



City of Durham Parish Council

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Date of Summons: 17th February 2025

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 10:00am on Friday 21st February 2025** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/83296319331>

Meeting ID: 832 9631 9331

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 7th February 2025**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Update on proposal to produce an evidence base in favour of a further Article 4 Direction on front gardens/ parking**
- 6. Report on recent meeting with DCC Traffic Officers re: road user charge zone – report included.**
- 7. Matters arising:**

(a) Update on the following planning and/ or licensing application(s):

DM/24/03226/CEU | Certificate of Lawful Use falling within Class C4 - Small House in Multiple Occupation (HMO) | 11 Mayorswell Street Durham DH1 1LQ

DM/24/00149/FPA | Construction of purpose built student accommodation (Sui Generis) with associated car and cycle parking, pedestrian infrastructure and landscaping (amended plans received 04.12.2024) | Land To The North West Of Melbury Court Old Dryburn Way Durham DH1 5SE

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

a) To note:

DM/24/03218/AD | Installation of 7no A1 information boards (H1784 x L644 x W891mm) | St Nicholas Graveyard Providence Row Durham DH1 1RS

DM/25/00176/FPA | Retention of roof alterations to the existing double garage to accommodate a playroom within the roof space, accessed via an internal staircase. | 18 North End Durham DH1 4NJ

DM/25/00252/FPA | Demolish rear conservatory and construct sun room Replace front elevation windows and entrance doorway | 2 Farnley Ridge Durham DH1 4HB

DM/25/00344/FPA | Garden room to rear | 8 Chipchase Grove Durham DH1 3FA

b) To discuss:

DM/25/00190/FPA | Single storey rear extension | Crossways Whinney Hill Durham DH1 3BD

DM/25/00269/FPA | Change of use of commercial first floor and attic roof space (Class E) to create a 5-bed HMO (Class C4) including insertion of rooflights to front and rear | 22 Silver Street Durham DH1 3RD

DM/24/02110/FPA | Replacement of existing sash windows with UPVC sash windows | 22/23/24 Hawthorn Terrace Durham DH1 4EL

DM/25/00243/FPA| Replacement churchyard gates and formation of dropped kerb vehicle access| St Nicholas Graveyard Providence Row Durham DH1 1RS

DM/25/00271/VOC| Variation of condition 4 (delivery hours) pursuant to planning permission DM/21/01752/FPA |37 North Road Durham DH1 4SE

DM/25/00342/VOC| Variation of condition 2 (Approved Plans) to add an integral garage, reduce to a single storey and enlarge kitchen pursuant of planning permission DM/23/03743/FPA| Goldrill Farnley Hey Road Durham DH1 4EA

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

Durham University	St Mary's College Elvet Hill Road Durham DH1 3LR	Application for the grant of a premises licence - Plays (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm - Films (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm - Live music (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm - Recorded music (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm - Performances of dance (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm - Anything of a similar description to live music, recorded music and dancing (indoors and outdoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm, Outdoor activities will cease at 11.00pm	12 March 2025
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		Sale of alcohol (on the premises) Monday to Saturday 11.00am to 12.30am, Sunday 11.00am to 11.30pm	
Durham University	The Mount Oswald Hub Mount Oswald The Approach Durham DH1 3FP	Application for the grant of a premises licence - Plays (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Films (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Live music (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Recorded music (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Performances of dance (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Anything of a similar description to live music, recorded music and dancing (indoors) Monday to Saturday 9.00am to 12.30am, Sunday 9.00am to 11.30pm - Sale of alcohol (on the premises) Monday to Saturday 11.00am to 12.30am, Sunday 11.00am to 11.30pm	12 March 2025

9. Report following the CDALC Larger Council's Forum meeting of 20th February on proposal to include health implications as the fifth licensing objective.

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

7th March 2025
21st March 2025
4th April 2025

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 7th February 2025.

Present: Cllr G Holland (in the Chair), Cllr J Ashby, Cllr V Ashfield and Cllr C Lattin.

