

# City of Durham Parish Council

Office 3 D4.01d Clayport Library  
8 Millennium Place  
Durham  
DH1 1WA  
Telephone 07510 074875  
Email: [parishclerk@cityofdurham-pc.gov.uk](mailto:parishclerk@cityofdurham-pc.gov.uk)

27<sup>th</sup> March 2023

## **Access details for the Planning and Licensing Committee:**

Join Zoom Meeting  
<https://us02web.zoom.us/j/89323881423>  
Meeting ID: 893 2388 1423

Dear Planning and Licensing Committee Member,

In accordance with the Local Government Act 1972, I hereby give you notice that a meeting of the **Planning and Licensing Committee** will be held in **via Zoom** on **Friday 31<sup>st</sup> March 2023 at 12:00pm** 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 held on 17<sup>th</sup> March 2023**
- 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 agree the draft responses to the following planning and licensing application(s), pre-application(s) and/or appeal(s):**

**DM/23/00358/VOC** | Variation of condition 3 (opening hours) pursuant to planning permission DM/21/01282/FPA | 93 Elvet Bridge Durham DH1 3AG.

**DM/23/00456/FPA** | Change of use from dwelling (use class C3) to House in multiple occupation (HMO) (use class C4). | 3 Wentworth Drive Durham DH1 3FD

**DM/23/00607/VOC** | Variation of Condition(s) 10 (Obscure Glazing) pursuant to DM/20/01107/FPA with removal of word 'non-opening' for purge ventilation purposes | Saffron House Newcastle Road Crossgate Moor DH1 4HZ

**(b) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):**

**DM/23/00174/FPA** | Change of use from Class 3 (dwellinghouse) to HMO (Sui Generis) including internal remodelling. Internal works comprise of the relocation of existing first floor bathroom to create one additional bedroom and change of glazing

from opaque to clear on rear elevation and the creation of a new shower room. | 41 Whinney Hill Durham DH1 3BD

**DM/23/00099/FPA** | Subdivision of an existing 4-bedroom bungalow C3 dwellinghouse to form 2 No C3 two-bedroom dwellinghouses with associated external works and internal alterations | 4 North End Durham DH1 4NG

**DM/22/03823/FPA** | Change use of dwellinghouse (C3) to 7 bed large HMO (Sui Generis) including changing the use of the garage into a habitable room | 3 St Monica Grove Crossgate Moor Durham DH1 4AS

**DM/22/02292/VOC** | Variation of condition 2 of planning permission 4/99/00534/FPA to allow a change in opening hours. | 5 North Road Durham DH1 4SH

- License review for the Drunken Duck, 91a Claypath. Durham. DH1 1RG.

**(c) Preparing for the County Council licensing hearing on 17<sup>th</sup> April 2023 for the following application(s):**

- Application to vary a Premises Licence – Jimmy Allens, 19-21 Elvet Bridge, Durham, DH1 3AA.

**6. To consider the following new planning applications in the parish area**

**a) To note:**

**DM/23/00216/FPA** | Raised decking to rear of host dwelling | 18 The Grove North End Durham DH1 4LU

**DM/23/00445/FPA** | Installation of new shop front (amended description) | 5 New Elvet Durham DH1 3AQ

**DM/23/00527/FPA** | Two-storey side, rear and single-storey rear extensions with enclosed rear decking | 15 Moor Edge Crossgate Moor Durham DH1 4HT

**DM/23/00552/FPA** | Two-storey side extension, proposed porch to front and rear single storey extension. | 1 St Leonards North Road Durham DH1 4NH

**DM/23/00657/FPA** | Single-storey side extension | 10 Lowes Court the Downs Durham DH1 4NR

**DM/23/00753/FPA** | Replacement of the existing porch | Edale 22 Crossgate Peth Durham DH1 4PZ

**b) To discuss:**

**DM/23/00759/VOC** | Variation of Condition 3 (opening hours) pursuant to planning permission DM/18/02199/FPA | 25 Elvet Bridge Durham DH1 3AA

**DM/23/00792/FPA** | Conversion to Cafe with associated alterations and new first floor over | Former Public Toilets North Road Durham DH1 4RE

