



City of Durham Parish Council

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Date of Summons: 28th August 2023

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors E Ashby, N Brown, A Doig, G Holland, C Lattin, R Ormerod 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 1st September 2023** for the purpose of transacting the following Agenda business as shown.

The link to join this meeting is below:

<https://us02web.zoom.us/j/82876837579>

Meeting ID: 828 7683 7579

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

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 21st July 2023**
- 4. To receive any public participation comments on the following agenda items.** Please email the Parish Clerk parishclerk@cityofdurham-pc.gov.uk to register to speak.
- 5. Discussion with Lee Hall, Design and Conservation Officer, on the most recent proposals from the Conservation Area Management Plan.**
- 6. Matters arising:**
 - (a) To agree the draft responses to the following planning and licensing application(s), pre-application(s) and/or appeal(s):**
 - DM/23/01709/FPA** | Replacement shop front and installation of first floor gable window | 22 Silver Street Durham DH1 3RD
 - DM/23/01442/FPA** | Change of use of dwellinghouse (Use Class C3) to HMO (Use Class C4) | 33 St Bedes Close Crossgate Moor Durham DH1 4AA
 - DM/23/01772/FPA** | Car park with associated landscaping | Land To The East Of Diamond Terrace Durham DH1 5SX
 - DM/23/01975/FPA** | Conversion of care home (C2) to 69 bedspace Purpose Built Student Accommodation (sui generis), re-roofing of conservatories, erection of new cycle shelter and replacement bin store | Hallgarth Care Home Hallgarth Street Durham DH1 3AY
 - DM/23/01996/VOC** | Variation of Condition 4 (Opening Hours) pursuant to DM/16/03376/FPA | 17 Hallgarth Street Durham DH1 3AT
 - DM/23/02118/FPA** | Change of use from a C3 Dwellinghouse (Use Class C3) to an HMO (Use Class C4) with associated internal alterations. | 12 The Hallgarth. Durham DH1 3BJ
 - DM/23/02209/FPA** | Change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) to provide staff accommodation for ZG Holdings Ltd | 74 Hallgarth Street Durham DH1 3AY
 - DM/23/02224/FPA** | Replacement of windows to front elevation with sliding sash timber windows to match existing | 4 Nevilledale Terrace Durham DH1 4QG
 - DM/23/02371/FPA** | Change of use from dwellinghouse (Use Class C3) to flexible use permission as a dwellinghouse (Use Class C3) and a House in Multiple Occupation (Use Class C4) under the provisions of Class V of Part 2 of Schedule 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 including conversion of garage into habitable room, internal alterations and insertion of roof lights to front and rear | 4 St Margarets Garth Durham DH1 4DS

DM/23/02207/FPA | Erection of raised decking and overhead canopy to form an external drinking area to rear of public house | Elm Tree Inn 12 Crossgate Durham DH1 4PS

DM/23/02246/TPO | (T2) Hazel - Fell leaving stump as close to the ground as practical. (T3) Plum - Crown lift to 3m and crown thin by 20% (T4) Holly - Fell leaving stump as close to current ground level as possible. | Land To the Rear of West View Fieldhouse Lane Durham DH1 4NB

(b) To consider the latest updates on the following planning and licensing application(s) in the parish area:

DM/21/01789/FPA | Construction of 12 townhouse dwellings with associated works. | Land At St Johns Road Nevilles Cross

DM/23/01237/FPA | Change of use from five bed dwellinghouse to seven bed HMO (sui generis). | 41 Fieldhouse Lane Durham DH1 4LT

DM/23/01031/FPA | Change Use of dwellinghouse (C3) into a small house in multiple occupation (C4) with minor external alterations | Magdalene Heights Gilesgate Durham DH1 1SY

