

The City of Durham Trust
(Registered charity number 502132)

PLANNING APPLICATIONS RESPONDED TO: 22 February to 22 March 2023

Ref.	Location	Work	Date	Officer	Response
<i>From DCC weekly list 10/2:</i>					
23/00241/FPA	24 Nevilledale Terrace	6-bed dwellinghouse to 2 x 2-bed flats	9/3	Woodruff	Objection
23/00331/LB	Durham Cathedral, The College	Stone renewal and structural pinning on the Monks' Garden wall	9/3	Woodruff	Support
<i>From DCC weekly list 22/2:</i>					
23/00332/PNT	Land south east of Whitechurch	Installation of 15m monopole & cabinets	8/3	Hurton	Concerns
23/00333/PNT	Land north of St Godric's Church	Installation of 15m monopole & cabinets	8/3	Penman	Objection
23/00343/LB	University College, Durham Castle	Install'n of steel beams to Norman Gallery floor	8/3	Woodruff	Support
<i>Amendments:</i>					
22/03302/FPA 22/03303/LB	Fellows' Garden, University College	New garden landscape design with terrace	22/3	Woodruff	Support

PLANNING APPLICATIONS NOTED: 22 February to 22 March 2023

Ref.	Location	Work	Date	Officer
<i>From DCC weekly list 22/2:</i>				
22/03409/FPA 22/03410/AD	29 Silver Street	Retail to restaurant; alterations to shop front and signage	8/3	Richards
23/00256/FPA	9 Brierville	Replacement bay windows	9/3	Woodruff
<i>From DCC weekly list 27/2:</i>				
23/00349/LB 23/00355/FPA	40 Saddler Street (Flat White café)	Install a block of windows and double doors to the rear	15/3	Richards
23/00358/VOC (21/01282/FPA)	93 Elvet Bridge	VoC 3 (opening hours)	17/3	Richards
23/00457/FPA	3 Farnley Ridge	Side extension and infill area	17/3	Scott
23/00493/FPA	18 Orchard Drive	Rear extension and alterations	17/3	Fenwick
<i>From DCC weekly list 6/3:</i>				
23/00507/FPA	51 Prebends Field	Dwellinghouse (C3) to HMO (C4)	20/3	Richards
23/00490/VOC (20/01008/FPA)	Lowes Barn recreation ground, off Park House Rd	VoC 2 (approved plans) and 7 (overflow car park)	21/3	Jennings
23/00519/FPA	South View, 16 Crossgate Peth	Renovation of front bay window	22/3	Fenwick

PLANNING APPLICATIONS NOTED AT THE MEETING (22 March 2023)

Ref.	Location	Work	Date	Officer
<i>From DCC weekly list 13/3:</i>				
23/00588/FPA	9 Monks Crescent	Dwellinghouse (C3) to HMO (C4)	30/3	Richards
23/00638/CEU	3 Cross View Terrace	Lawful Development Certificate for CoU C3 to C4	31/3	Penman
<i>From DCC weekly list 20/3:</i>				
23/00527/FPA	15 Moor Edge, Crossgate Moor	Extensions and decking	6/4	Fenwick
23/00552/FPA	1 St Leonards, North Road	Extensions and porch	7/4	Woodruff

OUTCOMES TO PREVIOUS RESPONSES (decided since 21 February 2023)