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

1. Welcome and apologies

Apologies were received and **accepted** from Councillors E Ashby, S Walker and N Brown. The Chair **accepted** that Councillor V Ashfield was attending as a substitute to Councillor S Walker.

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 24th January 2025

The minutes of the meeting held on 24th January 2025 were unanimously **agreed** as a true and accurate record of proceedings.

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

Dr Francis Whalley advised that he 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.

5. Update on the production of a Conservation Area Management Plan for Durham City

Members commended the work of Lee Hall and the Design and Conservation team on this excellent piece of work to date. Members advised that they would query the report insofar as the reference to Palmer's Close was concerned as well as the Elvet Conservation Area.

Members noted that the next stages in the development of the Conservation Area Management Plan included the completion to final full drafts of the 7-conservation area character appraisal documents, completion of the NDHA mapping as well as the preparation for Phase 2 full public consultation. The Clerk advised that this is currently in the programme for June of this year but potentially subject to change.

6. Update on proposal to produce an evidence base in favour of a further Article 4 Direction on front gardens/ parking

The Clerk reminded the Committee that the Council has agreed to work with Jo-Anne Garrick on the production of an evidence base in favour of a new Article 4 Direction preventing the further removal of front gardens in place of in-curtilage parking spaces.

In order to assist Jo-Anne in identifying specific areas of the parish where this appears to be a significant or growing issue, the Committee **agreed** to write to all interested groups and publish this online in order to facilitate Jo-Anne's work.

7. Matters arising:

(b) To approve the responses to the following planning and/ or licensing application(s):

DM/24/03226/CEU | Certificate of Lawful Use falling within Class C4 - Small House in Multiple Occupation (HMO) | 11 Mayorswell Street Durham DH1 1LQ. The Committee **approved** the response to this application.

DM/24/03252/FPA | Erection of 1 no. self-build dwelling | Land to The Rear Of 164A Gilesgate Durham DH1 1QH. The Committee **approved** the response to this application.

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

c) To note:

DM/25/00089/LB | Reinstatement of 6no. cupboards and doors as well as a partition wall. | 7 Owengate Durham DH1 3HB. It was **agreed** to note this application.

DM/25/00090/FPA | Single storey rear extension to adjoin existing sunroom, alterations to existing sunroom and fenestration (resubmission of DM/20/03413/FPA) | Oatlands Farnley Mount Durham DH1 4DZ. It was **agreed** to note this application.

DM/25/00119/AD | Temporary display of iconic images of Durham on this premises ahead of the commencement of works, pursuant to application DM/22/03232/FPA | First To Third Floors 4 - 6 Silver Street Durham DH1 3RB. It was **agreed** to note this application.

DM/25/00031/FPA | Construction of entrance porch in filling the gap between the existing garage and main property | St Martins Whitesmocks Durham DH1 4LQ. It was **agreed** to note this application.

DM/25/00165/FPA | Single-storey side extension to provide a ground-floor W/C | 14 North Crescent Durham DH1 4NE. It was **agreed** to note this application.

d) To discuss:

N/A

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

Application for the grant of a premises licence by Happy Noodles Limited for Kung Foo Noodles, 3 Neville Street, Durham. DH1 4EY. It was **agreed** to note this application.

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

21st February 2025

7th March 2025

21st March 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
(21st February 2025)**

ITEM 6: Note from meeting with DCC Highways re: (Durham City) (Road User Charging Scheme) Order 2014 (Amendment No.1) Order 2024 – reference 5175164

Date of meeting: 28th January 2025

In attendance: Dave Lewin and Kieron Moralee (DCC Strategic Traffic), Councillors Susan Walker, John Ashby and David Freeman and Parish Clerk Adam Shanley