**DM/23/00729/FPA** | Replacement window and front face cladding to dormer on front elevation with uPVC. Conservation velux to front elevation, replacement garage windows, replace window with doors in dining room, and new timber sliding sash window to kitchen in previously bricked up opening. Solar panels to rear elevation roof slope. | Ivyholme 58 The Avenue Durham DH1 4EB

**DM/23/00711/CEU** | Application for a Lawful Development Certificate for change of use of C3 Dwellinghouse to C4 HMO prior to the Article 4 Direction coming into force | 3 Alma Terrace Nevilles Cross Bank Durham DH1 4JQ

**7. Ongoing engagement with the licensed economy in Durham City**

**8. Consultation on the following Supplementary Planning Documents:**

- Development viability, affordable housing, and developer contributions Supplementary Planning Document (SPD) second consultation
- County Durham Design Code Supplementary Planning Document (SPD)
- Housing Needs Supplementary Planning Document (SPD)
- Trees, Woodland and Hedges Supplementary Planning Document (SPD)

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 13:00pm on Friday 17<sup>th</sup> March 2023**

**Present:** Cllr G Holland (in the Chair), Cllr E Ashby, Cllr N Brown, Cllr C Lattin and Cllr S Walker.

**Also present:** A Shanley (Parish Clerk), Cllr L Brown (County Councillor), Mr Bryan Harris and Ms Rebecca Taylor (DCC Conservation officers) and 37 members of the public.

### **1. Welcome and apologies**

None received.

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

Councillor S Walker declared an interest in application DM/23/00490/VOC and took no part in the discussion or vote on this application.

### **3. To receive and approve as a correct record the minutes of the meeting held on 3<sup>rd</sup> March 2023**

The minutes of the meeting held on 3<sup>rd</sup> March 2023 were unanimously **agreed** as a true and accurate record of proceedings.

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

31 members of the public advised that they were attending the meeting to hear the discussion on application DM/23/00456/FPA, noting particularly their objection and concerns to this development.

Mr Peter Smith advised that he was attending as the agent acting for the application for application DM/23/00456/FPA.

Mr John Ashby advised that he was attending the meeting with a general interest in all agenda items.

Mr Roger Cornwell advised that he was attending the meeting with a general interest in all agenda items.

Mrs Helen Clarke advised that she was attending the meeting to hear discussions on application DM/23/00607/VOC.

Mr Richard Hornby advised that he was attending the meeting to hear discussions on item 9 of the Agenda.

Mr Michael Hurlow advised that he was attending the meeting to hear discussions on item 5 of the Agenda.

### **5. Discussion with DCC Design and Conservation team on the production of the Conservation Area Management Plan**

The Chair welcomed Mr Bryan Harris and Ms Rebecca Taylor to the meeting and thanked them for their continuing work on this important document.

Ms Rebecca Taylor reminded Members that DCC and the Parish Council (as a co-funding partner) are working together to produce this Conservation Area Management Plan (CAMP).

Rebecca advised that, during the production of the Neighbourhood Plan, the Council had received feedback that SPDs were being sought for trees and design. Rebecca advised that DCC is currently consulting on these documents and encouraged the Parish Council to take an active role in responding to these consultations.

Rebecca advised that the first step to the production of the CAMP was to review the existing Conservation Area. Rebecca advised that the last review took place in 2015 which obviously pre-dated the adoption of the County Durham Plan and the Durham City Neighbourhood Plan.

Rebecca advised that the initial review would include a condition survey and potential boundary amends/ article 4 revisions. Rebecca advised that once this initial phase was complete, the CAMP would be developed in collaboration with internal and external partners.

Rebecca advised that the CAMP is a vehicle for conserving and celebrating the unique historic character of Durham. The CAMP will identify risks, issues and opportunities within the Conservation Area to help to deliver wider social, cultural, economic and environmental benefits.

Rebecca advised that the CAMP may include management policies relating to design, guidance on lighting, shopfront alterations as well as advice on grants or other funding streams and a public realm strategy.

Rebecca advised that this will also include a costed maintenance and management plan to ensure the CAMP is deliverable.

Rebecca advised that DCC is proposing to subdivide the existing Conservation Area into smaller Conservations Areas and to prepare new Character Appraisals.

Rebecca advised that the justification for this relates to Historic England (HE) policy for identifying Conservation Areas at risk and assessments of less than or substantial harm.

