



City of Durham Parish Council

The City of Durham Parish Council. Office 3, Clayport Library. 8 Millennium Place. Durham. DH1 1WA.

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Date of Summons: 1st September 2025

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors G Holland, L Brown, S Walker, C Lattin, R Cornwell, P Layton and R Handy

You are hereby summoned to attend the **Planning and Licensing Committee meeting** to be held **via Zoom at 10:00am on Monday 8th September 2025** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/82982967129>

Meeting ID: 829 8296 7129

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 25th July 2025**
- 4. To receive any public participation comments on the following agenda items.**
- 5. To consider each assessment of the Durham City Conservation Area Management Plan (CAMP) - Phase 2 Consultation**
- 6. Consideration of the latest updates regarding application DM/25/01525/VOC (Riverwalk lift)**
- 7. Consultation on proposed countywide Article 4 Direction to improve the management of HMOs – briefing paper included.**
- 8. Matters arising:**

- (a) To approve the response(s) to the following planning / licensing application(s)/ appeal(s):**

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

DM/25/01680/AD and DM/25/01749/LB | Replacement signage comprising 1no externally illuminated double-sided hanging sign upon existing bracket, 1no externally illuminated fascia sign, 1no non-illuminated door plaque and fascia sign, 1no internally illuminated menu case plus 6no window vinyls | The Library 45 - 46 Saddler Street Durham DH1 3NU

- (b) To consider the outcome of the following planning applications in the parish area:**

DM/25/01666/FPA and DM/25/01667/AD | This application relates to the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator | Land To The East Of Elvet Riverside 1 New Elvet Durham DH1 3JT

DM/25/01669/FPA and DM/25/01670/AD | Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator | Pavement To The North East Of 18 North Road Durham DH1 4SH

DM/25/01132/CEU | Use of the property as a 6-bedroom HMO (Use Class C4) | 12 Brierville Durham DH1 4QE

DM/25/01133/CEU | Use of property as a 6-bedroom HMO (Use Class C4) | Holly Tree House Holly Street Durham DH1 4ER

DM/25/01130/CEU | Lawful development certificate for use of property as Class C4 HMO (5 beds) | 51 Highgate Durham DH1 4GA

DM/25/01129/CEU | Application for a Lawful Development Certificate for use as a 7 bed HMO (Sui Generis) | 7 Highgate Durham DH1 4GA

DM/25/01131/CEU | Use of property as Use Class C4 HMO (6 beds) | Ash Tree House Holly Street Durham DH1 4ER

9. To consider the following new planning applications in the parish area (from those received since 26th August 2025):

a) To note:

DM/25/02258/LB | Structural repairs to existing roof timbers (Retrospective) | First to Third Floors 70 Saddler Street Durham DH1 3NP

DM/25/02192/VOC | Variation of condition 3 (approved plans) pursuant to planning permission DM/19/01912/FPA to allow for changes to extend the previously approved ground floor extension, creation of first floor with dormer window above and alterations to front porch. | Beau View Quarry House Lane Crossgate Moor Durham DH1 4JA

DM/25/02193/FPA | Relocation of a sculpture to the north face of the Ogden Centre for Fundamental Physics West. Sculpture will be affixed to two smooth-finished pre-cast concrete columns with aluminium fixings with pebble finish to ground | Durham University Ogden Centre Science Site South Road Durham DH1 3LE

DM/25/01860/FPA | First floor rear extension | Park Villa 22 Moor Edge Crossgate Moor Durham DH1 4HT

DM/25/02302/TPO | Poplar (T1) - crown reduce 2m. Sycamore (T2) - remove branches over hanging boundary. Lime (T3) - remove branches over hanging boundary Sycamore (T4) - crown thin by 10% | 4 Bishops Gate Durham DH1 4JU

DM/25/02366/TPO | Proposed tree works involving works including crown-lifting, pruning and dead wooding to individual and groups of trees and the felling of 1no. conifer, 1no. ash, 1no. hawthorn, and self-seeded ash trees within identified group | St Leonards Catholic School North End Durham DH1 4NG

b) To discuss:

DM/25/01913/AD | Externally illuminated fascia sign | Court Inn Court Lane Durham DH1 3AW

10. To consider the following licensing matters within the parish area:

- Notice of Hearing of 17th September 2025 – New Premises Licence Application for 5A North Road. Durham. DH1 4SH.

