

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 1st September 2023

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

Also present: Mr A Shanley (Parish Clerk), Mr John Ashby, Ms Lynda Delf, Ms Linda Lovell and Mr Jonathan Lovell, Mr Allan Gemmill, Mr Graham Phillips and Mr Roger Cornwell, (members of the public), Lee Hall (Durham County Council), Matthew Wright and Simon Parkin (Durham University).

1. Welcome and apologies

Apologies were received from Councillors C Lattin, N Brown and R Ormerod. The Chair accepted that Councillor V Ashfield was in attendance today as a substitute for Councillor C Lattin.

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 21st July 2023

The minutes of the meeting held on 21st July 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.

Ms Lynda Delf advised that she was attending the meeting with a particular interest in item 5 of the Agenda.

Ms Linda Lovell advised that she was attending the meeting with a particular interest in item 5 of the Agenda.

Mr Jonathan Lovell advised that he was attending the meeting with a particular interest in item 5 of the Agenda.

Mr Allan Gemmill advised that he was attending the meeting with a particular interest in hearing the discussion on application DM/23/01237/FPA.

Mr Graham Phillips advised that he was attending the meeting with a particular interest in hearing the discussion on application DM/23/01237/FPA.

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

Matthew Wright advised that he was attending the meeting with a particular interest in item 5 of the Agenda.

Simon Parkin advised that he was attending the meeting with a particular interest in item 5 of the Agenda.

5. Discussion with Lee Hall, Design and Conservation Officer, on the most recent proposals from the Conservation Area Management Plan.

The Chair welcomed Lee Hall to the meeting and thanked him for joining the Committee today.

Lee updated the Committee that Durham County Council has now completed the character assessment and condition survey works for each street in the Conservation Area and has produced a heat map showing where there are identified issues in each street. Lee advised that each street now has its own heritage rating as either: optimal, fair, poor or very poor and the reason for this is stated in the report.

Lee also advised that the Council has now completed its identification and analysis of key views of the World Heritage Site and scored these based on their perceived importance. Lee stressed that these relate to public views as opposed to private views from a particular property.

Lee also confirmed that the coverage of the Article 4 Direction (relating to building materials and design, etc) is proposed to be expanded in order to protect surviving features and characters.

Lee advised that the Council is also proposing to amend the boundary of the entire Durham City Conservation Area with certain areas being removed and others being added. Lee advised that the Conservation Area is also proposed to be divided into amended sub-character areas. Lee advised that the Hill colleges are also proposed to be added to the Conservation Area.

Lee confirmed that the Council is looking to have all feedback from the initial proposed by the beginning of October 2023 and will thereafter review this. Lee advised that the first draft of the Conservation Area Management Plan would go out to public consultation in the 1st quarter of 2024.

The Chair asked if the Management Plan would include policies to address the issues of poorly maintained HMOs in the City. Lee advised that the Plan would include guidance on these issues as well as how to manage appropriately issues such as empty buildings, heritage at risk, etc. within the Conservation Area.

The Clerk asked when the Local List of NDHAs and the street-by-street analysis documents would be made public. Lee advised that he would double check this with his colleague Bryan Harris.

John Ashby asked if it might be possible to add Claypath to the areas covered by an Article 4 Direction (in relation to design, materials, etc.), given that a number of inappropriate windows, etc have been introduced recently. Lee felt that Claypath was one of the best-preserved streets in Durham but said he would re-visit this.

Roger Cornwell advised that he was concerned that Farnley Hey Road is proposed to be removed from the Conservation Area, given that the rear of the properties are within the World Heritage Site boundary.

Roger also asked why Greys College and Collingwood College are not proposed to be included in the Hills college Conservation Area boundary. Lee asked that this is included in a formal response to the first round of consultation to the proposals.

The Clerk highlighted the response from Gilesgate Residents Association to the original proposals, e.g. the issues of McNally Place, etc. Lee advised that he would be visiting the site to carry out a full survey and re-assess this based on the feedback received.

There being no further queries, the Chair thanked Lee for his excellent presentation and work. At this point, Lee, Matthew and Simon left the meeting.

6. Matters arising:

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

DM/23/01709/FPA | Replacement shop front and installation of first floor gable window | 22 Silver Street Durham DH1 3RD. The Committee **approved** the response to this application.

DM/23/01442/FPA | Change of use of dwellinghouse (Use Class C3) to HMO (Use Class C4) | 33 St Bedes Close Crossgate Moor Durham DH1 4AA. The Committee **approved** the response to this application.

DM/23/01772/FPA | Car park with associated landscaping | Land To The East Of Diamond Terrace Durham DH1 5SX. The Committee **approved** the response to this application.

DM/23/01975/FPA | Conversion of care home (C2) to 69 bedspace Purpose Built Student Accommodation (sui generis), re-roofing of conservatories, erection of new cycle shelter and replacement bin store | Hallgarth Care Home Hallgarth Street Durham DH1 3AY. The Committee **approved** the response to this application.

DM/23/01996/VOC | Variation of Condition 4 (Opening Hours) pursuant to DM/16/03376/FPA | 17 Hallgarth Street Durham DH1 3AT. The Committee **approved** the response to this application.

DM/23/02118/FPA | Change of use from a C3 Dwellinghouse (Use Class C3) to an HMO (Use Class C4) with associated internal alterations. | 12 The Hallgarth. Durham DH1 3BJ. The Committee **agreed** to note this application and therefore no response was to be approved.

DM/23/02209/FPA | Change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) to provide staff accommodation for ZG Holdings Ltd | 74 Hallgarth Street Durham DH1 3AY. The Committee **approved** the response to this application.

