

# City of Durham Parish Council

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3 February 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 7 February 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 24 January 2020.**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Matters arising:**
  - a. to approve the following responses (for text of letters see Parish web site):
    - DM/19/03707/FPA** | Dormer windows to front and rear elevations of existing larger HMO (sui generis use). | 1 Laburnum Avenue Durham DH1 4HA
    - DM/19/03836/FPA** | Change of use from betting shop (sui generis) to restaurant (use class A3) including extraction to side elevation. | Ground Floor 66 Saddler Street Durham DH1 3NP
    - DM/19/03949/FPA** | Change of use from HMO (Use Class C4) to large HMO (sui generis) with two storey rear extension, rooflights and associated external alterations | 55 Hawthorn Terrace Durham DH1 4EQ
    - DM/19/03968/FPA** | Extension and conversion of the multi-level decked car park to form 8no. 2-bed apartments. | William Robson House Claypath Durham DH1 1SA
    - DM/20/00059/FPA** | The installation of stainless-steel flue to rear (retrospective) | The Bridge 39 - 40 North Road Durham DH1 4SE
  - b. To approve the response to **DM/19/03967/FPA** | Change of use of first floors from retail including a loft conversion in to residential accommodation providing 5 no. HMO studio apartments | 9 And 9A Silver Street Durham DH1 3RB, and to consider whether to call it to Committee.
  - c. **DM/19/03926/VOC** | Variation of Condition 3 (approved plans) of DM/19/01937/VOC comprising changes to layout of Phase 2B. | Mount Oswald (Phase 2B) Durham Report by Councillor Liz Brown.
  - d. Update on application **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.

6. **County Durham Plan:** Verbal report of the EiP hearing on 6 February, and any consequent matters.
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. **To consider these planning applications (the date in brackets is the deadline to call to committee):**
  - a. **To note the following**
    - DM/20/00106/VOC** | Variation of conditions 2, 4 and 7 of planning permission DM/17/01682/FPA to require adherence to revised tree planting details and tree report | Durham University Teaching And Learning Centre South Road Durham DH1 3LU (20 February)
    - DM/20/00143/LB** | To install stud wall on ground floor to create a lobby area, to reposition first floor wall to allow creation of kitchen and the removal of W/C to enlarge existing office | 17 Old Elvet Durham DH1 3HL (20 February)
  - b. **To consider making representations on the following**
    - DM/19/03915/FPA** | Alterations to shop front consisting of the lowering of window cills | The John Duck Ale House 91A Claypath Durham DH1 1RG (18 February)
    - DM/20/00066/FPA** | Erection of community centre building with associated bin store and cycle parking | Lowes Barn Recreation Ground Park House Road Durham DH1 3QF (11 February)
    - DM/20/00139/PNT** | Prior notification for the installation of a 20m monopole supporting 3 no. antennas, 4 no. equipment cabinets and 1 no. meter cabinet and ancillary development including 1 no. GPS module. | Land To The East Of The Palatine Centre Stockton Road Durham DH1 3LE (20 February)
    - DM/20/00191/FPA** | Two story rear extension and a change of use from a C3 family house to a C4 HMO. | 34 The Hallgarth Durham DH1 3BJ (20 February)
    - DM/20/00235/FPA** | Change of Use from existing 6 bed small HMO (use class C4) to 8 bed large HMO (use class sui-generis) including erection of single-storey extension to rear, new window to gable elevation and rooflights to accommodate a loft conversion. | 35 Hawthorn Terrace Durham DH1 4EL (21 February)
10. **Ground rules for calling in planning applications:** verbal report from Officers' discussion on 4 February
11. **Dates of future meetings**
  - 21 February 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.
  - 6 March 2020 - 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 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 room.*

- 12. Common land at The Sands:** report of further meeting on 4 February
- 13. Neighbourhood Plan: Appointment of Independent Examiner** - Councillors are asked to decide on their preferred option for the Independent Examiner of the Neighbourhood Plan

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 24<sup>th</sup> January 2020 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, Cllr Esther Ashby (member of the public) and 8 members of the public.

## **1. Welcome and apologies**

Apologies received from Cllr J Elmer

## **2. To receive any declarations of interest from Members**

Cllr J Ashby declared an interest in applications DM/19/03587/FPA and DM/19/03588/LB. Cllr J Ashby took no part in discussions on this application and did not vote on any decision.

## **3. To receive and approve as a correct record the minutes of the meeting on 10 January 2020.**

The Minutes of the meeting held on 10th January 2020 were unanimously agreed as a true and accurate record of proceedings.

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

All members of the public present (excluding Cllr E Ashby) advised that they were present to discuss application DM/19/03806/FPA. (Miss) Janet George (member of the public) also advised that she would like to discuss application DM/19/03914/FPA.

Cllr E Ashby advised that she was present to discuss DM/19/03926/VOC.

(Mrs) Hillary French (member of the public) advised that she has objected to application DM/19/03806/FPA. Hillary also advised that she felt that the three week consultation on the application taking place over the Christmas and New Year period was unreasonable. Hillary also expressed concern at the application being decided under delegated authority by planning officers rather than by the Central and East Planning Committee.

