

# City of Durham Parish Council

## **Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 27<sup>th</sup> October 2023**

**Present:** Cllr G Holland (in the Chair), Cllr E Ashby, Cllr C Lattin, Cllr R Ormerod and Cllr S Walker.

**Also present:** Mr A Shanley (Parish Clerk), Mr Roger Cornwell, Mr John Ashby, Ms Walia Kani, Mr Allan Gemmill, Mr David Miller, Mr Francis Whalley and Mr John Lowe (members of the public) and Vicky Bathrelou (Durham Students Union).

### **1. Welcome and apologies**

Apologies were received from Councillors A Doig and N Brown.

### **2. To receive any declarations of interest from members.**

Councillor E Ashby declared an interest in application DM/23/02958/AD and therefore took no part in the discussion or vote on this application.

Councillor R Ormerod declared an interest in item 10 on the Agenda and left the meeting prior to the discussion and vote on this item.

### **3. To receive and approve as a correct record the minutes of the meeting held on 13<sup>th</sup> October 2023**

The minutes of the meeting held on 13<sup>th</sup> October 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 Roger Cornwell advised that he was attending the meeting with a general interest in all agenda items.

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

Ms Walia Kani advised that he was attending the meeting with an interest in application DM/23/02988/FPA.

Mr Allan Gemmill advised that he was attending the meeting with an interest in the discussion at Item 5.

Mr David Miller thanked the Committee for the opportunity to attend the meeting today. David expressed his serious concerns about the unauthorised building works which had taken place at 2 Albert Street in Durham City and showed the Committee some of the photos he had taken of the site. The Committee expressed its concerns about these works and **agreed** to write to the planning enforcement team at DCC immediately to raise issues of unauthorised works which may represent a health and safety issue.

M Francis Whalley 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.

## **5. Discussion with Durham Students Union on the current HMO/ PBSA situation in Durham City**

The Chair welcomed Vicky Bathrelou to the meeting and thanked her for attending today's meeting. The Chair also took the opportunity to assure Vicky of the Committee's commitment to ensuring that students have a decent and safe property in which to live during their academic careers in Durham.

Vicky thanked the Committee for the opportunity to speak with them today. Vicky advised that she was the Housing Coordinator at Durham Students Union.

Vicky advised that DSU has been monitoring the prices of student accommodation recently and shared an updated report which indicated that prices for accommodation can range from £95/week to £450/per week per student in Durham City. The most expensive area of the City being Elvet and the cheapest being Gilesgate.

Vicky advised that DSU has noted a particular increase in rental costs for students over the last year. Vicky stressed that there is more than sufficient housing for students for this academic year but highlighted that some of this accommodation can be unaffordable.

Vicky advised that she defines affordability as accommodation costs which do not necessitate students cutting their essential day-to-day living costs.

Vicky highlighted that the University has established a new housing hub webpage to support students, particularly those who live out during the academic year.

Vicky advised that DSU supported rent caps but advised that she was aware that there is a mixed view on rent caps.

Vicky also advised that DSU also supported the introduction of an accreditation scheme.

The Chair expressed his concerns that landlords appeared to be profiting greatly from a captive audience and, in some cases, are not maintaining these properties properly. Vicky also echoed these concerns.

John Ashby applauded DSU for their ongoing work on these issues. John also commended Hannah Shepherd and DCC for their work in analysing whether there is sufficient housing for students in Durham City. John highlighted that this work has highlighted that there was a surplus of 200 bedspaces in the City and that this year there were 780 fewer students at the University this academic year.

John also highlighted that the agreed code of practice for landlords and letting agents has now been signed by a number of the letting agents in the City.

John also highlighted that the work continues on trying to achieve additional licensing for Durham City and thanked the Housing Group for their ongoing work on this priority.

Mr Allan Gemmill highlighted that, by law, all HMOs with 5 or more occupants must be licensed by the County Council. Licences last for a period of 5 years. The Council also has a duty to establish and maintain a Register of all licensed HMOs and make it available to the general public.

