

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the **Council Chamber, County Hall, Durham** on **Thursday 26 October 2023** at **9.30 am**

Present:

Councillor E Peeke (Chair)

Members of the Committee:

Councillors W Stelling (Vice-Chair), G Binney, J Blakey, L Brown, K Earley, D Haney, P Jopling, I Roberts, K Shaw, A Sterling, A Watson, S Wilson and L Fenwick (substitute for J Purvis)

1 Apologies for Absence

Apologies for absence were received from Councillor Moist and Councillor Purvis

2 Substitute Members

Councillor Fenwick as substitute for Councillor Purvis.

3 Minutes

The Chair informed the Committee that some queries had been raised on the minutes from the meeting held on 5 October. The minutes were to be withdrawn from the agenda and would be brought to the next meeting of the Committee.

4 Declarations of Interest

Councillor Stelling declared an interest in item 5a as it fell within his division.

5 Applications to be determined;

a DM/23/02182/FPA Land at the West of Townhead Farm, Iveston Lane, Iveston, DH8 7TD

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 2 dwellings with associated landscaping and works at land at the west of Townhead Farm, Iveston Lane, Iveston (for copy see file of Minutes).

Gemma Heron, Senior Planning Officer provided a detailed presentation of the application which included photographs of the site, site location, aerial photograph, primary access routes, site boundaries, elevation plans and proposed visuals.

One letter of objection had been received which cited that the proposed dwellings did not fit the aesthetic of the area and the increased traffic would be dangerous and there was a need for a lower speed limit.

A response from the applicant and agent had been received after the publication of the report however this had not changed the recommendations within the report.

The Chair thanked the Planning Officer and invited agents for the applicant, Craig Ross and Hannah Wafer, to address the committee.

C Ross informed the committee that the application had been granted approval in 2019, which had since lapsed. The purpose of the application was to reapply the previously accepted proposal. The Spatial Planning Officer had raised no objections to the proposal and the Local Conservation Officer had reached the same conclusion. The application had characteristics that were in keeping with the settlement of Iveston whereas the neighbouring premises of the Pavilion restaurant conflicted with the characteristics of village which should not be ignored. An independent visual assessment had been carried out which concluded that the landscape impact would be minimal, and the development would be of a high quality and design. The proposal that had been put forward to the committee was fact based and reliable. Mr Ross asked the committee to approve the application.

Claire Young, applicant, informed the Committee that planning permission had previously been approved on this site. The newly adopted Area of High Landscape Value Policy resulted in the applicant having an independent visual assessment undertaken. The findings of this assessment reported that the landscape impact would be minimal.

In accordance with Policy 39 it conserved the landscape and provided residential development of high quality and design. The company who gave the independent report was Southern Green, a local company based in Gateshead. Their expertise was regularly used by Durham County Council to support their arguments and from this it could be interpreted that their opinions were fact based and reliable. For these reasons, and many others, Ms Young asked the Committee to support approval of the application.

The Chair thanked the agent and applicant for their comments and then opened the debate to the committee.

Councillor Stelling reminded the Committee that Design and Conservation Officers, Highways Officers and Contamination Officers had raised no objection to the proposal with Design and Conservation commenting that the proposed development reflected the previous approval. The proposed development sat comfortably and tastefully in its location. The proposal would make best use of the land while not prejudicing allocated or permitted development nearby. The development of this site would be a logical extension of the village in a form which reflected the surrounding areas. Policy 10 of the County Durham Plan related to development in the open countryside but given the location of the site this Policy was not considered to be of any relevance. Equally, Policy 6 of the County Durham Plan allowed for developments which were within and outside of the built-up area provided that they were well related to the settlement and Councillor Stelling believed this development complied with Policy 6. The site was located within the Conservation Area and officers had confirmed that substantial harm could not be demonstrated as a result of this development. The development was of a high-quality design which had been praised by the County Council's Design Officer. Local companies would benefit during the construction phase of the development. Councillor Stelling believed that the benefits of the development outweighed the insubstantial harm.

Referring to the site being located in an Area of High Landscape Value the site had experienced development over the recent years, currently providing access to an equestrian centre. There were more obvious developments in this location, the equestrian centre and the Cantonese restaurant. As demonstrated through an independent visual assessment this development in accordance with Policy 39 conserved the landscape and provided a residential development of both high quality and design. While the Local Plan had been adopted since the previous approval the design and landscape impact was previously deemed acceptable and did not contravene Policy 6 or Policy 39 of the County Durham Plan. Councillor Stelling could see no reason why this development should not go ahead and **Moved** that the application be approved.

