

# City of Durham Parish Council

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1 February 2021

## Access details for Zoom Planning Committee

### Join Zoom Meeting

<https://us02web.zoom.us/j/89294785291>

**Meeting ID: 892 9478 5291**

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 5 February 2021 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 22 January 2021.**
- 4. To receive any public participation comments on the following agenda items.** Please email the Parish Clerk [parishclerk@cityofdurham-pc.gov.uk](mailto:parishclerk@cityofdurham-pc.gov.uk) to register to speak.

**5. Matters arising:**

**(a) To approve responses on the following planning applications:**

**DM/20/03217/PNC** | Convert third floor from B1 use to C3 to provide an additional 8 x 1 bedroom studio apartments | Third Floor Bridge House North Road Durham DH1 4PW

**DM/19/03313/FPA** | Temporary change of use until end of August 2021 from C3 to C4. | 3 The Bowers Durham DH1 4EH

**DM/20/03760/FPA** | Partial change of use to create 70 bed Student Accommodation Facility to include the erection of a two storey extension to existing roof and associated access arrangements | First To Third Floors 4 - 6 Silver Street Durham DH1 3RB

**(b) Erection of a monopole mast and associated equipment near St Oswald's graveyard** (see attached letter)

To approve the letter sent to Amy Harhoff, and consider what further action might be taken.

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

**a. To note:**

**DM/21/00051/FPA** | New ground floor & first floor shopfront & entrance installation | 16 - 18 The Riverwalk Millburngate Durham DH1 4SL (18 February)

**b. To consider making representations**

**DM/21/00020/FPA** | Erection of outside building for home office in the front garden | 19 St Nicholas Drive Durham DH1 4HH (17 February)

**DM/21/00052/FPA** | Change of use from Public House (Sui Generis) to a mixed use of Public House and Retail (E class) to allow operations under lockdown restrictions | 57 Crossgate Durham DH1 4PR (19 February)

**DM/21/00080/FPA** and **DM/21/00129/FPA** | Demolition of existing single-storey extension and replacement with new side extension to existing small HMO (use class C4). | 55 and 57 respectively Orchard Drive Durham DH1 1LA (18 February)

**DM/21/00101/FPA** | Proposed Extension and Conversion to 2No Apartments | 9 Station Lane Gilesgate Durham DH1 1LJ (18 February)

**DM/21/00126/FPA** and **DM/21/00127/LB** | Adaptation to shop front to allow for new double doors entrance and new non-structural stud walls internally | 77 - 78 Saddler Street Durham DH1 3NP (18 February)

**DM/21/00154/VOC** | Variation of conditions 22 (Framwelgate Peth access strategy) and 24 (Framwelgate Peth junction design) of DM/18/00896/VOC to remove requirement for signalisation and agree junction design | Milburngate House Millburngate Durham DH1 5TL

**DM/21/00155/VOC** | Variation of conditions 19 (Framwelgate Peth access strategy) and 18 (Framwelgate Peth junction design) of DM/18/02924/FPA to remove requirement for signalisation and agree junction design | Milburngate House Millburngate Durham DH1 5TL

**7. Neighbourhood Plan:**

**a.** Update on outstanding issues

**b.** UNESCO World Heritage Cities programme. To authorise the Clerk to complete the survey (draft attached)

**8. Article 4 for Mount Oswald:** report of consultation meeting on 2 February, and consideration of whether any amendments are needed to the Parish Council's letter of support.

