



City of Durham Parish Council

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Date of Summons: 22nd June 2023

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors E Ashby, N Brown, A Doig, G Holland, C Lattin, R Ormerod and S Walker.

You are hereby summoned to attend the **Planning and Licensing Committee meeting** to be held **via Zoom at 12:00pm on Wednesday 28th June 2023** for the purpose of transacting the following Agenda business as shown.

The link to join this meeting is below:

<https://us02web.zoom.us/j/85035680859>

Meeting ID: 850 3568 0859

Members of the public and press are also cordially invited to attend. Members of the public may address Council, Committee or Sub-Committee meetings for up to three minutes, with the agreement of the Chair of the meeting, provided that the statement is related to an item on the agenda. The speaker should approach the Clerk before the meeting commences to request to speak during the meeting.

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities, Health & Safety, Civility and Respect and Human Rights plus Social, Economic and Environmental matters.

Yours faithfully,

A. Shanley

Mr Adam Shanley
Clerk to the City of Durham Parish Council

AGENDA

- 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 9th June 2023**
- 4. To receive any public participation comments on the following agenda items.** Please email the Parish Clerk parishclerk@cityofdurham-pc.gov.uk to register to speak.
- 5. Discussion with Anne Allen, World Heritage Site Coordinator and David Sparkes, DCC Design and Conservation on the requirements for a WHS setting survey**
- 6. Pre-application discussion with Saddlers Land and Property regarding refurbishment/ redevelopments in the City centre including Silver Street, Saddler Street and North Road**
- 7. Matters arising:**
 - (a) To agree the draft responses to the following planning and licensing application(s), pre-application(s) and/or appeal(s):**

DM/23/01077/FPA | Proposed development of 26 holiday lodges, security office and associated recreational hub with access, parking and landscaping. | Land To The North Of Industrial Estate Frankland Lane Durham DH1 5TA

DM/23/01329/FPA | Rear extension to form a covered external terrace for restaurant (Use Class E), a 3-bed HMO (Use Class C4) and basement storage with alterations to the adjoining external staircase | 30 - 31 Silver Street Durham DH1 3RD
 - (b) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):**

DM/23/01161/FPA | Installation of baby memorial, new handrails and renewal of footpaths | St Cuthberts Church North Road Durham DH1 4NH

DM/23/00993/FPA and DM/23/00911/LB | Loft conversion including a glass dormer window in centre of roof, with 3x conservation velux windows. Convert and extend the existing garage to a 1.5 storey garden room, with 2x dormer windows | 90 Gilesgate Durham DH1 1HY
- 8. To consider the following new licensing applications in the parish area:**

WLHPLUS Limited	Happiness 2 Restaurant and Karaoke Bar 17 North Road Durham DH1 4SH	Minor variation of a premises licence To reconfigure the karaoke rooms on the first and second floors and to add an office and storeroom within the space created. The capacity for the karaoke rooms has not been increased. There are no changes to the licensable hours or activities.	5 July 2023
El Pincho Limited	El Pincho Unit 16 The Riverwalk Durham DH1 4SJ	Application to vary a premises licence To remove the following condition from the premises licence: 'Door supervisors will be employed from 7.00pm on Wednesdays until closing during university term time' To add the outdoors area of the premises	7 July 2023
Mr Samuel Harper	40 Winks 40 South Street Durham DH1 4QP	Application for the grant of a premises licence Sale of alcohol (on the premises) Monday to Sunday 10.00am to 6.00pm	13 July 2023

9. To consider the following new planning applications in the parish area

a) To note:

DM/23/01557/TPO | Various works to trees covered by a Tree Preservation Order, further information within the provided tree survey. | East Durham And Houghall Community College Houghall Durham DH1 3SG

DM/23/01306/FPA | Replace existing rear conservatory with new conservatory | 221 Gilesgate Durham DH1 1QN

DM/23/01564/FPA | Alterations to internal layout, re-paint of rear, install 2 No. vent axia fans to first floor rear side elevation. Repairs to external wall on ground floor front elevation | Big Jug 83 Claypath Durham DH1 1RG

DM/23/01565/LB | Alterations to internal layout, re-paint of rear, install 2 No. vent axia fans to first floor rear side elevation. Repairs to external wall on ground floor front elevation | Big Jug 83 Claypath Durham DH1 1RG

