | 77 Whinney Hill Durham DH1 3BG

DM/19/01730/VOC | Variation of condition 2 of planning application DM/15/03658/FPA relating to design alterations | Land To The South East Of Hillcrest Potters Bank Durham DH1 3RR

DM/19/01765/VOC | Variation of condition 2 of planning approval DM/18/02268/FPA to allow an increase in basement size of plot 3 and removal of 3 trees (T14, T15, T16) | Highfield House Potters Bank Durham DH1 3RR

DM/19/01789/VOC | Variation of conditions no. 3 (opening hours) to allow extended opening hours (0800 - 2100 (Monday to Saturday) and 1000 - 1800 (Sunday)), and no. 4 to permit outside seating within the rear garden of planning consent 4/10/00582/FPA. | Claypath Deli 57 Claypath Durham DH1 1QS

DM/19/01820/AD | Advertisement consent for the display of 7 No. vinyls attached externally to existing windows. | Gala Theatre And Tourist Information Centre 1 - 2 Millennium Place Durham DH1 1WA

DM/19/01842/FPA | Erection of part two-storey/part single-storey extensions at side and rear of dwelling. | 4 Orchard Drive Durham DH1 1LA

11. Dates of future meetings

5 July 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

19 July 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 to the 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 7th June 2019 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.

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

Also present: Parish Clerk Adam Shanley, Cllrs E Ashby and A Doig and 2 members of the public.

1. Welcome and apologies

Apologies were received from Cllr R Cornwell.

2. To receive any declarations of interest from members.

None received.

3. To receive and approve as a correct record the minutes of the meeting on 24 May 2019.

The minutes of the meeting held on the 24th May 2019 were accepted as a true and accurate record of proceedings.

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

Two representatives of Durham United FC attended the meeting to discuss the possibility of erecting a notice in the city centre to increase resident awareness of the teams' activity. They advised that DUFC currently has 38 junior teams and a few senior teams; all totalling over 300 participants and they were keen to encourage greater awareness and participation in the sport.

Cllr J Ashby advised that a number of Parish Councillors did have access to the keys for various noticeboards in the parish area and would be happy to help the team.

Cllr G Holland encouraged the representatives to also seek University involvement in their work.

The representatives thanked the Planning Committee for listening and agreed that the noticeboards idea would be an ideal one.

The Chair thanked the DUFC representatives for attending the meeting and making their case to the planning committee. The two representatives left the meeting.

The Chair at this point explained that Cllr Doig was attending to discuss the project of the HMO investigation and that Cllr E Ashby was attending the meeting to discuss planning application **DM/19/01503/AD**. The Chair advised that he would invite both to speak when the relevant item came up for discussion according to the course of the Agenda.

5. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA):

The Clerk provided the update that the County Council had now acknowledged receipt of service and the Parish Council was now waiting until a decision on whether the application is to be heard in a judicial review had been received. This is expected in September 2019.

The Clerk also reported that the CrowdJustice campaign was now just below £10,000. Members felt that fundraising on this should be ramped up again in September

depending on the outcome of the Judge's decision as to whether the case is to be heard at judicial review stage.

The Chair also reported that he had received a copy of correspondence from a resident who has written to the Head of Planning at DCC to voice their objection to the plans.

6. Matters arising:

a. to approve the following responses (for text of letters see parish web site):

DM/19/01333/FPA | Change of use from Corral Betting Shop (Sui Generis) to bar (Use Class A4) including alterations to side elevation. | 66 Saddler Street Durham DH1 3NP. Cllr L Brown advised that there is nothing to object to with this application at present and therefore no objection letter had been submitted.

DM/19/01348/FPA | Refurbishment of Existing Frames and Sills plus Replacement of Sashes of Existing Timber Windows with the Addition of Double Glazed Units | Edale 22 Crossgate Peth Durham DH1 4PZ. The response to this application was approved by Members.

DM/19/01359/LB and **DM/19/01365/AD** | Two hanging banners on the front elevation of the Town Hall. | Town Hall Market Place Durham DH1 3NJ. The response to this application was approved by Members.

