



City of Durham Parish Council

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Date of Summons: 9th December 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 13th December 2024** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/82969845228>

Meeting ID: 829 6984 5228

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 29th November 2024**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Further consideration of the Planning and Licensing Committee's draft budget proposal for 2025/26**
- 6. Matters arising:**
 - (a) To approve the draft response(s) to the following planning and/ or licensing application(s)/ matter(s):**

DM/24/03054/LB | Convert the existing attic space to a bedroom with ensuite, 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

Appeal for 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.
 - (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

DM/23/01237/FPA | Change of use from five bed dwellinghouse to seven bed HMO (sui generis). | 41 Fieldhouse Lane Durham DH1 4LT
 - (c) To consider the outcome of the following planning and/ or licensing application(s):**

DM/24/02734/AD | Installation of 1no. illuminated fascia sign| Nando's Unit 5 Freemans Place Durham DH1 1SQ
- 7. To consider the following new planning applications in the parish area:**

a) To note:

DM/24/03112/FPA | Installation of 3no. air source heat pumps to the rear of the building | Chapel Of St Mary The Less St Johns Chapel South Bailey Durham DH1 3EQ

DM/24/02949/FPA | Installation of air source heat pump to rear | 10 Springwell Road Durham DH1 4LR

DM/24/03096/FPA | Single-storey garden room extension to the rear, external alterations including wider openings & re-cladding to rear projection | Highgate House Flass Vale Durham DH1 4BN

DM/24/03069/AD | Installation of 1no. internally illuminated timber fascia sign | 21 Market Place Durham DH1 3NJ

DM/24/03246/LB | Create new interface details with the new bus station including new flashings, making good of existing roof slates and gable coping and creation of non-structural joints to the adjacent bus station building. Render boarding to the exposed brickwork leaf of the gable wall. | 27 North Road Durham DH1 4SG

DM/24/03221/TPO | 459 - Lime - Overhanging Trust HQ car park, remove major deadwood 455 - Oak - Reduce low pictured/end weighted branches overhanging the car park by 3m, crown lift over the parking to 5m to allow for high-sided emergency response vehicles, remove major deadwood, aerially inspect checking cavities in the crown which are only partially visible from ground level 493 - Oak - Adjacent to woodland walk path entrance, remove major deadwood GA - Fire Road (from oxygen storage area to Trust HQ car park) Crown lift/prune back branches overhanging the road, back beyond the retaining wall, up to a height of 5.5m, and fell several small trees leaning over the road that are growing within 1m of the road B - Beech - Fell tree which grows close to the road and leans over the road, as close ground level as practical GC - (from Fire Road entrance up to the Oxygen Storage Area) Prune back branches on the roadside up to 1.5m and round off tall shrubs within 2.5m of the road/barrier 209 - Sycamore - Remove major deadwood and high stem with decay, crown lift to 3m, prune to clear building by 2m | University Hospital Of North Durham North Road Durham DH1 5TW

b) To discuss:

DM/24/03176/CEU | Certificate of Lawfulness for the existing and continued use of Grosvenor House, Farnley Mount, Durham DH1 4DZ as a Class C4 House in Multiple Occupation (HMO)| Grosvenor House Farnley Mount Durham DH1 4DZ

8. To consider the following Traffic Regulation Order(s) in the parish area (reports included):

- The County Council of Durham (Durham City North East) (Parking and Waiting Restrictions) Consolidation Order 2015 (Amendment No.1) Order 2024 – reference 5273520
- The County Council of Durham (Durham City, Market Place) (No Entry) Order 2024 – reference 5173664

- The County Council of Durham (Durham City) (Road User Charging Scheme) Order 2014 (Amendment No.1) Order 2024 – reference 5175164
- The County Council of Durham (Durham City South West) (Parking and Waiting Restrictions) Consolidation No.1 Order 2021 (Amendment No.1) Order 2024

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

10th January 2025

24th January 2025

7th February 2025

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 29th 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 Councillor V Ashfield, Mr Roger Cornwell, Mr John Lowe, Dr Francis Whalley and Mr Allan Gemmill (members of the public) and Mr Jonathan Smith (Durham University) and Ms Faith Folley (DPP Planning).

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 15th November 2024

The minutes of the meeting held on 15th 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.

Dr Francis Whalley 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 Jonathan Smith and Ms Faith Folley advised that they were attending the meeting to contribute to the discussions relating to applications DM/24/02829/VOC and DM/24/02888/RM.

5. Consultation on the proposed Durham City Conservation Area Management Plan

The Clerk highlighted the recent representations received from members of the public in relation to the consultation on the proposed Durham City Conservation Area Management Plan.

The Clerk particularly highlighted the correspondence from residents of the Farnley Hey Road area and from the former Conservation Officer at DCC Ms Nicola Duckworth to the proposed changes to the boundaries. Farnley Hey Road residents have objected strongly to their street being removed from the Conservation Area and Nicola Duckworth has highlighted a number of areas within the City which she feels ought to be included within the Conservation Area in order to raise the standard of development and protect green assets of the parish.

