

# City of Durham Parish Council

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31 August 2020

## **Access details for Zoom Planning Committee meeting:**

### **Join Zoom Meeting**

**<https://us02web.zoom.us/j/81133957008>**

**Meeting ID: 811 3395 7008**

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 4 September 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 21 August 2020.**
- 4. To receive any public participation comments on the following agenda items. Please email the Committee Chair - [roger.cornwell@cityofdurham-pc.gov.uk](mailto:roger.cornwell@cityofdurham-pc.gov.uk) to register to speak.**
- 5. Matters arising:**
  - a. To approve responses on the following planning applications:**

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

**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
  - b. To consider the following applications being recommended for approval at the Area Planning Committee on 8 September 2020:**

**DM/20/00165/FPA:** Durham School, Quarryheads Lane, Durham, DH1 4SZ  
|Proposed retention of 2 no. timber dugouts (shelters) erected to the north west of the existing artificial turf pitch

**DM/20/01107/FPA:** Land To The West Of The White House, Newcastle Road, Crossgate Moor, Durham, DH1 4HZ | Resubmission of DM/20/00387/FPA for the erection of a single House in Multiple Occupation (Use Class C4).

- c. To approve the letter sent on our behalf to the County Council regarding the Common Land at The Sands.** (See attachment)
- d. To approve supplementary submissions on planning applications consequent on the Decision Notice regarding the Neighbourhood Plan** (see attached schedule).
- e. Response to LNER** about new car park at Durham Station.

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

**a. To note:**

**DM/20/02309/FPA** | Erection of two storey and single storey extensions to front and rear, erection of detached garage and alterations to existing fenestration and external surface materials. | The Stables Whitesmocks Durham DH1 4LL (10 September)

**DM/20/02312/AD** | 15 no. non-illuminated wayfinding/finger post signs | Land South Of The New Inn Junction Along South Road To Mount Oswald And Hollingside Lane To Upper Mountjoy, Durham (Presumably 18 September)

**DM/20/02352/FPA** and **DM/20/02353/LB** | Erection of single-storey extension at rear of dwelling to replace existing conservatory. | 49 South Street Durham DH1 4QP (24 September)

**DM/20/02355/FPA** | Demolition of existing garage, utility room and W.C, and removal of rear chimney. Erection of new single storey side extension to form new garage, wet room and utility room. | 30 Springwell Road Durham DH1 4LR (14 September)

**DM/20/02359/VOC** | Variation of condition no.4 (underground storage to excavating the required volume by excavating grassed area) in relation to previous planning application DM/20/01094/FPA | Arts Block Durham Sixth Form Centre The Sands Durham DH1 1SG (24 September)

**DM/20/02360/VOC** | Variation of condition no.4 (underground storage to excavating the required volume by excavating grassed area) in relation to previous planning application DM/20/01100/FPA | Durham Sixth Form Centre The Sands Durham DH1 1SG (24 September)

**DM/20/02409/FPA** | Erection of single storey extension to front and first floor extension to rear. | 36 Douglas Gardens Elvet Moor Durham DH1 3PU (18 September)

**b. To consider making representations**

**DM/20/01983/FPA** | 2no. additional dwellings located within Phase 2A | Mount Oswald (Phase 2A) South Road Durham DH1 3TQ (16 September)

**DM/20/02258/FPA** and **DM/20/02259/LB** | Change of use from hotel to student accommodation comprising of 8 one bed studio apartments and 7 bedrooms with access to communal facilities | 34 Old Elvet Durham DH1 3HN (10 September)

**DM/20/02277/FPA** | Change of use of the first floor from (A2) offices to form 2no. 1 bed self-contained studio student accommodation (C3), 2no. 6 bed student HMO (C3) and 1no. 7 bed large student HMO (Sui-Generis) with bin store and cycle store extension. | The Crossgate Centre Alexandria Crescent Durham DH1 4HF (24 September)

**DM/20/02394/FPA** | Change of use from two bed dwelling (C3) to five bedroomed HMO (C4) including single and two storey rear extensions | 19 Mistletoe Street Durham DH1 4EP (24 September)

**7. Neighbourhood Plan**

**Progress report** on preparing the version for referendum

**8. Planning for the Future**

To consider the attached framework for our response, assign authors, and agree a timeframe to progress the task. (see attached schedule)

**9. Dates of future meetings**

**Friday 18 September 2020** - 14.00 to 16.00 hrs – via Zoom.

**Friday 2 October 2020** - 14.00 to 16.00 hrs – via Zoom.

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 via Zoom at 14:00 pm on Friday 21<sup>st</sup> August 2020.

