

COMMITTEE REPORT

Agenda Item Number: 4

APPLICATION DETAILS

APPLICATION NO:	3/2008/0227
FULL APPLICATION DESCRIPTION:	Development of a Renewable Energy Village at Weardale Works and Quarries and other Lafarge Cement UK land, Eastgate, Bishop Auckland
NAME OF APPLICANT:	Weardale Task Force
ELECTORAL DIVISION:	Weardale
CASE OFFICER:	Sarah Eldridge sarah.eldridge@durham.gov.uk 01388 761573

EXECUTIVE SUMMARY

- 1 This application seeks planning permission for the creation of a renewable energy village which presents a significant opportunity in terms of rural regeneration, and in creating a tourism and recreation facility which has the potential to contribute to economic growth and the tourism offer in the region, and create an exemplar development in sustainable living and renewable energy terms.
- 2 It is acknowledged that there are instances where the proposals are not consistent with the existing planning policy framework, however the scheme presents a unique opportunity which on balance is considered as a whole to be in general conformity with the RSS and National Planning Policy objectives and that any inconsistency will not be detrimental to the long term delivery and implementation of the development plans for the area.

DESCRIPTION OF THE SITE

- 3 The Weardale Works and quarries are located close to the village of Eastgate in upper Weardale. Much of the site is surrounded by, but excluded from the North Pennines AONB which is located to the north, south and west. The site extends to approximately 350 hectares.
 - 4 At the far eastern part of the works site is the village of Eastgate. The village itself is a Conservation Area. Access to the Works area exists via the A689 with additional vehicular access to other elements of the site from the Westgate to Stanhope back road running south of the river.
 - 5 The planning application site itself divides into four distinct character areas which are as follows:
 - 6 **The Works** - The site of the former cement works occupies the valley floor, immediately to the north of the River Wear and to the south of the A689. It is substantially flat, but slopes gently to the south. Only two buildings remain on site: the old Blue Circle Social Club (currently used as offices by security staff); and small, old, stone, farm buildings, connected to one another, that were retained when the Works were demolished.
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- 7 The concrete site slab on which the former Works buildings stood remains in-situ, as does the electricity sub-station. The restoration requirements for the quarrying activities at the site did not extend to the works area other than the demolition of buildings which has already taken place. Towards the west, supports to the conveyor belt which used to bring crushed rock down from the quarries also remain in place. It is considered that there is an aftercare requirement for these to be removed and the foundations returned to natural vegetation.
- 8 At the east of the site are the old Blue Circle playing fields (not used regularly since the early 1980s), sheltered on three sides by trees. Beyond these, marking the boundary of the planning application site is a public footpath. This runs from Eastgate village south and then south west along the line of the old railway. The railway currently terminates within the site but the former route across the river is clearly visible and the old railway bridge remains.
- 9 The only vehicular entrance into the old operational works area lies 230 metres to the west of Eastgate village. At this point, the A689 is approximately 7.3 metres above the general level of the Works Area. A curving ramp currently takes vehicles down into the Works Area. This is also the pedestrian way into the old operational works area. Almost directly opposite this entrance, on the north side of the A689, is Portland Lodge which was once the Works Manager's house but is now in private residential use.
- 10 Along most of the A689, the site is framed by established woodland. Similarly, the southern edge of the Works Area, running alongside the River Wear, is very green with significant tree cover. Overall, the Works Area measures 26 hectares. Of this, 15.5 hectares were previously occupied by the works buildings and operational land.
- 11 **The Riverside Meadows** - Running between the River Wear and the Westgate to Stanhope back road, this gently sloping area covers over 39 hectares. The area is mainly defined by farmland of small scale pasture, structured with traditional stone walls, although a substantial belt of ancient/semi-ancient woodland and plantation exists alongside the river. The only buildings in this area are those of Lowell Farm a Grade 2 Listed Building which is excluded from this application but is intended to form part of the proposed development at a later date. The old supports to the conveyor system also remain in place here.
- 12 Towards the western end, approximately 475 metres from the Lowell Farm buildings, is the point at which test drilling for geothermal water took place.
- 13 **The Slopes** - The pattern of farmland found in the Riverside Meadows continues immediately south of the Stanhope to Westgate back road, but as the land rises steeply towards the quarries the scale of the walled pastures becomes larger and wire fencing has in part replaced dry stone walls. The main woodland feature of the slopes is a substantial Sitka Spruce plantation. Minor streams form occasional 'gills' through the wood and on the lower part of the slopes.
- 14 The Slopes cover 155 hectares of the site. The only buildings are those of the tenanted Billing Shield Farm located alongside the back road. From the back road, a very steep and winding private road makes its way up to the quarries, providing the only way to the quarries for vehicles. As in the Riverside Meadows, the old supports to the conveyor system also remain in place here.

- 15 **The Tops** - The Tops are defined by two quarries, one in the west that was worked first, the other in the east, which was operational at the time of the Works' closure. Recent works have restored much of the land to safe gradients. In some parts, at the base of the quarry faces, channels and ponds have formed. At the far western end, a large pond exists. Also in the western quarry is the entrance to Fairy Hole Caves. This entrance has been closed throughout quarrying activities, only very recently being opened up.
- 16 The quarries are largely out of sight from the public. The local topography means that they are not visible from either the A689 as it passes by Eastgate or from the Westgate to Stanhope back road. Only from a few public footpaths are views into the quarries possible.
- 17 Several public footpaths (but no bridleways) cross the site.

DESCRIPTION OF THE PROPOSALS

- 18 This application seeks planning permission for a number of elements. For the most part the application is made in outline with all matters reserved for future consideration but the hydro electric scheme and the wind turbines are being sought in full with all details to be considered now. The elements of the application (indicative masterplans included as Appendix A) can be broken down as follows:
- 19 **Works Area: Renewable Energy Village** – comprises built development in the form of a Renewable Energy Village, to be concentrated on the 15.5 hectares previously occupied by the Works buildings and ancillary operational land.
- 20 The main components of the Renewable Energy Village are: a small community occupying 65 houses; over 8,000 sq m of business floor space (aimed in particular at attracting 'next generation' companies that wish to associate with the 'green' credentials of the site); nine live/work units; a visitors centre; an education centre (primarily catering for visits by groups of schoolchildren and students); a 60 bed hotel; shops, cafés and a restaurant for visitors; a new railway station; hot springs spa – geothermal baths for general public; and extensive areas (almost 8.5 hectares) of parkland playing fields and recreational space.
- 21 Key design elements of the Renewable Energy Village are:
- a pattern of land uses that clusters visitor and education facilities at the heart of the development in close proximity to the railway station;
 - a series of courtyards within this area creating microclimates that provide shelter from the wind and act as sun-traps;
 - the use of locally sourced materials in public spaces throughout;
 - an emphasis on the east-west orientation of buildings, particularly the housing, to maximise the roof area suitable for solar panels;
 - the construction of housing to super-insulated standards and non-residential buildings to an equivalent;
 - buildings taking their design cues from the local vernacular inasmuch as the construction requirements of low-energy buildings permit.

- 22 **Riverside Meadows, The Slopes and The Tops** - Here the emphasis is on landscape character, nature conservation, countryside awareness and the assimilation within the landscape of a variety of proposed outdoor recreation and education/learning uses.
- 23 Mountain biking is the most extensive active recreation use proposed, extending from the quarry areas down to the bottom of the Slopes by the Stanhope-Westgate back road from where cyclists can make their way to the Works Area by a single access track across the Riverside Meadows. A rock park in the quarries, at a point where all the major geological periods of the North Pennines can be witnessed in a relatively small area, will provide a further education resource, whilst a wood burning, carbon neutral, narrow gauge railway will allow visitors to view in safety the dramatic quarry faces which are otherwise largely out of public sight.
- 24 A cable car will link the Renewable Energy Village to the Tops where its terminus is to form part of a complex including a café, viewing platforms and a bird watching/ecology centre. This point will be the hub of recreational activity on the slopes and tops. Other proposals to the south of the river include a rural crafts centre, a rare breeds farm and a dry toboggan run – the latter, like the mountain biking, taking full advantage of the wide, steep incline of the slopes to create one of the longest run of its kind in the country. Also proposed is an enhanced network of footpaths and trails. This enhanced network will both connect ‘gaps’ in the existing public network and open up new areas.
- 25 Landscape design objectives south of the river include:
- the restoration, enhancement and conservation of a natural environment which contains recreation and interpretation elements, engages in active wildlife habitat creation and is the subject of a sustainable landscape management programme;
 - the absorption of downhill recreation facilities on the slopes into a composed landscape of woodland, more open partly wooded habitat and characteristic dale-side small fields;
 - the retention and, where appropriate, restoration of the scale of small fields, particularly those near the river, defined by stone walls (into which appropriate farming for that form of landscape division – namely, grazing and haymaking – can be accommodated);
 - the protection of the existing ancient/semi-ancient woodland and established broad leaved cover throughout the site;
 - the progressive modification of the existing spruce wood on the slopes towards a more native composition (this in conjunction with the supply of on-site wood to the biomass plant and to the narrow gauge railway);
 - the fostering of native herb species in the quarry area, where restoration work has taken place over the past two years, so as to extend the plant cover and habitats found on the adjoining moorland to the south of the site;
 - the establishment of a mosaic of woodland, open grassland and exposed rock with plant cover appropriate to the existing identity of the area; and
 - the inclusion of art and craft interpretations of functional components and of conservation and archaeological features of the area to the south of the river to widen public interest.
- 26 The illustrative master plan contains only two clusters of new buildings in the extensive area of the site to the south of the river. The first involves the extension of Ludwell Farm

in the Riverside Meadows as part of its re-use for the possible establishment of an outdoor education centre, the works to Ludwell Farm being specifically excluded from this application; the other, at the top of the slopes in the area previously occupied by the crusher plant and various structures, a complex comprising cable car terminus, café, viewing point and bird watching and interpretation hub linked to the boarding point for the narrow-gauge railway.

- 27 **Renewable Energy** - All the developments and uses proposed for the site, as described above, will demonstrate and make use of renewable energy. It is fundamental to the overall concept that sufficient renewable energy should be generated on site to match the demands of the uses and activities proposed and that such energy should come from the full spectrum of renewable energy forms available in the UK. The most significant power generation source proposed is biomass, utilising chipped wood left over from local forestry operations. A biomass plant, required to be located close to the existing sub-station in the old works area, will generate not only sufficient electricity to match all demand on site but potentially, in total, an amount that exceeds the electricity requirements of all properties in the Dale. Heat that would otherwise be wasted from this process is to be used in a proposed tilapia (cod alternative) fish rearing building, to be located adjacent to the biomass plant. Importantly, the biomass plant will also produce heat for use in a comprehensive district heating system serving all buildings in the Renewable Energy Village. Because of its relatively large size, the biomass boiler house requires special design attention: in particular indicatively a glass front to create a building of interest but also to allow visitors to see the workings of the operation.
- 28 Other sources of electricity generation proposed include:
- *solar*: more than 50 per cent of the buildings are orientated to enable maximum capture of the sun's rays;
 - *hydro*: with the River Wear unsuitable, an 'off-line' scheme is proposed taking water from the river at the western end of the site and passing it through a conventional turbine before returning the water at the eastern end; and
 - *wind*: to avoid any visual impact on the surrounding AONB, two small-scale turbines are to be located in the valley floor. These are to be state-of-the-art vertical axis wind turbines, able to make more efficient use of the limited and variable wind found in the valley floor, but also intended, because of their rarity in the UK, as a point of visitor interest. One of the wind turbines, at 10m in height, is proposed to be located in relatively close proximity to the point in the valley floor where the borehole in search of geothermal water was sunk in 2004/5. This borehole will now be utilised to provide hot water – the other renewable energy on the site - for the hot springs spa. Heat will also be taken from the water and transferred to warm water fish breeding ponds proposed close by on the south side of the river. It is intended that the source of the hot water be celebrated with a water sculpture, linked, as a combined point of interest, to the vertical axis wind turbine. The second wind turbine, at 30m in height, is to be located within the renewable energy village, serving as a visual icon.
- 29 **Access** - In line with the overall concept, emphasis is being placed on encouraging the use of public transport to access the site and, within the site, on a pedestrian-friendly environment. This is reflected in:
- the provision of the railway station which will enable especially convenient access to the visitor attractions at the heart of the Renewable Energy Village;
 - limited access for general traffic within the heart of the Renewable Energy Village;
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- a 20mph blanket speed limit throughout the Renewable Energy Village, including the residential areas; and
- no visitors ordinarily being permitted to access activities on the Tops and on the Slopes by car. Instead, visitors will be required to leave cars either within the Renewable Energy Village or at a visitor car park at its western end and either walk or cycle, via a new bridge over the river, or, more likely, take the cable car from a terminus near the hotel and hot springs spa. No car access is to be permitted either for visitors to activities in the Riverside Meadows: they will also have to use parking facilities on the north side of the river. Exceptions will however be made, and more convenient parking provided in the Renewable Energy Village for the disabled. A car park for employees of the commercial uses is to be provided within the Renewable Energy Village. Particularly at weekends and in the evenings, a real-time parking system is to direct visitors, in the first instance, to use any spare spaces here. The proposed visitor car park, which will be extensively planted with mature trees to integrate it with the landscape of the dale, is to be accessed via a new entrance directly off the A689. From the car park, a series of footpaths will connect into the new development. The new access at the western end of the Renewable Energy Village will not only be for use by visitors but also residents accessing the residential area towards the western end of the Renewable Energy Village. For existing residents of Eastgate wishing to access the Renewable Energy Village by foot, a more pleasant route and experience, and a safer one, is proposed than utilising the existing Works entrance. Instead, 'The Link' linear park has been created between the two, along which are a series of gardens and other attractions.

