



City of Durham Parish Council

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

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Date of Summons: 26th May 2024

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors E Ashby, J Ashby, N Brown, R Hanson, 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 31st May 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/87391263501>

Meeting ID: 873 9126 3501

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. Election of Chair of the Planning and Licensing Committee**
- 2. Election of Vice-Chair of the Planning and Licensing Committee**
- 3. Welcome and apologies**
- 4. To receive any declarations of interest from members.**
- 5. To receive and approve as a correct record the minutes of the meeting held on 17th May 2024**
- 6. 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.
- 7. Matters arising:**

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

Appeal for DM/23/03752/FPA | Change of use from a dwellinghouse (use class C3) to a large house in multiple occupation (sui generis). | Cross View House Cross View Lane Nevilles Cross Durham DH1 4PJ

Amendments to DM/24/00455/FPA | Change of use from C3 dwellinghouse to C4 small house in multiple occupation (HMO) | 11 Baliol Square Durham DH1 3QH

Amendments to DM/23/02236/FPA | Sub-divide dwelling (C3) into 3no flats (Part Retrospective) | 1 Beech Crest Durham DH1 4QF

DM/24/00149/FPA | Construction of purpose-built student accommodation (Sui Generis) with associated car and cycle parking, pedestrian infrastructure, and landscaping. | Land To the North West of Melbury Court Old Dryburn Way Durham DH1 5SE

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

DM/24/00969/TCA | Proposed felling of 21no. trees within the Durham (City Centre) Conservation Area, as detailed within Arboricultural Impact assessment ARB/AE/3301/d) For the avoidance of doubt, tree no.33 referenced within the report is subject to a Tree Preservation Officer, and is not proposed for removal pursuant to this Notice | St Leonards Catholic School North End Durham DH1 4NG

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF

DM/24/00121/FPA | Change of use of existing small 5-bedroom (C4) House in Multiple Occupation (HMO) to a large 7-bedroom (Sui generis) HMO with rear dormer extension and installation of roof lights. | 3 Lawson Terrace Durham DH1 4EW

DM/24/00539/FPA | Change of use from C3 (Dwellinghouse) to flexible use of either C3 or C4 (Small HMO), including construction of a bin store and bike shelter in rear garden | 56 Old Dryburn Way Durham DH1 5SE

Appeal for DM/23/02622/FPA | Full planning application for the erection of a 74-bed care home facility (Class C2 Use), with associated access road, car parking, cycle storage, landscaping, boundary treatments and refuse facilities. | Land South of South College The Drive Durham DH1 3LD

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

a) To note:

DM/24/01334/VOC | Proposed variation of Condition 2 (approved plans) of approval DM/20/01286/LB to regularise detailed changes set out in a submitted schedule, including but not restricted to: replacement, removal and addition of internal and external doors, handrails, fireplaces, ceiling roses, floor boards, ceilings, tile floors and steps, stairs, picture and dado rails, internal walls, windows, roof structures, chimneys, gutters, stonework and render. | Mount Oswald Golf Club South Road Durham DH1 3TQ

b) To discuss:

DM/24/01173/FPA | Demolition of existing school buildings and development of a replacement school building and works to the retained Springwell Hall, along with car parking, hard and soft landscaping including works to trees, replacement playing pitches, and access arrangements. | St Leonards Catholic School North End Durham DH1 4NG

DM/24/01117/FPA | Change of use of first and second floors (Use Class C3) to use as cafe/restaurant in connection with existing ground floor cafe (Use Class E) with provision of additional seating, kitchen and toilet facilities. | 53-53A North Road Durham DH1 4SF

DM/24/01161/FPA | Single storey rear extension, loft conversion including 4no. dormer windows, replacement of single glazed windows with double glazing throughout and replacing window in rear elevation of rear off-shoot with patio doors and alterations to raised land to rear | 35 Hallgarth Street Durham DH1 3AT

DM/24/01241/PN56 | Prior approval for change of use from class E to 5 residential dwellings (class C3) | Bridge House North Road Durham DH1 4PW

DM/24/01020/AD | Erection of a community notice board | Land West Of Park House Road Durham DH1 3QQ

DM/24/01222/FPA | Replacement of existing dormer roof extension with larger catslide roof dormer extension to rear. | 5 Hawthorn Terrace Durham DH1 4EL

DM/24/01303/FPA | Temporary change of use of car park for use by a school for a purpose falling within Class F.1(a) (provision of education) | Durham County Council County Hall Framwelgate Peth Durham DH1 5UQ

DM/24/01274/FPA | Garage conversion to habitable accommodation including replacement of garage door with window and masonry wall. | 38 Highgate Durham DH1 4GA

9. To consider the possible review of a licence following several noise complaints from residents – report to be provided by the Clerk.