DM/23/01423/FPA | Extension to existing roof (raising of roof ridge level and construction of gable walls) | Crossways Toll House Road Crossgate Moor Durham DH1 4HU

DM/23/01282/FPA | Erection of temporary double classroom | Houghhall Farm Farm Road Houghall Durham DH1 3SN

DM/23/01584/TPO | Crown lifting to 5m of 4 trees as shown on Drawing Number 149525/8006, Rev A. | East Durham And Houghall Community College Houghall Durham DH1 3SG

DM/23/01355/AD | 1 no. proposed fascia sign (1.8m width, 0.6m height) and 2 no. proposed projecting fascia sign (0.75m width, 0.55m height, 0.1m depth) | MyDentist Framwelgate Bridge Durham DH1 4SJ

DM/23/01655/TPO | Removal of a branch hanging, remove 1 and 2-inch deadwood visible in the crown, prune branches as shown in figures 1 and 2 on the North face to lift the crown and prune to crown lift the south face to 7m | 27 Dalton Crescent Nevilles Cross Durham DH1 4FB

b) To discuss:

DM/23/01587/FPA | Replacement windows | St Margarets Flats Durham DH1 4DS

DM/23/01581/FPA | Conversion of garage, block paving to extend drive, dropped kerb, modification to gable roof edge and external rendered wall cladding | 18 Redhills Lane Crossgate Moor Durham DH1 4AJ

10. Dates of future meeting(s) of this Committee:

7th July 2023

21st July 2023

4th August 2023

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 9th June 2023

Present: Cllr G Holland (in the Chair), Cllr E Ashby, Cllr A Doig, Cllr C Lattin and Cllr S Walker.

Also present: Mr A Shanley (Parish Clerk), Mr John Ashby and Mr John Lowe members of the public).

1. Welcome and apologies

Apologies were received from Councillors N Brown and R Ormerod.

2. To receive any declarations of interest from members

None received.

3. To receive and approve as a correct record the minutes of the meeting held on 26th May 2023

The minutes of the meeting held on 26th May 2023 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 Ashby advised that he was attending the meeting with a general interest in all Agenda items.

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

5. Matters arising:

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

DM/23/01167/FPA | Change of use from dwellinghouse (Use Class C3) to small House in Multiple Occupation (Use Class C4) with alterations to existing bay window | 5 Lyndhurst Drive Crossgate Moor Durham DH1 4AE. The Committee **approved** the response to this application.

DM/23/01353/FPA | Renovation of property to include replacement of conservatory with a single storey rear extension, re-roofing of single storey off-shoot and associated internal works. | 24 Hallgarth Street Durham DH1 3AT. The Committee **approved** the response to this application.

DM/23/01354/LB | Renovation of property to include replacement of conservatory with a single storey rear extension, re-roofing of single storey off-shoot and associated internal works. | 24 Hallgarth Street Durham DH1 3AT. The Committee **approved** the response to this application.

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

DM/23/00333/PNT | Prior notification for installation of 15m slim-line monopole, supporting 6 no. antennas, with 3 no. equipment cabinets and ancillary development thereto including 1 no. GPS module. | Land North Of St Godrics Church Millburngate Durham DH1 4RD. The Committee **noted** that this application had now been approved.

DM/22/01981/RM | Reserved matters application for 470 dwellings (appearance, landscaping, layout and scale) pursuant to DM/20/03558/OUT. | Land To The East Of Regents Court Sherburn Road Durham. The Committee **noted** that this application had now been approved at Committee, in spite of the objections from GRA, the City of Durham Parish Council, the City of Durham Trust and others. Committee Members expressed their disappointment at this outcome, particularly in relation to house sizes and bus services but **agreed** not to take any further legal action on this matter or submit a Secretary of State call-in request in respect of the application.

John Ashby and John Lowe advised that the City of Durham Trust is hoping to enter into a positive approach to DCC in order to try and address some of the concerns expressed at Committee stage, e.g. bus stop locations, etc.

(e) To consider the latest amendment(s) to the following planning and licensing application(s) and/or appeal(s):

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. The Committee **noted** that the applicant had now submitted a number of documents to show that the property was let to students prior to the Article 4 Direction being introduced but concerns remain that the property may not have been let to 3 or more students and therefore in use as a C4 HMO. The Clerk **agreed** to pursue this directly with the case officer.

DM/21/02697/FPA | Addition of conservatory and terrace to serve the restaurant and bar | Farnley Tower The Avenue Durham DH1 4DX. The Committee **noted** that the case officer has now requested that the application be finally disposed of, given the lack of any action/ movement for a number of years now.

