



City of Durham Parish Council

The City of Durham Parish Council. Office 3, Clayport Library. 8 Millennium Place. Durham. DH1 1WA.

Telephone: 07510 074875 Email: parishclerk@cityofdurham-pc.gov.uk

Date of Summons: 5th February 2024

SUMMONS

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

You are hereby summoned to attend the **Planning and Licensing Committee meeting** to be held **via Zoom at 12:00pm on Friday 9th February 2024** for the purpose of transacting the following Agenda business as shown.

The link to join this meeting is below:

<https://us02web.zoom.us/j/82975904323>

Meeting ID: 829 7590 4323

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 26th January 2024**
- 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. To consider the latest updates from the public inquiry into the appeals for development at sites at Sniperley.**
- 6. To discuss the research report into planning appeals across County Durham – report attached.**
- 7. Matters arising:**

(a) To approve the responses to the following planning/ licensing application(s):

DM/24/00016/FPA | Refurbishment and insulation of existing roof construction and associated dormer, replacement of existing window in second floor dormer, replacement of 2 no. existing roof lights, replacement of an existing door and enlargement of an existing window to the existing rear extension and decorate and refurbishment of existing timber door to west elevation. | 22 Nevilledale Terrace Durham DH1 4QG.

DM/24/00007/FPA | Change use of ground floor office (E) into a small house in multiple occupation (HMO) (C4) for student accommodation | 44 Claypath Durham DH1 1QS.

(b) To consider the outcomes of the following planning and licensing application(s) in the parish area:

DM/23/03543/FPA | Construction of detached dwelling (resubmission). | Land South West Of 39 Fieldhouse Lane Durham DH1 4LT

Appeal for 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

Appeal for DM/22/01650/FPA | Change of use from 6 bed C4 to 9 bed Sui Generis HMO with single storey rear extension (amended) | 1 Larches Road Durham DH1 4NL

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

DM/18/02118/FPA | Construction of apartment block comprising 27 No. one and two-bedroom apartments | Land To The North East Of Holly Street Durham DH1 4ER

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

a) To note:

DM/23/02806/LB | Replace 2 exterior doors and existing analogue electricity meter | Mill House South Street Banks Durham DH1 3EA

DM/23/03522/TPO | T1 - Beech - Remove lower limb damaging canopy and tertiary growth. Raise canopy and thin T2 - Ash - Remove limb threatening Masonic Hall roof and the limb opposite overhanging garden apartments T3 - Sycamore - Remove due to bad lean which is causing a hazard | Durham House 33A Old Elvet Durham DH1 3HN

DM/24/00136/FPA | Single storey front and rear extensions, convert garage and construct pitched roof and re-tile roof | 8 Nevilledene Crossgate Moor Durham DH1 4HY

DM/24/00162/TPO | T1 - Ash - Prune over hanging limbs back to boundary, pruning back to suitable growth points | Land To The East Of 3 Richardby Crescent Durham DH1 3TY

DM/24/00081/LB | Installation of 2no air bricks with associated remedial internal floor works | 37 - 39 North Bailey Durham DH1 3EU

DM/24/00197/LB | Internal and external alterations involving the installation of external drainage, sub-floor air vents, mechanical ventilation and removal of modern waterproof tanking slurries and salt retardant plasters. | 7 Owengate Durham DH1 3HB

DM/24/00195/FPA | Garage conversion and proposed pitched roof over dining, ensuite and bedroom | 3 Nevilledene Crossgate Moor Durham DH1 4HY

DM/24/00206/TPO | Various tree works protected by TPO ref. PN1-309-W1 as outlined in 'Tree Works' report submitted 24 Jan 2024 | Land East Of Symeon Manor, 1 Symeon Court Durham DH1 3FT

DM/24/00253/TPO | T1. Lime tree - pollard | Elvet Meadow Villa Darlington Road Durham DH1 3FS

b) To discuss:

DM/23/03233/FPA | To extend car park | St Cuthberts Hospice Park House Road Durham DH1 3QF

DM/24/00110/FPA | Change of use from C3 dwelling to C4 HMO | Crestholme The Avenue Durham DH1 4DX

9. Report following the recent meeting of PubWatch on Wednesday 7th February 2024.

10. Update on the project to identify new BNG sites within the parish area.

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

23rd February 2024

8th March 2024

22nd March 2024

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 26th January 2024

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

Also present: Mr A Shanley (Parish Clerk), Cllr V Ashfield, Mr Roger Cornwell and Mr Allan Gemmill (members of the public), Stuart Priestley (DCC Ecology) and Emma Lancaster (Quad) and Neil Terrett (Clegram Holdings Ltd).

1. Welcome and apologies

Apologies were received from Councillors G Holland and N Brown.

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 12th January 2024

The minutes of the meeting held on 12th January 2024 were unanimously agreed as a true and accurate record of proceedings.

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

Cllr V Ashfield advised that she 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.

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

5. Pre-application discussion with Clegram Holdings Ltd regarding a new PBSA application at Melbury Court.

The Chair welcomed Emma Lancaster and Neil Terrett to the meeting and thanked them for engaging with the Parish Council ahead of the Council considering this forthcoming planning application.

