

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 5 July 2022 at 9.30 am**

Present:

Councillor G Richardson (Chair)

Members of the Committee:

Councillors A Bell (Vice-Chair), D Boyes, C Hunt, P Jopling, C Marshall, C Martin, M McKeon, B Moist, P Molloy, I Roberts, K Shaw, A Simpson and S Zair

1 Apologies for Absence

An apology for absence was received from Councillor Higgins.

2 Substitute Members

There were no substitute Members in attendance.

3 Declarations of Interest

Councillors C Marshall and K Shaw declared an interest in Agenda Item 5 (a) as they had been involved with the development of the new Headquarters building under the previous administration and would withdraw from the meeting during consideration of this Item. Councillor M McKeon added that she had made reference to the new Headquarters building in her election material and would also withdraw from the meeting.

4 Minutes of the meeting held on 7 June 2022

Councillor Molloy informed the meeting that the final paragraph of minute 5 (c) should read 'This was a brownfield site and he had received no representations on the proposals.'

The minutes of the meeting held on 7 June 2022 as amended were agreed by the Committee as a correct record and signed by the Chair.

5 Applications to be determined

- a DM/22/01005/FPA - The Waterside Building, Riverside Place, Durham, DH1 1SL**

The Committee considered a report of the Principal Planning Officer regarding an application for the change of use of office headquarters (sui generis) to higher education (Durham University Business School) (Use Class F1a) at The Waterside Building, Riverside Place, Durham (for copy see file of Minutes).

C Teasdale, Principal Planning Officer provided a detailed presentation on the application which included a site location plan, aerial photograph and site photographs. The Principal Planning Officer advised that since publication of the report there had been three additional representations including a representation from Durham County Council Labour Group.

Prior to addressing the Committee to object to the application, Mr Southwell, local resident requested that the meeting be deferred. It was one of the most important County Planning meetings to have ever been held and one Member had submitted apologies, three Members had declared interests and left the meeting giving a total of four Members of the Committee who were not in attendance for the item. Substitutes should have been approached. N Carter, Planning and Development Solicitor advised there was no legal basis for a deferment because the Committee was quorate.

Mr D Southwell, local resident, addressed the Committee to object to the application. Prior to outlining his reasons for objecting to the application Mr Southwell explained to the Committee the meaning of democracy and reminded the Committee of the seven principles of Public Life, the Nolan Principles.

In April, 2019, a Planning Application from Durham County Council was considered by the County Planning Committee and Mr Southwell spoke in support of the application as a resident who had a wealth of experience of the site. At that meeting the Deputy Chief Executive, a Business Representative and the Architect all spoke in support of the application. Mr Southwell informed the Committee he had not been approached by any political party to speak in support of the application.

Although there were also speakers against the application the Committee voted for approval. The Secretary of State was asked by Durham County Council if he wanted to inspect the application and approval and he declined to do so.

In May 2021, following the local elections, there was a change of political power at Durham County Council and the then ruling Group lost control to a Joint Administration of Councillors. The Joint Administration had never asked the residents their thoughts on the new Headquarters in Durham, and Mr Southwell considered they were just playing politics.

Statements had been made by Councillor Bell, Councillor for Barnard Castle, that the Building was fit for purpose but in the wrong place. This point was discussed at the Meeting in April, 2019 and the site was agreed to be fit for purpose.

Some Cabinet Members had made comments regarding comments made by residents and Mr Southwell asked whether residents had been given all the facts and advantages of the site by having the staff work there?

Residents were fed up of the Joint Administration and they would have no respect for the County Planning Committee if it approved this application from the University.

Over 800 residents had been contacted with a return of 2 plus Mr Southwell. One was for and one was against the application for the change of use

Previous to this application from Durham University approximately 3 years ago Durham University lodged plans with Durham County Council Planning Department for a new build on the old swimming pool site and car park for a Business School and this application was still pending. The application today cherry picked what the University wanted from what was approved in April, 2019.