DM/20/03238/OUT | Outline application for Purpose Built Student Accommodation comprising up to 850 bedrooms, with all matters reserved. Re-consultation on older application to allow for update of policy / financial requirements - no amendments submitted. | Land To The North Of Mount Oswald South Road Durham DH1 3TQ. The Committee noted that the case officer had responded to a number of letters from the Parish Council regarding concerns over the allocation of Biodiversity Net Gain and Open Space contribution. In considering the officer's correspondence, the Committee noted that there was sufficient

flexibility in the allocation of Open Space contribution such that it may also include improvements to the public realm. The Clerk highlighted however that the funding from the development may only become available until first occupation of the development which may take a number of years. Councillor E Ashby expressed her ongoing concerns regarding the way in which Section 106 funding arising from this development had been allocated and in particular the loss of funding for the parish area for Biodiversity Net Gain in place of a site at Tow Law.

(f) Preparing for the licensing hearing on 20th June 2023 on the following licensing application(s):

Application to vary a premises licence by Happiness 2 at 17 North Road, Durham. DH1 4SH. Councillor G Holland **agreed** to represent the Parish Council at the hearing on 20th June 2023. The Committee also **agreed** to attempt mediation with the applicant's solicitor in the meantime.

6. To consider the following new licensing applications in the parish area:

Application to vary a club premises certificate by St Johns College for St Johns College. 3 South Bailey. Durham. DH1 3RU. It was **agreed** to note this application.

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

c) To note:

DM/23/01427/LB | Installation of new IT Network internally | The Chorister School The College Durham DH1 3EL. It was **agreed** to note this application.

DM/23/01428/LB | Replacement of existing boiler room window | The Chorister School The College Durham DH1 3EL. It was **agreed** to note this application.

DM/23/01511/LB | Retention of internal alterations and alterations to roof vent tile locations | 26-27 North Bailey Durham DH1 3EW. It was **agreed** to note this application.

DM/23/01445/TPO | We would like to carry out the removal of the Ash tree in question. The job will be carried out by myself (Thomas) and another climbing Arborist. We will climb and rig the tree to ground level causing as little impact to the surrounding area due to the sensitive site. All timber and arisings being removed from the site. | Durham Miners Association Miners Hall Flass Street Durham DH1 4BE. It was **agreed** to note this application.

DM/23/01422/TPO | Removal of 5 trees and crown lifting to 5m of 5 trees | The Reeds Houghall Durham DH1 3SQ. It was **agreed** to note this application.

DM/23/01504/PND | Prior notification for the demolition of 2no buildings | 1 And 2 The Reeds Houghall Durham DH1 3SQ. It was **agreed** to note this application.

DM/23/01284/LB | Replacement dormer window to 2nd floor to front and repair vertical sliding window to rear side elevation | 52 South Street Durham DH1 4QP. It was **agreed** to note this application.

DM/23/01357/FPA | Replacement of all timber framed casement, dormer, oriel and bay windows with heritage style timber effect uPVC windows. Replace all Velux windows with replacement windows to match existing. Redecoration of fascias, soffits and all external joinery to grey to match colour of new windows. Replacement of atrium skylight. | Orchard House New Elvet Durham DH1 3DB. It was **agreed** to note this application.

DM/23/01390/AD | Addition to existing signage at first floor level of main elevation to reflect the renaming of the building in honour of Sir Thomas Allen and replacement of sign board in existing projecting bracket sign. | Assembly Rooms 40 North Bailey Durham DH1 3ET. It was **agreed** to note this application.

DM/23/01117/TPO | 3x Sycamore and 1x Oak - remove overhanging branches by 4m, and pruning back to growth points 1x Scotch Pine - fell due to poor crown shape and structure. Replant with 1x Oak 1x Willow Oak - crown reduction and reshape by 30% | 16 Chevallier Court Durham DH1 3RF. It was **agreed** to note this application.

d) To discuss:

DM/23/01077/FPA | Proposed development of 26 holiday lodges, security office and associated recreational hub with access, parking and landscaping. | Land To The North Of Industrial Estate Frankland Lane Durham DH1 5TA. It was **agreed** to object to this application and also to call this application in to the Central and East Area County Planning Committee. The Clerk **agreed** to draft the response to this application.

