

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber - County Hall, Durham on **Tuesday 5 February 2019 at 1.00 pm**

Present:

Councillor J Robinson (Chairman)

Members of the Committee:

Councillors J Clare, I Jewell, A Laing, L Maddison, G Richardson, A Shield, A Simpson, F Tinsley (Vice-Chairman), M Wilkes and S Wilson

1 Apologies for Absence

Apologies for absence were received from Councillors A Bell, K Hawley, C Kay and H Nicholson.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The Minutes of the meeting held on 8 January 2019 were confirmed as a correct record and signed by the Chairman.

5 Applications to be determined

a DM/16/00107/OUT - Land To The South Of Three Ways, Hurworth Burn Road, Trimdon Village, TS29 6LX

The Committee considered a report of the Senior Planning Officer regarding an application for outline planning permission (including means of access) for the erection of up to 150 dwellings, provision of open space and associated infrastructure on land to the south of Three Ways, Hurworth Burn Road, Trimdon Village (for copy see file of Minutes).

S Pilkington, Senior Planning Officer provided a detailed presentation of the application, which included a site location plan, aerial photograph, illustrative masterplan, proposed main access, view of approach into Trimdon, and views from the eastern side and western side boundaries.

Members of the Committee had visited the site the previous day and were familiar with the location and setting.

The Senior Planning Officer referred the Committee to Paragraph 89 of the report and reported that the proposed development would result in an 11% increase in the size of Trimdon Village and not 4% as stated.

Councillor Hovvels, local Member, addressed the Committee. While she welcomed the development in the area and had no objection to it, the area did have problems regarding healthcare provision and it was unclear how the £200,000 voluntary contribution towards healthcare in the village would be spent. Councillor Hovvels asked whether consultation had taken place with the NHS and CCG. Councillor Hovvels welcomed the proposed s106 payment of £661,000 towards increasing primary school capacity on the area.

The Senior Planning Officer replied that there was an ongoing discussion with the CCG regarding the model for the provision of healthcare in the area. The voluntary contribution would allow for this discussion to continue and was ring-fenced for the delivery of healthcare in the village.

Councillor J Grant, local Member, addressed the Committee. Councillor Grant supported the proposed development because there was a need for such properties in the area for aspirational families and the development would attract new families to the area. There were no sites identified in the area for development in the 10-year plan.

Councillor P Brookes, local Member, addressed the Committee. Councillor Brookes fully supported the application. In 2013 a similar application was received which attracted the support of a 1,000 signature petition of support. The development, which had the support of the Parish Council, was desperately needed within the community and would improve the social and economic wellbeing of Trimdon. The proposed funding of £200,000 and education and open space contributions were welcome, and access to the site was good with a protected right turn. Councillor Brookes informed the Committee that the application had his full support and he hoped the Committee would approve it.

Mr J Wainwright, local resident, addressed the Committee to object to the application, for which he considered the economic case was not evidence-led. Medical care in the village was stretched and the offer of £200,000 from the applicant towards the delivery of health care provision in the village was voluntary and therefore would not be enforceable. The proposed development would cause a significant harm to a conservation area and would involve the removal of hedgerows. The site had a history of applications for housing being refused, the most recent being in 2013. The development would result in a disproportionate 11% increase in the size of the village which would have an impact on the density of the village core. It was not supported by planning policies and Mr Wainwright asked the Committee to refuse the application.

Mr J McLachlan, local resident, addressed the Committee to object to the application. An application for development of this site was refused in 2006 and withdrawn last year. The site was not poor quality agricultural land and was used for growing crops and therefore building on it would contravene Policy E16 in the Sedgefield Local Plan.

The development would have a detrimental impact on the Magnesian Limestone escarpment which was an area of national unique structure and soil composition, resulting in the presence of many rare and protected species, with Redwings being observed in the area. There was no shortage of dwelling spaces within the village of Trimdon, which was a low cost housing area.

The proposed development was a considerable walk from the nearest bus stop and village amenities and Mr McLachlan asked the Committee to refuse the application.

Mr Sedgwick, agent for the applicant addressed the Committee. The report to Committee was very detailed and had been prepared by professional planning officers. The applicant had worked closely with planning officers and the community and the application had the support of the Parish Council which recognised the issues the village faced and also recognised that the proposed development would be beneficial to the village.

The application was for an increased number of properties than previous applications because it now included land owned by the council between the original site and existing development off Swainby Road.

Healthcare was originally proposed to be dealt with by on-site provision of a medical centre. However, the intention to providing healthcare in the locality was changing and this led to the revised scheme now before committee. Although significant work had been put in on behalf of the applicant in working with the council, the Parish Council, the Doctor's practice and the PCC to facilitate construction of a new health centre and a number of meetings had been attended. However, important questions about the provision of health care in the Trimdons, Fishburn and Sedgefield remained unresolved and therefore it had been agreed that the cost of on-site provision be converted to a commuted payment available on sale of the land which could be flexibly applied to whatever health care solution was agreed to benefit existing and future residents of Trimdon.