The University stated that they did not require planning permission for internal alterations and Mr Southwell suggested it would be dismantled.

The number of students and staff who would occupy the building was three times the number of people who would occupy the building if occupied by the County Council staff. There were approximately 2000 students and staff at the Sixth Form Centre and when added to university students, Passport Office staff and visitors to the Passport Office, the numbers would exceed 5000.

The application was weak in content and it should not be forgotten that the majority of students and staff had to get across the City.

Nothing had changed with the application for the new build for Durham County Council at the Sands at Durham, apart from a late application regarding Common Land, which had been approved. The building and car park were both now completed.

Mr Southwell urged the Committee to reject this change of use application and send a message to the Joint Administration that the Committee stood by its original decision of April 2019. If the Committee approved the application the building would be sold and Durham County staff would be Nomads for

ever. Durham County Council would never have a fit for purpose headquarters which would be a poor legacy for this historic Durham County Planning Committee. If the Committee did not refuse the application the proposed redevelopment of the Aykley Heads site could be delayed by three years and this would impact on employment opportunities.

Professor O'Malley, Pro-Vice Chancellor (Global) of Durham University addressed the Committee in support of the application for the relocation of Durham University Business School from Mill Hill Lane to the Sands.

Professor O'Malley hoped that Members would agree that Durham University was a jewel in the crown of County Durham. It was the third oldest university in England with a 200th anniversary in 2032. It was a global world-class university with over 120 countries represented amongst staff and students and it was Durham's university supporting local jobs, young people, schools and businesses. The latest study showed the university to be worth £400m to the County Durham economy every year, supporting nearly 7,000 local jobs. This was based on 2014/15 figures and would be worth significantly more than this now. In addition staff and students were active in the local community giving 35,000 hours a year in volunteering, in support of charities and good causes.

Durham University Business School was central to the universities success and was playing a key role in the regeneration of County Durham. It was world ranked, in the top 50 of Business Schools in Europe and had 38,000 alumni in 140 countries. These were all ambassadors for County Durham in businesses worldwide.

The Business School was currently worth £83m a year to County Durham and supported approximately 600 jobs. The university was looking to relocate the Business School to the Sands area to provide an attractive work and study environment for academics and students and to attract leading business partners.

The application site had a great location close to transport hubs and the City centre. An independent report by BiGGAR Economics had calculated that the relocation would be worth nearly £30m a year to County Durham by 2032 and would support an extra 170 jobs. The internal refit of the building to support the change of use would bring local investment and employment.

Durham University was working in a competitive global environment with huge investment in universities in Asia, Europe and America. Durham University Business School needed a new home so it could continue to thrive and compete successfully in this global marketplace.

In preparing the application the University had consulted extensively with statutory bodies and with local community stakeholders. The application was not about increasing student numbers at the Business School, it was about providing excellent facilities for an excellent faculty.

The Business School had quite a different demographic to other faculties. Many more of its students were post-graduates and mature students, often well in to their careers, sometimes at an executive level and chiefly international.

Council officers had reviewed the application and based on planning policy had recommended support. Durham University Business School aimed to ensure that more Durham University graduates stayed in the north-east and started new businesses, boost productivity, raise income levels and reduce unemployment. Professor O'Malley hoped this was a vision which everybody supported and hoped that the Committee would support the application to help to achieve this vision.

Councillor Boyes sought clarity on the numbers using the building on a day to day basis and at any one time, as this was not clear from the report.

Professor O'Malley replied it was difficult to say how many would be using the building at any one time as the Business School had a complex timetable and students would only be in for the hours scheduled for them. It was not anticipated the building would be full of the 2,000 students all of the time. The same applied to staff who may be out making partnerships with local businesses for example.

