

City of Durham Parish Council

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5th December 2022

Access details for the Planning and Licensing Committee:

Join Zoom Meeting
<https://us02web.zoom.us/j/88328480492>
Meeting ID: 883 2848 0492

Dear Planning and Licensing Committee Member,

In accordance with the Local Government Act 1972, I hereby give you notice that a meeting of the **Planning and Licensing Committee** will be held in **via Zoom** on **Friday 9th December 2022 at 13:00pm** to transact the following business:

- 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 25th November 2022**
- 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. Matters arising:**
 - (a) To agree the draft responses to the following planning and licensing application(s) and/or appeal(s):**

DM/22/03024/FPA | Raising of roof height and creation of upper floor. Rear and side extensions to existing house, including terraces to side and front and internal re-configuration. Detached car port with gazebo and garden storage facility and new vehicular access. | Tower Cottage The Avenue Durham DH1 4EB

DM/22/03312/FPA | Erection of detached garage at land south east of Crossways, Durham. Removal of trees and other enabling works. | Land To The South East Of Crossways Whitesmocks Durham DH1 4LL
 - (b) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):**

DM/21/00101/FPA | Proposed Extension and Conversion to 2No Apartments | 9 Station Lane Gilesgate Durham DH1 1LJ

DM/22/00369/FPA | Change of use from C3 to C4 | 24 Nevilledale Terrace Durham DH1 4QG

(c) To consider the amendments to the following planning application(s):

DM/22/02364/FPA | Change from dwellinghouse (C3) to small house in multiple occupation (C4) including two storey and single storey extensions | 1 St Monica Grove Crossgate Moor Durham DH1 4AS

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

a) To note:

DM/22/03407/FPA | Single storey rear sun room extension, two rooflights to the rear main house roof slope. Bin store and access stair to the front of the house at 'basement' level | 25 Albert Street Durham DH1 4RL

DM/22/03492/TPO | T1,T2,T3,T4,T5 (Sycamore) - Remove snapped branches, crown lift 4m T6 (Holly) - Remove deadwood G1, G2 (Remove to ground level) | University Hospital Of North Durham North Road Durham DH1 5TW

DM/22/03470/FPA and DM/22/03471/LB | Re-landscaping of existing North Terrace to Durham Castle to provide suitable outdoor student space for the wider student experience. Creation of a well-being garden and walkway adorned with period appropriate plantings and benches. | University College Durham Castle Palace Green Durham DH1 3RW

DM/22/03478/LB and DM/22/03480/AD | 2 No. non illuminated fascia signs with projecting logo and letters, 1no. non-illuminated hanging projecting sign, various shopfront marketing vinyls and internal alterations. | 12 Silver Street Durham DH1 3RB

DM/22/03524/LB | The addition of a secondary double door-set to create inner lobby, the removal and in-filling of 6no. mid-twentieth century stone niches and the removal of 1no. mid-twentieth century timber door-set at the Norman Chapel, Durham. | University College Durham Castle Palace Green Durham DH1 3RW

b) To discuss:

DM/22/03342/AD | Display of fascia and projecting sign (resubmission DM/22/01227/AD) | 12 North Road Durham DH1 4SH

DM/22/03456/FPA | Conversion of first and second floors to form two 5-bed HMOs (Use Class C4) including window changes to lightwell elevation. | First Floor And Second Floor 84 Claypath Durham DH1 1RG

DM/22/03505/FPA | Refurbishment and extension of existing museum for use as exhibition centre and gallery venue (Use Class F.1) with ancillary restaurant/cafe (Use Class E(b)) and retail (Use Class E(a)) uses, and alterations to landscaping, access, and parking. | DLI Museum Durham DH1 5TU

DM/22/03403/PNT | Prior notification for installation of 1 no. 20m Phase 9 monopole together with 3 no. equipment cabinets and associated works. | Land Adjacent To Pelaw House Leazes Road Durham

DM/22/03456/FPA | Conversion of first and second floors to form two 5-bed HMOs (Use Class C4) including window changes to lightwell elevation. | First Floor And Second Floor 84 Claypath Durham DH1 1RG

DM/22/03459/DRC | Discharge of condition 12 of planning approval DM/18/02118/FPA relating to a construction management plan. | Land To The North East Of Holly Street Durham DH1 4ER

DM/22/03512/FPA | Construction of dwelling. | Land South West Of 39 Fieldhouse Lane Durham DH1 4LT