Councillor Blakey agreed with Councillor Stelling and **Seconded** the motion.

Councillor Sterling informed the Committee that she drove past the location regularly and was familiar with it. The buildings proposed were sympathetic and planning permission had been previously approved. Councillor Sterling did not consider the location as an Area of High Landscape Value because within it was the Cantonese restaurant which was not of a high quality design, was near to two other buildings which had been worked on recently and was next to a main road. Councillor Sterling considered that the proposed development fitted within Policy 6 of the County Durham Plan. Councillor Sterling referred to recent approval for a development of 300 homes on three farmers' fields within her electoral division which was considered well related to the settlement on the edge of the village then there should be no reason that this development which was located next to an equestrian centre and opposite a Cantonese restaurant should not be approved.

Councillor Watson considered the proposed development would have minimal impact on the area of High Landscape Value.

Councillor Watson considered the proposed development was a high-quality design and did not contravene Policies 6 and 39 of the County Durham Plan.

Councillor Jopling commented that the site was not in a Neighbourhood Plan area and there had been no objections from local residents. Councillor Jopling commented that she was unable to see how the proposed development had an unacceptable impact or harm to the local area. The surrounding area had been more adversely affected by previous developments which included terraced homes and barns. Councillor Jopling remarked that the development would not change the local countryside and although the report stated that it would she believed that this was only by a technicality and would not be a recognisable change. Councillor Jopling also considered the proposed development was not detached from the existing built-up area of the village and agreed that the application should be approved.

Councillor Wilson sought clarification whether the building materials proposed complied with the Conservation Area guidelines. He considered that the design of the application was not out of keeping with the local area and sought details of the position of the village boundaries.

The Senior Planning Officer responded that the characteristics of the village and the proposed site of the development were considered as two different settlements and the proposal had been deemed outside the settlement of Iveston.

This decision had been obtained as the proposed site provided a natural barrier in terms of a slope which had been distinctly different in profile to the settlement of Iveston therefore the boundary had been classified as where the physical landscape changed in relation to the developments within the settlement.

Councillor Earley considered the phrase less than substantial harm to be misleading as the development would still be harm. Iveston was the only Saxon settlement village in North Durham and this must be taken into consideration. Iveston was the only type of the village in the area based off other characteristics in comparison to other neighbouring settlements. While accepting that the proposed development was well designed it impinged on a Conservation Area and the historic site of Iveson. The location of the Cantonese restaurant needed to be put into context that the building had previously been a pub. Councillor Earley supported the recommendations of the Planning Officer and would be voting against approval of the development.

Councillor Brown informed the Committee that it could not consider the previously approved application as both the NPPF and the Local Plan had changed. The application needed to be considered in isolation. Councillor Brown was uncomfortable that the development was in a Conservation Area and an Area of High Landscape Value and could not see that the benefits of the development in this location would outweigh the harm. The development would have a high visual impact due to its positioning in relation to the adjacent main road.

Councillor Roberts considered the sight of the area of green land to be of high value significance on entry to the village and it was important for this to be retained. As such she would be supporting the officer recommendation for refusal.

Councillor Haney remarked that the proposed application would be prominent and overbearing on the countryside and believed that approval of this application would encourage further encroachment into the countryside and the Area of Higher Landscape Value.

Councillor Shaw said that the area was of High Landscape Value. National Planning Policy Framework section 16 paragraph 202 stated that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. He believed that the application had failed to achieve this. He also highlighted that Policy 39 of the County Durham Plan stated the need to conserve and benefit the area. All the mentioned policies were linked in the wider conservation of landscapes and settlements in the countryside. Councillor Shaw further remarked that the settlement provided clear boundaries as it was a ringed settlement and that the previous, successful, application had been considered prior to the adoption of the County Durham Plan

C Cuskin, Senior Lawyer Regulatory and Enforcement clarified with the Committee that it had been moved by Councillor Stelling, seconded by Councillor Blakey that the application be approved because the proposed development was well related to the settlement of Iveston, that the harm to the Conservation Area and Area of High Landscape Value was outweighed by the benefits and the development would lead to the provision of high quality housing. The Senior Lawyer Regulatory and Enforcement sought delegated authority from the Committee, should the application be approved, for a suite of Conditions and legal agreement to be delegated to officers in consultation with the Chair.

Upon a vote being taken it was

Resolved

That the application be **approved** and that delegated authority be given to officers in consultation with the Chair for a suite of Conditions and legal agreement