PLANNING HISTORY

1963 – Planning permission for minerals extraction and cement works
 1973 – Planning permission for extension to minerals extraction area
 1977 – Planning permission for deepening quarry
 1984 – Planning permission for eastward extension of quarry

PLANNING POLICY

See Appendix B for Policy matrix.

The attached represents a summary of those policies considered relevant the full text, criteria, and justifications of each may be accessed online at:
<http://www.planningportal.gov.uk/england/government/en/1020432881271.html> for national policies;
http://www.gos.gov.uk/gone/planning/regional_planning for RSS policies
<http://www2.sedgefield.gov.uk/planning/WVCindex.htm> for Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007

CONSULTATION AND PUBLICITY RESPONSES

30 STATUTORY AND EXTERNAL RESPONSES:

Environment Agency – no objections, suggest conditions.

NATS – no safeguarding objection.

Durham Bat Group – raise concern that the development would be a major threat to bats.

Fire and Rescue Service – no objections.

CABE – no comments.

Sport England – support the proposals.

Durham County Badger Group – some comments on the proposals, no objections raised.

ONE North East – support the development.

Learning and Skills Council – support the development.

Heritage Line Community Rail Partnership – support the development.

Northumbrian Water- suggests conditions.

Natural England – originally raised objections but following a meeting with the applicants and the submission of revised plans/information, offers advice and suggests conditions.

RSPB – originally objected to the scheme however after revised plans submitted raised no objection subject to the inclusion of suggested conditions.

CPRE – correspondence forwarded to national office, no comments received.

Durham Constabulary – SBD recommendations given.

Stanhope Parish Council – object to the proposals for reasons of housing, bio mass plant, traffic impact, pressure on local services, down hill bikes, replication of services and viability of the railway and concerns over cleansing of the site. All Parish Councillors are in support of jobs.

Association of North East Councils – proposals in general conformity with the RSS.

Pennine Caving Support Group – oppose development as it continues to refuse access to the caves.

Wildlife Trust – no additional comment further to Natural England's response.

Defence Estates – no safeguarding objections.

AONB – would like to be closely involved in detailed design matters.

31 INTERNAL CONSULTEE RESPONSES:

Environmental Health – no adverse comments.

Highways – comments included in the report. No objections.

Archaeology – no objections, suggest condition.

Economic Regeneration – support the development.

Ecology – originally objected to the scheme, no objection to revised scheme subject to conditions.

Landscape – amendments address most of the previous issues and generally satisfied that there are design solutions to outstanding issues which will be dealt with as part of detailed submission.

Rights of Way – improvements welcomed.

Travel Plans – offered amendments on points to be considered as part of detailed submission.

Design and Conservation – make comments, do no object.

32 PUBLIC RESPONSES:

Support

There have been a total of 118 letters of support received as a result of two public consultation exercises. The reasons for support can be summarised as follows:

Employment

- The proposal will bring life back to the area. It will create a variety of jobs in construction and in operation.
- The development as envisaged will generate a sustainable mix of jobs, the majority of which will be year round and full time.
- The development would provide a nucleus for encouraging further development.
- Greater career choices.
- Opportunities for people to stay in the Dale rather than seek employment further afield.

Economy

- The development will give a lift to the whole dale.
- It is the only solution to prevent further economic decline in Upper Weardale.
- The upper part of Weardale is economically very deprived and desperately requires positive opportunities to help it re-establish itself.
- The proposal would provide a steep change in the economic activity within the Dale.

Weardale Railway

- The development will provide mutual support for the Weardale Railway.
- The Railway could and would be the jewel in the crown for Weardale and Bishop Auckland.
- The long term effect of the railway would benefit both tourism and the local economy.

Social Impact

- Without the development there would be further decline in the economy, local children leaving the area and an ageing population with less and less facilities.
- This will help with local shops, schools, NHS and churches of our area.
- As young people have to search for jobs outside the Dale this will result in an ageing population with less and less facilities being available to support them.

Tourism

- The development would foster much needed growth in the tourist industry.
- Tourism is going to be a major contributor to the economy in the District and needs encouraging.
- Weardale is a beautiful Dale, and its history and beauty is now its greatest asset and should be encouraged by exploiting tourism.

Housing

- We need housing to regenerate Weardale.
- As a mother of three children I cannot stress enough the importance of providing housing for the young.
- The housing on the site would be priced at a level where local families would be able to afford to buy, thus allowing local people to stay in the Dale.

Renewable Energy

- As a keen environmentalist myself I believe this area should be in the forefront of such developments.
- Recent national problems have highlighted the need to move away from our near total dependence on oil for our energy supply.
- Once people see this village they may decide to go eco friendly themselves.

Education and Environment

- Will create learning opportunities.
- It will be better for the environment because it gets less traffic on the roads.
- Wolsingham School and Community College recognise the potential for new style qualifications using the development as case studies and a place for work experience.
- Will ensure future viability of schools.

Leisure Facilities

- Will offer residents of the Dale leisure opportunities.
- There will be many benefits for the leisure industry.

Mountain Bike Facilities

- Having a world class riding area almost on the doorstep sounds fantastic.
- Biking is a great way to stay healthy and is great way to get round and see the beautiful countryside the area has to offer.
- If this development goes ahead it would be a fantastic addition for the area as well as the UK towards providing world class trail riding. Introducing a highlight for a much undervalued and under rated sport.

Objections

There have been 112 objections received in total from local residents and interested parties. This has been a result of two public consultation exercises. The reasons for objection can be summarised as follows:

Noise

- Noise from sporting events and spectators.
- There will be unacceptable increase in noise from the site with increase in traffic, industrial units and visitors.

Impact on Wildlife

- The disruption to wildlife could be widespread.
- The degree of disturbance to wildlife introduced by this major spectator sport would undermine much of the very limited improvement to the sites biodiversity offered by this planting and demonstrates all too clear the developer's complete failure to understand issues like biodiversity and tranquillity.
- There is a thriving bird population and several species have visited the area since the demolition of the cement works.
- The site is predominantly Greenfield.
- Coves need to be secured for access.

Transport

- All the extra traffic the development will bring will be unbearable.
- The addition of traffic from new housing will impinge directly onto the already dangerous blind corner and bridge in Eastgate.
- Parking problems.
- Transport assessment is flawed.
- For creating any major traffic generator this is one of the most locationally inefficient sites in the North of England.
- The proposal is dependant on The Weardale Railway which appears to be in trouble again and cannot be relied upon.
- The show field at Eastgate is to be turned into an access route.

Environment and Area of Outstanding Natural Beauty

- The land will be eroded due to the proposed development.
 - The proposal would have a deleterious impact on the environment and amenity of this extremely sensitive site.
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- It would be difficult to find a location in the UK which, while not being subject to national statutory protection itself, has such an immediate and problematic relationship with protected areas and sites.
- The former cement works building footprint and much of the quarry do qualify as brownfield land, but the development has been allowed to spill far beyond their boundaries into sensitive and highly visible parts of the area.
- It is impossible to argue that power stations, shopping centres or large sports venues are compatible countryside uses or that the plans would meet any essential rural business need.
- At least half of the site is inside the 100 year floodplain.
- The area should have linked seamlessly into the AONB instead it will look like a theme park.
- Layout of site does not respect traditional linear villages.

Tourism

- The increase in noise from the proposed scheme could affect the peace not only in the immediate area but also parts of Westgate and Stanhope.
- This development would seriously affect our support of local shops and businesses.
- I chose and purchased holiday homes in Eastgate for the sick with great care because it was in a beautiful rural area and the air and environment was not full of pollution.
- A realistic analysis of tourism potential in the Dale is needed.

Restrictive Covenants

- There are restrictive covenants on the land which state no buildings shall be or grow to be a nuisance, annoyance or disturbance.
- There has been a strong challenge relating to civil law on the land embracing the demolition works.

Housing

- The inclusion of housing increases the village size by almost 200% with little or no integration.
- The proposed housing development must also be considered in the wider context of proposals for 40 houses at St Johns Chapel and 190 at Wolsingham.
- There is neither a need nor a demand for the Eastgate housing and all they would do is exacerbate local employment and to generate even more long distance commuting.
- Who are the houses being built for? If not sold, to whom the properties would be let to as indiscriminate letting has the potential to destroy the present social mix.
- Everyone is shocked at the thought of social housing in Eastgate.
- Will there be local needs housing?

Bio Mass Plant

- Pollution.
- The proposed bio mass would be 45 metres in height and the emissions from it include super fine particles which are hazardous to health.
- Biomass energy is not eco friendly as claimed.
- A bio mass incinerator may allow the system to be used for the disposal of unacceptable material such as trade waste.
- The proposal appears to ignore the impact or other emission damage caused by biomass facilities.

Sports Facilities and Mountain Bike Development

- Will be a considerable blot on the landscape.
- Any inclusion of mountain bike tracks should revert back to earlier plans to utilise the quarry for outdoor activities.
- There is already a site close by at Hamsterley that is bidding to become 'England's first Premier Mountain Biking Centre.' There is only limited amount of money around and it does not make sense to set up a rival mountain bike centre.
- The sporting elements are spectacularly unsuitable for a sensitive upland landscape and would generate sufficient road traffic to undermine any environmental credentials the rest of the development might have.
- A highly visibly intrusive uplift facility would heavily dominate the view of the slopes.

Scale

- The proposed development would completely overwhelm the existing hamlet of Eastgate.

Sustainability

- These dwellings are not sustainable given the present infrastructure.
- There is something ludicrous, contradictory and unsustainable in promoting a Renewable Energy Village as a visitor attraction when it is located at least 20 miles from any centre of population.
- Concerns that the numbers involved are not sustainable given the present infrastructure i.e. police, ambulance and health services.

Contamination

- Soil samples taken from the area have revealed dangerous levels of lead and arsenic.

Geothermal Heat and Hydro Electricity

- The installation of geothermal heat exchanging water system has the potential to leak through malfunction or operational practice.
- The hydro electricity generator is liable to be poor operational capacity due to low river flows.

Employment

- The figure of 150 renewable energy related jobs is grossly overestimated.
- The development may create jobs but would also have 65 homes which would bring extra people to the dale requiring employment.

Social Impact

- The application fails to provide an analysis of the impact the proposed development will have on local services, health and education.
- It will impose a major breakdown in the social structure of this small community and Weardale as a whole.
- Proximity to Accident and Emergency for dangerous activities.

Conflict of Interest

- The planning application is being made by Wear Valley District Council which is one of the applicants through its participation in the Task Force. The planning approval must be called in by the Minister to avoid accusations of cronyism.

Health

- The dangers of micro fibres that will occur from the Biomass Plant means that people's lives will be at immense risk, especially the young and those who suffer from lung cancer, emphysema, chronic bronchitis etc as well as reducing our bodies immunity system.

Retail and Hotel

- The application fails to consider the existing weakness of retailing in upper Weardale and threat the shops it proposes now poses.
- All the shops have now shut in Wearhead and Ireshopeburn and the existence of those in St Johns Chapel, Westgate, Stanhope and Wolsingham hangs by a thread.
- There is a paucity of hotels in the area but this is for the very good reason that they have insufficient customers. All a new hotel would do is to finish off some of the existing ones.
- Persons who are looking to relocate would bring their employees with them therefore not providing extra employment.

Wind Turbines

- The proposed three vertical axis turbines on a Greenfield site would be a highly visible and intrusive element along a considerable length of Weardale.
- Query efficiency of renewable energy sources.