Ref.	Location	Work	Trust's response	Decision/Date
22/02698/FPA	Low Burnhall Farmho. Darlington Rd	Demolition of pigsty/store for side extension	OBJECT	APPROVED 7/3
Reason(s):	<i>The proposed development would not be considered inappropriate development in the Green Belt and would have an acceptable impact on the character and appearance of the CA. There would be no adverse impacts on residential amenity or highway safety and parking. The development would therefore accord with the aims of NPPF Parts 9, 12, 13, 15 & 16, CDP Policies 10, 20, 21, 29, 31 & 44 and Policies H2 & T1 of the Durham City NP.</i>			
21/04262/FPA	Mount Oswald	9 dwellings + access alterations	OBJECT	APPROVED 14/3
Reason(s):	<i>Informal: Approved at Area Planning Committee. Committee Report: The principle of development in this location has been accepted in the original Masterplan and there is an existant, implementable consent for 5 dwellings. The submitted scheme has been reduced in process from 12 to 9 units thereby reducing density and effects on the parkland and surroundings. Whilst of a lower design and sustainable quality than the approved scheme, it must be assessed on its own merits, and Officers have concluded that it meets Policy requirements, notwithstanding objectors' concerns for such, it meets the Framework's aspiration for delivery of high-quality homes, to widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Significant concerns relate to the implications of construction traffic, with requests for use of an alternate access. Highways Officers consider the alternative unsatisfactory. Officers suggest a detailed Construction Management Plan is an appropriate and enforceable device to mitigate these concerns, which will be complementary to controls over it in other consents. In summary, the application site is concluded on its own merits compliant with the Policies in the two elements of the Development Plan and consistent with the advice in the NPPF, if approved with conditions and a legal agreement to secure elements to mitigate identified harms, ensure compliance with the scheme as presented and agree detailed elements capable of resolution by Officers.</i>			
23/00099/FPA	4 North End	4-bed bungalow (C3) to two 2-bed dwellings (C3)	OBJECT	REFUSED 14/3
Reason(s):	<i>The application fails to satisfactorily evidence a quantitative or qualitative need for this type of accommodation in this location contrary to CDP Policy 16 and would result in a detrimental impact upon the living conditions of neighbouring residents through increased noise and disturbance contrary to CDP Policies 16, 29 & 31 and NPPF paragraphs 130 & 185.</i>			
22/02761/FPA	Fernhill Newcastle Rd	Stables to 3-bed house	OBJECT	APPROVED 16/3
Reason(s):	<i>The proposals are contained within the Green Belt, and it has been determined that they fall under the exception listed under NPPF para. 149(g). Under this exception, the acceptability of the principle of the proposal in the Green Belt rests upon whether the proposed dwelling would have a greater impact on the openness of the Green Belt than the existing stable building it would replace. Based on the assessment outlined, the proposed dwelling is considered to be of comparable footprint, scale and massing as the existing stable and would therefore not have a greater impact than the building it would replace. With the retention of the mature vegetation along the southern and western boundaries demonstrated by the submitted Arboricultural reports and recommended to be conditioned, views of the proposed dwelling from outside the site would be extremely limited by the treeline, higher topography, and surrounding buildings. Therefore, the proposed dwelling is not considered to have a greater impact, spatially or visually, on the openness of the Green Belt nor would the proposals adversely affect the character of the surrounding landscape. On this basis there is no requirement to demonstrate 'very special circumstances' and the principle of the development is considered acceptable, having suitably addressed the issues raised by the Inspector as part of the recently dismissed appeal at the same site. The dwelling is considered to be of an appropriate design, massing, siting and form that utilises materials that would respond positively to Fernhill, a non-Designated Heritage Asset, and no concerns are raised over the proposals adversely affecting the amenity of neighbouring residents or highway safety. Notwithstanding the above, conditions are recommended to secure details relating to land stability, archaeology, drainage, as well as conditions restricting the hours and timing of works, and ensuring the protection of trees during the works. Subject to such conditions, the proposals are considered to accord with CDP Policies 6, 20, 21, 29, 31, 32, 35, 39, 40, 41 & 44, Policies S1, H3, D4 & T1 of the Durham City NP and NPPF Parts 2, 4, 5, 6, 8, 9, 12, 13, 15 & 16. Whilst the proposal has generated public interest, the objections and concerns raised have been taken into account and addressed within the report. On balance the concerns raised were not felt to be of sufficient weight to justify refusal.</i>			
22/03456/FPA	84 Claypath (first and second floors)	2 x 5-bed HMOs (C4) including window changes	OBJECT	APPROVED 16/3
Reason(s):	<i>In summary, whilst 85.4% of properties within 100m radius of the application property are currently exempt from Council Tax as being wholly occupied by students, the site is located</i>			

	<i>within the centre of the city where commercial uses are predominant. In this respect the proposal can draw support from CDP Policy 16(i). In other respects, the introduction of 2 HMOs within this location could be accommodated without adverse impact upon the residential amenity of existing or future residents, highway safety, ecology and land contamination in accordance with CDP Policies 16, 21, 29, 31, 32 & 42, NPPF parts 5, 12 & 15 and policies D4 & T1 of the City of Durham NP. In addition, it is considered that the proposals would preserve and have some limited enhancement to the character and appearance of the CA and would maintain the setting of the WHS in accordance with CDP Policies 44 & 45, Policies H1 & H2 of the Durham City NP and Sect. 72 of the Town & Country Planning (LB & CA) Act 1990. Whilst concerns raised by the Parish Council, City of Durham Trust and residents' association are noted regarding noise, odour, bin storage and disturbance during the construction phase, it is considered that any impact in this regard is insufficient to sustain refusal of the application or could be adequately mitigated to within acceptable levels through planning conditions for the reasons detailed within the report.</i>			
22/03470/FPA 22/03471/LB	University College, Durham Castle	Re-landscaping of North Terrace	SUPPORT	APPROVED 16/3
Reason(s):	<i>The development, by reason of its layout, design and materials, could be satisfactorily accommodated without unacceptable adverse impact upon the CA, LBs, Durham Castle and Cathedral WHS, landscape and ecology in accordance with the aims of CDP Policies 16, 29, 31, 39, 40, 41, 44 & 45, Policies H1 & H2 of the City of Durham NP, NPPF Parts 2, 4, 6, 12, 15 & 16 and Sect. 66 & 72 of the Town & Country Planning (LB & CA) Act 1990. The proposals are considered to sustain and conserve the significance of the designated heritage asset in accordance with Sect. 66 of the Planning (LB & CA) Act 1990, the provisions of Sect. 16 of the NPPF and CDP Policy 44.</i>			
23/00174/FPA	41 Whinney Hill	Dwellinghouse (C3) to HMO (sui generis) including internal works	OBJECT	WITHDRAWN 22/3