



# 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: 5<sup>th</sup> August 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 9<sup>th</sup> August 2024** for the purpose of transacting the following Agenda business as shown.

### Join Zoom Meeting

<https://us02web.zoom.us/j/87442512828>

Meeting ID: 874 4251 2828

*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**

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## **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 29<sup>th</sup> July 2024**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Matters arising:**

- (a) To approve the draft response(s) to the following planning and/ or licensing application(s):**

**DM/24/01694/FPA** | Installation of glazed outdoor seating area and retractable canopy to rear, replacement windows and internal alterations to facilitate use as cafe and desserts lounge | 19A Silver Street Durham DH1 3RB

Letter to DCC's Planning Development Manager regarding the planning portal and the cases Letter to Stephen Reed - **DM/23/02236/FPA**, **DM/24/00766/FPA** and **DM/24/00770/FPA**

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

**Appeal for DM/23/02988/FPA** | The material change of use of a dwellinghouse (Use Class C3) to a small House in Multiple Occupation (Use Class C4) | 10 Mavin Street Durham DH1 3AU

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

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

**a) To note:**

**DM/24/02020/PN56** | Prior notification for the installation of 28no. roof-mounted solar panels | Durham County Council Corten House Aykley Heads Business Park Aykley Heads Durham DH1 5TS

**DM/24/02024/LB** | Replacement of fire doors within Listed Building | 5 North Bailey Durham DH1 3ET

**DM/24/01802/FPA** | The erection of two temporary marquees | Rushford Court North Road Durham DH1 4RY

**DM/24/02049/TPO** | Various Tree Works | St Cuthberts Hospice Park House Road Durham DH1 3QF

**DM/24/02052/TPO** | T1 - Ash - Remove major deadwood, remove epicormic growth up to 3m to crown lift T2 - Lime - Remove epicormic growth to crown lift to 3m, crown thin by 15% T3 - Sycamore - Remove epicormic growth to crown lift to 3m, crown thin by 15% T4 - Sycamore - Crown thin by 15% pruning back branch tips to give greater clearance from the house

T6 - Sycamore - Crown thin by 15% | 36 Faraday Court Nevilles Cross  
Durham DH1 4FG

**b) To discuss:**

**DM/24/01551/FPA** | Conversion of part of the lower ground floor from retail (E) to form 1no small HMO (C4) | 37 Silver Street Durham DH1 3RD

**DM/24/01938/VOC** | Proposed variation of Condition 2 (Approved plans) pursuant to Planning Permission No. DM/23/02622/FPA involving floorplans reduced in gross internal area in one wing of the building across all levels, change to elevations on effected wing and relocation of substation | Land South Of South College The Drive Durham DH1 3LD

**DM/24/01976/VOC** | Change glazed link to timber due to structural movement of South Gate house | Gatehouses Mount Oswald South Road Durham DH1 3TQ

**DM/24/02017/FPA** | Demolition of single storey garage and conservatory, erection of two storey, single storey side and rear extension and internal alterations. | 1 Crossgate Moor Gardens Durham DH1 4HS

**7. To consider the latest updates on the project with DCC to produce an evidence base for Non-Designated Heritage Assets (NDHAs) in the Conservation Area.**

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

23<sup>rd</sup> August 2024

6<sup>th</sup> September 2024

20<sup>th</sup> September 2024

# City of Durham Parish Council

## **Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Monday 29<sup>th</sup> July 2024**

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

**Also present:** Mr A Shanley (Parish Clerk), Mr Roger Cornwell, Mr Allan Gemmill and Ms Claire Murray Kemp (members of the public) and Mr Matthew Booth (applicant for Café at the Quarter).

### **1. Welcome and apologies**

Apologies were received and accepted from Councillor 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 12<sup>th</sup> July 2024**

The minutes of the meeting held on 12<sup>th</sup> July 2024 were unanimously **agreed** as a true and accurate record of proceedings.

### **4. To receive any public participation comments on the following 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. Mr Allan Gemmill also highlighted his concerns relating to the management of the planning portal, in particular referencing two live planning applications within the parish area where significant material amendments had been made but a re-consultation not launched and a further case where documents had been removed entirely from the portal.

The Committee echoed these concerns and also highlighted the issues at the 1 Beech Crest case. It was **agreed** that the Committee should highlight these issues to DCC's Planning Development Manager and the Clerk agreed to draft a letter setting out those concerns.

Ms Claire Murray Kemp advised that she was attending the meeting to discuss the issues under item 5 of the Agenda.

### **5. Discussion on the process for considering new Children's Homes applications (Use Class C2)**

The Chair welcomed Clare Murray Kemp to the meeting and thanked Claire for attending this meeting. The Chair highlighted that the City of Durham parish area and its surrounding areas had recently received a series of new planning

applications for Change of Use from C3 to C2 (Children's Homes). The Chair advised that this had caused quite a lot of concern in the Ferens Park part of the parish area recently and asked Claire for her guidance on how the Committee should judge the merits of each such application.

Claire took the opportunity to thank the Committee for allowing her to speak today and highlighted that she worked professionally in child care.

Councillor S Walker highlighted the dilemma the Committee faced when dealing with the recent application at Ferens Park, balancing the needs of vulnerable children and the concerns of the community.

Claire advised that she was fully aware of this sort of dilemma and highlighted that, from her experience, the primary aim of the applicant in each case ought to be pre-engagement with the local community and residents living next to such a facility, in order to address any concerns. Claire advised that she had hosted drop-in sessions with local residents whenever she had sought consent for this type of facility.

