

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 2 December 2014 at 2.00 pm**

Present:

Councillor K Davidson (Chairman)

Members of the Committee:

Councillors J Allen, B Armstrong, D Boyes, K Corrigan, M Dixon, D Hall, G Holland, A Laing, R Lumsdon, C Marshall, H Nicholson, G Richardson, A Shield, P Taylor and R Young

1 Apologies for Absence

An apology for absence was received from Councillor B Moir.

2 Substitute Members

Councillor K Corrigan as substitute Member for Councillor B Moir.

3 Minutes of the meeting held on 4 November 2014

The minutes of the meeting held on 4 November 2014 were confirmed as a correct record and signed by the Chairman.

4 Declarations of Interest

There were no declarations of interest.

5 Applications to be determined

a CMA/5/31 - Sheraton Hill and Hulam Farms, Sheraton, Hutton Henry, County Durham

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 5 wind turbines with a maximum tip height of 115 metres and associated building works at Sheraton Hill and Hulam Farms, Sheraton, Hutton Henry, County Durham (for copy see file of minutes).

Henry Jones, Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

The Senior Planning Officer informed the Committee that, since the publication of the report, the applicant had held discussions with Durham Tees Valley Airport. As a result of these discussions, Durham Tees Valley Airport were satisfied that a radar mitigation solution could be agreed to be included in planning conditions should the application be approved, and therefore they withdrew their objection. Should the Committee refuse the application, this reason for refusal would need to be removed from the recommendation contained in the report.

Councillor Pounder, Local Member, addressed the Committee to object to the application. She informed the Committee that she was also speaking on behalf of the other Local Member for the area and concurred with the recommendation in the report that the application should be refused. There was currently an over-supply of wind farms in County Durham and in the area of the application another wind farm would be detrimental to local residents. The proposal had generated a significant response with 131 letters of objection received, and this reflected the strength of public opinion. Councillor Pounder referred to the comments of the CPRE which were detailed at paragraph 203 of the report regarding concerns over the impact of the turbines upon the tranquillity of the area and informed the Committee that the turbines would have an overbearing visual impact on the residents of Hesleden. Councillor Pounder urged the Committee to refuse the application.

Margaret Hanson of EDF Energy, Project Manager for the Sheraton Wind Farm addressed the Committee. She informed the Committee that Government policy was supportive of renewable energy and this was also acknowledged by County Council policy, with an independent report for the County Council identifying the Sheraton site as being suitable for wind farm development. The recommendation for refusal of the application was disappointing with two reasons for refusal being considered. Insufficient weight had been given in the report of the Planning Officer to the importance of renewable energy. Although the report mentioned a significant visual impact of the proposed wind farm, this would be from one view only, not to the wider landscape, and existing wind farms and pylons were already in view. Extensive surveys had shown there to be limited wildlife in the area and the County's Ecology Officers had failed to comment on the proposal until two months ago. The RSPB and Natural England had raised no objections to the proposal. The proposal would bring a range of economic benefits and would produce enough electricity to supply approximately 5,400 homes. If approved, the application would ensure that County Durham would continue to take the lead nationally on wind farm development and the benefits of the proposal outweighed the limited impacts of it.

Councillor P Taylor informed the Committee that he was supportive of the view of the local Member regarding the impact and effect the proposal would have on the settlement of Hesleden and **moved** the recommendation that the application be refused.

Councillor G Richardson agreed with Councillor Taylor adding that because there were already wind farms nearby, the cumulative effect of this proposal would be overbearing. He **seconded** the recommendation that the application be refused.

Councillor C Marshall referred to the ecology study data being out of date and asked why it had taken so long for this information to be fed back to the applicant. The Senior Planning Officer replied that the data was out of date because of the progression of time and updated survey data had not been supplied. The issue of the data being out of date was raised with the applicant earlier in the process than two months ago and the issue of data being out of date had increased as the age of the application had increased.

Terry Coult, Principal Ecologist informed the Committee that he had provided responses throughout the consultation process. While the RSPB and Natural England had not objected to the proposal, the County Council was the appropriate authority to make comment on protected areas.

Councillor A Shield informed the Committee that while County Durham was taking the lead in the delivery of renewable energy it had already exceeded its 2020 targets, and he therefore supported the officer recommendation of refusal of the application. The Senior Planning Officer, referring to the issue of need, informed the Committee that ultimately there was no ceiling for the production of renewable energy, and therefore this had not been considered as an issue when determining the application.