Rebecca also advised that the boundaries for the Conservation Area are to be confirmed, but will be based around existing historic borough sub-areas.

Rebecca advised that the boundary is being reviewed in accordance with best practice and relevant HE guidance and any amendments will be made where the boundary has not been mapped correctly using OS mapping.

Rebecca assured the Committee that any changes will be subject to consultation and DCC's assessment will outline where there are any potential additions or deletions.

Rebecca also advised that the CAMP will include Conservation Area Setting Mapping in order to support Policies 44 and 45, assist with forthcoming revisions of the WHS Management Plan and will be assessed in collaboration with DCC landscape colleagues.

Rebecca advised that each street in the Conservation Area has been reviewed and rate as optimal, fair, poor or very bad. Rebecca advised that this review includes factors such as the condition of buildings, the public realm, open space and views.

Rebecca highlighted the example of Mavin Street which has been rated poor.

Rebecca also advised that the CAMP will produce a heritage at risk register as well as update the compiled list of NDHAs within the Conservation Area.

The Clerk asked if the CAMP would provide guidance on green infrastructure and renewables such as solar panels on roofs in the Conservation Area. Bryan confirmed that it would and the Council is presently producing an SPDs on renewables which would also cover this.

The Clerk also asked if the boundary of the Conservation Area could shrink. Rebecca advised that in theory this may be possible. Rebecca highlighted that the boundary itself hasn't changed since 1980.

The Clerk asked if the street by street rating could be publicly available. Bryan advised that this would probably be available as a heat map as opposed to a site specific assessment.

John Ashby asked if there may be grants available to deal with some of the heritage issues which the CAMP may present. John also asked if it would be more difficult to deal with issues if the street/ area is unadopted. Rebecca advised that the CAMP would set out a strategy for positive engagement by the Council with landowners and also confirmed that grant funding – such as regional funding from HE – would be available to deal with any issues identified by the CAMP.

Michael Hurlow advised that he welcomed the idea of reviewing the Conservation Area and sub-dividing the Conservation Area further.

Esther Ashby asked if a representative of each Residents Association could be a stakeholder in this process. Bryan advised that this would be possible.

Roger Cornwell advised that he was concerned that private owners may seek to make their homes more energy efficient (increase their EPC rating) by the Government target of 2025 by putting in inappropriate u-PVC windows within the Conservation Area. Rebecca advised that DCC were mindful of this and will address each new application on its merits.

There being no further queries, the Chair thanked Rebecca and Bryan for their presentation. At this point, Bryan and Rebecca left the meeting.

## **6. Matters arising:**

### **(d) To agree the draft responses to the following planning and licensing application(s), pre-application(s) and/or appeal(s):**

**DM/23/00241/FPA** | Change of Use from 6 Bed dwellinghouse to 2no. 2 bed flats. (Amended description 09.02.2023) | 24 Nevilledale Terrace Durham DH1 4QG. The Committee **approved** the response to this application.

**DM/23/00332/PNT** | Prior notification for the installation of a 15m high slim-line monopole, supporting 6no. antennas, 1no. wraparound equipment cabinet at the base of the monopole, 2no. equipment cabinets, 1no. electric meter cabinet and ancillary development thereto including 1no. GPS module | Land South East of Whitechurch Church Street Head Durham DH1 3DN. The Committee **approved** the response to this application.

**DM/23/00333/PNT** | Prior notification for installation of 15m slim-line monopole, supporting 6 no. antennas, with 1 no. wraparound equipment cabinet, 3 no. additional cabinets and ancillary development thereto including GPS no. 1 module. | Land North

of St Godrics Church Millburngate Durham DH1 4RD. The Committee **approved** the response to this application.

**DM/23/00358/VOC** | Variation of condition 3 (opening hours) pursuant to planning permission DM/21/01282/FPA | 93 Elvet Bridge Durham DH1 3AG. The Clerk advised that he would be circulating his draft letter later today following the submission from the Nuisance Action Team on this application. The Committee **agreed** to await a copy of this letter.

**DM/22/03232/FPA** | Change of Use from Class E 'Commercial, Business and Services' to a mixed-use comprising use within use Class E and Sui Generis 'Drinking establishments and venues for live music performances and events' with ancillary facilities, alterations to the external elevations and provision of a roof-top terrace with external seating and associated facilities. | 4 - 6 Silver Street Durham DH1 3RB. The Committee **approved** the response to this application.