Emma advised that she was supporting her client with a new PBSA application at land next to Melbury Court, off Southfield Way in Durham City.

Emma advised that the intention is to construct a PBSA building to house over 300 undergraduate students at Durham University and that the company behind this new proposal had undertaken extensive consultation with DCC and Durham University ahead of the application.

Emma highlighted the different design aspects and height of the proposed building and advised that this had been carefully thought through with the impact on residents in the neighbouring care home in mind.

Neil showed plans from multiple angles of the development and advised that access after a certain time of the evening would only be possible via Southfield Way in order to avoid disturbing neighbouring residents.

In addition, Emma advised that the site is being developed to provide a high-quality accommodation offer for undergraduate students and will include shared facilities such as a gym, study areas, cooking facilities, etc.

Emma advised that Quod had produced an extensive needs assessment for this development and she would be happy to share this with the Parish Council.

Councillor E Ashby and the Clerk highlighted the importance of the existing site as a 100-space car park servicing the area such as for the care home and the hospital. The Clerk asked if Emma or Neil had any stats to demonstrate that demand for that car parking had diminished since the 2017 application for the temporary use as a car park had been approved. Emma advised that she didn't have any official statistics but that she was aware that the new A&E, once built, would provide for additional car parking to service the hospital. Committee Members disputed this latter point.

The Chair thanked Emma and Neil for attending the meeting today and at this point both Emma and Neil left the meeting.

6. To discuss the identification of new sites for biodiversity net gain for the City of Durham parish area.

The Chair welcomed Stuart Priestley to the meeting and thanked him for joining the Parish Council to discuss this important issue in the parish area.

The Clerk began by highlighting that the Parish Council very much welcomes the recent changes to BNG requirements as part of national planning legislation and Members were aware that DCC is equally pleased about this and shares the Parish Council's desire to improve biodiversity across the City and the entire county.

The Clerk highlighted recent examples of planning applications in the parish (e.g. the 850-bed PBSA at Mount Oswald) where the BNG was able to occur not only off-site but also in a completely different part of the county. The Clerk stressed that the Parish Council is fully aware that BNG provided by a development must be of an appropriately comparable type to what is being lost, must be as close to the development as possible, and must be available so that the legal agreements that secure the provision and then its subsequent management and monitoring are specific. That said, the Parish Council was disappointed that no sites were deemed to be available for BNG in the City area.

In the case of the 850-bed PBSA, the Clerk highlighted that the BNG requirements were substantial and the Parish Council was advised that the Ecology has a full list of sites capable of delivering BNG but there were none at all in our parish.

Members asked if there might be something that both Parish and County Councils can work together on to identify new sites. Members expressed their hope to do much of the work on this one, including any engagement with major landowners such as the Cathedral and University.

Members expressed that there seems to be plenty of scope within the parish area, for example the Houghall estate, the further reaches of the Aykley Heads estate, the farmland west of the A167 at Merryoaks, and so on for BNG.

Stuart advised that his team is in the process of producing a Local Nature Reserve strategy and part of this included the identification of new and potential sites for BNG across the county, including in Durham City. Once drafted, Stuart advised that he would be happy to share this and work with the Council to support new sites coming on board.

Members **agreed** to take a proactive approach on this issue and support the Council in identifying new sites, including through engagement with local landowners.

7. Pre-application consideration of changes to the licensing operating hours for the Big Jug, 83 Claypath Durham DH1 1RG.

The Clerk highlighted that he had been contacted by the solicitor acting on behalf of Star Pubs & Bars Limited who is the premises license holder for the Big Jug on Claypath.

The Clerk advised that he had written to Members ahead of the meeting regarding a proposed extension of hours as the business would like to seek to extend the terminal hour for the sale of alcohol on Friday & Saturday to 1am the following day (currently permitted until midnight) with closing at 1.30am (currently permitted until half past midnight).

Members **noted** that the proposed hours are within the licensing authority's policy framework hours and therefore **agreed** to raise no objection in principle to the eventual application for this site.

8. To consider the reports by Jo-Anne Garrick on short-term letting in Durham and strengthening of County Durham Plan Policy 16

The Clerk presented the two reports commissioned by the Parish Council through its planning consultant Jo-Anne Garrick on the issues of short-term letting in Durham and strengthening of County Durham Plan Policy 16. Members unanimously praised the content of these reports which not only set out an evidence base for developing relevant policies but also recommended a number of different policy approaches adopted across the country on these matters.

Members unanimously **agreed** to recommend approval of all of the recommended actions set out in Jo-Anne's reports and to take a proactive approach to progress these matters alongside colleagues at DCC.

9. Matters arising:

(a) To approve the responses to the following planning/ licensing application(s):

Appeal for 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 appeal decision.

(b) To consider the outcomes of the following planning and licensing application(s) in the parish area:

DM/23/02728/FPA | Replace red plastic-coated front door with white UPVC (retrospective) | 53 Hallgarth Street Durham DH1 3AY. Members **noted** that this application had now been refused and that the Parish Clerk was now pursuing this matter through enforcement, given the retrospective nature of 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. Members **noted** that this application had now been refused and thanked the Police and DCC Environmental Health for supporting the Parish Council's objection letter.

