

Item 3

SEDGEFIELD BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE

Council Chamber,
Council Offices,
Spennymoor

Friday,
11 January 2008

Time: 10.00 a.m.

Present: Councillor A. Smith (Chairman) and

Councillors Mrs. A.M. Armstrong, B.F. Avery J.P, W.M. Blenkinsopp, D.R. Brown, Mrs. K. Conroy, Mrs. P. Crathorne, V. Crosby, Mrs. L. M.G. Cuthbertson, D. Farry, T.F. Forrest, P. Gittins J.P., Mrs. B. Graham, A. Gray, G.C. Gray, Mrs. J. Gray, B. Haigh, Mrs. S. Haigh, D.M. Hancock, Mrs. I. Hewitson, J.E. Higgin, A. Hodgson, T. Hogan, Mrs. L. Hovvels, Mrs. H.J. Hutchinson, J.M. Khan, B. Lamb, Mrs. E. Maddison, B.M. Ord, Mrs. E.M. Paylor, J. Robinson J.P, B. Stephens and T. Ward

Apologies: Councillors Mrs. D. Bowman, T. Brimm, J. Burton, V. Chapman, D. Chaytor, G.M.R. Howe, J.G. Huntington, Mrs. S. J. Iveson, Ms. I. Jackson, C. Nelson, D.A. Newell, Mrs. C. Potts, K. Thompson, A. Warburton, W. Waters, J. Wayman J.P and Mrs E. M. Wood

DC.86/07 DECLARATIONS OF INTEREST
No declarations of interest were received.

DC.87/07 MINUTES
The Minutes of the meeting held on 7th December, 2007 were confirmed as a correct record and signed by the Chairman.

DC.88/07 APPLICATIONS - BOROUGH MATTERS
Consideration was given to a schedule of applications for consent to develop. (For copy see file of Minutes).

In respect of Application No : 1 – Change of Use of the land for the siting of 330 static caravans and 48 lodges together with ancillary landscape access, drainage and engineering works and the use of Brakes Farmhouse as a management centre together with the erection of an agricultural building to include ancillary shop - land west of Hardwick Park and north of the A689, Sedgefield – Theakston Farms LLP., South Lands, The Avenue, Eaglescliffe – Plan Ref : 7/2007/0531/DM – it was explained that the application sought for a change of use of approximately 87 hectares of land to create major tourist accommodation facility.

The development included the following :-

- The siting of 330 static caravans
- 48 lodges/chalets
- A rare breeds centre with associated farm shop and office accommodation.

- The conversion of Brakes Farm to create a management centre.
- The planting of 8.3 hectares of woodland
- The restoration of water features and improvements to public footpaths.
- Associated infrastructure works including internal access roads.

The site would be accessed from the A177 via a recently constructed roundabout to serve the Hardwick Country Park. The access also leads to Brakes Farm, which the applicant proposed to develop as a management centre for the caravan park.

The development would be phased over a number years and would not be completed until 2013 at the earliest.

The application was accompanied by a variety of supporting documents including :

- Environmental Statement & Supplementary Environmental Statement
- Planning Statement
- Flood Risk Statement
- Archaeological Evaluation Report
- Transport Assessment Report including Travel Plan
- Landscape Management Plan
- Statement of Community Involvement.

The Committee was informed that extensive consultations had taken place. Sedgefield Town Council had raised objections to the proposed development for a variety of reasons which were summarised and included :-

- The development would have limited economic benefit.
- The development would have an impact on local services.
- The development would have an impact on the appearance of the landscape in a rural environment.

With regard to public consultation responses, the application had been advertised by two press notices and a number of site notices. A total of 952 responses had been received of which 948 were opposed to the development. The majority of objectors made the following comments :-

- The proposed site is set in Historic Parkland, and is detrimental to the setting of both the Grade 2 listed Hardwick Country Park and Hall., (Ref PPG15, Planning and the Historic Environment, SBC Policies, E2, E9, E18) (Policy E9 Seeks to protect the countryside for its own sake, valued for it's natural and human resources: Agriculture. nature conservation, landscape, history...)
- The size and number of units (400) will be intrusive and overbearing on the landscape and screening all year round cannot be guaranteed. Seasonal leaf drop and rate of growth. (Ref Policies L2 1(A), E9, E18, D15,D14, D10, E2)

