

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 6th September 2024

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

Also present: Mr A Shanley (Parish Clerk) and Mr John Lowe, Mr Graeme Blenkiron, Mr Roger Cornwell and Ms Sue Childs (members of the public).

1. Welcome and apologies

Apologies were received from Councillors E Ashby and N Brown. No other apologies were received.

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 23rd August 2024

The minutes of the meeting held on 23rd August 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 John Lowe advised that he was attending the meeting with a general interest in all Agenda items.

Mr Graeme Blenkiron advised that he was attending the meeting in order to contribute to discussions under item 5 on the Agenda.

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

Ms Sue Childs advised that she was attending the meeting in order to contribute to discussions under item 6 on the Agenda.

5. Report on freehold housing in the parish area and estate charges

The Clerk highlighted that the Parish Council has recently been contacted regarding concerns over so-called "fleecehold" estates and the impact of these arrangements on local residents.

The Clerk advised that, at present, these estate management charges are known to apply in Mount Oswald, Aykley Woods and St. Margaret's Garth in our parish area. In fact, approximately 40% of all new estates built in England over the last five years are covered by these types of charges.

The Clerk highlighted that freehold estates are private or mixed-tenure estates where, unlike other residential areas, shared areas and facilities, such as roads, play areas and open spaces, are not owned or looked after by the local authority. Responsibility for their maintenance will instead rest with a private company (often

the original developer) or homeowners themselves through a residents' management company (RMC).

The Clerk also advised that responsibility for estate management is normally agreed when the local authority grants planning permission. Authorities can be reluctant to take responsibility for common areas (a process known as 'adoption') due to the maintenance costs involved.

The Clerk advised that these arrangements are often controversial as, unlike leaseholders, freehold homeowners on these estates currently have very limited rights over the cost and quality of services provided. The Clerk advised that this is clearly something which the present Government recognises as an issue as a proposed bill banning these arrangements was set out in the King's Speech in 2024.

Mr Graeme Blenkiron thanked the Parish Council for taking on this issue on his behalf and also thanked the Clerk for his report. Mr Blenkiron highlighted that he lived on a freehold estate at Aykley Woods and, since moving into his property, he and his family have experienced a 300% increase in the charges applied by the private management company and he felt that this additional tax ought not to apply. Mr Blenkiron urged the Committee to agree to the proposed actions, as set out in the Clerk's report on this issue and lobby the local Member of Parliament and DCC.

The Committee unanimously **agreed** with the proposed actions, as set out in the report provided, and agreed to recommend these to Full Council at the September meeting.

Mr Graeme Blenkiron thanked the Committee for its support and left the meeting.

6. 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 expressed his gratitude to the large numbers of volunteers who had recently come forward to support this important work as part of the Conservation Area Management Plan. In particular, the Clerk took the opportunity to thank Sue Childs for her support and agreeing to administer the responses from each volunteer.

The Clerk also thanked Lee Hall for a very useful training session as part of this project and advised that he was aware that this had been very positively received.

Sue Childs reported that most of the volunteers had now returned their reports and photographs as part of this project and she was busy collating these into a format which could be easily handed over to DCC. Sue advised that there were approximately 60 or so assets outstanding from the list.

The Clerk advised that he would chase up the volunteers who had yet to return their forms and ask that this be completed by 9th September, as per the original agreement with DCC.

The Committee thanked the Clerk and Sue Childs for their work on this project. At this point, Sue Childs thanked the Committee and left the meeting.

7. Matters arising:

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

DM/24/00938/FPA | Two storey side and rear extension | 7 Springwell Road Durham DH1 4LR. The Committee **approved** the response to this application but expressed its unhappiness that its request to have the application called-in had been denied. It was agreed that a follow-up formal letter be sent to the Planning Development Manager on this issue.

Follow up response to PINs relating to appeals APP/X1355/W/24/3337793 (12 The Hallgarth) and APP/X1355/W/24/3340997 (10 Mavin Street). The Committee **approved** this letter to PINs on recent appeal decisions within the parish area.

DM/24/02078/FPA | Extend existing external seating terrace and new external raised timber deck adjacent to riverbank | 20 Silver Street Durham DH1 3RB. The Committee **approved** the response to this application.

DM/24/02200/FPA and **DM/24/02161/LB** | Convert the existing attic space to a bedroom with en-suite, including a new staircase from the 2nd floor, replacement skylights and alterations to existing bedrooms. Convert the outbuilding to an office space including alteration to the external walls and roof. | 90 Gilesgate Durham DH1 1HY. The Committee **approved** the response to these applications.

DM/24/02174/FPA | Conversion and subdivision of dwellinghouse (Use Class C3) to form 2 No. apartments (Use Class C3) | 9 Station Lane Gilesgate Durham DH1 1LJ. The Committee **approved** the response to this application.

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

APP/X1355/W/24/3344526 Cross View House, Cross View Lane, Nevilles Cross, Durham DH1 4PJ. The Committee **noted** that this appeal had now been refused and also took the opportunity to commend the Inspector for the way in which Policy 16 had rightly been applied in this case.

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

a) To note:

DM/24/02272/FPA | First floor side extension | 10 Springwell Avenue Durham DH1 4LY. It was **agreed** to note this application.

DM/24/02129/FPA | Removal of existing external roof-top plant equipment and installation of 6no Air Source Heat Pumps (ASHPs) at the roof level of the Durham University Racecourse Pavilion building. | Durham City Cricket Pavilion Green Lane Durham DH1 3JU. It was **agreed** to note this application.

DM/24/02241/FPA | Removal of external chimney stack. | 12 The Hallgarth Durham DH1 3BJ. It was **agreed** to note this application.

DM/24/02341/TPO | T4 - Ash (TPO ref. PN1-316) - Fell due to Ash dieback | 33 Ferens Close Durham DH1 1JX. It was **agreed** to note this application.

b) To discuss:

DM/24/02164/FPA | Single storey rear extension to existing small HMO (Use Class C4) with loft conversion and installation of 4 no. velux roof lights | 3 Lawson Terrace Durham DH1 4EW. It was **agreed** to object and call-in this application. The Clerk **agreed** to draft the response to this application.

9. To consider the following new licensing application(s) within the parish area:

Minor variation of a premises licence application by Stonegate Pub Company Limited for The Three Bridges. 80-83 North Road. Durham. DH1 4SQ. It was highlighted that the enclosed area, previously part of the highway, had now been transferred to within the curtilage of the premises itself and therefore the requirement to ban smoking in this area should now come into effect. It was **agreed** that the Parish Council should write to request this formally and Councillor S Walker **agreed** to draft this response on behalf of the Committee.

10. Proposals by the UK Government to ban smoking in pub gardens and outdoor venues.

The Committee noted that there had been recent press stories relating to a proposed smoking ban in outside areas of premises, with the Prime Minister confirming that the Government would be going out to consultation on this in due course. The Committee agreed to take an active role as and when this consultation is launched, with a preference that the proposed ban be approved.

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

20th September 2024

4th October 2024

18th October 2024

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
(20th September 2024)**