Councillor Boyes informed the Committee that in view of the uncertainty of the numbers who would be using the building at any one time in a building which was built for 700 council staff, with 2,500 plus people now being mentioned, he was concerned at the effect this may have on the City centre and the City of Durham Trust had expressed concerns about flooding issues. Councillor Boyes **moved** that the application be deferred. **Seconded** by Councillor Roberts.

The Chair considered that Professor O'Malley had answered the question as fully as she could, there would be up to 2,500 students within any given time but they would not all be there at any one time.

Councillor Jopling considered that the building when built had a capacity and would have been underused by the Council. The application could only benefit the University and the Council. Councillor Jopling could not understand the flooding argument and asked whether the County Council had built a building in the middle of Durham and not looked into this prior

under the previous administration? Stringent measures regarding flooding were taken during the construction of the building.

Councillor Martin was unsure what more the Committee would get from deferring the application. While understanding Councillor Boyes point of view that the numbers using the building at any one time was unknown, this was the nature of university buildings. The Committee knew the absolute capacity of the building and Councillor Martin informed the Committee he would be voting against the deferment.

Councillor A Bell considered that the case officer would have looked at projected numbers in the building to ensure these were within the capacity of the building. With reference to the footfall, these would be students who were already in Durham but moving to another building. A positive of the application was the decreased number of vehicles which would be using Providence Row and Councillor Bell **moved** approval of the application. **Seconded** by Councillor Hunt.

The Planning and Development Solicitor clarified that there were two motions, one for deferment of the application and one for approval. Before taking a vote on deferment the Planning and Development Solicitor sought clarity on what the purpose of this was. It had been stated that the Committee would want further and better information as to the number of students in the building at any one time but the Planning and Development Solicitor was unsure whether any better information could be provided. The capacity of the building in terms of its maximum numbers was known and the applicant had stated it would be difficult to predict exactly how many students would be there at any given time. The Planning and Development Solicitor then asked whether this information would make any difference. Officers had assessed the application on the basis of the maximum number of students that could be present and had recommended the application for approval.

The Principal Planning Officer added that the applicant had been clear about the number of students that were expected and this had been out to consultation. In terms of flooding this had been considered and the Environment Agency had no objections to the application.

The Committee took a vote on the motion to defer the application and this was **lost**.

Upon a further vote being taken it was

Resolved:

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

Councillors Marshall, McKeon and Shaw re-joined the meeting.

b DM/21/03420/FPA - Land At Croup Hill South Of Beaconsyde Farm, Broadoaks, Murton, SR7 9SF

The Committee considered a report of the Senior Planning Officer regarding an application for the installation and operation of a ground mounted photovoltaic solar farm, inclusive of solar arrays, transformers, substation, landscaping, fencing, internal access tracks, access, CCTV and other associated works on land at Croup Hill south of Beaconsyde Farm, Broadoaks, Murton (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, indicative site layout and site photographs.

Councillor Penman of Murton Parish Council addressed the Committee to object to the application.

Murton was a rural area and it was felt this development would have a negative impact on all aspects of the environment and was also an encroachment onto open countryside.

As an area of high deprivation, many residents looked at this area as part of their countryside to enjoy as it had been for centuries. Not everybody had the transport or the means to travel outside the area to enjoy the outdoors and open countryside.

The 100 acre size of the proposed development was very overwhelming in relation to the size of the village. It sat on cultivated undulating land and government guidance advised that solar sites of this nature should be located on flat land.

The proposal would have a negative visual impact for residents who lived close to it, along with people walking, cycling, running and other leisure uses. The sheer size of the development and undulating land would make it impossible to screen sensitively, which could be seen in the applicants viewpoint analysis.

The development would sit upon a network of public rights of way and residents who used these footpaths would be subjected to at least half a mile of tunnelled/fenced walkways while running, walking or cycling. Some walkers had advised that they would not walk alone through the enclosed fenced area in fear of crime and of feeling claustrophobic. Some residents

would therefore lose this recreational amenity which could impact on their mental and physical wellbeing.

