

City of Durham Parish Council

Minutes of Planning Committee meeting held via Zoom at 13:00pm on Friday 9th December 2022

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

Also present: A Shanley (Parish Clerk), Mr Roger Cornwell, Mr John Ashby, Mr Richard Combstock, Allie, Ms Janet George and Mr John Lowe (members of the public).

1. Welcome and apologies

Apologies were received from Cllr R Ormerod.

2. To receive any declarations of interest from members

The Clerk advised the Committee that he has an interest in application DM/22/03505/FPA and therefore would not take part in any of the discussions on this item.

3. To receive and approve as a correct record the minutes of the meeting held on 25th November 2022

The minutes of the meeting held on 25th November 2022 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 listed.

Mr John Ashby advised that he was attending the meeting with a general interest in all agenda items listed.

Mr Richard Combstock advised that he was the owner of the Rocking Horse Studios – where the proposal for application DM/21/04311/FPA was located. Richard advised that he would be attending the County Planning Committee on Tuesday 13th December 2022 and made the Committee aware of his script for the meeting. The Committee agreed that Cllr S Walker should represent the Parish Council at this meeting and should push for more time for Richard to re-locate his business operations from the site at a suitable location within the City. Richard thanked the Parish Council for its support.

Allie advised that she was attending the meeting to hear the discussions on application DM/22/02364/FPA.

Ms Janet George advised that she was attending the meeting to hear the discussions on the review application for the Woodman Inn pub.

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

5. Matters arising:

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

DM/22/03024/FPA | Raising of roof height and creation of upper floor. Rear and side extensions to existing house, including terraces to side and front and internal re-configuration. Detached car port with gazebo and garden storage facility and new vehicular access. | Tower Cottage The Avenue Durham DH1 4EB. The Committee **approved** the follow-up response to this application.

DM/22/03312/FPA | Erection of detached garage at land south east of Crossways, Durham. Removal of trees and other enabling works. | Land To The South East Of Crossways Whitesmocks Durham DH1 4LL. The Committee **approved** the response to this application.

(b) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):

DM/21/00101/FPA | Proposed Extension and Conversion to 2No Apartments | 9 Station Lane Gilesgate Durham DH1 1LJ. The Committee **noted** that the appeal for this scheme had been refused.

DM/22/00369/FPA | Change of use from C3 to C4 | 24 Nevilledale Terrace Durham DH1 4QG. The Committee **noted** that the appeal for this scheme had been refused.

(c) To consider the amendments to the following planning application(s):

DM/22/02364/FPA | Change from dwellinghouse (C3) to small house in multiple occupation (C4) including two storey and single storey extensions | 1 St Monica Grove Crossgate Moor Durham DH1 4AS. The Committee **agreed** to maintain its objection to this application.

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

a) To note:

DM/22/03407/FPA | Single storey rear sun room extension, two rooflights to the rear main house roof slope. Bin store and access stair to the front of the house at 'basement' level | 25 Albert Street Durham DH1 4RL. It was **agreed** to note this application.

DM/22/03492/TPO | T1,T2,T3,T4,T5 (Sycamore) - Remove snapped branches, crown lift 4m T6 (Holly) - Remove deadwood G1, G2 (Remove to ground level) | University Hospital Of North Durham North Road Durham DH1 5TW. It was **agreed** to note this application.

DM/22/03470/FPA and DM/22/03471/LB | Re-landscaping of existing North Terrace to Durham Castle to provide suitable outdoor student space for the wider student experience. Creation of a well-being garden and walkway adorned with period appropriate plantings and benches. | University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to note this application.

DM/22/03478/LB and DM/22/03480/AD | 2 No. non illuminated fascia signs with projecting logo and letters, 1no. non-illuminated hanging projecting sign, various shopfront marketing vinyls and internal alterations. | 12 Silver Street Durham DH1 3RB. It was **agreed** to note this application.

DM/22/03524/LB | The addition of a secondary double door-set to create inner lobby, the removal and in-filling of 6no. mid-twentieth century stone niches and the removal of 1no. mid-twentieth century timber door-set at the Norman Chapel,

Durham. | University College Durham Castle Palace Green Durham DH1 3RW. It was **agreed** to note this application.

b) To discuss:

DM/22/03342/AD | Display of fascia and projecting sign (resubmission DM/22/01227/AD) | 12 North Road Durham DH1 4SH. It was **agreed** to note this application.

DM/22/03456/FPA | Conversion of first and second floors to form two 5-bed HMOs (Use Class C4) including window changes to lightwell elevation. | First Floor And Second Floor 84 Claypath Durham DH1 1RG. It was **agreed** to object to this application and to call the application in to Committee. The Clerk **agreed** to draft the letter of objection for this application.

DM/22/03505/FPA | Refurbishment and extension of existing museum for use as exhibition centre and gallery venue (Use Class F.1) with ancillary restaurant/cafe (Use Class E(b)) and retail (Use Class E(a)) uses, and alterations to landscaping, access, and parking. | DLI Museum Durham DH1 5TU. It was **agreed** to note this application.

DM/22/03403/PNT | Prior notification for installation of 1 no. 20m Phase 9 monopole together with 3 no. equipment cabinets and associated works. | Land Adjacent To Pelaw House Leazes Road Durham. It was **agreed** to note this application.

DM/22/03459/DRC | Discharge of condition 12 of planning approval DM/18/02118/FPA relating to a construction management plan. | Land To The North East Of Holly Street Durham DH1 4ER. It was **agreed** to object to this application. The Clerk **agreed** to draft the letter of objection for this application.

