

City of Durham Parish Council

Office 3 D4.01d Clayport Library
8 Millennium Place
Durham
DH1 1WA
Telephone 07704 525630
Email: parishclerk@cityofdurham-pc.gov.uk

6 January 2020

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 10 January 2020** 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 6 December 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/19/03313/FPA** | Temporary change of use until end of June 2020 from C3 to C4 | 3 The Bowers Durham DH1 4EH
 - DM/19/03508/FPA** | Change of use from existing six bedroom HMO (C4) to eight bedroom HMO (*sui generis*) including dormer loft conversion and other associated internal alterations | 18 The Avenue Durham DH1 4ED
 - DM/19/03677/FPA** | Replacement of welsh slate roof tiles with Marley composite roof tiles (retrospective) | 20 - 21 Church Street Head Durham DH1 3DN
- 6. County Durham Plan: re the Inspector's action points published on 17 December**
 - a. To confirm the decision not to make any submissions regarding these.
 - b. Verbal update on the County Council responses if available
- 7. Neighbourhood Plan Consultation: verbal update re consultation**
- 8. Proposed new County HQ on the Sands (planning reference DM/18/02369/FPA):**
 - a. Stakeholder engagement and community involvement
 - b. Any relevant developments
- 9. Consideration of response from DCC to latest comments by Freeman and City of Durham Parish Council (response attached)**
- 10. Verbal update from Finance Committee held on 7 January**
- 11. Planning applications:**

a. To consider action re the following appeals:

DM/19/02669/VOC | Variation of Condition 4 (Opening Hours) pursuant to DM/16/03376/FPA | 17 Hallgarth Street Durham DH1 3AT – expiry date 13 January 2020

DM/19/02853/FPA | The change of use from a dwelling (Use Class C3) to a small house in multiple occupation (Use Class C4). | 27 May Street Durham DH1 4EN – expiry date 24 January 2020

DM/19/01673/FPA | Demolition of existing extension, erection of two-storey extension, minor internal alterations, like for like replacement of bay window and change of use to a house in multiple occupation (sui generis). | 22 Allergate Durham DH1 4ET *Appeal lodged but as yet no starting date*

b. To confirm urgent action taken re the following Planning Applications:

DM/19/03159/FPA | Change of Use of A3 (Restaurant) to Restaurant (Use Class A3) and Bar (Use Class A4) and external alterations to create a new shopfront | Units 35A-C The Riverwalk Millburngate Durham DH1 4SL (3 January)

DM/19/03160/AD | Various signage to the front and gable elevations of the building | Units 35A-C The Riverwalk Millburngate Durham DH1 4SL (3 January)

c. To consider the following Planning Applications

DM/19/03408/FPA | Change of use from single dwelling house C3 with 2 bedrooms to HMO C4 with 4 bedrooms | 29 Lawson Terrace Durham DH1 4EW (Further supporting information received since we considered this application and made an objection)

DM/19/03431/LB | Listed Building Consent for the installation of sensor light to front elevation and retention of light to rear elevation. | 10C Church Street Durham DH1 3DQ (2 January)

DM/19/03684/FPA | To demolish and rebuild existing single-storey extensions to the rear of existing C4 HMO and alterations to fenestration | 16 Boyd Street Durham DH1 3DP (9 January)

DM/19/03705/AD | 1 illuminated v shaped totem sign and 3 non-illuminated panel signs | 43, 44 And 25 The Riverwalk Millburngate Durham DH1 4SL (3 January)

DM/19/03712/FPA | Retention of Material Change of Use from Detached Outbuilding to First Floor Residential Apartment | Spring Cottage Clay Lane Durham DH1 4QL (9 January)

DM/19/03728/FPA and **DM/19/03729/LB** | Replacement Fenestration and Internal Alterations | Soanes House Burn Hall Durham DH1 3SS (2 January)

DM/19/03757/FPA | Single storey rear extension and two storey side extension. | 1 Warwick Court Durham DH1 3QA (8 January)

DM/19/03774/CPO | Dormer window to rear roof slope with additional window in side elevation and 3 no. Roof lights to the front | 12 Baliol Square Durham DH1 3QH

