



City of Durham Parish Council

The City of Durham Parish Council. Office 3, Clayport Library. 8 Millennium Place. Durham. DH1 1WA.

Telephone: 07510 074875 Email: parishclerk@cityofdurham-pc.gov.uk

Date of Summons: 18th March 2024

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors E Ashby, J Ashby, N Brown, A Doig, G Holland, C Lattin 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 22nd March 2024** for the purpose of transacting the following Agenda business as shown.

The link to join this meeting is below:

<https://us02web.zoom.us/j/85000188442>

Meeting ID: 850 0018 8442

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 8th March 2024**
- 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. DCC Statement of Licensing Policy review 2024-2029 consultation**
- 6. Matters arising:**

(a) To approve the responses to the following planning/ licensing application(s):

DM/24/00149/FPA | Construction of purpose-built student accommodation (Sui Generis) with associated car and cycle parking, pedestrian infrastructure and landscaping. | Land To The North West Of Melbury Court Old Dryburn Way Durham DH1 5SE

Letter to Inspectorate re: **DM/23/00241/FPA** | Change of use from 6 bed dwellinghouse to 2no. 2 bed flats. (amended description 09.02.2023) | 24 Nevilledale Terrace Durham DH1 4QG

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

DM/23/03233/FPA | To extend car park | St Cuthberts Hospice Park House Road Durham DH1 3QF

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF

(c) To consider the outcome(s) of the following planning/licensing applications/ appeals:

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

DM/23/02758/FPA | Erection of single storey dwellinghouse | 164A Gilesgate Durham DH1 1QH

DM/23/02224/FPA | Replacement of windows to front elevation with sliding sash timber windows to match existing, replacement of timber windows to rear with UPVC and the insertion of two no. rooflights to the rear (part retrospective). (Amended description 08.02.2024) | 4 Nevilledale Terrace Durham DH1 4QG

DM/23/01661/FPA | Demolition of existing buildings and construction of 9 small House in Multiple Occupation (HMO) dwellings (use class C4) and 1 large HMO (use class sui generis) in three blocks. | Rowanwood Clay Lane Durham DH1 4QL

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

a) To note:

DM/24/00549/FPA | Extension and replacement of balcony | 19 Archery Rise Durham DH1 4LA

DM/24/00571/TPO | T17 and T18 - Ash - Removal of previously pollarded trees along the southern boundary and replace with 2no. 14-16cm girth Fagus Sylvatica trees, and an addition 4no. 12-14cm girth Capinus Betulus trees and 4.no 12-14cm girth Prunus X Yedoensis trees to be planted along the Potters Bank boundary | 1 Almoners Barn Durham DH1 3TZ

DM/24/00490/AD | Retention of 1 no. externally illuminated hanging sign | 69 Claypath Durham DH1 1QT

DM/23/03790/LB | Replace English oak lintels that have decayed with like for like. | 2 Owengate Durham DH1 3HB

DM/24/00650/FPA | Extensions to front, side and rear and associated internal alterations and landscape alterations. | Cartref Hillcrest Durham DH1 1RB

DM/24/00596/FPA | Proposed renovation of 6no. existing sliding sash windows | 4 Albert Street Durham DH1 4RL

b) To discuss:

DM/24/00539/FPA | Change of use from C3 (Dwellinghouse) to flexible use of either C3 or C4 (Small HMO), including construction of a bin store and bike shelter in rear garden | 56 Old Dryburn Way Durham DH1 5SE

DM/24/00455/FPA | Change of use from C3 dwellinghouse to C4 small house in multiple occupation (HMO) | 11 Baliol Square Durham DH1 3QH

DM/24/00526/FPA | Reconfiguration of first and second floor to retain 2no 6-bedroom HMO and create 2no 2-bedroom wheelchair accessible flats. External alterations to residential entrance and windows. | 19 North Road Durham DH1 4SG

DM/24/00586/VOC | Variation of condition 10 pursuant to permission DM/20/01107/FPA for the erection of a house in multiple occupation, to allow the first-floor en suite window within the north side elevation to be fitted with opening restrictor | Saffron House Newcastle Road Crossgate Moor DH1 4HZ

8. To consider the new licensing application(s) within the City of Durham parish area:

Mr Wenfeng Du	Dingsway Sushi 5 Neville Street Durham DH1 4EY	Application for the grant of a premises licence <ul style="list-style-type: none">• Late night refreshment (indoors) Monday to Sunday 11.00pm to midnight• Sale of alcohol (on the premises)) Monday to Sunday 12.00pm to midnight	28 March 2024
---------------	---	---	---------------

