

City of Durham Parish Council

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12th September 2022

Access details for the Planning and Licensing Committee:

Join Zoom Meeting
<https://us02web.zoom.us/j/89591080765>
Meeting ID: 895 9108 0765

Dear Planning and Licensing Committee Member,

In accordance with the Local Government Act 1972, I hereby give you notice that a meeting of the **Planning and Licensing Committee** will be held in **via Zoom** on **Friday 16th September 2022 at 14:00pm** to transact the following business:

- 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 2nd September 2022**
- 4. To receive any public participation comments on the following agenda items.** Please email the Parish Clerk parishclerk@cityofdurham-pc.gov.uk to register to speak.
- 5. To discuss the latest updates on the applications DM/21/03574/OUT and DM/21/02360/FPA for the Snipereley Park development** – to include the response documents to both appeals.
- 6. Matters arising:**
 - (a) To approve the responses to the following planning and/or licensing application(s) and appeal(s):**
 - DM/22/02042/AD** | 2no internally illuminated fascia sign, 1no internally illuminated lightbox, 1no externally illuminated projecting sign, 1no neon behind shopfront with timber fascia band | 37 - 38 Silver Street Durham DH1 3RD
 - DM/22/02364/FPA** | Change from dwellinghouse (C3) to small house in multiple occupation (C4) including two storey and single storey extensions | 1 St Monica Grove Crossgate Moor Durham DH1 4AS
 - DM/22/00369/FPA** | Change of use from C3 to C4 | 24 Nevilledale Terrace Durham DH1 4QG.
 - DM/22/01650/FPA** | Change of use from 6 bed C4 to 10 bed Sui Generis HMO with single storey rear extension | 1 Larches Road Durham DH1 4NL.

(b) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):

DM/22/01418/FPA | Change of use from 5 bedroom (house in multiple occupation HMO (use class C4) to 7 bedroom HMO (Use class sui generis) including demolition of existing two-storey extension and creation of part two-storey/part single-storey extension at rear. | 14 Mowbray Street Durham DH1 4BH.

(c) Update on recent licensing applications within the parish area.

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

a) To note:

DM/22/01050/CEU | Application for a Lawful Development Certificate for change of use of C3 Dwellinghouse to C4 HMO prior to the Article 4 Direction coming into force | 7 Homer Terrace Nevilles Cross Bank Durham DH1 4JT

DM/22/01085/CEU | Application for a Lawful Development Certificate for change of use of C3 Dwellinghouse to C4 HMO prior to the Article 4 Direction coming into force | 6 Homer Terrace Nevilles Cross Bank Durham DH1 4JT

DM/22/02096/FPA | Existing timber external steps to be replaced with modular steel staircase | Hill Island Brewery Unit 7 Fowlers Yard Durham DH1 3RA

DM/22/02085/CEU | Certificate of lawful use application for the change of use of C3 Dwellinghouse to C4 House in Multiple Occupation. | 14 Atherton Street Durham DH1 4DF

DM/22/02086/CEU | Application for a Lawful Development Certificate for change of use of C3 Dwellinghouse to C4 HMO prior to the Article 4 Direction coming into force | 54 Hawthorn Terrace Durham DH1 4EQ

DM/22/02087/CEU | Certificate of lawful use application for the change of use of C3 Dwellinghouse to C4 House in Multiple Occupation. | 27 Atherton Street Durham DH1 4DF

DM/22/02373/FPA | Use of current school admin building as a multi-use sports pavilion, entertainment suite and office space including fenestration changes, canopy, balcony, ramped access and footpath. | Durham School Quarryheads Lane Durham DH1 4SZ

DM/22/02463/LB | Replacement windows and doors to front and render repairs | 10 South Bailey Durham DH1 3EE

DM/22/02575/LB | Repair works to masonry on north elevation of north range of Durham Castle | University College Durham Castle Palace Green Durham DH1 3RW

b) To discuss:

DM/22/02266/FPA | Siting of temporary teaching accommodation (3 year period). | Car Parking Land Territorial Lane Durham DH1 3HJ.