Cost Implications

- There is insufficient evidence of consideration of the revenue implications of running the project.

Loss of View

- Following the removal of the cement works there are magnificent views.

Property Value

- The proposal will be another eyesore and will have a detrimental effect on the value of the property.

Power Supply to Site

- What is happening with regard to power supply to the plant as the high power cable currently runs right behind my home.

Education and Childcare

- Weardale is already extremely well catered for in terms of childcare and education places and facilities.
- I would caution in the strongest possible terms against considering another facility.

Flooding

- Issues surrounding possible flash floods.

Policy

- Conflict with policy.

33 APPLICANT'S STATEMENT:

The redevelopment of Weardale Works and its quarries represents a once-in-a-lifetime opportunity to transform the fortunes of a dale that is in social and economic decline. It is for this reason that the renewable energy village and the associated leisure and learning activities to the south of the river are the centrepiece of 'Renewing Weardale – an Integrated Rural Development Plan for Weardale'.

Prior to submission of the planning application, the Weardale Task Force worked for six years on evolving the plans now before Committee. This included extensive consultations with numerous organisations and ongoing discussions with communities in the dale. The latter included four rounds of formal public consultation. Feedback from this has indicated a very clear majority in favour of the proposal, albeit that those living closest to the site, not unusually in such circumstances, expressed the greatest reservations. The Task Force has addressed these reservations to the best of its abilities. The very extensive and thorough technical information submitted as part of the planning application package clearly indicates that the site is more than capable of accommodating in an acceptable way the uses for which it is now proposed. Some local residents would undoubtedly prefer to see no development on the site or a much more modest proposal, but this would be to forego a very special opportunity.

Since the planning application was submitted in March 2008 changes have been made to the illustrative master plan to reflect comments made by various bodies. This process of refinement post-submission is not unusual for such a large and complex proposal, particularly one being put forward in outline only. Discussions have allowed the proposal to be refined such that there are now no objections from statutory consultees; in fact, quite the reverse. There is now general recognition that the proposal will promote the various attributes of the site, like its birdlife and relationship to the surrounding AONB, not threaten them.

The Task Force believes that numerous benefits will arise from the proposal, that the renewable energy village and the green lifestyle it will demonstrate will place Weardale 'on the map', and that as it evolves it will become a facility of which the communities of the dale will be proud.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at the Crook Area Office.

PLANNING CONSIDERATIONS AND ASSESSMENT

34 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the statutory Development Plan (comprising the Regional Spatial Strategy and the Wear Valley District Local Plan) unless material considerations indicate otherwise.

The principal issues for consideration are:

- Locational Considerations
- Delivering Economic Prosperity and Growth
- Delivering Sustainable Communities
- Conserving, Enhancing and Capitalising upon Natural and Built Environment, Heritage and Culture
- Improved Connectivity and Accessibility
- Section 106 Legal Agreement
- Other Issues.

These issues will be addressed in turn.

Locational Considerations

35 The issues for consideration are:

- Principle of development of the scale and intensity proposed in the location proposed in view of the current national, regional and local policy framework.
- Efficient use of land.

Principle of development of the scale and intensity proposed in the location proposed in view of the current national, regional and local policy framework.

36 In general terms a common thread running through national planning policy is that of advocating that planning should facilitate and promote good quality, sustainable and inclusive patterns of both urban and rural development. Regional policies set out in the Regional Spatial Strategy for the North East (RSS) translate what these general principles equate to for the region. When considering the locational issues the current national planning policy framework requires certain types of development, (notably town centre uses and **all** developments in relation to flood risk) to be subject to a sequential search assessment. This is further reinforced by RSS Policy 4 which requires all development to be subject to such a sequential approach. It is therefore appropriate to take regional planning policy as a starting point when considering the merits of the proposal as a whole in this respect. The details in respect of these individual assessments for the component uses making up the development which are required by national policy are discussed in the relevant proceeding sections of this report. PPS 6 also requires that the impacts of out of town developments are assessed; again this is discussed elsewhere in this report.

37 It is clear that the Locational Strategy set out in RSS Policy 4 encourages development of an appropriate scale in key settlements, to maintain local services and allow for their regeneration needs to be met. In doing so it emphasises the importance of conserving and enhancing the historic fabric of these areas and affording adequate protection to biodiversity, geo diversity and high quality landscapes. This is echoed in Policy H3 of the Local Plan.

38 Furthermore, the sequential approach set out in Policy 4 of RSS establishes a priority order which local authorities should follow in identifying land for development, prioritising development of previously developed sites in urban areas, followed by other suitable sites in urban areas; suitable sites adjoining urban areas; and then sites in settlements outside urban areas. Upon first impression it is apparent that the application site falls in the latter of these. Therefore technically regional planning policy and the sequential search to development show Eastgate not to be a high priority in development terms. Equally the cumulative scale of the development proposed in the scheme is not of a scale which would generally be considered appropriate in settlements of this nature in rural areas, in the context of the RSS Locational Strategy.

39 The following context however should be borne in mind when considering this issue. Weardale, not dissimilar from other parts of County Durham has for many years suffered severe pockets of multiple deprivation, compounded by its rurality; resulting in the area facing deep seated social, economic and environmental urban issues within a rural setting. Over the last decade, to say the least, the area has had to grapple with the after effects of the Foot and Mouth epidemic and subsequently a series of closures of key

employment sites within Weardale, including Lafarge Cement Works; the site to which this planning application relates. In direct response to this catalogue of circumstances 'The Weardale Strategy' was produced in 2003 by the then District Council in which the site in question was identified as one of several potential flagship rural regeneration schemes. These collectively provided scope to deliver an effective and sustainable rural renaissance which would contribute positively to the wider sub region and regional agenda.

- 40 What should be recognised is that Eastgate Renewable Energy Village was identified within the Weardale Strategy as it had the potential to be developed into a unique proposal, having scope for all five forms of land based renewable energy available in the UK (including geothermal energy; a rarity in the UK) to be incorporated into a single development. It was and is still intended that the components of the scheme will create a living and working community that will demonstrate the potential of renewable energy and eco-friendly living in a real-life context. It is important to note that this fact has been a key driver in the inception and subsequent development of the scheme at this particular location.
- 41 The Regional Economic Strategy (RES) recognises the valuable contribution of the region's more rural areas to the regional economy and the quality of life, identity and cultural distinctiveness of the North East. The RES Business and People priorities, and the programmes which flow from them, are tailored to delivery in rural areas in order to maximise the positive contribution that rural areas can make to regional development. As a consequence, the aim is to ensure that the rural economy will be diverse and entrepreneurial, with rural areas embracing the knowledge economy with more opportunities to live and work in these areas, thereby reducing the need for long-distance commuting.
- 42 The Regional Economic Strategy Action Plan 2006-2011: Leading the Way (May 2007) identifies the former cement works as a 'specific intervention' where commercial opportunities arising from the renewable energy sector will be exploited to assist in the regeneration of Weardale. The Eastgate development will also form a vital part of the Renewable Energy Centres Innovation Connector, helping to drive forward the low carbon economy in the North East.
- 43 The scheme clearly provides the County with an opportunity to accommodate a national exemplar development which has a blend of a number of components which have the potential to deliver significant rural regeneration, improving the sustainability of existing communities and providing economic growth benefits to the region. A key ethos of the scheme is that residents will be encouraged to adopt a lifestyle at the forefront of 'green' rural living.
- 44 For the reasons outlined above it is a project which is given clear support in principle in the Regional Economic Strategy and the County Durham Economic Strategy. In this context it is considered that the proposal will contribute positively to the implementation of a number of social, economic and environmental objectives of the RSS. This is a material consideration which far outweighs the technical non-compliance with specific RSS and Local Plan policies from a purely locational perspective.

Efficient use of land.

- 45 Guiding principles in relation to efficient use of land are contained within a number of national Policy statements. PPS1 identifies a key requirement to promote more efficient

use of land through higher density mixed use development and the use of suitably located previously developed land and buildings. PPS3 requires effective use of land, infrastructure and available public and private investment and having regard to the density of development and good design. PPS7 continues the theme of making better use of previously developed land.

- 46 Policy 24 of the RSS requires development to utilise previously developed land wherever possible and Policy 29 sets targets for housing development on previously developed land of at least 65% in County Durham. The site is previously developed, and therefore would contribute to the achievement of previously developed land targets set. The proposal is therefore in accordance with current national and regional planning policies in this respect.

Delivering Economic Prosperity and Growth

- 47 The issues for consideration are:
- Sustainable economic development
 - Education, skills and labour
 - Tourism and leisure.

Sustainable economic development

- 48 The Government clearly sets out in Planning Policy Statement 1 'Delivering Sustainable Development' (PPS1) that this mandate should be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment. Durham as a County is currently the worst performing sub region within the worst performing region in terms of Gross Value Added (GVA) and the trend has been one of a widening gap. The County Council is currently preparing a Regeneration Statement and Local Development Framework (LDF) Core Strategy, both of which recognise that addressing this is both a significant challenge and key driver for change if the overall sustainability of the area and its communities is to be significantly improved.
- 49 Eastgate represents a unique opportunity for securing economic growth in Weardale. In this respect RSS Policy 8 supports the development of a vibrant rural economy that makes a positive contribution to regional prosperity. Under this theme of economic prosperity this policy encourages a range of employment uses to be developed in new sectors of the economy such as renewable and environmental technologies.
- 50 The scheme has been developed in a manner to give it the potential to act as a major catalyst for wider integrated tourism development in the area, generating significant demand at nearby tourist facilities and in turn benefiting the existing local economy.
- 51 The scheme offers the potential to attract inward investment and indigenous business growth, seeking to establish high value businesses in the area. The provision of employment space by way of business units, office space and live-work units provides new opportunities in an environment that has high potential to attract in-migrants to stimulate new businesses and promote economic growth within Weardale.
- 52 The existing Wear Valley Employment Land Review (2007) has identified a need for employment land in Weardale that is readily developable. Whilst it is currently under review, its findings in relation to Weardale are anticipated to remain relatively unchanged. The development will provide in excess of 8,000 sq.m. of flexible business accommodation.

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- 53 The above position is an important consideration given that the proposals at Eastgate are considered to present a significant and somewhat unique and innovative opportunity in terms of rural regeneration, and in creating a tourism and recreation facility which has the potential to contribute to sustainable economic growth in the County and wider region. This is a concept supported through the Regional Economic Strategy and County Durham Economic Strategy.
- 54 The application incorporates a number of commercial uses which can be classed as 'town centre uses' in the context of PPS 6. These elements comprise a spa, hotel, 5 retail units, community, education and visitor centre and several restaurants and cafes. These uses will provide approximately 22,000sqm of floor space. In accordance with Policy 25 of RSS high trip generating uses such as these should be directed to town centres in the first instance both in the interests of creating sustainable patterns of development and supporting town centres vitality and viability.
- 55 In accordance with PPS 6, emerging PPS 4 and Policy 4 of RSS the applicant has completed a Sequential Assessment and Retail and Leisure Impact Assessment in respect of these commercial town centre uses as a means of justifying these units at the renewable energy village. Ultimately the key test was to assess the likely impact of any proposed new retail functions in a particular centre with regard to potential sites being conducive to three main factors: availability, viability and suitability.
- 56 Prior to undertaking the analysis the type of sites that were proposed to be looked at consisted mainly of vacant or former sites, which showed signs of previous development and past retail functions and any new sites which showed potential. All of the sites were closely examined in relation to issues such as size, location and access, existing retail climate, policy designations, commercial viability and other constraints.
- 57 The scope of these two assessments was agreed with the former District Council; as a consequence 12 centres have been considered in relation to their compatibility to accommodate the town centre uses proposed on site and the likely impacts upon them.
- 58 The Sequential Assessment has considered whether there are any available; suitable or viable sites in the town centre; edge of centre and the out of centre sites. Given the nature of the scheme throughout its evolution Council Officers have recognised that it is highly unlikely that the entire development could be accommodated on an alternative site, and that the success of the scheme relies upon the delivery of a complementary mix of uses, which can effectively deliver rural regeneration whilst promoting a working demonstration of land-based renewable energy technologies.
- 59 In conclusion this assessment has demonstrated that there are no sequentially preferable alternative sites within a 30 minute drive time of the proposed development, holding no sequential advantage over the application sites and the capacity to meet the identified need for the uses proposed. There are no sites that could be considered suitable, viable or available for the retail and leisure development and associated uses, which would meet the identified need and to sustain the future community that will ultimately be created.
- 60 The Town Centre Impact Assessment has concluded that there is both a quantitative and qualitative need for the proposal and there would be no unacceptable impacts on the existing centres. The nearest main town centre facilities are in Crook and Bishop Auckland, some 14 and 20 miles away respectively. There are only minor service facilities in Stanhope. Such proposals have potential to serve to enhance rural service

provision, not detracting from it. It is considered that the application will anchor a new well served community at Eastgate, creating strong links to the existing settlement by providing new commercial, retail and leisure opportunities that will in turn provide amenity to the new and existing residents. The proposal at Eastgate will offer complementary uses to the existing centres within both Wear Valley and the neighbouring authorities

- 61 It should be noted that Council Officers have previously advised that the office elements of the proposed development did not need be subject to the Sequential Assessment. It was considered that current demand outstripped potential available sites which could serve the former district and therefore special local circumstances existed to depart from such policy requirements. It is recognised that a particular strength of the overall proposal lies in the opportunity to create a fully integrated new development of high quality design that will serve to regenerate the rural economy and wider community.
- 62 To conclude Council Officers are satisfied with the methodology and conclusions drawn in both of these assessments.

