

**The City of Durham Trust**  
(Registered charity number 502132)

**SUMMARY DATA: 17 July to 20 August 2024**

PLANNING APPLICATIONS considered	OBJECTIONS submitted	SUPPORT submitted	COMMENTS/CONCERNS submitted
40	5	4	3

**PLANNING APPLICATIONS RESPONDED TO: 17 July to 20 August 2024**

Ref.	Location	Work	Date	Officer	Response
<i>Amendments:</i>					
23/02414/FPA	80 Hallgarth Street	Extensions to a small HMO (C4)	17/7	Penman	Restated objection
23/02236/FPA	1 Beech Crest	Sub-divide dwelling (C3) into 3 flats ( <i>part retro.</i> )	N/A	Hurton	Further concerns
24/00770/FPA	2 Palmer's Close, Church Street Head	Ext'n to create a 2-bed dwelling + new access	17/7	Richards	Further objection
24/00766/FPA	Land east of 7 Church Villas	Construction of 3 x 1.5-storey 2-bed dwellings with associated parking	7/8	Richards	Further objection
<i>Additional:</i>					
24/01683/TCA	10 Ferens Park	Removal of 2 ash trees	22/7	Beveridge	Concern
<i>From DCC weekly list 1/7:</i>					
24/01649/FPA	2 Monks' Crescent, Gilesgate	Dwellinghouse (C3) to HMO (C4) incl. driveway widening, etc	31/7	Penman	Objection
<i>From DCC weekly list 8/7:</i>					
24/01719/FPA	Crook Hall, Sidegate	Replacement of existing footpath	22/7	Penman	Support
24/01720/AD	38 The Riverwalk, Millburngate	Display of vinyl graphics on windows	22/7	Penman	Concerns
24/01698/LB	Kingsgate Bridge	Investigation works	25/7	Fenwick	Support
<i>From DCC weekly list 15/7:</i>					
24/01694/FPA	19A Silver Street	Installation of glazed outdoor seating area & retractable canopy	30/7	Sandford	Objection
<i>From DCC weekly list 22/7:</i>					
24/01907/LB	25 Hallgarth Street	Repointing and new sandstone sills	8/8	White	Support
<i>From DCC weekly list 29/7:</i>					
24/01993/FPA	New College Durham, Framwellgate Moor	Part 2- part 3-storey front ext'n + addition of cladding, etc	16/8	Spurgeon	Support

**PLANNING APPLICATIONS NOTED: 17 July to 20 August 2024**

Ref.	Location	Work	Date	Officer
<i>Amendments:</i>				
23/02504/FPA	45A Sunderland Road, Gilesgate	Alterations/ext'ns + CoU to 4 small HMOs (C4) (one existing HMO)	N/A	Penman
<i>Additional:</i>				
24/01682/TCA	8 Sidegate	Crown reduction - sycamore	22/7	Beveridge

24/01922/TCA	Land to the west of 77 Hallgarth Street	Fell 2 ash trees	12/8	Beveridge
24/01969/TCA	The Stables, Holywell Hall, Brancepeth	Various tree/hedge works	12/8	Dawson
24/01956/TCA	The Riverside Centre, Frankland Lane	Tree works	14/8	White
24/02104/TCA	Bow School, South Road	Various tree works	26/8	Fenwick
24/02105/TCA	Durham School, Quarryheads La	Various tree works	26/8	Fenwick
<i>From DCC weekly list 22/7:</i>				
24/01404/FPA	Land to the north west of 17 Quilstyle Rd, Wheatley Hill	Erection of 143 2, 3 & 4 bed 2-storey dwellings [TO NOTE LARGE-SCALE HOUSING SITE]	20/8	Harvey
24/01881/FPA	7 Deyncourt	Rear and side extensions	22/8	Scott
24/01903/FPA	Endor, Darlington Road	Side extension and detached garden room, etc	23/8	Beveridge
<i>From DCC weekly list 29/7:</i>				
24/02020/PN56	DCC, Corten House, Aykley Heads Business Park	Prior notification for the installation of 28 roof-mounted solar panels	22/8	Scott
24/01800/TPO	16 The Orchard, Pity Me	Crown reduction - pear tree	23/8	Beveridge