Research had shown there was a risk of panels coming loose and blowing off due to high winds which were now common due to climate change with examples of this happening in the Teesside area and Fox Cover Industrial Estate in Seaham. This would put nearby public and property at risk of damage or injury. There had also been incidents of fire in these developments which could lead to toxic smoke, which could endanger all aspects of life in the surrounding area.

Wind operating noise had been measured and was deemed to be below acceptable levels, however, wind noise had been taken into consideration and could be a nuisance to residents.

The agricultural land the development was on had been cultivated over the years producing crops for the food chain, the development would change the land use at a time when there was a world crisis on food supplies. The land was graded as ALC3 which sat between moderate and good quality whereas the applicant had graded it as poor quality.

This proposed commercial development was driven by financial gain for both the applicant and the landowner with disregard for the residents of Murton and the land and amenity users. National Planning Policy and Guidance advised that meeting energy needs and targets should not be used to justify the wrong development in the wrong place.

Councillor Penman hoped the Committee would give consideration to these concerns when considering the proposal.

Councillor Adcock-Forster, local Member addressed the Committee to object to the application.

Councillor Adcock-Forster informed the Committee that whilst this proposed development stretched over the parishes of Murton and South Hetton, he was representing the views of Murton residents.

From initial consultation briefings, site meetings, to the submission of the planning application Councillor Adcock-Forster had a keen interest in this proposal. He supported renewable energy and recognised the carbon reduction targets set by Durham, however, having taken the time to view the site from all angles, he concluded a development of this size would cause significant harm to the character, quality and distinctiveness of the landscape. This was echoed by officers stating, in the short-term, harm would be caused to the intrinsic character and beauty of the landscape and

Councillor Adcock-Forster questioned how planting would mitigate this harm in the medium term.

Councillor Adcock-Forster asked whether it was concluded that there would be limited but not unacceptable harm to the character and beauty of the existing countryside in accordance with County Durham Plan Policy 10. Councillor Adcock-Forster asked what 'mitigate the harm caused to some degree' was and how this was measured. He also asked how long the medium term was. To effectively screen the area, given the steep incline, would require forest trees to be planted that would take decades to grow and screen.

In mitigating this harm the applicant proposed additional planting and the protection and enhancement of hedgerows within the development site in accordance with requirements of the County Durham Plan Policy 40. Notwithstanding this, however, it was considered the proposal would be in conflict with CDP Policy 39 and Part 15 of the National Planning Policy Framework.

Councillor Adcock-Forster asked how planting hedgerows would screen the panels, given the steep incline. The panels would be clearly visible from many properties in the village and would not only turn unspoilt countryside into a mass of glaring glass but turn vital agricultural land into an industrial site. Those people living next to the site would experience landscape harm as a constant, rather than passing impact.

The application contravened several of the guidelines set out by the Government not least to avoid developments on sloping undulating sites to minimise visual impact, something that this north facing development would go against. The fact the development was on such a gradient would cause great difficulties in any screening attempts. The Council's Landscape Officers report considered the proposals would cause unacceptable harm to the character and quality of the landscape, however, it was considered this harm would reduce over time. Councillor Adcock-Forster questioned who considered this harm would reduce over time and how long was that predicted to be.

Councillor Adcock-Forster also had concerns about the access to the site and the potential disruption caused by the high volume of HGVs. Should access be from the A19 and through Jade Business Park consideration needed to be given to what affect this would have upon businesses and Phases 2 and 3 of the development. Murton already had problems with the volume and speed of traffic along the B1285 which also had load restrictions. Any visitor to Dalton Park on busy days and bank holidays would be aware that traffic backed up onto the A19 which was a road safety issue.