Education, skills and labour

- 63 Whilst attainment levels are improving, the County still faces problems of low aspirations and under achievement. The RSS and in particular Policies 2, 11 14, 15 and 24 recognise the importance of improving education, skills and labour supply within the region so as to secure a sustainable future. The County's Sustainable Community Strategy suggests that the development of a culture of achievement and aspiration must occur side by side with economic growth so that people can contribute. One of the Strategy's key goals is 'everyone achieves their potential'. It suggests that this may be attained through improved attainment in education and work for people of all ages, more young people being involved in employment, education or training and increased levels of adult education and skills.
- 64 Being recognised through the Regional Economic Strategy (RES) and County Durham Economic Strategy as one of the seven flagship proposals with potential to contribute to a step change in the economy of County Durham, it is considered that the proposals have a direct positive contribution towards addressing the current education, skills and labour deficiencies that exist within Weardale and the wider County and therefore the goals of the County Durham Sustainable Economic Strategy.
- 65 The scheme offers scope to provide positive benefits to existing businesses in terms of relocation/expansion opportunities and clustering. The scheme also offers direct benefits to the local community in terms of inward investment, new business development and thus part and full time employment and entrepreneurial opportunities given the range of employment uses proposed which will suit a variety of skill sets and personal circumstances.
- 66 A crèche facility is proposed within the 'work area' to serve the local community. As part of the concept it is intended that there will be an educational and visitor centre which will support learning. Some of these elements will be the subject of a separate application should this application be granted planning consent given that it would relate to the conversion of Ludwell Farm a group of listed buildings. Furthermore interpretation will be provided, making the whole environment a one of learning for all ages and background. These components are considered to have the potential to contribute positively to the County's education and skills agenda.

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- 67 In view of the recognition of the importance for the local community, it is proposed that the S106 Legal Agreement makes provision for the exploitation of local job opportunities and requires a construction, training and employment method statement to be submitted, agreed and thereafter implemented.
- 68 In view of the above the scheme is considered to compliment the educational, skills and labour agendas of the RSS, RES and County Durham Sustainable Community Strategy and in this respect is in accordance with national planning policies.

Tourism and leisure

- 69 The scheme has been developed with the intention of Eastgate Renewable Energy Village becoming a major tourist destination as a result of the unique nature of the facilities proposed. The provision of a publicly-accessible hot springs spa has been considered by the applicant to make the best use of the somewhat unique geothermal resource available on the site; this has resulted in the incorporation of a hotel and leisure complex to ensure that the scheme is commercially viable. It is intended that the additional leisure and tourist facilities proposed, including the education centre and visitor centre, restaurant/ cafe, mountain biking, hiking and nature trails, park picnic area, Weardale Railway and the bird watching facilities, will provide further opportunities for visitors and the local economy to learn about sustainable development and renewable energy and to gain greater access to the wider countryside and landscape, biodiversity and geodiversity of Weardale.
- 70 However, it should be noted that on first glance current planning policies set out in PPS6, emerging PPS4, PPS 7 and Good Practice Tourist Guide, RSS Policy 16 and the WVDLP Policy TM5 (New Tourist Accommodation) do not necessarily support these aspects of this scheme explicitly. Most pertinent is that the current policy framework would normally require major leisure developments to be located within existing service centres. As this is not the case the applicants would normally be required to undertake a Sequential Search. It is noted that some work has been done on the commercial elements of the scheme, which is discussed in the preceding section of this report. However the applicant explains in the supporting information that the question of alternative sites is not relevant to the proposals given that the components cannot be disaggregated given the inter reliance and integrated, sustainable ethos of the scheme and therefore none have been studied.
- 71 With the above in mind, Policy 27 of RSS requires that provision should not be made for out of centre developments unless there are demonstrable benefits for sustainable growth of the local economy. The supporting text to this policy recognises that the function and nature of certain major leisure facilities may require land outside the main centres, and notes when planned sustainably, such proposals can contribute to the vitality and viability of the rural economy.
- 72 In light of the above the unique nature of the site – a predominantly former industrial site with a geo thermal resource - and the interrelationships of the mix of uses which create a wider sustainable ethos it is considered to be a key consideration and justification for deviating from this stance. The NEA in their consultation response do recognise this issue in a positive manner.
- 73 It is considered that the proposals will significantly contribute to the delivery of the RSS and WVDLP economic objectives. Whilst the scale of development is potentially greater

than would ordinarily be anticipated in a smaller settlement, the contribution that the scheme as a whole will make to rural regeneration in County Durham is a key consideration to be given significant weight in determining the application. In this context, the scheme is consistent with national and regional planning policy objectives.

Delivering Sustainable Communities

74 The key issues for consideration are:

- Meeting Community Needs
- Leisure, Sport and Recreation Opportunities
- Community Involvement.

Meeting Community Needs

75 The Eastgate Renewable Energy Village has been designed to create a living and working community that will demonstrate the potential of renewable energy and eco-friendly living in a real life context. Acting as a national exemplar project, residents will be encouraged to adopt a lifestyle at the forefront of green rural living. The incorporation of local services, an increased living and working population, education resources and facilities will provide support to both its residents and the wider community, improving the overall sustainability of existing villages in Weardale.

76 It is anticipated that the project will meet the electricity requirements for the whole of Weardale from renewable energy generated at the site. The recreational facilities, improved access to the site's natural assets and the provision of an education resource will also provide direct benefits for the existing communities.

77 The net additional housing requirements to the period 2021 are set out in Policy 28 of RSS. It is important to note that these are to be considered as 'floors' and not 'ceilings'. A total of 65 new dwellings are proposed within the scheme with an additional 9 live-work units. These numbers have been scaled down significantly over the evolution of the scheme to a number which is considered far more subservient to the economic and leisure aspects of the scheme but of a mass sufficient enough to create a successful demonstration community. Whilst it is acknowledged that there is a sufficient 5 year supply of housing within the former district area within existing settlements, it is important to note that the objective of housing within the scheme is not to address a supply shortfall. As well as providing a critical mass, as discussed above, it will also be in part an enabling development, helping to ensure the success of the renewable energy village and the wider regeneration of Weardale. Without a minimal element of housing, the concept would lack a key ingredient required as part of the demonstration village.

78 With regard to PPS3 and Policy 28 of RSS, a fundamental consideration is whether the development of housing would prejudice policy objectives. Despite supply being evident in other parts of the County, there is evidence that there could be a degree of latent demand more locally in Weardale, and it is considered that the scale of housing proposed could help in meeting this in the future in a sustainable context. The NEA in their response has confirmed that the level of housing proposed does not pose any significant threat to the implementation of regional policy objectives, and that this element has the potential to contribute to the delivery of regional planning policy objectives, in particular rural regeneration.

79 The application proposes to provide a range of house types. Given it is an outline application no further details are provided at present. The principle proposed is

consistent with PPS 3 and RSS Policy 30. It is the intention of the applicant that this scale will be refined at the detailed planning stage (in terms of mix and type) to respond effectively to need and demand, in relation to Policy H15 of the WVDLP, Policy 30 of RSS and PPS 3 and relevant iteration of the County Durham Strategic Housing Market Assessment.

- 80 Furthermore, a ratio of 20% affordable provision has been negotiated by Council Officers. This is consistent Policy H15 of the WVDLP and the findings of the most recent Strategic Housing Market Assessment for the area. The detail and implementation of this provision will be controlled by way of a S106 legal agreement.
- 81 In light of the above, as an essential component of the renewable energy village, it is considered that housing and the overall village concept will assist rather than undermine regeneration objectives, particularly for Weardale and therefore in principle whilst not strictly in accordance it does not prejudice or undermine national, regional or local policy objectives. Furthermore with respect to affordable provision the application is considered in principle to meet local need, national, regional and local planning policy objectives in this respect.

Leisure, Sport and Recreation Opportunities

- 82 National Policy in relation sport and recreation is contained within PPG17. This requires consideration of the community's need for recreational space. Regional policy is primarily concerned with the provision of facilities that benefit the local economy and respect the environmental setting. Within the Local Plan, there is support for schemes providing leisure and recreation opportunities and a requirement that the needs of local communities are met.
- 83 The application proposals present a number of opportunities for leisure, sport and recreation. There is provision of both formal and informal 'green' spaces, public footpaths and nature experiences as well as the more specialised facilities such as the proposed mountain biking. The facilities within the site make an important contribution towards the wider concept of the development and will meet a recreational need both at a micro level and also in a more regional context; the proposals will also compliment some of the existing Dales attractions.
- 84 On the basis that the location requirements of the development have been considered elsewhere in this report, the proposal is considered to be in general conformity with national, regional and local planning policy.

Community involvement

- 85 Central Government guidance places considerable emphasis on community consultation as part of the planning process to create sustainable communities. In particular central Government guidance contained in the Companion Guides to PPS1 and PPS12 encourage pre application discussions between developers and the Council regarding more complex development proposals. The guidance contained in PPS12 also encourages applicants to undertake early community consultation at the pre application stage and suggests that this is reported back as part of the planning application submission. Pre application consultation is intended to create better quality applications and a more transparent and efficient approach.

- 86 Wear Valley District Council adopted their Statement of Community Involvement (SCI) in August 2006. The statement largely reflects central Government guidance on this issue in terms of the type of pre application consultation that should be undertaken and how this should be carried out. As a result of Local Government Reorganisation the Wear Valley District Council SCI is no longer appropriate in entirety but the principles remain relevant. The Task Force has taken a pro active approach in pre application consultation on its proposals for Eastgate Renewable Energy Village as encouraged by central and local policy guidance, and has followed the steps proposed in Chapter 5 of the SCI. Details of the proposed consultation were discussed and agreed in advance of undertaking the consultation exercises. Consultees have also been provided with the opportunity to feedback their comments and suggestions either by direct discussion with the Task Force or by way of a feedback form. Consultees have also been advised as to the process for considering their comments and an evaluation of these has been provided.
- 87 The feedback received resulted in various changes to the Masterplan and the Task Force has re-consulted the local community and key stakeholders on the changes at various points.
- 88 In summary the approach and method of consultation undertaken in respect of the Eastgate Renewable Energy Village proposals to date is considered to have been extensive and detailed, and reflects the guidance provided by central Government and within the Wear Valley District SCI.

Conserving, Enhancing and Capitalising upon Natural and Built Environment, Heritage and Culture

- 89 The key issues for consideration are:
- Sustainable Energy Use
 - Reducing Impact on Climate Change
 - Landscape Character
 - Trees and Woodland
 - Culture and Historic Environment
 - Biodiversity and Geodiversity
 - Aquatic Environment and Flood Risk
 - Pollution
 - Sustainable Waste Management
 - Good and Inclusive Sustainable Design

Sustainable Energy Use/Reducing Impact on Climate Change

- 90 Climate change is high on the global agenda and the Government's Climate Change Act 2008 has made a requirement to reduce carbon emissions and sustainability the overarching aim of all planning policy. In particular PPS1, including the Climate Change Supplement, PPS3, PPG13 and PPS22 all place an emphasis on achieving sustainable development by amongst other things: promoting sustainable patterns of development, making efficient use of land and securing renewable energy and energy efficiency measures in new development.
- 91 This theme runs strongly through most RSS policies but is particularly reinforced in Policies 2, 38 and 40. Policy GD1 of the Local Plan requires new development to be designed to conserve energy. The Code for Sustainable Homes is also now mandatory for all new housing developments. The policy context has changed significantly since the adoption of the Wear Valley District Local Plan in March 1997.

