



City of Durham Parish Council

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Date of Summons: 29th September 2025

SUMMONS

To all Members of the City of Durham Parish Council's Planning and Licensing Committee: Councillors G Holland, L Brown, 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 Friday 3rd October 2025** for the purpose of transacting the following Agenda business as shown.

Join Zoom Meeting

<https://us02web.zoom.us/j/81193681433>

Meeting ID: 811 9368 1433

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 19th September 2025**
- 4. To receive any public participation comments on the following agenda items.**
- 5. Matters arising:**

(a) To approve the responses to the following planning application(s):

25/00033/ENF | Appeal against Operational Development Enforcement Notice dated 10 July 2025 - relating to re-roofing and replacement windows | 30 May Street Durham DH1 4EN

25/00034/ENF | Appeal against Enforcement Notice for Breach of Conditions dated 10 July 2025- relating to DM/19/03007/FPA | 30 May Street Durham DH1 4EN

DM/25/02307/FPA | Creation of an 8-bedroom HMO by enlarging and extending existing HMO, including change of use of vacant café | 19 And 19A Silver Street Durham DH1 3RB

DM/25/02345/LB | Replacement of all windows and internal alterations | 26 Old Elvet Durham DH1 3HY

DM/25/02344/FPA | Change of use from seminar and lecture rooms (use class F1) to dwellinghouse (C3) | 26 Old Elvet Durham DH1 3HY

DM/25/02470/FPA | Shopfront alterations and installation of external plant equipment to north elevation consisting of 2 no extraction grills and AC condenser | Dunelm Garage Darlington Road Durham DH1 4PE

DM/25/02009/FPA | Change of use of vehicle showroom premises (Sui Generis) to Class E | Dunelm Garage Darlington Road Durham DH1 4PE

(b) To consider the latest updates on the following planning / licensing application(s)/ appeal(s):

DM/25/00762/FPA | Hybrid application comprising full planning permission for the construction of 140 dwellings, primary site access and associated SuDS and landscaping; and outline planning permission with all matters reserved for the construction of up to 260 dwellings, local centre incorporating retail (up to 4,000 sqft) (Use Class E) and mini-mobility hub, and associated SuDS and landscaping (Amended Description) | Red Barns Brandon Durham DH7 8DA.

(c) To consider the outcome of the following planning/ licensing applications in the parish area:

DM/25/01939/FPA | Retrospective application for the installation of UPVC window units with bottom openings in a mock sash style of top hung timber casement windows | 45 The Avenue Durham DH1 4ED.

DM/25/01398/FPA | Change of use from dwellinghouse (Use Class C3) to a large house in multiple occupation (sui generis) | 170 Gilesgate Durham DH1 1QH.

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

a) To note:

DM/25/02544/FPA and DM/25/02545/LB | Retrospective application for replacement of conservatory glazed roof with conservation style slate roof and rooflights | 28A Church Street Durham DH1 3DG

DM/25/02495/VOC | Variation of Condition 1 (approved plans) and condition 13 (BMMP) pursuant to planning permission DM/24/02605/VOC to allow a revised fire escape design and amended BNG strategy. | DLI Museum Durham DH1 5TU

DM/25/02006/FPA | Two storey side and rear extension. Widened pavement crossing and increase car parking area | 18 Geoffrey Avenue Durham DH1 4PF

DM/25/02464/TPO | See attached arboricultural statement justifying the removal of a declining coniferous tree | Almet Barn 3 Almoners Barn Durham DH1 3TZ

DM/25/02093/FPA | Erection of sculpture | Sheraton House Sheraton Park Durham DH1 4FL

DM/25/02666/TPO | Sycamore (T1) - felling and removal, Sycamore (T2) - monolith to 5m, Ash (T3) - pollard to 40% crown removal, Ash, Hawthorn, Sycamore (G1) - felling and removal, 2no Ash (G2) - felling and removal | The Story Mount Oswald South Road Durham DH1 3TQ

b) To discuss:

DM/25/02475/VOC | Variation of Condition 2 (approved plans) of planning permission DM/24/00149/FPA (PBSA) to amend internal layout and external appearance to improve access, maintenance, safety and sustainability | Land To The North West Of Melbury Court Old Dryburn Way Durham DH1 5SE