Claire also highlighted that the organisation must be registered with Ofsted prior to seeking planning consent and must always have the consent in planning in place prior to first occupation.

Claire advised that she had looked at the case at Ferens Park and felt that there were some lessons to be learnt from this case. In particular, Claire highlighted that the request for a temporary (for 3 years) Change of Use of the property was concerning as children in care need consistency.

The Chair asked about the scale of this issue across County Durham and the need for this type of accommodation in Durham. Claire highlighted that the need for this type of facility across the County is acute and therefore section a) of CDP Policy 18 (on the question of need) is immediately met with this type of facility.

Councillor S Walker asked what sort of criteria the Parish Council should be looking at when assessing these types of applications. Claire highlighted that the need for pre-consultation with the community and registration with Ofsted were paramount and therefore must be the first test for any application of this kind.

There being no further queries from Members, the Chair thanked Claire for her time in meeting with the Committee. At this point, Claire thanked the Committee and left the meeting.

## **6. Matters arising:**

### **(c) To approve the draft response(s) to the following planning and/ or licensing application(s):**

**DM/24/01720/AD** | Display of vinyl graphics on red dibond panels installed externally to shop windows | 38 The Riverwalk Millburngate Durham DH1 4SL. The Committee **approved** the response to this application.

### **(d) To consider the outcomes of the following planning application(s)/ appeal(s) in the parish area:**

**DM/24/01274/FPA** | Garage conversion to habitable accommodation including replacement of garage door with window and masonry wall. | 38 Highgate Durham DH1 4GA. The Committee **noted** that this application had now been approved, subject to a condition on cycle parking.

**DM/24/00990/TPO** | Crown reduction and reshape of 1no Beech Tree (T1) by 20% (Amended Description) | 12 The Bowers Durham DH1 4EH. The Committee **noted** that this application had now been approved, as requested by the Committee.

**DM/24/00402/FPA** | Change of use of ground floor office (E) to a 2-bedroom flat (C3) for student accommodation including replacement of 1no window for 1no door and window to rear | 44 Claypath Durham DH1 1QS. The Committee **noted** that this application had now been refused by the Central and East Area County Planning Committee. The Committee thanked Councillor C Lattin for representing the Parish Council at this Committee meeting.

**DM/23/02236/FPA** | Sub-divide dwelling (C3) into 3no flats (Part Retrospective) | 1 Beech Crest Durham DH1 4QF. The Committee **noted** that this application had now been approved by the Central and East Area County Planning Committee. The Committee thanked Councillor S Walker for representing the Parish Council at this Committee meeting.

**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. The Committee **noted** that this application had now been approved by the County's Planning Committee. The Committee thanked Councillor G Holland for representing the Parish Council at this Committee meeting.

**Appeal for DM/23/01996/VOC** | Variation of Condition 4 (Opening Hours) pursuant to DM/16/03376/FPA | 17 Hallgarth Street Durham DH1 3AT. The Committee **noted** that this appeal had now been dismissed by the Inspectorate. The Committee thanked the Clerk for his work on this appeal.

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

**c) To note:**

**DM/24/01906/FPA and DM/24/01907/LB** | To repoint the front of the property using a traditional lime pointing mix, to supply and fix new Sandstone Sills to ground and first floor | 25 Hallgarth Street Durham DH1 3AT. It was **agreed** to note these applications.

**DM/24/01881/FPA** | Single Storey Rear and Side Extension | 7 Deyncourt Durham DH1 3QB. It was **agreed** to note this application.

**DM/24/01903/FPA** | Single storey side extension to form a boot room, reconfiguration to master bedroom with alteration to window to northern elevation, and erection of single storey detached garden room to be used as a home gym | Endor Darlington Road Durham DH1 4PH. It was **agreed** to note this application.

**d) To discuss:**

**DM/24/01694/FPA** | Installation of glazed outdoor seating area and retractable canopy to rear, replacement windows and internal alterations to facilitate use as cafe and desserts lounge | 19A Silver Street Durham DH1 3RB. It was **agreed** to object to this application and also call this application in to Committee, should officers be minded to approve this proposal. The Clerk and Councillor S Walker **agreed** to draft an objection letter to this application.

**DM/24/01814/FPA** | First floor side extension with balcony, zinc feature entrance to front, zinc, render and timber cladding to walls, raised walkway and terrace and alterations to existing fenestration. | Hillcrest Springfield Park Durham DH1 4LS. It was **agreed** to note this application.

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

- **Application for the grant of a premises licence from Northern Stores and Deli for Café at the Quarter. 38 High Street. Prince Bishops Shopping Centre. Durham. DH1 3UL.** It was **agreed** to note this application following agreement with Matthew Booth (the applicant) that the start time would be pushed back to 12 noon.
- **Application for the grant of a premises licence from CD Wines Limited for Crush 76 North Road. Durham. DH1 4SQ.** It was **agreed** to note this application.

**9. To consider the latest updates on the project with DCC to produce an evidence base for Non-Designated Heritage Assets (NDHAs) in the Conservation Area.**

The Clerk advised that he would be meeting with Sue Childs later this week to discuss plans for how to manage this project, following agreement from Full Council. The Committee **agreed** to support this project and to get this completed by the end of August.

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

9<sup>th</sup> August 2024  
23<sup>rd</sup> August 2024  
6<sup>th</sup> September 2024  
20<sup>th</sup> September 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  
(9<sup>th</sup> August 2024)**

