

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held via Microsoft Teams on **Wednesday 2 September 2020 at 9.30 am**

Present:

Councillor J Robinson (Chair)

Members of the Committee:

Councillors J Atkinson, A Bell, J Clare, K Corrigan, I Jewell, G Richardson, J Shuttleworth, A Simpson and M Wilkes

1 Apologies for Absence

Apologies for absence were received from Councillors K Hawley, A Laing, A Shield and S Wilson.

2 Substitute Members

Councillor M Davison substitute for Councillor S Wilson

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 28 July were confirmed as a correct record and signed by the Chairman.

At this point the Chair welcomed Mr J McGargill, Highway Development Manager who had requested to make a short statement in relation to comments made by himself at the previous meeting.

The Highway Development Manager advised that he had made an error in a statement he made at the previous meeting, whereby he had stated that he had been accused of lying to the committee by the Local Member in relation to application DM/20/00669/FPA Land to the east of Mill Lane, Sherburn. He advised that upon reflection this was found to be untrue and it had in fact been a constituent who had made the accusation. He had therefore apologised to the Local Member and felt it was also appropriate to apologise to both the Chair and the committee. He furthermore commented that his comments did not influence debate, nor the decision of the committee however, he did acknowledge that his comments were unnecessary and unprofessional.

5 Applications to be determined

a DM/20/01201/FPA - Land to the south of Longedge Lane Eliza Lane Consett DH8 9HB

The Senior Planning Officer, Colin Harding, gave a detailed presentation on the report relating to the abovementioned planning application, a copy of which had been circulated (for copy see file of Minutes). Members noted that the written report was supplemented by a visual presentation which included photographs of the site and plans of the proposed layout and access.

It was explained that the application for 37no holiday lodges (including 9no highly accessible lodges and 1no manager's lodge and Play Barn with associated Farm Experience, was situated some 400m to the north east of the site beyond Longedge Lane and the site itself formed part of a larger area of agricultural land bounded by Longedge Lane, Eliza Lane and Millershill Lane. The only residential properties within the area were located to the south west and north western points of the application site.

The Senior Planning Officer went on to advise that the site lay approx. 300m to the south east of the remains of a Roman aqueduct which was a scheduled monument. Furthermore, the Roman Fort Longovicium lay approx. 4km to the east of the site.

Further details were provided to the proposed livestock/petting farm experience, play area, sensory room and ancillary café hosted within the Haystax Play Barn. In addition, it was noted that 9 of the proposed holiday lodges would be for rental and would be designed to be highly accessible. The remaining 27 lodges would be available for sale, with an expectation that the profits would crossfund capital costs of the farm experience and rental lodges. Each lodge would have 2no. car parking spaces and in addition, a small car park associated with the Play Barn would be provided, as well as a coach/drop off area.

The Senior Planning Officer went on to explain that the project was proposed to be delivered over a 10 year period and a photomontage (provided by the applicant) of a limited number viewpoints taken over a period of 15 years were shown to demonstrate how the site would be appear from Longedge Lane and Eliza Lane.

It was noted that 68 letters of objection and 301 letters of support had been received. In addition, Lanchester Parish Council had submitted an objection to the application on a range of issues including; impact upon the countryside, residential occupation of a manager's lodge, archaeology and amenity and traffic.

In conclusion he advised that taking into account the acceptability of the application considered in the context of the planning balance test contained within the NPPF and in view of Derwentside District Local Plan policies being considered, as a whole, to be out of date, it was considered that any adverse impacts arising would not significantly and demonstrably outweigh the recognised social and economic

benefits of the development and therefore, in accordance with Paragraph 11d of the NPPF, the application should be granted planning permission.

The Chair thanked the Senior Planning Officer for his presentation and welcomed Parish Councillor Mr D Friesner speak on behalf of Lanchester Parish Council in objection to the application.

Mr Friesner started by thanking Officers for agreeing to the request to have the application determined by committee and for the opportunity to address such committee.

He advised that Lanchester Parish Council objected to the application on several material grounds as stated including; unacceptable development in the open countryside; new buildings on open farmland; the large scale, size, integration and setting of the development; residential lodge use for the manager; landscape impact; impact on roman heritage assets; visual impact and loss of amenity, especially for neighbouring properties; adverse light and noise impact; and traffic and highways issues.

The Parish Council noted the amended description which he advised re-confirmed their concerns regarding the development and questioned the specialist nature of it, especially since it was intended that almost $\frac{3}{4}$ of the lodges will be sold.