**9. Parish Planning Statistics 2020:** to receive the attached report

**10. Traffic Regulation Orders**

Road number	Location	Description	Traffic management	Start date	End date	Responsibility
A167	Honest Lawyer, Sunderland Bridge	Install electric cables	Lane restriction	12 February	21 February	Northern Powergrid
A690	Eastbound towards North Road roundabout, Durham	Clear Telecom chamber and cabling	Lane closure (9.30am - 3.30pm)	3 May	6 May	Vodafone
A690	Neville's Cross Bank, Neville's Cross	Drainage works	2 way lights (8.30am - 1.30pm)	6 February	6 February	Northumbrian Water
A691	Framwellgate Peth, Durham City	Millburngate development - new junction construction	Contra-flow traffic control	10 January 2021	April 2021	Tolent Construction Limited
C98	New Elvet, Durham City	Essential bridge maintenance works	Road closure	20 July 2020	September 2021	Durham County Council
C98	New Elvet, Hallgarth Street, Durham City	Install electric cables	4 way lights	20 January	12 February	Northern Powergrid
Unclassified	Framwellgate Waterside, Durham City	Millburngate development	Parking restriction	15 July 2019	January 2022	Tolent Construction Limited
Unclassified	Framwellgate Waterside, Durham City	Millburngate development	Priority traffic control, 2 way lights (8.00am - 6.00pm Monday to Friday)	24 January 2020	July 2021	Tolent Construction Limited
Unclassified	Freemans Place, Durham City	Install electric substation	2 way lights	11 February	12 February	Power On Connections
Unclassified	Freemans Place, Durham City	Crane operations	2 way lights	20 February	21 February	Keir Services
Unclassified	Freemans Place, Durham City	Crane operations	2 way lights	27 February	28 February	Keir Services
Unclassified	Providence Row, Durham City	New sewer connection	2 way lights	15 February	19 February	Northumbrian Water

Road number	Location	Description	Traffic management	Start date	End date	Responsibility
Unclassified	Redhills Lane, Crossgate Moor	New electric connection	Road closure	8 March	19 March	Northern Powergrid
Unclassified 27.6	North Road, Durham City (Neville Street junction to North Road roundabout)	Bus station redevelopment	Northbound road closure	15 February	August 2022	Durham County Council
Footpath	Freemans Place to Pennyferry Bridge, Durham City	Building development	Footpath closure	4 January 2021	August 2021	Keir Services
Footpath	Freemans Place, Durham City	Building development	Footpath closure	9 September 2019	September 2021	Keir Services
Footpath 49	Old Elvet to Elvet Waterside, Durham City	Building development	Footpath closure	27 August 2019	March 2023	Durham University
Footpath 82	Old Durham footbridge, Durham City	Dangerous bridge	Footpath closure	January 2013	July 2021	Durham County Council
Various	Throughout Durham City area	Minor maintenance, patching	Localised traffic control, traffic lights as required	Ongoing	Ongoing	Durham County Council

## 11. Dates of future meetings

**Friday 19 February 2021** - 14.00 to 16.00 hrs – via Zoom.

**Friday 5 March 2021** - 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 22nd January 2021.

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

**Also present:** Mr A Shanley (Parish Clerk), Mr John Lowe, Cllr E Ashby, Mr Peter Smith, Mr Michael Hurlow, Mr Mike Burkett and Mr Mark Brown (members of the public)

### 1. Welcome and apologies

None received.

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

Cllr V Ashfield declared an interest in application DM/20/03394/VOC 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 8 January 2021

The minutes of the meeting held on 8<sup>th</sup> January 2021 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 hear discussions on the Article 4 Direction consultation.

Mr John Lowe advised that he was attending the meeting to hear discussions on items 5-10 on the Agenda.

Mr Michael Hurlow advised that he was attending the meeting to hear discussions on item 8 of the Agenda.

Messrs Peter Smith, Mark Brown and Mike Burkett advised that they were attending the meeting in order to present plans for the upper floor of the former Cotswolds shop unit.

### 5. Matters arising:

#### (a) To approve responses on the following planning applications:

**DM/20/03238/OUT** | Outline application for Purpose Built Student Accommodation comprising 850 bedrooms, with all matters reserved. | Land To The North Of Mount Oswald South Road Durham DH1 3TQ. The response to this application was **approved** by the Committee.

**DM/20/03394/VOC** | Variation of conditions 1 (approved plans) and 7 (lighting) of planning permission DM/20/00702/VOC (Erection of office HQ with associated works and car parking) to facilitate amendments to the design of the MSCP | The Sands Carpark And Durham Sixth Form Car Park Site Freemans Place Durham DH1 1SQ. The response to this application was **approved** by the Committee.

**DM/20/03455/FPA** | Change of use from dwelling to three flats (use class C3) including internal alterations, dormer windows in roofspace to rear, rooflight to front and fenestration changes. | 64 Gilesgate Durham DH1 1HY. The response to this application was **approved** by the Committee.

**(b) To consider the outcome of the following Area Committee hearing:**

**DM/14/03327/FPA** – Erection of four detached dwellings | Fernhill, Newcastle Road, Crossgate Moor, Durham, DH1 4JZ. The Committee **noted** that this application was refused at the Area Committee hearing.

