

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 7 June 2022 at 9.30 am**

Present:

Councillor G Richardson (Chair)

Members of the Committee:

Councillors D Boyes, P Heaviside, J Higgins, P Jopling, C Martin, M McGaun, B Moist, P Molloy, I Roberts and S Zair

1 Apologies for Absence

Apologies for absence were received from Councillors A Bell, C Hunt, M McKeon, K Shaw, A Simpson and S Wilson.

2 Substitute Members

Councillor P Heaviside as substitute Member for Councillor A Bell and Councillor M McGaun as substitute Member for Councillor C Hunt.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 3 May 2022 were confirmed as a correct record and signed by the Chair.

5 Applications to be determined

a DM/21/02990/FPA - Croxdale Farms, Hett Moor Farm, Hett, Durham, DH6 5LJ

The Committee considered a report of the Senior Planning Officer regarding an application for the installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure at Croxdale Farms, Hett Moor Farm, Hett, Durham, DH6 5LJ (for copy see file of Minutes).

C Shields, Senior Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph, site photographs, proposed site plan and landscape strategy.

Kelsi Bolstad from Lightsource BP addressed the Committee in support of the application.

The application was a proposal to bring sustainable energy to County Durham, helping the UK to decarbonise.

Lightsource bp was both a national and international leader in the funding, development, and long-term management of large-scale solar projects with many years of industry experience. They delivered responsible solar and championed the rural community seeking mutually beneficial solutions for all.

This application for a solar farm would help to significantly tackle the issues of energy security and climate change through increasing renewable energy generation whilst reducing carbon emissions. Over 14,000 tonnes of carbon would be saved annually, the equivalent of taking over 7,000 large cars off the road. This would help Durham County Council achieve the ambitions set out in its Climate Emergency Response Action Plan.

The application would also help to meet national commitments and obligations to Net Zero, including those set out by the Government in its 'Net Zero Strategy' as well as the recently published 'energy security strategy'. The generation of solar power was one of many initiatives that would play an important role in meeting the Government's 2035 target for all electricity to come from low carbon sources.

If approved, in addition to the generation of homegrown and secure renewable energy, the proposed installation would provide several other benefits including:

- 3,950m of hedgerow planting to enhance the natural screening of the solar farm and support local wildlife;
- other biodiversity enhancements including bird and bat boxes and areas of wildflower meadow which would result in a significant biodiversity net gain of 155%;
- helping to support the long-term viability of Croxdale and Hett Farms and their continued agricultural operations through the continuation of livestock grazing
- economic benefits, including a contribution of approximately £165,000 per annum in business rates direct to Durham County Council

Lightsource bp believed in sharing the benefits of renewable energy with the wider community and, if the application was approved, would contribute £1,000 per megawatt through a community benefit fund.

An Agricultural Land Classification Survey had been conducted which had classified the land as Grade 3b, which was classed as 'not best and most versatile land'. However, the site still enabled sheep grazing between the panels ensuring that agricultural operations could continue.

Lightsource bp carried out extensive pre-application consultation, and engaged with local residents and community, and other key stakeholders. The majority of written and verbal feedback received was positive.

Since submission of the application Lightsource bp had engaged with Officers and submitted further details to address queries raised.

The application accorded with both the Local Plan and with current and emerging Government policy on achieving Net Zero. This was reflected in the County Durham Local Plan with Policy 33 for renewable energy development, stating that these benefits would be given great weight in the decision-making process.

Safe, secure and low impact domestic energy supply had never been more of necessity as it was today in the face of climate change and geopolitical events pushing supplies to the brink. The climate was already in trouble, stability was breaking and industrial resolution powered by sustainable forms of energy was urgently required. The UN reiterated the message that it was truly 'now or never' to act on climate change, stressing those global emissions of CO₂ would need to peak before 2025, solar was ready to act.

After carefully weighing up all the planning considerations Council Officers had recommended approval for this application. Accordingly, and with the need to act on climate change and energy security now, Ms Bolstad asked the Committee to grant planning permission in accordance the Officers recommendation.