Councillor Wilkes referred to the previous application which had stated there was a clear demand for a health facility in the village and that the village had a high proportion of elderly and chronically ill patients. The development would further disadvantage the local community because of the lack of access to health provision and a new medical centre should be a pre-requisite for the proposed development. There was a lack of doctors and GP practices in the area and an additional 150 houses would mean people having to travel a significant distance to find a doctor. There was no need for the development because the County already had a 6 year housing land supply. Although the application was proposing a £200,000 contribution towards the delivery of health care provision in the village, it was not clear where or how this would be spent. Councillor Wilkes added that the original

application proposed a new health centre and asked how much contribution would have been made towards this.

Councillor Hovvells replied that there was a problem with the provision of health facilities and doctors across the area and this was not isolated to Trimdon.

The Senior Planning Officer informed the Committee that the original application mentioned the provision of a health centre although there was no detail regarding size and costs. Healthcare provision in the area was an evolving situation and the proposed £200,000 contribution, which was voluntary, would be available when a scheme came forward.

Councillor Wilkes suggested that a build cost would have been available for the proposed medical centre for the previous application. There were 2 GP's in the area for the 8 needed and the proposed £200,000 contribution was not enough to address the problem of health provision in the area. This application would leave local people with nowhere to go for a doctor.

Councillor Robinson informed the Committee that the argument of overstressing GP provision had been used for an application at Sedgefield, which was refused by Committee but was then overturned by a planning inspector at appeal.

Councillor Shield informed the Committee that there were no objections from statutory consultees and no internal consultee objections. However the site location was outside of the curtilage of the village and on greenbelt land and therefore breached Policies E1 and E18 of the Sedgefield Borough Local Plan and was not compliant with NPPF15 and 16. Councillor Shield was concerned that this had not been raised by internal consultees and informed the Committee that he had concerns and reservations about the application.

The Senior Planning Officer replied that the report set out the landscape and heritage harm of the development. The impact on the conservation area was considered to be less than substantial.

Councillor Robinson reminded the Committee that all internal consultees would have considered the NPPF when providing their opinion on the proposal.

Councillor Jewell informed the Committee that the site visit the previous day had been very interesting. While some Members were looking at the previous application, each application should be judged on its own merit and circumstances changed. It was important for the Committee to consider the application before it today. Improved infrastructure would never be introduced prior to a development taking place but often came after it had been finished. This development would lead to an increased population for the village and make it more viable. This was a sound application, and any development would always bring with it issues to be addressed. The proposed mitigation would address any negatives and Councillor Jewell **moved** approval of the application.

Councillor Tinsley informed the Committee that the NPPF had identified Planning Policies in the Sedgefield Local Plan as being out of date. If the development had

significant conservation, agricultural and healthcare issues then he would have expected objections from statutory consultees. Health provision was an issue across the County. There was a need for housing and service provision often followed after developments had taken place. There was currently development on over 50% of the perimeter of the site. While the development did have negatives, when applying the planning balance, these were outweighed by the positives. Councillor Tinsley **seconded** approval of the application.

Councillor Clare sought clarification on whether the site was greenbelt. The Senior Planning Officer replied that it was not greenbelt but was greenfield in that it had not been previously developed.

Councillor Clare congratulated the objectors on the clear and powerful presentation they had put forward. The application brought with it a significant s106 contribution to address issues which may arise and the issues raised by objectors would happen when a development took place on a field. However, although there would be negatives, the benefits in this application would outweigh those negatives.

Councillor Richardson informed the Committee that while the application would lead to the loss of agricultural land he had listened to the local Members and the needs of the area and would support approval of the application.

Upon a note being taken it was

Resolved:

That the application be approved subject to the completion of a Section 106 Legal Agreement to secure the provision of:-

- 10% Affordable housing
 - £152,995 towards open space and sporting provision within the Electoral Division
 - £661,635 towards increasing primary school capacity in the area
- and the voluntary contribution of:-
- £200,000 towards to the delivery of health care provision in the village.
 - A Targeted Training and Recruitment Plan

and the conditions contained in the report.

Councillor Tinsley left the meeting.

b DM/18/03642/WAS - Unit 9 Admiralty Way, Seaham, SR7 7DN

The Committee considered a report of the Principal Planning Officer regarding an application for the change of use of Unit 9, Foxcover Distribution Park, from B1/B8 to B2 to enable the installation and operation of a plastics recycling and processing facility and ancillary infrastructure at Unit 9, Admiralty Way, Seaham (for copy see file of Minutes).

C Teasdale, Principal Planning Officer provided a detailed presentation of the application, including a site location plan, aerial photograph, aerial overview of the building, existing plant layout and proposed site layout.

Councillor Laing **moved** approval of the application. Councillor Shield **seconded** approval of the application, which would aid with the recycling of plastic material and create 70 jobs.

Upon a vote being taken it was

Resolved:

That the application be approved subject to the conditions contained in the report.

6 Proposed amendment to the Code of Practice for Members and Officers dealing with Planning Matters

The Committee considered a report of the Head of Legal and Democratic Services which presented proposals for the revision of the Council's Code of Practice for Members and Officers dealing with Planning matters (for copy see file of Minutes)

Resolved:

That the report be noted.