

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, County Hall, Durham on **Thursday 20 February 2025 at 10.00 am**

**Present:**

**Councillor J Cairns (Chair)**

**Members of the Committee:**

Councillors A Savory (Vice-Chair), E Adam, J Atkinson, D Brown, L Brown, L Maddison, S Quinn, G Richardson, B McAloon, J Rowlandson and C Varty

**Also Present:**

Councillors B McAloon, J Rowlandson and C Varty

### **1 Apologies for Absence**

Apologies for absence were received from Councillors V Andrews, M Stead and S Zair.

### **2 Substitute Members**

There were no substitute members.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes**

The minutes of the meeting held on 12 December 2024 were confirmed by the Committee as a correct record and signed by the Chair.

## 5 Applications to be determined

### a **DM/24/03146/FPA - Land to the East of 1 Ladysmock Close, Spennymoor, DL16 6NZ**

The Committee considered a report of the Planning Officer for the erection of 7no. 1-bedroom dwellings and 1no 1 bedroom dwelling to be occupied by onsite manager, and provision of access, landscaping and ancillary works at land to the east of 1 Ladysmock Close, Spennymoor, DL16 6NZ (for copy see file of minutes).

D Richards, Planning Officer gave a detailed presentation which included a site location, arial photographs, site photographs which showed the access to the site, the proposed layout of the development and the proposed house types. A site visit took place prior to the meeting for Members to assess the impact of the proposed developments and their relationship with their surroundings. Each property would have a car park and private garden. Upon consultation there was letter of support and 12 letters of objections based on the fear of crime, anti-social behaviour, noise, loss of trees, loss of amenities and that there was already the same type of accommodation in Spennymoor. There were no objections from highways, the flood authority, police or Environmental Health. Further amendments were required by tree officers on the final landscaping. The proposed development was considered accepted in Spennymoor as it was in a sustainable location, near the town centre and had good public transport links. Although there would be a loss of green space and trees the benefits outweighed the harm for specialist housing. A management plan was to be secured by condition and licence for the properties which tenants would be required to abide by to alleviate the fear of crime and anti-social behaviour. It was officers' recommendation to approve the application.

Councillor J Rowlandson, Portfolio Holder for Resources, Investment and Assets addressed the committee in support of the application which was important to help those people who had found themselves either homeless or at risk of homelessness. The application coincided with the new governments initiatives on homelessness which would be run by the dedicated Durham County Council's Homeless Team. The scheme would support people with complex needs to get back into society by providing them with a home and leading them to get a job. Durham County Council had a legal responsibility to provide homes for those who needed them and he requested members to approve the application.

*Councillor J Rowlandson left the meeting at 10.16am*

Councillor B McAloon, local member addressed the committee objecting to the application. He was not opposed to rehoming people who needed help but was opposed to the location of the dwellings as it was opposite 20 bungalows which were occupied by elderly vulnerable residents. He was concerned regarding the loss of green space which was used by children who played in the area. He was troubled by the loss of trees which had just been planted which was both a waste of money and would have an environmental impact. There was not a need for this type of facility in the area as Spennymoor already had this type of accommodation. He urged members to reject the application and explore alternative locations which would be better to support the scheme and integrate clients into the local community.

Mr Anderson, acting on behalf of local residents addressed the committee in objection to the application. He pointed out that there had been 14 objections and only 1 letter of support. He advised that out of 49 residents consulted which were on the notification list only a few had replied as some residents would not have had the capacity to reply by electronic means. He thought that had there been a door knocking exercise he believed more residents would have objected. The occupiers of the new development would be 25 years plus and would not mix well with the elderly people who already resided in the area. The elderly residents were fearful and afraid of who would be living on their doorstep who would not have the social skills to settle in well to the quiet community. The clients' complex needs would further add to the issues in Spennymoor with anti-social behaviour and would not have connections to the area making integration harder. Residents wanted a safe environment and this was not the right place for the development and it should be located in one of the newer developments in town. He encouraged the committee to refuse the application.