Star Pubs and Bars Limited	The Big Jug Claypath Durham DH1 1RG	Application to vary a premises licence The application proposes to: <ol style="list-style-type: none"> 1. Extend the terminal hour for live music and recorded music until midnight 2. Extend the terminal hour for late night refreshment and the sale of alcohol on Friday and Saturday until 1.00am 3. Extend the opening hours to allow the premises to close on Friday and Saturday at 1.30am, and to close on Sunday at 11.30pm 4. Extend the start time for the sale of alcohol daily to 8.00am 5. Extend the terminal hour for the sale of alcohol on Sunday to 11.00pm 6. Permit the provision of films on Sunday to Thursday from 8.00am to 11.00pm, and on Friday and Saturday from 8.00am to 1.00am 7. Remove the provision of facilities for making music and the facilities for dancing as these are no longer licensable activities 8. Remove the existing non-standard timings for the sale of alcohol on Good Friday and Christmas Day 9. Add a non-standard timing for live music, recorded music and films on New Year's Eve - from the end of permitted hours on New Year's Eve until 1.00am on New Year's Day 10. Remove certain existing conditions in annex 2 of the premises licence, and add new conditions for the promotion of the licensing objectives 	4 April 2024
Innspired Leisure	Bohemia Unit 3 Freemans	Application for the grant of a premises licence	12 April 2024

<p>(Durham) Limited</p>	<p>Place Durham DH1 1SQ</p>	<p>Films (indoors) Monday to Sunday 10.00am to 2.30am, from 10.00am on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summertime begins</p> <p>Live music (indoors) Monday to Sunday 10.00am to 2.30am, from 10.00am on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summer Time begins</p> <p>Recorded music (indoors) Monday to Sunday 10.00am to 2.30am, from 10.00am on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summer Time begins</p> <p>Performances of dance (indoors) Monday to Sunday 10.00am to 2.30am, from 10.00am on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summer Time begins</p> <p>Anything of a similar description to live music, recorded music or performances of dance (indoors) Monday to Sunday 10.00am to 2.30am, from 10.00am on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summer Time begins</p> <p>Late night refreshment (indoors) Monday to Sunday 11.00pm to 2.30am, from 11.00pm on New Year's Eve until 2.30am on 2 January, extension until 3.00am on the morning British Summer Time begins</p>	
-----------------------------	-------------------------------------	--	--

		<p>Sale of alcohol (on and off the premises) Monday to Sunday 10.00am to 2.00am, from 10.00am on New Year's Eve until 2.00am on 2 January, extension until 3.00am on the morning British Summer Time begins</p>	
--	--	--	--

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

5th April 2024
19th April 2024
3rd May 2024

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 8th March 2024

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

Also present: Mr A Shanley (Parish Clerk), County Councillor Liz Brown, Mr John Lowe, Mr Roger Cornwell, Mr Allan Gemmill, Dr Francis Whalley and Mr Jimmy Llewellyn (members of the public).

1. Welcome and apologies

Apologies were received and accepted from Councillor A Doig.

2. To receive any declarations of interest from members.

Councillor S Walker declared an interest in application DM/23/03233/FPA and took no part in the discussion or vote on this application.

Councillor E Ashby declared an interest in application DM/24/00462/LB as well as the licensing application for the Big Jug and took no part in the discussion or vote on these applications.

Councillor J Ashby declared an interest in application DM/24/00462/LB as well as the licensing application for the Big Jug and took no part in the discussion or vote on these applications.

3. To receive and approve as a correct record the minutes of the meeting held on 23rd February 2024

The minutes of the meeting held on 23rd February 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 Roger Cornwell advised that he was attending the meeting with a general interest in all Agenda items.

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

Dr Francis Whalley advised that he was attending the meeting with a general interest in all Agenda items.

Mr Jimmy Llewellyn identified himself as the application for application DM/24/00009/FPA. Jimmy advised that he was aware that the Parish Council had objected and called in the application and advised that he hoped to address all of the Parish Council's concerns in writing.

In particular, Jimmy offered to provide a sustainability statement and updated ecological impact assessments to the Council. Jimmy also highlighted that, in design terms, the fallback position of a refusal would be the much larger development approved under application DM/21/03455/FPA.

The Committee **agreed** to review its original stance on the application, subject to the issues of the design, sustainability and ecological impact being suitably addressed. The Clerk advised that he had asked the case officer to re-consult the Parish Council upon receipt of these new documents.

5. DCC Statement of Licensing Policy review 2024-2029 consultation

The Clerk highlighted that the Planning and Licensing Committee had now agreed to hold a weekly working group meeting on Mondays each week – though not set in stone – in order to properly review the existing Statement of Licensing Policy.

The Clerk also highlighted that the first meeting of this group would be 11th March and that it was hoped that the Committee could invite interested parties to these meetings.

The Committee **agreed** to engage with partners and Nicola Allan on this ongoing consultation.

6. Report from meeting with DCC planning policy team on strengthening CDP Policy 16

Councillor J Ashby presented the following report to Committee Members on the recent meeting with DCC planning policy officers:

The meeting had been arranged to discuss the report 'Managing HMOs in Durham City – strengthening CDP Policy 16' prepared for the City of Durham Parish Council by Jo-Anne Garrick, January 2024.