#### PLANNING APPLICATIONS NOTED AT THE MEETING (20 August 2024)

Ref.	Location	Work	Date	Officer
<i>From DCC weekly list 5/8:</i>				
24/01976/VOC (20/00576/LB)	Gateshouses, Mount Oswald, South Road	VOC Condition 6 - glazed link to timber due to structural movement	19/8	France
24/01938/VOC (23/02622/FPA)	Land south of South College, The Drive	VOC 2 to reduce building footprint and relocation of substation, etc	20/8	France
24/01093/TPO	Land to the south of Cheveley Walk, Belmont	8 x ash trees to be felled + replanting	23/8	White
24/01914/FPA	27 Woodbine Road, Pity Me	Combine existing gnd fl community hall with existing 1 <sup>st</sup> fl residential	23/8	Fenwick
24/02049/TPO	St Cuthbert's Hospice	Various tree works	23/8	Fenwick
24/02052/TPO	36 Faraday Court	Tree works	29/8	Beveridge
24/01978/OUT	Land to south of the NE Centre for Autism, Cedar Drive, Copelaw	Up to 1,435 dwellings (1,343 x C3, 92 x C2), local centre (E, F2) & primary school (F1) [TO NOTE LARGE-SCALE HOUSING SITE]	2/9	France
24/02024/LB	St Chad's, 5 North Bailey	Replacement fire doors	4/9	Walton
<i>From DCC weekly list 12/8:</i>				
24/02115/FPA	2 Buford Court, Albert St	Single-storey rear infill extension	28/8	Sandford
24/02063/FPA	58 Bradford Crescent, Gilesgate	Dwellinghouse (C3) to HMO (C4) including rear extension, etc	29/8	Hurton
24/02126/FPA	3 Aspen Close, Gilesgate Moor	3-bed dwelling (C3) to 4-bed small HMO (C4) with driveway extension etc	3/9	Penman
24/02059/LB	1-4 Red Hill Villas	Roof repair works ( <i>retrospective</i> )	5/9	Walton
<i>Additional:</i>				
24/02146/DRC (24/01173/FPA)	St Leonard's Catholic School, North End	Discharge of Condition 13 (Traffic Management)	27/8	France
24/02168/TCA	Dunelm House, New Elvet	Fell (dead) elm; replace (lime)	4/9	Beveridge
24/02180/TCA	4 Valeside	Crown reduction - eucalyptus	4/9	Beveridge
24/02256/TCA	Car park, Territorial Lane	Fell/pollard 3 ash trees	10/9	White

