

## **DURHAM COUNTY COUNCIL**

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 6 September 2016 at 1.00 pm**

### **Present:**

**Councillor K Davidson (Chairman)**

### **Members of the Committee:**

Councillors D Boyes, J Clare, P Conway, M Dixon, G Holland, I Jewell, B Moir (Vice-Chairman), H Nicholson, J Robinson, A Shield and R Young

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors A Laing, R Lumsdon, C Marshall, G Richardson and P Taylor.

#### **2 Substitute Members**

Councillor J Robinson as substitute Member for Councillor R Lumsdon.

#### **3 Declarations of Interest**

Councillor J Robinson declared an interest in Agenda Item 5(c) because he had previously expressed views about housing applications in Sedgefield to the Committee. He would act as Councillor Lumsdon's substitute Member for Agenda Items 5 (a) and 5 (b) then withdraw as a substitute Member of the Committee. He would speak as the local Member on Agenda Item 5 (c) and then withdraw from the meeting.

#### **4 Minutes**

The Minutes of the Meeting held on 26 July 2016 were agreed as a correct record and signed by the Chairman.

#### **5 Applications to be determined**

- a DM/15/02064/FPA - Pundergill, Rutherford Lane, Brignall, Barnard Castle**
- b DM/15/02063/FPA - Pundergill, Rutherford Lane, Brignall, Barnard Castle**

The Chairman proposed, and the Committee agreed, that this and the following application on the agenda be considered together for the purposes of presentations

and representations because they were similar applications but at slightly different locations. The Committee would then vote individually on each application.

The Committee considered reports of the Senior Planning Officer for the following applications:

- DM/15/02064/FPA – Erection of turbine number 1 a 43.6m tip height with associated access and sub-station, and
- DM/15/02063/FPA - Erection of turbine number 1 a 43.6m tip height with associated access and sub-station

at Pundergill, Rutherford Lane, Brignall, Barnard Castle (for copy see file of Minutes).

H Jones, Senior Planning Officer gave a detailed presentation on the applications which included photographs of the site and photo montages of the proposed turbines. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

The Senior Planning Officer informed the Committee that since the production of the report a further noise assessment report had been received from the applicant. This had been considered by Environmental Health and Consumer Protection who maintained their objection and continued to have concerns regarding the adequacy of reports submitted. Additionally, one extra letter of objection had been received.

Councillor Rowlandson, local Member, addressed the Committee to object to the applications. He considered that the proposed turbines were in the wrong place and would stand out in their surroundings. They would be visible from many miles as well as from the Bowes Museum and other heritage sites. Councillor Rowlandson agreed with the officers recommendation that both applications should be refused.

Councillor Davidson informed the Committee that Councillor R Bell, Local Member was unable to attend the meeting but had submitted the following which he had asked be read out at the meeting.

*The development sits very close to the border of the Barnard Castle East and West divisions. I support the officer's recommendation for refusal due to the adverse visual impact, and the adverse impact to the amenity of neighbouring properties.*

*It is disappointing also that an application which has been in the pipeline for many months still does not contain sufficient detail to properly assess the noise effects, and impact on heritage assets.*

*It would therefore seem to be unjustifiable to disagree with the report's recommendation to refuse permission*

Keith Alexander of South Teesdale Action Group (STAG) addressed the Committee to object to the applications. He informed the Committee that he was representing residents who lived within 800 metres of the proposed development at Punder Gill and who had all objected. These were South Flatts, Timpton Hill Farm, Timpton Hill

Barn, Dent House, Ox Pasture and Kilmond Wood. Most of these residents lived and worked at their properties and many had lived in Teesdale for generations.

The local community had this development hanging over it for the last 5 years and had spent hundreds of hours dealing with a development that it believed was in the wrong place. As a small community it had felt very vulnerable that its voice would not be heard.

Although not against renewable energy schemes in principle, but they had to be sited in the right locations. Punder Gill, which sat within a unique landscape, was rich in ecology and heritage, and was quite simply the wrong location on which to build two 46 metre turbines. These views were in line with the Senior Planning Officer.

Both the Design and Conservation officer and the Landscape officer stated that the impact of this proposed development was wholly negative. The impacts of this scheme could not be made acceptable.

