



City of Durham Parish Council

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Date of Summons: 11th November 2024

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors E Ashby, J Ashby, N Brown, R Hanson, 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 15th November 2024** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/84637985237>

Meeting ID: 846 3798 5237

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 1st November 2024**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Matters arising:**

(a) To approve the draft response(s) to the following planning and/ or licensing application(s)/ matter(s):

DM/24/02710/FPA | Full planning application for the partial demolition, refurbishment and retention of the existing college buildings, and construction of a new two-storey teaching block and ancillary buildings (hay barn, sheep shed, grain store and bio-secure boot wash) with associated external works, substation, landscaping and access | East Durham and Houghall Community College Houghall Durham DH1 3SG

DM/24/02806/FPA | Change of use of first floor offices to residential flat (Use Class C3) | 37 North Road Durham DH1 4SE

DM/24/02829/VOC | Variation of Conditions 1 (Approved Plans), 2 (Floor Space and Use Classes), 5 (Travel Plan) and 10 (Ecology) pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D. | Plot D Land At Aykley Heads Framwelgate Peth Durham DH1 5UQ

DM/24/02888/RM | Reserved Matters submission for the matters of Appearance, Landscaping, Layout and Scale pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D. | Plot D Land At Aykley Heads Framwelgate Peth Durham DH1 5UQ

- **Application to vary a premises licence by News Express Limited for Shop Local. 5 New Elvet, Durham. DH1 3AQ.**

(b) To consider the latest update(s) on the following planning and/ or licensing application(s):

DM/24/02200/FPA and DM/24/02161/LB | Convert the existing attic space to a bedroom with en-suite, including a new staircase from the 2nd floor, replacement skylights and alterations to existing bedrooms. Convert the outbuilding to an office space including alteration to the external walls and roof. | 90 Gilesgate Durham DH1 1HY

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

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

DM/24/01551/FPA | Conversion of lower ground floor and part of the ground floor from retail (E) to form 1no small HMO (C4) | 37 - 38 Silver Street Durham DH1 3RD

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

a) To note:

DM/24/02929/AD | Replacement of current 'US Unite Students' illuminated signage on side of Accommodation Block B| Rushford Court North Road Durham DH1 4RY

DM/24/02959/FPA | Installation of air source heat pump|29 Hastings Avenue Durham DH1 3QG

DM/24/02967/TPO | From Beech 2 PN1-323 ID:T3 - (BT Pole No 321 - Pole No 1 - Pole No 2) Three spans of small diameter mixed species trees (Beech, Hawthorn, Elderberry to be pruned 2 metres under line height. Any small diameter branches 1 meter above line to be pruned, but not required to remove any significant branches within that 1 metre range. Ash 1 - Fell, Beech 1 - Remove three branches, Ash 2 - Fell, Sycamore 1 - PN1-323 ID: T10 - Remove lowest branch over Lowes Barn Bank and 20% canopy reduction over road, Beech 2 - ID: T3 - Lift canopy over Lowes Barn Bank and 20% canopy reduction, Beech 3 - ID: (Could be part of Beech group G2) Remove heavily weighted lowest limb over Lowes Barn Bank and 20% canopy reduction over road by 20%, Ash Group - Fell, Ash 3 - ID: T5 - Remove lowest branches over footpath and reduce height of stem leaning roadside. (Reduce sail area of stem to reduce potential failure.) Ash 4 - ID: T6 - Remove established regenerative growth from failed stem leaning over footpath | Stonebridge Mill Farm Lowes Barn Bank Nevilles Cross Durham DH1 3RU

b) To discuss:

DM/24/02829/VOC | Variation of Conditions 1 (Approved Plans), 2 (Floor Space and Use Classes), 5 (Travel Plan) and 10 (Ecology) pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D. | Plot D Land At Aykley Heads Framwelgate Peth Durham DH1 5UQ

DM/24/02972/FPA | Conversion of a former care home to Purpose Built Student Accommodation (PBSA) comprising 48 studio bedspaces, including re-roofing of conservatories; cycle shelter; bin store; EV bays and associated works | Hallgarth Care Home Hallgarth Street Durham DH1 3AY