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- 92 RSS Policy 38 specifically requires all major developments to secure at least 10% of their energy supply from renewable sources, and also to achieve an appropriate high Code for Sustainable Homes rating in respect of residential development. The current Government targets for all new dwellings are to achieve a 25% Dwellings Emissions Rate (DER) saving by 2010. This is the equivalent of Code Level 3 of the Code for Sustainable Homes. By 2013 this will increase to a 44% DER saving (level 4) and ultimately zero carbon (level 6) by 2016. The Code for Sustainable Homes also covers water, waste, pollution, health, management and ecology.
- 93 The RSS acknowledges the proposals for the renewable energy village and the development as a whole incorporates five forms of renewable energy: wind, hydro, solar, biomass and geothermal. The site is expected to, as a minimum, be self-sustaining in relation to the energy demands of the buildings and activities at the site with projections estimating that the site will generate in the region of sixteen times the energy requirements of the site. Indeed, the proposed biomass plant could generate power in excess of the requirements of all residential properties in Weardale.
- 94 The success of the biomass plant is dependant on securing a sustainable local fuel supply. It is indicated that there is local supply of timber available and that the majority of all materials would be sourced from within a 50 mile radius of Eastgate.
- 95 All of the buildings on the site would be expected to incorporate energy efficient design and it would be appropriate to condition that all of the residential dwellings achieve a minimum of level 3 of the Code for Sustainable Homes.
- 96 The efficiency of the renewable energy sources proposed varies greatly. The proposed biomass plant clearly generates the most electricity output with the turbines identified as being the least productive of the proposed sources. PPS22 makes clear that all projects can make a valuable contribution towards overall outputs of renewable energy and that applications should not be rejected because the level of output is small. Notwithstanding this it is considered that the ability of the site to offer all five based forms of renewable energy is a unique opportunity and that the scheme as presented makes best use of this opportunity to showcase the possibilities for renewable energy developments.
- 97 The concept of the scheme as a whole is to generate and make use of renewable energy using all five land based forms. It is considered that this is a unique opportunity for an exemplar renewable energy development which will support the development of other developments within the site and make an important contribution towards mitigating against climate change. The proposals in this respect are entirely in accordance with the RSS and national Planning Policy Guidance.

Landscape Character/ Trees and Woodland

- 98 Protection of the countryside from inappropriate development is a common theme in National and Regional Policy with the main policies being contained in PPS1 and PPS7 as well as Policies 31 and 36 of the RSS. The general policy thrust is to have regard for landscape character as well as maximising opportunities that are presented by existing landscapes including trees and woodlands and forests. Local Plan Policy ENV1 seeks to protect and enhance the countryside and Policy ENV2 to protect and enhance the special scenic qualities of the AONB. Policy ENV3 precludes development that would adversely affect the Area of High Landscape Value (AHLV).

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- 99 The site is located within an area surrounded by a high quality, attractive 'Pennine' dales landscape, mainly comprising grass and woodland habitat. In terms of landscape impact the distinct elements of the site should be considered individually:
- 100 The Tops are well screened from the wider landscape and the nature of the recent quarrying activity has resulted in a landscape with a low sensitivity. There would be limited wider or long distance views of the elements to be included on this part of the site.
- 101 The slopes are perhaps the most sensitive part of the site in terms of their visibility and landscape features. Here it is proposed to undertake extensive areas of native woodland planting and restore traditional boundary features. Elements of the scheme that could potentially have a landscape impact would be the mountain bike trails, uplift and toboggan run. These elements would be likely to result in a change in character from agricultural to recreational, the change in character becoming less obvious over time as the tree and woodland planting takes hold. In time the change in character is not expected to be at odds with the wider Dales landscape and would be considered to have a neutral impact on the AHLV and a low impact on the surrounding AONB.
- 102 The indicative proposals for the works area represent a substantial amount of development including some potentially significant buildings (e.g. the Biomass plant and associated chimney).
- 103 Although the site is well screened by vegetation from the A689, the proposals in the Works Area would undoubtedly be highly visible at some points and would potentially result in an entirely new landscape character than that which exists at present but not dissimilar to that which was present when the Works were operational. It is noted that the previous character as a cement works was accepted for a period of nearly forty years and that the previous use offered significant social and economic benefits that warranted the change in character.
- 104 The historic use of the site was visually prominent and extremely urban in character and the restoration requirements for this part of the site have effectively been met with the removal of the buildings which has already taken place. Taking the existing condition of the site to be a baseline measure in terms of existing landscape character, it is considered that the proposals for the Works Area would be likely to have an adverse impact on the character and quality of the AHLV in this respect and would therefore be contrary to Policy ENV3 of the local plan.
- 105 Whilst there is a departure from policy in respect of the former Works Area, this must be finely balanced alongside the other material considerations outlined elsewhere in this report.

Culture and Historic Environment

- 106 The national policy framework for the protection of the historic environment is contained within PPG15: Planning and the Historic Environment and also PPG16: Archaeology and Planning as well as the merging national policy statement PPS15 which has essentially the same policy objectives as PPGs 15 & 16. The general thrust of all the national guidance is to preserve and enhance historic buildings, conservation areas as well as other elements of the historic environment. The RSS makes similar reference to the need to preserve and enhance the historic environment at Policy 32.

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- 107 There are a number of policies within the Local Plan that are relevant to the historic environment. Policy BE1 is an overarching policy that repeats the aims of National and Regional policy. Policy BE4 specifically seeks to preserve the setting of listed buildings and Policies BE5 and BE8 to protect the character and setting of conservation areas from inappropriate development. Policies BE16 and BE17 relate to archaeology and seek to encourage the educational, tourism and recreational potential of archaeological sites and require the undertaking of archaeological assessment as required. A very small slither of the application site, near to Rookhope Burn and the railway track, lies within the Eastgate Conservation Area which was designated in 1993.
- 108 A Conservation Character Appraisal for Eastgate Village was adopted by the former Wear Valley District Council in March 2008 and that status is retained with the new Durham County Council. The management recommendations from the Character Appraisal propose to amend the conservation area boundary to include land around Rose Villa and Kensmead, south of the A689. This land, excluding the two properties, is in the proposed application site being its most north easterly limit. The reason for the proposed extension was to include former pasture land which formed part of the historic village settlement pattern. The status of the proposed Management Recommendation is non statutory but remains relevant.
- 109 The Conservation Area was designated when the former Cement Works were fully operational. The impact of that did not inherently detract from the considered 'Special Interest' of the village at that time. The conservation areas of Weardale have all existed and developed their unique characters including the influence and impact of quarrying and mineral extraction over many centuries.
- 110 The proposed considerable re-development on the overall site will inevitably result in many differing levels of impact upon the character and appearance of the conservation area and setting. These are principally considered to be: Traffic; Potential urbanisation of the southern setting of Eastgate village; Increased permanent activity within village; Juxtaposition of traditional built village character that has incrementally evolved alongside rapid single period development of one 'master plan' scheme.
- 111 The two wind turbines which are sought in detail are not considered to be unduly intrusive elements in relation to the setting and character of the conservation area. Careful use of colour and texture of finish is important to minimise impact upon the wider setting, this is suggested to be the subject of a condition.
- 112 The proposed hydro scheme, also sought in detail, is not considered significant to the character and appearance of the conservation area itself, though any impact upon the performance of the confluence of the Rookhope Burn and the Wear potentially is and needs to be carefully addressed through the management of the scheme.
- 113 In relation to the Works Area: Renewable Energy Village, the 15.5 hectares indicatively re-used to create clusters and courtyards of buildings is an appropriate built form, albeit on a very extensive scale, within what is now a flat site with little built mass. This form will aid phased development, quicker maturity and does relate in principle to the incremental developed form of the historic Eastgate village
- 114 The proposed orientation of buildings to provide shelter and solar gain is entirely traditional and evident in the historic pattern and form of the village, it is only relatively recent generations that have broken away from this locally efficient more environmentally sound life style

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- 115 Solar panels need to be the least reflective type. Intrusive glare has the potential to be a major negative impact on the setting and landscape even more so than the scale of the development as the impact of other materials can be mitigated due to texture, variation and orientation. Most impact will however be from open but publicly accessible land to the south.
- 116 The proposed biomass plant and chimney are considered to potentially have the greatest impact upon the existing character and setting of Eastgate and the experience of visitors to the Dale generally, especially prominent in winter from the A689. The scale and location of the large building would offer little opportunity to reduce its impact as it will appear in almost direct line of sight to road users. Likewise from within the site the singular elements of the building are such that its presence will potentially not soften or assimilate into the otherwise potentially 'broken' forms of the other major built elements.
- 117 Noting that the Biomass Plant is a key element of the site it is suggested that an overall colour strategy for the site should assist to mitigate against the impact of the Biomass building and chimney. There are techniques of 'colourscaping' where large industrial building groups are coloured to draw attention towards lower features or a deliberate extension of 'colourscaping' into the wider setting to draw out the impact. Adjacent trees do not in fact usually assist this. In this case breaking up the large singular block would be beneficial; if at all possible, if not then the possibility of lowering the ground level could be considered as part of the reserved matters.
- 118 The proposed use of the Riverside Meadows, The Slopes and the Tops is not considered to have a significant impact upon the 'special interest' of Eastgate Conservation Area or its setting.
- 119 The application indicates potential enhanced footpath links to the historic village through existing wooded areas that lie either within the Conservation Area, or within a suggested extension to it. The proposed extension was partially to achieve better linkages and also to rationalise the existing village setting. The proposals will not jeopardise that. There are already such informal uses in that area and they are a positive feature of the existing and proposed Conservation Area boundary. There is no objection to this element.
- 120 The application site includes approximately 5 areas of potential archaeological interest. These range from possible Romano – British settlements and associated field systems through to agricultural and industrial features of Medieval and Post Medieval periods.
- 121 The slope to the south of Billing Shield Farm has been identified as representing remains of a Romano – British settlement and field systems. Settlement remains are located to the immediate south and east of the farm. The principal area of these remains would be preserved in an area managed as hay meadow therefore; it is considered that the overall magnitude of any effect on this area would be low with any losses to be suitably recorded. This area may also have other potential medieval remains. Any disturbance to remains within this location would not result in significant effect and can be appropriately mitigated by archaeological recording.
- 122 Evidence of lead mining remains have been identified at Billing Hills (within the slope area), representing mining over an extended period including the nineteenth century. It is noted that there may be minimal disturbance to this area as a result of mountain bike tracks however, this would be limited and any disturbance would be recorded.

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- 123 The well-established pattern of agricultural occupation is obvious in both the lower and upper slopes. A distinctive feature of post medieval landscape is the dry stonewalling used to enclose the fields within this area. The proposal would ensure that the current field boundaries would be retained, with limited new openings to accommodate the bike tracks.
- 124 Ludwell Farm forms a cluster of three Grade II Listed Buildings located within the wider site but specifically excluded from this application. As the future proposals for this scheme would include the renovation and long term maintenance of these historic buildings, this is to be the subject of a separate application for planning permission. It is considered the character of these buildings would be suitably preserved.
- 125 No objection has been raised to the proposed scheme on archaeological grounds subject to appropriate conditions, which would ensure a further programme of archaeological works, investigation and recording are carried out.
- 126 The proposal in principle is considered to be in accordance with national, Local and Regional planning policy guidance, subject to the consideration subsequently of reserved matters and conditional details.

Biodiversity and Geodiversity

- 127 National policy in relation to biodiversity and geological conservation is contained within PPS9. This aims to conserve and enhance biological and geological diversity by sustaining, and where possible, improving the quality and extent of natural habitat and geological and geomorphological sites, the physical processes on which they depend and the populations of naturally occurring species which they support.
- 128 Policy 33 of the RSS is the main regional policy consideration. This seeks to ensure that ecological and geological resources are protected and enhanced. There are no Local Plan policies relevant to biodiversity and geodiversity in general although Policy ENV10 does seek to ensure that SSSI's are not adversely affected by development.
- 129 The entrance to the Fairy Hole Caves SSSI is located within one of the former quarries. The SSSI currently has unfavourable status due to the previous quarrying activity and lack of access. There are no proposals under this application to make the caves generally accessible, however, it is intended that some access will be provided to appropriate persons for the purposes of assessing the condition of the SSSI. It is suggested that an access management plan is provided by way of a condition, along with a requirement for monitoring and surveying the use of the caves by bats. This would be a positive move which would represent a significant improvement to the SSSI. A geological park area has been created using exposures in the quarry, including the entrance to the Fairy Hole Caves and the exposed quarry face.
- 130 The application site is located close to the North Pennines Special Protection Area, Bollilhope, Pikestone, Egglestone Common and Woodland Fells SSSI's. The indicative details with the submission have been amended following consultation with Natural England and it is considered that the proposals would not adversely impact on these designated sites.
- 131 The proposed management of the Lafarge holding above the quarry for conservation purposes is likely to provide additional foraging opportunities for the area. The development would deliver significant creation of habitats, which is to be welcomed and secure continued presence of habitat on previously developed land.