DM/19/03787/FPA | Ground Floor Extension, Reception and Associated Internal Alterations | Brooks House 94 Whinney Hill Durham DH1 3BQ (23 January)

DM/19/03795/FPA | Single-Storey Front, Side and Two-Storey Rear Extensions | 6 Orchard Drive Durham DH1 1LA (23 January)

DM/19/03806/FPA | Change of use of dwelling (Use Class C3) to small House in Multiple Occupation (Use Class C4) | 7 Wearside Drive Durham DH1 1LE (9 January)

DM/19/03833/LB | Upgrading of internal fire detection systems | 5 The College Durham DH1 3EQ (9 January 2020)

DM/19/03834/LB | Upgrading of Existing Fire Detection System | 47 - 51 Old Elvet Durham DH1 3HN (23 January)

DM/19/03837/AD | Display of illuminated fascia sign, window vinyls and illuminated menu board to front elevation. | Ground Floor 66 Saddler Street Durham DH1 3NP (6 January)

DM/19/03885/FPA | Erection of replacement green house and pergola | 1 Riverside Lodge Burn Hall Durham DH1 3SS (13 January)

DM/19/03929/FPA | Retention of External Extract Equipment | 17 Hallgarth Street Durham DH1 3AT (10 January)

DM/19/03943/LB | Demolition of existing brick built rear extension and timber framed conservatory. Construction of contemporary accessible living extension and stand-alone workshop. | 173 Gilesgate Durham DH1 1QH (24 January or later).

12. To decide Parish representation and approach to matters being considered at the meeting of the Area Planning Committee (Central and East) - Tuesday 14 January 2020 1.00 pm:

DM/19/03459/FPA - 17 Providence Row, Durham, DH1 1RS: Demolition of existing rear extension and erection of part single-storey/part two-storey extension at rear and installation of dormer windows in roofspace also to rear to an existing small HMO (use class C4).

DM/19/03494/FPA - 18 Providence Row, Durham, DH1 1RS: Demolition of existing rear extension and erection of two-storey extension at rear and installation of dormer windows in roof space also to rear to an existing small HMO (use class C4).

DM/19/03408/FPA - 29 Lawson Terrace, Durham, DH1 4EW: Change of use from single dwelling house C3 with 2 bedrooms to HMO C4 with 4 bedrooms.

DM/19/03409/AD - North Road, Durham, DH1 4PW: Advertisement consent for the display of 2 No. Externally Illuminated Hanging Signs and 1 No. Internally Illuminated Fascia Sign Revolution Bar (Formerly Bishop Langley).

13. Dates of future meetings

24 January 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

7 February 2020 - 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

City of Durham Parish Council

Minutes of Planning Committee meeting held at 14:00 pm on Friday 6th December 2019 in Office 2, Clayport library building, 8 Millennium PI, DH1 1WA.

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

Also present: Parish Clerk Adam Shanley and Mr Mike Chadwick (Member of the public)

1. Welcome and apologies

Apologies were received from Cllr J Elmer

2. To receive any declarations of interest from members.

All members of Planning Committee declared an interest in application DM/19/03670/TCA.

3. To receive and approve as a correct record the minutes of the meeting on 22 November 2019.

Minutes of the meeting held on 22nd November 2019 were unanimously **agreed** as a true and accurate record of proceedings.

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

Mr Mike Chadwick attended the meeting and advised that he was concerned about the increasing number of properties being occupied by students. Mr Chadwick advised that he felt that this is having an impact on funding for local services and the social fabric of Durham City. Mr Chadwick asked the Parish Council how many homes in the Parish are occupied by students.

The Chair thanked Mr Chadwick for attending the meeting and for raising his issues with the Planning Committee. The Chair advised that the Parish Council shared a number of the concerns expressed by Mr Chadwick and is well on the case to addressing those issues. The Chair advised that there are approximately 2,530 properties in the City of Durham Parish area currently occupied by students and not paying Council tax.

The Clerk advised that the Parish Council had recently submitted an FOI request to the County Council on the loss of Council tax income to the Parish due to class M and class N (student properties) exemptions. The loss of Council tax income is over £7,000,000. The Clerk advised that he would write formally to Mr Chadwick so that he had the correct figures.