I Conway, Programme Lead (Council House Build), applicant addressed the committee in support of the application. It was his view that the application would provide significant homes as highlighted by the governments homeless initiatives where analysis had identified a need and gaps in the service. The accommodation would be located within Spennymoor which had created £1.8 million in grant funding from Homes England which would provide jobs, economic and social benefits to the area. The scheme would house 7 vulnerable males who were either rough sleeping or at risk of rough sleeping from the age of 25 years old up to retirement age. It would be a supported scheme aimed to provide essential skills to build confidence to become employed and sustain a tenancy. There would be staff on site 24/7, 365 days per year. There would be CCTV included in the scheme which Durham County Council would control to create a safer environment for the vulnerable residents in the nearby vicinity.

He confirmed that there would be a management scheme in place which would be managed by Durham County Council's Homeless team who would work with appropriate agencies to risk assess applicants to be housed due to their complex needs based on information from social workers who would help them come to terms with their issues. There would be no high-risk clients housed in the development which would be detrimental to the vulnerable clients safe and stable environment.

Ms Wood, agent for the applicant addressed the committee in support of the application. The Ministry of Housing, Communities and Local Government (MHCLG) had established the need for this type of supported accommodation within the south of the County for the provision of key council delivery within the homeless strategy. It had been identified as a suitable location as it was close to the town and amenities. There would be a loss of green space but there were significant other areas of open space in the location. There would be new trees planted to replace those that would be lost. There would be environment improvements and economic benefits for the area.

The Chair opened up the meeting for questions from the members.

Councillor L Brown welcomed the provision of a manager on site who would provide support for vulnerable people. She asked if there would be a strict drug and alcohol policy in place for the clients. She was saddened that there had been no input from the police as she would like to have known if there had been any issues with the North Eastern scheme. She requested that the start time for construction as highlighted in condition 29 be changed from 7.30am to 8am.

J Jennings, the Principal Planning Officer clarified that the condition would be altered as requested in relation to construction times. She commented that the police had been consulted but had not commented, however, confirmed that the police worked closely with the Council's homeless team.

C Hepworth, Homeless Prevention Manager explained that clients would be identified from across County Durham but could not be specific that drug and alcohol was not the reason why they were either rough sleeping or at risk of rough sleeping. There would be management plan in place along with management conditions which would be associated with the licensing agreement for the property. However if there was any drug and alcohol misuse by clients on the street this would affect their placement and they would be issued a notice and if they did not comply they would be evicted. However if they were asked to leave, they would be back to where they started sleeping on the streets. The management plan was well established and had been replicated across communities and other existing commissioned services to provide support.

Councillor L Brown questioned if clients would be given help with any substance misuse if that was the cause of their issues and if staff had skills and were well trained to spot any signs of misuse.

The Homeless Prevention Manager confirmed that clients would be offered help and would work with the Trauma Informed Worker and contracted support staff. They would be given a specific care assessment to refer into drug and alcohol provisions available to them. All staff were fully trained and had the relevant skill set to deal with the clientele.

Councillor J Atkinson was concerned that clients living in the development would not fit into the neighbourhood based on objections raised by residents. He queried how the plans and tenancies would be policed and if these were just for residents or if there would be anything established for residents.

The Principal Planning Officer clarified that the management plan was submitted with the application and deemed robust and well detailed and also included a point of contact through the onsite manager for residents to liaise with as well as reference to open dialogue with ward members should there be a requirement for this. The management plan set out its policies to ensure that future clients were suitable to live in the accommodation.

Councillor L Maddison wanted to know the level of risk which would be applied to the development. She was aware that at the North Eastern scheme it was deemed low to medium risk. She was worried that if clients had complex needs this would increase the level to a higher risk.

The Homeless Prevention Manager clarified that the scheme was not intended to house high risk individuals. Clients would have complex needs, such as individuals who had experienced domestic or sexual abuse, mental health issues or were veterans from the armed forces who suffered from post-traumatic stress disorder (PTSD) who just needed secure accommodation and some support. Risk assessment tool kits were used by the team who worked alongside stakeholders like the police to ensure there was a balance. The Council had a statutory function to provide homelessness provision and this scheme would help bridge the gap which had been identified. There was a separate SHAP pathway which was dedicated to young people aged 18-25. He informed the committee that the council currently had opened 1500 homeless applications of which 70 were from people aged 65 plus. There was no upper age limit to homelessness, nor for the intended use of this SHAP property and it did not just apply to young people. The council would be mindful as to how the scheme was utilised.