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- 132 The production and implementation of a Visitor Management Plan would ensure that disturbance to birds would be kept to a minimum. The proposed modifications to the proposal will benefit peregrine nesting in the quarry and is likely to increase recreational activity within the SPA. It is proposed that this is the subject of a condition.
- 133 It is considered that there is unlikely to be an adverse effect on the integrity of the North Pennine Moors Special Protection Area (SPA) as a result of the proposed development subject to the inclusion of appropriate conditions and mitigation measures.
- 134 Whilst the application has been made in outline, there is a considerable amount of indicative information that has been submitted to allow an assessment of the impact of the proposals in terms of its impact on protected species. Based on the indicative scheme and the surveys, proposed avoidance, mitigation and compensation measures, it is not considered that there would be an adverse impact on species that are protected by law. It should also be noted that it is intended to enhance, create and manage habitats within the site. This would be secured by way of a condition.
- 135 Based on the information submitted with the proposals it is considered that the proposals would not adversely impact on protected species or their habitat and the proposals make provision for habitat creation which is welcomed. The proposals are considered to be in accordance with National, Regional and Local planning policy.

Aquatic Environment and Flood Risk

- 136 National policy in relation to flood risk is contained within PPS25, this is reiterated in Regional Policy, primarily Policies 34 and 35 which consider the marine environment and seek to ensure that development is not at risk of flooding. Policy GD1 of the Local Plan requires development to not have a detrimental impact on ground water and not be at risk of flooding.
- 137 A detailed flood risk assessment has been carried out and based on the indicative information submitted with the application, has demonstrated that the residential and other sensitive elements of the scheme could be sited in a manner such that they would not be at risk of flooding from the river.
- 138 The hydro scheme has been considered in conjunction with the Environment Agency and it is not considered that this would have an adverse impact on the flows of the River Wear by way of flooding or gravel accumulation. It is suggested that a gravel management plan is required by way of a condition. It is also suggested that, notwithstanding the submitted details, the outfall channel is 'naturalised' rather than the proposed hard engineering solution. This would encourage use of the channel by wildlife.
- 139 It is proposed that the site will incorporate sustainable urban drainage systems (SUDs) which will contribute towards managing the surface water run-off from the site. Full details of these will be required by way of a condition.
- 140 The proposals are considered to be entirely in accordance with National, Regional and Local planning policy in this respect.

Pollution

- 141 PPS23 contains National Policy in relation to pollution control, with annexes specific to Pollution Control, Air and Water Quality, and development on land affected by contamination. The thrust of national policy is to protect and improve the natural environment, public health and safety, and amenity. PPS24 seeks to advise how the adverse impacts of noise can be minimised. RSS Policy requires the suitability of the land for development to be considered in the context of physical constraints (including contamination) and RSS Policy 37 states that the potential impacts of development on air quality must be considered and that development should contribute towards sustaining a downwards trend in air pollution. Policy GD1 of the Local Plan seeks to ensure that development would not be detrimental to public health, would not significantly pollute the environment and would not have a detrimental impact on water resources.
- 142 In respect of the biomass plant, the indicative plans submitted show the stack to measure 45 metres above ground level which would ensure the effective dispersion of residual emissions from the stack. The associated boiler would burn timber sourced locally including forestry waste material.
- 143 All fuel combustion processes will emit small quantities of residual pollutants into the air however these processes are stringently regulated. The emissions from the stack would be minimal due to the comprehensive abatement methods used and the high combustion temperature. As a result, the amount of particles leaving the stack and entering the atmosphere is reduced.
- 144 As part of the application a detailed dispersion model of the predicted emissions has been carried out. The information concludes that there is no likelihood of adverse effects for the local population. The dispersion model uses meteorological data recorded on an hour by hour basis. This takes account of all the variations in wind direction, wind speed and also the properties of the atmosphere. The assessment has shown that the daily averaged atmospheric concentrations would be within the daily average air quality standard.
- 145 The performance of the proposed biomass plant would be regularly monitored by the local authority to ensure that it would comply with Environmental Permitting Regulations and achieve compliance with National and EU Air Quality Standards; therefore there would be no unreasonable adverse effects upon human health as a result of the proposed scheme. Environmental Health officers have been consulted on the proposals and have made no objections.
- 146 The potential exists for contamination to exist in a number of forms within the application site therefore, an assessment has been carried out focusing on contamination and how this relates to potentially sensitive receptors these include humans, waterways, property, flora and fauna.
- 147 A number of contaminants were found within the Works Area however it was concluded from the ground investigation that the presence of these contaminants are a natural phenomenon associated with the presence of natural ores.
- 148 The Riverside Meadows Area of the site has been under agricultural/domestic usage historically with a large area set-aside as woodland. The potential for contamination to be present in this area is therefore considered to be low.

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- 149 The Slopes Area of the application site has historically been used for farming with some areas of quarrying. Therefore, the potential for contaminants within this area is also considered to be low. The presence of the former conveyor belt may leave traces of oils and grease however, the likelihood of any contamination to the ground below is minimal largely due to the height of the conveyor.
- 150 The Tops Area of the site includes the two former quarry areas. Potential exists within this area due to the in filling of the area. The key contaminants found within this area were considered to be naturally occurring.
- 151 It is considered that based on the details provided with this application there would be minimal risk due to potential land contamination. The Environment Agency has assessed the details provided with the proposed scheme and has raised no objection. This is subject to appropriate conditions being attached to any subsequent approval which would ensure further details are submitted and investigations carried out to ensure there would be no risk to receptors as a result of land contamination.
- 152 The proposal is considered to be in accordance with National, Regional and Local planning policy in this respect.

Sustainable Waste Management

- 153 PPS1 and PPS10 set out the Government's objectives of how waste should be managed in relation to proposed developments. This includes protecting the environment and human health and also producing less waste and re-using it as a resource wherever possible.
- 154 In addition, the RSS highlights key principles, which include the development and implementation of waste minimisation schemes, waste awareness and education campaigns, developing reuse schemes and minimising the production of waste. It is considered that all new developments should be planned in accordance with waste minimisation principles to reduce the production of waste during the construction process and maximise the use of recycled materials.
- 155 Policy GD1 of the Local Plan supports this view and states that proposed developments should not have an adverse impact on the environment.
- 156 As part of the overall theme of development, it is expected that the site as a whole will exceed average standards for sustainable waste management through the promotion of sustainable patterns of behaviour resulting in high levels of recycling and composting. This will be applied to all stages of development, through design and construction and in perpetuity thereafter.
- 157 The full details of sustainable waste management would be incorporated into the reserved matters submissions with a proposed recycling collection building forming part of the renewable energy village. This would facilitate and encourage both residents and businesses to maximise recycling opportunities and through the use of appropriate displays and literature, would extend to visitors to the site.
- 158 In this respect the proposals are considered to be entirely in accordance with National, Regional and Local planning policy.

Good and Inclusive Sustainable Design

- 159 PPS1 recognises that good design ensures attractive usable, durable quality and adaptable places and is a key element in achieving sustainable development. High quality and inclusive design should create well-mixed and integrated developments, which avoid segregation, include public spaces and provide opportunities for physical activity and recreation. The Government states that achieving good design will ensure a development would function well over the life time of the development. Furthermore the RSS confirms that good design contributes to the creation of sustainable communities enhancing the built environment and states that it should be promoted in all development and redevelopment.
- 160 Policies GD1, BE20 and H24 of the Local Plan states that potential development should be designed to be in keeping with the character and appearance of the area and appropriate in terms of form, mass, scale, layout, density and materials.
- 161 The proposed location and mass of the Biomass Plant and its chimney are considered to potentially be singularly the most intrusive and negative element of this scheme, with regard to its impact both externally and internally within the site. There are possible options to mitigate against this suggested above, using colour, sinking it if possible or breaking up the blocks.
- 162 The proposed cable car, relates directly to the former massive quarrying operation that changed this landscape by following the route of the historic conveyor system. The structure will be historically appropriate and relevant alongside the extensive remaining evidence of human activity in this valley. The facilities proposed at its terminus do not conflict with this principle.
- 163 The proposed wind turbines and hydro electric scheme are not considered to be inappropriate for the setting of historic Eastgate village. They are both relatively modest apparatus for using natural energy and resources in an unobtrusive and renewable way. Long term harm to either the natural or built environment that contributes to the general built qualities of the area is not anticipated.
- 164 The proposed controlled parking is essential to avoid dispersal and urbanisation of the areas peripheral to buildings.
- 165 Low energy building objectives are not considered to in conflict with achieving good and innovative appropriate design. External timber, limited openings on exposed faces, sheltered orientations, stone rather than brick elements and potentially exposed metal forms are all part of the local built palette of Weardale. Expressing them in a conceptual but locally appropriate manner is considered to be entirely possible by controls through the planning system. The detail of these would be considered as part of subsequent detailed reserved matters submissions.
- 166 The overall development opportunity is unquestionably exceptional in scale and location. The proposed location of the majority of built form is considered reasonable in terms of its 'Brownfield' status and the concentrated opportunity for achieving positive wider benefits on one site rather than incremental pressure throughout the Dale. On balance, it is considered that the positive environmental opportunities for the local and wider regional population and the economic gains offered by this exceptional proposal to re-use a scarred and partially very discreet landscape outweigh the highlighted concerns about biomass plant impact and arguable localised urbanisation of the valley floor, which can be mitigated against by sympathetic use of detailed design at the stage of reserved matters submissions.

167 On balance it is considered that in their indicative form, the proposals meet with the aims of PPS1 and the RSS. To the extent that there is no appropriate point of reference the proposals at this stage are unable to comply with policies within the Local Plan, however the reserved matters submissions will need to carefully consider the local context and how they will impact on the character and appearance of the area.

Improved Connectivity and Accessibility

168 The key objectives of PPG13 Transport are to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by private car. The RSS picks this theme up and through Policies 11 and 54 seeks to promote and improve public transport opportunities and manage car travel through the use of travel plans and accessibility movements. In the Local Plan, Policy T1 requires developments which generate additional traffic to provide adequate access, be accessible to public transport networks and not exceed the existing highway capacity. Policy GD1 states that new development should have safe vehicular access and adequate parking, not create levels of traffic that exceed the local road network, and be well linked to public transport, pedestrian and cycle networks.

169 The application proposed a range of uses which will be accessed by various means. To the west the scheme incorporates an access for visitors to the site with the existing access at the east being primarily used by residents, workers, service vehicles and public transport.

170 Within the site the railway station will connect Eastgate to the existing Weardale Railway which in turn links into the national rail network. A railway based park and ride facility is proposed to encourage the use of public transport into the site.

171 It is recognised that there will remain a significant number of private vehicle movements to the site and a Transport Assessment has been undertaken to assess the impact of the development on the existing road network. This has demonstrated that there is sufficient capacity within the existing highways to accommodate the proposed uses. Notwithstanding this it is proposed that the site as a whole appoints a Green Travel Plan Coordinator and that each of the elements of the development produce a Green Travel Plan to ensure that opportunities for sustainable modes of travel are exploited to their full potential.

172 The level of parking provided within the site to serve various elements will need to be fully reviewed as part of the reserved matters submissions, this will need to be done in conjunction with the consideration of the travel plan elements and pricing and management strategy for the parking areas of the site, to ensure that parking is shared effectively between the business uses and visitors and that it is financially attractive to travel to the site by means other than the private car. The amended draft travel plan submitted with the application does not resolve all issues. The following points must be reviewed and addressed as part of the reserved matters submissions and in the detailed travel plans for each element of the scheme.

173 Many suggestions within the Travel Plan are based on speculation, possibilities and potential plans. The Travel Plan must explain exactly what will take place to promote sustainable travel, not what may possibly happen sometime in the future. Incentives

packages to reduce car use must not only be applied to the employment side of this development. Travel Plan targets are based around the fact that a Park and Ride will be introduced, however, no Park and Ride site has been identified, the Design and Access Statement simply uses the phrase “it is hoped” in relation to the only suggested site. It must be made clear whether businesses will be encouraged (5.21) or required (Table 5.1) to offer a cycle allowance. Evidence that mountain bikers are a strong potential car sharing group must be submitted.