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

19th September 2025 at 10:00am via Zoom

3rd October 2025 at 10:00am via Zoom

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 10:00am on Friday 25th July 2025

Present: Cllr L Brown (in the Chair), Cllr G Holland, Cllr R Cornwell, Cllr R Handy, Cllr P Layton, Cllr C Lattin and Cllr S Walker.

Also present: Mr A Shanley (Parish Clerk), Mr Allan Gemmill 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 July 2025

The minutes of the meeting held on 11th July 2025 were unanimously **agreed** as a true and accurate record of proceedings.

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

Mr Allan Gemmill 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. To consider proposed response to the County Durham Plan "Call for sites" consultation.

The Committee agreed that the Parish Council should respond positively to this Call for Sites consultation. There was discussion around a few potential sites and Members **agreed** to propose the following sites:

- No more than 6 dwellings on the former shell garage site next to the A167 (a density previously suggested in the Council's Strategic Housing and Land Availability Assessment).
- No more than 5 dwellings on the (recently demolished) former R W D Motor Body Repairers at Back Western Hill.
- No more than 27 units of accommodation at Holly Street (the previous scheme for this site has now seen its planning consent lapsed).
- A hotel allocation at the land formerly occupied by 13-17 Claypath (which appears to be DCC's ongoing intention for the site).

In considering this consultation, Members also re-confirmed their stance against any new development within the Green Belt in and around the parish and their support for retaining Aykley Heads as a Strategic Employment Site.

6. Durham City Conservation Area Management Plan (CAMP) - Phase 2 Consultation

The Committee **agreed** to divide up the different character area appraisals contained in the plan, with each member taking responsibility for reviewing one or two areas in detail. This was agreed as follows:

- Councillor Phil Layton - Elvet Conservation Area
- Councillor Susan Walker - Framwellgate Conservation Area
- Councillors Grenville Holland and Carole Lattin - Old Durham Conservation Area
- Councillor Roger Cornwell - Hill Colleges Conservation Area
- Councillor Liz Brown - Crossgate Conservation Area
- Councillor Rory Handy - Gilesgate Conservation Area
- Adam Shanley - Peninsula and Riverbanks Conservation Area

There was general agreement that the appraisals were a comprehensive and well-researched set of documents. However, some Members noted there were a few factual errors or omissions that they would feed back on.

Mr John Lowe highlighted some issues with the Peninsula appraisal which he felt could be improved.

The Committee **agreed** they would provide detailed feedback on the different character area appraisals, focusing on ensuring the management suggestions were as robust as possible. It was agreed that each Member should provide their own appraisal ahead of the next Planning and Licensing Committee meeting.

7. Matters arising:

(a) To approve the response(s) to the following planning / licensing application(s)/ appeal(s):

DM/25/01666/FPA and DM/25/01667/AD | This application relates to the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator | Land To The East Of Elvet Riverside 1 New Elvet Durham DH1 3JT. The Committee **approved** the response to these applications.

DM/25/01669/FPA and DM/25/01670/AD | Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator| Pavement to the North East Of 18 North Road Durham DH1 4SH. The Committee **approved** the response to these applications.

DM/25/01677/PA56 | Installation of mesh fence up to a height of 1.15 metres (to the top of the existing parapet), with a curved 460mm wire section (with supports at 1.5 metre intervals) extending over the whole length of the viaduct | Durham Railway Viaduct South West of Train Station. Station Approach Durham DH1 4RB. The Committee **approved** the response to this application.

(b) To consider the outcome of the following planning applications in the parish area:

DM/25/01380/LB | Installation of anti-trespass fencing along internal face of both viaduct parapets 2.3 m high from track level for a length of 250 metres | Durham Railway Viaduct South West of Train Station Station Approach Durham DH1 4RB. Members **noted** that this application has now been approved.

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. Members **noted** that this application has now been formally approved and that the S106 monies attached to this development had been earmarked towards playpark equipment.

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

a) To note:

DM/25/01777/FPA | Proposed external refurbishment including stone & masonry repairs, door & window replacement together with replacement roof tiles & dormer windows | 4A, 4B And 4C Parkside Durham DH1 4RE. It was **agreed** to note this application.

DM/25/01619/FPA | Replacement of 6no. windows to both the front and rear of the property| Sydney Grove 12 Crossgate Peth Durham DH1 4PZ. It was **agreed** to note this application.

DM/25/01779/TPO | PN1-309. W1. Ash - fell as close to current ground level as practical | Land to the West Of 2 Chipchase Grove Durham DH1 3FA. It was **agreed** to note this application.

