

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST)

At a Meeting of **Area Planning Committee (Central and East)** held in **Council Chamber, County Hall, Durham** on **Tuesday 10 December 2019** at **1.00 pm**

Present:

Councillor J Clark (Chair)

Members of the Committee:

Councillors A Bell (substitute for J Shuttleworth), D Brown, I Cochrane, B Coult, M Davinson, D Freeman, I Jewell (substitute for S Iveson), A Laing (Vice-Chair), R Manchester, L Pounder (substitute for K Corrigan), J Robinson and P Taylor

1 Apologies for Absence

Apologies for absence were received from Councillors K Corrigan, K Hawley, S Iveson and J Shuttleworth.

2 Substitute Members

Councillor L Pounder substituted for Councillor K Corrigan, Councillor I Jewell substituted for Councillor S Iveson, and Councillor A Bell substituted for Councillor J Shuttleworth.

3 Minutes

The minutes of the meeting held on 12 November 2019 were confirmed as a correct record by the Committee and signed by the Chair.

4 Declarations of Interest

The Chair, Councillor J Clark declared a prejudicial interest in item number 5a on the Agenda as a Board Member of the Believe Housing Values Group and confirmed that she would therefore leave the Chamber before the debate and deliberation of that application.

Councillor A Laing, Vice-Chair of the Committee explained she was a Local County Councillor in relation to Item 5a and wished to make representation on the item and therefore would speak as Local Member and then leave the Chamber before the debate and deliberation of that application.

Councillor D Freeman noted for clarity he was a Member of the City of Durham Parish Council, however, was not a member of their Planning Committee and had no input into their comments on Application 5b.

Councillor J Clark left the meeting at 1.04pm

5 Applications to be determined by the Area Planning Committee (Central and East)

The Solicitor – Planning and Development, Neil Carter asked for nominations for Chair for Item 5a.

Councillor A Laing proposed that Councillor M Davinson be elected Chair, she was seconded by Councillor J Robinson.

Resolved:

That Councillor M Davinson be elected Chair, for consideration of Item 5a.

Councillor M Davinson in the Chair

a DM/19/03217/FPA - 12 Hatfield Place, Peterlee

The Planning Officer, George Spurgeon, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Planning Officer, GS advised that Members of the Committee had visited the site and were familiar with the location and setting.

The application was a resubmission of DM/19/01057/FPA for new pitched roof to existing property, two storey extension and change of use of adjacent land from open space to private garden and was recommended for refusal.

The Planning Officer, GS referred to photographs showing three trees on the parcel of open space, two of which were within the application site. It was explained that the open space was part of a wider network of amenity open space, typical of the area.

He added that the applicant had offered to replace those two trees that would be removed as a consequence of construction works. Referring to elevations, the Planning Officer, GS noted red brick was proposed for the extension, with red concrete tiles to replace the existing shallow sloped roof, similar to a number of other roofs in the area.

The Planning Officer, GS noted that there had been no objections from the Highways Section, however, the Landscape and Tree Officers had both objected to the application, in terms of loss of open space and the loss of the trees. He added that as a consequence of the application an Emergency Tree Preservation Order (TPO) had been put in place to protect the three trees from the threat posed by the application. It was explained that the Tree Officer had noted the loss of the trees would impact upon the character of the area and amenity value. It was explained that the Ecology Section had raised objections, due to the loss of mature trees which would result in a net loss of biodiversity.

The Planning Officer, GS noted there had been no public responses in relation to the application.

The Committee were asked to note that Peterlee was a “New Town” and as such the various estates had been developed with large areas of open space, including areas with trees, as part of the overall design and character of the area. The Planning Officer, GS noted that the loss of open space was not considered sufficient to warrant refusal on that reason and noted the two-storey extension and roof were considered appropriate in terms of scale and design. He noted the concerns raised by Officers in terms of the loss of two trees in good condition and of high amenity value, covered by a TPO. He added that there had been insufficient justification in terms of the removal of the trees, with no arboricultural report having been submitted with the application. The Planning Officer, GS explained that it was therefore felt that the application was contrary to saved Policy 35 of the District of Easington Local Plan and was recommended to Committee for refusal.

The Chair thanked the Planning Officer, GS and asked Councillor A Laing to speak as Local Member.

Councillor A Laing thanked the Chair and Committee and noted that there had been no letters of objections from local residents. She added that the exact species of the trees was not known, the trees having been planted by either the former Easington District Council or Development Corporation for Peterlee New Town.

