



City of Durham Parish Council

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

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Date of Summons: 28th 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 5th April 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/81310965528>

Meeting ID: 813 1096 5528

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 22nd 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/24/00539/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/24/00586/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

Application to vary a premises licence by Star Pubs and Bars Limited for The Big Jug. Claypath. Durham. DH1 1RG.
 - (b) To consider the latest updates on the following planning and licensing application(s)/ appeal(s) in the parish area:**

DM/23/02538/FPA | Convert existing attic space to bedroom with en-suite, including new staircase from 2nd floor, replacement skylights and alterations to existing bedrooms. Convert outbuilding to office space including alteration to the external walls and roof. | 90 Gilesgate Durham DH1 1HY

DM/23/02539/LB | Convert existing attic space to bedroom with en-suite, including new staircase from 2nd floor, replacement skylights and alterations to existing bedrooms. Convert outbuilding to office space including alteration to the external walls and roof. | 90 Gilesgate Durham DH1 1HY

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF
- 7. To consider the following new planning applications in the parish area:**
 - a) To note:**

DM/24/00500/LB | Rainwater goods refurbishment to front as well as replacing existing PVC-u sections and renewing remaining RWG to ensure

correct capacity. Demolition and rebuilding of existing brickwork chimney stack. | 25 North Bailey Durham DH1 3EW

DM/24/00602/FPA | Extension of existing raised patio to rear including brick retaining wall, steps and steel railings | 39 Wearside Drive Durham DH1 1LE

DM/24/00635/FPA | To remove the existing timber jetty and bottom concrete step and install a new jetty 14m along the bank and 1.3m out into the river | Hild Bede Boat Club And Jetty St Hilds Lane Durham DH1 1QL

DM/24/00713/LB | Repairs to chimney stacks and dormer window that warranted rebuilding due to being unstable and unsafe. | St Chads College 16 - 22 North Bailey Durham DH1 3RH

DM/24/00583/FPA | Replacement of collapsed retaining wall at rear | 19 And 20 Albert Street Durham DH1 4RL

b) To discuss:

DM/24/00705/FPA | Redevelopment of existing shopping centre comprising partial demolition of the shopping centre above the existing mall level (Levels 5 and above) and erection of replacement commercial units (Class E), a hotel (Class C1) and purpose built student accommodation (Sui Generis) at Level 5 and above, along with a new outdoor public square and public realm improvements. External alterations to the boat repair and maintenance workshop including use of external areas to create outside terraces for leisure use (Levels 0 and 1) (Class E), external alterations to the elevations of the retained areas of the shopping centre and car park, hard and soft landscaping and other associated works. | Prince Bishops Shopping Centre High Street Durham DH1 3UJ

DM/24/00766/FPA | 3no 1.5 storey 2 bedroom dwellings with associated parking/turning area. | Land East Of 7 Church Street Villas Durham DH1 3DW

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

Mr Fabio Ciampolillo	La Spaghetтата 66 Saddler Street Durham DH1 3NP	Minor variation of a premises licence To remove and replace all current conditions at Annex 2 of the premises licence and to replace with more appropriate conditions for the promotion of the licensing objectives.	12 April 2024
TCD Durham Limited	FIK 12 Elvet Bridge Durham DH1 3AA	Application for the grant of a premises licence Recorded music (indoors) Monday to Sunday 9.00am to 11.00pm Late night refreshment (indoors and outdoors) Sunday to Thursday 11.00pm	25 April 2024

		<p>to midnight, Friday and Saturday 11.00pm to 12.30am</p> <p>Sale of alcohol (on and off the premises) Sunday to Thursday 9.00am to midnight, Friday and Saturday 9.00am to 12.30am</p>	
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9. Dates of future meeting(s) of this Committee:

19th April 2024

3rd May 2024

17th May 2024

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 22nd March 2024

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

Also present: Mr A Shanley (Parish Clerk), Mr Mike McNally, Mr Chris Courtney, Mr John Lowe, Mr Roger Cornwell, Mr Allan Gemmill and Mr Jimmy Llewellyn (members of the public).