Councillor Jopling commented that the proposed solar farm was on a large swathe of arable land and asked whether the proposed solar farm would be one of the larger ones in County Durham. Kelsi Bolstad replied there were a few solar farms of this scale in County Durham. Lightsource bp had consent for two solar farms approved in County Durham which would be constructed in the next few years. Although the development looked to be large scale enhance landscaping was proposed to help with the impact of the scale of the proposal with a biodiversity net gain of 155%. The solar farm would have a lifetime of 40 years after which all equipment would be removed and the land revert to agricultural use.

Councillor Molloy referred to the presentation by the applicant and asked what research the applicant had undertaken to ascertain whether climate change was man-made or was cyclical.

Kelsi Bolstad replied that this was not a material planning consideration. Lightsource bp carried out a lot of research into climate change, where it sourced material uses and how calculations were carried out to realise the benefits of carbon savings.

Councillor McGaun asked what level of employment the proposed development would bring and sought clarity on the £1,000 per megawatt contribution referred to in the presentation.

Kelsey Bolstad replied that an economic benefits assessment had been carried out which calculated that 100 people would be directly employed during construction and 150 indirectly employed. Over the lifetime of the project 10-15 staff would carry out operational maintenance and management of the solar farm. The community benefit fund would be £1,000 per megawatt of installed capacity which would be paid to the local Parish Council once the solar farm was up and running.

The Senior Planning Officer confirmed that Lightsource bp had two approved solar farms at Sedgefield and at Hulam which were of a similar scale to this application. The Planning Policy Framework indicated that climate change was happening and there was support for project which addressed this.

Councillor Martin informed the Committee he could see no objections to the proposal which, although had some detrimental impact in terms of views and loss of agricultural land, also had a significant planting scheme to mitigate this impact. Councillor Martin **moved** approval of the application.

Councillor Molloy considered that a considerable amount of arable land was being taken over by the proposed solar farm. Paragraph 171 of the report stated that the proposed development would result in unacceptable landscape harm in conflict with CDP Policies 10 and 39. Additionally, the removal of arable land may result in the need to import more food and this would lead to an increase in the carbon footprint which would not be negated by this development. On these grounds Councillor Molloy informed the Committee he was unable to support approval of the application.

Councillor Jopling agreed with Councillor Molloy. There was a need to balance the ability to produce food with the ability to produce energy from sustainable sources and as such this was a difficult application to determine.

Councillor Moist, while appreciating the concerns which had been expressed, reminded the Committee that the solar farm should be considered in terms of

a planning application. The proposed solar farm would be on a very small percentage of the land area of County Durham and the benefits of the development far outweighed the cost of it. Councillor Moist informed the Committee that he would be supporting approval of the application.

Councillor Zair agreed that the application was a difficult one to determine, with arguments both for and against approval. County Durham already had two large solar farms and Councillor Zair feared that if this application was approved it could encourage further large applications in the future or an application to expand this site. Councillor Zair expressed his worry at the loss of agricultural which reduced the ability for the country to be more self-sufficient in food production.

Councillor Richardson informed the Committee that he was a farmer. While the population needed electricity, first and foremost it needed food. This application was on 260 acres of crop producing agricultural land and Councillor Richardson informed the Committee that on this occasion he would be voting on the application.

Councillor Roberts **Seconded** approval of the application.

Upon a vote being taken there was an equality of votes, therefore upon the Chairman using his casting vote the motion to approve the application was **Lost**.

N Carter, Planning and Development Solicitor explained that the motion for approval had been lost and therefore to make a determination on the application a mover and seconder was needed for an alternative proposal which would then be put to the vote. Members had mentioned landscape impact as a reason for refusal of the application and while the report recognised the residual landscape harm there was a balancing exercise whether the benefits of the development outweighed the landscape harm. Referring to issues of food production and impact on agriculture which had been mentioned by the Committee the Planning and Development Solicitor expressed concern that there was no evidence to support this as a reason for refusal.

Councillor Jopling considered that the application was contrary to Policies 10 and 39 of the County Durham Plan and **Moved** refusal of the application on the grounds of unacceptable landscape and visual impact which was not outweighed by the benefits of the scheme. **Seconded** by Councillor Molloy.

