



City of Durham Parish Council

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Date of Summons: 25th 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 29th November 2024** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/84746693033>

Meeting ID: 847 4669 3033

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 15th November 2024**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Consultation on the proposed Durham City Conservation Area Management Plan** – follow-up to correspondence from local residents.
- 6. To review the Planning and Licensing Committee's strategic aims for 2025/26** – report included.
- 7. Consideration of the Planning and Licensing Committee's draft budget proposal for 2025/26** – report included.
- 8. Matters arising:**
 - (a) To approve the draft response(s) to the following planning and/ or licensing application(s)/ matter(s):**

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

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

DM/24/02174/FPA | Conversion and subdivision of dwellinghouse (Use Class C3) with erection of single storey rear extension to form 2 No. apartments (Use Class C3) (description amended) | 9 Station Lane Gilesgate Durham DH1 1LJ
- 9. To consider the following new planning applications in the parish area:**
 - a) To note:**

N/A

b) To discuss:

DM/24/03054/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 introduction of a skylight into the flat roof. | 90 Gilesgate Durham DH1 1HY

DM/24/02744/FPA | Change of use from open space to parking area (Retrospective) | Land To The East Of 36 Hallgarth Street Durham DH1 3AT

DM/24/02697/FPA | Detailed application for a Mixed-Use Development, comprising of a retail convenience store unit and 89 student bedspaces with associated ancillary facilities including car parking, landscaping and cycle provision. | Land South Of South College The Drive Durham DH1 3LD

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

Riverview 19 Limited	Thai River Unit 33 The Riverwalk Durham DH1 4SL	Application for the grant of a premises licence Sale of alcohol (on the premises) Monday to Sunday 12.00pm to 11.00pm, from the 1st December to 31st December 12:00pm to midnight	11 December 2024
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11. To consider contracting the services of a drug dog search of licensed premises over the Christmas period

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

13th December 2024

10th January 2025

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 13:00pm on Friday 15th November 2024

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

Also present: Mr A Shanley (Parish Clerk) and Councillor V Ashfield, Mr Roger Cornwell, Mr John Lowe and Mr Allan Gemmill (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 1st November 2024

The minutes of the meeting held on 1st November 2024 were unanimously **agreed** as a true and accurate record of proceedings.

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

Councillor V Ashfield advised that she 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 John Lowe advised that he was attending the meeting with a general interest in all Agenda items.

Mr John Lowe also advised that he had previously expressed an interest to speak on the newly proposed Traffic Regulation Order in relation to the A691 Framwellgate Peth & The Gardens Millburngate which includes a prohibition on right turns as well as a no entry Order. Mr John Lowe advised that he had now had the opportunity to study these plans more thoroughly and he was content to see this approved. This was echoed by the Committee and it was **agreed** to note this TRO.

Mr Allan Gemmill advised that he was attending the meeting with a general interest in all 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. The Committee **approved** 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. The Committee **approved** the response to this application.

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 draft response by Jo-Anne Garrick to this consultation as well as the proposed amendments in relation to the design and landscape impact of this proposal and the fact that this was a deviation from the agreed Masterplan. The Committee were unable to agree their stance on these aspects of this application and therefore it was **agreed** that each Member should review the plans once more and respond to the Clerk in writing by 17:00pm on Monday 18th November to let him complete the draft response to this application.

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 draft response by Jo-Anne Garrick to this consultation as well as the proposed amendments in relation to the design and landscape impact of this proposal and the fact that this was a deviation from the agreed Masterplan. The Committee were unable to agree their stance on these aspects of this application and therefore it was **agreed** that each Member should review the plans once more and respond to the Clerk in writing by 17:00pm on Monday 18th November to let him complete the draft response to this application.

- **Application to vary a premises licence by News Express Limited for Shop Local. 5 New Elvet, Durham. DH1 3AQ.** The Committee **approved** the response to this application, with the additional comment relating to alcohol delivery and health implications being one of the main licensing objectives.

(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. The Committee **noted** that these applications had now been withdrawn by the applicant.

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. The Committee reviewed the latest plans associated with this application and **agreed** to maintain its objection to this proposal.