He went on to explain that after several years of comprehensive development, The Lanchester Neighbourhood Plan was examined earlier this year. The referendum planned for this summer has now been postponed because of the current Covid crisis. Recommended changes will aid clarity of use. All policies are retained. The Examiner congratulated us in preparing a very comprehensive assessment of heritage assets and viewpoints, over 170 in total.

It was the Parish council's view that the Policies contained within the Lanchester Neighbourhood Plan should still be given significant weight in determining the application.

The development he stated was contrary to and in conflict with the following Policies of said Plan.

- LNP2 Design of New Development
- LNP3 Historic Environment.
- LNP4 Green Spaces and the Rural Environment
 - LNP4A Green Infrastructure
 - LNP4B Landscape Improvement
 - LNP4C Landscape Features
 - LNP4D Biodiversity and Geodiversity
 - LNP4E Local Views

He went on to state that proposed management and mitigation measures were considered unrealistic and unsustainable and that the Officer's report confirmed that there would be a transformative and adverse impact on the character of this location. Indeed, the report confirms that its locational sustainability is poor. The

report confirms there will be adverse landscape impact and an adverse impact on residential amenity.

Furthermore, he explained that this was not considered an example of small scale rural diversification of existing buildings in the countryside but of a substantial commercial development within the open countryside, on open farmland, where no buildings currently exist. The nearest neighbours literally live just over the wall away. Many other objections from local neighbours clearly demonstrate and support our view that the setting, character, size and scale of the development in this very rural part of the Parish and County is just not appropriate and will have an adverse impact in so many ways.

In conclusion he urged the Committee to take full consideration of the Lanchester Neighbourhood Plan, all of the associated adverse impacts and to vote to refuse this application.

The Chair thanked Mr Friesner and went on to welcome Councillor A Watson, local member of an adjoining division to speak in support of the application.

Councillor Watson added that he fully supported the application and recognised its importance in terms of supporting the economy and creating trade and jobs. He further noted that there was a distinct lack of disabled facilities in the area due to funding shortages and this was impacted more so recently as a result of COVID-19.

The project was to be non-profitting and would provide quality facilities for those with special needs and disabilities and was a multi-million investment. It could put Durham County Council on the map as a visionary authority.

The Chair then invited J Errington, Senior Committee Services Officer to read out a statement made by Mrs Suddes, objector who was unable to attend the meeting.

I would like to start off by saying "Hello" I'm Maria Suddes who lives at Sheepwalks farm adjacent to the planning application. My family and I have lived here now for nearly 25 years and this planning project is going to massively change this beautiful quiet area.

I would also like to say I think this project is a wonderful idea "But" I think it's in the wrong place! It's right on our doorstep and this will have a big impact on our privacy especially with a 3ft wall separating the property. There is also the impact of the noise level from 150 visitors that is expected daily plus the occupants in the lodges from having nothing there at all.

The boundary ends in the middle of an open field and the worry is that this project will creep across right in front of our home and our neighbours on a later date the near future. There also is the road safety on Eliza lane noted where the planning intends to be, but the entrance to the lodges is on Longedge Lane...this being a road that doesn't get many walkers because it's a fast and dangerous road. The traffic will hit Eliza Lane more because of sat navigation, this road is known for a short cut from the A68.

This is the road we use from our property & where my son, grandchildren, dog walkers, cyclists and I go walking...so how safe will this road be with more added traffic? My son is partially blind, and I have Asthma and walking is the only exercise we do this is a beautiful safe place to go walking, and my son is now worried how this will affect his safety? My son is limited to what he can do and will never be able to drive a car he relies on we his parents or taxis for transport as there are no bus routes here.

When you drive out onto Eliza Lane just up on the right of the road...it's on an incline and the traffic does fly down this road so fast I've had to stop quick pulling out because it's not a flat road and you can't see clearly. Maybe we need a lower speed limit putting in place on Country roads especially in winter times! as they don't get gritted. Safety should always come first!

This has been a safe and beautiful environment Please don't take our safe and peaceful life away from us all. "Sometimes change isn't always a good thing"

The Chair then welcomed the applicants Mr and Mrs Adamson and Mr J Ridgeon, Applicants agent who were in attendance to speak in support of the application.

Mrs Adamson, Applicant advised that she and her family had lived there for 40 years. They had nurtured the landscape and would not wish to spoil it in any way. The impacts of the calming landscape on their grandson who himself suffered with learning difficulties had been remarkable and they had witnessed him thrive while enjoying the nature and wildlife the site had to offer. This had been the catalyst for developing the proposals and after extensive research, they had identified a gap in the market for holiday accommodation which was non institutional and provided for siblings without special needs.