DM/25/01857/FPA| Ground floor, single story extension to side, integral garage conversion, internal reconfiguration and associated external alterations | 64 Archery Rise Durham DH1 4LA. It was **agreed** to note this application.

DM/25/01907/FPA| Replacement of existing roof tiles and replacement of existing rainwater gutters and downpipes | Harrison House 1 Hawthorn Terrace Durham DH1 4EL. It was **agreed** to note this application.

b) To discuss:

Appeal for DM/24/00766/FPA | 3no 1.5 storey 2-bedroom dwellings with associated parking/turning area | Land East Of 7 Church Street Villas Durham DH1 3DW. The Committee **agreed** to submit a rebuttal to this appeal. The Clerk **agreed** to draft this rebuttal.

DM/25/01680/AD and DM/25/01749/LB |Replacement signage comprising 1no externally illuminated double-sided hanging sign upon existing bracket, 1no externally illuminated fascia sign, 1no non-illuminated door plaque and fascia sign, 1no internally illuminated menu case plus 6no window vinyls | The Library 45 - 46 Saddler Street Durham DH1 3NU. The Committee **agreed** to object to these applications. Councillor L Brown **agreed** to draft the response to these applications.

9. To consider the following new licensing applications within the parish area:

- **Application for a New Club Premises Certificate by Dunelm Club Limited for Dunelm Club, 55 Old Elvet. Durham. DH1 3HN.** It was **agreed** to note this application.

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

5th September 2025 at 10:00am via Zoom

19th September 2025 at 10:00am via Zoom

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
(8th September)**

ITEM 7: CONSULTATION ON PROPOSED COUNTYWIDE ARTICLE 4 DIRECTION TO IMPROVE THE MANAGEMENT OF HMOS – BRIEFING PAPER

1. The County Council's Cabinet agreed on 21 July to introduce an Article 4 direction to control the spread of HMOs in that part of the County not currently covered by an Article 4 direction. A consultation is now under way with a closing date of 26 September. If it is felt that the Parish Council should respond then the Planning and Licensing Committee could prepare a response which could if necessary be put to the Full Council on 24 September.
2. Conversions to large HMOs (more than six inhabitants) already require planning permission throughout the County and indeed throughout England and Wales. It is the conversion of family homes (use class C3) to small HMOs (use class C4 – three to six inhabitants) that would be covered by this measure.
3. Not all of the Parish is covered by the existing Article 4 Direction. Consequently, the proposal would change the planning status of part of the Parish. The main area not covered is the Aykley Woods development on the former Police HQ site. The boundary runs along the B6532 and everything on the Aykley Heads site to the east of this road is not covered. The other area not covered is the countryside to the south of the built-up area, plus the University Maiden Castle site and Howlands Farm. This area includes Burn Hall and Low Burnhall.
4. The direction is non-immediate. It is being delayed by a year so no compensation is due to any landowner whose property is affected. It would come into force on 17 August 2026.
5. The legislation requires that the Secretary of State be sent a copy of the direction so that they can consider whether to intervene either by blocking the proposal or amending the area covered by it. If the Secretary of State does not intervene the Council is free to make the order.
6. The legislation also requires the Council to consider representations made and this might result in changes.
7. The driver for this direction may have been the decision by councils in London to move homeless and vulnerable families to the North East, as reported for example in the *Northern Echo*¹. But when a *family* is moved their new home would be occupied by a single household and therefore not a house in *multiple* occupation, which is when a number of different households share accommodation.
8. The evidence offered states that there are 235 licensed HMOs outside of Durham City (data correct as of 12 June 2025). This number is made up of around 67 with mandatory licenses and 168 selectively licenced. Only parts of the County are subject to selective licences and this does not include Durham City. By way of contrast there are around 2,530 properties in the City available

¹ <https://www.thenorthernecho.co.uk/news/24656159.london-councils-breaking-law-moving-families-durham/>

for letting to students². 876 of these are on the HMO register leaving around 1,654 smaller HMOs. These figures are approximations but clearly there are easily ten times more HMOs in Durham City (defined as the DH1 postcode district) than in the rest of the County put together.