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

Rudy's Pizza Limited	Rudy's Pizza 30 - 31 Silver Street Durham DH1 3RD	Application for the grant of a premises licence Late night refreshment (indoors and outdoors) Monday to Thursday 11.00pm to midnight, Friday to Sunday 11.00pm to 1.00am, From the start time on New Year's Eve to the terminal hour on New Year's Day, an additional hour on Good Friday and all days preceding Bank Holidays Sale of alcohol (on and off the premises) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, From the start time on New Year's Eve to the terminal hour on New Year's Day, an additional hour on Good Friday and all days preceding Bank Holidays	4 September 2023
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Zaap Durham Limited	Zaap Units 20 and 21 The Riverwalk Durham DH1 4SL	Application for the grant of a premises licence Late night refreshment (indoors) Monday to Sunday 11.00pm to midnight Sale of alcohol (on and off the premises) Monday to Sunday 11.00am to midnight	19 September 2023
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8. To consider the following new planning applications in the parish area

a) To note:

DM/23/02396/FPA | Reinstatement of former gated access | Former Public Toilets North Road Durham DH1 4RE

DM/23/02406/LB | Installation of 0.8m and 1.8m fencing to rear yard | 46 North Bailey Durham DH1 3ET

DM/23/02408/LB | Installation of 1.8m metal railing fence in rear yard | 50 Saddler Street Durham DH1 3NU

DM/23/02412/FPA | Erection of 2no gates, palisade fencing, wrought iron railings and steps to lawn area | Durham University Elvet Riverside 2 New Elvet Durham DH1 3JT

DM/23/02451/TPO | Various tree works to surrounding trees | University Hospital of North Durham North Road Durham DH1 5TW

b) To discuss:

DM/23/02080/LB | Listed Building Consent for the installation of a new mechanical ventilation system across the ground, first and second floors with exit positions to the rear elevation with 4x louvres | 17 North Road Durham DH1 4SH

DM/23/02312/FPA | Change of use and conversion of lower floors (part of basement and sub-basement) to form a 2-bed duplex apartment (Use Class C3) with installation of new window and door to yard elevation | 29 Silver Street Durham DH1 3RD

DM/23/02291/FPA | Alterations to existing beer garden comprising 5no timber huts with internal seating, artificial grass, paving, festoon lighting and associated works | Garden House Inn North Road Durham DH1 4NQ

DM/23/02511/FPA | Relocation of the Weeping Woman Sculpture from Ushaw College to Bill Byrson Library with associated works. | Durham University University Library Stockton Road Durham DH1 3LY

DM/23/02507/FPA | Demolition of buildings, clearance of and levelling up site, substation to be retained and clad with facing brickwork to exposed walls, application of render to wall of adjacent building and erection of 2.4m high timber hoarding enclosure | 13 - 17 Claypath Durham DH1 1RH

9. To consider the final report on planning/ licensing hours for licenced premises in the City of Durham parish area.

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

15th September 2023

29th September 2023

13th October 2023

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 21st July 2023

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

Also present: Mr A Shanley (Parish Clerk), Mr John Ashby, Mr John Lowe, Mr Robin Humphrey, Ms Lynda Delf, Kinga Lovell, Jon Scholes, Mr Roger Cornwell, Mr Nigel van Zwanenberg (members of the public) and Mr Ricky Cohen and Prof. Simon Forrest (Durham University).

1. Welcome and apologies

Apologies were received from Councillors A Doig, R Ormerod and E Ashby.

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 7th July 2023

The minutes of the meeting held on 7th July 2023 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 Ashby advised that he was attending the meeting with a general interest in all Agenda items.

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

Mr Robin Humphrey advised that he was attending the meeting with an interest in hearing the discussion on application DM/23/01772/FPA.

Ms Lynda Delf advised that she was attending the meeting with an interest in hearing the discussion on application DM/23/01442/FPA.

Ms Kinga Lovell advised that she was attending the meeting with an interest in hearing the discussion on application DM/23/01442/FPA.

Jon Scholes advised that he was attending the meeting with an interest in hearing the discussion on application DM/23/01442/FPA.

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

Mr Nigel van Zwanenberg advised that he was attending the meeting with an interest in hearing the discussion on application DM/23/01975/FPA.