DM/22/03548/CEU | Certificate of lawfulness for a change of use from C3 to C4 use class | 30 Orchard Drive Durham DH1 1LA

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

Kas Inns Limited	Fighting Cocks 4 South Street Durham City DH1 4PP	Minor variation application of a premises licence To remove the following condition from the operating schedule of the premises licence: "A minimum of 2 SIA registered door staff will be employed between the hours of 20:00 and closing, when any event takes place under the auspices of the Premises Licence Holder and / or on other day that Durham Constabulary deems it to be necessary." And replace with the following condition: "A minimum of 2 SIA registered door staff will be employed between the hours of 20:00 and closing, on Friday and Saturday evenings and/or on another day that Durham Constabulary gives notice, not less than 48 hours prior, that they deem it to be necessary."	9 December
STACK (Durham) Limited	Stack 2-6 Silver Street Durham DH1 3RB	Application for the grant of a premises licence Plays (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Films (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Indoor sporting events Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be	19 December

		added to the finish time of the licensing period preceding the Bank Holiday Live music (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Recorded music (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Performances of dance (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Anything of a similar description to live music, recorded music and dancing (indoors and outdoors) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Late night refreshment (indoors and outdoors) Monday to Thursday 11.00pm to midnight, Friday to Sunday 11.00pm to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday Sale of alcohol (on the premises) Monday to Thursday 10.00am to midnight, Friday to Sunday 10.00am to 1.00am, New Year's Eve until 2.00am, additional hour on Good Friday and all other Bank Holidays an additional hour may be added to the finish time of the licensing period preceding the Bank Holiday	
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Mr Mark Anslow Nuisance Action Team Leader Community Protection	The Tythe Barn (Durham Prison Officers Club) The Hallgarth Durham DH1 3AX	Application for the review of a club premises certificate To address concerns relating to the prevention of public nuisance licensing objective	19 December 2022
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- 8. Update on the review application for the Woodman Inn pub, 23 Gilesgate, Durham, DH1 1QW** – to consider the mediation meeting of 5th December and the hearing of 16th December 2022.
- 9. Update on planning enforcement case on 1 Victoria Terrace Durham DH1 4RW (The Funky Monk).**
- 10. Update on the Production of a Conservation Area Management Plan**
- 11. Considering the alternatives to the cumulative impact policy for Durham City proposal** – report to be provided.
- 12. Arrangements for the Planning and Licensing Committee over the Christmas and New Year holidays**

And, pursuant to the provisions of the above-named Act, I Hereby Summon You to attend the said meeting.

Adam Shanley
Clerk to the City of Durham Parish Council

City of Durham Parish Council

Minutes of Planning Committee meeting held via Zoom at 13:00pm on Friday 25th November 2022

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

Also present: A Shanley (Parish Clerk), Mr Roger Cornwell, Mr John Ashby and Mr John Lowe (members of the public).

1. Welcome and apologies

None received.

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 11th November 2022

The minutes of the meeting held on 11th November 2022 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 but specifically application DM/22/03024/FPA.

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.

5. Matters arising:

(d) To agree the draft responses to the following planning and licensing application(s) and/or appeal(s):

DM/21/03661/FPA | Demolition of existing property and erection of 3 detached dwelling with associated facilities | 8 Blaidwood Drive Durham DH1 3TD. The Committee **approved** the response to this application.

DM/22/01981/RM | Reserved matters application for 470 dwellings (appearance, landscaping, layout and scale) pursuant to DM/20/03558/OUT. | Land To The East Of Regents Court Sherburn Road Durham. The Committee **approved** the response to this application.

DM/22/02292/VOC | Variation of condition 2 of planning permission 4/99/00534/FPA to allow a change in opening hours from 09:00 to 02:00 previously restricted to 09:00 and 22:00. | 5 North Road Durham DH1 4SH. The Committee **approved** the response to this application.

DM/22/03024/FPA | Raising of roof height and creation of upper floor. Rear and side extensions to existing house, including terraces to side and front and internal re-configuration. Detached car port with gazebo and garden storage facility and new vehicular access. | Tower Cottage The Avenue Durham DH1 4EB. The Committee noted the submission from the Design and Conservation Officer that

the identification of Tower Cottage as a non-designated heritage asset (NDHA) is now regarded as incorrect. The Committee **agreed** to consider this in light of their original response to the application and to submit a follow-up response accordingly objecting to the scheme. The Clerk **agreed** to draft the response to this application.