She noted that originally it had been acceptable to Planners for two trees to be removed and the third tree to be retained, then all three were placed under a TPO, seemingly to justify a refusal recommendation.

Councillor A Laing noted there were many packets of green spaces within the area around Hatfield Place and that the proposals by the applicant in terms of three trees running parallel to the footpath seemed to be more preferable than the existing layout. She added that the Council or Believe Housing appeared to have cut down ten or eleven trees in the area and noted that, if trees were too close to structures, they could undermine buildings. She explained that the National House Building Council guidance noted that with climate change these issues would become more prevalent. Councillor A Laing concluded by noting she would urge the Committee to approve the application.

The Chair thanked Councillor A Laing and asked the Principal Planning Officer, A Dobie to respond to the points raised.

The Principal Planning Officer noted that following the initial application being received the Tree Officer investigated further and determined that the trees were of sufficient quality to warrant a TPO, with a formal scoring process having been followed looking at tree condition, life expectancy and amenity value. He reiterated that the report set out that there was support in terms of the roof, extension and garden use, however, there was a recommendation for refusal based upon the loss of trees which were under a TPO. In relation to trees undermining buildings, he noted that while this may be possible, there had been no evidence from the applicant in this matter. The Principal Planning Officer noted the offer from the applicant in terms of replacement tree planting, however, added that the area on which the applicant wishes to plant trees was not owned by the applicant and also did not form part of the application site being considered. He noted that this would be a matter for the applicant and Believe Housing.

Councillor A Laing left the meeting at 1.20pm

The Chair thanked the Principal Planning Officer and asked Mr Darrell Harris, the applicant, to speak in support of his application.

Mr D Harris thanked the Committee for the opportunity to speak and noted he had been a builder for 24 years and in his experience tree roots, especially shallow ones, could undermine foundations of buildings. He noted the proximity of the trees to his property and added that with trees in their current location, the house would not have passed building control regulations.

Mr D Harris noted his application had the correct specification foundations and drains and he added that paving in the area was already lifting as a result of tree roots. He noted he would be happy to replace the trees as directed by the Tree Officer in order to help mitigate the loss of the trees. He reiterated previous comments that many trees had been felled in the surrounding area, in the nearby dene and town centre in addition. Mr D Harris explained that he also wished to extend his property so that it was more practical for his family and he did not wish to move as his current home was close by to his elderly parents, one of which had a disability. He added that being close to them was important and if required the extension would provide the opportunity for his parents to move in with him.

The Chair thanked Mr D Harris and asked the Principal Planning Officer for any comments.

The Principal Planning Officer noted that any trees that had been cut down in the area must not have been subject to TPOs, the trees in question themselves only attracting a TPO after the potential threat raised by the application.

The Chair thanked the Principal Planning Officer and asked the Committee for their comments and questions.

Councillor J Robinson asked for the side elevation photographs to be brought up on the projector screen. He referred to the photographs and noted in the context of the information as regards eleven trees felled in the area, and the remaining trees thereabouts, he did not feel there was a large issue. He noted much larger trees in his Electoral Division that did have TPOs which had been removed in order to accommodate applications. He added that the photographs as shown looked as if they showed damp at the bottom of the applicant's wall. He noted the Officer's report set out that the loss of open space was acceptable, and the design and scale of the roof and extension was also acceptable. He added that he felt if the refusal reason was based upon the issue of the trees on the site, the Tree Officer should have attended at Committee. He concluded by proposing that the application be approved.

Councillor I Jewell thanked the Planning Officer, GS for his presentation and the site visit organised for Committee Members earlier in the day. He added that he felt the recommendation was somewhat strange, given the support for the application within the report in terms being acceptable in relation to scale, design and loss of open space. He added that if the TPO was in addition to other reasons for refusal he could understand, however, with that being the only reason for refusal he felt the argument for refusal was weak.

Councillor I Jewell noted that while he was not an expert, looking at the trees on the site visit he did not consider them to be fine specimens and there was a large number of other trees in the area and therefore he felt that given this, and the offer in terms of replacement trees, he would support and second the proposal for approval.

Councillor A Bell noted he had been on various Planning Committees for ten years and it was the first time he had come across an “emergency TPO” and explained it did not sit comfortably with him, if trees required a TPO why would it not be in place before now. He added the applicant had noted the issue of potential undermining, with some evidence of this, and that as the trees seemed relatively young, there was potential for this to increase in the future. He also noted the issues raised by the applicant in terms of his extended family and therefore agreed with Councillors J Robinson and I Jewell in supporting the approval of the application.