10. To consider the Traffic Regulation Order in the parish area: The County Council of Durham. The Story Off Street Parking Order 2024
– report attached.

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

14th June 2024

28th June 2024

12th July 2024

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 17th May 2024

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

Also present: Mr A Shanley (Parish Clerk), Jim Mathewson, Allan Gemmill, Lee Smurthwaite, Dan Lonsdale, Francis Whalley, John Lowe and Roger Cornwell (members of the public).

1. Welcome and apologies

Apologies were received from Councillor A Doig.

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 3rd May 2024

The minutes of the meeting held on 3rd May 2024 were unanimously **agreed** as a true and accurate record of proceedings.

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

Francis Whalley advised that he was attending the meeting with a general interest in all Agenda items.

Jim Mathewson advised that he was attending the meeting to hear the discussion on applications DM/24/00883/FPA and DM/24/01173/FPA.

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

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

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

Dan Lonsdale identified himself as the President of Durham Students Union and thanked the Committee for the invitation to discuss the issue of HMOs in the City.

Dan advised that the increase of HMOs in many ways has been driven by the need for the University to expand its student numbers to become more financially sustainable.

Dan advised that there has also been an expansion of students from abroad who prefer to live in PBSA settings.

Dan advised that DSU were particularly concerned that Durham City appears to be controlled by landlords. Dan also advised that DSU were concerned that the growth in student numbers and the loss of family homes is creating a divide between the Town and Gown communities of Durham.

Dan advised that he felt that the attitude of the University appears to have developed over time in this regard and Dan stressed the need for more balanced communities as well as the welfare of students who may find themselves locked into contracts with a number of slum landlords.

The Clerk asked if DSU has any evidence that the student housing market is now tending towards more students residing in PBSAs. Dan advised that DSU did not have any definitive data on this but advised that, as a market, the main consideration for student tenants always came down to the cost of accommodation. Dan advised that student accommodation in Durham is becoming extremely expensive and students were looking at cheaper options and this will always be the main driver on where students reside whilst here studying.

Councillor S Walker asked if DSU is ever notified of planning applications and, if so, if they might be minded to respond to consultations. Councillor S Walker highlighted the importance of the student voice in the City on planning matters. Dan advised that he could only recall one application in the past few years where DSU had actively responded to the proposal and highlighted that there is no dedicated officer within DSU for planning issues.

Dan also highlighted that there were some cynical tactics by some landlords some years ago to pressure students into signing up for tenancies or else risk losing the opportunity to live in Durham City close to the University.

Committee Members expressed a desire to work more closely with DSU and Dan advised that he would be happy to come to any future meetings and be consulted on any new schemes into the future.

At this point, the Committee thanked Dan for his time and Dan left the meeting.

Lee Smurthwaite identified himself as the owner of the land to the rear of 63 Crossgate in the parish and the applicant for application DM/22/03574/FPA.

The Clerk reminded Members that this site gained planning permission in June 2019. This was not uncontroversial as the room sizes were tiny and there were several pre-application conditions attached to the application which Lee advised he was unable to satisfy in time, largely due to the pandemic.

The Clerk advised that the planning permission ran out and Lee has since submitted a fresh application which the Parish Council and City of Durham Trust have asked to be reduced from 4 to 3 as 3 of the houses met NDSS but house 4 did not appear to.

The Clerk and Councillor J Ashby highlighted that the site is in a terrible state and does need redeveloping, with Design and Conservation approving the latest application partly for this reason.

Lee advised that he recognises the poor quality of the existing site and is aware that the site does need redeveloping. Lee advised that he would be keen to speak with all parties so that an acceptable proposal may be achieved at the site.