The discussion focussed on the four key points made in the report. Taking these in turn:

1. The sandwich approach: the meeting felt that this could be a useful extra test in a reviewed Policy 16.
2. More metrics: there is public concern to have a better metric than just Class N Exemptions but DCC needs any metric to be easy and efficient to obtain. Jo-Anne Garrick agreed to explore further how other authorities acquire their additional metrics.
3. An SPD: this would explain how current policies 16, 29 and 312 all bear upon applications for student accommodation. Perhaps useful but DCC are very busy with various SPDs already.
4. Neighbourhood Plan policy: DCC is happy to review Policy 16 as part of the County Durham Plan Review hopefully starting next year, and will continue to work closely with the Parish Council on this issue, so there is no need to pursue through a Neighbourhood Plan review.

Once Jo-Anne Garrick has been able to provide further details on workable metrics, a further meeting will be held.

Both Councillor J Ashby and the Clerk took the opportunity to thank DCC for their positive and ongoing engagement on this issue. The Committee **agreed** to take a proactive and supporting role in the CDP review process.

7. Matters arising:

(d) To approve the responses to the following planning/ licensing application(s):

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF. The Committee approved the response to this application, with the caveat that this position may change depending on new information.

DM/24/00201/FPA | Change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) including single storey rear extension, cycle parking and bin storage | 31 Bradford Crescent Gilesgate Durham DH1 1ER. The Committee approved the response to this application.

DM/24/00402/FPA | Change of use of ground floor office (E) to a 2-bedroom flat (C3) for student accommodation including replacement of 1no window for 1no door and window to rear | 44 Claypath Durham DH1 1QS. The Committee approved the response to this application

DM/24/00129/FPA | Loft conversion comprising rear dormer window with additional bedroom and en-suite to existing five-bedroom HMO | 15 Mistletoe Street Durham DH1 4EP. The Committee approved the response to this application.

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

DM/23/03233/FPA | To extend car park | St Cuthberts Hospice Park House Road Durham DH1 3QF. The Clerk highlighted the response received from St. Cuthbert's Hospice's estates manager, setting out the needs assessment for additional parking and their response to the matter of light pollution. It was **agreed** that the Clerk and Councillor Lattin should again request a site meeting with the Hospice to discuss the concerns around light pollution.

Appeal for DM/23/01975/FPA | Conversion of care home (C2) to Student Accommodation comprising 69 bedspaces in the form of 9 cluster apartments, re-roofing of conservatories, erection of new cycle shelter and replacement bin store | Hallgarth Care Home Hallgarth Street Durham DH1 3AY. Given its original stance on the matter of which section of Policy 16 this application should be considered under, the Committee **agreed** to note this appeal and allow DCC to argue its original position on this scheme.

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

c) To note:

DM/24/00267/FPA | Replacement of existing windows to provide ventilation louvres for internal refurbishment works, including associated ventilation duct runs externally. Replacement rooftop air handling units. Roof replacement to existing single-storey block with insulated render panels over existing structural concrete panel to provide suitable weatherproof detail. Replacement of external

doors. | Durham University Science Site South Road Durham DH1 3LE. It was **agreed** to note this application.

DM/24/00317/FPA | Demolition of existing rear extensions and replace with single storey and first floor extensions with a balcony to the rear elevation with internal alterations | 194 Gilesgate Durham DH1 1QN. It was **agreed** to note this application.

DM/24/00318/LB | Demolition of existing rear extensions and replace with single storey and first floor extensions with a balcony to the rear elevation with internal alterations | 194 Gilesgate Durham DH1 1QN. It was **agreed** to note this application.

DM/24/00410/FPA | Loft conversion with rooflights | Eden House 57 The Avenue Durham DH1 4EB. It was **agreed** to note this application.

DM/24/00378/AD | 6 no. flagpole with attached flags displaying the Banks Homes logo (retrospective). | Land East Of 2 Richardby Crescent Durham DH1 3TY. It was **agreed** to note this application.

d) To discuss:

DM/24/00462/LB | To link number 4 and 5 Leazes Place with associated internal alterations | 4 Leazes Place Durham DH1 1RE. It was **agreed** to note this application.

DM/24/00539/FPA | Change of use from C3 (Dwellinghouse) to flexible use of either C3 or C4 (Small HMO), including construction of a bin store and bike shelter in rear garden | 56 Old Dryburn Way Durham DH1 5SE. It was **agreed** to defer a decision on this application until further information on the HMO % within the locality was available.

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

- Application for the grant of a premises licence by Mr Wenfeng Du for Dingsway Sushi. 5 Neville Street. Durham. DH1 4EY. It was **agreed** to defer a decision on this application until further information about the internal layout of the premises and whether off-sales were also proposed was available.
- Application to vary a premises licence by Star Pubs and Bars Limited for The Big Jug. Claypath. Durham. DH1 1RG. It was **agreed** to defer a decision on this application until further information about the internal layout and a copy of the latest application was available.

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

22nd March 2024

5th April 2024

19th April 2024

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
(22nd March 2024)**