Upon a vote being taken there was an equality of votes, therefore upon the Chairman using his casting vote it was:

Resolved:

That the application be refused on the grounds of unacceptable landscape and visual impact contrary to Policies 10 and 39 of the County Durham Plan. This impact was not outweighed by the benefits of the scheme.

b DM/21/04097/FPA - Site of Former Tudhoe Grange Comprehensive School, Durham Road, Spennymoor, DL16 6SQ

The Committee considered a report of the Senior Planning Officer regarding an application for a new 630 place Primary School on the site of the former Tudhoe Grange Comprehensive School, Durham Road, Spennymoor, DL16 6SQ (for copy see file of Minutes).

C Shields, Senior Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph, site photographs and visualisations of the proposed new school.

Councillor Jopling **Moved** approval of the application which she considered would be of great benefit to Spennymoor.

Councillor Molloy informed the Committee that the proposed development neighboured his electoral division. While he had received no representations on the application, he had some reservation that the new school would have no facility for drive in and drop off and asked why no consideration had been given to providing this. Durham Road already had issues with parking and Councillor Molloy considered these would be exacerbated by the proposed school. Councillor Molloy also asked how the timings for the school would conflict with the two other schools in the area.

Councillor Boyes informed the Committee that he supported the application but considered that a drop off/pick up point should be incorporated into the proposed development.

The Senior Planning Officer informed the Committee that the proposed car park for the school was slightly oversize for the school itself. The issue of providing parent drop off/pick up was that this encouraged parents to use their cars to drop children off rather than using an alternative. The application had been accompanied by a Travel Plan to encourage use of alternative modes of transport and there was provision on site for cycle and scooter storage and bus stops outside of the school site.

Councillor McGaun informed the Committee that he supported the application but considered that a condition relating to parking or school timings with neighbouring schools was vital to enable the Committee to make an informed decision.

P Harrison, Highway Development Manager informed the Committee that a car parking management plan may be a solution. A pick up and drop off facility would require a significant redesign of the proposal and would lead to a lot of dead space. A car parking management plan could lead to an area of the car park being set aside at pick up and drop off times. The Senior Planning Officer informed the Committee that the applicants could be requested to revisit the Travel Plan to look at the operating times of the neighbouring schools.

Upon a vote being taken it was

Resolved:

That the application be approved subject to an amendment to the Travel Plan to include working with neighbouring schools on start and finish times.

c DM/21/04047/FPA - Site of Former Electrolux, Merrington Lane Industrial Estate, Spennymoor, DL16 7EY

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 27 dwellings with associated infrastructure (revised description 16/05/2022) on the site of former J Mitchinson, Merrington Lane Industrial Estate, Spennymoor, DL16 7UT (for copy see file of Minutes).

L Eden, Senior Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph, site photographs, proposed site plan and proposed elevations.

The Senior Planning Officer informed the Committee that since the publication of the Committee report further discussions had taken place with the applicant regarding the wording of the proposed conditions who had requested that a number of the triggers be moved back slightly into the development phase to ensure the smooth deliverability of the scheme. Officers had no objection to this and requested delegated authority to make these changes should the application be approved.

Councillor Martin referred to this development being part of a larger development site and asked what amenities would be provided. James Hall, agent for the application confirmed this application was part of a larger development site which would include commercial uses.

Councillor Boyes asked whether the affordable housing would be on-site or off-site. Mr Hall replied that the affordable housing would be delivered through a legal agreement with Home Housing Group and would be delivered on site.

Councillor Molloy informed the Committee that the proposed development neighboured his electoral division. This was a brownfield site and he had received representations on the proposal. Councillor Molloy **moved** approval of the application. **Seconded** by Councillor Jopling and

Resolved:

That the application be approved subject to the completion of a S106 Legal Agreement to secure the following:

- £43,930 towards improving offsite open space and recreational provision within Tudhoe Electoral Division;
- £13,041 to increase GP surgery capacity;
- provision of 15% affordable housing units on site comprising of 3no. units for affordable home ownership and 2no. unit for affordable rent.

and the Conditions contained in the report, subject to delegation to Officers to negotiate trigger points.