- **Application to vary a premises licence by Belle Leisure Limited for Jimmy Allens. 19-21 Elvet Bridge Durham DH1 3AA**

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

**(e) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):**

**DM/22/02761/FPA** | Proposed Redevelopment of Stables to Provide 1no 3 Bed Dwelling | Fernhill Newcastle Road Crossgate Moor Durham DH1 4JZ. The Committee **noted** that this application had now been approved.

**DM/22/03456/FPA** | Conversion of first and second floors to form two 5-bed HMOs (Use Class C4) including window changes to lightwell elevation. | First Floor and Second Floor 84 Claypath Durham DH1 1RG. The Committee **noted** that this application had now been approved with the requested conditions attached.

**DM/21/04262/FPA** | 9 no. dwellings and alterations to existing access road | Mount Oswald Golf Club South Road Durham DH1 3TQ. The Committee **noted** with disappointment that this application had now been approved.

**DM/22/03403/PNT** | Prior notification for installation of 1 no. 20m Phase 9 monopole together with 3 no. equipment cabinets and associated works. | Land Adjacent to Pelaw House Leazes Road Durham. The Committee **noted** that this application had now been refused.

**DM/22/03033/FPA** | Demolish the existing dwelling at 2, Valeside, Durham and replace with a one and a half storey house (demolition of existing garages). | 2 Valeside Durham DH1 4RF. The Committee **noted** that this application had now been approved.

**7. To consider the following new planning applications in the parish area**

**c) To note:**

**DM/23/00490/VOC** | Variation of Conditions 2 (approved plans) and 7 (overflow car park) pursuant to planning permission DM/20/01008/FPA for new community hall | Lowes Barn Recreation Ground Off Park House Road Durham DH1 3QF. It was **agreed** to note this application.

**DM/23/00519/FPA** | Renovation of existing ground floor front bay window | South View 16 Crossgate Peth Durham DH1 4PZ. It was **agreed** to note this application.

**DM/23/00570/FPA** | Single storey rear extension | 3 Fieldhouse Lane Durham DH1 4LT. It was **agreed** to note this application.

**d) To discuss:**

**DM/22/03376/AD** | Retention of non-illuminated fascia sign | 3A Old Elvet Durham DH1 3HL. It was **agreed** to note this application.

**DM/23/00456/FPA** | Change of use from dwelling (use class C3) to House in multiple occupation (HMO) (use class C4). | 3 Wentworth Drive Durham DH1 3FD. It was **agreed** to object to this application and also to call this application in to the Central and East Area County Planning Committee for determination. The Clerk and Councillor S Walker **agreed** to draft the response to this application.

**DM/23/00607/VOC** | Variation of Condition(s) 10 (Obscure Glazing) pursuant to DM/20/01107/FPA with removal of word 'non-opening' for purge ventilation purposes | Saffron House Newcastle Road Crossgate Moor DH1 4HZ. It was **agreed** to object to this application and also to call this application in to the Central and East Area County Planning Committee for determination. The Chair **agreed** to draft the response to this application.

**DM/23/00638/CEU** | Application for a Lawful Development Certificate for change of use of C3 Dwellinghouse to C4 HMO prior to the Article 4 Direction coming into force | 3 Cross View Terrace Durham DH1 4JY. It was **agreed** to note this application.

**8. To consider the following new licensing application(s) within the parish area:**

Minor variation application by Monic Elvet Limited for Mixology 93 Elvet Bridge Durham DH1 3AG. It was **agreed** to note this application.

**9. Consultation on the following Supplementary Planning Documents:**

It was **agreed** that the Committee should take an active role in responding to the following SPDs. It was also **agreed** that this should be reviewed outside the Committee meetings and the Clerk agreed to arrange a catch-up session with Members for this to happen.

- Development viability, affordable housing, and developer contributions Supplementary Planning Document (SPD) second consultation
- County Durham Design Code Supplementary Planning Document (SPD)
- Housing Needs Supplementary Planning Document (SPD)
- Trees, Woodland and Hedges Supplementary Planning Document (SPD)

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

Signed,

**Chair of the City of Durham Parish Council Planning and Licensing Committee  
(31<sup>st</sup> March 2023)**