Upon a vote being taken it was

Resolved:

That the application be refused for reasons 1 and 3 as stated in the report.

b CMA/5/40 - Land at Wingate Grange Farm situated to the west of Wingate, south east of Wheatley Hill, north of Deaf Hill, on the southern side of the A181

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 5 wind turbines with a maximum tip height of 115 metres and associated infrastructure including crane hard-standings, a substation and control building, transformers, underground cabling, access tracks and a meteorological mast on land at Wingate Grange Farm situated to the west of Wingate, south east of Wheatley Hill, north of Deaf Hill on the southern side of the A181 (for copy see file of minutes).

Chris Shields, Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

George Wheatley, local resident, addressed the Committee to object to the proposal. He informed the Committee that the maps and photographic views presented by the Senior Planning Officer were all from the south of the proposed site and did not show the proximity of the 5 turbines to his house, nor did they show the 19 wind turbines already in view. While consideration was given to wildlife and historic sites when considering such applications, the views of local residents seemed to be ignored. Lord Deben, the chairman of the committee that advised the Government on reducing greenhouse gas emission, had confirmed that there was

currently enough wind turbines built, or in the planning system, to meet climate change targets for 2020.

Cliff Walker, local resident, addressed the Committee to object to the application. The emerging County Durham Plan required turbines to be located in excess of six times their height from properties, however, this proposal would result in a wind turbine being 500 metres from his property, which would be overbearing. The cumulative impact of the development also needed to be considered when determining the application. A British Geological Survey carried out in the area in 2004 had identified two magnesian limestone faults running through West Green Farm and one fault running along the A181 where two of the turbines were proposed, making this a potentially dangerous siting. The residents of Wingate, Wheatley Hill and Trimdon urged the Committee to refuse the application.

Tim Mockeridge of Infinis, the applicant, addressed the Committee. He informed the Committee that this was a high quality application which was supported by both national and local policy. The two reasons for recommendation of refusal were that the ecological survey data was insufficient and also the cumulative impact of the proposal. Mr Mockeridge informed the Committee that Natural England had raised no objection to the proposal and that the cumulative impact of the development was a matter of judgement, with a landscape architect commissioned by Infinis drawing a different conclusion to that contained within the report.

Additionally, Infinis was keen to maximise the socio-economic benefits of the proposals for the communities immediately around the site and had committed to a partnership with not-for-profit bodies that would both benefit from and maximise the socio-economic benefit of the development to local communities, including an Employability Fund of £62,500 per annum with East Durham College, an initiative to help people into work with East Durham Employability Trust worth some £30,000 during construction, and subsidised energy costs for the community centres in Wingate, Wheatley Hill and Trimdon to the value of £63,000.

Suzanne Duncan, Principal and Chief Executive Officer of East Durham College addressed the Committee and provided further details about the proposed Employability Fund. The Fund would assist up to 500 residents in the Wards of Wingate, Wheatley Hill and Thornley and its spend would be established by stakeholder groups. The Fund would provide £62,500 per annum over a 20 year period. The Fund would be open to all people of a working age in the identified Wards and close working would take place with East Durham Employment Trust and Community Centres.

Councillor Boyes informed the Committee that this was a finely balanced application to consider. On balance, however, he supported the application, not only because of the economic benefits it brought with it but also because it would create up to 500 jobs, had attracted no objection from Natural England and had received two letters of support.

Councillor Marshall, in seconding approval of the application, informed the Committee that there would be a significant community and economic benefit from the project. The economic benefit had been well designed to provide funds into

local communities and to link in to local need. The detriment to the environment and amenity did not outweigh this benefit.

Councillor Holland informed the Committee that the concern about this and the previous application was the cumulative impact of wind turbines. Although the Council was charged to considerably increase renewable energy sources within the next 10 to 20 years, there was a need in this application to balance between environmental impact and economic benefits.

Councillor Davidson asked Councillor Boyes about his statement that the development would create 500 jobs. Councillor Boyes replied that this had been referred to in the statement made by the Principal and Chief Executive Officer of East Durham College. The Principal and Chief Executive Officer of East Durham College clarified that the Employability Fund would benefit up to 500 local people.

Councillor Dixon informed the Committee that he had seen the cumulative impact of wind turbines and their impact on residents, The decision to be made was whether the community benefits arising from this application outweighed that cumulative impact, and he was tending to support the recommendation in the report that the application be refused. He sought clarification around how the proposed subsidising of energy costs for the three community centres would operate.