The Clerk reported that he had met with officers to discuss these concerns and was delighted to advise that Farnley Hey Road would be reintroduced into the boundary of the Conservation Area. However, the request that the DLI museum, Beacon Hill and other areas should be included within the boundary was not agreed by officers to be included. At the meeting, the Clerk highlighted that the Design and Conservation Manager had highlighted that these areas already carry significant statutory protection through being within the inner setting of the World Heritage Site, the greenbelt, area of high landscape value, etc.

The Committee agreed to note this update and await the outcome of this consultation in due course and thanked the Clerk for taking residents' concerns to officers.

6. To review the Planning and Licensing Committee's strategic aims for 2025/26

The Clerk reminded Members 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, the Clerk highlighted that Members had 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.

The Committee considered its own priorities for 2025/26 and **agreed** these priorities as follows:

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
	Protect existing Rights of Way and 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	Upholding the development plans for the area i.e.	Theme 1: A City With A Sustainable Future

parish on planning matters.	Neighbourhood Plan and County Durham Plan.	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. Lobbying central Government on ensuring that health impacts become the fifth licensing objectives.	Theme 1: A City With A Sustainable Future Theme 2: A Beautiful And Historic City
	Empowering our residents to make informed	Theme 1: A City With A Sustainable Future

	representations on licensing matters.	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 by supporting DCC's new online licensing portal	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

7. Consideration of the Planning and Licensing Committee's draft budget proposal for 2025/26

The Clerk reminded Members that 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, the Clerk highlighted that each Committee of the Council is being asked to propose a budget against their individual identified priorities for next year.

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, Members considered their priorities and agreed a provisional budget as set out below. In doing so, it was felt that further consideration was needed for projects relating to the priority to improve the licensed economy.

The Clerk suggested a grant project for local businesses to host events within their premises aimed specifically at families during the early evening economy. Members fully supported this proposal but some Members expressed the view that this should be a priority for the Parish Council's Business Committee.

It was **agreed** that Members should re-visit this budget at the meeting of 13th December and to further consider a project under this priority and within the Committee's remit and Terms of Reference.

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	£5,000.00
PRIORITY 2: Improving the licensed economy	
Enhanced drug searching scheme with Durham Police	£600.00
XX	
TOTAL PROVISION IN 2025-26 AGAINST PRIORITIES	£10,600.00

8. Matters arising:

(d) 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. The Committee **approved** the response to this application.

(e) 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 and **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 engaged in an extensive discussion about the proposed data centre at Aykley Heads and these applications, with University and DPP representatives Jonathan and Faith.

Jonathan took the opportunity to highlight that the facility specs is for an 8-megawatt research-focused data centre and that the location had been chosen for its strategic position to enhance business links and public engagement.

Jonathan highlighted that the data centre would be very much research focused, primarily academic research, with the potential for collaboration with local businesses and other North East universities. Jonathan advised that the University is currently pursuing government funding, with the planning application being part of their preparatory work.

On the very serious matter of heat reuse, Jonathan highlighted that the site is designed to connect to a future district heating network, with interim solutions being explored.

The data centre would create 15 jobs on-site, with additional related jobs in Durham City and includes a space for school visits and local industry interaction

The Committee expressed concern about the project's departure from the original Aykley Heads master plan and agreed to maintain its call-in request to allow for a wider public engagement and discussion on these important applications.

The Committee debated how to balance their general support for the project with their concerns about the master plan deviation. It was **agreed** to draft an updated response emphasising general support while stressing the importance of conditions regarding aspects of the proposals such as heat reuse.

At this point, the Chair thanked Jonathan and Faith for their time in attending this meeting. Jonathan and Faith thanked the Committee and left the meeting.

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. The Committee noted that the applicant was now appealing the recent refusal of this application and **agreed** to maintain its original objection. The Clerk **agreed** to draft the appeal response.

(f) 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. The Committee **noted** that this application has now been refused.

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

c) To note:

N/A

d) 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. The Committee considered this application and agreed to submit a comment request that a condition be added to any approval of the scheme that the "office" shown on plan cannot be used as a residential unit.

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. It was **agreed** to object and call-in this application. It was **agreed** that Jo-Anne Garrick should be asked to draft the response to this application.

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

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

- **Application for the grant of a premises licence by Riverview 19 Limited for Thai River. Unit 33, The Riverwalk. Durham. DH1 4SL.**
It was **agreed** to note this application.

11. To consider contracting the services of a drug dog search of licensed premises over the Christmas period

The Clerk advised that the only date that the usual dog search provider could carry out for the Parish Council was 20th December – so-called "black eye Friday". The Clerk advised that he had consulted with Durham Police about carrying out such an operation and the Police had expressed concerns at the practicalities of doing this on such a date and expressed a preference that this instead be done early in the new year. The Committee considered this response from the police and

agreed that February 2025 would be a more appropriate time to carry out this operation.

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

13th December 2024

10th January 2025

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
(13th December 2024)**