- 174 There do not appear to be any long term targets for the development, the targets provided are only for the first two years. Sustainability, in relation to transport, has not being fully addressed. The Travel Plan simply lists and describes the measures that will be appropriate to this type of development, and not those measures that will actually be implemented (executive summary). The document states that traffic within the Renewable Energy Village (REV) will be kept to a minimum through providing additional visitor car parking. This is not a Travel Planning measure.
- 175 The revised travel plan must also consider how the development can contribute towards providing public transport services and how visitors to the site will be discouraged/prevented from parking in Eastgate village or on roads adjacent to the other attractions.
- 176 It is essential that no visitors be permitted to access activities on the tops and slopes by car. As visitors will be required to walk, cycle or take the cable car, it is essential that the cable car is provided concurrently with the ‘Tops and Slopes’ development. The reserved matters application and phasing details must address this issue.
- 177 Full consideration will also need to be given to provision within the site for cyclists (i.e. secure cycle parking, showering/wash provision, lockers etc.) and how this might link in the Coast to Coast route (C2C).
- 178 Parking within the site has been reduced from 800 spaces to 672. This reduction is achievable by allowing a large element of the parking within the REV to be shared between businesses and visitors as the peak times of use for different users of the site vary greatly. The parking provision is less than that outlined in the guidelines contained within the County Durham Transport Plan, however PPG13 confirms that developers should not be required to provide more parking than they themselves wish.
- 179 The design and access statement gives proposed road widths for many of the named streets through the site. As stated previously the internal roads must be designed and constructed to meet highway adoption standards. The roads shown on the outline master plan layout do not. Many of the internal roads shown are incapable of carrying the large commercial vehicles likely to be associated with the commercial uses. The Illustrative Master Plan must, in engineering terms, be considered as just that: illustrative. Internal roads must be designed, in accordance with Manual for Streets, to meet the needs of all users. The details of the roads layouts will be considered in subsequent reserved matters submissions.
- 180 Accepting that the locational requirements of the site are dealt with earlier in this report, the proposal is considered to be in accordance with the objectives of National, Regional and Local policy.

Section 106 Legal Agreement

181 In considering the planning application, there are a number of issues that would need to be addressed through the completion of a Section 106 Agreement. These are as follows:

- Designation of rights of way
The scheme makes provision for the designation of a number of new rights of way. Prior to any work on the Tops or Slopes, the legal agreement would require the details of these to be agreed by the Council and thereafter implemented and made available for public use.
- Appointment of Travel Plan Coordinator
The overall scheme requires the submission, management and implementation of Green Travel Plans. On the scale proposed it would be necessary to coordinate these effectively and it is therefore required that a Coordinator is appointed as an obligation of the legal agreement.
- Submission of and adherence of Travel Plans
Subsequent to the appointment of a Travel Plan Coordinator, the Interim Travel Plan shall be continuously monitored and implemented and workplace, residential, and visitor travel plans shall be produced and agreed with the Council. These then to be implemented as an obligation of the legal agreement.
- Opportunities for local labour
It is important within the local context the development does provide opportunities for the creation of local labour. The agreement would therefore place an obligation to maximise job opportunities (both through construction and operation) for residents within the former Wear Valley administrative area, in particular local advertising of jobs and ensuring that local contractors can bid for work.
- Creation of management organisation
The ongoing management of the site would be done through a management organisation, the parties to be agreed by the Council as part of the legal agreement.
- Provision of affordable housing
The scheme as a whole will make provision for housing to contribute towards a local need, including affordable housing. There is an identified need for this in the area and therefore the legal agreement will require the delivery of this and also ensure that it remains in perpetuity.

Other Issues

182 In relation to noise resulting from activities and operations at the site, Environmental Health Officers have been consulted on the application and have not made objections. The main areas for mountain biking etc are located at significant distance from residential dwellings outside of the application site.

183 The transport assessment has been considered and there is not a highways objection in relation to the amended details. The railway is an integral part of the development and is supported by the Task Force, however the transport calculations have been made on a 'worst case' scenario allowing for alternative transport from the railway.

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- 184 Restrictive covenants and civil issues would be matters that, if necessary, need to be dealt with outside of the planning system.
- 185 The housing element is a departure from policy, justified as an integral part of the delivery of the wider development. In this context the cumulative impact of housing numbers elsewhere in the former Wear Valley area would not be a consideration.
- 186 The biomass plant would not process trade waste as suggested in the objection.
- 187 It is envisaged that the mountain bike facility will compliment that which already exists at Hamsterley.
- 188 The proposal has considered the capacity of local services and consulted statutory bodies where appropriate. It is envisaged that, where a need is created, this will be addressed on the application site where possible.
- 189 The application is submitted by the Task Force, one of the members of which is Durham County Council. Planning officers handling this application have not been involved with the Task Force and Members of the Planning Committee will be required to declare an interest if necessary, at the committee meeting. The application will also be referred to the Government Office as it represents a departure from the development plan.
- 190 The costs involved with the development are not a material planning consideration, nor are possible impacts on property value.
- 191 The power supply would be a detail for future consideration, however, it is envisaged that the existing supply cables and sub-station would remain.

CONCLUSION

- 192 It is a project which is given clear support in principle in the Regional Economic Strategy (RES) and the County Durham Economic Strategy. In this context it is considered that the proposal will contribute positively to the implementation of a number of social, economic and environmental objectives of the RSS. This is a material consideration which far outweighs the technical non-compliance with specific RSS and Local Plan policies from a purely locational perspective.
- 193 The site is previously developed, and therefore would contribute to the achievement of previously developed land targets set. The proposal is therefore in accordance with current national and regional planning policies in this respect.
- 194 In view of the provision within the scheme, it is considered to complement the educational, skills and labour agendas of the RSS, RES and County Durham Sustainable Community Strategy. The proposals will significantly contribute to the delivery of the RSS and WVDLP economic objectives. Whilst the scale of development is potentially greater than would ordinarily be anticipated in a smaller settlement, the contribution that the scheme as a whole will make to rural regeneration in County Durham is a key consideration to be given significant weight in determining the application. In this context, the scheme is consistent with national and regional planning policy objectives.

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- 195 As an essential component of the renewable energy village, it is considered that housing and the overall village concept will assist rather than undermine regeneration objectives, particularly for Weardale and therefore in principle whilst not strictly in accordance it does not prejudice or undermine national, regional or local policy objectives. Furthermore with respect to affordable provision the application is considered in principle to meet national, regional and local planning policy objectives in this respect.
- 196 The concept of the scheme as a whole is to generate and make use of renewable energy using all five land based forms. This is a unique opportunity for an exemplar renewable energy development which will support the development of other developments within the site and make an important contribution towards mitigating against climate change. The proposals in this respect are entirely in accordance with the RSS and national Planning Policy Guidance.
- 197 The historic use of the site was visually prominent and extremely urban in character. Taking the existing condition of the site to be a baseline measure in terms of existing landscape character, it is considered that the proposals for the Works Area would be likely to have an adverse impact on the character and quality of the AHLV in this respect and would therefore be contrary to Policy ENV3 of the local plan but this must be finely balanced alongside the other material considerations outlined elsewhere in this report. The proposals for the remainder of the site would not be considered to have any adverse landscape impact.
- 198 In terms of the historic environment, subject to the detailed scheme, the proposal in principle is considered to be in accordance with National, Local and Regional planning policy guidance.
- 199 Based on the information submitted with the application it is considered that the proposals would not adversely impact on protected species or their habitat and the proposals make provision for habitat creation which is welcomed. The proposals are considered to be in accordance with National, Regional and Local planning policy.
- 200 In relation to flood risk, the Environment Agency has been consulted and is satisfied that sensitive elements of the development would not be at risk of flooding from river. The indicative proposals are considered to be entirely in accordance with National, Regional and Local planning policy in this respect.
- 201 The performance of the proposed biomass plant would be regularly monitored by the local authority to ensure that it would comply with Environmental Permitting Regulations and achieve compliance with National and EU Air Quality Standards. On this basis it is considered that there would be no unreasonable adverse effects upon human health as a result of the proposed scheme. Based on the details provided with this application there would be minimal risk due to potential land contamination. The Environment Agency has assessed the details provided with the proposed scheme and has raised no objection. This is subject to appropriate conditions being attached to any subsequent approval which would ensure further details are submitted and investigations carried out to ensure there would be no risk to receptors as a result of land contamination. The proposals are therefore considered to be in accordance with National, Regional and Local planning policy.

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- 202 The full details of sustainable waste management would be incorporated into the reserved matters submissions with a proposed recycling collection building forming part of the renewable energy village. This would facilitate and encourage both residents and businesses to maximise recycling opportunities and through the use of appropriate displays and literature, would extend to visitors to the site, in this respect the proposals are considered to be entirely in accordance with National, Regional and Local planning policy.
- 203 In relation to design, the proposals in their indicative form meet with the aims of PPS1 and the RSS. To the extent that there is no appropriate point of reference the proposals at this stage are unable to comply with Policies within the Local Plan, however the reserved matters submissions will need to carefully consider the local context and how they will impact on the character and appearance of the area.
- 204 Accepting that the locational requirements of the site are dealt with earlier in this report, the proposal in relation to highways and connectivity are considered to be in accordance with the objectives of National, Regional and Local policy. Detailed proposals for the internal layout will need to be considered as part of the reserved matters submissions.

RECOMMENDATION

- 205 Since the proposal represents an application for planning permission for development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated in accordance with the provisions of The Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999, if Members resolve to grant planning permission the Department for Communities and Local Government must be consulted and given an opportunity to 'call-in' the application for the Minister's decision.
- 206 That Members resolve to **GRANT** planning permission subject to the applicants first signing a Section 106 legal agreement setting out:
- Designation of rights of way
 - Appointment of Travel Plan Coordinator
 - Submission of and adherence of Travel Plans
 - Opportunities for local labour
 - Creation of management organisation
 - Provision of affordable housing
- and subject to the following conditions and informatives:

CONDITIONS:

- 1 The development hereby approved shall be carried out only in accordance with the approved plans, specifications and conditions hereby imposed unless otherwise agreed in writing by the local planning authority.
- 2 The development to which this permission relates shall be commenced by the later of:
 - a) the expiration of a period of 10 (ten) years commencing on the date of this permission; or
 - b) the expiration of a period of 5 (five) years commencing on the date upon which the final approval of the details of the last reserved matter is given by the local planning authority.

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- 3 Save for the wind turbines or hydro electric scheme, approval of details of appearance, layout and scale (hereinafter called the “reserved matters”) on any part of the site shall be obtained from the local planning authority in writing prior to the commencement of development on that part of the site.
 - 4 The first reserved matters application shall be submitted within 4 (four) years from the date of this planning permission, or such later date as shall otherwise first be agreed with the local planning authority.
 - 5 No reserved matters application shall be made after the expiration of 15 (fifteen) years from the date of this planning permission, or such later date as shall otherwise first be agreed with the local planning authority.
 - 6 All planting, seeding or turfing comprised in the approved details of landscaping to be submitted as reserved matters on any part of the site shall be carried out in the first available planting season following the practical completion of the development on that part of the site. Any trees or plants which within a period of 5 years from the substantial completion of the development on that part of the site die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.
 - 7 Where relevant, the reserved matters submissions shall provide details of the following:
 - Density of development and plot ratios;
 - Details of siting, design and external appearance of all buildings;
 - Temporary and permanent highways, means of access to the buildings and surfacing;
 - Landscaping including play and recreation areas and the mechanisms for long term maintenance and management of those areas;
 - Details of energy efficiency measures to be incorporated into layouts and buildings, and renewable energy technologies to be incorporated;
 - Design, layout and noise insulation measures;
 - Measures to minimise potential light pollution;
 - The provision of surface water drainage and the disposal of foul sewage including the outfall points and their connection to the site’s main surface water drainage and disposal of foul sewage network;
 - Details of boundary enclosures;
 - Details of refuse disposal (including storage and composting) to be incorporated to meet the requirements current at that time;
 - Water conservation measures including recycling;
 - Car parking including approximate number of spaces, their location, public/private split and measures to reduce visual impact;
 - Provision for secure cycle storage;
 - Details of cycleways and footpaths;
 - Proposed design measures for speed restraint on roads;
 - Existing and proposed ground and floor levels;
 - Details of bus stops and shelters;
 - The location of any proposed CCTV cameras and associated infrastructure;
 - Any river crossings.