Councillor D Freeman noted he disagreed with the Members that had spoken, he felt trees added to the amenity of the area, beneficial to residents. He noted comments as regards eleven trees already cut down in the area and explained that in that case it made more sense to retain those established trees that remained, with any proposed replacements unlikely to be as mature. He concluded noting he could not support approval of the application.

Councillor A Bell asked, should Councillors J Robinson and I Jewell feel acceptable as proposer and seconder, whether it would be possible to have some form of condition or advisory as regards the applicant entering into discussions with Believe Housing as regards replacement trees.

The Solicitor – Planning and Development noted that there was a motion for approval and asked if Members were saying they disagreed with the Officers in terms of the loss of those trees not being significant in terms of amenity. He added that the personal circumstances of the applicant, as mentioned by Councillor A Bell, were a material planning consideration which was for the Committee to afford weight as they saw fit. In relation to any condition as regards replacement trees, there may be an option in terms of a “Grampian condition”, a negatively worded condition that would require replacement trees to be undertaken prior to works commencing on site.

He explained that in this particular case that he understood the applicant did not own the land where the replacement trees were proposed and noted Members may wish to take a view based upon any discussions that may have taken place to date, to judge the likelihood of such replacement trees being agreed. He added that should the application be approved there would be a need for a suite of the usual conditions, such as time-limits for implementation.

The Chair asked if the applicant wished to respond in relation to any discussions that may have taken place. Mr D Harris noted he had not yet spoke to Believe Housing, however was happy to do so.

Councillor P Taylor noted the Committee did not have the authority to impose such replacement of trees. The Solicitor – Planning and Development noted that while it was not possible to impose, the suggestion was that a Grampian condition could be used to require the tree works as a pre-requisite to the development commencing. Councillor I Jewell asked as regards a condition in terms of replacing trees in the wider area to mitigate against the amenity and ecological loss. The Principal Planning Officer noted that the issue of land ownership would still remain and added that if such replacement planting was on the land adjoining the subject land there was still the potential for undermining as stated by the applicant.

Councillor A Bell noted in order to help progress the matter he would withdraw his suggestion in relation to a condition or advisory in relation to replacement trees.

The Principal Planning Officer noted as regards the usual standard conditions relating to such extension applications including: materials, plans, three-year time limit in terms of commencing works; and type of fencing.

RESOLVED

That the application be **APPROVED** subject to a suite of conditions the details of which to be delegated to the Planning Officer.

Councillors J Clark and A Laing entered the meeting at 1.40pm

Councillor J Clark in the Chair

b DM/19/03257/FPA - 32 Whinney Hill, Durham

The Planning Officer, Lisa Morina, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The application was for change of use from small HMO (Use Class C4) to 9 bed large HMO (Use Class Sui Generis) including erection of part two-storey/part single-storey extension to rear and was recommended for approval.

The Planning Officer, LM noted that the property was in the east of Durham City and within the Durham City Conservation Area. She explained that the property had previously had approval for a two-storey extension to the side with a flat roof. Members were shown proposed elevations and floorplans, and the Planning Officer, LM noted that the previous approval had commenced and therefore that application could be built out should the application before Committee be refused with up to six residents living therefore, however the change of use to nine would not be able to be implemented.

The Planning Officer, LM noted no objections from the Highway Section, Durham Constabulary, Environmental Health, HMO Officers or Design and Conservation. She added that the Spatial Policy Team had noted 57.6 percent of properties with 100 metres being student properties.

The Planning Officer, LM noted there were three letters of objection from residents and objections from the City of Durham Parish Council, who had representation at Committee, and the City of Durham Trust. She noted the reasons for objection were summarised within the report and included: increase in student numbers; the proposal not being in keeping with the scale and character of the area, contrary to Policy H9; not promoting healthy, safe and sustainable communities; more noise and disturbance; being against the interim policy of student accommodation; and potentially setting a precedent which would open the floodgates for similar applications.

The Planning Officer, LM noted that the application would not result in an increase in the number of HMOs, the housing mix being unaltered, however there would be an increase in the number of bed spaces. She referred to previous appeals decisions in this regard and with it being considered that there would be no harm to the heritage assets, the recommendation was for approval, subject to the conditions as set out within the report.

The Chair thanked the Planning Officer, LM and asked Parish Councillor Grenville Holland, representing the City of Durham Parish Council, to speak in objection to the application.