Mr Mockeridge replied that the community centres would be asked to provide copies of their energy bills for the preceding year and a contribution would be made towards this. This contribution would be outside of the s106 agreement, but could be included within it if so requested.

Councillor Hall sought clarification around the level of the proposed contribution per megawatt and added that the proposed location for the wind turbines was in breach of the emerging County Durham Plan.

The Senior Planning Officer replied that while other wind farms applications had proposed £2,000 per megawatt, this application proposed a contribution of £5,000 per megawatt, and a s106 agreement would guarantee these funds.

Councillor Lumsdon, referring to the subsidised energy costs, asked whether this would be for the period of the project. Mr Mockeridge replied that £63,000 would be provided for the three community centres to draw down until the fund was used.

Councillor Lumsdon agreed with Councillor Dixon that this was a difficult application to consider, but on balance she agreed with Councillor Dixon that the application should be refused.

Councillor Taylor informed the Committee that while the application was contrary to planning policies, he considered there was a compelling argument for approval.

Councillor Davidson informed the Committee that he was leaning towards refusing the application based on cumulative effect. Councillor Richardson agreed that it was the cumulative effect of the application which would cause him to not support it.

Councillor Davidson informed the Committee that it had been moved by Councillor Boyes and seconded by Councillor Marshall that the application be approved. L Rennaudon, Planning and Property Solicitor, advised the Committee that because the report stated that there was insufficient information to ascertain whether a protected species licence was needed, it could only be minded to approve the application. On the completion of an ecology survey, if no issues were identified then the Committee could delegate authority to Planning Officers to grant planning permission, if issues were identified then the application could be brought back to Committee for further consideration.

Upon a vote being taken the proposed approval of the application was defeated.

Upon a further vote being taken it was

Resolved:

That the application be refused for the reasons outlined in the report

c DM/14/02556/OUT - Land to the North of Durham Road, Middlestone Moor, Spennymoor

The Committee considered a report of the Senior Planning Officer regarding an outline application for up to 300 dwellings, including site access, public open space, landscaping and associated infrastructure works on land to the north of Durham Road, Middlestone Moor, Spennymoor (for copy see file of minutes).

Colin Harding, Senior Planning Officer provided the Committee with a detailed presentation which included photographs of the site and a plan of the proposed layout. He informed the Committee that paragraph 33 of the report relating to the requirement for dwellings should refer to South Durham with 2150 identified specifically for Spennymoor.

Councillor K Thompson, local Member, addressed the Committee to object to the application. He informed the Committee that the most recent strategic land availability survey for Durham had identified that there was a sufficient number of sites allocated for housing, with an over-supply of some 3,000 houses. While levels of repossession in the Spennymoor area had fallen recently, there remained over 1,000 empty properties in the Spennymoor area. The proposed development would have a wider impact on the housing market in Spennymoor and would cause it to be weaker. There was currently in excess of a 15 year supply of housing identified for the Spennymoor area from sites already granted planning permission.

Carol Clark of Gladman Developments, the applicant, addressed the Committee. The applicant had worked with both planning officers and consultees on this proposal and there was no technical reason for its refusal. The site was highly sustainable and a natural continuation to the development of Spennymoor. The applicant's critique of the Authority's five year deliverable housing land supply concluded that the Authority could only demonstrate a supply for 4.3 years. The assertions by the Authority that permission on this site would undermine the delivery of other schemes in the Spennymoor area were not backed by any demonstrable evidence. As well as being a sustainable development, the proposal would bring economic benefits of a £33.1m investment in construction, 123 full time

construction jobs, including apprenticeships, and a new homes bonus in the region of £2.7m. The development would expand the local housing market area and accorded with policy on affordable homes and life time homes. It would involve new tree planting in the area and provide open play areas and accorded strongly with the NPPF for sustainable development.

The Senior Planning Officer informed the Committee that while all of the benefits of the proposal carried significant weight, these may be to the detriment of other sites which had already been granted planning permission and had better credentials than this site. It was unclear whether the economic benefits attached to this site were additional to the area or diverted from other sites.

Councillor Dixon moved refusal of the application in accordance with officers' recommendations. The application would lead to market dilution and was a development into the countryside.

Councillor Shield, in seconding refusal of the application, informed the Committee that the development was outside the curtilage of existing development and into the countryside. Planning approval for up to 1800 in the area had already been granted and approval of further developments may lead to the stagnation of construction.

Councillor Taylor agreed that this was a development in the countryside and that other brownfield sites were available for development and considered that the application should be refused.

Resolved:

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