5. Matters arising:

- (c) To agree the draft responses to the following planning and licensing application(s), pre-application(s) and/or appeal(s):**

DM/23/01777/FPA | Change of use of from hot food takeaway and bar on the ground and first floors to a large House in Multiple Occupation (HMO) (sui generis), including alterations to the west elevation and removal of two flues on the east elevation. | 29 - 33 Neville Street Durham DH1 4EY. The Committee **agreed** to note this application after further consideration.

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

Appeal for DM/22/01418/FPA | Change of use from 5 bedroom (house in multiple occupation HMO (use class C4) to 7-bedroom HMO (Use class sui generis) including demolition of existing two-storey extension and creation of part two-storey/part single-storey extension at rear. | 14 Mowbray Street Durham DH1 4BH. The Committee **noted** that the appeal for this proposal has been dismissed.

DM/23/00436/FPA | Demolition of existing dwelling and construction of 2no. semi-detached dwellings | Goldrill Farnley Hey Road Durham DH1 4EA. The Committee **noted** that this application has now been approved. The Clerk advised that he has asked to be kept updated on the development progress throughout the process.

(e) To consider the latest updates on the following planning and licensing application(s) in the parish area:

DM/21/01117/FPA | Demolition of the former North East Motorcycles showroom and construction of a two-storey building with ground floor commercial unit (Class E) and residential accommodation above, and construction of a two-storey residential building on the land to the rear to create a combined total of 9 self-contained C3 apartments (Resubmission of previous application DM/20/00873/FPA). | North East Motor Cycles Darlington Road Durham DH1 4PE

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

Minor variation of a premises licence by Leamside Food Company Limited for The Food Pit. 19 The Riverwalk. Milburngate. Durham. DH1 4SL. It was **agreed** to note this application.

Application for the grant of a club premises certificate by Durham University for Rushford Court Club. Rushford Court. North Road. Durham. DH1 4RY. It was **agreed** to note this application.

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

c) To note:

DM/23/01190/LB | Installation of white painted aluminium frame secondary glazing to existing single glazed timber sash and casement windows. | 75 Gilesgate Durham DH1 1HY. It was **agreed** to note this application.

DM/23/01532/FPA | Forming opening of loading bay to the Riverside elevation | 20 And 21 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to note this application.

DM/23/01710/AD | Rebranding of current front and side signage, replacement of wall mounted signage, replacement of existing awnings' material | 22 Silver Street Durham DH1 3RD. It was **agreed** to note this application.

DM/23/01539/LB | Replace the existing half-round cast iron guttering and rainwater pipe with alumasc pre-finished black Apex Heritage moulded cast iron guttering MG54 with a 75mm diameter outlet and corresponding rainwater pipe. Repointing of the eroded brickwork mortar joints which will match existing | 47 Saddler Street Durham DH1 3NU. It was **agreed** to note this application.

DM/23/01952/AD | 1no internally illuminated sign and 1no non-illuminated sign | Durham University Business School The Waterside Building Riverside Place Durham DH1 1SL. It was **agreed** to note this application.

DM/23/01909/FPA | Dormer roof to rear | Armadale Lowes Barn Bank Nevilles Cross Durham DH1 3QJ. It was **agreed** to note this application.

DM/23/01935/FPA | Installation of new external plant equipment including AHU, enclosure, ductwork and condenser units on support platform. | University Hospital Of North Durham North Road Durham DH1 5TW. It was **agreed** to note this application.

d) To discuss:

DM/23/01709/FPA | Replacement shop front and installation of first floor gable window | 22 Silver Street Durham DH1 3RD. It was **agreed** to object to this application. The Clerk **agreed** to draft the response to this application.

DM/23/01442/FPA | Change of use of dwellinghouse (Use Class C3) to HMO (Use Class C4) | 33 St Bedes Close Crossgate Moor Durham DH1 4AA. It was **agreed** to object to this application and call this application in to the Central and East Area County Planning Committee. The Clerk **agreed** to draft the response to this application.

DM/23/01772/FPA | Car park with associated landscaping | Land To The East Of Diamond Terrace Durham DH1 5SX. It was **agreed** to object to this application and call this application in to the Central and East Area County Planning Committee. The Clerk **agreed** to draft the response to this application.