Councillor L Maddison asked if there were similar schemes within the County or if this was a new initiative regarding specialist housing and if it been tried and tested elsewhere in the County.

E Regan, Housing Team Leader advised that there was a similar scheme, the North Eastern located in Spennymoor but this was privately managed whereas this scheme would be fully owned and managed by Durham County Council.

Councillor L Maddison enquired if this scheme would work closely with the North Eastern.

L Ackermann, Legal Officer (Planning and Highways) reminded members that they needed to consider the application before them and were looking at other facilities which were not run by the council. Members were advised they could raise any suggested concerns which were unrelated to planning matters to officers outside of the committee. She agreed that it was for planning officers to decide if the construction start time in the condition could be changed to 8am.

Councillor L Maddison queried how many clients housed would be from Spennymoor and how many would be from the County.

The Homeless Prevention Manager could not comment on how many homeless people housed would come from Spennymoor as they could not restrict providing housing to any individual as set out in the Housing Act 1996 and the Homelessness Reduction Act 2017. Individuals would have to have a local connection to County Durham and must be eligible. Eligibility checks were carried out in the first instance to open a homeless application.

The Legal Officer (Planning and Highways) advised that the application was looking at the type of accommodation which would house the needs of the County.

The Principal Planning Officer informed the committee that the location of the scheme complied with Policy 15 of the Durham County Plan with regards to specialist housing. There was no conflict with Policy 6 regarding impact on the amenities of the area and the site was in a highly sustainable location with many nearby amenities for future occupiers and the area was suitable making it a satisfactory scheme. The loss of green space was outweighed by the benefits of the scheme.

Councillor E Adams stated that the scheme itself was not up for debate but the safety of the community and the loss of recreation land. He had concerns the scheme would bring additional anti-social behaviour issues to the underpass at Daisy fields which was only a few metres away from the proposed site. He was surprised there had been no comments raised by the police on the safety based on the issues already in the area. He asked how much communication had taken with the police over the suitability of the location.

The Principal Planning Officer reiterated that consultation had taken place with the police around the management plan. There were no reasons to refuse the application based on fear of potential crime, if there was no evidential basis that crime would result from the development and particularly if there were no comments from the police on this point.

Councillor E Adams requested information on the distance between the proposed site and the nearest elderly person's bungalow at Ladysmock Close in Spennymoor and whether this was adequate.

The Principal Planning Officer advised that this information was in the report and clarified that 13 metres distance was met with nearest property. She confirmed it was a suitable distance with no loss of privacy.

The Chair opened up the meeting to debate.

Councillor J Atkinson was sceptical that the location was ideal as it would bring with it its own problems. He had concerns clients would not look after the properties and the scheme would not be policed correctly. He was in a mind to say no to the application due to the problems it would cause.

Councillor L Brown **moved** to accept officers' recommendation to approve the application.

Councillor S Quinn agreed with Councillor L Brown and **seconded** the application to be approved. She worked with elderly people and if there was someone in place to support the clients, there was access to the police and Neighbourhood Wardens she felt the location was ideal. There were presumptions being made that the scheme would bring issues but people had to be given the best possible chance especially if they had become homeless through no fault of their own.

Councillor E Adams felt this was a difficult application with concerns being raised by residents. With any planning application there was a balance against planning policy. The application had a management plan in place, was at a suitable distance from the elderly people's bungalows where they would not be overlooked and was suitable for purpose. He could see no planning reason to refuse and was minded to support officers recommendation to approve the application.

Councillor J Atkinson asked if the committee were to refuse the application if it would stand up if it went to appeal.

The Legal Officer (Planning and Highways) advised that the application was compliant with Policies 6 and 15 of the Durham County Plan, it had a robust management plan and was, in the view of officers, located in a sustainable location. If the application was refused and it went to appeal there was a likelihood the council would incur costs as location was not a sustainable planning ground to refuse the application. The Legal Officer reminded the committee that it was a Durham County Council owned project.

Councillor J Atkinson requested that his objections on the location for the development be reflected in the minutes

Councillor L Maddison also requested that her objections regarding the location were reflected in the minutes and suggested that an open space needs assessment be carried out to consider the anti-social behaviour issues.

