

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 22nd March 2024

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

Also present: Mr A Shanley (Parish Clerk), Mr Mike McNally, Mr Chris Courtney, Mr John Lowe, Mr Roger Cornwell, Mr Allan Gemmill and Mr Jimmy Llewellyn (members of the public).

1. Welcome and apologies

None received.

2. To receive any declarations of interest from members

Councillor S Walker declared an interest in application DM/23/03233/FPA and took no part in the discussion or vote on this application.

3. To receive and approve as a correct record the minutes of the meeting held on 8th March 2024

The minutes of the meeting held on 8th March were unanimously **agreed** as a true and accurate record of proceedings.

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

Mr Mike McNally advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00539/FPA.

Mr Chris Courtney advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00455/FPA.

Mr John Lowe 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.

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

Mr Jimmy Llewellyn advised that he was attending the meeting to hear and contribute to the discussions on application DM/24/00009/FPA.

5. DCC Statement of Licensing Policy review 2024-2029 consultation

The Clerk highlighted that the Planning and Licensing Committee had now agreed to hold a weekly working group meeting on Mondays each week – though not set in stone – in order to properly review the existing Statement of Licensing Policy.

The Clerk particularly highlighted the forthcoming meeting to be held on 28th March with DCC licensing officers, in order to discuss the three areas they would particularly like to focus on in the new policy.

Members **agreed** to continue with this working group and to make every effort to engage with partners ahead of a discussion with Nicola Allan.

6. Matters arising:

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

DM/24/00149/FPA | Construction of purpose-built student accommodation (Sui Generis) with associated car and cycle parking, pedestrian infrastructure and landscaping. | Land To The North West Of Melbury Court Old Dryburn Way Durham DH1 5SE. Members **approved** the response to this application.

Letter to Inspectorate re: **DM/23/00241/FPA** | Change of use from 6 bed dwellinghouse to 2no. 2 bed flats. (amended description 09.02.2023) | 24 Nevilledale Terrace Durham DH1 4QG. The Clerk advised that he would be drafting this letter in the coming days.

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

DM/23/03233/FPA | To extend car park | St Cuthberts Hospice Park House Road Durham DH1 3QF. Councillor C Lattin and the Clerk advised that they had had a positive meeting with the hospice on this application. Councillor C Lattin highlighted that the hospice recognised this issue and had offered to switch to lower wattage bulbs, a different (less intrusive) colour of light and also to provide additional screening to the roof of each light to ensure the light was pointed downwards towards the car park. The Committee felt that these actions would be sufficient to address their concerns about light pollution in this area and **agreed** to note this application.

DM/24/00009/FPA | Demolition of existing dwelling and construction of new dwelling | 5 Valeside Durham DH1 4RF. The Clerk updated the Committee that a sustainability statement and new ecology documents had now been uploaded and circulated to Members from the applicant. The Committee considered these documents and **agreed**, subject to DCC ecology's response on this, with particular reference to the non-requirement for mitigation measures and biodiversity net gain being satisfied, to withdraw the objection and call-in request.

(c) To consider the outcome(s) of the following planning/licensing applications/ appeals:

Appeal for DM/23/01237/FPA | Change of use from five bed dwellinghouse to seven bed HMO (sui generis). | 41 Fieldhouse Lane Durham DH1 4LT. The Committee **noted** that this appeal had now been allowed by the Inspectorate.

DM/23/02758/FPA | Erection of single storey dwellinghouse | 164A Gilesgate Durham DH1 1QH. The Committee **noted** that this application has now been withdrawn by the applicant.

DM/23/02224/FPA | Replacement of windows to front elevation with sliding sash timber windows to match existing, replacement of timber windows to rear with UPVC and the insertion of two no. rooflights to the rear (part retrospective). (Amended description 08.02.2024) | 4 Nevilledale Terrace Durham DH1 4QG. The Committee **noted** that this application had now been approved.

DM/23/01661/FPA | Demolition of existing buildings and construction of 9 small House in Multiple Occupation (HMO) dwellings (use class C4) and 1 large HMO (use class sui generis) in three blocks. | Rowanwood Clay Lane Durham DH1 4QL. The Committee **noted** that this application has now been withdrawn by the applicant.

In view of the recent appeal decisions on HMO applications in the Neville's Cross part of the parish and ongoing concerns from Members, it was **agreed** that the Chair and Councillor J Ashby should draft a letter to the Head of Planning at DCC to seek a meeting to discuss how each body approaches these appeals going forwards.

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

a) To note:

DM/24/00549/FPA | Extension and replacement of balcony | 19 Archery Rise Durham DH1 4LA. It was **agreed** to note this application.

DM/24/00571/TPO | T17 and T18 - Ash - Removal of previously pollarded trees along the southern boundary and replace with 2no. 14-16cm girth Fagus Sylvatica trees, and an addition 4no. 12-14cm girth Capinus Betulus trees and 4.no 12-14cm girth Prunus X Yedoensis trees to be planted along the Potters Bank boundary | 1 Almoners Barn Durham DH1 3TZ. It was **agreed** to note this application.

DM/24/00490/AD | Retention of 1 no. externally illuminated hanging sign | 69 Claypath Durham DH1 1QT. It was **agreed** to note this application.

DM/23/03790/LB | Replace English oak lintels that have decayed with like for like. | 2 Owengate Durham DH1 3HB. It was **agreed** to note this application.

DM/24/00650/FPA | Extensions to front, side and rear and associated internal alterations and landscape alterations. | Cartref Hillcrest Durham DH1 1RB. It was **agreed** to note this application.

DM/24/00596/FPA | Proposed renovation of 6no. existing sliding sash windows | 4 Albert Street Durham DH1 4RL. It was **agreed** to note this application.

b) To discuss:

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. It was **agreed** to object to this application and also call it into Committee. The Clerk **agreed** to draft the objection letter response to this application.

DM/24/00455/FPA | Change of use from C3 dwellinghouse to C4 small house in multiple occupation (HMO) | 11 Baliol Square Durham DH1 3QH. It

was **agreed** to object to this application. The Clerk **agreed** to draft the objection letter response to this application.

DM/24/00526/FPA | Reconfiguration of first and second floor to retain 2no 6-bedroom HMO and create 2no 2-bedroom wheelchair accessible flats. External alterations to residential entrance and windows. | 19 North Road Durham DH1 4SG. It was **agreed** to note this application.

DM/24/00586/VOC | Variation of condition 10 pursuant to permission DM/20/01107/FPA for the erection of a house in multiple occupation, to allow the first-floor en suite window within the north side elevation to be fitted with opening restrictor | Saffron House Newcastle Road Crossgate Moor DH1 4HZ. It was **agreed** to object to this application and also call it into Committee. The Clerk **agreed** to draft the objection letter response to this application.

8. To consider the new licensing application(s) within the City of Durham parish area:

- Application for the grant of a premises licence by Mr Wenfeng Du for Dingsway Sushi. 5 Neville Street. Durham. DH1 4EY. It was **agreed** to note this application.
- Application to vary a premises licence by Star Pubs and Bars Limited for The Big Jug. Claypath. Durham. DH1 1RG. It was **agreed** to object to this application under the objective of preventing a public nuisance.
- Application for the grant of a premises licence by Innspired Leisure (Durham) Limited for Bohemia, Unit 3 Freemans Place Durham DH1 1SQ. It was **agreed** to note this application.

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

5th April 2024
19th April 2024
3rd May 2024

There being no further business, the Chair thanked all attendees for their attendance and contributions and closed the meeting.

Signed,

G. Holland

**Chair of the City of Durham Parish Council Planning and Licensing Committee
(5th April 2024)**