5. Matters arising:

a. to approve the following responses:

DM/19/02553/FPA | Former Swimming Baths And Nos 42, 47-49, 50 And 51 Old Elvet, Elvet Waterside Durham, DH1 3DA. The response to this application was **agreed** by the Committee.

DM/19/03227/FPA | 3 Juniper Way Durham DH1 4GZ. The response to this application was **agreed** by the Committee.

DM/19/03447/FPA | 89-90 Claypath Durham DH1 1RG. The response to this

application was **agreed** by the Committee.

DM/19/03459/FPA | 17 Providence Row Durham DH1 1RS. The response to this application was **agreed** by the Committee.

DM/19/03494/FPA | 18 Providence Row Durham DH1 1RS. The response to this application was **agreed** by the Committee.

DM/19/03525/LB and **DM/19/03531/AD** | The John Duck Ale House 91A Claypath Durham DH1 1RG. The response to this application was **agreed** by the Committee. The Chair also reported that the Parish Council's response to the change of name had been reported in the local press and, since the Parish Council's submission, the applicant had removed plans to include an artificial flower wall as part of this application. The Committee's concerns regarding the name of the pub remain though the Clerk reported this is not a material planning ground for objection.

The Committee also agreed a revised objection to application **DM/19/03409/AD** (Revolution sign) and agreed to call this application to Committee if minded to approve.

b. to approve the draft press release on timber-framed windows.

The Committee felt that the proposed press release was still too brief and not something the press would be likely to pick up on. It was **agreed** that the release be sent to all local residents' groups, that this also be reported at the Full Parish meeting in May 2020 and that this also be retained in case of the need for objection to any new applications.

c. notification of Committee date for **DM/19/03257/FPA** re: 32 Whinney Hill, Durham DH1 3BE.

It was **agreed** that Cllr G Holland would represent the Parish Council at this Committee. Cllr J Ashby offered to provide a briefing to Cllr G Holland ahead of the Committee date.

6. County Durham Plan: Verbal update on week 4 of the Examination in Public, matters 12 (Environment), 13 (Minerals and Waste) and 14 (*Other Issues*).

The Chair reported on week 4 of the Examination in Public. The Chair advised that the Inspector would not be making any formal announcement yet due to Purdah. Cllr J Ashby reported that he felt that Inspector had been very good in addressing issues fairly during the Examination.

Cllr G Holland advised that he felt that Policy 34 of the proposed County Durham Plan was very poor and the representation from the County Council on this policy during the Examination had also been poor.

The Chair also advised that questions arising from the Examination in Public would be published on the week commencing 16th December and the County Council (and the Parish Council and others) would have until 10th January to respond to these points.

7. Neighbourhood Plan Consultation Dates: Councillors are asked to agree preferred date for start of the Regulation 16 consultation.

Councillors were asked to consider their preference of start date for the Neighbourhood Plan Regulation 16 consultation. The options of Monday 16th December 2019 (start date) for eight weeks ending Sunday 9th February 2020 or Monday 6th January (start date) for six weeks ending Sunday 16th February 2020 were put to the Parish Council for a decision.

It was **agreed** that the Planning Committee preferred the start date of 6th January for a period of six weeks for the Regulation 16 consultation.

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

The Clerk reported that there was still no update on a date for the proposed stakeholder engagement meeting involving Kier and the local residents' groups. It was **agreed** that the Clerk should write to both Andrew Megginson (DCC) and Paul Nixon (Kier) to chase this up again.

9. Deregistration of common land: Any relevant developments

There were no developments to report on this matter.

10. Feedback from the Planning Training on 26 November

Cllr V Ashfield advised that she attended the planning training on 26th November and had found it to have covered the basic procedures but not relevant planning policy. It was **agreed** that the Clerk should attempt to organise a more bespoke training session with a planning officer recommended by Cllr G Holland.

11. Selective licensing scheme for County Durham

Cllr J Ashby provided a report to Councillors in relation to a selective licensing scheme for County Durham.

Cllr J Ashby advised that selective licensing is a discretionary scheme for local authorities and covers privately rented properties. Cllr J Ashby advised that the Housing Act 2004 allows local authorities to designate areas for selective licensing to support the improvement of privately rented properties, providing certain conditions are met.

