

# City of Durham Parish Council

**Minutes of Planning Committee meeting held at 14:00 pm on Friday 30<sup>th</sup> August 2019 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 (arrived 14:11pm)

**Also present:** Parish Clerk Adam Shanley, Mr John Pacey and Mr Peter Jackson (both members of the public)

## **1. Welcome and apologies**

Apologies were received from Cllr J Elmer

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

Cllrs J Ashby and V Ashfield declared an interest in planning application DM/19/00678/FPA.

Cllr L Brown declared an interest in all applications relating to the University Business School, DM/19/02673/FPA and DM/19/02504/FPA

Cllr R Cornwell declared an interest in application DM/19/02504/FPA and took no part in the discussions on this item. The Vice Chair also chaired discussion on this planning application at the Chair's request.

## **3. To receive and approve as a correct record the minutes of the meeting on 16 August 2019.**

The Minutes of the meeting held on 16<sup>th</sup> August 2019 were accepted as a true and accurate record of proceedings.

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

Mr John Pacey and Mr Peter Jackson both advised that they were in attendance to discuss item 6 on the Agenda and were happy to wait until this item came under discussion to give their remarks.

Mr John Pacey also advised that he had an interest in item 12 on the Agenda and queried why this was in closed session. The Clerk advised that this was due to commercial sensitivity and any decisions arising from discussions on this item would be minuted.

## **5. Matters arising:**

to approve the following responses (for text of letters see Parish web site):

**DM/19/01810/FPA** | Part two storey rear extension and part single storey rear extension, raising of ridge height and loft conversion, increasing from 4 to 6 bedrooms. | 22 Blaidwood Drive Durham DH1 3TD. Members unanimously **agreed** this letter.

**DM/19/02199/FPA** and **DM/19/02200/LB** | Erection of part two storey, part single storey extension to rear to form 1no. self-contained 5-bed house in multiple occupation (C4) to 1st and 2nd Floor and additional retail office, storage and welfare facilities to ground floor. | 21 Market Place Durham DH1 3NJ. Members unanimously **agreed** this letter.

**DM/19/02244/LB** | Repair and reinstate historic pump. Listed Building



Consent was granted to dismantle the pump under application DM/14/00739/LB | College Green The College Durham. Members unanimously **agreed** this letter. **DM/19/02375/PNT** | Prior notification for the installation of a 17.5m high HEL Phase 5 streetworks tower on D9-4 root foundation and associated works. | Land At Darlington Road Durham DH1 4PE. Members unanimously **agreed** this letter and Cllr L Brown advised that she had called this application to the Central and East County Planning Committee.

**DM/19/02537/FPA** | Single storey rear extension and a total of four dormer windows; two to rear and two to front roofslope | 9 Crossgate Peth Durham DH1 4PZ. Members unanimously **agreed** this letter.

Cllr R Cornwell also advised that the Committee had received a notification of the amendment to the scheme in relation to application 19/01411/FPA. The Committee **agreed** that the alteration to the scheme did not address the original concerns expressed by the Committee and therefore it was **agreed** that the Clerk should respond stating that the original objection to the scheme still stood.

## **6. Oversight of the work of the Neighbourhood Plan Working Party progress report**

Cllr R Cornwell advised that the Working Party had been working on, and had largely completed, a review of the comments made during the Regulation 14 consultation stage. Cllr R Cornwell advised that a list of action points, as circulated ahead of the meeting today had been put together by the Working Party. Cllr R Cornwell advised that most of these had been resolved and agreed by the Working Party, and would form part of the package to be presented to the Full Parish Council via the Planning Committee.

Cllr R Cornwell advised that the designation of land at Observatory Hill had however drawn two sets of objections and it is necessary for the Planning Committee to consider these together with the views of the Working Party.

Cllr R Cornwell advised that objections had been received from Durham University and Durham Cathedral, who own land to the south and east of Potters Bank. Cllr R Cornwell also advised that the Cathedral are also objecting to the inclusion of the Chorister School Playing Field near the roundabout at the foot of Potters Bank. Cllr R Cornwell advised that the inclusion of this land was suggested by Durham County Council and confirmed by the consultants AECOM who carried out the sustainability appraisal on behalf of the Neighbourhood Plan Working Party. Cllr R Cornwell advised that the view of the Working Party is that this land ought not to be deleted from the designated area. Members considered this and unanimously **agreed** that the land as designated in the draft Plan ought to remain the same.

Cllr R Cornwell also reported that objections had been received from the Neville's Cross Residents' Association and two local residents in relation to the playing fields of Durham School as far north as Clay Lane – the objection being that the draft Neighbourhood Plan omits this from the Local Green Space. At this point, the Chair invited Mr Peter Jackson to speak on this matter. Mr Jackson advised that green lane is an important green corridor, it has a special local significance and he felt that this land ought to be included in the green land designated area.