Allan also highlighted that the law requires Gas safety checks to be carried out in HMOs annually. Items to be checked include appliances, flues and installation pipe work. Valid Gas safety certificates must be provided to the Council within 14 days of the renewal date.

The law also requires Electrical safety checks to be carried out every 5 years. Items to be checked include general electrical installations, fire alarm installations, smoke/heat detection systems and emergency lighting systems. Again, valid certificates must be provided to the Council within 14 days of the renewal date.

The Council publishes the Register on its website and this is updated every 3 months, the latest version being dated August 2023. This shows that:

- There were **864** licensed properties
- **5 licences had expired** by the end of July 2023
- 2 properties apparently had 0 occupants (so not an HMO)
- 1 property had only 4 occupants (so not requiring a licence)
  
- 34 properties had no gas safety certificates (possible if there is no gas installation)
- **788 gas certificates had expired (91% of licensed properties)**. Of these:
  - 36 need explanation (start/finish dates of 01/01/1901 or 01/01/2001)
  - 117 expired in 2021
  - 595 expired in 2022
  - 40 expired in 2023 (by the end of July)
  
- **20 properties had no electrical safety certificates**. This cannot be correct.
- **198 licences had expired (23% of licensed properties)**. Of these:
  - 19 expired in 2021
  - 100 expired in 2022
  - 79 expired in 2023 (by the end of July)
- **In total, some 25% of licensed properties did not have a valid certificate**

In 193 properties (22%) both the Gas and Electrical safety certificates had expired. The Committee expressed their shock and dismay at these startling figures and agreed to write to the County Council on this matter.

## **6. Matters arising:**

### **(a) To consider the outcomes of the following planning and licensing application(s) in the parish area:**

**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. Members **noted** that this application had now been refused.

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

Application for the review of a premises licence by the City of Durham Parish Council for Ye Olde Elm Tree. 12 Crossgate. Durham. DH1 4PS. Members noted that the Environmental Health Officer had now formally submitted a letter of support for the review application and that a hearing date had now been confirmed as being 28<sup>th</sup> November 2023. The Committee **agreed** to be represented at this hearing.

**DM/22/03712/OUT** | Demolition of existing buildings adjacent to B6532 and outline planning permission (all matters reserved except for access) for a maximum of 1,550 residential dwellings (Use Class C3), a local centre (Use Classes E and F2), public house (Use Class Sui Generis) and primary school (Use Class F1), compensatory improvements to the Green Belt, associated infrastructure and landscaping (resubmission). | Land At Sniperley Park Pity Me DH1 5DZ. Members noted that the applicant was now seeking a public inquiry into the non-determination of this application. The Committee **agreed** to be represented at this inquiry, if granted, and to meet with relevant DCC Officers in order to discuss the approach to this.

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

**Application for the grant of a premises licence by Coarse Restaurant Limited for Coarse Restaurant. Reform Place. North Road. Durham DH1 4RZ.** It was **agreed** to note this application.

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

**a) To note:**

**DM/23/03000/LB** | Dismantle and rebuild section of the boundary wall utilising original stone and replacement of coping stones | Hollingside House Hollingside Lane Durham DH1 3TL. It was **agreed** to note this application.

**DM/23/02926/LB** | Investigation of Norman Gallery Floor structure through the implementation of 6 trial holes | Norman Gallery University College Durham Castle Palace Green Durham. It was **agreed** to note this application.

**DM/23/02879/FPA** | Construction of porch to front and changes to existing fenestration and driveway/garden alterations in associated with conversion of existing semi-detached properties into a single dwelling (Use Class C3) which can be carried out under permitted development. | 15 And 16 Neville Square Durham DH1 3PY. It was **agreed** to note this application.

**DM/23/02409/LB** | Replacement of 3no. windows in like-for-like style to the front elevation, and replacement of 2no. windows to the rear | 128 Gilesgate Durham DH1 1QG. It was **agreed** to note this application.