**OUTCOMES TO PREVIOUS RESPONSES (decided since 16 July 2024)**

Ref.	Location	Work	Trust's response	Decision/Date
<b>24/00298/VOC (23/01690/FPA)</b>	<b>27 Annand Road, Gilesgate</b>	Removal of Condition 8 (occupancy)	OBJECT	REFUSED 17/7
Reason(s):	<i>In the opinion of the LPA the removal of Condition 8 of Planning Permission 23/01690/FPA to allow up to six unrelated individuals to reside in the dwelling, would be unacceptably harmful to residential amenity in that it would fail to provide an inadequate amount of internal amenity space and fails to deliver high standards of amenity contrary to CDP Policies 29(e) &amp; 31 and Parts 12 &amp; 15 of the NPPF.</i>			
<b>24/01274/FPA</b>	<b>38 Highgate</b>	Garage conversion to accom.	OBJECT	APPROVED 18/7
Reason(s):	<i>It is considered that the principle of development would accord with the requirements of CDP Policy 6. When assessed against other policies within the CDP, relevant to the application, the development would not have a significant impact on the character and appearance of the Durham City CA, result in any unacceptable cumulative impact upon the amenity of existing or future residents, or have an unacceptable impact on highway safety/parking. The development therefore accords with CDP Policies 21, 29, 31 &amp; 44, NPPF Parts 12 &amp; 16 and Policies H1, H2, T2 &amp; T3 of the Durham City NP. Whilst the concerns raised by the Parish Council and City of Durham Trust are noted, for the reasons discussed within this report they are not considered sufficient to sustain refusal of the application.</i>			
<b>23/02236/FPA</b>	<b>1 Beech Crest</b>	Sub-divide dwelling (C3) into three flats (part retrospective)	OBJECT	APPROVED 24/7
Reason(s):	<i>The proposed scheme would be compatible with surrounding uses, would not result in the loss of open land, is located within a highly sustainable location and would not be prejudicial to highway safety in accordance with CDP Policy 6. Sufficient information has been provided to demonstrate that there is a need for this type of accommodation within this local area, consultation with the education provider has been carried out, the site is accessible to local colleges/universities, would include adequate cycle storage facilities, the internal design is of an appropriate standard and the proposal would be in keeping with the character and appearance of the area. Furthermore, the proposal is not considered to have any detrimental impacts on the residential amenity of neighbouring properties, nor would it adversely impact upon highway safety. It is therefore considered that the application is acceptable and complies with CDP Policies 6, 16, 21, 22, 27, 29, 31, 35 &amp; 36, Parts 2, 4, 5, 8, 9, 10, 11, 12, 14 &amp; 15 of the NPPF and S1, T1, T2, T3, H2 &amp; D4 of the Durham City NP.</i>			
<b>23/02504/FPA</b>	<b>45A Sunderland Road, Gilesgate</b>	Alterations/extensions + CoU to 4 x small HMOs (1 existing HMO)	OBJECT	REFUSED 24/7
Reason(s):	<i>The development would be harmful to visual amenity and the character and appearance of the locality and amount to the overdevelopment of a prominent site on a key route into the city centre. It would, by reason of its excessive scale and inappropriate and unsympathetic design, not appear subservient, or sympathetic, to the existing property contrary to Part 12 of the NPPF, CDP Policies 6 &amp; 29 and the Council's Residential Amenity Design Guide SPD.</i>			
<b>23/02988/FPA (APP/X1355/W/24/3340997)</b>	<b>10 Mavin Street</b>	Dwellinghouse (C3) to HMO (C4)	OBJECT	DISMISSED 24/7
Reason(s):	<i>While I have found no harm to community cohesion or the living conditions of nearby occupiers, the proposal would fail to provide suitable living conditions for future occupiers. Therefore, it would conflict with the development plan as a whole, and there are no material considerations to justify deviating from the plan.</i>			
<b>23/03233/FPA</b>	<b>St Cuthbert's Hospice Park House Road</b>	Car park extension	COMMENT	APPROVED 29/7
Reason(s):	<i>Overall, whilst the proposed development would result in the loss of two protected trees, as well as five other trees, and a parcel of open space, the need for the additional car parking spaces as identified by the applicant is considered to outweigh this, with a condition imposed to secure the implementation of an appropriate replacement tree planting scheme.</i>			
<b>24/00402/FPA</b>	<b>44 Claypath</b>	Gnd floor office (E) to 2-bed flat (C3) for student accommodation	OBJECT	REFUSED 29/7
Reason(s):	<i>The change of use of the ground floor office accommodation into one two-bed flat for student occupation would result in an adverse impact upon the amenity of existing residents through increased noise and disturbance and lead to community imbalance to the detriment of social cohesion in an area with a high concentration of existing HMOs, contrary to the aims of CDP Policy 31 and Parts 12 &amp; 15 of the NPPF.</i>			
<b>24/01173/FPA</b>	<b>St Leonard's Catholic School, North End</b>	Demolition for a replacement bldg; works to retained Springwell Hall; car parking; landscaping etc	OBJECT	APPROVED 29/7