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

DM/23/01661/FPA | Demolition of existing buildings and construction of 9 small House in Multiple Occupation (HMO) dwellings (use class C4) and 1 large HMO (use class sui generis) in three blocks. | Rowanwood Clay Lane Durham DH1 4QL. Members **noted** the substantial policy weight against this application as well as the voluminous objections from internal and statutory consultees as well as from neighbouring residents. Members **agreed** to keep a watch on this application which had already been called to Committee.

DM/23/02224/FPA | Replacement of windows to front elevation with sliding sash timber windows to match existing | 4 Nevilledale Terrace Durham DH1 4QG. Members **noted** the amendments to this application but confirmed that this did not address the fundamental concerns of this proposal and therefore **agreed** to maintain the Parish Council's objection to this application.

APP/X1355/W/23/3330836 - Demolition of existing buildings adjacent to B6532 and outline planning permission (all matters reserved except for access) for a maximum of 1,550 residential dwellings (Use Class C3), a local centre (Use Classes E and F2), public house (Use Class Sui Generis) and primary school (Use Class F1), compensatory improvements to the Green Belt, associated infrastructure and landscaping (resubmission). | Land At Sniperley Park Pity Me DH1 5DZ. Members took the opportunity to thank the Clerk for drafting the Statement of Case following the decision at the last Planning and Licensing Committee meeting. However, it was highlighted that, in accordance with the original decision on this appeal, that the Parish Council would be an observer to the inquiry only but reaffirmed its serious concerns about this development going ahead as proposed. It was noted that the deadline for statements had now passed and therefore the Parish Council **agreed** to support those objecting to this proposal and to be an observing party only at the inquiry. Members thanked Councillor J Ashby for attending the inquiry, albeit on behalf of the City of Durham Trust, and for providing a continued briefing on how the inquiry progresses.

APP/X1355/W/23/3331745 - Outline planning application (with all matters reserved apart from access) for the development of up to 370 dwellings, an extension to Sniperley park and ride, demolition of former farm buildings and

associated infrastructure works. | Land North and East of Sniperley Farm Durham. DH1 5RA. Members took the opportunity to thank the Clerk for drafting the Statement of Case following the decision at the last Planning and Licensing Committee meeting. However, it was highlighted that, in accordance with the original decision on this appeal, that the Parish Council would be an observer to the inquiry only but reaffirmed its serious concerns about this development going ahead as proposed. It was noted that the deadline for statements had now passed and therefore the Parish Council **agreed** to support those objecting to this proposal and to be an observing party only at the inquiry. Members thanked Councillor J Ashby for attending the inquiry, albeit on behalf of the City of Durham Trust, and for providing a continued briefing on how the inquiry progresses.

DM/23/02414/FPA | Proposed first floor side extension and part two storey and single storey rear extensions to small HMO (Use Class C4) | 80 Hallgarth Street Durham DH1 3AY. Members noted the amendments to this application but confirmed that this did not address the fundamental concerns of this proposal and therefore **agreed** to maintain the Parish Council's objection to this application.

10. To consider the following new planning applications in the parish area:

a) To note:

DM/23/03835/LB | Listed Building Consent for internal alterations creating 2no mock cells, training area, replace WC, redecoration of kitchen area and install ventilation (Revised and Resubmitted) | HM Prison Durham Old Elvet Durham DH1 3HU. It was **agreed** to note this application.

DM/23/03860/FPA | Replacement of windows to front and rear elevation | 10 Hawthorn Terrace Durham DH1 4EL. It was **agreed** to note this application.

DM/24/00041/FPA | Proposed internal alterations, modification to existing rear extension and addition of bike/bin store to the front, resurface existing driveway | 6A Fieldhouse Lane Durham DH1 4LT. It was **agreed** to note this application.

b) To discuss:

DM/24/00016/FPA | Refurbishment and insulation of existing roof construction and associated dormer, replacement of existing window in second floor dormer, replacement of 2 no. existing roof lights, replacement of an existing door and enlargement of an existing window to the existing rear extension and decorate and refurbishment of existing timber door to west elevation. | 22 Nevilledale Terrace Durham DH1 4QG. It was **agreed** to object to this application. The Clerk **agreed** to draft the response to this application.

DM/24/00007/FPA | Change use of ground floor office (E) into a small house in multiple occupation (HMO) (C4) for student accommodation | 44 Claypath Durham DH1 1QS. It was **agreed** to object to this application and to call the application in to Committee. Councillor J Ashby **agreed** to draft the response to this application.

DM/23/03128/CEU | Application for a Lawful Development Certificate for change of use to HMO (C4) | 14 Elvet Crescent Durham DH1 3AP. It was **agreed** to note this application.

DM/24/00092/FPA | Retention of PIR roofing insulation | Basement Flat 2 Albert Street Durham DH1 4RL. It was **agreed** to note this application.

Dates of future meeting(s) of this Committee:

9th February 2024
23rd February 2024
8th March 2024

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
(9th February 2024)**