The pre-application consultation highlighted the community's concerns regarding the effect on landscape, heritage, residential amenity and ecology. Despite this the applicants stated that no further modifications had been made to their proposal as a result of pre-application consultation. Furthermore none had been made since, despite the fact that the proposals had received 41 letters of objection. As a result the planning impacts identified by the local community had not been fully addressed and the applications did not have their backing, which was a key material consideration.

The turbines, at 46-metres, twice the height of the Angel of the North, would be extremely prominent and completely out of scale with the surrounding landscape. There were no other man-made developments on this scale in this area, which was a very special landscape:

Punder Gill was less than 2 kilometres from the North Pennines AONB and would be seen in views both to and from it. The site was in an Area of High Landscape Value, with extensive views down the Tees Valley and across to the Yorkshire Dales National Park.

The turbines would impact on views of Kilmond Scar, a Site of Special Scientific Interest, which lay within 700 metres of the site. STAG agreed with the County's Landscape officer that the landscape and visual effects of the proposals, both together and singly, would be unacceptable and in clear conflict with landscape related policies. Correctly presented visualisations from more appropriate agreed viewpoints, and a fuller analysis of the effects, would only make this more apparent.

Timpton Hill Barn was only 240 metres from T1 and STAG agreed with the County Council officer that the turbines would be overbearing to this property. Timpton Hill Barn had planning permission to be converted into a home for a young family. However, STAG differed from the officer views in his conclusion that because the barn was not yet occupied the negative impact of the turbines should not be seen as a material planning consideration. The planning permission predated this

application and it was wrong that the plans and investment to develop a house on a family farm could be derailed simply because the house was not yet occupied. Despite the proximity of the turbines to Timplon Hill Barn, the applicants had completely ignored this property and as a result it had not been assessed in relation to residential amenity, noise and visual impact.

Contrary to the applicants' statement that only one objector lives within 500 metres of the nearest turbine, South Flatts, Dent House and Timplon Hill Farm were all situated within this distance and all 7 residents had objected to the schemes.

The occupier of Timplon Hill Farm was concerned about the impact on ecology and had stated the turbines would destroy years of careful practice on adjacent fields which were only 50 metres from T1. Timplon Hill was an award winning farm in a higher level stewardship scheme, with the main objective being the protection of wading birds, their chicks and their habitat, especially curlews which congregated in large numbers during staging and migration periods.

Mr Alexander lived at South Flatts and was very concerned that the turbines would be too close to his home and be overbearing in the landscape. Having moved to South Flatts some 26 years ago, he was attracted by the openness of the landscape. There was no doubt that the turbines would be prominent features and very dominant from South Flatts which had ten windows and doors which would have clear views of T1, which would be difficult to avoid. His family spend a large amount of time outdoors, with his garden and land extending 100 metres eastwards towards T2, making it only 295 metres away. His concerns were amplified by the lack of a set-back distance and he urged Councillors to include a separation distance between turbines and residential properties in the new County Plan.

The owner of Ox Pasture which was some 700 metres from the turbines was very concerned about the impact on wildlife and on her holiday businesses. Although tourism was not considered a material planning consideration, anecdotally some of her guests had said that should the turbines be built in this area they would not return.

The owner of Kilmond Wood Farm, 700 metres from the turbines had stated that the turbines were out of scale with other structures in the area and would spoil the special nature of the landscape.

The area had a rich heritage including The Bowes Museum. As the turbines would be sited directly in front of the Museum and its listed gardens, they would be seen in views both to and from it. One of the core principles of the NPPF was to conserve heritage assets in a manner appropriate to their setting, so that they could be enjoyed both now and in the future. There was little doubt that the turbines would have a negative impact on this regionally significant building. STAG agreed with the County's Design and Conservation Officer who stated that even if a more appropriate heritage statement was submitted the landscape and visual impact of the proposed development would be wholly negative.

The turbines would create noise by day and night. While the applicants had stated that the noise from the A66 was constant there was no evidence provided to support this claim as raw noise data had not been released. Residents living next

to the A66 knew that the level of traffic on the road was not constant and the road was very quiet in the evenings, during the night and some holidays.

The NPPF stated that planning policies should support economic growth in rural areas in order to create jobs as long as they respected the character of the countryside. These schemes did neither. The schemes would not create any new jobs but would simply help to maintain 1 part-time post. Other jobs created would be short-term and related to the construction of the turbines themselves. No community benefits had been identified in the applications. The benefits to the local economy were nil and did not warrant the harm the development would cause to the area.