The development would cause unacceptable landscape harm in conflict with CDP Policies 10 and 39 but it was also considered the benefits of the proposal outweighed the harm. Councillor Adcock-Forster questioned how a development which directly conflicted with CDP Policies could be acceptable. In conclusion, there were a number of factors which must be considered by the Committee, not limited to the development on undulating land, the huge impact on landscape with the loss of visual and social amenity, the close proximity to housing and the impact upon wildlife.

The Government's Ten Point Plan for a Green Industrial Revolution pointed to a plan for offshore wind energy to be sufficient for all the country's household demand by 2030. This policy itself severely weakened the case for solar farms.

Councillor Adcock-Forster was of the opinion that the given the magnitude and scale of this particular development it should not be sited in its proposed location. Sites such as Murton with its adverse visual impact, an impact which could not be mitigated and an impact that would blight the amenity of current and future generations should be refused.

Councillor Adcock-Forster asked the Committee to refuse the application.

Councillor Griffiths, local Member addressed the Committee to object to the application.

Councillor Griffiths referred to the site visit undertaken by Committee Members and hoped they were able to take the opportunity to witness the beautiful landscapes on offer.

Murton residents treasured their countryside. The landscape offered great amenity to the community in terms of walks, plant and animal life. The availability and value of this amenity was ever more evident following the onset of the Covid Pandemic, allowing residents to enjoy outside exercise in a green space within their own area of residence. The area had high rates of poor health and social deprivation and the ability to exercise freely was vital. This was highly recommended by medical professionals, not only for physical and emotional wellbeing but more importantly for mental health.

This proposal would destroy the landscape and amenity by covering the area with solar panels together with the associated security installations such as high fences. The construction period would also see public rights of way closed with leisurely and enjoyable walks replaced with a narrow corridor of high fenced industrial landscape, which was not the relaxing experience enjoyed for generations by Murton residents.

The proposed development would create an unacceptable impact on health, living or working conditions or the natural environment and the loss of such social amenity which had been enjoyed by residents for generations would impact on the mental health of local residents. To suggest there would be no impact on resident's health and wellbeing was ludicrous.

Paragraphs 143 to 147 of the Committee report addressed Public Rights of Way. Resident's concerns were dismissed but there was no mention of the corridors created by fencing and planting which would present a risk, particularly to women, walking in the area. In such a restrictive and confined space the dangers of being confronted with a potentially unfriendly encounter increased and escape options were greatly reduced. Members of a local walking group had already indicated if the planning application was approved, they would no longer use the area in question due to concerns about safety. This was echoed by the parents of the children of a children's group, who also used the area.

Paragraph 142 considered that the proposed site would not impact upon any nationally or locally protected sites or species, but nesting birds like Larks and Lapwings would experience habitat displacement. These birds required clear lines of sight to select nesting ground. This proposal sat right on existing ground so these birds could be lost to the community.

The application had generated some public interest. Notwithstanding the poor consultation efforts, the fact is there had been a massive public objection based on solid fact arguments, none of which had been successfully addressed in the Planning Officer's report or by the applicant.

Councillor Griffiths asked the Committee to refuse the application.

Dr D Brown of Murton Residents Group addressed the Committee to object to the application.

Dr Brown acknowledged and commended to the Committee all of the submitted objections by Murton residents, in particular the report produced by the Murton Residents Action Group, the Parish Council and the Campaign for the Protection of Rural England all of which presented a fact-based very powerful and compelling case for the refusal of this application.

The Committee had already refused two applications for solar panel farms at Sheraton and Hett on the grounds that they would impact on landscape and ecology. This application was riddled with landscape issues and implications and many ecological issues. Much had already been said about landscape issues.

Dr Brown informed the Committee he had been in discussion with the National Grid in respect of the Scotland/England green link which had national strategic importance and would go ahead and there were no objections from Murton residents to this development which would include imposing buildings on the landscape. Thousands of homes across County Durham and elsewhere would benefit from green energy production but the most important point was it would make a very significant contribution to Durham County Council's carbon footprint reduction target. Because of this, Murton residents should not be asked to contribute further by accepting a solar panel farm which was not necessary and did not fit.