**DM/23/02836/AD** | Installation of 9 no. freestanding external wayfinding signs around the site of Durham Cathedral. | Durham Cathedral The College Durham DH1 3EH. Although minded to note this proposal, the Committee felt that more information was needed with this application and the Clerk **agreed** to seek further clarity on the question of whether the signs were freestanding or not.

**DM/23/03060/LB** | Repairs to shop front due to water damage | 36 Saddler Street Durham DH1 3NU. It was **agreed** to note this application.

**DM/23/03056/FPA** | Alteration, refurbishment and extension of existing radio pharmaceutical facilities within the medical physics department building. | University Hospital Of North Durham North Road Durham DH1 5TW. It was **agreed** to note this application.

**DM/23/03084/TPO** | T1 Sycamore - prune back from property by approximately 2m T2 Ash - prune back from property by approximately 2m T3 Ash - prune back from property by approximately 2m | 7 Potters Close Nevilles Cross Durham DH1 3UB. It was **agreed** to note this application.

**DM/23/03103/TPO** | T1 Beech - Remove the lowest branch with the split back to the fork | Almet Barn 3 Almoners Barn Durham DH1 3TZ. It was **agreed** to note this application.

**b) To discuss:**

**DM/23/02963/TPO** | 1. Horse Chestnut - Prune to clear the overhead cable and BT pole by 1.5m 2. Sycamore - Prune to clear the overhead cable and BT pole by 1.5m and crown clean/deadwood 3. Sycamore - Crown clean and deadwood 4. Lime - Crown clean/deadwood and remove the epicormic growth from the main stem to a height of 3m 5. Sycamore - Crown clean and deadwood 7. Laburnum - Fell as close to current ground level as practical 8. Birch - Sever the ivy at the base and remove 1m from ground level 14. Beech - Prune to clear the overhead cable by 1.5m and crown clean/deadwood | Grey Lodge Whitesmocks Durham DH1 4LH. Members felt that there was insufficient to support this application and therefore **agreed** to object on the basis of the information before the Committee today. Councillors E Ashby and C Lattin **agreed** to draft the response to this application.

**DM/23/02989/AD** | Display of 8 no. internally illuminated fascia signs and 3 no. non-illuminated hanging signs | Units 40 To 41 The Riverwalk Millburngate Durham DH1 4SL. It was **agreed** to defer a decision on this application until the next Planning and Licensing Committee on 10<sup>th</sup> November in order to allow for greater consideration of the proposal and its impact.

**DM/23/02892/FPA** | Detached two storey replacement dwelling with partial basement, and erection of a detached 1.5 storey garage/annexe and associated site works. | 1 Almoners Barn Durham DH1 3TZ. It was **agreed** to note this application.

**DM/23/02958/AD** | Internally illuminated fascia sign Sign over entrance door to flats above (less than 1.2sqm) | 84 Claypath Durham DH1 1RG. It was **agreed** to note this application.

**DM/23/02988/FPA** | The material change of use of a dwellinghouse (Use Class C3) to a small House in Multiple Occupation (Use Class C4) | 10 Mavin Street Durham DH1 3AU. It was **agreed** to object to this application and also to call this application in to the Central and East Area County Planning Committee should Officers be minded to approve this application. The Clerk **agreed** to draft the response to this application.

**9. To consider the proposed protocol for site visits for new planning/ licensing applications in the parish area**

Members considered the proposed protocol for site visits for new planning/ licensing applications in the parish area and unanimously **agreed** to support its adoption.

#### **10. Durham City - On Street Tariff and Parking Restriction Changes**

The Committee noted the proposals for On Street Tariff and Parking Restriction Changes and **agreed** to object to these plans. The Clerk **agreed** to draft the objection letter to these proposals.

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

10<sup>th</sup> November 2023

24<sup>th</sup> November 2023

8<sup>th</sup> December 2023

There being no further business, the Chair thanked all attendees for their attendance and contributions and closed the meeting.

Signed,

*G. Holland*

**Chair of the City of Durham Parish Council Planning and Licensing Committee**  
**(10<sup>th</sup> November 2023)**