All in all there was nothing to recommend these schemes. Their contribution to cutting greenhouse gases was outweighed by the unacceptable harm to the area. The developments were in conflict with Teesdale's Saved Local Plan, they were not within an area identified as being suitable for wind energy development. Mr Alexander on behalf of STAG asked the Committee to agree with the local community, Councillor Bell, Parish Councils, The Bowes Museum, the AONB and the County Council's officers by refusing planning permission for both applications.

Paul Bailey, agent for the applicant, addressed the Committee.

This application was not an application from an electricity generating company or an institutional investor. It was an application from two local landowners who were looking to diversify their farm and raise money to invest in it because it had been neglected since their father's death several years ago

The turbines were small-scale commercial wind turbines which would generate electricity to power almost 400 homes, reduce greenhouse gas emissions, help address the effects of climate change, improve the capacity of the grid locally and provide opportunities and jobs for local contractors amongst other benefits to local economy.

It was accepted that although there would be some landscape and visual impact as there was with all wind turbines it was not considered that impact was seriously adverse to such an extent that this harm clearly outweighed the benefits. There would be impact, particularly at near distance, but evidence provided showed that the turbines would not be overbearing so as to affect residential amenity. The view from the A66 would be a transient one and the view from the AONB would be at long distance, where it would be seen as a relatively diminutive feature from a small and very specific area of the protected landscape.

The applicant had sited the turbines close to the A66 which already exerted an urban influence upon the area. They had reduced the scale of the scheme from 5 to 2 turbines following consultation and they had sited the turbines in a relatively low lying area where they benefited from the screening effects of trees against the background hills from key viewpoint. Furthermore, the choice of grey rather than white for the turbine colour would help to make them less conspicuous and further assimilate them into the wider landscape.

Landscape impact was subjective and involved a fine and delicate balancing exercise. However, this was not the most sensitive site and the scale of the proposal was relatively small in comparison to other developments. The characteristics of the site and the surrounding landscape offered some enclosure and helped towards mitigating visual impact. Sites such as these where impacts could be satisfactorily addressed should be supported.

There was concern that the officer's report seemed to suggest that the applicant was not forthcoming with further information to assist officers in reaching a decision. This could not be further from the truth. Since January of this year the application had been waiting for a decision and as each week and month has gone by the applicant had pushed for a determination date and had continually asked whether or not any further information was required to make a decision.

The applicant was therefore surprised to find out only a few days before Committee that there were still outstanding objections from both Environmental Health with regard to noise impact and from Design and Conservation with regard to Heritage assets. Additional information could easily have been provided anytime over the last 8 months between December and now to assist the appraisal process. Further photomontages had already been supplied to supplement the LVIA in response to comments made by the AONB officer, and further line of sight assessments and visuals sent in response to comments made by the Landscape Officer.

The applicant was also concerned that the AONB officer and the landscape officer did not appear to have been re-consulted following the submission of additional reports and supplementary photomontages submitted to address their concerns and following a half day meeting with the AONB officer to examine the proposal on site in more detail.

The comments made in the officer report appeared to be taken from the consultation replies dated 8 September and 8 October, prior to the meeting held with the AONB officer on 13 November and before further reports were submitted to the case officer on 26 November. The applicant had not been made aware of any other responses received from these consultees after this date, and none appeared on the applications web page, even though the applicant urged them to re-send comments following our meeting.

In view of this, if Members felt they were not in a position to grant approval for this proposal today, the applicant respectfully asked that the matter be deferred until next Committee so further responses could be obtained from the relevant consultees which were critical to the decision-making and grant the applicant more time so that they could provide further information regarding noise and potential impact on heritage assets, in particular Bowes Museum and Dent House Farm.

The Senior Planning Officer responded to issues raised during the presentations. Referring to the processes of consultation, re-consultation had been carried out after the resubmission of further reports from the applicant around Christmas 2015. The applications were being recommended for refusal on the following three grounds and these can be considered to be the key outstanding matters:

- Regarding heritage the level of detail submitted with the applications was not sufficient to fully assess potential impacts upon the significance of heritage assets potentially impacted on by the developments and the applicant had previously in response to this stated that they considered their submissions were acceptable.
- Visual and Landscape Impact- Landscape officers originally stated that any additional and more accurate visualisations would only result in clearer demonstration of harm
- Noise – the recently submitted noise assessment report had been considered by Environmental Health and Consumer Protection who maintained their objection and continued to have concerns regarding the adequacy of reports submitted. There had been opportunities for the applicant to submit further information, however, there came a point when the application needed to be determined and the issues raised with this application could not be addressed with further work.