9. There are 2,357 properties on the landlord licence public register with addresses in the SR8 postcode district, which is Peterlee. However, the vast majority of these are let to a single household. The question arises as to whether privately rented properties let to recent arrivals from other parts of the UK are being mis-identified as HMOs by those local residents who have complained to their local councillors.
10. In order to control the number of HMOs sound local policies are needed. In Durham City such a policy exists as Policy 16.3 of the County Durham Plan, which states that applications for HMOs can be refused where the percentage of student lets within 100 metres of the property in question exceeds 10%. However, in other parts of the County HMOs are not usually lived in by students so a different measure would be needed, which would have to be implemented via the new County Durham Plan or in the interim via a supplementary planning document.
11. Until these policies are in place then existing policies will have to be used, as they are currently in parts of Durham City where the HMO percentage is below 10%. Where HMOs have been refused it has been on amenity grounds due to overcrowding and car parking problems, using CDP Policies 29 and 31. But many have been permitted, and appeals are pending.
12. A recommendation that could be made is to extend selective licencing to the whole of County Durham. This would provide a mechanism to measure HMO percentages directly instead of using the percentage of properties with a student exemption from Council tax as a surrogate, which only works in Durham City. However, there would be resource implications and the current administration, with its emphasis on cost-cutting, might be reluctant to implement it.
13. Given that the reform of Council Tax is a live political issue, student exemption from Council Tax may cease to be the case. Were that to happen then selective licensing, which we have in any case argued for, would provide the necessary replacement measure.
14. The proposal is for the Article 4 to cover the entire County. The justification is "By introducing the Article 4 Direction in all areas, and not just in those we are currently seeing issues, it will avoid concentrations of HMOs moving to other areas." We have certainly seen HMOs moving to fringe areas around the City core, so including areas near to but outside the areas seeing issues might be justified, but to include the entire County seems like overkill.

² <https://www.durham.ac.uk/colleges-and-student-experience/housing-hub/housing-analysis/>

15. In general, the evidence advanced is sketchy and does not consider whether the concerns of local residents have any factual basis, and whether the proposed measures will address them. There is no information about which towns and villages currently have growing numbers of HMOs. Nor is there any evidence, e.g. from Police reports, of increasing crime in these areas. No estimate has been made of the number of HMOs in those parts of the County not subject to selective licensing.

16. The consultation takes the form of a short survey with a series of questions. These limit the scope of what can be said. The questions asked (all optional) are:

- Do you agree or disagree with the proposed Article 4 Direction for HMOs?
Agree / Neither agree nor disagree / Disagree (multiple choice)
Please give any reasons for your answer. (optional)
- Do you feel the proposed Article 4 Direction for HMOs will have a positive or negative impact upon you or your household?
Positive / Neither positive nor negative / Negative
Please give any reasons for your answer. (optional)
- Are you responding mainly as (choose one):
A resident within the current Article 4 area
A County Durham resident outside of the current Article 4 area
A Durham County Council employee
A Durham County Council elected member
A town or parish councillor
On behalf of an organisation
On behalf of a voluntary sector group
Other
- If you are replying on behalf of an organisation or voluntary sector group, who do you represent?

16. The statutory procedures for Article 4 directions require the council to "specify a period of at least 21 days, stating the date on which that period begins, within which any representations concerning the direction may be made to the local planning authority". This does not restrict the scope of any representation so a free text response would be possible.

17. It is suggested that the Parish Council response might be along these lines:

- We would welcome the extension of the Article 4 Direction to include all of the Aykley Heads electoral division. This is the only part of the built-up area of Durham City that is not included. The arguments that were used to justify the surrounding areas apply here too, now the development has been built out.
- We are neutral as to whether the Direction need be extended to those parts of Neville's Cross electoral division currently excluded, as these are largely countryside.

- A more robust evidence base is needed to show which areas of the County are particularly affected by growing numbers of HMOs. This will assist the Secretary of State should she decide that it is not appropriate to include all of County Durham in the Direction.
- Excluding the three electoral divisions which already have an Article 4 Direction in whole or in part, the average number of HMOs per electoral division is less than three. There is no evidence to justify including the entire County. If there is to be an Article 4 Direction it should be confined to those areas where there are growing numbers of HMOs plus the adjacent areas.
- Selective licensing of small HMOs should be extended to include all areas covered by an Article 4 Direction, existing and proposed. This would enable the location of HMOs to be monitored in detail and facilitate appropriate planning policies to be devised. These could be similar to Policy 16.3 of the County Durham Plan, which is used to refuse applications if the percentage of HMOs within a 100 metre radius would exceed 10%.

Roger Cornwell
18 August 2025