Lee advised that he would like to hear the views of those at the meeting on a proposed small PBSA use of this site. Lee advised that he would not be looking to develop higher than the neighbouring roofline and he would be engaging with the University on this proposal.

Committee Members felt that the site is in need of redevelopment and advised Lee that they would be happy to consider a new proposal as and when it was formally submitted.

At this point, Lee thanked the Committee and left the meeting.

5. Matters arising:

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

DM/24/00743/VOC | Variation of condition(s) 2 (Approved Plans) and condition 3 (Materials) pursuant to DM/22/01606/FPA to install UPVC Bygone sash windows | 50 The Avenue Durham DH1 4EB. The Committee **approved** the response to this application.

DM/24/00883/FPA | Demolition of existing disused school buildings | St Leonards Catholic School North End Durham DH1 4NG. The Committee **approved** the response to this application.

DM/24/00976/FPA | Temporary change of use of the property from a C3 residential dwelling to C2 children's home for a period of up to 3 years. | 19 Ferens Park Durham DH1 1NU. The Committee **approved** the response to this application.

DM/24/00990/TPO | Crown reduction and reshape of 2no. Beech trees | 12 The Bowers Durham DH1 4EH. The Committee **approved** the response to this application.

DM/24/00705/FPA | Redevelopment of existing shopping centre comprising partial demolition of the shopping centre above the existing mall level (Levels 5 and above) and erection of replacement commercial units (Class E), a hotel (Class C1) and purpose-built student accommodation (Sui Generis) at Level 5 and above, along with a new outdoor public square and public realm improvements. External alterations to the boat repair and maintenance workshop including use of external areas to create outside terraces for leisure use (Levels 0 and 1) (Class E), external alterations to the elevations of the retained areas of the shopping centre and car park, hard and soft landscaping and other associated works. | Prince Bishops Shopping Centre High Street Durham DH1 3UJ. The Committee **approved** the response to this application.

DM/24/00586/VOC | Variation of condition 10 pursuant to permission DM/20/01107/FPA for the erection of a house in multiple occupation, to allow the first-floor en-suite window within the north side elevation to be fitted with external opening restrictor (description amended) | Saffron House Newcastle Road

Crossgate Moor DH1 4HZ. The Committee **approved** the response to this application.

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

Appeal hearing for DM/23/01975/FPA | Conversion of care home (C2) to Student Accommodation comprising 69 bedspaces in the form of 9 cluster apartments, re-roofing of conservatories, erection of new cycle shelter and replacement bin store | Hallgarth Care Home Hallgarth Street Durham DH1 3AY. The Clerk reminded Members that this application had recently gone to an appeal hearing held at County Hall. The Committee heard that much of this hearing was devoted to the substantive issue of whether this development is either a PBSA or a cluster of HMOs. The Committee **noted** that a decision on this appeal is expected in 5-6 weeks.

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

c) To note:

DM/24/01080/LB | Listed building consent for internal alterations including; dampness remedial works to basement bathroom, internal plaster work as part of dampness remedials, refurbishment of shower room and bathroom, new floor coverings and decoration to bathroom area, new floor coverings and decoration to adjacent basement corridor area | Durham University Hatfield College Rectory Bow Lane Durham DH1 3ET. It was **agreed** to note this application.

DM/24/01010/FPA | Raised decking and patio area to rear | Goldrill Farnley Hey Road Durham DH1 4EA. It was **agreed** to note this application.

DM/24/00040/AD | Freestanding directional sign | Land To The South Of Pimlico Durham DH1 4QW. It was **agreed** to note this application.

d) To discuss:

DM/24/01173/FPA | Demolition of existing school buildings and development of a replacement school building and works to the retained Springwell Hall, along with car parking, hard and soft landscaping including works to trees, replacement playing pitches, and access arrangements. | St Leonards Catholic School North End Durham DH1 4NG. It was **agreed** to defer a decision on this application and to separate the voluminous documents between Committee Members to review in advance of the next Committee meeting of 31st May 2024.

7. To consider the new licensing application(s) within the City of Durham parish area:

Application for the grant of a premises licence by Coarse Restaurant Limited for Isla Restaurant. 53 North Road. Durham. DH1 4SF. It was **agreed** to note this application.

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

31st May 2024

14th June 2024

28th June 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
(31st May 2024)**