DM/22/02388/FPA | Erection of a two storey Emergency Department and surface car parking with associated demolition of Dryburn House and other existing outbuildings. | University Hospital Of North Durham North Road Durham DH1 5TW.

DM/22/02285/LB | Demolition of Dryburn House, a Grade II Listed Building | Dryburn Hall Doctors Residence University Hospital Of North Durham North Road Durham DH1 5TW

DM/22/02404/AD | Replacement of advertisements to include 2 no. internally illuminated fascia signs, 2 no. non illuminated fascia signs, and 1 no. non-illuminated projecting sign. | 16 The Riverwalk Millburngate Durham DH1 4SL

DM/22/02488/FPA | Dormer window to rear | 16 May Street Durham DH1 4EN

DM/22/02489/FPA | Dormer window to rear | 43 Hawthorn Terrace Durham DH1 4EL

DM/22/02485/FPA | Change of use of public open space to external seating area, including erection of timber pergola and fixed planters. | The Slug And Lettuce Unit 7 Freemans Place Durham DH1 1SQ

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

Kitts Pool Room Limited	Kitts Pool Room 38B Riverwalk Durham DH1 4SL	<p>Application for the grant of a premises licence</p> <p>Indoor Sporting Events Sunday to Thursday 11.00am to 1.00am, Friday and Saturday 11.00am to 2.00am, New Year's Eve 11.00am to 2.00am</p> <p>Boxing or wrestling entertainment (indoors) Sunday to Thursday 11.00am to 1.00am, Friday and Saturday 11.00am to 2.00am, New Year's Eve 11.00am to 2.00am</p> <p>Live music (indoors) Monday to Sunday 6.00pm to 11.00pm, New Year's Eve 11.00am to midnight</p> <p>Recorded music (indoors and outdoors) Sunday to Thursday 11.00am to 1.00am, Friday and Saturday 11.00am to 2.00am, New Year's Eve 11.00am to 2.00am</p> <p>Late night refreshment (indoors and outdoors) Sunday to Thursday 11.00pm to 1.00am, Friday and Saturday 11.00pm to 2.00am, New Year's Eve 11.00pm to 2.00am</p> <p>Sale of alcohol (on and off the premises) Sunday to Thursday 11.00am to 1.00am, Friday and Saturday 11.00am to 2.00am, New Year's Eve 11.00am to 2.00am</p>	6 October 2022
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9. Considering the alternatives to the cumulative impact policy for Durham City proposal

And, pursuant to the provisions of the above-named Act, I Hereby Summon You to attend the said meeting.

Adam Shanley
Clerk to the City of Durham Parish Council

City of Durham Parish Council

Minutes of Planning Committee meeting held via Zoom at 14:00pm on Friday 2nd September 2022

Present: Cllr G Holland (in the Chair), Cllr E Ashby, Cllr C Lattin and Cllr S Walker.

Also present: A Shanley (Parish Clerk), Mr John Scott, Mr John Ashby and Mr Roger Cornwell (members of the public), Professor Jon Gluyas (Durham Energy Institute), Mr Iain Carr and Mr Joe Hill (Kensa Engineering).

1. Welcome and apologies

Apologies were received from Cllrs V Ashfield and R Ormerod.

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 19th August 2022

The minutes of the meeting held on 19th August 2022 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 Scott advised that he was attending the meeting to hear discussions on application DM/22/02364/FPA.

Mr John Ashby 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 Iain Carr advised that he was attending the meeting to contribute to discussions on item 5 of the Agenda.

Mr Joe Hill advised that he was attending the meeting to contribute to discussions on item 5 of the Agenda.

Professor Jon Gluyas advised that he was attending the meeting to contribute to discussions on item 5 of the Agenda.