**Present:** Cllr R Cornwell (in the Chair), Cllr J Ashby, Cllr V Ashfield, Cllr J Elmer and Cllr G Holland.

**Also present:** Parish Clerk Adam Shanley and Ms Sue Childs and Mr J Lowe (members of the public).

### 1. Welcome and apologies

Apologies were received from Cllr L Brown

### 2. To receive any declarations of interest from members

Cllr J Ashby declared an interest in discussions relating to 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 7 August 2020

The minutes of the meeting held on 7<sup>th</sup> August 2020 were unanimously **agreed** as a true and accurate record of proceedings.

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

Mr John Lowe advised that he was attending to hear discussions on items 6, 7 and 8 of the Agenda.

Ms Sue Childs advised that she was attending to hear discussions on item 7b of the Agenda.

### 5. Matters arising:

**a. To approve responses on the following planning applications** (all responses are to planning applications are published on the Parish Council website):

**DM/20/00885/AD** - Various advertisements at The Riverwalk (amended description 04/08/2020). The Committee **approved** the response to this application.

**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. The Committee **approved** the response to this application.

**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). The Committee **approved** the responses to these applications.

**DM/20/01402/FPA** | Change of use from estate agents (A2) to HMO (C4) (amended) | 17 Old Elvet Durham DH1 3HL. The Committee **approved** the response to 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. The Committee **approved** 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. The Committee **approved** the response to this application.

**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. The Clerk advised that there is still no update on the appeal on this application.

**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. It was **agreed** to withdraw the objection to this application with the amendments made allowing for social distancing.

**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). It was **agreed** to note this application.

**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). It was **agreed** to note this application.

**DM/20/02081/FPA** | 2No Air Conditioning Condenser Units | Her Majestys Passport Office Freemans Reach Riverside Place Durham DH1 1SL (3 September). It was **agreed** to note this application.

**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). It was **agreed** to note this application.

**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). It was **agreed** to note this application.

**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). It was **agreed** to object to this application. The Clerk **agreed** to draft a response to this application.

**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). It was **agreed** to object to this application. The Clerk **agreed** to draft a response to this application.

## **7. Neighbourhood Plan**

The Clerk reminded Members that a Decision Notice has now been published by the County Council and the Neighbourhood Plan can now carry weight when considering new planning applications. The Chair advised that he viewed this as a massive achievement carried out by great teamwork.

The Committee **agreed** to review all current pending planning applications, to which the Committee has previously responded, to see if any policies within the Neighbourhood Plan may strengthen the arguments made. The Clerk **agreed** to circulate a list and it was **agreed** that the original authors of each application response should review each response and add any further arguments of relevance from the Neighbourhood Plan.

Ms Sue Childs advised that work is ongoing to make the necessary amendments to the Plan following the Examiner's report. Ms Childs reminded Members that both the Parish Council and County Council have agreed to all of the Examiner's recommended modifications to the Plan. A file with tracked changes would be provided in due course.

The Clerk advised that the hope was still to hold a referendum on the Plan in May 2021.

The Chair thanked Sue and all others involved in the work to the Plan.

## **8. County Durham Plan**

Members considered a report from Cllr J Ashby on the possible implications of the outcome of the case brought by Aireborough Neighbourhood Development Forum against Leeds City Council, which successfully challenged Green Belt deletions. It was **agreed** to note the report at the present time with no further action until more is known about what the new methodology actually produces for County Durham.