Referring to the ecological implications Dr Brown informed the Committee that there was a scarcity of peer-reviewed research on the medium to long term impacts of solar panel farms. Dr Brown referred to literature he had obtained from ESG Ecology which highlighted the potential adverse effects of solar panel farm installations. Dr Brown referred to Skylarks and Lapwings which were very prevalent in the area. The applicant maintained that nesting sites would be accommodated within the confines of the solar panel arrays thus avoiding bird habitat displacement, but these were ground nesting birds which required a very clear line of sight. The installation of solar panel arrays would take away this clear line of sight and there was a real danger these birds would be lost to the area.

Dr Brown asked the Committee to not approve the application.

Mr Ron Winn, local resident addressed the Committee to object to the application.

Mr Winn considered that support for solar PV should ensure proposals were appropriately sited, give proper weight to environmental considerations such as landscape and visual impact, heritage and local amenity and provide opportunities for local communities to influence decisions that affected them.

The report produced by the Council's Landscape Officer stated that in all aspects the site was not suitable for this proposal. His summary stated that throughout the 35 year period the proposal would cause harm to the character, quality and distinctiveness of the local landscape. It also stated that it was unlikely that the harm could be reduced other than by design change. Mr Winn's opinion was the change would need to be major or a complete rejection of the proposal.

The report further stated that the application would conflict with CDP Policies 39, 10 and 40, and this alone should be enough to reject the proposal.

Mr Winn referred to the increase in wind noise and acceleration on the already windy terrain. No desk based report could reflect what people knew and experienced living on this already windy landscape. Mr Winn considered

that his experience as a yachtsman completing many transatlantic passages, dealing with up to force 10 gales and tropical storms would make him more qualified to comment on wind strength and damage than the author of a desk-based appraisal. Local solar arrays had suffered major damage during the past northerly gales and on protected sites that were south facing.

There was not a way to shelter the panels, visually or from the elements, on this proposed site because there was no way to protect the panels with trees, hedging or natural landscape.

The location was wrong in every aspect and only benefitted the developer.

This proposed site was valuable, inter-village green space which would be grossly and adversely affected for generations and would effectively return the area to an industrial landscape.

During Prime Ministers Questions last week, James Gray cited Ukraine and a world food shortage and identified the use of productive agricultural land in the UK for solar farms as disgraceful. There was an agreement on both sides of the House that there should be fewer solar farms and battery storage solutions and agriculture and food production increased. He also said that "The notion that solar farms can be good for biodiversity is complete nonsense" adding that the right approach would be to copy other parts of the world with solar panels on every factory roof and massive areas in town centres.

Mr Winn asked if the application was approved and accidents were to happen from the development who residents would turn to for compensation.

Mr Winn asked the Committee to reject the application in favour of the communities who would suffer the consequences of it.

Mr Chris Featonby, UK Development Manager at Aura Power addressed the Committee in support of the application.

Aura Power's mission was to tackle the climate crisis, enhance the natural environment and provide benefits to the communities that lived near to solar farms.

The company had worked closely with the County Council's planning officer, with statutory consultees and the local community to produce a planning application which complied fully with local and national planning policy. This had been confirmed by Council officers and technical consultees who had raised no objections to the proposals.

Durham County Council had the laudable ambition to cut its carbon emissions by 80% by 2030 and be carbon neutral by 2045. This solar farm would make an important contribution to help achieve those goals. It would generate enough clean electricity to power 17,000 homes and save over 15,000 tonnes of carbon dioxide a year compared to electricity generated by gas.

It would therefore help tackle the climate crisis. Importantly, it would also help boost the UK's energy security and contribute to energy independence. The recent hike in gas prices due to the Ukraine war meant that 40% of homes were facing fuel poverty this winter. Solar energy was the cheapest new form of power generation, was free from subsidies, and was helping to reduce energy prices for everyone.