She went on to advise that the location was ideal in respect of its proximity to the hospital and that there were no other facilities offering a retreat experience in the area.

In conclusion she commented that this was a dream project both herself and her family and they would ensure that any impact upon the landscape and scenery was minimal, whilst also meeting huge demand for this one of a kind service in the local area. She further noted support that they had received from partner organisations such as Learning for Life.

The Chair then welcomed Helen Hodge, Learning for Life who was in attendance to speak in support of the application.

Ms Hodge advised that this project was a positive and welcome addition to the area and offered a unique opportunity to work with those requiring additional help in the open countryside, which had been proven to be beneficial in helping those with multiple disabilities engage in outdoor activities.

She further explained that she lived within 0.5 miles of the application site and could not foresee any issues regarding traffic. In addition, whilst it was recognised that

there would be limited impact on the neighbouring farm, this would be mitigated in a sympathetic manner and in keeping with the local countryside.

The Chair then invited questions from the committee.

Councillor Wilkes asked whether clarification could be provided regarding the boundary line and proximity to nearby farm; in particular, why there was no definite boundary being inserted at this location to help screen the development from the neighbouring farm. In response Mr J Ridgeon, Applicant's agent advised that tree planting would have a higher impact on archaeological remains and therefore planting meadows etc, would ensure biodiversity net gain whilst also providing an element of screening.

Councillor Wilkes commented that he did not agree that archaeology would prevent some form of screening being used and questioned why this was not possible as he had concerns regarding the impact upon the neighbouring property.

Councillor Clare then raised a query regarding the 27 lodges which were to be sold and noted that whilst the site was aimed at supporting families with additional needs, he could see nothing in the conditions which would prevent them from being used by anyone for normal rent. The Senior Planning Officer advised that whilst there was nothing contained within the tenure of the sale of the lodges to prevent them from being sub-let, all owners would be obliged to adhere to the conditions contained within the Lodge Management Plan regarding activity, noise and general behaviour etc.

Councillor Jewell queried what the actual distance was to the neighbouring farm and whether this could be extended into in the future. The Senior Planning Officer in response advised that it was approximately 40 metres to the boundary and furthermore to Sheepwalks Farm. The farm experience was proposed to be the closest aspect of the development to the neighbouring property and should any further development of the site be required then this of course would be subject to planning permission being granted.

Councillor Atkinson in referring to page 34 of the report queried why it was considered relevant to make reference to the extremely sad incident related to a planning application which occurred in the area some years prior. Furthermore, he noted paragraphs 108/109 of the report regarding the occupancy of the lodges and going back to Councillor Wilkes's comments regarding the gas pipeline, commented that this must have been raised in the report for a reason. The Senior Planning Officer advised that the lodges as explained earlier were not for the exclusive use of particular people however when bookings were made information would be taken from the customer on their specific needs to determine suitability. He further noted that conditions would prevent permanent residency in lodges on site. Regarding the reference to the gas pipeline, he explained that this was included in the report for information following consultation with Cadent, who had submitted some concerns, however these had now been addressed and Cadent were now satisfied with the scheme.

In relation to the comments made regarding the incident some years prior, the Senior Planning Officer advised that this was included in the report as it had been raised in the content of objections received, however this bore no relevance to the application.

Councillor Davinson commented that he failed to see the justification for requiring an on-site manager's lodge and he felt that the time-lapse photographs provided were not fair in that they did not depict the impact of the development from the neighbouring farm.

In providing some clarification to Councillor Davinson, Mr Ridgeon advised that condition 4 addressed the occupation of the manager's lodge. He explained that a business viability and cashflow plan had been submitted to the planning authority to justify the requirement for on-site management accommodation.

The Senior Planning Officer further commented that in terms of operation and security it was deemed reasonable to have a permanent presence on site, and as evidence suggests, sites such as these were now being used year round and therefore it would also be considered reasonable in this instance to allow for some form of managers accommodation.

Councillor Atkinson at this point added that he did not consider any of the issues raised to outweigh the benefits and therefore proposed that the application be approved as per the Officer's recommendation in the report. Councillor Jewell in commenting that he also considered the application to be a positive one seconded the proposal.

Upon a vote being taken it was

Resolved:

That the application be **APPROVED** subject to the conditions as contained within the report.