Councillor G Richardson was conflicted. He could see the reasons for the schemes existence but was concerned by the loss of open space. He did not understand why the land was to be built on if it was referred to in the Durham County Plan as open space. He agreed with Councillor J Atkinson regarding the concerns from residents about elderly people living in the area. He did understand that there was a need for these types of facilities but could also see how young people could get up to mischief in the nearby underpass if drugs and alcohol were consumed.

Councillor E Adams was concerned with the loss of green open space as he had attended the site visit and had seen the play park and the dog walking area which would be lost. He supported the officer decision to approve the application as on balance it was a suitable location.

The Principal Planning Officer stated that the age range living in the supported accommodated would be 25 years plus so occupancy was expected to include a more mature age range, with some elderly people also. She raised a point that there was still a good range of open space in the immediate area.



Upon a vote being taken it was:

**Resolved:**

That the application be **APPROVED** subject to the conditions detailed in the report.

*Councillor L Maddison left the meeting at 11.20am.*

**b DM/23/03169/FPA - Land West of Petrol Filling Station, Bank Top Terrace, Trimdon Village, TS29 6PW**

The Committee considered a report of the Principal Planning Officer for the construction of 42 no. bungalows (as amended) at land west of petrol filling station, Bank Top Terrace, Trimdon Village, TS29 6PW (for copy see file of minutes).

G Spurgeon, Principal Planning Officer gave a detailed presentation which included a site location, aerial photographs, site photographs, the proposed layout, landscaping and house types along with visualisation of before and after the planting took place. A site visit took place prior to the meeting for Members to assess the impact of the proposed developments and their relationship with their surroundings. Upon consultation Highways stated that there was not enough parking on site and further information was required on the nutrient neutrality calculations from Natural England. Internal consultees were concerned with the density of the site and biodiversity net gain would be provided onsite. There were five letters of objections based on the increased traffic and the visual impact of the development. Upon balance the benefits outweighed the harm and it was officers' recommendation to approve the application.

Councillor C Varty, local member addressed the committee in support of the application. She noted that she had supplied information in relation to the application which had not been included in the report. She was over the moon that new housing was to be built in Trimdon Village. She was concerned regarding the traffic as the main road was not safe to cross by pedestrians and welcomed the proposed crossing which was to be installed by the applicant. She was concerned that there was not going to be a new doctors surgery located in area to cater for the additional residents. She thought the main road should have the 60 mph speed limit reduced for safety reasons.

Mr Ridgeon, agent on behalf of the applicants Karbon and Durham Aged Miners addressed the committee in support of the application. He was aware that the application did not meet the requirements for the garden design but this would be community space designed for mobility. He highlighted that the layout did not include sufficient car parking spaces to meet the SPD requirements but the SPD did not consider 100% affordable bungalow housing. He required flexible wording to be included in the condition that related to the age range for the bungalows. He thanked planning officers for all their hard work on the application and asked members for approval.

The Chair opened up the meeting for questions.

Councillor D Brown had attended the site visit and asked for clarity on why the SuDs basin would be located on a steep stretch of land away from the development.

G Spurgeon, Principal Planning Officer stated that it was unusual for the SuDs basin to be based in a different location to the development, however in this instance it would be located towards the bottom of the slope to the north of the development which had been accepted by the Local Flood Authority.

Councillor L Brown asked what the distance was to the nearest bus stop and whether the crossing point was viable as she was concerned for people who had mobility issues.

D Battensby, Principal DM Engineer confirmed that part of the application would be to provide a pedestrian refuge on the main road and that this would allow pedestrians to cross the road in two stages. He also advised that the signage on the island would be more conspicuous than the flexible bollards which would be illuminated.

The Principal Planning Officer confirmed that the nearest bus stop was 400 metres to the south of the site.

Councillor E Adams had attended the site visit and had noticed that the entrance to the site was on the brow of the hill with speeding traffic. He was concerned that this would be unsafe and asked when the last speed survey was taken and when the last accident was recorded.

The Principal DM Engineer responded that the issue with visibility had been investigated as part of the application with an up to date speed survey being requested and provided. The consideration of the visibility for the junction included a visibility survey which took into account the brow of the hill and the visibility distances were based on the actual 85<sup>th</sup> percentile speeds in accordance with design standards.