The key requirement for any solar farm was a connection to the electricity grid. Aura Power had secured a grid connection at Hawthorn Pit substation, immediately to the south of the proposed solar farm. Grid capacity was becoming increasingly finite, the company hoped it would be able to take this opportunity to produce green electricity at this location. There were also already seven power transmission lines crossing the site. Indeed, this area had been associated with energy production for generations. Now, as the UK moved away from fossil fuels to a brighter renewable future, this project had been designed to bring many benefits to the local area.

Aura Power had consulted extensively with the local community and taken their feedback into account in the site design process. To reduce the visual impact 40 acres of panels were removed from the areas closest to Murton and the set back from the closest house in Murton had been increased to 450m. This meant it was nearly half a kilometre away from the houses in Murton.

More tree belts and new hedges had been added to improve screening. The new planting would include semi-mature and fast-growing species for immediate impact.

The proposed development was entirely on grade 3b land. Areas of grade 2 land were deliberately excluded from the development. It would therefore not result in the loss of any best and most versatile land in line with planning policy. It would use just 0.03% of County Durham's total agricultural land while providing numerous other benefits.

Sheep would be able to graze under and around the panels so the land would continue to contribute to food production. It was a temporary development and after 35 years all the infrastructure could be safely removed and the panels would be recycled. Due to the soil having been

rested allowing natural carbon sequestration, the land would return to farming in better condition than before.

The UK was also facing an ecological crisis, and the solar farm would make a very substantial contribution to biodiversity. Aura Power had included plots for skylarks and lapwings in the design and would be sowing grassland and wildflowers. Along with the new trees and hedges which would be planted this would result in an impressive biodiversity net gain of 120%. This was 20 times higher than the 10% requirement of the Environment Act.

Chloe Hood, Communications Manager at Aura Power addressed the Committee in support of the application.

Aura Power had consulted widely with the local community and Chloe had personally attended several meetings with both local residents and the Parish Council to listen to their views, which had been taken into account in the application.

Aura was very proud of its community benefits package which was more generous than any other solar developers in the area were offering.

A voluntary annual community benefit fund of £17,500 per year would be set up, linked to inflation, for the operational life of the solar farm. This fund offered a wonderful opportunity to provide financial help to local households and businesses at a time of rising energy costs and the cost of living.

The next generation would bear the impacts of climate change and the proposed community benefits package also included an educational programme. This would fund school visits to the solar farm and educational sessions all linked to the national curriculum.

The footpaths and bridleway which crossed the site would all be retained, so local residents could continue to have access to green space. The footpaths and bridleway would be improved with the installation of stiles which would prevent illegal motorcyles from using them and improve safety for walkers. New hedges and trees would help to screen the panels from public rights of way and would be adequately spaced to avoid tunnelling effects..

The solar farm would give rise to jobs not only during construction but for ongoing maintenance and land management and local suppliers would be prioritised.

In summary, Hawthorn Pit solar farm would continue the area's proud tradition of energy generation but this would be done in a clean, sustainable way that future generations could be proud of. The solar farm would be an example of multiple land use and would provide multiple benefits. It would

generate clean energy, tackling the climate crisis, continue to be used for agriculture, support local farming and would offer an enormous increase in biodiversity, tackling the ecological crisis.

Ms Hood hoped that councillors would follow their officer's recommendation and approve the application.

Councillor Hunt sought further detail on access to the site which was stated would be through a bridlepath and that signage would be erected. Mr Featonby replied that there were two potential access routes, one of which Aura had land rights over along the bridlepath which would be temporarily diverted during construction but the preference would be to use the access through Jade Business Park for which agreement would need to be secured.

Councillor Moist referred to the community fund and asked whether this would be £17,500 per annum over the 35 years of the project. Ms Hood confirmed this to be correct. Councillor Griffiths added that this money was to be split between South Hetton and Murton.