(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. The Committee **noted** that this application had now been approved at the Central and East Area County Planning Committee. The Committee thanked Councillor G Holland for representing the Parish Council at this hearing.

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

DM/24/02959/FPA | Installation of air source heat pump| 29 Hastings Avenue Durham DH1 3QG. It was **agreed** to note this application.

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

b) To discuss:

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. It was **agreed** to object to this application and to call this application in to the Central and East Area County Planning Committee for determination. The Clerk **agreed** to draft the response to this application.

DM/24/02754/CEU | Certificate of existing lawful use for residential use of property | Building South of Houghhall Farm Farm Road Houghall DH1 3SN. It was **agreed** to note this application.

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

- **Minor variation of a premises licence by Mitchells and Butlers Leisure Retail Limited for Duke of Wellington, Darlington Road. Durham. DH1 3QN.** It was **agreed** to note this application

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

29th November 2024

It was **agreed** to review the number and content of applications received in advance of agreeing to the meeting on 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
(29th November 2024)**

ITEM 6: TO REVIEW THE PLANNING AND LICENSING COMMITTEE'S STRATEGIC AIMS FOR 2025/26

Councillors are reminded that the Parish Council has agreed to formulate its strategy for 2025/26 ahead of the budget setting process in January 2025.

As part of this, all Parish Council Committees are being asked to agree their priorities for the forthcoming financial year so that this can feed into the Parish Council's budget agreement.

For this current year, Members have agreed that the five overarching priorities for the Parish Council are as follows:

- 1.** Being an ambitious voice for the city
- 2.** Enhancing the physical and mental wellbeing of our residents and addressing inequalities in our parish
- 3.** Upholding the Neighbourhood Plan and representing the parish on planning matters
- 4.** Creating a positive environment for businesses and encouraging tourism to improve prosperity of parish
- 5.** Taking action to combat the climate and ecological emergencies.

Looking Forwards

The 'Looking Forwards' document has also been included as part of this work. 'Looking Forwards' is a companion document to the Durham City Neighbourhood Plan and has been developed by the City of Durham Parish Council Neighbourhood Plan Working Party. It is built on the aspirations and views as expressed by local people for their City during the five years of preparation of the Plan. It looks forward to greater involvement of the community in making Durham a more creative and sustainable City.

In addition to the five overarching aims of the Council, the Planning and Licensing Committees (as they were separate Committees one year ago) also agreed the following priorities for this year:

Planning and Licensing Committee

Council priorities 2024/25	Planning priorities 2024/25	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 to improve prosperity of parish	Supporting accommodation above retail units in the City centre.	Theme 1: A City With A Sustainable Future Theme 4: A City With Attractive And 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

Council priorities 2024/25	Licensing priorities 2024/25	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 wellbeing 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	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City

	Supporting a late night-levy on licensed premises in the parish.	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

**DECISION
REQUIRED**

For Members to consider the above report and agree the Planning and Licensing Committee priorities for 2025/26.

ITEM 7: CONSIDERATION OF THE PLANNING AND LICENSING COMMITTEE'S DRAFT BUDGET PROPOSAL FOR 2025/26

As Members are aware, the Parish Council is required to agree its budget and precept request for the forthcoming financial year in January 2025.

In order to assist the Council in agreeing both the budget and precept for 2025/26, each Committee of the Council is being asked to propose a budget against their individual identified priorities for next year.

The Parish Council's Finance Committee will be meeting in early January to consider each Committee's budget request.

The Parish Council's Planning and Licensing Committee have delegated responsibility to represent the Parish Council on all planning and licensing related matters. In view of these ongoing commitments of the Planning and Licensing Committee, the following budget is proposed:

Planning and Licensing Committee

Item of 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
Review of County Durham Plan policies	£3,000.00
PRIORITY 2: Improving the licensed economy	
Enhanced drug searching scheme with Durham Police	£600.00
TOTAL PROVISION IN 2025-26 AGAINST PRIORITIES	£8,600.00

DECISION REQUIRED	For Members to consider the above report and agree a proposed budget for the Parish Council's Planning and Licensing Committee for 2025/26.
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