The Chair reported that a majority of the Working Party did not agree with this view. Cllr J Ashby advised that this matter had been put to AECOM for consideration and a response would hopefully be received next week on this. It was **agreed** to defer



consideration of this matter until the next Planning Committee meeting where the response from AECOM could be considered fully.

The Clerk also reported that a meeting had been arranged with Stuart Timmiss, Director of Planning at Durham County Council following receipt of the County Council's feedback on the draft Plan.

## **7. County Durham Plan**

### **a. Preparations for the Examination in Public**

The Chair reminded Members that the Parish Council had responded to indicate which elements of the County Durham Plan the Council wishes to be represented at. The Chair also advised that a meeting had taken place between the City of Durham Parish Council, the City of Durham Trust and the Friends of the Durham Green Belt and an offer had been put to the Programme Officer that these three organisations combine into a single entity - the Durham Coalition - for all Matters/Issues where there are more than 20 potential participants. This had come about following a request by the Inspector to limit the number of hearings where the views of the organisations were the same. The Chair advised that the organisations were of the same view on almost every aspect of the County Durham Plan.

The Chair also reported that it had become apparent that a number of those who had responded to the consultation on the pre-submission draft of the Plan had not received e-mail notification by the Programme Officer of the schedule for the Examination in Public. The Chair advised that his professional background is in computing and he had expressed the view to the County Council that this may be due to the change in e-mail servers used by the County Council. Cllr L Brown **agreed** to contact the Head of IT at Durham County Council about this and it was also **agreed** that the Clerk should also write a formal letter to the Programme Officer, copied to PINS, to express this view.

## **8. County Council consultation on Long Term Empty Property Council Tax**

Members considered the current consultation by Durham County Council to raise the tax premium on long term empty properties to 200%.

It was **agreed** that a recommendation should go before Full Council to express support for the proposals.

## **9. Progressing the HMO investigations**

Members considered the report by the PHD student on HMO levels relating to historical C4/ sui generis HMO applications in the City of Durham Parish area. Cllr J Ashby advised that he felt that this was a very good and balanced piece of work and felt that the Parish Council ought to write formally to the PHD student to thank her for her work on this.

The Clerk reported that a meeting was soon to be organised between representatives of the Parish Council and the University and in particular their legal team to try and set up a Service Level Agreement (SLA) between both organisations, such that the University may be able to provide the aggregate data on HMO levels on all new C4/ sui generis HMO applications in the City of Durham Parish area. At present, the legal team at Durham University were considering the data protection implications of sharing this data. The Clerk advised that he hoped to be able to arrange this meeting as soon as possible.



It was **agreed** that recommendations on next steps to progress this work should be brought to the next Planning Committee meeting.

#### 10. Planning applications:

- a. Response to appeal against refusal of 36 The Hallgarth (reference DM/19/01683/FPA)  
It was **agreed** that we had nothing to add to our previous comments, which would be forwarded to the Inspector.
- b. To consider noting the following applications to upgrade paper advertising panels with digital advertising panels at the following bus stops:  
**DM/19/02488/AD** | Opposite Palatine Centre Stockton Road (4 September). It was **agreed to note** this application.  
**DM/19/02489/AD** | Opposite Old Dryburn Way Durham DH1 5SE (4 September). It was **agreed to note** this application.
- c. To consider making representations on the following (the date in parenthesis is the deadline to call the application to committee):  
**DM/19/00678/FPA** | Conversion of storage facility back to Christian church | Cemetery Chapel St Nicholas Graveyard Providence Row Durham DH1 1RS (10 September). It was **agreed to note** this application.  
**DM/19/01948/AD** | Non-illuminated fascia sign (retrospective) | 28 The Riverwalk Millburngate Durham DH1 4SL (6 September). It was **agreed to note** this application.  
**DM/19/02365/AD** | 5No Non-Illuminated Image Panels | 1 Freemans Quay Freemans Place Durham DH1 1SW (9 September). It was **agreed to note** this application.  
**DM/19/02467/AD** | Erection and Display of 2no illuminated fascia signs, 2no illuminated hanging signs, 2no illuminated menu cases and 1no Folded aluminium panel | The Slug And Lettuce Unit 7 Freemans Place Durham DH1 1SQ (4 September). It was **agreed to note** this application.  
**DM/19/02504/FPA** | Demolition of existing dwelling, and construction of 3no. detached new dwellings with associated access, parking and landscaping. | Tower Cottage The Avenue Durham DH1 4EB (12 September). It was **agreed to object** to this application. Cllr G Holland **agreed** to draft the response to this application.  
**DM/19/02533/AD** | Illuminated and non-illuminated Riverwalk centre directional and car parking related fascia and hanging advertisements | The Riverwalk Millburngate Durham DH1 4SL (6 September). It was **agreed to note** this application.  
**DM/19/02553/FPA** | Demolition of former baths & construction of new Business School with associated infrastructure, refurbishment/alterations to Vennel Cottage as cafe (A3 Use), conversion of 42, 50 & 51 Old Elvet to 3no. dwellings (C3 Use) and refurbishment of 47-49 Old Elvet as start-up business incubator associated with Business School & Durham University (D1 Use) | Former Swimming Baths Durham DH1 3DA (5 September). It was **agreed to object** to this application. Cllr J Ashby **agreed** to draft the response to this application.  
**DM/19/02554/LB** | Internal & external alterations to 42, 50 & 51 Old Elvet associated with conversion to 3no dwellings & to 47-49 Old Elvet associated with conversion to start-up business incubator | 42, 47-49, 50 & 51 Old Elvet Elvet Waterside Durham (5 September). Members felt that these ought to have been separate applications. It was **agreed to support** this listed