Councillor Holland informed the Committee that usually he was normally supportive of renewable energy schemes. However, having attended the site visit and viewed the proposed location of the turbines, he considered that this was the wrong area to site them. There were no other turbines in this area, which was an area of natural beauty. The saved Local Plan was robust and it was clear that such turbines were unacceptable, with this being supported by the NPPF. He agreed with the officer report and **moved** refusal of each application.

Councillor Boyes informed the Committee he objected to the proposed siting of the turbines. County Durham already had a high proportion of wind turbines and more than 70% of households were now supplied with electricity from renewable sources. In 2012 Phil Wilson MP had stated that the landscape in County Durham was to capacity with wind turbines and planning permission for more had been granted since this time. Councillor Boyes **seconded** refusal of each application.

Councillor Dixon informed the Committee that he agreed with the views expressed by STAG, Councillor Holland and Councillor Boyes and he supported the recommendation in both reports.

DM/15/02064/FPA - Erection of turbine no. 1 a 46.3m tip height turbine with associated access and sub-station.

Upon a vote being taken it was

**Resolved:**

That the application be refused for the reasons contained in the report.

DM/15/02063/FPA - Erection of turbine no. 1 a 46.3m tip height turbine with associated access and sub-station.

Upon a vote being taken it was

**Resolved:**

That the application be refused for the reasons contained in the report.

Councillor J Robinson withdrew as a substitute Member of the Committee.

**c DM/16/01522/OUT - Land At The Former Sedgefield Community Hospital, Salters Lane, Sedgefield, County Durham**

The Committee considered a report of the Senior Planning Officer regarding an outline application with all matters reserved except partial means of access, to, but not within the site, for the erection of up to 125 dwellings, associated landscaping and parking, plus demolition of existing buildings on land at the former Sedgefield Community Hospital, Salters Lane, Sedgefield (for copy see file of Minutes).

C Harding, Senior Planning Officer gave a detailed presentation on the application which included photographs of the site and setting and an indicative layout. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

The Senior Planning Officer informed the Committee of the following updates to the Committee report:

- An objection had been received from Business Durham who had expressed concern that any residential development on the site may jeopardise future expansion of NetPark.
- In total, 8 letters of objection to the application had been received
- In total, 31 letters in support of the application had been received.

Councillor Davidson informed the Committee that Councillor Robinson would be invited to speak first to make representations on the application, following which he would withdraw from the meeting.

Councillor J Robinson addressed the Committee as a local Member and not as Councillor Lumsdon's substitute Member on the Committee. He informed the Committee that the issues surrounding the County Durham Plan had resulted in a great impact on both Sedgefield and Lanchester which had led to a piecemeal attack by developers lodging planning applications on areas around Sedgefield.

Councillor Robinson informed the Committee that he supported approval of this application which was on a brownfield site and therefore protected the green wedge around Sedgefield. Approval of the application was also supported by Sedgefield Town Council. However, Councillor Robinson sought assurances that, if the application was approved, further negotiations take place regarding access/egress, affordable housing and s106 payments.

Councillor Robinson expressed surprise that Northumbrian Water, who had not objected to an application for 300 houses at one end of Sedgefield, had now raised concerns on this application for 125 houses.

Referring to the sustainability of the site, Councillor Robinson informed the Committee that he had walked from the site of a previous application at Eden Drive, which had been recommended for approval, to the centre of Sedgefield and this was a longer distance than from this application site to the centre of Sedgefield.



Additionally, the site was near to Fishburn and the development may help to sustain both businesses and schools in Fishburn.

Approval of the application was supported by the residents of Sedgefield and Councillor Robinson asked the Committee to also support approval of it.

Councillor Robinson left the meeting.

Councillor Alan Blakemore of Sedgefield Town Council addressed the Committee in support of the application. He informed the Committee that he was disappointed with the officer recommendation that the application be refused. The application site was a brownfield site which was currently an eyesore in need of development and asked if not this development then what would be developed on the site. The site was sustainable and near to Winterton and NetPark and within easy reach of both Sedgefield and Fishburn.