Cllr J Ashby advised that, in areas designated, landlords must apply for a licence if they want to rent out a property. This means the council can check whether they are a "fit or proper person" to be a landlord or letting agent, as well as making other stipulations concerning management of the property and appropriate safety measures. The stipulations are listed in the licence conditions and the conditions are at the discretion of the local authority.

Cllr J Ashby reminded Councillors that DCC's Cabinet approved in principle to detailed preparatory work being undertaken with the intention of submitting an application to the Secretary of State for Communities and Local Government for a county-wide selective licensing designation. Cllr J Ashby advised that, as part of the application, the County Council would need to consult on plans and consider all representations.

Cllr J Ashby advised that the scale of the scheme is considerable, with an estimated 60,000 privately rented properties in County Durham, all of which would need to be inspected. Cllr J Ashby advised that Durham City would be an obvious priority area for such a scheme.

The Chair thanked Cllr J Ashby for his report to the Committee.

It was **agreed** that the following recommendations would go forward to Full Council for approval:

That the Parish Council:

- a) expresses support for the County Council's intention to seek a Selective Licensing Scheme covering the whole County;
- b) advises that Durham City should be treated as a priority area for inspection; and
- c) requests that the Parish Council be included in consultations on the emerging application and business plan.

12. Additional budget items arising from *Looking Forward*.

Cllr J Ashby reported on budget commitments arising from the *Looking Forward* document, which had been agreed by Full Council earlier in the year. The most substantial element of this being the production of a design guide for Durham City at an estimated cost of £5,000. The Clerk recommended that the £5,000 underspend, arising from the four County Councillors funding half of the Planning Enforcement SLA, be transferred to this commitment. The Committee **agreed** this to go forward for Full Council approval.

13. Planning applications:

DM/19/03313/FPA | Temporary change of use until end of June 2020 from C3 to C4 | 3 The Bowers Durham DH1 4EH (19 December). It was **agreed** to object to this application and call to Committee if minded to approve. Cllr J Ashby **agreed** to draft the response to this application.

DM/19/03508/FPA | Change of use from existing six-bedroom HMO (C4) to eight-bedroom HMO (*sui generis*) including dormer loft conversion and other associated internal alterations | 18 The Avenue Durham DH1 4ED (18 December). It was **agreed** to object to this application. Cllr R Cornwell **agreed** to draft the response to this application.

DM/19/03552/FPA | Change of Use to Magicians Entertainment Place (D2) | The Magic Corner 19 And A Half Old Elvet Durham DH1 3HL (19 December). It was **agreed** to note this application.

DM/19/03660/VOC | Variation of condition No.2 pursuant to planning application DM/18/00291/FPA in relation to the approved brick type. | Rear Of 24 The Avenue Durham DH1 4ED (17 December). It was **agreed** to note this application.

DM/19/03670/TCA | Fell 2no. Oak trees | North End Allotments Larches Road North End Durham DH1 4LZ (No expiry date; this is on land owned by the Parish Council). It was **agreed** to note this application.

DM/19/03677/FPA | Replacement of welsh slate roof tiles with Marley composite roof tiles (retrospective) | 20 - 21 Church Street Head Durham DH1 3DN (19 December). It was **agreed** to object to this application. Cllr L Brown **agreed** to draft the response to this application.

DM/19/03721/FPA | Demolition of redundant garages and creation of parking spaces including erection of fencing/bollards. | Garages At Hallgarth Street Durham City (20 December). It was **agreed** to note this application.

14. Request to purchase North Sidegate Woodland.

Councillors considered a request to purchase the North Sidegate woodland. The Clerk advised that the County Council had written to advise that the applicant intends to keep the land as woodland and coppice the trees. The County Council is minded to approve this application to purchase the land.

It was **agreed** to note this application subject to the conditions of the sale (at present to be decided).

15. Arrangements during the Christmas recess

It was **agreed** that the Clerk and the Chair of the Planning Committee both monitor incoming applications. Cllr L Brown also agreed to call applications to Committee if needed during the Christmas recess.

16. Dates of future meetings

10 January 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

24 January 2020 - 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