- The conditions of the site licence, if imposed, cannot be guaranteed to protect the site from change of use at a future date. (Ref Caravan Site and Control of Development Act 1960 Section 7(l) Right to appeal.)
- The traffic generated to and from the site would have a detrimental effect on both the wildlife on this site and the Historic Country Park i.e. increased traffic on the A 177 and A689 with consequent knock on effect re access to Sedgefield Village, disturbance to the natural environment, and also add to the parking problems within the village of Sedgefield which is home to a Grade I listed Church, and a number of historic buildings. (Ref. Policy T7 (A) (B))
- Access to public transport is not available at all times - site bordered by two major trunk roads — no safe access for the disabled or the cyclists. (Ref SBC Policy D3 (A) (C))
- The increased potential numbers of visitors identified by the developers would have a negative impact on already stretched services including health, policing, increase in existing class numbers in schools, and parking problems and consequently on local businesses. Contrary to Policy PPS7 Sustainable Development in Rural Areas.
- **Other issues include:-**
 Policy D14 Satellite Dishes - impact on the character of a conservation area or the setting or appearance of a Listed Building — Grade2 Park and Follies
 Policy D10 Pollution Prevention — Increased lighting requirements will be detrimental to the quality of the environment. This will not be controllable. Increase in waste production and disposal on a large scale. Who foots the bill?
 Policy 15 Advertising the site next to the Hardwick Country Park - Historic Parkland.

It was explained that in terms of the visual impact a condition would be imposed regarding landscaping and screening which would mitigate the effect on the visual aspect of the area.

With regard to the effects on the historic Hardwick Park, an environmental assessment had been undertaken by the applicant. English Heritage endorsed the approach from the applicant and considered that the development would not adversely affect the Park.

Dealing with the impact on the road network, it was explained that the transport plan had been endorsed by Durham County Council. It was considered that the road network was capable of accommodating the additional traffic.

With regard of the impact of the development on Rights of Way, it was explained that officers considered that it would in fact improve the footpath network. Additional correspondence from Durham County Council, relating to this issue was circulated.

In terms of archaeology the Committee was informed that the application had been accompanied by a site survey. Trenches had been excavated

and two of these were found to contain features of possible prehistoric or Roman date. A condition was proposed whereby no development could take place until these areas had been investigated further and the results published in an appropriate journal. A condition could be imposed to deal with archaeological issues.

The potential impact on bio-diversity had been considered in accordance with Circular 06/2005 relating to protected species. A comprehensive appraisal had been undertaken and fully evaluated. A number of amendments had been made to the scheme including the removal of a circular footpath. Other measures would be taken to mitigate the effect of wildlife including the provision of 30 bat boxes and monitoring of light levels.

The Committee was informed that with regard to demands on the health service, the PCT had not commented.

The views of the County Council as the education authority had not been sought as the development was not for permanent residential occupation. However, data which had been extracted from the Department of Education and Skills web site indicated that schools in Sedgefield were below capacity.

With regard to the use of energy, it was pointed out that a condition would be imposed regarding 10% of energy being provided from renewable sources.

In relation to the terms of occupancy on the development, it was pointed out that the accommodation would be used solely for holiday purposes and not as permanent residences. A condition would be imposed to that effect.

Reference was made to the good practice guide for tourism in which significant weight was given to dealing with such issues. The development would be integrated through landscaping, the additional traffic would be able to be accommodated and there would not be a significant impact on the road network.

Taking all factors into account officers considered that the beneficial impact of the development would outweigh any issues and were recommending approval.

The Committee was informed that a number of objectors were present at the meeting to outline their concerns including representatives from Sedgefield Town Council.

Dudley Waters, a Town Councillor, explained that the Town Council was strongly supporting the objections of many residents. A planning consultant, Mr.D. Stovell, had been engaged to prepare a written document. Mr. Stovell then addressed the Committee. He raised a number of objections including the material harm to the countryside which, because of the scale of the development and its context in the area, would

represent a major incursion into the open countryside. The caravans would be intrusive and would have a major impact on the area.

He explained that the development was along the A689, the main approach to the town from the west. He considered that tree screening would make little difference in the winter months and tree planting would take a while to provide reasonable screening. Conditions relating to tree planting would be difficult to enforce. Trees failed to mature quite frequently and needed to be replanted. Such development normally occurred in areas where there was already established landscaping. The development therefore was open to views from the A689 and would not be adequately screened.

It was explained that residents concerns were that caravans were a relatively cheap means of a second home and would attract a myriad of people. There would be no condition to control the type of people using the premises. The development would be like a new housing estate.