Paragraph 36 of the Committee report referred to weight being given to relevant policies in emerging plans. The Sedgefield Neighbourhood Plan had been considered by an Inspector and considered to be sound, subject to modifications, and this site had been identified in that Plan as a preferred development site following public consultation. The site would provide 125 of the identified 300 houses needed in the Sedgefield area.

The development would be sustainable, with a footpath and a cycle path already in place to both Sedgefield and Fishburn. There were also two bus stops, one in each direction, which already existed.

The site, which was previously a 16 ward hospital, was not greenfield and the concrete footprint of the former hospital was still visible.

The areas of Fishburn and Sedgefield had, historically, been linked along Salters Lane from Fishburn coke ovens towards the River Skerne then past the General Hospital and Winterton Hospital towards Sedgefield and it was only relatively recently that this linkage had been removed.

Councillor Blakemore asked the Committee to approve the application.

Mr Lines, local resident, addressed the Committee to object to the proposal.

Mr Lines informed the Committee that he was a resident of Sedgefield and a Town Councillor and was speaking in a personal capacity but expressing the views of many others with whom he had spoken but who could not attend the meeting due to work or other commitments.

The fact that this was a brownfield site did not in itself make it suitable for housing development and the site was not a good option. Accepting that Sedgefield would grow, in order to allow for the development of a sustainable, cohesive community, it must be accepted that housing should be built within the existing community.

This site was demonstrably not within the boundary of what residents called Sedgefield. It was clearly not within easy walking distance of services and amenities, particularly for the elderly, infirm and very young. Mr Lines had measured the distance and it was a three mile round trip from the site to reach the post office, schools, churches, the doctors' surgery, many sports facilities and the headquarters of Sedgefield Community Association where so many of the clubs and societies that make the town special were based. This was not a 10 or 20 minute stroll in each direction for even the most active residents and would encourage the greater use of cars to access the centre of Sedgefield or, worse, encourage the spread of services outside the centre, which would damage the viability of the high street. It was not in a location where people who desired to live in Sedgefield would want to secure a home.

If the development was approved, people who lived there would inevitably be marginalised. They would be isolated from Sedgefield, which would cause many problems and make it extremely difficult to sustain a cohesive, integrated community.

Building on this site would directly contradict two of the Sedgefield Plan's core objectives as follows:

Objective ii - Preserving Sedgefield's distinctive identity. There was a need to preserve Sedgefield's distinctiveness from the physical growth and development of neighbouring communities such as Wynyard, Stockton and Fishburn, to preserve its important identity as a modern progressive community with an historic heritage.

Objective viii - The elderly and infirm. To create housing for independent living, as well as facilities and amenities that were accessible to those who had limited mobility encouraging intergenerational integration.

Mr Lines strongly believed that building on this site would also fundamentally undermine other objectives outlined in the plan, such as:

Objective v - Supporting generational continuity. Sedgefield was characterised by families who had lived in the community for generations. Future development must provide affordable housing for acquisition and rental in the community to enable the continuity of family development.

Objective vi - Supporting young people. To acknowledge that young people were critical to a successful future of the community and plan to provide facilities that supported their development in the community.

These objectives were critical for sustaining a long-term cohesive community in Sedgefield. Pushing the development of suitable housing for young people to a site that was clearly remote from the heart of the town would do nothing to promote generational continuity or integration, and would hinder sustainable prosperity in Sedgefield.

Although the site was the most favoured by residents in a site preference survey undertaken during the development of the Sedgefield Plan, the survey had

attracted 331 responses which was less than 6% of the population of Sedgefield. 42% of the 6% favoured this site over any other, in a survey that was undertaken over two years ago, since which a lot had happened.

It was clear to Mr Lines, and to the many other residents who shared his view, that the SHLAA assessment of this site was absolutely correct, and that the officer's recommendation was also correct.

Mr Lines urged the Committee to reject this proposal, which would marginalise the residents who lived on the site, would hugely damage the cohesiveness and distinctiveness of Sedgefield, and would fly in the face of everything required to build an integrated, sustainable community as the town inevitably grew.

Sarah Guest of Sedgefield Village Action Group (SVAG) addressed the Committee in support of the application. SVAG was committed to representing the majority community view as shown in the Site Preference Survey.