## **6. Presentation on proposals for 7-8 Silver Street** (former Cotswold store)

Mr Peter Smith advised that an application would soon be forthcoming for the upper floors of the former Cotswold store (7-8 Silver Street) to convert this space into 2 x 6 bedroom apartments to be let to students.

Peter advised that there would be no change to the envelope of the building, expect for the introduction of windows to the vennels, and the downstairs unit would be retained and be let as a retail space.

Peter advised that the conversion of the upper floors would help to subsidise the rent for the downstairs unit.

Peter advised that he hoped that this project will go some way in helping to revitalise the city centre, by filling an empty unit. Peter advised that he felt that the City needed to be revitalised by filling one empty store at a time.

Peter advised that litter arising from the upper floors would be collected twice per week and there is an internal waste storage as part of the plans, in order to avoid waste spilling on to the streets.

Mike Burkett advised that he was involved with marketing 11 vacant units in Durham City at present and supported what Peter Smith had advised regarding the upper floors being rented out going some way in subsidising the rents for the ground floor retail unit. Mike advised that rents were often high in Durham and, as a result, the rateable value for business rates is also high.

Cllr R Cornwell highlighted that the envelope of the building is of real architectural value and he hoped that this could be retained as such. Mark Brown advised that this would remain unchanged.

Cllr J Ashby raised the concern of introducing windows to the vennels and advised that he felt that the police may take issue with this as this could invite burglaries.

Cllr L Brown asked whether the windows faced the World Heritage Site. Mark Brown advised that they would not.

Cllr G Holland advised that he felt that there needed to be a more strategic approach to the City and getting empty units filled.

Cllr J Elmer and Cllr R Cornwell asked whether the original façade of the building to the ground floor could be reclaimed and exposed as it may be that the original façade to the ground floor is still in good condition.

Peter, Mark and Mike thanked the Committee for their time and Mark and Mike left the meeting at this stage.

## **7. Regulation of Private Landlords in Durham City**

Cllr J Ashby presented a report to the Committee on the subject of regulation of private landlords.

Cllr J Ashby advised that the letting of residential properties for rent in Durham City is currently guided by a voluntary Private Landlord Accreditation Scheme, which requires private landlords to work in line with a Code of Practice. The Code of Practice sets out a wide range of legal requirements including:

an Energy Performance Certificate (EPC), a Gas Safety Certificate, safe electrical equipment, a smoke alarm and carbon monoxide detector (only required for solid fuel fires).

Cllr J Ashby advised that the Scheme is clear and reasonably comprehensive, but only applies to landlords who have voluntarily joined it. Similarly, the sanction of being suspended from the Scheme if breaches are discovered can only apply to landlords who are members.

Cllr J Ashby advised that the Committee's attention has recently been drawn to a number of properties that allegedly lack an Energy Performance Certificate. Cllr J Ashby advised that he felt that this, amongst other issues, demonstrates that the Scheme is insufficient to ensure the safety of the occupants of all rented accommodation in the city.

Cllr J Ashby recommended that Members refer the information about missing EPCs to the Landlord Licensing Working Party that is liaising with the County Council on ways in which the private rented sector in Durham city might be brought into a compulsory, self-financing landlord licensing scheme, and to request the County Council to investigate the cases specified.

Both of these proposals were unanimously **agreed** by the Committee.

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

### **a. To note:**

**DM/20/03667/FPA** | Lean-to hipped roof to existing single storey extension to front | 21 And 23 Geoffrey Avenue Durham DH1 4PF (26 January). It was **agreed** to note this application.

**DM/20/03717/FPA** | Replacement of Existing Decayed Front Doors and Windows | 46 Albert Street Durham DH1 4RJ (28 January). It was **agreed** to note this application.

**DM/20/03743/FPA** | Replacement of existing 20m telecommunications pole with new 20m telecommunications pole, supporting 6 no. antennas and 3 no. remote radio units, and removal of existing ground RBS 6102 cabinet and installation of York cabinet along with ancillary development. | Land To The North East Of Keenan House Old Dryburn Way Durham DH1 5BN (28 January). It was **agreed** to note this application.