DM/22/03512/FPA | Construction of dwelling. | Land South West Of 39 Fieldhouse Lane Durham DH1 4LT. It was **agreed** to note this application.

DM/22/03548/CEU | Certificate of lawfulness for a change of use from C3 to C4 use class | 30 Orchard Drive Durham DH1 1LA. It was **agreed** to note this application.

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

Application for a minor variation by Kas Inns Limited for the Fighting Cocks 4 South Street. Durham City. DH1 4PP. The Committee **agreed** to note this application.

Application for the grant of a premises licence by STACK (Durham) Limited for Stack. 2-6 Silver Street. Durham. DH1 3RB. The Committee **agreed** to object to this application. Councillor S Walker **agreed** to draft the objection letter.

Application for the review of a club premises certificate by Mr Mark Anslow (DCC Nuisance Action Team Leader) for The Tythe Barn (Durham Prison Officers Club) The Hallgarth Durham DH1 3AX. The Committee **agreed** to note this application.

8. Update on the review application for the Woodman Inn pub, 23 Gilesgate, Durham, DH1 1QW

The Clerk confirmed that he, Cllrs E Ashby and L Brown as well as Mark Anslow (DCC Nuisance Action Team) had met with representatives of the Woodman Inn pub on 5th December in order to carry out mediation of conditions ahead of the hearing of 16th December 2022.

The Committee agreed to support the following additional conditions on the Woodman Inn license:

Proposed Conditions

- 1) Music played outside will be background music only, except during events of Local or National Significance and Designated Events. After 10pm (Sunday to Thursday) and 11pm (Friday and Saturday), background music can only be played through one speaker (existing) located in the smoking area attached to the building.
- 2) Staff must be trained in the management of complaints from members of the public. E.g. via the County Council.
- 3) A direct contact telephone number for the Premises is to be made available to Environmental Health and Durham Parish Council, so that complaints may be dealt with speedily. This needs to be altered to say that Direct number on the website.
- 4) A Noise Management Plan (including TVs and smoking area), to be submitted and agreed by Environmental Health.
- 5) There will be a maximum number of 12 Designated Events in any one calendar year. Weddings and Designated Events of Local and National significance would comprise any one of the 12. 10pm cut off for live music and 11pm cut off for recorded music and can only be on Friday, Saturday and Sunday. Must be on the website at least 2 weeks in advance. Based on Pop Code across the County.
- 6) Use of the beer garden area (including any structures) should cease at 10pm on weekdays (Sunday to Thursday) and 11pm on weekends (Friday and Saturday). Except for:
 - a) Use of the outdoor smoking area,
 - b) any of the 12 designated events (as detailed in condition 5).

Definitions:

Events of Local and National Significance: Events of Local and National Significance may include Durham Miners Gala, Football and Rugby World Cup, Champions League Finals, FA Cup Finals, European Football Championships, Bonfire Night, Halloween, Burns Night, and Designated Bank Holidays.

Designated Events: A maximum of 12 per year. Any Designated Event to take place, and they comprise events of Local and National Significance, in strict accordance with the approved and adopted Noise Management Plan, to include procedures for notification, and active noise monitoring and control. The approved and adopted Noise Management Plan is to include procedures for notification, and active noise monitoring and control.

Some Members expressed concerns about the word “comprise” in this list of additional conditions and it was therefore **agreed** that the Clerk should seek further advice on this.

9. Update on planning enforcement case on 1 Victoria Terrace Durham DH1 4RW (The Funky Monk)

The Clerk reminded Members of the ongoing concerns relating to the use of 1 Victoria Terrace. The Clerk advised that DCC had recently held a case review meeting with their

enforcement team to discuss the findings from a site visit last week. DCC's initial view is that there may well be a change of use involved here (in addition to issues to do with the signage and steps / decking). DCC has therefore confirmed that they will be serving a Planning Contravention Notice, to establish the facts in the next few days and have promised to keep the Parish Council updated on this case.

10. Update on the Production of a Conservation Area Management Plan

The Clerk advised that he had recently met with the new Senior Conservation Officer Rebecca Taylor – in charge of delivering the Conservation Area Management Plan - on and she started officially on Tuesday 6th December.

The Clerk reminded Members that a review of the Conservation Area is a statutory requirement of the Conservation Act.

The Clerk advised that the current Conservation Area Character Appraisals (CACAs) do not reflect the current policy situation we find ourselves in.

The Clerk advised that Rebecca is hoping to establish a working group (to include the WHS Committee, the City of Durham Trust, Historic England and the Parish Council). The Clerk confirmed that there will also be a requirement to undertake a public consultation on any changes to the Conservation Area.

The Clerk also advised that DCC is currently in the process of finalising the local list (consulted on earlier in 2022) and the list for assets in the City is expected to be substantial.

The Clerk advised that he would be liaising directly with Rebecca throughout her contract and that there is an expectation that the Committee will receive a minimum of a quarterly report.

The Committee thanked the Clerk for this update.

11. Considering the alternatives to the cumulative impact policy for Durham City proposal

It was **agreed** to defer this item until the next meeting of 6th January 2023.

12. Arrangements for the Planning and Licensing Committee over the Christmas and New Year holidays

Members **agreed** to revert to the usual delegated procedures during the Christmas break whereby the Chair and Clerk of the Planning Committee would consider any and all new planning applications within the parish and a position on each application be taken in writing between the Chair and the Clerk – other than in cases of major applications. Any decisions would then be ratified at the next formal meeting of the Planning and Licensing Committee.

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
(6th January 2023)**