This was a brown field site which was currently wasteland and was an eyesore which should be developed to enhance the area and provide part of the agreed 300 housing allocation for Sedgefield. Although the site was on the outskirts of Sedgefield it was within walking distance of local amenities, approximately 20 minutes from Sainsbury's via safe pathways through the Winterton estate. There were also clear and safe cycle routes from the site as well as regular bus services to Sedgefield and beyond.

Ms Guest could not understand why the County Council claimed that the development would not be sustainable. Near to Sedgefield large developments were being built which were not within walking distance of anywhere yet these developments were considered to be sustainable and the houses were, according to the developers, extremely popular and selling well.

People would drive from this development to Sedgefield and it was naïve to think that this would not happen because people already did so from other estates which were much closer to the centre of Sedgefield. Parents drove their children to and from school, but this was more to do with people's busy lifestyles and schedules than living too far from the town centre. Additionally, the effective cycle routes and pathways from this development to the town centre would provide an alternative.

The site was within easy distance to all major routes north and south and was in a semi-rural setting, bringing all of the advantages that brought to people's wellbeing and work life balance. Public footpaths onto open countryside could be accessed from areas close to the development site, as could Hardwick Park.

Ms Guest was pleased that a developer had expressed an interest in the site and urged the Committee to consider the benefits of building on it. It would mean that Sedgefield could retain the highly valued green land surrounding the town as well as going some way to meet the housing requirement for the area. Homes on the site may also be slightly more affordable than homes built on green fields at the other end of the town. This could allow for more young families to be able to afford a home within the boundary of Sedgefield, with excellent schools and prospects.

Ms Guest informed the Committee it was encouraging that people were having increased opportunity to express their views through the Localism agenda. She hoped that in this instance the Committee would consider the views of local residents and approve the application.

Richard Irving of ID Planning addressed the Committee in support of the application. It was right to share the presentation time with a community action group which was committed to delivering what was best for their community in terms of the provision of new housing and where that new housing should be.

Mr Irving's colleague, Jonathan Dunbavin had written to each Member of the Committee to highlight both the benefits of this application and to express surprise that officers considered the site to be unsustainable.

While he did not want to repeat the presentation made by Ms Guest, Mr Irving wished to reiterate three key areas which he believed made this development proposal appropriate.

Firstly, notwithstanding the comments raised by Mr Lines, there was considerable support from key members of the community who believed in localism and were in favour of the development because of the benefits that would ensue. Localism was not about simply objecting to any development in any location, but was about understanding and appreciating what was best for a community in the knowledge there was a requirement for further housing in the area and where best this should be located.

Secondly, there were no technical constraints to developing this site. It was a brownfield site and as such was accorded first preference for residential development opportunities. There were no flooding, ground or highways issues that could lead to a reason to refuse the application for a site which could, in essence, be developed immediately.

Thirdly, there was a clear indication from those who had spoken in support of the application that this was a sustainable and accessible location for residential development and many were at a loss why, based on the planning and transportation evidence which accompanied the application, the conclusion of officers was that this was not a preferential location for residential development. Mr Irving firmly disagreed with this conclusion and the site related extremely well to Sedgefield and could not be deemed to be isolated by any stretch of the imagination.

On the basis of all of the technical information which accompanied the application, and the level of support afforded to the development, Mr Irving urged the Committee to review carefully the officer recommendation, overturn those recommendations, and approve a scheme which would deliver significantly more benefits than it did in its current state.

The Senior Planning Officer responded to issues raised during the presentations. Referring to the Sedgefield Neighbourhood Plan the Senior Planning Officer

informed the Committee that the Inspector had suggested that this could be progressed subject to amendments. It could only therefore be given a reduced weighting at this time because amendments were required, particularly to the policy which stated where housing should be allocated. The Plan needed significant amendments before it could be adopted.

The proposed development site had always been categorised as red in the SHLAA as being not suitable for housing.

Northumbrian Water had advised that the sewerage treatment works was nearing capacity and had a 300 dwelling headroom. It had advised that the Local Authority must coordinate the decision making process so that this capacity was not exceeded, and this was in line with advice given on previous applications in the Sedgfield area.

Ecology officers, while not objecting to the application, had considered there was an opportunity for some biodiversity enhancements although none had been forthcoming.