There would be also issues relating to access to medical provision.

In conclusion the issues were simple :-

- The affect the development would have on the appearance of the area.
- The size of the development, and
- The control of landscaping

Benefits to the local economy were unlikely to materialise and it could not be guaranteed what would happen in the future.

Representatives from the Sedgefield Village Residents Forum then addressed the meeting on their concerns. Mrs. Gloria Wills outlined the background to the application. She explained that the area was a designated conservation area and nearby Hardwick Park had been developed with lots of public money and was a beautiful historic parkland site. Officers had cited Good Practice Guide and planning for sustainable development. That document was, however, still in the consultation stage. Officers also mentioned the beneficial effect on the local economy and employment. That argument needed to be supported. The proposal would change the appearance of the historic parkland and the flora and fauna.

Sedgefield Local Development Framework adopted a sequential approach to best practice. The North East Assembly had given Sedgefield a secondary settlement status and therefore a low priority in terms of development.

Tourism was to be encouraged but no mention had been made of the carbon footprint which would be a consequence of the development. There was also no evidence of how noise issues from children playing and barbeques would be addressed or lighting provided.

Mrs. Wills made reference to PPS4 – Planning for Sustainable Economic Development. The policy states that the development should be of high quality regardless of locality but goes on to say that it should ensure that the design takes into account the pressures of climate change.

There was also no guarantee that the development would be sustainable in the long term. If there were benefits to be derived from the development, this would be minimal.

In conclusion the queries which needed to be raised were :

- What other benefits would be derived from the development?
- Was there a need for the development?
- Who was going to fill the jobs?
- How could it be guaranteed that it would not be used as a permanent site?
- The application was a departure from the Local Plan policies of the Council.

Mr. Paul Elwell then outlined the traffic and transport issues associated with the development which were of concern to residents. As there would only be a farm shop on the site, the people would have to use the village facilities. He explained that there would be an increase demand for traffic with one car park per unit. In peak hours the forecast for traffic from the site to Sedgfield Village would in fact be more and was not an accurate assessment. The Transport Assessment was incomplete.

In terms of the Travel Plan, a bus service could be provided to railways and places of interest. It was usual for a commitment to be made to have a bus service for a minimum of 2 years to establish how sustainable the bus service would be.

With regard to cyclists, he noted that cyclepaths could be provided and 25 stands were to be provided in the village centre. However, there was no real commitment to sustainable travel.

Reference was made to the problems of car parking in the village centre. There was no spare capacity and the implications were that there would be congestion in the village and people would park in unsafe places. If the application was approved the problems that arose would be left with the local authority to address not the developer.

In conclusion the assessment did not deal with the issues of parking in the village. The Travel Plan was weak and did not show a commitment to sustainable travel. There was also no reference to the Council's Policy T7.

Mrs. Angela Barron then outlined residents concerns regarding the environmental impact of the development. She considered that the ecological survey did not go far enough to preserve the flora and fauna of the area. The ridge and furrow grassland was rare and should be protected. The development and whole construction process would

obliterate this unique area. Indeed, the Landscape officer had expressed concerns regarding the impact of construction on the area.

A number of mature trees in the area were to be felled. The Tree officer had objected to that felling.

The area was woodland/wildlife corridor and should be protected as part of the historic parkland.

The survey did not identify many of the creatures in the area which was a wildlife habitat. Conditions would be imposed but Mrs. Barron pointed out that there would be great crested newts in the stream 200 mts. from the chalet development, a badger sett just over the fence from the chalets and also in the plantation 300 mts. from the site. The badgers would have no territory left and would be surrounded by chalets. There was also a small herd of roe deer in the vicinity. It was also a habitat for otters and an important area for birdlife.

Mrs. Barron considered that the panoramic views would be lost. The area was historic parkland with particular characteristics and should not be developed in this way. The application should be refused on the grounds of conservation.

The issues of tourism were identified by Mr. Ivan Porter. He explained that residents were of the opinion that the need for such a development had not been identified. There was a wide range of accommodation in the area including Travel Lodge, hotels, etc. There was not a need for additional accommodation. Indeed the development could have a negative effect on business. The proposal was purely a commercial venture.

The Department of Communities and Local Government was stressing the need to safeguard and enhance and respect the environment. Such development should take into account the natural environment and ecology. This development could not meet that criteria. In addition the County Durham Structure Plan stated that such development should not adversely affect the landscape.