Parish Councillor G Holland thanked the Chair and Committee for the opportunity to speak and noted that application represented a familiar circumstance, one that Members had met on previous occasions. He added that the fact that the Parish Council and the local Community Association objected to this application for good reason would therefore come as no surprise to the Committee.

Parish Councillor G Holland noted that if Members lived in Durham City, they would understand the concerns raised and even if they did not, he felt that they may well be vexed by their repetitious appearance at planning.

Parish Councillor G Holland noted the reality was that in order to fund its ambitious business plans, the University now needed to increase its student numbers to 22,000 without adequate accommodation. He continued noting that as a result the City faced a surge of students coming into the City, seeking accommodation in the private sector. He explained that in turn this offered a lucrative and attractive opportunity for the private landlords who, every week, were submitting applications for C3 to C4 conversions or the expansion of C4 properties in order to squeeze in extra bodies. Parish Councillor G Holland noted this was an endless trail, and 22,000 students may well not be the end of it.

Parish Councillor G Holland noted that Durham City was a market town with limited family housing and the overload of students had created an unacceptable imbalance, with adverse social and commercial consequences. He explained that the imbalance was in fact the worst in the UK, with other cities having far greater capacity to absorb their student population. He added that in Durham there was simply not that capacity, and the City was ceasing to be residential, progressively becoming instead a student dormitory. Parish Councillor G Holland reminded the Committee that in response to this, in 2016, the Council introduced an Article 4 Direction that was carefully designed to provide a healthy balance between students and the local community. He added that the Direction built upon the saved 2004 Local Plan Policies and reflected the underpinning requirements of the National Planning Policy Framework (NPPF). Parish Councillor G Holland reminded Members that those tools were available and were there to be used by the Planning Committee.

Parish Councillor G Holland noted that time and again the issue was ducked, with concern in case an appeal was lost should Committee decide to prevent a C3 going to C4, or a C4 being expanded to increase the student take. He noted that the issue had been ducked again in this case. He added that the Officer's report pivoted on paragraphs 47 and 48 of the report which dwelt on an individual appeal decision for a C4 extension in Hawthorn Terrace, which was upheld.

He noted that was a single decision which, in the opinion of the Parish Council, was misguided and should not determine all future applications for C4 extensions in Durham City, for those extensions were contrary to the Article 4 Direction and the Interim Policy, NPPF guidance and Policies H9 and Q9 of the Local Plan.

Parish Councillor G Holland explained that the policies designed to protect the integrity of the City and so preserve the belief in the value of a balanced community should not be set aside and that by allowing the landlords, and their agents, to have a free reign in converting the city centre into one huge dormitory represented a disregard for the City's heritage.

Parish Councillor G Holland reminded Members that the Interim Policy on Student Accommodation, which was carefully designed and agreed, clearly stated:

"In order to promote the creation of sustainable, inclusive and mixed communities for new build HMOs (both C4 and sui generis), extensions that result in additional bed spaces where planning permission is required.....will not be allowed if more than 10% of the total number of properties within 100 metres of the application site are already in use as HMOs or student accommodation exempt from council tax charges."

He noted that the policy related both to new builds, or extensions, or an increase in student occupancy in such localities and it covered all of these eventualities and the Officer wrongly advised that it related only to new builds. He added that this interpretation accords with several chapters of the NPPF, none of which were mentioned in the Officer's report. Parish Councillor G Holland explained that those chapters encouraged the development of healthy and safe communities and promoted social interaction through mixed use development to enable and support healthy lifestyles and well-being. He added that it was about mixed, balanced and sustainable communities and most certainly did not support the wholesale conversion of any community into a single purpose ghetto.

Parish Councillor G Holland referred to Policy H9 of the Saved Local Plan and noted that it placed important and relevant restraints on the development and expansion of HMOs, including parking restrictions; adverse impact on the neighbours; scale and character with the surroundings; adverse concentration of a sub-divided dwelling; and avoidance of significant extensions to the property altering the character or scale of the original building. He noted that those limitations were confirmed in Policy Q9 which considered the quality of the proposed development and limitations imposed. Parish Councillor G Holland stated that the present application for the Whinney Hill residential area was a typical over-massing of a C4 conversion and was wilfully exploiting the site.

He noted it was felt that it failed the test of H9 and Q9; and it was contrary to the broad intentions of NPPF sections 2, 5 and 8. He added that furthermore, it certainly failed the important test of the Interim Policy which was not just about new C4s, it was about increasing bed spaces in an already over-concentrated area of HMOs.