DM/19/01427/PNT | Prior notification for the installation of a 20m monopole supporting 3no. antennas, 4no. equipment cabinets, 1 no. meter cabinet and ancillary development including 1no. GPS module. | Land To The South Of Stockton Road Graveyard St Oswalds Church Stockton Road Durham. The response to this application was approved by Members.

DM/19/01465/FPA | Demolition of existing garden store and erection two-storey extension to rear of dwelling (use class C3). | 32 Lawson Terrace Durham DH1 4EW. The response to this application was approved by Members. Cllr L Brown also advised that she had written to officers at DCC on this in relation to the verification of this application.

b. to reconsider the below application (discussed at meeting of 24th May 2019)

DM/19/01503/AD | Internally illuminated light box to display information related to St. Cuthbert and The Journey Statue. | The Journey Millennium Place Durham (reconsideration). The Chair welcomed Cllr E Ashby to the meeting to discuss this application. Cllr E Ashby advised that she felt strongly that the Parish Council Planning Committee ought to make a representation on this application. She advised that she felt that the plans meant that there is lots to be going into the written content; which meant either small text and therefore difficult to read or alternatively a large light box. Cllr E Ashby also expressed concern at the potential moving of the statue.

It was **agreed** that Cllr E Ashby ought to draft a response to this application and circulate for approval to Members; the response should stress the need to have the statue remain where it is currently.

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

Cllr J Ashby reminded Members of the ongoing public consultation on the draft Neighbourhood Plan and encouraged Members to participate. Cllr J Ashby advised that there may need to be some amends to the policy relating to HMOs in the Neighbourhood Plan.

8. Student HMOs

The Chair welcomed Cllr A Doig to the meeting and invited him to speak on this matter.

Cllr A Doig reminded Members that, at the March Full Parish Council meeting, Members discussed carrying out an investigation into the level of HMOs within the Parish area.

Cllr Doig advised that he was aware of a PHD student who would carry out this investigation on behalf of the Parish Council using a variety of data source; amongst which data provided by the University itself. Cllr Doig reported that he and Cllrs J Ashby and Cornwell as well as the Clerk had recently met with the PHD student who is going to be carrying out this work and agreed the following task with her:

To test the percentages of HMO properties in an area as derived by Durham County Council for planning officers to use in applying the Interim Policy on Student Accommodation (and incorporated into Policy 16 of the Pre-Submission Draft of the County Durham Local Plan (DCLP)). The percentages quoted in planning officers' reports have been challenged from a number of quarters as being significantly deficient, largely for being lower than the reality from local knowledge of residents in the particular area. Such local knowledge is regarded as unreliable by the County Council, which claims that its use of Council Tax data identifying properties that are exempt from Class N Council Tax (the student exemption) is robust and consistent. The purpose of the task is to identify a reliable, repeatable, speedy, and unbiased methodology using available sources to calculate the percentage of HMO properties in an area.

The Chair advised that this information is needed urgently as an evidence base for assessing representations on Policies D2 and D3 of the Regulation 14 Consultation Draft Durham City Neighbourhood Plan (DCNP), the consultation period for which ends on 28 June.

Cllr A Doig reported that the agreed fee for carrying out this first tranche of work is no more than £1,200 and this will be done on a self-employed basis.

Cllr V Ashfield put forward a proposal that Standing orders be suspended to allow the urgent investigations works to be carried out at the agreed fee. This was seconded by Cllr L Brown and unanimously agreed by the Committee. The Clerk advised that he would make Members of the Full Parish Council aware of this decision.

9. Planning applications: To consider making representations on the following:

DM/19/01308/FPA | Change of use and subdivision of 1no A2 (financial Institution) unit to 1no sui-generis (distillery) unit and 1no A3 (cafe) unit including the installation of 4no. windows to south elevation | 30 High Street Durham DH1 3UL. It was reported that Cllr R Cornwell had drafted an agreed objection to this application and the Clerk **agreed** to submit this.