DM/23/01455/FPA | Conversion of ground floor garage/store to create an additional bedroom with en suite | 7A Dalton Crescent Nevilles Cross Durham DH1 4FB. It was **agreed** to note this application.

DM/23/01186/AD | 1no internally illuminated fascia sign and 1no hanging sign | 5 New Elvet Durham DH1 3AQ. It was **agreed** to note this application.

DM/23/01329/FPA | Rear extension to form a covered external terrace for restaurant (Use Class E), a 3-bed HMO (Use Class C4) and basement storage with alterations to the adjoining external staircase | 30 - 31 Silver Street Durham DH1 3RD. It was **agreed** to object to this application. It was **agreed** that Jo-Anne Garrick be asked to draft the response to this application.

DM/23/01298/FPA | Change of use from dwelling (C3) to HMO (C4) with rear bin and cycle store | 15 St Aidans Crescent Crossgate Moor Durham DH1 4AP. It was **agreed** to note this application.

8. Durham South-West 2023 Traffic Regulation Order Amendment

The Clerk presented the finalised proposals for the Durham South-West 2023 Traffic Regulation Order Amendment to the Committee.

The Clerk highlighted that the Parish Council was consulted on many of these proposals in December 2022 and the Committee agreed to support these.

The Clerk advised that, since the December 2022 consultation, an amendment had been proposed to introduce 'no waiting at any time' on Coupland Way (located outside the City of Durham Parish area) and Neville's Cross Villas.

The Clerk advised that all comments on this proposal must be received by 21st June 2023.

The Committee **agreed** to support these proposals in their entirety.

9. Report on objections to planning application and calls to Committee: DCC Central and East Planning Committee

Councillor A Doig presented his latest report on objections to planning applications and calls to Committee by the City of Durham Parish Council. Councillor A Doig thanked all those involved in formulating this latest version of the report and proposed that this be recommended for approval at the next Full Council meeting in June. The Committee unanimously **agreed** to support this.

10. Report by the Chair on protecting family homes in the City

The Chair presented his report on protecting family homes in the City and also highlighted the disparity between student residents vs permanent residents for similar sized towns and cities with Universities located within them. The Chair advised that Durham in particular had a huge disparity between the high numbers of student residents when compared with its geographical size and permanent resident population.

The Chair highlighted that Policy 16 is insufficient as a stand-alone policy in protecting family homes in parts of the City. The Chair stressed that further work is needed to highlight the importance of other policies within the CDP such as Policies 29 and 31 and that they too carried equal weight in the determination of applications.

The Chair also expressed his disappointment that 12 out of 15 of the Councillors on the Central and East Area County Planning Committee are from outside the former Durham City district area.

John Ashby highlighted that the total number of students living in Durham City centre during the current academic year is circa. 18,700.

Councillor A Doig welcomed this report as a compliment to the previous report on objections and call-in requests and agreed that further work is needed on this topic.

The Chair highlighted the example of 1 Larches Road where the Committee had rightly recognised the importance of CDP Policies 29 and 31 and the strength of public feeling on this case.

11. Consideration of Durham County Council's Public Rights of Way improvement plan consultation

The Committee considered the content of this consultation and **agreed** that the analysis required for this exceptionally important document was such that this should be done outside the usual timetable of meetings. The Clerk advised that he would be hosting a further coffee morning with interested parties, in order to review the content of this consultation and agree a response to this.

The Clerk highlighted that he had a number of queries with the PROW team on the content of the consultation already – namely whether any 10 in 10 (10 schemes in 10 years) projects were located within the City of Durham parish area and also whether a survey of the condition of the existing PROW network is also available.

12. Consideration of Durham County Council's Supplementary Planning Documents consultation on the following documents:

The Committee considered the content of the new SPDs currently being consulted on by DCC – namely the draft Solar Energy Supplementary Planning Document (SPD) and the further revised Parking and Accessibility Supplementary Planning Document (SPD).

The Committee **agreed** that the analysis required for both of these exceptionally important documents was such that this should be done outside the usual timetable of meetings. The Clerk advised that he would be hosting a further coffee morning with interested parties, in order to review the content of both SPDs and agree a response to each of these.

The Chair expressed his serious disappointment at the content of the SPD on Solar Energy and advised that he felt that this document should be re-started entirely by DCC.

13. Dates of future meeting(s) of this Committee:

28th June 2023

7th July 2023

21st July 2023

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
(28th June 2023)