DM/23/02224/FPA | Replacement of windows to front elevation with sliding sash timber windows to match existing | 4 Nevilledale Terrace Durham DH1 4QG. The Committee **approved** the response to this application.

DM/23/02371/FPA | Change of use from dwellinghouse (Use Class C3) to flexible use permission as a dwellinghouse (Use Class C3) and a House in Multiple Occupation (Use Class C4) under the provisions of Class V of Part 2 of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 including conversion of garage into habitable room, internal alterations and insertion of roof lights to front and rear | 4 St Margarets Garth Durham DH1 4DS. The Committee **approved** the response to this application.

DM/23/02207/FPA | Erection of raised decking and overhead canopy to form an external drinking area to rear of public house | Elm Tree Inn 12 Crossgate Durham DH1 4PS. The Committee **approved** the response to this application.

DM/23/02246/TPO | (T2) Hazel - Fell leaving stump as close to the ground as practical. (T3) Plum - Crown lift to 3m and crown thin by 20% (T4) Holly - Fell leaving stump as close to current ground level as possible. | Land To the Rear of West View Fieldhouse Lane Durham DH1 4NB. The Committee **approved** the response to this application.

(b) To consider the latest updates on the following planning and licensing application(s) in the parish area:

DM/21/01789/FPA | Construction of 12 townhouse dwellings with associated works. | Land At St Johns Road Nevilles Cross. The Committee noted that this application would be decided at the forthcoming meeting of the Central and East Area County Planning Committee and **agreed** to speak in opposition to its approval.

DM/23/01237/FPA | Change of use from five bed dwellinghouse to seven bed HMO (sui generis). | 41 Fieldhouse Lane Durham DH1 4LT. The Committee noted that this application would be decided at the forthcoming meeting of the Central and East Area County Planning Committee and **agreed** to speak in opposition to its approval.

DM/23/01031/FPA | Change Use of dwellinghouse (C3) into a small house in multiple occupation (C4) with minor external alterations | Magdalene Heights Gilesgate Durham DH1 1SY. The Committee noted that the applicant is now appealing the decision by DCC to refuse planning consent for this scheme and **agreed** to write to request that the appeal is dismissed. The Clerk **agreed** to draft the response to this appeal.

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

Application for the grant of a premises licence by Rudy's Pizza Limited for 30 - 31 Silver Street. Durham. DH1 3RD. It was **agreed** to note this application.

Application for the grant of a premises licence by Zaap Durham Limited for Units 20 and 21. The Riverwalk. Durham. DH1 4SL. It was **agreed** to defer consideration of this application until the next Committee meeting on 15th September 2023.

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

a) To note:

DM/23/02396/FPA | Reinstatement of former gated access | Former Public Toilets North Road Durham DH1 4RE. It was **agreed** to note this application.

DM/23/02406/LB | Installation of 0.8m and 1.8m fencing to rear yard | 46 North Bailey Durham DH1 3ET. It was **agreed** to note this application.

DM/23/02408/LB | Installation of 1.8m metal railing fence in rear yard | 50 Saddler Street Durham DH1 3NU. It was **agreed** to note this application.

DM/23/02412/FPA | Erection of 2no gates, palisade fencing, wrought iron railings and steps to lawn area | Durham University Elvet Riverside 2 New Elvet Durham DH1 3JT. It was **agreed** to note this application.

DM/23/02451/TPO | Various tree works to surrounding trees | University Hospital of North Durham North Road Durham DH1 5TW. It was **agreed** to note this application.

b) To discuss:

DM/23/02080/LB | Listed Building Consent for the installation of a new mechanical ventilation system across the ground, first and second floors with exit positions to the rear elevation with 4x louvres | 17 North Road Durham DH1 4SH. It was **agreed** to object to this application as well as the associated applications relating to this application site as a joined objection, supporting the objection of the City of Durham Trust. The Clerk **agreed** to draft the response to this application.

DM/23/02312/FPA | Change of use and conversion of lower floors (part of basement and sub-basement) to form a 2-bed duplex apartment (Use Class C3) with installation of new window and door to yard elevation | 29 Silver Street Durham DH1 3RD. It was **agreed** to note this application.

DM/23/02291/FPA | Alterations to existing beer garden comprising 5no timber huts with internal seating, artificial grass, paving, festoon lighting and associated works | Garden House Inn North Road Durham DH1 4NQ. It was **agreed** to note this application.

DM/23/02511/FPA | Relocation of the Weeping Woman Sculpture from Ushaw College to Bill Byrson Library with associated works. | Durham University University Library Stockton Road Durham DH1 3LY. It was **agreed** to note this application.

DM/23/02507/FPA | Demolition of buildings, clearance of and levelling up site, substation to be retained and clad with facing brickwork to exposed walls, application of render to wall of adjacent building and erection of 2.4m high timber hoarding enclosure | 13 - 17 Claypath Durham DH1 1RH. It was **agreed** to note this application.

9. To consider the final report on planning/ licensing hours for licenced premises in the City of Durham parish area.

Committee Members considered the final report produced by the two researchers and **agreed** that the Council should approach the County Council to request that

the planning and licensing regime for all premises should be aligned accordingly so that permitted and operational hours are consistent.

The Committee also **agreed** that this report would be a useful source of information in advance of the upcoming consultation on the Council's Statement of Licensing Policy in 2023/24.

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

15th September 2023

29th September 2023

13th October 2023

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

Signed,

G. Holland

**Chair of the City of Durham Parish Council Planning and Licensing Committee
(15th September 2023)**