DM/19/01370/AD | Erection of 1no. non-illuminated fascia sign and 2no. fully retractable projecting awnings. | Newcastle Building Society 25 Elvet Bridge Durham DH1 3AA. It was **agreed** to note this application.

DM/19/01412/FPA | Demolition of 3 buildings, sections of wall, tree and scrub clearance in association with archaeological excavation/investigative works |

University Nursery Old Elvet Durham DH1 3HN. It was **agreed** to note this application.

DM/19/01442/FPA | Installation of an air conditioning unit to the rear (Retrospective) | 81 New Elvet Durham DH1 3AQ. It was **agreed** to note this application.

DM/19/01463/AD | Erection of 2no. non-illuminated fascia signs, 1no. window graphic and 1no. non-illuminated projecting hanging sign. | Country Fashions 10 - 11 Silver Street Durham DH1 3RB. It was **agreed** to note this application.

DM/19/01531/FPA and **DM/19/01532/LB** | Installation of 2 no. fully retractable projecting awnings to existing shopfront. | 25 Elvet Bridge Durham DH1 3AA. It was **agreed** to note this application.

DM/19/01578/FPA and **DM/19/01579/LB** | Construction of passive ventilation system (including lowering of ground level, retaining walls, ventilation stack, staircase and metal railings). | Durham University University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to send a letter of commendation on this application. Cllr J Ashby agreed to draft this letter.

DM/19/01582/FPA | Extension to existing kitchen to rear of property with internal alterations from 4-bedroom C4 HMO to 5-bedroom C4 HMO. | 18 East Atherton Street Durham DH1 4DG. It was **agreed** to object to this application. Cllr L Brown agreed to draft the response to this and call it to Committee if minded for approval.

DM/19/01590/FPA | Erection of storage building for boats. | Old Coal Yard Green Lane Durham DH1 3JU. It was **agreed** to note this application.

DM/19/01602/FPA | Construction of temporary construction access to serve Phases 5 (self-build plots) and 6 (walled garden) | Mount Oswald Golf Club South Road Durham DH1 3TQ. It was **agreed** to note this application.

DM/19/01612/FPA | Two-Storey Front, Side and Rear Extensions | Fourstones Newcastle Road Crossgate Moor Durham DH1 4HX. It was **agreed** to note this application.

DM/19/01635/FPA | Installation of dormer window in roofspace to rear of dwelling. | 6 Albert Street Durham DH1 4RL. It was **agreed** to note this application.

DM/19/01640/FPA | Erection of 1.5 storey side elevation with integrated garage and remodelled entrance | Arndor Farnley Hey Road Durham DH1 4EA. It was **agreed** to note this application.

DM/19/01666/LB | Listed building consent for the formation of a new internal doorway between family room and dining room. | 55 South Street Durham DH1 4QP. It was **agreed** to note this application.

DM/19/01688/AD | Amendments to existing hanging sign | The Holy Grail 57 Crossgate Durham DH1 4PR. It was **agreed** to note this application.

DM/19/01699/FPA | First Floor Side and Single-Storey Rear Extension (Re-submission DM/18/02763/FPA) | 14 Aykley Green Durham DH1 4LN. It was **agreed** to note this application.

DM/19/01700/FPA | Change of use from Class C3 dwellinghouse to Class C4 House in Multiple Occupation | 3 Juniper Way Durham DH1 4GZ. It was **agreed** to object to this application. Cllr L Brown offered to draft the letter of objection to this application and call it to Committee if minded for approval.

DM/19/01711/FPA | Demolition of sections of enclosure and provision of access in association with use of a car park and associated works | Durham Sixth Form Centre The Sands Durham DH1 1SG. It was **agreed** to object to this application. Cllr

J Ashby offered to draft the letter of objection to this application. It was also **agreed** for the Parish Council to call this application to the Central East County Planning Committee.

10. Dates of future meetings

21 June 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

5 July 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

There being no further business, the Chair thanked Members for their attendance and closed the meeting.

Signed,

Chair of the City of Durham Parish Council Planning Committee