DM/24/02754/CEU | Certificate of existing lawful use for residential use of property | Building South of Houghhall Farm Farm Road Houghall DH1 3SN

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

Mitchells and Butlers Leisure Retail Limited	Duke of Wellington Darlington Road Durham DH1 3QN	Minor variation of a premises licence To vary the layout of the premises and to remove a condition from Annex 2 of the current premises licence which is already covered by the mandatory conditions.	14 November 2024
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8. Dates of future meeting(s) of this Committee:

29th November 2024

13th December 2024

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 13:00pm on Friday 1st November 2024

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

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

1. Welcome and apologies

No apologies were 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 18th October 2024

The minutes of the meeting held on 18th October 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 Roger Cornwell 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 John Lowe 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 and specifically item 5 on the Agenda.

5. Report on enforcement of Durham County Council's HMO Standards

Mr Allan Gemmill raised concerns relating to compliance with HMO (House in Multiple Occupation) regulations, particularly related to the requirements for separate washing and toilet facilities under the Housing Act 2004 and related standards. During the discussion, a number of key points were raised including:

Primarily, Members expressed concerns at the failure to consult the HMO Team within DCC. Mr Allan Gemmill noted that the HMO team was not consulted on a particular application, which led to non-compliance with the required HMO standards for toilet and washing facilities.

Councillor J Ashby echoed these concerns and also raised a concern that the HMO officer's reports lacked judgment on whether applications met compliance requirements, leaving gaps in regulatory oversight.

Members also identified cases where landlords increased occupancy without proportional upgrades to facilities, exploiting gaps in oversight. Members discussed collaborating to document cases of non-compliance, considering an approach through the local Member of Parliament and possibly involving the Durham Students' Union, especially given recent complaints from students about HMO conditions.

The Chair proposed that the Committee builds a strong case with specific examples to highlight to the County Council and take the matter to the MP for wider influence.

It was **agreed** that Councillors J Ashby, C Lattin, G Holland and Mr Allan Gemmill should gather specific cases of non-compliance, prepare documentation for potential escalation and schedule a follow-up discussion to decide on a coordinated approach involving both the Local Planning Authority and the MP.

6. Matters arising:

(a) To approve the draft response(s) to the following planning and/ or licensing application(s)/ matter(s):

DM/24/02655/FPA | Change of use of a restaurant (Use Class E) to a small house in multiple occupation (Use Class C4) and associated internal alterations | 32A Silver Street Durham DH1 3RD. The Committee **approved** the response to this application.

DM/24/02734/AD | Installation of 1no. illuminated fascia sign | Nando's Unit 5 Freemans Place Durham DH1 1SQ. The Committee **approved** the response to this application.

(b) To consider the latest update(s) on the following planning and/ or licensing application(s):

DM/24/01814/FPA | First floor side extension with balcony, zinc feature entrance to front, zinc, render and timber cladding to walls, raised walkway and terrace and alterations to existing fenestration. | Hillcrest Springfield Park Durham DH1 4LS. The Committee **noted** that this application had now been withdrawn by the applicant.

DM/20/01423/FPA | The development consists of a two-storey extension and a change of use from a 2-storey family house to 2 Flats. | 34 The Hallgarth Durham DH1 3BJ. The Committee **noted** that this application had now been withdrawn by the applicant.

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

DM/24/00938/FPA | Two storey side and rear extension| 7 Springwell Road Durham DH1 4LR. The Committee noted that this application had been approved, in spite of the Parish Council's objection and attempts to call this application in to Committee for determination. Councillor E Ashby raised concerns in relation to the reference to "*in perpetuity*" in Condition 4 of the Decision Notice of this application, as follows: "**Condition 4:** *Prior to the first occupation of the extension hereby approved, 3no. in-curtilage parking spaces shall be fully laid out and constructed using permeable materials. Thereafter the spaces shall be made available for use*

*and retained for the parking of motor vehicles in perpetuity.” It was **agreed** that the Clerk should clarify if this is to be paved by gravel, which is specifically prohibited in the Parking and Accessibility Standards.*

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

a) To note:

DM/24/02311/LB | Replacement of 3no. timber glazed windows at ground, first and second floor level to rear with like-for-like timber | 28 North Bailey Durham DH1 3EW. It was **agreed** to note this application.