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

DM/22/01148/FPA | Change of use of dwelling house (C3) to large HMO (Sui Generis) | Oaklea The Avenue Durham DH1 4DX. The Committee noted that this application has now been refused.

(f) Update on recent licensing application(s) within the parish area

The Clerk advised that a mediation meeting had now been agreed with the Woodman Inn for 5th December and it was **agreed** that Cllr E Ashby should also attend this meeting on behalf of the Parish Council.

The Clerk advised Members that, should the mediation meeting conclude at an impasse on conditions, the Parish Council had now agreed to instruct counsel to act on its behalf at the hearing of 16th December 2022.

The Committee also noted that the application for Collected Books is yet to be determined. The Committee had already **agreed** to note this application.

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

c) To note:

DM/22/03231/LB | To affix a 12" diameter roundel blue plaque to the front facade of 9 South Bailey to commemorate the life and work of Helena Rosa Duncombe Shafto | Hall Of Residence St Cuthberts Society 8 - 9 South Bailey Durham DH1 3EE. It was **agreed** to note this application.

DM/22/03113/LB | Install a new boiler on the top floor with vertical flue to rear. | 200 Gilesgate Durham DH1 1QN. It was **agreed** to note this application.

DM/22/03249/FPA | New 200mm dia. Intake and extract spiral ductwork installed for retail use at ground level. Ductwork to route from Retail at ground level, penetrate through to first floor and out the external wall to a flat roof. | 12 Silver Street Durham DH1 3RB. It was **agreed** to note this application.

DM/22/03250/LB | New 200mm dia. Intake and extract spiral ductwork installed for retail use at ground level. Ductwork to route from Retail at ground level, penetrate through to first floor and out the external wall to a flat roof. | 12 Silver Street Durham DH1 3RB. It was **agreed** to note this application.

DM/22/03275/FPA | Installation of security shutters to timber porch and windows on the north elevation, 4no flood lights, 1no to each elevation and erection of security fence and gate to the side | Durham City Cricket Pavilion Green Lane Durham DH1 3JU. It was **agreed** to note this application.

DM/22/03280/FPA | 2 storey side and single storey rear extension with paving in front garden | 18 Surtees Drive Crossgate Moor Durham DH1 4AR. It was **agreed** to note this application.

DM/22/03302/FPA | New garden landscape design with proposed terrace and amenities to provide accessible facilities for the community at Fellows Garden | Fellows Garden University College Durham Castle Palace Green Durham. It was **agreed** to note this application.

DM/22/03303/LB | New garden landscape design with proposed terrace and amenities to provide accessible facilities for the community at Fellows

Garden | Fellows Garden University College Durham Castle Palace Green Durham. It was **agreed** to note this application.

DM/22/03311/AD | Display of temporary freestanding advertisement board | Milburngate House Millburngate Durham DH1 5TL. It was **agreed** to note this application.

DM/22/03394/LB | Replacement of lighting to new energy efficient LED lighting | 19 Market Place Durham DH1 3NL. It was **agreed** to note this application.

d) To discuss:

DM/22/03247/FPA | Erection of new ancillary student accommodation facilities building built within grass embankment; minor external changes to existing Harding building including re-instatement of historical entrance location and implementation of associated landscaping scheme. | Rushford Court North Road Durham DH1 4RY. It was **agreed** to note this application.

DM/22/03312/FPA | Erection of detached garage at land south east of Crossways, Durham. Removal of trees and other enabling works. | Land To The South East Of Crossways Whitesmocks Durham DH1 4LL. The Committee expressed concern that the application appeared to be for residential use as opposed to a garage use. It was **agreed** that the Clerk should research a similar scheme in Hawthorn Terrace where a condition had been applied to prevent residential usage on the garages and report back to the next Committee meeting.

7. To review the Planning and Licensing Committee's strategic aims for 2023/24

The Committee **approved** the following as its strategic aims for 2023/24:

Planning Committee

Council priorities 2023/24	Planning Committee priorities 2023/24	Looking Forwards initiative(s)
1. Being an ambitious voice for the city	Representing the Parish as a consultee on planning matters	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	Consulting the Parish on planning matters	Theme 1: A City With A Sustainable Future
2. Enhancing physical and mental wellbeing of our residents and addressing inequalities in our parish	Ensuring schemes deliver the required levels of affordable housing and adapted housing for the disabled and elderly.	Theme 4. A City With Attractive And Affordable Places To Live
	Promoting the creation and adoption of new Public Rights of Way and ensuring that they are accessible to all.	Theme 2: A Beautiful And Historic City Theme 5: A City With A Modern And