Parish Councillor G Holland noted that, using Council Tax criteria the property already has 58 percent of properties within 100 metres of it defined as HMOs, well above the 10 percent threshold, however, still well below the 90% margin that lead some people to conclude “all is lost, so let’s give up”.

He noted that the argument that a few extra beds make no difference cuts no ice with the application being contrary to the Direction and Policy for a good reason, to simply carry on with that fallacious and sterile argument, you end up at 100 percent HMOs.

Parish Councillor G Holland noted that the Parish Council urged the Committee to reject the application with the sound and proven criteria already available and concluded by stating that using the prospect of an appeal was surely not an option and we must use and sustain our policies with confidence.

The Chair thanked Parish Councillor G Holland and asked the Principal Planning Officer to respond to the points raised.

The Principal Planning Officer noted many of the issues had been raised at Committee several times with regard to applications in relation to new HMOs, extension and conversions, and those for an increase in the number of bed spaces. He added that Officers had to make recommendations that were cognisant of appeal decisions and that Officers had fought a number of appeals in these types of application and several of them had been lost. He noted that the refusal of an application on an increase of the number of bed spaces alone was one that was tested at appeal very early in the Interim Policy and this appeal had been lost. He reminded Members of the costs awarded in cases of lost appeals and reiterated that the recommendation as set out within the report had been arrived at after careful thought from Officers, considering relevant policies and appeals decisions.

The Chair thanked the Principal Planning Officer and asked the Committee for their comments and questions.

Councillor D Freeman noted that the situation felt like déjà vu, with a very similar application approved at the last meeting of the Committee.

He noted his concern in terms of former family homes being converted to HMOs, further increasing the imbalance between families and students and reiterated the point that the Interim Policy was very clear in terms of not increasing the number of bed spaces should a property be within an area of greater than ten percent HMOs within a 100 metres radius. He added that to allow such applications would represent an unacceptable cumulative impact and he asked if one was to only consider the appeal decisions for properties elsewhere in the City then what was the point of our planning policies?

Councillor D Freeman explained that he felt the application seemed to be contrary to NPPF Part 8 and Local Plan Policies H9 and Q9.

He noted there were a number of reasons why he felt the application was contrary to those policies, including increase in noise and disturbance, impact on services such as refuse collection; and was not in keeping with the neighbourhood in scale or design. He concluded by noting he proposed that the Committee should refuse the application as it was contrary to saved Policies H9, Q9 and the NPPF.

The Chair asked the Principal Planning Officer to respond to the points made by the Committee.

The Principal Planning Officer noted that the report set out responses to each of the policies referred to by Councillor D Freeman, including reference to the extant permission.

Councillor I Jewell noted the interesting contradictions between the objectors and Officers in terms of the scale and impact of the development and noted that it was not for the Committee to decide in terms of who could apply for such HMO permissions and the increase of capacity by the University was presenting a dilemma for Members.

Councillor P Taylor noted that he was not likely to be the only Member who was sick of the number of these type of applications that were coming before Committee. He reminded all that Durham was a beautiful city and not a business opportunity to look to accommodate additional students. He noted that Parish Councillor G Holland had spoken wonderfully as did Councillor D Freeman, however, the Principal Planning Officer has also spoken well and was right in terms of where we were with our policies. Councillor P Taylor noted the risk in terms of the Government's Planning Inspectorate overturning the democratically elected Members' decision and noted that perhaps it was time to stand up for the city and perhaps lazy to blame the remote Government Planning Inspectorate in terms of allowing Durham to become a business opportunity.

Councillor M Davinson agreed with Councillor D Freeman in that there was a sense of déjà vu and asked if the recent Examination in Public of the County Durham Plan (CDP) had yielded any information that would be relevant for the Committee in making a decision. The Solicitor – Planning and Development noted that he had not been involved in the Examination in Public, do did not know the detail of what had been discussed. However, the Council's position is that the CDP could not be afforded weight until it was agreed and adopted. Councillor M Davinson asked at what point would the CDP likely come into effect. The Chair noted she understood the frustrations of Members, however, the decision on the application must be based upon the policies in effect currently and in relation to the CDP, this was a matter Officers could come back to Members with further information in due course.

