

City of Durham Parish Council

Minutes of the Planning and Licensing Committee meeting held via Zoom at 12:00pm on Friday 13th December 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 Mr John Lowe and Dr Francis Whalley (members of the public) and Mr Peter Jackson (The Mugwump).

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 29th November 2024

The minutes of the meeting held on 29th 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.

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 Peter Jackson advised that he was attending the meeting as a representative of The Mugwump on Saddler Street and to raise concerns over the proposed new Traffic Regulation Order relating to the Road User Charging Scheme (reference 5175164).

Peter raised concerns over the proposed increase from £2 to £5 and advised that this could have a detrimental impact on The Mugwump and other retail businesses in the City. Peter advised that retail premises were already being taken over as licensed premises and did not need the additional pressure of this added charge.

Peter advised that he felt that the Parish Council should lobby the County Council to try and make national freight delivery wagons exempt from the charge. Peter highlighted the difficulties which The Mugwump experiences already with receiving deliveries from online orders.

The Chair highlighted that the time of the charging period will be changing but up till 2am where retail businesses are unlikely to be receiving online deliveries. Peter

advised that there were occasions when the Mugwump receives online deliveries at this time.

The Clerk highlighted that the Parish Council has been lobbying for tougher regulations to address the issue of displaced and unlawful car parking in the City's historic core, particularly at Saddler Street, Elvet Bridge and the Market Place.

The Clerk expressed concerns at the way in which the charge would be applied and felt that this would not go far enough to address this problem. The Clerk highlighted that the Local Highways Authority is presently proposing a situation whereby, upon payment of this one-off charge, a vehicle can have full unfettered access to our Peninsular right the way up to the Cathedral doors almost. This will simply be ineffective in addressing the main issue that residents regularly contact us about, namely the constant to-ing and fro-ing of delivery vehicles in and out of the peninsular.

The Clerk advised that, allowing unlimited re-entry for a single daily charge, as is presently the case, will only incentivise frequent trips; negating the scheme's aims of reducing vehicles and improving air quality. This was unanimously **agreed** by the Committee and it was agreed that the Parish Council should respond to the TRO consultation in those terms.

The Committee also **agreed** to invite the Parish Council's Business Committee to look at this alongside businesses such as The Mugwump and perhaps address concerns outside of the TRO consultation process, given the tight timeframe in which to respond to this.

Peter thanked the Committee for its time and left the meeting at this stage.

5. Further consideration of the Planning and Licensing Committee's draft budget proposal for 2025/26

The Clerk highlighted the discussion from the last meeting of the Committee on its budget proposals for 2025/26 and specifically projects to support the evening economy.

The Clerk presented the proposals circulated prior to the meeting and advised that the current budget allocation for this priority stands at £600, with potential for additional projects discussed.

Councillor Esther Ashby emphasised the need to focus on supporting the evening economy through proactive initiatives rather than reactive measures to licensing applications. Key suggestions included:

- Designing and distributing coasters to promote thoughtful behaviour among patrons.
- Establishing a "quiet departure" accreditation for businesses that encourage considerate behaviour from patrons.
- Investigating the use of noise monitoring equipment for evidence-based action against noise pollution.

Councillor Susan Walker expressed strong support for the noise monitoring proposal, highlighting its importance for building evidence to address persistent issues. In relation to the proposal relating to A-boards on the paper presented, Councillor Walker also noted concerns about A-boards and

It was **agreed** that the Clerk should research costs for deployable noise monitoring equipment for potential inclusion in the budget and report to the forthcoming Finance Committee for inclusion within the Council's budget for 2025/26.

The Chair thanked Councillor E Ashby for her excellent work on this key priority for the Committee.

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 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 **approved** its response to this application.

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. The Committee **approved** its response to this application.

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. The Committee **approved** its response to this appeal.

(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. The Committee took the opportunity to thank Councillor J Ashby for his additional response to this application; highlighting the Committee's general concerns about the impact of this proposal on the parkland setting of the site, the deviation from the masterplan and the assurance needed for heat capture from the site. The Chair confirmed that he would represent the Parish Council at the hearing on 10th January and would be putting this case to the County Planning Committee.

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 took the opportunity to thank Councillor J Ashby for his additional response to this application; highlighting the Committee's general concerns about the impact of this proposal on the parkland setting of the site, the deviation from the masterplan

and the assurance needed for heat capture from the site. The Chair confirmed that he would represent the Parish Council at the hearing on 10th January and would be putting this case to the County Planning Committee.

DM/23/01237/FPA | Change of use from five bed dwellinghouse to seven bed HMO (sui generis). | 41 Fieldhouse Lane Durham DH1 4LT. The Chair highlighted that he had received correspondence that this property has now become occupied, in spite of the Conditions attached to the approval (Conditions 2,4,6 and 8 specifically) which had not yet been discharged pre-occupation. The Clerk advised that he is pursuing the matter via planning enforcement alongside the resident.

(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. The Committee **noted** that this application has now been approved.

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

DM/24/02949/FPA | Installation of air source heat pump to rear | 10 Springwell Road Durham DH1 4LR. It was **agreed** to note this application.

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

DM/24/03069/AD | Installation of 1no. internally illuminated timber fascia sign | 21 Market Place Durham DH1 3NJ. It was **agreed** to note this application.

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

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

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. The Committee **agreed** that the property has been occupied as an unlicensed HMO for some time based on the evidence submitted. As such, it was **agreed** to write to the HMO licensing team seeking their action on this matter and request that the HMO licence charge be applied retrospectively.

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. It was **agreed** to note this TRO consultation.

The County Council of Durham (Durham City, Market Place) (No Entry) Order 2024 – reference 5173664. It was **agreed** to note this TRO consultation.

The County Council of Durham (Durham City) (Road User Charging Scheme) Order 2014 (Amendment No.1) Order 2024 – reference 5175164. It was **agreed** to respond to this TRO consultation seeking an amendment that the Road User Charge be applied each time a vehicle accesses the charging zone as opposed to only applying once for a 24-hour period.

The County Council of Durham (Durham City South West) (Parking and Waiting Restrictions) Consolidation No.1 Order 2021 (Amendment No.1) Order 2024. It was **agreed** to note this TRO consultation.

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

10th January 2025
24th January 2025
7th February 2025

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
(10th January 2025)**