The Senior Planning Officer informed the Committee that the access road was a bridleway but was also suitable for traffic. Some issues had been raised about the safety of the site, particularly the solar panels. A risk based approach should not be taken in determining planning applications and it should be assumed that the solar panels would be installed correctly and built to British Standards where appropriate. The National Grid project which had been mentioned was an application which was currently being considered. This would bring renewable energy from Scotland to England via a connection point in Durham but it would not generate renewable energy in itself, it would import it from elsewhere and therefore would not add to County Durham's targets.

The report noted that the development would conflict with CDP Policies 10 and 39. It conflicted with Policy 10 because it conflicted with Policy 39 because it had landscape harm but within this Policy there was a caveat that if the benefits overrode that harm then the application did not need to be refused on that basis. It had been concluded that the benefits did override the harm and that was the balance for the Committee to consider.

Councillor Boyes informed the Committee that the development site bordered his electoral division and he was familiar with the area. While nobody was against renewable energy, this was a massive site in the most populated part of County Durham. The loss of agricultural land had been discussed many times previously at Committee and Councillor Boyes considered this was the wrong development at the wrong site. Councillor Boyes informed the Committee that he would be opposing the development.

Councillor Jopling informed the Committee she found applications such as this difficult to balance between environmental issues and residents concerns. However, Councillor Jopling considered this application to be enormous and on the doorstep of Murton and Councillor Jopling found it difficult to justify that the benefits outweighed the negatives. The added fact that the site was raised or undulating made it difficult for Councillor Jopling to support the officer recommendation to approve the application.

Councillor Hunt acknowledged that the applicant had amended the application following consultation, however, having visited the site the development would have a massive impact on the landscape, regardless of the proposed mitigation. Councillor Hunt **seconded** that the application be refused.

Councillor Molloy informed the Committee that compared to previous applications which the Committee had refused, he considered this site to be worse in that it was in a more populated area and was on undulating land. Councillor Molloy did not believe that the benefits of the proposed development outweighed the harm and he considered the application conflicted with CDP Policies 10, 39 and 40 and NPPF 15.

Councillor A Bell considered that the harm on the landscape from this development would be enormous and the development would lead to the loss of agricultural land. He considered this to be a good scheme but in the wrong location and there was a need to listen to the views of local people.

Councillor Moist considered that more work needed to be put in to the selection of sites for solar farms and for this application it would be impossible to shield the impact of this proposed development. He did not consider that the benefits of the scheme would outweigh the local harm.

Councillor Roberts considered this to be a development on a massive scale which would be seen even after landscape mitigation had been introduced.

Councillor McKeon expressed concern about the climate crisis but questioned how far the applicant had engaged with the local community to address local issues and concerns. Councillor McKeon considered the application should be deferred to allow more time for the applicant to engage with the local community.

Councillor Marshall acknowledged the challenges posed by climate change and there was a need for more energy to be produced locally. Suitable strategic sites for development such as this needed to be identified. He had visited the site several times, and Murton had embraced change over the years, but given the scale and size of this development it appeared that something had gone wrong in engaging with the community.

The Planning and Development Solicitor reminded the Committee that while the application had been moved and seconded for refusal, the grounds for refusal needed to be made clear.

Councillor Boyes considered that the application conflicted with Policies 10, 39 and 40 of the CDP as well as NPPF 15 on the grounds of landscape impact.

The Senior Planning Officer informed the Committee that Policy 40 of the CDP ensured no loss of trees or hedgerows, but this application would not lead to a loss of trees or hedgerows.

Councillor Boyes clarified that the application should be refused because it conflicted with Policy 39 of the CDP because its benefits did not outweigh the landscape harm.

Upon a vote being taken it was

Resolved:

That the application be refused because it conflicted with Policy 39 of the County Durham Plan and its benefits did not outweigh the landscape harm.