Apologies: Councillor Esther Ashby

1. The Parish Council representatives began by welcoming the intention to introduce stricter traffic regulations in this part of our city. For many months, our medieval peninsula, particularly the Market Place and Elvet Bridge areas of our City, have been subjected to significant abuse by a number of road users.
2. All parties agree that the scale and frequency of this issue increases markedly post-8pm when civil enforcement officers are no longer on duty; effectively creating a 'free-for-all' environment.
3. The Parish Council representatives took the opportunity to thank DCC and NSL (parking enforcement) colleagues for their ongoing and positive engagement with us on this important Order. Civil enforcement officers, together with officers at Durham Constabulary, have shown great willingness to engage with us particularly on joint enforcement operations during the Summer and Autumn 2024.
4. In that context, all parties agreed for the need to attend the DCC Highways Committee where this will be agreed/ discussed (now likely scheduled for 21st March), in lockstep with one another.
5. The Parish Council representatives wholeheartedly support the increase in the access charge from £2 to £5 though we stressed the need for a £5/ access charge rather than a £5/ day charge.
6. Officers felt that a more proportionate approach is needed for the time being and advised that they would still be recommending the £5/ day charge to DCC's Highways Committee. Parish Council representatives accepted this approach on the basis that a review of the effectiveness of this new Order and the related actions would take place approximately 6-months from the date of the Order being sealed.
7. It is important to note that the TRO which includes the £5 charge per day can move forward almost immediately after the Committee approves this in March, otherwise this will need to go back out for re-consultation which will cause a delay of up to 9 months. However, if it goes through as is and the monitoring shows this TRO is not sufficient to address the issue, a £5 per visit amendment could be made within 18 months and the existing TRO with its other benefits will still be in place.

8. Parish Council representatives asked if a loading bay at Saddler Street could be introduced, following representations from one local business. Dave Lewin highlighted that this would not be acceptable from a health and safety perspective as the loading bay would sit between two sets of traffic lights and would be on an already narrow, predominantly pedestrian street.
9. Parish Council representatives asked if vehicles registered on the so-called "white list" (vehicles exempt from any charges) could be required to re-apply each year in the same way that residents have to re-apply for a permit. Kieron highlighted that organisations such as the University and the Cathedral – who do need regular access to their premises – do have access to their own white list however this has been greatly reduced and is limited in number of vehicles per organisation and this is calculated based on the total number of off-street parking places each organisation has. This was very welcome news and one of the key takeaways from the meeting.
10. Parish Council representatives asked if daytime retail premises within the charging zone might be able to add at least one vehicle to the white list. It was understood that this same option is available to market traders for loading/ unloading purposes only. Kieron advised that he was not aware that such an arrangement is in place for market traders and would need to check this.
11. Dave and Kieron advised that the £5 charge would still apply to market traders – on the presumption that their vehicles are not on the white list – and would apply when accessing the Market Place to collect their stalls. (Most traders arrive before 10am to set up and therefore this will be outside of the charging period).
12. Any vehicle accessing Elvet Bridge outside 2am-10am would receive an automatic ticket of £60 (reduced to £30 if paid within a set number of days) as this would now fall under a moving traffic offence. APRN cameras would pick this up however these cameras cannot be used to enforce parking (law changed by Lord Eric Pickles in 2012).
13. Concerns were raised regarding the existing exemption for Uber Eats as most are registered as Uber drivers too and these fall under the definition of private hire vehicles; all of whom are exempt from the charge. Adam Shanley asked for that to be withdrawn but DCC officers advised that restricting access to a vehicle can adversely impact on issues such as health and safety/ ASB in city centres and stressed that this was a balancing act.
14. David Freeman brought the concerns of two residents who regularly attend St. Nicholas Church on a Sunday and who need access to the door. David asked if residents with mobility issues needing to access the church service could also be exempt from the £5 charge. Kieron advised that he would check this with the legal team but he was sure that any blue badge holders may be exempt from the £5 charge but that they would need to apply for the exemption from DCC.

Action points

- Kieron to confirm the date of the DCC Highways Committee where this Order will be discussed/ agreed.
- Parish Council representatives to provide a report of this meeting to the Planning and Licensing Committee who have delegated authority from Full Council on highways matters and seek their agreement on the Parish Council's stance going into the DCC Highways Committee meeting.
- Kieron to confirm if blue badge holders might also be able to apply for an exemption to the £5 road user charge.
- Kieron to clarify whether Market Traders are also included on the white list.