A number of the members of public present advised that there were more unregistered HMOs and student properties in the area than the figures provided by the County Council.

The Chair advised that the Planning Committee had submitted an objection to the application and also provided the meeting with updated figures on student properties within a 100-metre radius of the application site based on information provided to the Parish Council by Durham University.

Cllr J Ashby advised that there was a change in wording required to the original objection by the Planning Committee and also proposed that a further letter with supplementary information be drafted and submitted to the planning department of the County Council. It was **agreed** that a further letter be drafted and submitted to the County Council on this application. Cllr J Ashby **agreed** to draft this letter.

The Clerk advised that if there were any unregistered HMOs or student properties in the area, he would request that the Parish Council's enforcement officers could look into this.

Miss Janet George advised that she would be objecting to application DM/19/03914/FPA. Janet advised that she was concerned about additional student housing near her home. The Chair advised that he had looked at this particular application and could not find any planning grounds on which to object to this.

Cllr E Ashby advised that she would appreciate the opportunity to look further into application DM/19/03926/VOC and to report back to the Planning Committee.

## 5. Matters arising:

- a. to approve the following responses (for text of letters see Parish web site):  
**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. It was **agreed** that this draft should be slightly amended and submitted to the planning department. It was also **agreed** that a further letter providing supplementary information should be submitted.  
**DM/19/03929/FPA** | Retention of External Extract Equipment | 17 Hallgarth Street Durham DH1 3AT. The draft letter on this application was **agreed** by the Committee.  
**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. The draft letter on this application was **agreed** by the Committee.
- b. To note that planning application **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 was determined before a response had been possible. It was **agreed** to note the determination of this application.
- c. To consider the outcomes of the following matters considered by the Central/East Planning Committee of the County Council:  
**DM/19/03459/FPA** and **DM/19/03494/FPA** – 17 and 18 Providence Row, Durham, DH1 1RS. The committee refused these applications  
**DM/19/03408/FPA** - 29 Lawson Terrace, Durham, DH1 4EW: The committee refused this application.  
**DM/19/03409/AD** – Revolution Bar, North Road, Durham, DH1 4PW: the committee approved this application.

The Committee thanked Cllrs R Cornwell and G Holland for their representations on these applications.

## 6. County Durham Plan

The Chair advised that, since the last Parish Council meeting, the fourteen sessions originally planned for the Examination in Public ended on 4 December and on 17 December the Inspector issued 56 Action Points to the County Council, to be answered by 10 January. It was also open to other parties, e.g. the Parish Council, to respond as well. The Chair advised that the Committee Members corresponded by email and decided this was not necessary. The Clerk and Parish Chair did not disagree.

Having read the Council's responses, the Inspector decided he needed a further session to deal with housing land supply and this will take place on February 6. The Chair advised that the Parish Council has not been offered a space to provide a verbal report but could still attend as interested observers. The Chair also advised that Cllr J Ashby had prepared a draft written response on behalf of the City of Durham Trust. Cllr J Ashby advised that he was awaiting feedback from Trustees on the draft letter and this will be submitted in due course.

**7. Neighbourhood Plan Consultation: verbal update re consultation and appointment of Examiner**

The Chair advised the Committee that the appointment of the Independent Examiner is now underway and the Parish Council expects to have a list of possible names shortly, and the actual choice of Examiner should be made by mid-February. The Chair reminded Members that it was agreed at Full Council on 23<sup>rd</sup> January that the Planning Committee be delegated responsibility to respond on this on behalf of the Parish Council. The Chair asked the Clerk to write and request that options for the choice of Independent Examiner be provided ahead of the Planning Committee meeting on 7<sup>th</sup> February 2020.

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

The Chair requested that the Clerk chase up the date for the forthcoming Stakeholder Engagement meeting between Kier, the Parish Council and others.

**9. Any matters referred by the Parish Council Meeting of 23 January**

Cllr J Ashby reminded Members that it was agreed at the Full Council meeting on 23<sup>rd</sup> January to form a working group to take the work on the selective licensing scheme for landlords forward. Cllr J Ashby advised that he hoped that the group could meet relatively soon.

**10. To consider making representations on the following planning applications (the date in brackets is the deadline to call to committee):**

**DM/19/03587/FPA** and **DM/19/03588/LB** | Erection of sandstone wall under 1m high with wrought iron railings above and seating area | Leazes Cottage Leazes Place Durham DH1 1RE (6 February). It was **agreed** to note the applications.

**DM/19/03707/FPA** | Dormer windows to front and rear elevations of existing larger HMO (sui generis use). | 1 Laburnum Avenue Durham DH1 4HA (6 February). It was **agreed** to object to the application. Cllr L Brown **agreed** to draft the response.

**DM/19/03748/FPA** | Change of use from C3 dwelling to a B1 office use | Second Floor Apartment 58-59 Saddler Street Durham DH1 3NU (6 February). It was **agreed** to note the application.