DM/23/01914/FPA | Demolish building, clear site, construct a wooden pergola for outdoor seating area and change of use to mixed A3 (café/restaurant) and A4 (Drinking Establishment). | Bell And Ridley Reform Place North Road Durham DH1 4RZ. It was **agreed** to note this application.

DM/23/01975/FPA | Conversion of care home (C2) to 69 bedspace Purpose Built Student Accommodation (sui generis), re-roofing of conservatories, erection of new cycle shelter and replacement bin store | Hallgarth Care Home Hallgarth Street Durham DH1 3AY. It was **agreed** to object to this application and call this application in to the Central and East Area County Planning Committee. The Clerk **agreed** to draft the response to this application.

DM/23/01862/FPA | Demolition of existing property and erection of 2no. detached dwellings with associated facilities (revised and resubmitted) | 8 Blaidwood Drive Durham DH1 3TD. It was **agreed** to note this application.

8. To consider recent enforcement cases within the parish area

The Clerk advised that he is pursuing 3 separate enforcement cases on behalf of the Parish Council. These relates specifically to: 4 Nevilledale Terrace, the Court Inn and The Works on Silver Street. The Clerk advised that he would continue to engage with relevant officers on these issues and update the Committee as soon as possible on any progress with these cases.

9. To consider the draft proposals for improvement to the Durham City Market Place and the peninsula

The Clerk advised that the Parish Council is being consulted at pre-application stage by Durham County Council on their proposals to improve the Durham City Market Place and the peninsula.

The Clerk advised that the following new Traffic Regulation Order is being proposed by Durham County Council:

Road User Charge

- Increase the congestion charge from £2 to £5 (The charge has never increased since implemented and it no longer seen as a deterrent. Should hopefully help reduce delivery vehicles parking on Saddler Street).
- Increase the charging hours to "10am to 2am" (Currently 10am – 4pm but this does not discourage vehicles from entering on an evening and night when pedestrian numbers (often under the influence) increase).
- Increase the days of operation to "Mon – Sun" (Currently Mon – Sat as old system required people to visit parking shop in Fram to pay the charge. New system allows payments to be made digitally, 7 days per week).
- Main stakeholders with off street parking will be placed on our exemption list. Other businesses/users in the Market Place/Peninsula will have between the hours of 2am and 10am to take delivered. Outside of this, the £5 charge would apply.

Market Place

- Install no entry signage adjacent St Nicholas' Church (To encourage user of the one-way loop round the Market Place)
- Increase restricted hours. No vehicles "10am-4pm" and "10pm-4am" (Adds a period late on an evening where vehicles are not allowed in to load, reducing vehicle movements around night time visitors. Ample loading periods between "4am and 10am" and then "4pm and 10pm")

Silver Street

- Increase restricted hours. No vehicles "10am-4pm" and "10pm-4am" (To match the new Market Place times, but cater to larger delivery vehicles servicing Tesco and other large businesses on Silver Street)
- The top of Silver Street was a main concern for Durham Police and if contraventions continue to occur, there is a possibility that this restriction could be monitored via an enforcement camera.

Old Elvet Bridge

- Increase restricted hours. No vehicles "10am-2am" (To deter/prevent obstructive evening parking and vehicle manoeuvres through a highly pedestrianised zone. Ample time provided for loading between "2am and 10am")

10. Update on the proposal of a voluntary action day to assess the existing condition of the PROW network in Durham

The Clerk highlighted that one of the main points from the recent PROW Management Plan consultation had been that a condition survey of the existing network is not available. The Clerk advised that he had engaged with relevant officers at DCC and Roger Cornwell and representatives from the Ramblers and hoped to plan a volunteer day later in September (most likely the 3rd weekend in September) to carry out condition surveys.

The Committee felt that this would be an excellent idea and thanked the Clerk for his work on this.

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

1st September 2023
15th September 2023
29th September 2023

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
(1st September 2023)**