Mr. Porter also made reference to the restoration of Hardwick Park which had transformed the area and increased visitor numbers. This was a tourist attraction of which the village could be proud. The development would devalue the attractiveness of the Park.

Mrs. Julia Bowles, Chair of the Sedgefield Village Residents Forum, then addressed the meeting. She pointed out that almost 1,000 letters opposing the development had been written. Consultation was essential to the local community. The developer had only carried out pre-application consultation three weeks before the application was submitted. Even Councillors were unaware of proposals.

The developer had worked in partnership with Durham County Council. However, this was only at officer level. There had been no elected Member involvement. There was an expectation that the developer would

pay for services. In relation to Friends of Hardwick Park the application indicated that they had been involved from an early stage. This was not the case. Indeed, members of the Friends had voiced concerns.

The residents were concerned about infrastructure and amenities being under pressure and traffic issues.

In relation to water supply the Northumbrian Water had indicated that new pipework would have to be undertaken to the tune of £1m.

The development was the equivalent of a large housing estate being added to the village- equivalent to a 14.5% increase in Sedgefield's population.

The developer would not make a financial contribution to local services and the development would be a strain on police services.

In relation to wildlife the Badger Group had not been consulted until informed of the application by the Residents Forum.

The figures in relation to tourism, jobs were questionable also occupancy levels. This brought into question the validity of the application.

The application was in conflict with policies to protect the countryside and would be of no benefit to the area and would be a strain on resources. The area should be retained as historic parkland.

Mrs. Bowles also pointed out that the timescale of the development should also be viewed with caution.

There was a need to protect the local area and the Residents Forum were prepared to take the issues through the European Court.

Mr. A. Robb, a local resident, then addressed the meeting. He explained that he was a scientist and was concerned regarding the effects of the development on climate change. He pointed out that energy consumption was increasing and that the world was facing changes of historic proportion which would effect everyone. At a time when energy descent was being encouraged this development would promote energy ascent. To allow the development would be madness. The reality was that by 2021 oil reserves, etc., would be dramatically dwindling and there was a need to make the reserves last. The carbon footprint of this proposal would be huge.

Mr. Jenkins then spoke against the application and supported the concerns of other residents. He informed the Committee that if the application was approved he would be contacting his MEP.

The environmental concerns of local residents were then outlined to the Committee by Mr. King. Mr. King explained that caravans were exempt from building regulations and were built to standards which had not changed for many years. Building regulations had significance with regard

to insulation, etc. – caravans did not have specifications with regard to insulation and heat loss could be ten times that of a new house. Caravans were built to the required British Standard which was not exceeded. CO₂ emissions needed to be taken into account. The environmental impact of the development would be substantial particular in winter months.

Mr. Dunn then addressed the Committee regarding his concerns with the development. He explained that the development was for a holiday park in an area which was not necessarily a holiday area. He also expressed concerns as to how it would be policed. Mr. Dunn considered that the development would have a detrimental affect on the town and also on wildlife.

Mr. Harrison from Nathaniel Litchfield, the applicant's agent, then addressed the Committee to respond to the concerns of residents.

He explained that there was a policy emphasis on promoting tourism and that tourism was under-represented in Sedgfield Borough in terms of the local economy and accommodation. Only 5% of jobs represented tourism whereas the national average was 10%. In addition the area did not have self-catering accommodation. In terms of the likely catchment area for the development this was within about 90 minutes driving time.

The proposal would be a quality scheme with quality accreditation and would be different from existing provision.

The site was good in terms of transport corridors and was environmentally attractive and offered a range of benefits on site and was in close proximity to a number of facilities such as the racecourse, golf course, country park, etc.

A strategic search had been undertaken and this was the only site suitable for development. Consideration had been given to whether a scheme could be viable and consultation had been held with Durham County Council, Sedgfield Borough Council, and the Friends of Hardwick Park. In addition a presentation had been given to Sedgfield Town Council.

With regard to the application itself this was accompanied by a full Environmental Statement identifying species etc. English Heritage offered no objections to the proposals.

The applicant was committed to quality and wished to achieve Tourist Board 5* rating.

In terms of landscaping a condition would be imposed to control landscaping and it would be five years before caravans were on site and not before the area had been landscaped to the satisfaction of the local authority. He pointed out that a Landscape Management Plan was crucial.

In terms of ecology detailed surveys had been undertaken. There had been no objections from Natural England subject to appropriate mitigation.

The mitigation would provide benefits to badgers of foraging and also would include the provision of bat boxes.

