

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 Bladwood 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.

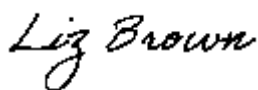
10. Dates of future meeting(s) of this Committee:

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)