DM/25/02038/FPA | Proposed change of use of the upper floors, including internal alterations, to create two 4-bed apartments (Use Class C4) at 19 - 20 Market Place Durham DH1 3NL accessed from Market Chambers (21 Market Place Durham DH1 3NJ) | 19 Market Place Durham DH1 3NL

DM/25/02602/FPA | Change of use of the upper floors to create a 5-bed HMO (use class C4) and alteration to shop front to create separate access to HMO | 13 - 15 Silver Street Durham DH1 3RB

DM/25/02384/FPA | Installation of a garden shed to store garden tools and potting shed to house tender young plants before planting out and general gardening work. This part of the initial development of our community garden | Lowes Barn Community Centre Park House Road Durham DH1 3QF

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

17th October 2025 at 10:00am via Zoom

31st 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 19th September 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), Dr Francis Whalley, Ms Janet George, Mr Allan Gemmill and Mr John Ashby (members of the public).

1. Welcome and apologies

None received.

2. To receive any declarations of interest from members

Councillor L Brown declared an interest in all applications applicable to the Dunelm Garage site at Darlington Road Durham (DH1 4PE) and took no part in the discussion or vote on these matters.

3. To receive and approve as a correct record the minutes of the meeting held on 25th July 2025

The minutes of the meeting held on 25th 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.

Dr Francis Whalley advised that he was attending the meeting with a general interest in all agenda items.

Ms Janet George advised that she was attending the meeting to hear the discussion in relation to application DM/25/02401/LB.

Mr Allan Gemmill advised that he was attending the meeting with a general interest in all agenda items.

Mr John Ashby advised that he was attending the meeting to hear the discussion in relation to application DM/25/01503/VOC.

5. Update on the proposed Article 4 Direction relating to the removal of front gardens for additional in-curtilage parking

The Clerk provided an update on the proposed Article 4 Direction relating to the removal of front gardens for additional in-curtilage parking. He explained that the Council had engaged Jo-Anne Garrick who was producing the Article 4 Direction to remove the permitted development right to get rid of front gardens.

When the Council launched a public consultation on where and how extensive the problem was, many people welcomed this piece of work. The Clerk advised that Jo-Anne was still working on the report, and the Council was awaiting it with anticipation, as it was expected to provide good evidence to support the Article 4

Direction. The Chair thanked the Clerk for the update and asked if there were any questions, to which there were none.

6. Update following the joint meeting with HMO licensing/ Planning on licensed HMOs and their planning consent

The Chair and Clerk took the opportunity to thank planning and HMO licensing colleagues at DCC for their time, but agreed that the meeting was not as productive as hoped.

The Clerk explained that the research conducted by John Ashby and Allan Gemmill had revealed that 69% of all licensed HMOs in the area did not appear to have any formal planning permission or subsequent certificate of lawful use. The Clerk further elaborated that the meeting had raised several pertinent questions, such as whether HMO licensing considers planning permission prior to issuing a license (which they do not), and the timelines for correcting any breaches of licensing conditions, which were left to the discretion of the officers.

The Clerk also mentioned that the possibility of increasing the mandatory license fee was discussed, as the HMO licensing team was severely under-resourced.

The Chair and the Clerk both expressed their disappointment with the outcome of the meeting, acknowledging the ongoing challenges in addressing the issues surrounding HMOs in the area.

7. Matters arising:

(a) To consider the latest updates on the following planning / licensing application(s)/ appeal(s):

DM/25/01503/VOC | Variation of condition 2 (approved plans) pursuant to planning permission DM/21/04095/LB to allow the use of flat capping and an increase in height. (amended description) | Leazes Cottage Leazes Place Durham DH1 1RE.

The Clerk reported that he understood that some positive discussions have taken place with the neighbours on this proposal and Mr John Ashby confirmed this to be the case. In light of this new information, Members **agreed** to request a new set of plans to reflect the proposed changes and, in the meantime, to suspend the Parish Council's call-in request for a period of two months.

DM/25/01525/VOC | Removal of condition 12 (lift provisions) pursuant to planning permission DM/18/03487/VOC | The Riverwalk Millburngate Durham DH1 4SL

Members considered the outcome of the meeting with the owners of Riverwalk regarding this ongoing application and agreed to hold firm on the view that the applicant should be required to fulfil the original planning condition and provide the lift, as it was a crucial accessibility feature.

Councillors felt that the arguments advanced by the applicant were not justified in this case. Members **agreed** to notify the officer of this update.