**b DM20/00469/RM - Land to the south of High Grange Way
Wingate TS28 5FF**

The Principal Planning Officer, Henry Jones, gave a detailed presentation on the report relating to the abovementioned reserved matters planning application for 250 dwellings with associated highways infrastructure, landscaping, public open space and sustainable drainage features pursuant to planning permission DM/16/03958/OUT. A copy of which had been circulated (for copy see file of Minutes).

Members noted the report which was supplemented by a presentation including photographs of the proposed layout, access and location of the site.

He advised that the application was to consider reserved matters only and with such, no public comments had been received in respect of the application however local Member, Councillor Higgins had expressed his concerns as detailed in

paragraph 50 of the report. It was also noted that the local parish council had not submitted any objections to the application.

The Chair at this point welcomed Councillor Higgins to address the committee.

Councillor Higgins thanked the committee for allowing him the opportunity to put forward his concerns which were as follows. Historically the village has a history of flooding and with 4 ponds and beck already in the area, the addition of a non-fenced off SuDs would be a further area causing safety concerns should children be drawn to play around the pond following heavy rainfall. In addition, the proposed SuDs was close to a walkway and Wellfield School and water attracts children.

Moving on to paragraph 41 of the report, he added that whilst Highways had not submitted any objections he explained that the photographs shown to committee were not up to date and did not reflect the highway issues in the area including the A19 slip road at Wellfield Road B181 junction and the speeds at which cars travelled up and down this stretch of road.

In addition, he noted his dissatisfaction with the number of parking bays to be provided.

In conclusion he commented that whilst he understood that outline permission had been granted no consideration had been given to the impact upon already oversubscribed schools and GP surgeries. He therefore urged the committee to refuse the application.

In response the Principal Planning Officer advised that some of the points raised by Councillor Higgins were conditioned at outline permission stage and therefore were not included in conditions of this permission as the application must be read as a whole. He did however for members information, advise that a suite of 106 monies had been secured against the outline planning permission to include recreation, primary school education, cycling and public right of way improvements. Furthermore, he advised that CCGs were consulted with regarding GP surgery capacity and no issues had been addressed at that time.

In relation to the comments made regarding highways and traffic, John McGargill, Highways Development Manager advised that a signalised junction at the junction referred to by Councillor Higgins had already been agreed and would be delivered in the near future. In addition, the 20mph estate layout was deemed acceptable in highway terms and resident and visitor parking standards had been met.

Brian Weatherall, Senior Area Drainage Engineer in responding to comments made regarding the SuDs advised that it was not a pond but a basin. He further made reference to volumes of surface water and run off.

The Chair welcomed Frances Nicholson, Applicant to address the committee.

Frances Nicholson commented that Bellway Homes had positively and proactively taken on board feedback from planners and discussions at outline planning stage.

In addition, the Councils' Design Review Panel had scored the site predominantly Green. She therefore considered there to be no reasons for refusal at this stage.

Councillor Clare whilst congratulating Councillor Higgins on putting forward his concerns on behalf of his constituents, noted that unfortunately they were relevant at outline planning stage and therefore no weight could be placed upon them at this time. He did however note that there was an issue regarding perception of GP surgeries being full, generally as a result of inability to obtain appointments. Similarly, speeding and traffic which often was perceived to be an issue was quite different to the facts of the matter. In addressing the concerns regarding safety of children playing by the SuDS, he commented that he found it unlikely that should the weather be so terrible to cause the SuDs to fill it would be highly unlikely that children would be out playing.

Councillor Wilkes commented that he felt that an update was needed to national guidance to address the issues whereby issues school as school places or GP surgeries were not deemed to be an issue or relevant at the time of outline planning permission, but could have become an issue by the time a reserved matters application was considered, which in some cases could 4/5 years later. He further commented that he did feel a fence surrounding the SuDs would be beneficial and disagreed with Councillor Clare's comments.

Councillor Richardson asked whether the garages provided would be large enough to fit a car. In response Frances Nicholson advised that each property type regardless of the size of the home had a garage built to new guideline dimensions of 6x3 metres.

Councillor Bell commented that he fully supported the application noting that Bellway were a good and trusted developer. He did however agree that the SuDS was an accident waiting to happen and a fence could be provided at a relatively low cost.

Councillor Shuttleworth proposed that the application be approved subject to the conditions contained within the report. Councillor Atkinson seconded the proposal.

Upon a vote being taken it was

Resolved

That the application be **APPROVED** subject to the conditions as contained within the report.