Councillor J Robinson noted that the Committee was totally frustrated and that while the Highways Officer had no objections, he had his heart in his mouth whenever he drove along Whinney Hill. He noted that many applications similar to this one had been considered by Committee and that the Interim Policy had been shown not to work in these cases. Councillor J Robinson noted he reluctantly proposed the Officers recommendation for approval as he felt it would be overturned should a refusal be taken to appeal. Councillor M Davinson noted he would second the proposal, again noting it was reluctantly and with similar reasons to those he had stated at the last meeting. He added that he understood that Officers had tried to fight those appeals and currently the Members' hands were tied, and he hoped that the CDP would help in the future.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out within the report.

Councillor I Jewell left the meeting at 2.12pm

c DM/19/02667/FPA - Land to the North of Robson Avenue, Peterlee

The Senior Planning Officer, Paul Hopper, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site. The Senior Planning Officer advised that Members of the Committee had visited the site and were familiar with the location and setting.

The application was for construction of a new 2 and 3 storey Extra Care building (falling with Class C2) providing 71 no. Apartments, associated access and hard and soft landscaping (amended description) and was recommended for approval.

The Senior Planning Officer referred Members to aerial and site photos, and asked Members to note plans and elevations and noted the application was at Committee as it was a major development. He noted the development site was a former school site, and that development was already taking place on the opposite side of the Robson Avenue, that being for residential properties, already having planning permission granted earlier in 2019.

The Senior Planning Officer noted that there was a former community centre to the north of the site which had been granted permission for use as a hotel and that the application site itself had been vacant for a long while, as Members on the site visit had noted. He added there were a number of TPOs within the site and access was proposed to be taken from Robson Avenue, utilising the existing access with some associated improvement works.

The Senior Planning Officer noted that the care offered within the 71 units would be tailored to each tenant, with Durham County Care Academy having nomination rights, and the operator, Housing 21, to fill any vacancies after that. He referred Members to the proposed layout plans, highlighting accommodation, communal areas including facilities such as a hairdresser, mobility scooter store and offices. He noted the soft landscaping within the site and along the periphery of the site, and the car parking spaces for 36 vehicles.

The Senior Planning Officer asked the Committee to note proposed elevations, with the majority of the building being three-storey, with a two-storey element to one elevation. Members noted materials included brick, wooden cladding and tile roof, and minimum separation distances were achieved, with additional features such as Juliet balconies having been negotiated.

The Senior Planning Officer noted no objections from statutory consultees subject to conditions and informatives. He added that internal consultees had raised no objections subject to conditions and Section 106 Legal Agreements in relation to: coastal management works; allotment facilities; biodiversity enhancements; and improving healthcare access. Members noted no objections had been received from third parties or residents.

The Committee were informed that the site was in a sustainable location, the design met separation distances and the proposals were acceptable in principle.

The Senior Planning Officer explained that there was a number of trees remaining on the site, key specimens to be retained, and a slight amendment to Condition Ten was proposed, in terms of appropriate protection. He concluded by noting that in terms of the NPPF Paragraph 11 balance test, the benefits of the proposals as set out were felt to demonstrably outweigh the adverse impacts and therefore the recommendation was for approval.

The Chair thanked the Senior Planning Officer and asked Mr Alistair Mitchell, SP&A Architects, to speak on behalf of the applicant in support of the application.

Mr A Mitchell thanked the Committee and noted that the Housing 21 was one of the UK's leading not-for-profit provider of retirement housing and extra care, with around 140 similar schemes working with over 150 Councils. He added that the proposal in front of Members was for 100 percent affordable rent and Durham County Council would have 100 percent nomination rights. He explained that extra care allowed people to live in their own home, with a tailored care package for each individual, a 21st Century alternative to residential care. Mr A Mitchell added that Housing 21 had an excellent reputation, with a 100 percent "good" rating from the Care Quality Commission in the North of England. He added that in addition to the benefits of the 71 apartments themselves, there would be approximately 24 full-time equivalent jobs created and two apprenticeships for young people. Mr A Mitchell reiterated the benefits of the scheme and urged that the Committee approved the application.

The Chair thanked Mr A Mitchell and asked the Committee for their comments and questions.

Councillor A Laing noted she was a Local Member for the area and confirmed the land had been derelict for approximately 11 years, with some anti-social behaviour issues associated with the empty site. She explained she was delighted to move the recommendation for approval. Councillor A Bell noted that hearing from the Local Member was always important and that he would second the proposal for approval.

RESOLVED

That the application be **APPROVED** subject to the conditions and Section 106 Legal Agreements as set out within the report, with the amendment to Condition 10 as reported by the Senior Planning Officer.