Dealing with archaeology Mr. Harrison explained that geophysical surveys had been undertaken, trenches had been dug and nothing of significance had been found. Durham County Council's archaeologist offered no objections to the proposals.

Mr. Harrison explained that with regard to energy efficiency a condition would be imposed regarding 10% renewable energy on site. A great emphasis would be placed on energy efficiency. However, no specific proposals were being considered as by 2013 which was the earliest occupancy time it was considered that technology would have progressed.

The Committee was informed that access would be via the Visitor Centre, Hardwick Park and Theakston Farms. Access via the A689 would be closed it was pointed out that when on holiday people were unlikely to travel at the same time as people going to work.

Occupancy of the caravans would be controlled through a condition and practice guide. If that condition was breached the local authority would be able to take enforcement action.

Responding to residents concerns regarding the impact on the village Mr. Harrison explained that he did not envisage full occupancy of the caravans. There would be limited on-site facilities and people would be travelling to strategic locations elsewhere. A shuttlebus service could be provided and on site there would be provision for cycling. He did not foresee any impact on schooling. Addressing the potential benefits of the scheme, Mr. Harrison explained that there would potentially be 17 or 18 jobs created directly and approximately 60 indirectly. It was anticipated that it would bring £5m to the local economy. The Durham Area Tourist Partnership considered that the scheme had great potential.

It was pointed out that the scheme adhered to national, regional and local policies, would have potential benefits and there were no statutory or technical objections to the scheme.

Mr. Seymour, a local resident, then addressed the Committee to outline why he considered the application should be approved. He explained that he had enjoyed many enjoyable holidays in a static caravan and would not like anyone to be denied such pleasure. Typically caravans were used at weekends and school holidays. He also did not think that the residents present at the meeting fully represented the views of all the residents of Sedgfield.

Members of the Committee then debated the application and made the following points :-

- Local Ward Members pointed out that they had been unaware of the application before July, 2006 and that the accusation that backhanders had been given to approve the application were untrue.

- There would be an over-development of the site.
- Archaeological concerns.
- Detrimental to the historic country park.
- 25% occupancy of the site does not stack up
- Would have an impact on the infra-structure of the village.
- It did not fulfil social, environmental or economic considerations.
- Would have an impact on services such as sewerage.
- Parking facilities in Sedgfield.
- Impact on the environment.

Members also expressed concern about the carbon footprint, the anticipated traffic problems, the adverse effect on the landscape, the upheaval to the village, putting profit before people, the lost opportunity to have an all lodge development in durable materials, and the inherent dangers of looking after rare breeds of cattle.

Members of the Committee therefore proposed that the application should be refused on the grounds of over-development in the countryside, the application did not fulfil environmental, economic and social policies and it was contrary to Policy L21.

RESOLVED : That the application be refused for the following reason:-

It represented over-development in the countryside, it did not fulfil environmental, economic and social policies and it was contrary to Policy L21.

DC.89/07

DEVELOPMENT BY SEDGFIELD BOROUGH COUNCIL

Consideration was given to a schedule of applications for consent to develop. (For copy see file of Minutes).

It was explained that with regard to Application No : 1 – Erection of New Boundary Wall and Gates, 2-28 (even) Haig Street, Ferryhill Station – Plan Ref : 7/2007/0668/DM – Condition 3 needed to be revised to include the date of recently amended plans

RESOLVED : That the recommendations detailed in the schedule be approved subject to Condition 3 contained in Application No : 1 - Erection of New Boundary Wall and Gates, 2-28 (even) Haig Street, Ferryhill Station – Plan Ref : 7/2007/0668/DM – being amended to read as follows :-

“The development hereby approved shall be carried out only in accordance with the submitted application as amended by the following document and plans – Drawing No : 11002/007 received on 4th January, 2008.

Reason : To ensure the development is carried out in accordance with the approved documents.

DC.90/07 DELEGATED DECISIONS

Consideration was given to a schedule detailing an application which had been determined by officers by virtue of their delegated powers. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

DC.91/07 APPEALS

A schedule of outstanding appeals up to the 27th December, 2007 were considered. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That in accordance with Section 100(a)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 6 of Part 1 of Schedule 12a of the Act.

DC.92/07 ALLEGED BREACHES OF PLANNING CONTROL

Consideration was given to a schedule detailing alleged breaches of planning control and action taken. (For copy see file of Minutes).

RESOLVED : That the schedule be received.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 email: enorth@sedgefield.gov.uk