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- 8 The submission of all reserved matters and the implementation of development shall be carried out in substantial accordance with the Design and Access Statement (date 7/4/09), the Masterplan (Drawing Nos WVD001/041 Rev E and WVD001/157), the Environmental Statement (date 27/3/08) and the Addendum to the Environmental Statement (date 27/4/09), and Design Codes unless otherwise agreed in writing by the local planning authority.
- 9 Save for the wind turbines or hydro electric scheme, unless otherwise agreed in writing by the Local Planning Authority, no reserved matters application in relation to any part of the proposed development within the Works Area (as defined in the Section 106 Legal Agreement) shall be submitted unless a design code for that part of the site (including schedules of external facing materials for all the buildings) has been submitted to and approved in writing by the Local Planning Authority. Such design codes to be submitted to the Local Planning Authority for approval shall consist of guidance and coding relating to the following matters:
- character area overview (including colour use across the site);
 - public realm strategy;
 - movement network, including route hierarchy;
 - street, building and block typologies;
 - open space and landscape;
 - environmental standards; and
 - implementation.
- The development shall thereafter be implemented in accordance with the approved design code details unless otherwise agreed in writing by the Local Planning Authority.
- 10 The dwellings shall achieve a minimum of Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
- 11 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority as a part of the relevant reserved matters submissions required by condition. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 12 Development shall not commence on any part of the site until a code of construction practice for that part of the site has been submitted to and approved in writing by the local planning authority. The code of construction shall provide a control framework that all third-party developers, contractors and sub-contractors will employ and shall include systems to be established and measures to be taken:
- To protect the water and land environment and air quality;
 - To protect the general public;
 - To meet health and safety requirements;
 - To control on-site working conditions;
 - In relation to site fencing/security measures;
 - To minimise the impact of noise on dwellings or any other premises likely to be adversely affected by construction activities in respect of that area;
 - To demonstrate compliance with the relevant legislation, guidelines and

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- practice notes relating to contaminated land;
- To provide details of traffic routes including points of access/egress to be used by construction vehicles;
 - To set points of liaison for site monitoring;
 - To suppress dust including the provision of a monitoring scheme near to sensitive properties;
 - To stabilise disturbed land;
 - To deal with unexpected contamination;
 - To deal with storage of soil, including separation methods and the isolation and redistribution of unconstrained top soil;
 - In respect of the siting and appearance of work compounds;
 - To ensure through the use of wheel cleaning facilities and street cleansing that the roads and access are kept free from dirt and debris generated by the development;
 - In respect of directional and other such signage.
- 13 All development shall be carried out in accordance with the code of construction relevant to that part of the site, as such code shall be updated from time to time with the agreement of the local planning authority.
- 14 Works of construction or demolition, including the use of plant, vehicles and machinery necessary for implementation of this consent, shall only take place (other than as specifically approved in writing by the local planning authority prior to any works being undertaken) between 08:00 hours and 19:00 hours Monday to Friday inclusive, 08:00 hours and 13:00 hours on Saturdays and not at all on Sundays or Bank Holidays.
- 15 Prior to discharge into any watercourse, surface water sewer or soak away, all surface water drainage from impermeable parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.
- 16 Details of the hours of operation, delivery of goods and any external sound amplification for employment and retail businesses shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the particular premises. The use of the particular premises shall thereafter be in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
- 17 During the bird breeding season prior to the commencement of development of any part of the site except the Works Area (as defined in the Section 106 Legal Agreement), an open ground bird nesting survey of that part of the site shall be undertaken by a suitably qualified person, submitted to the local planning authority and approved in writing. No vegetation, including trees or hedges, shall be cleared from the site during the period March to August inclusive, except where it can be demonstrated that breeding birds are not present on that part of the site.
- 18 Development shall not commence until (or such other timing as shall be agreed in writing by the local planning authority) the following components of a scheme to deal with the risks associated with the contamination of the site shall be submitted to and approved in writing by the local planning authority.
- A preliminary risk assessment which has identified:
 - Previous uses
 - Potential contaminants associated with those uses

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- A conceptual model of the site indicating the sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
- A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
 - The site investigation results and detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - A verification plan providing details of the data that will be collected in order to demonstrate that the works set out on (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall thereafter be implemented in accordance with the approved details.

- 19 Prior to the occupation or first use of any part of the development hereby approved, a verification report in relation to that part of the site demonstrating the completion of the works as set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.
- 20 If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
- 21 Construction of the wind turbines shall not commence until details of the proposed colour finish for the turbines have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.
- 22 Development of the hydro electric scheme shall not commence until a Gravel Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include provisions for monitoring the riverbank and riverbed for erosion through the lifetime of the development. The Gravel Management Plan shall thereafter be implemented in accordance with the approved details
- 23 Development shall not commence on any part of the site until a scheme for the provision of surface water drainage works on that part of the site has been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details prior to the construction of impermeable surfaces draining to this system.
- 24 Development shall not commence on any part of the site until a detailed scheme for the treatment of the foul flows from that part of the site has been submitted to and approved in writing by the local planning authority. Thereafter development shall take place in accordance with the approved details.

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- 25 Development shall not commence on any part of the site until such time that an approved programme of archaeological works has been carried out on that part of the site in accordance with a scheme of investigation which shall first be submitted to and approved in writing by the local planning authority. The programme of works shall include evaluation of all areas of the site with the exception of 'the Tops' as shown in Figure 3.1 of the Environmental Statement. The results of the investigations shall be submitted to and approved in writing by the local planning authority prior to the commencement of development on the part of the site to which they relate.
- 26 Notwithstanding the information submitted with the application, development shall not commence on any part of the site until a landscape management plan relating to that part of the site, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except domestic gardens within residential curtilages), has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include details of maintenance regimes, any new habitat to be created and details of boundaries and/or buffers around water bodies.
- 27 The business floorspace of the live/work units hereby approved shall be finished ready for use before the residential floorspace is first occupied and the residential use shall not precede commencement of the business use. The business floorspace of the live/work units hereby approved shall not be used for any purpose other than for purposes within Use Class B1 in the Schedule to the Town and Country Planning (Use Classes) order 1987, or in any provision equivalent to that Class in any instrument revoking and re-enacting that order with or without modification. The residential floorspace of each of the live/work units shall not be occupied other than by occupiers of the business floorspace of that unit or any resident dependants.
- 28 Before the occupation of the dwellings hereby approved the garages and hardstandings shall be constructed in accordance with the reserved matters details, and thereafter they shall be used and maintained in such a manner as to ensure their availability at all time for the parking of private motor vehicles.
- 29 No construction work shall take place on any part of the site, nor shall any materials or machinery be brought onto any part of the site unless all the trees and hedges to be retained on that part of the site are protected by the erection of fencing comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either cleft chestnut pale fencing (in accordance with BS1722:Part4) or chain link fencing (in accordance with BS1722:Part1) unless otherwise agreed in writing by the local planning authority. This fencing shall be erected not less than a distance 12 times the diameter of single stem trees or 10 times the diameter at 1.3m high of multi-stem trees and 3 metres from hedges as indicated on the approved landscaping plan and retained throughout construction works. No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any retained tree without prior agreement in writing by the local planning authority. Ground levels within the fenced areas shall not be altered and any trenches which are approved to be excavated within the protected areas shall be done so by hand digging or tunnelling only, no root over 50mm being cut and as many smaller roots as possible be retained. If trenches are to remain open for more than 24 hours all exposed roots shall be protected with an earth cover. Trenches shall be completely backfilled in

consolidated layers within 7 days or temporarily backfilled in lengths under the trees. Any removal of limbs of trees or other tree work shall not be done except when the appropriate approval has been sought and granted by the local planning authority.

- 30 The site shall not be developed for more than 65 dwellings.
- 31 Development shall not commence on any part of the site until details of the means of enclosure on that part of the site have been submitted to and approved in writing by the local planning authority. Thereafter the enclosures shall be constructed in accordance with the approved details prior to the first occupation of the buildings to which they relate.
- 32 Development shall not commence on any part of the site until full details of secure cycle parking to serve the development on that part of the site have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved details prior to the first use of the part of the development to which they relate.
- 33 Development shall not commence on any part of the site until full details of any proposed external illumination on that part of the site have been submitted to and approved in writing by the local planning authority. The submitted details shall be in accordance with the lighting strategy submitted and approved as part of the outline planning application. Thereafter the means of illumination shall be implemented in accordance with the approved scheme. If within a period of 3 months following first use of the lights or any individual light, the local planning authority requires realignment or shielding of the lights to be adjusted, this shall be carried out in accordance with an agreed scheme before the continuation of their use.
- 34 Unless otherwise agreed in writing by the local planning authority there shall be no external storage of materials on the site except within the areas shown on the approved plans, or other areas that may receive the prior written permission of the local planning authority. Prior to the first use, these areas shall be screened in accordance with a scheme to be submitted to and agreed in writing by the local planning authority.
- 35 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of any dwelling without the prior written approval of the local planning authority upon an application for planning permission.
- 36 Notwithstanding the indicative details of phasing submitted with the outline planning application, development shall not commence until details of the phasing of the entire development have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
- 37 Unless otherwise agreed in writing by the local planning authority, no development shall take place unless in accordance with the mitigation detailed within the Supplementary Environmental Information (and appendices) dated April 2009, author Entec, including but not restricted to adherence to timing and spatial restrictions; provision of avoidance, mitigation and compensation measures in advance of any work commencing on the site (including the creation and enhancement of habitats,

allowing sufficient time for them to mature to function as required); undertaking checking surveys and monitoring; adherence to precautionary working methods; and, implementation of an appropriate habitat management plan to maintain and enhance the habitats of protected species.

- 38 No development shall commence in the 'Tops' area until an access management plan for the Fairy Hole Caves has been submitted to and approved in writing by the local planning authority. The Access Management Plan shall thereafter be implemented in accordance with the approved details. The Plan shall determine the feasibility of access and thereafter the nature and frequency of any access. It shall also include details for the timing and carrying out of bat surveys as required and proposals for the continual monitoring of the use of the caves by bats, the results of such surveys to be submitted to the local planning authority. The Management Plan shall be updated from time to time by agreement with the local planning authority.
- 39 Notwithstanding the submitted details, development of the hydro electric scheme shall not commence until revised details of the channel between the settling pond and the outfall have been submitted to and approved in writing by the local planning authority. The revised details shall comprise a 'naturalised' channel with a series of pools linked by a meandering channel. The development shall thereafter be implemented in accordance with the approved details.
- 40 Development in the 'Tops' area shall not commence until a Visitor Management Plan has been submitted to and approved in writing by the local planning authority. The Visitor Management Plan shall thereafter be implemented in accordance with the approved details and shall be updated from time to time by agreement with the local planning authority.
- 41 No development shall commence in the 'Slopes' area until a scheme for the closure of the mountain bike trails has been submitted to and approved in writing by the local planning authority. The scheme shall be based on survey information on the use of the area by breeding lapwing. The mountain bike trails shall thereafter be closed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

INFORMATIVES:

1. The Environment Agency recommends that the developers should follow the risk management framework provided in CLR11, *Model Procedures for the Management of Land Contamination*, when dealing with land affected by contamination and refer to the *Environment Agency Guidance on Requirements for Land Contamination Reports* for the type of information required in order to assess risks to controlled waters from the site. Please refer to the Environment Agency's website at www.environment-agency.gov.uk for more information.
2. The recovery, treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires a Waste Management Licence or Pollution Prevention and Control permit.

Treatment of contaminated soil by mobile plant requires a mobile treatment licence. Soil may be re-used on site as part of a soil recovery operation by registering a waste management licence exemption with the Environment Agency or by obtaining a Waste Management Licence.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid delays. It is recommended that the developer should refer to the Environment Agency's remediation position statements outlining its regulatory position on remediation processes and guidance on the definition of waste.

3. Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site operations is clear. If in doubt the Environment Agency should be contacted for advice at an early stage to avoid delays.

REASONS FOR THE RECOMENDATION

The development is considered acceptable having regard to the National Planning Policies, Regional Planning Policies, Local Planning Policies, Relevant Strategies and Other Guidance contained in the Matrix at Appendix B.

In particular the development was considered acceptable having regard to consideration of the principle of the development and its location, highway safety, landscape issues and ecology.

The objections received were not considered sufficient to lead to refusal of the application particularly as the application is made in outline and with subsequent detailed matters being the subject of future applications and in view of the conclusions above (these to be reproduced on a decision certificate)

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- Design and Access Statement
- Environmental Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007
- Planning Policy Statements/Guidance
- Regional Economic Strategy for the North East
- County Durham Economic Strategy
- Weardale Strategy 2003
- County Durham Sustainable Community Strategy 2009
- County Durham Local Transport Plan 2
- Consultation Responses
- Public Consultation Responses



3/2008/0227 - DEVELOPMENT OF A RENEWABLE ENERGY VILLAGE AT WEARDALE WORKS AND QUARRIES AND OTHER LAFARGE CEMENT UK LAND, EASTGATE, BISHOP AUCKLAND - WEARDALE TASK FORCE