5. To discuss the latest updates on applications DM/21/03574/OUT and DM/21/02360/FPA for the Sniperley Park development

The Committee noted that both applications DM/21/03574/OUT and DM/21/02360/FPA were scheduled to go to the County Planning Committee on 6th September 2022. The Chair presented the case he would be putting to the County Planning Committee on both applications to the Committee.

The Committee **agreed** to support the Chair's case and the officer's recommendation as being "minded to refuse" in both cases.

The Chair welcomed Mr Iain Carr and Mr Joe Hill to the meeting. The Chair advised that Iain and Joe were specifically attending the meeting today to discuss the ground source heat element of the Sniperley Park developments.

Joe set out in detail how ground source heat pumps work on new developments.

Joe advised that Kensa Engineering has a slightly different method of working. Joe advised that Kensa's approach is much more innovative and involves a bore hole with a separate heat pump for each dwelling. Joe advised that the heat pumps by Kensa have a 300% efficiency and the temperature from the ground is captured at approximately 10 degrees Celsius.

Joe advised that, once installed, the piping will last for approximately 100 years. Joe also advised that this type of piping is also planning exempt so long as it sits within the curtilage of the property.

Joe advised that this energy source is the future of energy, providing a carbon-free option for households.

The Chair asked how easily solar power could be used (twinned) with ground source energy. Joe advised that this can be easily delivered and would save the consumer a further 7% on energy consumption through non-renewables and therefore bills.

Professor Jon Gluyas advised that batteries on the market at present were unable to capture and store solar power drawn from the summer months for use during the winter months.

Jon advised that underfloor heating – as opposed to wall-mounted radiators – is also an option which should be explored.

Cllr S Walker asked how environmentally and ecologically friendly heating up the ground would be. Joe advised that the increase in temperature was within legal limits and would have minimal impact on local wildlife.

The Chair thanked Joe and Iain for their excellent presentation. At this point, Joe and Iain left the meeting.

The Committee noted that approximately 3 weeks remained in order for the Committee to submit a response to the appeals to these applications. It was **agreed** that Jo-Anne be asked to draft the formal submissions to the Inspectorate on these appeals.

6. Matters arising:

(d) To approve the responses to the following planning and/or licensing application(s) and appeal(s):

DM/22/02224/AD | Erection and display of 5no illuminated fascia signs, 3no non-illuminated fascia signs, 2no projecting signs, 4no neon window graphics and 3no window graphics | 22 The Riverwalk Millburngate Durham DH1 4SL. The Committee **approved** the response to this application.

DM/22/02292/VOC | Variation of condition 2 of planning permission 4/99/00534/FPA to allow a change in opening hours to allow 24 hours opening for the amusements. | 5 North Road Durham DH1 4SH. The Committee **approved** the response to this application.

(e) To consider the outcome of the following planning and licensing application(s) and/or appeal(s):

DM/22/00229/AD | Erection and Display of 3 no illuminated fascia signs | 17 - 18 The Riverwalk Millburngate Durham DH1 4SL. The Committee noted that this application had now been approved, albeit with a much reduced luminance level (as the Parish Council and Environmental Health had requested) but with one additional sign to the *Estabulo* premises. The Committee expressed its disappointment that the Parish Council had not been re-consulted on this material amendment to the application.

(f) To consider the latest update(s) to the following planning application(s):

DM/22/00369/FPA | Change of use from C3 to C4 | 24 Nevilledale Terrace Durham DH1 4QG. The Committee noted that the refusal of this application was now being appealed by the developer. The Committee **agreed** to maintain its original objection to the scheme and submit a follow-up rebuttal to the appeal. The Clerk **agreed** to draft the response to this appeal.