## **9. Planning for the Future**

The Committee considered the Government White Paper "Planning for the Future" and agreed to respond to the consultation on this. It was **agreed** that Cllr J Ashby should draft a report setting out a proposed structure for the response. This would be considered at the next meeting of the Parish Council Planning Committee on 4<sup>th</sup> September 2020. The Clerk reminded Members that NALC is due to host an online forum in order to set out their own response to this. It was also **agreed** that the Clerk should seek DCC's views on the White Paper.

## **10. 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 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 meeting.*

## **11. Deregistration of Common Land at The Sands**

Members **agreed** the wording of a letter from the Parish Council's Barrister regarding the ongoing occupation and fencing off of the former coach park at the Sands.

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**

## ITEM 8: PLANNING FOR THE FUTURE WHITE PAPER A FRAMEWORK FOR A RESPONSE FROM THE PARISH COUNCIL

The White Paper sets 26 questions. The deadline for responses is 29 October 2020. There will be weighty responses from many national bodies, and I don't think that our Parish Council needs to address every possible point. I have highlighted below the questions that I think the Parish Council should respond to, and the key message I think we should respond with.

Questions

1. What three words do you associate most with the planning system in England?

Valued, civilised, well-being.

2(a). Do you get involved with planning decisions in your local area? [Yes / No]

2(b). If no, why not?

[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

[Social media / Online news / Newspaper / By post / Other – please specify  
On-line]

4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]

- no evidence
- planning ain't broke
- finance is the real problem: (a) land banking; (b) mortgages impossible for young people; (c) austerity; (d) developer greed; (e) uplift in land value goes to the landowner as windfall instead of the community whose local authority's planning permission creates the uplift
- the housing target was only ever achieved by building thousands of council houses
- why did we bother to do local plans and neighbourhood plans? All now trashed
- the zoning version of planning is how they do it in the US of A. Case proved.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

[Yes / No / Not sure. Please provide supporting statement.]

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?

[Yes / No / Not sure. Please provide supporting statement.]



- 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?
- 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?  
[Yes / No / Not sure. Please provide supporting statement.]
- But not one that is bent upwards to suit a political target for private developers to fulfill
- 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?  
[Yes / No / Not sure. Please provide supporting statement.]
- 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (*Growth* areas) with faster routes for detailed consent?  
[Yes / No / Not sure. Please provide supporting statement.]
- 9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas?  
[Yes / No / Not sure. Please provide supporting statement.]
- 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?  
[Yes / No / Not sure. Please provide supporting statement.]
10. Do you agree with our proposals to make decision-making faster and more certain?  
[Yes / No / Not sure. Please provide supporting statement.]
11. Do you agree with our proposals for accessible, web-based Local Plans?  
[Yes / No / Not sure. Please provide supporting statement.]
12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?  
[Yes / No / Not sure. Please provide supporting statement.]
- 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?  
[Yes / No / Not sure. Please provide supporting statement.]
- 13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?
14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?  
[Yes / No / Not sure. Please provide supporting statement.]
15. What do you think about the design of new development that has happened recently in your area?  
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?  
[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]
17. Do you agree with our proposals for improving the production and use of design guides and codes?  
[Yes / No / Not sure. Please provide supporting statement.]
18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?  
[Yes / No / Not sure. Please provide supporting statement.]
19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?  
[Yes / No / Not sure. Please provide supporting statement.]
20. Do you agree with our proposals for implementing a fast-track for beauty?  
[Yes / No / Not sure. Please provide supporting statement.]
21. When new development happens in your area, what is your priority for what comes with it?  
[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]
- 22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?  
[Yes / No / Not sure. Please provide supporting statement.]
- 22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]
- 22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure.  
Please provide supporting statement.]
- 22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?  
[Yes / No / Not sure. Please provide supporting statement.]
23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

[Yes / No / Not sure. Please provide supporting statement.]

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

[Yes / No / Not sure. Please provide supporting statement.]

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

[Yes / No / Not sure. Please provide supporting statement.]

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

[Yes / No / Not sure. Please provide supporting statement.]

25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?