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

DM/24/02806/FPA | Change of use of first floor offices to residential flat (Use Class C3) | 37 North Road Durham DH1 4SE. Members **noted** that this application had now been approved with the requested condition that the number of occupants be limited to one person only.

DM/25/00643/FPA | Two storey side, rear and front extensions and demolition of garage. Alterations to garden | 7 Diamond Terrace Durham DH1 5SX. Members **noted** that this application had been refused.

DM/25/02306/FPA | Change of use from dwellinghouse (Use Class C3) to a 4-bedroom small House in Multiple Occupation (Use Class C4) | 76 Illingworth Grove Durham DH1 3BL. Members **noted** that this application had been withdrawn by the applicant.

New Premises Licence Application for 5A North Road. Durham. DH1 4SH. Members **noted** that this application had been approved by DCC's Licensing Sub-Committee with a string of conditions around the opening hours, operating schedule and alcohol/ hot food sales. Members took the opportunity to thank Councillor L Brown for representing the Parish Council as well as the Police, Mr Roger Cornwell (CCP) and Mr and Mrs Priestley (local residents) for making the case for further restrictions.

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

a) To note:

DM/25/02362/TPO | T146. Willow - Pollard to 6m T162. Sycamore - Remove major deadwood T483. Beech - Reduce limb to 1m stub, reduce limb to branch closest to stem | Car Park University Hospital Of North Durham North Road Durham DH1 5TW. It was **agreed** to note this application.

DM/25/02367/TPO | Various tree works | Woodland at St Leonards Catholic School North End Durham DH1 4NG. It was **agreed** to note this application.

DM/25/02453/TPO | Various tree works to G1 and G2 as described within the Arboricultural Management Report dated 3rd September 2025 | Land West Of 6 And 8 Blaidwood Drive Durham DH1 3TD. It was **agreed** to note this application.

b) To discuss:

25/00033/ENF | Appeal against Operational Development Enforcement Notice dated 10 July 2025 - relating to re-roofing and replacement windows | 30 May Street Durham DH1 4EN. It was **agreed** that the Parish Council should request that this appeal - and the associated appeal for the same application site - should be dismissed. It was **agreed** that Councillor R Cornwell would draft the objection letter to this proposal.

DM/25/02307/FPA | Creation of an 8-bedroom HMO by enlarging and extending existing HMO, including change of use of vacant café | 19 And 19A Silver Street Durham DH1 3RB. It was **agreed** to object to this application. It was **agreed** that Jo-Anne Garrick should be asked to draft the objection letter to this proposal.

DM/25/02345/LB | Replacement of all windows and internal alterations | 26 Old Elvet Durham DH1 3HY. It was **agreed** to object to this application. The Clerk **agreed** to draft the objection letter to this proposal.

DM/25/02401/LB | Convert existing house into 4 flats, internal alterations to all floors, removal of one external rear door and demolition of external outhouses to rear garden. Installation of 2 conservation area rooflights to rear first floor roof | 56 Claypath Durham DH1 1QS. In agreeing to note this application, the Committee also **agreed** that a note to the officer highlighting the significance of this property and therefore the importance of the works being proposed and undertaken were of significant importance also. Councillor G Holland **agreed** to draft a note to this end for the officer.

DM/25/02344/FPA | Change of use from seminar and lecture rooms (use class F1) to dwellinghouse (C3) | 26 Old Elvet Durham DH1 3HY. It was **agreed** to object to this application. The Clerk **agreed** to draft the objection letter to this proposal.

DM/25/02470/FPA | Shopfront alterations and installation of external plant equipment to north elevation consisting of 2 no extraction grills and AC condenser | Dunelm Garage Darlington Road Durham DH1 4PE. Members assessed this application in the context of application DM/25/02009/FPA and **agreed** to object to the overall proposal for the site. It was **agreed** that Jo-Anne Garrick should be asked to draft the objection letter to this proposal.

DM/25/02471/AD | One internally illuminated fascia sign and one internally illuminated projecting sign | Dunelm Garage Darlington Road Durham DH1 4PE. It was **agreed** to note this application.

9. To consider the following new licensing application(s) within the parish area:

- **Minor variation of a premises licence for Katie O'Briens Unit 3, Freemans Place. Durham. DH1 1SQ.** It was **agreed** to note this application.

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

3rd October 2025 at 10:00am via Zoom
17th October 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
(3rd October 2025)