Referring to s106 monies, a requirement had been identified to extend school provision. However, because the application was in outline form only, it was difficult to determine other s106 requirements until more detail of the development was known.

The distances to services in the report identified the distance to the nearest service available, whether this was in Fishburn or Sedgfield.

Public transport provision was such as three buses an hour operated in close proximity to each other and this was not a full day service.

Councillor Dixon informed the Committee he considered the Neighbourhood Plan could only be given reduced weight because it needed crucial amendments. Although this was a brownfield site, such sites were usually within towns or cities. Business Durham had lodged an objection to the application because of the possibility of it jeopardising future expansion of NetPark, which was a jewel in the County's crown. Rigorous tests and criteria had been applied to determine the sustainability of the development site which was in an isolated location and was not sustainable. Councillor Dixon supported the recommendation and **moved** that the application be refused.

Councillor Holland informed the Committee that although this was a brownfield site because it was previously the site of a hospital, it was surrounded by greenfield farmland and located between the two separate settlements of Fishburn and Sedgfield. This proposed housing estate would belong to neither settlement and may encourage lateral encroachment. Councillor Holland **seconded** refusal of the application.

Councillor Shield informed the Committee he was troubled by the application. The site was currently a blight in the area and no other development of it was planned. The site was in need of development and was in close proximity to both Sedgfield

and Fishburn. The site was within reasonable walking distance of both settlements and cycle routes were also available. Public transport could be re-timed to meet any demand from the development. He was minded to refuse the officer recommendation and approve the application.

Councillor Nicholson informed the Committee he had attended the site visit and observed the isolated location of it. Although there was public transport, this was only 3 buses each hour and he did not consider that demand from the development would be sufficient for this to be increased. Additionally, this was not a full day service. He did not consider that the location of the site was within easy walking distance of Sedgefield. This was a brownfield site in a greenfield location and Councillor Nicholson agreed that the application should be refused.

Councillor Boyes informed the Committee that he agreed with Councillor Shield and that he considered the site was not far from Sedgefield. This was a brownfield site and Councillor Boyes questioned what would be developed on the site if this application was refused. There were no current plans to further develop NetPark. The residents of Sedgefield were supportive of the development and while he had listened to all issues put forward to the Committee he considered that this development of a brownfield site should be approved.

Councillor Clare informed the Committee that the previous failure of the County Durham Plan had thrown the issue of housing in Sedgefield into chaos and had led to multiple applications for Sedgefield with no coherent process. It was crucial for Sedgefield to have some coherent process behind the development of housing in the town. The Neighbourhood Plan had not been approved and therefore did not exist and the County Durham Plan was in its infancy. Until such a coherent plan was in place Councillor Clare was minded to refuse the application.

Councillor Jewell informed the Committee he had attended the site visit and his views were based on this. There seemed to be quite a distance from the edge of Sedgefield to the site, and although he acknowledged there was a footpath, he considered this would not be used by residents of the development to access Sedgefield. The site was neither within Sedgefield nor Fishburn and was outside of the perimeter of both settlements.

Councillor Conway informed the Committee that the site was located 2.4 km from the centre of Sedgefield and 0.8 km from Fishburn, yet had a Sedgefield address. Paragraph 94 of the report which referred to distances of which many were beyond acceptable but within the preferred maximum. On the issue of sustainability Councillor Conway asked why the emphasis was on distances to the community of Sedgefield rather than Fishburn. He was familiar with the area and there had been a recent plethora of development applications for the Sedgefield area. He was undecided about this application.

The Senior Planning Officer replied that the distances in the report were those to the nearest facility, whether they were in Sedgefield or Fishburn.

Councillor Conway considered that 90% of the secondary school population would be outside of the preferred maximum distance. While the distances to facilities for

everyday living, such as doctors, post office and primary school were not ideal, they were within the preferred maximum.

Councillor Davidson informed the Committee that because this was a brownfield site it did not imply that it was suitable for residential development. He referred to Chester le Street where applications for development at isolated villages surrounding Chester le Street had been refused because they could lead to ribbon development and eventually the isolated villages would become part of Chester le Street. If this site was granted permission for residential development then it would be more difficult to refuse future applications which could lead to a ribbon development to join Fishburn with Sedgefield.

Upon a vote being taken it was

**Resolved:**

That the application be refused for the reasons contained in the report.