**DM/21/00022/FPA** | Construction of 4 no. refuse storage areas with associated boundary fencing | 9 The Chains Durham DH1 1QZ (not available). It was **agreed** to note this application.

**DM/21/00041/LB** | Renovation including the creation of internal Jack & Jill style en-suite, replacement of front and rear windows, insertion of replacement window frames and new front door, repaired pointing and render to lower third of rear elevation (retrospective) | 211 Gilesgate Durham DH1 1QN (4 February). It was **agreed** to note this application.

**b. To consider making representations**

**DM/20/03217/PNC** | Convert third floor from B1 use to C3 to provide an additional 8 x 1 bedroom studio apartments | Third Floor Bridge House North Road Durham DH1 4PW (4 February). It was **agreed** to maintain the current position that this proposal does not meet the criteria for permitted development and consequently a full planning application should be requested. The Clerk **agreed** to draft a letter to that effect.

**DM/19/03313/FPA** | Temporary change of use until end of August 2021 from C3 to C4. | 3 The Bowers Durham DH1 4EH (5 February). It was **agreed** to object to this application. Cllr R Cornwell **agreed** to draft the response to this application.

**DM/20/03760/FPA** | Partial change of use to create 70 bed Student Accommodation Facility to include the erection of a two storey extension to existing roof and associated access arrangements | First To Third Floors 4 - 6 Silver Street Durham DH1 3RB (4 February). It was **agreed** to object to this application and it was also **agreed** to call this application in to the Central and East Area County Planning Committee. Cllr J Ashby **agreed** to draft the response to this application.

**9. DCC Spatial Planning Policy consultations**

**The Committee considered the spatial planning policy consultations as provided by the report.**

It was noted that the Parish Council had already contracted the services of a local planning consultant to build a case of evidence in support of an extension of the Article 4 Direction Area. This report included a recommendation that the Article 4 Direction be extended to other areas outside Mount Oswald, which weren't currently being consulted on as part of the proposal. It was **agreed** to adopt the consultant's report without the inclusion of references to other areas outside that being proposed by DCC, to recommend this to Full Council and to await the outcome of the two upcoming drop-in e-events being hosted by the County Council on the 2<sup>nd</sup> and 10<sup>th</sup> February, in case of anything arising which may influence the Parish Council's response to this consultation.

**10. Neighbourhood Plan**

The Chair advised that he and Sue Childs had had a very constructive meeting with Durham County Council on the outstanding issue of the maps provided as part of the Neighbourhood Plan and a number of good suggestions had been



made at this meeting; including extending the designated green space areas of Flass Vale and Observatory Hill. The Chair advised that we are still awaiting the outcome of the proofreading being carried out by DCC on the Neighbourhood Plan.

**11. Traffic Regulation Orders - Framwelgate Peth / Milburngate Development**

It was noted that correspondence had taken place between the Parish Council and the County Council's Highways team regarding the current highways arrangements at the junction leading into the site. In view of this correspondence having reached an impasse, it was agreed that a press release should be issued in order to highlight the Parish Council's concerns.

**12. Dates of future meetings**

**Friday 5 February 2021** - 14.00 to 16.00 hrs – via Zoom.

**Friday 19 February 2021** - 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 participation and closed the meeting.

Signed,

**Chair of the City of Durham Parish Council Planning Committee  
(5<sup>th</sup> February 2021)**

## **ITEM 9: PARISH PLANNING STATISTICS 2020**

**281** planning applications were validated in 2020. Four were withdrawn before they could be considered and four could not be considered in the early days of Lockdown 1. Consequently...

**273** were considered by the Committee.

**184** (67.4%) were noted as being either generally acceptable or not raising issues beyond the immediate application site.

**15** (5.5%) were supported

**4** (1.5%) were commented on but not objected to

**70** (25.6%) were objected to. Of these ...

**14** (5.1%) were called to Committee. However, not all of these came to Committee as nine were refused under delegated powers.

**56** (20.5%) were objected to but not called to Committee. 26 were approved, 9 were refused, 9 were withdrawn and 12 are pending consideration.

Parish Councillors made representations to the Central/East Planning Committee on eight occasions to challenge officer recommendations to approve and were successful five times.

Parish Councillors made representations to the County Planning Committee on two occasions to challenge officer recommendations to approve but were unsuccessful both times.

**Roger Cornwell**  
**30 January 2021**