Reason(s):	<p>Contrary to the views of some consultees, the proposed scheme, in its own right, is considered an appropriate high-quality development that is of benefit to the on-site heritage assets, whilst sitting appropriately in the setting of the Durham City Centre CA. There is no effect on wider heritage assets including the WHS. The site and the development are considered sustainable in nature and appropriately laid out to be attractive to sustainable means of transport, an improvement on the existing facilities. The proposals improve the indoor and outdoor sports facilities the school offers both to students and for wider community use that is a required element of school developments. Neighbouring residential amenity implications of this out of hours use can be controlled on site by condition. Off-site, historical issues with parking in surrounding streets are not addressed by the application and remain broadly neutral in the planning balance. Landscape and BNG topics are appropriately addressed and attributed neutral weight in the planning balance. With the new buildings concentrated on the west side of the site, issues with residential amenity have been concentrated in this area, with the potential for material weight against the application. Amendments to the proposals during the course of the application have addressed privacy and safeguarding issues to an acceptable standard. The submitted daylight/sunlight assessments demonstrate that these aspects of the scheme are acceptable. The outstanding issue is that of outlook. Officers have concerns for this aspect of the scheme, but on balance, despite the significant increase in height and the closer arrangement of the new building, the relative relationships from the detailed separation distances for the dwellings in Fieldhouse Lane and the orientation and layout of the dwelling at Springwell Hall Cottage is such that the harm is not such that it is considered that it could sustain a refusal, both in terms of the Development Plans Policies and in light of the presumption in favour of sustainable development set out at NPPF Para. 11. Notwithstanding the separation distances involved described above, Officers do consider that the proposals are harmful in terms of loss of outlook. S38(6) of the Act requires a balancing exercise to assess this harm in terms of the benefits of the scheme. The benefits of the development in providing a modern learning establishment, in a highly sustainable form, reflecting support the proposals have received from school community, in a form that provides benefits to the appreciation of heritage assets on the site, is concluded to clearly outweigh the acknowledged harm arising from loss of outlook. No other aspects of significant negative weight have been identified that would balance the recommendation against the proposals. Subject to S106 agreement.</p>			
24/01683/TCA	10 Ferens Park	Removal of 2 ash trees	CONCERN	APPROVED 1/8
Reason(s):	<p>In reference to the letter from the City of Durham Trust, the council's arborist has inspected the trees and found that Ash Dieback is present. The proposed tree works are deemed appropriate and justified, and it is not considered necessary to impose a TPO in this instance.</p>			
24/01150/FPA	The Kiosk, Freemans Reach, Riverside Pl.	Retention of timber decking and steel balustrade (retrospective)	OBJECT	APPROVED 2/8
Reason(s):	<p>The proposed retention of the decking and balustrade are considered acceptable and would be considered neutral in terms of its impact within the CA and setting of Durham WHS and causes no harm to the WHS's OUV in accordance with CDP Policies 44 &amp; 45, Policies H1 &amp; H2 of the Durham City NP, NPPF Part 16 and Sect. 72 of the Planning (LB &amp; CA) Act 1990. In addition, the development does not have any unacceptable impact upon amenity in accordance with the aims of CDP Policies 9, 29 &amp; 31, Policy S1 of the DCNP and NPPF Parts 6, 7, 12 &amp; 15. Subject to retrospective work reprimand and no parking or bin storage on the adopted footway.</p>			
24/01694/FPA	19A Silver Street	Installation of glazed outdoor seating area & retractable canopy	OBJECT	WITHDRAWN 5/8
24/01161/FPA	35 Hallgarth Street	Rear ext'n, loft conversion, etc	OBJECT	APPROVED 13/8
Reason(s):	<p>[Following submission of a revised Heritage Statement.] Overall, the proposal is considered to be in accordance with the relevant policies within the CDP, as they would not have a detrimental impact on the character of the surrounding area, on the privacy and amenities of neighbouring residents or upon arboriculture.</p>			
24/00827/LB	Porters' Lodge, The College	Reconstructions, stone replacement, pointing	SUPPORT	APPROVED 14/8
Reason(s):	<p>The development has no impact on the significance of the building and therefore accords with the aims of Sect. 66 of the Planning (LB &amp; CA) Act 1990, NPPF Part 16 and CDP Policy 44.</p>			
24/01720/AD	38 The Riverwalk, Millburngate	Display of vinyl graphics on windows	CONCERNS	APPROVED 19/8
Reason(s):	<p>The proposals are acceptable in terms of amenity and public safety and are therefore in accordance with the requirements of Sect. 66 &amp; 72 of the Town &amp; Country Planning (LBs &amp; CAs) Act 1990, NPPF Parts 12, 15 &amp; 16, CDP Policies 29, 31, 44 &amp; 45 and Policies S1, H1 &amp; H2 of the DCNP. Subject to a condition to ensure the signs are not illuminated.</p>			
23/01975/FPA (APP/X1355/W/24/3338834)	Hallgarth Care Centre, Hallgarth Street	Care home (C2) to 69-bed student accommodation (9 x cluster apartments)	OBJECT	DISMISSED 20/8

Reason(s):	<p><i>The proposed development would be harmful to the objective of creating, or maintaining, a mixed/balanced community and would conflict with the relevant requirements of CDP Policy 16. This is, to my mind, an important matter and, as such, the proposal would be contrary to the development plan taken as a whole, notwithstanding that it may comply with the CDP in other respects. This conflict with the development plan weighs significantly against the proposal. The re-use of a vacant building within the CA would represent a modest benefit. The proposal would provide employment during the conversion process, although this is most likely to be through the maintenance of existing construction jobs rather than creating new jobs. The operation of the completed facility would also provide employment, although no figures have been provided in respect of the no. of jobs that may be created. As such only moderate weight can be given to this. The proposal would provide student accommodation close to university campus. However, as I have found that it has not been demonstrated that there is a need for accommodation of this type, this carries little weight. It is suggested that the appeal proposal would give rise to potential to release HMOs back into the general housing market. Nevertheless, there was no substantive evidence put to me that would support this. Whilst students would potentially support local shops and facilities, again there is no substantive evidence that there is a risk that these would be lost were the proposal not to proceed. The proposal would retain embodied carbon from the original construction of the building. However, it was not suggested that should the proposal not proceed that the building would be demolished. Whilst the appellant argues that there is no other potential use for the building, no substantiated evidence was provided that would demonstrate that it would not be possible to find an alternative beneficial use for the existing building. Consequently, I give little weight to this. Whilst there would be some modest benefits from the proposal, none of these, either individually or cumulatively, would overcome the significant weight arising from the conflict with the development plan. No other material considerations have been identified which would warrant granting planning permission for a development that does not comply with the CDP.</i></p>
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