building application and to add that, had a corresponding separate planning application been forthcoming, this would have been supported too. Cllr R Cornwell **agreed** to draft the response to this application.

**DM/19/02578/LB** | To replace roof like for like with Welsh slate | 25 Crossgate Durham DH1 4PS (6 September). It was **agreed to note** this application.

**DM/19/02586/LB** | The Demolition and Removal of 2no Non-Period Chimneys | St Cuthberts Society 12 South Bailey Durham DH1 3EE (11 September). It was **agreed to note** this application.

**DM/19/02609/LB** | Dismantling & Re-Build of Existing North Gable Chimney Stack | St Cuthberts Society 12 South Bailey Durham DH1 3EE (11 September). It was **agreed to note** this application.

**DM/19/02644/LB** | Listed Building Consent for Internal works including the removal of a minor partition and reinstating with associated doorways and internal ramped access. | 42 Old Elvet Durham DH1 3JF (11 September). It was **agreed to note** this application.

**DM/19/02672/FPA** | First floor extension above garage to front | 60 Archery Rise Durham DH1 4LA (11 September). It was **agreed to note** this application.

**DM/19/02673/FPA** | Enclosed Decking Area to Existing Single-Storey Rear Extension | 74 Hastings Avenue Durham DH1 3QQ (10 September). It was **agreed to note** this application.

## **11. Dates of future meetings**

13 September 2019 - 14.00 to 16.00 hrs – Office 2, Clayport Library Building.

27 September 2019 - 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 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 room.*

Mr John Pacey and Mr Peter Jackson left the meeting at this stage. Cllr L Brown proposed that Standing Orders be suspended to allow the meeting to continue past 16:00pm, this was seconded by Cllr J Ashby and unanimously **agreed** by the Committee.

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

- a. Closure of the car and coach parks on The Sands

It was **agreed** that the Parish Council should seek a meeting with Lorraine O'Donnell to request that the fencing be removed and the trees on the boundary between the coach park and the Sands be preserved.

- b. De-registration of the Common land at The Sands.



The Clerk reminded Members that there was a need to respond to the application by the County Council on the de-registration of the Common Land by the 24<sup>th</sup> September.

The Clerk advised that both he and Cllr R Cornwell had met with the Freeman and had discussed the possibility of requesting a Barrister to respond on both organisation's behalf to the application.

Cllr L Brown proposed that the Parish Council, in conjunction with the Freeman, should seek urgently the services of the Barrister and suspend Standing orders in order to do this given the timescales to respond to the application. This being on the basis that both organisations share the costs of this. This proposal was seconded by Cllr J Ashby and unanimously **agreed** by the Committee.

c. Trader reserved parking in Providence Row

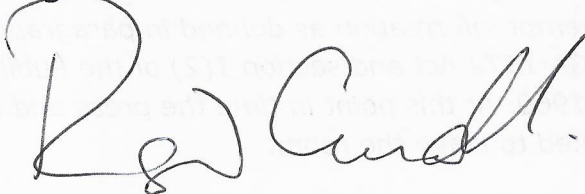
The Clerk advised that he had been provided with a provisional date of 12th September for a meeting of DCC's Highways Committee where the Order for the introduction of Market Traders Permit Holder only parking on a Saturday would be considered. It was **agreed** that Cllr R Cornwell should represent the Parish Council at this meeting.

d. Any other relevant developments

The Clerk advised that he had not yet received a copy of the pre-works ecological survey as requested by the Parish Council. Correspondence from DCC advised that this had been undertaken by the developer on 9<sup>th</sup> August.

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

**Signed**



13/9/2019.

**Chair of the City of Durham Parish Council Planning Committee**