DM/24/02773/LB | Replacement of existing basement boys changing room window to match existing | The Chorister School The College Durham DH1 3EL. It was **agreed** to note this application.

DM/24/02766/TPO | T1224 (TPO ref. PN1-309) - Beech - Fell to ground level and a suitable tree to be planted as a replacement due to recent deterioration and proximity to access roads | Land North Of Symeon Manor, 1 Symeon Court Durham DH1 3FT. It was **agreed** to note this application.

DM/24/02768/LB | Refurbishment of platform canopy structures and replacement of the glazing and support system on canopies to platform 1 and 2 and the station building entrance canopy (at platform 2) and the stairwell glazed enclosure on platform 2 | Railway Station Station Approach Durham DH1 4RB. It was **agreed** to note this application.

DM/24/02817/LB | The installation of the 2no. new passenger help points to the LNER managed station involving cable management | Railway Station Station Approach Durham DH1 4RB. It was **agreed** to note this application.

DM/24/02853/LB | Replacement entrance door with glazed panel above, and renovation of existing sliding sash windows to front, side and rear | 20A South Street Durham DH1 4QP. It was **agreed** to note this application.

b) To discuss:

DM/24/02710/FPA | Full planning application for the partial demolition, refurbishment and retention of the existing college buildings, and construction of a new two-storey teaching block and ancillary buildings (hay barn, sheep shed, grain store and bio-secure boot wash) with associated external works, substation, landscaping and access | East Durham and Houghall Community College Houghall Durham DH1 3SG. Following extensive consideration of the application documentation and the site visit to Houghall, the Committee **noted** its thanks to the college and its representatives at the site visit. The Committee **agreed** to object to this application. It was **agreed** that Jo-Anne Garrick should be asked to draft the response to this application.

DM/24/02806/FPA | Change of use of first floor offices to residential flat (Use Class C3)| 37 North Road Durham DH1 4SE. It was **agreed** that the Committee should respond seeking a condition on the maximum number of occupants permitted to reside at this property.

DM/24/02829/VOC | Variation of Conditions 1 (Approved Plans), 2 (Floor Space and Use Classes), 5 (Travel Plan) and 10 (Ecology) pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D. | Plot

D Land At Aykley Heads Framwelgate Peth Durham DH1 5UQ. The Committee carefully considered the content of this application and raised queries relating to the use, benefit, need and impact on residential amenity of and from this proposal. In particular, the Committee raised serious concerns relating to the heat loss associated with this site and it was **agreed** that the Chair should collate all of these issues and draft a response to this application and the associated application with this Agenda for the site. It was also **agreed** that DCC's Sustainability team should be asked to be formally consulted on these applications.

DM/24/02888/RM | Reserved Matters submission for the matters of Appearance, Landscaping, Layout and Scale pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D. | Plot D Land At Aykley Heads Framwelgate Peth Durham DH1 5UQ. The Committee carefully considered the content of this application and raised queries relating to the use, benefit, need and impact on residential amenity of and from this proposal. In particular, the Committee raised serious concerns relating to the heat loss associated with this site and it was **agreed** that the Chair should collate all of these issues and draft a response to this application and the associated application with this Agenda for the site. It was also **agreed** that DCC's Sustainability team should be asked to be formally consulted on these applications.

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

- **Minor variation of a premises licence by Stonegate Pub Company Limited for Slug and Lettuce, Unit 7. Freemans Place. Walkergate. Durham. DH1 1SQ.** It was **agreed** to note this application.
- **Application to vary a premises licence by News Express Limited for Shop Local. 5 New Elvet, Durham. DH1 3AQ.** It was **agreed** to object to this application on the grounds of preventing a public nuisance. Councillor S Walker **agreed** to draft the response to this application.
- **Application to vary a premises licence by Coarse Restaurant Limited for Coarse Restaurant. Reform Place. North Road. Durham. DH1 4RZ.** It was **agreed** to note this application.

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

29th November 2024

13th December 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
(15th November 2024)