Additional road marking measures were to be introduced prior to the speed limit change to help improve its prominence. The outcome provided sufficient visibility and access to the site.

Councillor E Adam was aware that further information was required from Natural England and if this would affect the application.

The Principal Planning Officer advised that information was still being awaited from Natural England on how many credits were required to be purchased to mitigate the nitrate for the development. A certificate from Natural England would need to be submitted to prove that credits had been paid for before formal approval could be given.

Councillor E Adam noted that a contribution was to be made to the NHS for a GP surgery but there was no mention of a new GP surgery for Trimdon Village and asked where the money would go.

The Principal Planning Officer informed the committee that the S106 money would be ring fenced for the electoral division and therefore would not necessarily be allocated to Trimdon. It would be down to the NHS to decide which GP the money would be allocated to.

Councillor E Adam asked what the distance was to the local shops whether this was more than 800 metres and if the potential 10 minute walk up and down hills was reasonable.

The Principal Planning Officer notified the committee that the local shops were within 800 metres from the development which was approximately a 10 minute walk. He acknowledged that Trimdon village was rural but that the distance was sufficient for residents to access amenities. Residents had the choice to go further afield on sustainable transport.

Councillor E Adams referenced that the application had six red, three amber and three green scores in the Sustainable Design Policy set out in the County Durham Plan. This was then amended to two reds, six amber and four greens. He was puzzled as to why officers on this basis recommended the application to be approved and asked for justification.

The Principal Planning Officer replied that further information to address some of the red scores had been provided since the most recent Design Review scoring. The informal path leading to the children's play area were outside of the applicants control as the footpaths were to be retained by the Parish Council. Additional information was received with regards to the density of the site which was accepted. The character of the site based on the increased width of the structural landscaping was satisfactory and no longer warranted a red score.

Drainage had been accepted to deal with any surface water run off, the only shortfall was with two red scores remained in relation to a shortfall in car parking and rear garden lengths. On balance the benefit of the scheme was considered to outweigh the scores.

Councillor E Adam mentioned the density and the lack of garden and parking space and queried if the site could be stretched to make it less dense and provide adequate garden and parking spaces.

Mr Ridgeon explained that the gardens had been agreed by Durham Aged Miners Homes who operated this open plan layout for easier management and maintenance when cutting the grass. The car spaces were enough to meet the needs of the residents. He stated that the scheme would not be financially viable if there were more car and garden spaces.

Councillor J Atkinson sought clarity on the what the flexible condition in relation to age range that Mr Ridgeon had sought was.

The Legal Officer (Planning and Highways) explained that there was a condition included on the application that the development would be for people aged 55 and over only and that the lack of education mitigation was due to this therefore there was reluctance to remove or amend the condition as drafted. She explained that if there was a specific reason someone younger than age 55 needed to occupy on of the dwellings then they could approach the Council and the Council would look at it on a case by case basis.

Councillor G Richardson queried who would be responsible to erect a fence if live stock were to inhabit the field next to the development as this should not fall to the farmer.

The Principal Planning Officer explained that the SuDs would not create any risk of flooding and to erect a fence would fall outside the red line boundary. There was no information on what the farmers plans were for the field but he would have to manage the live stock on the field if that was his intention.

Councillor C Varty stated that in the 21 years she had lived in the area there had been no live stock kept on that field.

Councillor E Adam asked about the concrete plinth that was situated on the land which he thought was an eye sore and queried if anything would be done about it to make the place more in keeping with the aesthetics.

Mr Ridgeon explained that the plinth fell on land which had different owners.

The Chair opened up the meeting to debate.

Councillor G Richardson **moved** to accept officers' recommendation to approve the application as the local member was in support of the application.

Councillor J Atkinson agreed with Councillor G Richardson and **seconded** the application to be approved.

Councillor E Adams thought it was a fantastic application as there was a need for bungalows. He had concerns with the number of red and amber scores and struggled to accept officers had recommended approval on that basis but agreed it was all about balance.

Upon a vote being taken it was:

**Resolved:**

That the application be **MINDED** to be approved subject to the completion of the legal agreements contained in the report.