		Sustainable Transport Infrastructure
	Protecting our green infrastructure and assets within our parish boundary and ensuring that they are used to the best possible public benefit.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
3. Upholding the neighbourhood plan and representing the parish on planning matters.	Upholding the development plans for the area i.e. Neighbourhood Plan and County Durham Plan.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	To maintain and develop an evidence-base to update the Neighbourhood Plan and comment on planning applications.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
	Protecting our World Heritage Site, Conservation Areas and designated and non-designated heritage assets.	Theme 2: A Beautiful And Historic City
	Delivering a Conservation Area Management Plan	Theme 2: A Beautiful And Historic City
	Protecting against overdevelopment	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 4: A City With Attractive And Affordable Places To Live
4. Creating a positive environment for businesses and encouraging tourism	Supporting accommodation above retail units in the City centre.	Theme 1: A City With A Sustainable Future Theme 4: A City With Attractive And

to improve prosperity of parish		Affordable Places To Live
	Supporting tourist attractions and transport infrastructure for the visitor economy	Theme 1: A City With A Sustainable Future
5. Taking action to combat the climate and ecological emergencies.	Putting green future at the heart of planning considerations	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Resisting schemes which do not deliver net zero by 2030 and supporting those which do.	Theme 1: A City With A Sustainable Future

Licensing Committee

Council priorities 2023/24	Licensing Committee Priorities 2023/24	Looking Forwards initiative(s)
1. Being an ambitious voice for the city	Representing the Parish on licensing matters	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
2. Enhancing physical and mental well-being of our residents and addressing inequalities in our parish	Ensuring that all new licensing applications and existing premises promote the four licensing objectives.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Empowering our residents to make informed representations on licensing matters.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
	Supporting a cumulative impact policy for the parish Supporting a late night-levy on licensed premises in the parish.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy

	Making licensing as open as possible through hosting an online licensing map	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Making the City more accessible to all by representing the needs of all users in relation to pavement and outdoor seating applications.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
3. Upholding the neighbourhood plan and representing the parish on planning matters.	Ensuring that the objectives of licensing and planning are aligned.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
4. Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish	Promoting the early evening economy to families and tourists	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City Theme 3: A City with a diverse and resilient economy
5. Taking action to combat the climate and ecological emergencies.	To encourage all new taxi licenses granted by DCC to be for low emissions/ electrical vehicles only.	Theme 1: A City With A Sustainable Future

8. Consideration of the Planning and Licensing Committee's draft budget proposal for 2023/24

The Committee **approved** the following as its draft budget proposal for 2023/24:

Item of potential expenditure	Cost (£)
PRIORITY 1: Representing the parish on planning and licensing matters	

Professional support in responding to planning applications and licensing hearings	5,000.00
PRIORITY 2: Improving the licensed economy	
Enhanced drug searching scheme with Durham Police	600.00
PRIORITY 3: Hosting (separate) planning and licensing training events with the community	
Hosting a licensing training event	1,000.00
Hosting a planning training event	250.00
PRIORITY 4: Review of HMO licensing arrangements	
Production of a report into HMO licensing options	5,000.00
TOTAL PROVISION IN 2023-24 AGAINST PRIORITIES	11,850.00

9. Considering the alternatives to the cumulative impact policy for Durham City proposal

Cllr S Walker reminded Members that this item had been discussed at previous meetings of this Committee and it had been agreed that she and Cllr E Ashby should meet to discuss a way forward on this proposal.

Cllr S Walker advised that she and Cllr E Ashby had now met and reviewed some further possibilities on this matter.

Cllr S Walker reminded Members that Durham County Council had considered introducing a cumulative impact policy in the City in 2019 and had decided against this following a third party, external report.

Cllr S Walker advised that she and Cllr E Ashby wished to propose that the Parish Council continues its support for both a cumulative impact policy for the City (as well as a late-night levy on licensed premises) but works more closely and engages more with local organisations such as local residents' associations, the Safety of Women at Night hub, etc.

In addition, Cllr S Walker propose that the Parish Council should maintain a log of incidents associated with the night-time economy which could be used as evidence at any future review of a cumulative impact policy.

The Committee **agreed** to endorse these recommendations and thanked Cllrs S Walker and E Ashby for their work on this.

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
(25th November 2022)**