DM/22/01650/FPA | Change of use from 6 bed C4 to 10 bed Sui Generis HMO with single storey rear extension | 1 Larches Road Durham DH1 4NL. The Committee noted the amendments to this application and that the application is now going to the Central and East Area County Planning Committee. It was **agreed** to maintain an objection to this application. Cllr G Holland **agreed** to draft the response to this application.

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

c) To note:

DM/22/02286/FPA | Installation of new shop front. | 82 New Elvet Durham DH1 3AQ. The Committee **agreed** to note this application.

DM/22/02287/AD | Display of non-illuminated individual lettering to front elevation. | 82 New Elvet Durham DH1 3AQ. The Committee **agreed** to note this application.

DM/22/02387/TPO | Felling and removal of 1no holly, 2no maple and 3no sycamore and replaced by hazel trees | Shaw Wood Waddington Street Durham. The Committee **agreed** to note this application.

DM/22/01455/LB | Replace first floor bay window to the front of the property and repaint underneath to match existing windows | 4 Leazes Place Durham DH1 1RE. The Committee **agreed** to note this application.

DM/22/02449/FPA | Single-storey front extension | 10 Lowes Court The Downs Durham DH1 4NR. The Committee **agreed** to note this application.

DM/22/02502/FPA | Rebuild roof and raise hip | 32 Springwell Road Durham DH1 4LR. The Committee **agreed** to note this application. In noting the application, the Committee also **agreed** to check if building control were content with this scheme.

d) To discuss:

DM/22/02042/AD | 2no internally illuminated fascia sign, 1no internally illuminated lightbox, 1no externally illuminated projecting sign, 1no neon behind shopfront with timber fascia band | 37 - 38 Silver Street Durham DH1 3RD. It was **agreed** to object to this application. Cllr E Ashby **agreed** to draft the response to this application.

DM/22/02266/FPA | Siting of temporary teaching accommodation (3 year period). | Car Parking Land Territorial Lane Durham DH1 3HJ. It was **agreed** that this application should be put on the next Agenda, during which time, it was hoped that the response from the Environment Agency to the scheme would be submitted.

DM/22/02371/FPA | Single storey side and rear extensions linking detached garage to dwelling, pitched roof to existing rear two storey extension, alterations to and installation of new windows, removal of rear external staircase, 2no dormer windows and install flue (Revised and Resubmitted of DM/22/00502/FPA) | Aidan House Elvet Moor Durham DH1 3PR. It was **agreed** to note this application.

DM/22/02364/FPA | Change from dwellinghouse (C3) to small house in multiple occupation (C4) including two storey and single storey extensions | 1 St Monica Grove Crossgate Moor Durham DH1 4AS. It was **agreed** to object to this application and also to call this application in to the Central and East Area County Planning Committee. Cllr S Walker **agreed** to draft the response to this application.

DM/22/02388/FPA | Erection of a two storey Emergency Department and surface car parking with associated demolition of Dryburn House and other existing outbuildings. | University Hospital Of North Durham North Road Durham DH1 5TW. It was **agreed** that this application should be put on the next Agenda so that the recently submitted Listed Building application relating to this site may be considered in conjunction with one another.

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

Application for the grant of a premises licence by Durham Ginstitute for 9 Silver Street Durham. DH1 3RB.

Cllr E Ashby raised a number of queries relating to the CCTV, emergency exit, point of sale, capacity and use (primarily retail or bar) of this premises. It was **agreed** that the Clerk should put these queries to the applicant and seek clarification of these points.

9. Progressing the cumulative impact policy for Durham City proposal

The Committee noted that this proposal had been on the Agenda for some time now without movement. The Clerk highlighted the resistance from DCC to this proposal and that he was still awaiting a response to several emails to the Police about this.

Cllr E Ashby highlighted the information circulated by the Clerk some weeks ago regarding the alternatives to CIP which a London Borough had recently introduced. Cllr E Ashby suggested and it was **agreed** that Members should consider these alternatives at the next meeting and agree which of these might be possible to suggest to DCC.

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
(16th September 2022)**