1. Welcome and apologies

None received.

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.

3. To receive and approve as a correct record the minutes of the meeting held on 8th March 2024

The minutes of the meeting held on 8th March were unanimously **agreed** as a true and accurate record of proceedings.

4. To receive any public participation comments on the following agenda items.

Mr Mike McNally advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00539/FPA.

Mr Chris Courtney advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00455/FPA.

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.

Mr Jimmy Llewellyn advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00009/FPA.

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 particularly highlighted the forthcoming meeting to be held on 28th March with DCC licensing officers, in order to discuss the three areas they would particularly like to focus on in the new policy.

Members **agreed** to continue with this working group and to make every effort to engage with partners ahead of a discussion with Nicola Allan.

6. Matters arising:

(c) 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. Members **approved** the response to this application.

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. The Clerk advised that he would be drafting this letter in the coming days.

(d) 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. Councillor C Lattin and the Clerk advised that they had had a positive meeting with the hospice on this application. Councillor C Lattin highlighted that the hospice recognised this issue and had offered to switch to lower wattage bulbs, a different (less intrusive) colour of light and also to provide additional screening to the roof of each light to ensure the light was pointed downwards towards the car park. The Committee felt that these actions would be sufficient to address their concerns about light pollution in this area and **agreed** to note this application.

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF. The Clerk updated the Committee that a sustainability statement and new ecology documents had now been uploaded and circulated to Members from the applicant. The Committee considered these documents and **agreed**, subject to DCC ecology's response on this, with particular reference to the non-requirement for mitigation measures and biodiversity net gain being satisfied, to withdraw the objection and call-in request.

(e) 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. The Committee **noted** that this appeal had now been allowed by the Inspectorate.

DM/23/02758/FPA | Erection of single storey dwellinghouse | 164A Gilesgate Durham DH1 1QH. The Committee **noted** that this application has now been withdrawn by the applicant.

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. The Committee **noted** that this application had now been approved.

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. The Committee **noted** that this application has now been withdrawn by the applicant.

In view of the recent appeal decisions on HMO applications in the Neville's Cross part of the parish and ongoing concerns from Members, it was **agreed** that the Chair and Councillor J Ashby should draft a letter to the Head of Planning at DCC to seek a meeting to discuss how each body approaches these appeals going forwards.

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

c) To note:

DM/24/00549/FPA | Extension and replacement of balcony | 19 Archery Rise Durham DH1 4LA. It was **agreed** to note this application.

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. It was **agreed** to note this application.

DM/24/00490/AD | Retention of 1 no. externally illuminated hanging sign | 69 Claypath Durham DH1 1QT. It was **agreed** to note this application.

DM/23/03790/LB | Replace English oak lintels that have decayed with like for like. | 2 Owengate Durham DH1 3HB. It was **agreed** to note this application.

DM/24/00650/FPA | Extensions to front, side and rear and associated internal alterations and landscape alterations. | Cartref Hillcrest Durham DH1 1RB. It was **agreed** to note this application.

DM/24/00596/FPA | Proposed renovation of 6no. existing sliding sash windows | 4 Albert Street Durham DH1 4RL. It was **agreed** to note this application.

d) 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. It was **agreed** to object to this application and also call it into Committee. The Clerk **agreed** to draft the objection letter response to this application.

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

was **agreed** to object to this application. The Clerk **agreed** to draft the objection letter response to this application.

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. It was **agreed** to note this application.

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. It was **agreed** to object to this application and also call it into Committee. The Clerk **agreed** to draft the objection letter response to this application.

8. To consider the new licensing application(s) within the City of Durham 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 note this application.
- Application to vary a premises licence by Star Pubs and Bars Limited for The Big Jug. Claypath. Durham. DH1 1RG. It was **agreed** to object to this application under the objective of preventing a public nuisance.
- Application for the grant of a premises licence by Innspired Leisure (Durham) Limited for Bohemia, Unit 3 Freemans Place Durham DH1 1SQ. It was **agreed** to note this application.

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

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