**DM/19/03753/FPA** | Change of use from 4no. C3 residential buildings to 4no. B1 office buildings. | 1-4 Green Lane Durham DH1 3JU (6 February). It was **agreed** to note the application.

**DM/19/03836/FPA** | Change of use from betting shop (sui generis) to restaurant (use class A3) including extraction to side elevation. | Ground Floor 66

Saddler Street Durham DH1 3NP (6 February). It was **agreed** to object to the application. Cllr R Cornwell **agreed** to draft the response.

**DM/19/03914/FPA** | Change of use of dwelling to two flats including erection of first floor extension to side. | 15 Mayorswell Field Durham DH1 1JW (7 February). It was **agreed** to note the application.

**DM/19/03926/VOC** | Variation of Condition 3 (approved plans) of DM/19/01937/VOC comprising changes to layout of Phase 2B. | Mount Oswald (Phase 2B) Durham (30 January). It was **agreed** that Cllr L Brown should do some further investigation into this application and report to Committee with a recommendation on how to respond.

**DM/19/03933/FPA** | Change of use from Class C3 dwellinghouse to Class C4 house in multiple occupation | 24 May Street Durham DH1 4EN (6 February). This application was withdrawn before the meeting and was therefore not considered.

**DM/19/03949/FPA** | Change of use from HMO (Use Class C4) to large HMO (sui generis) with two storey rear extension, rooflights and associated external alterations | 55 Hawthorn Terrace Durham DH1 4EQ (6 February). It was **agreed** to object to the application. Cllr J Ashby **agreed** to draft the response. Cllr L Brown also advised that she would be calling this in to the Central and East Planning Committee as the County Councillor.

**DM/19/03967/FPA** | Change of use of first floors from retail including a loft conversion in to residential accommodation providing 5 no. HMO studio apartments | 9 And 9A Silver Street Durham DH1 3RB (4 February). It was **agreed** to object to the application. Cllr R Cornwell **agreed** to draft the response. Members also felt that the police should also be consulted on this as the area was known to have issues of anti-social behaviour.

**DM/19/03968/FPA** | Extension and conversion of the multi-level decked car park to form 8no. 2-bed apartments. | William Robson House Claypath Durham DH1 1SA (6 February). It was **agreed** to object to the application. The Clerk **agreed** to draft the response.

**DM/20/00059/FPA** | The installation of stainless-steel flue to rear (retrospective) | The Bridge 39 - 40 North Road Durham DH1 4SE (6 February). It was **agreed** to object to the application. The Clerk **agreed** to draft the response.

**DM/20/00070/LB** | Listed building consent to alter existing window and door openings to rear elevation and internal alterations. | 195 Gilesgate Durham DH1 1QN (5 February). It was **agreed** to note the application.

**DM/20/00072/TPO** | Crown lift, reduction and pruning of 1 no. Beech tree (T2); pruning and reduction of 1 no. Beech tree (T3). | Finney Court Finney Terrace Durham DH1 1RX (4 February 2020). It was **agreed** to note the application.

**DM/20/00079/LB** | Alteration to construct timber stud partition separation wall to room 203 Divinity House to form 2 no. offices | Divinity House Palace Green Durham DH1 3RL (5 February or later). It was **agreed** to note the application.

**DM/20/00085/CEU** | Alterations to increase large HMO house from 9 bedroom to 12-bedroom large HMO. Works include internal alterations, new windows and

new external rear door. Replace conservatory glazed roof with traditional slate pitched roof. Build up conservatory walls. | 6 Southend South Road Durham DH1 3TG (4 February or later). It was **agreed** to note the application.

#### **11. Discussion on possible ground rules for this committee**

The Chair presented a report on the ground rules for the committee. Members felt that this was a thorough report and it was **agreed** that consideration of Traffic Regulation Order consultations should be carried out by the Planning Committee. The Clerk advised that this would need to be reflected with an amendment to the Terms of Reference of the Committee. The Clerk also reminded the Chair and the Vice-Chair of the Planning Committee of the meeting to take place between all three and the Chair of the Parish Council on the matter of deciding a procedure as to when to call applications in to the Central and East Planning Committee for consideration.

#### **12. Consideration of report on planning policy in relation to lighting**

The Clerk presented a report on planning policies in place in relation to lighting. The need for the report had come about following concerns expressed regarding new applications which may cause light pollution. The Chair thanked the Clerk and the Committee noted the contents of the report with a view to ensuring that policies were appropriately considered with any new applications involving lighting/ illuminated signage, etc.

#### **13. Survey of Mount Oswald residents**

Councillors were asked to consider a survey of the residents of the new Mount Oswald developments to gather data on where they have moved from, where they work, etc. Cllr J Ashby advised that he and Cllr E Ashby had been wondering about these matters with the new developments and wondered if the results of such a survey may disprove the assertion of the need for such high increases in housing numbers added to the City of Durham Parish area.

It was agreed to wait the outcome of the Independent Examiner's report on the County Durham Local Plan before pursuing the proposal of a survey of Mount Oswald residents.

#### **14. Dates of future meetings**

7 February 2020 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

21 February 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**