

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (NORTH)

At a Meeting of the **Area Planning Committee (North)** held in the Council Chamber, County Hall, Durham on **Thursday 24 November 2022 at 9.30 am**

Present:

Councillor M McGaun (Chair)

Members of the Committee:

Councillors J Blakey, K Earley, D Haney, P Jopling, E Peeke, J Purvis, W Stelling (Vice-Chair), A Watson, K Shaw and M McKeon

Also Present:

Councillors A Batey, G Binney, J Charlton and D Wood

1 Apologies for Absence

Apologies for absence were received from Councillors L Brown, C Marshall and S Wilson.

2 Substitute Members

Councillor K Shaw substituted for C Marshall and Councillor M McKeon substituted for G Binney who attended the meeting as local member.

3 Minutes

The minutes of the meeting held on 27 October 2022 were confirmed as a correct record and signed by the Chair.

4 Declarations of Interest

Councillor Earley declared an interest in Agenda Item (5b) and confirmed he would withdraw from the item.

In regard to Agenda Item (5b) Councillor Haney explained that he had met the developer, however he was attending the meeting with an open mind to consider all the views expressed in the Committee and confirmed he would participate in the decision.

5 Applications to be determined by the Area Planning Committee (North Durham)

a DM/21/01633/FPA - Land North West Of Beamish Hall Hotel, Beamish, DH9 0YB

The Committee considered a report of the Principal Planning Officer which sought planning permission for the construction of 24 no. luxury holiday lodges, reception building and associated landscaping (for copy see file of minutes).

G Blakey, Principal Planning Officer provided a detailed presentation of the application which included a site location plan, aerial photograph of the site, site photographs, proposed site plan and designs of the proposed lodges. The Committee had visited the site the previous day.

Councillor Batey addressed the Committee as a Parish Councillor on behalf of Urpeth Parish. Urpeth Parish was already subject to significant highways issues due to events and functions held at Beamish Museum and Beamish Hall and the road and lane infrastructure were not appropriate for the growing traffic. Access to Cobby Lane and the proposed development was likely to be through Urpeth parish area and would directly impact on residents of the parish. Beamish community was an area that was regularly gridlocked when events took place at Beamish Museum and Beamish Hall and access to the coast-to-coast cycle route at Eden Place carpark attracted further visitors to the area. There was a distinct lack of sustainable transport links, no public footpaths, or cycle lane, and as a result the proposed development would rely solely on the use of private vehicles and would be contradictory to the plan to make County Durham net zero by 2045. Power outages were often experienced in the area due to the rurality of the location and position of the cabling and questioned how power could supply the proposed development and associated electrical vehicle charging points and possible hot tubs when the supply was struggling to meet existing demand. Large vehicles using the lane to access the proposed development during construction phase were raised as a concern as were supermarket shopping deliveries for those staying on site and vehicles associated with fuel supply, removal of waste and refuse collection. The Council Plan 2022-2026 and the County Durham Vision 2035 contained strands relating to the Environment, highlighting the need to reduce traffic to improve air quality and questioned how the development worked to support, address, and meet those targets when there was no sustainable transport, footpaths, or bus service in place. Local economy would be difficult to support as access to the closest restaurant/pub would require guests to walk on a dangerous lane with no lighting or footpaths and therefore to support the local businesses, without impacting on safety, would require the use of a car. Whilst it was recognised it was good for County Durham to have this type of accommodation it had to be in a

viable location. Councillor Batey urged the Committee to refuse the application due to unsafe access, inadequate road infrastructure and the economic and tourism benefit not outweighing harm.

Councillor Binney addressed the Committee as local member of the Tanfield division and confirmed that he was in objection to the application. He advised that the planning application met significant opposition from the local community and the wider area due to the sheer scale of the application and the impact this would have on the character of Beamish Burn Conservation area. The lane that would be used to access the proposed development was narrow and contained no footpaths or streetlighting and no public transport serviced the area proving the development was unsustainable. As a member of the Area Planning Committee (North) he was astounded that there was a limit on the size of the bus that was used for the site visit the previous day and, in his opinion, demonstrated that the lane to access the development site was unsuitable. He expressed concern that lodges could overlook the homes of local residents and that the design of the lodges were not in keeping with the character of the landscape nor was the development in keeping with the scale of the local area which was contradictory to Part 2 and Part 3 of Policy 8 of the CDP. He raised further concerns regarding the increased traffic that would result from the proposed development. He believed the application did not meet all the requirements of Policy 6 and Policy 7 of the CDP and stressed it was important for Local Authorities to balance the economic benefit with the impact on the local area and residents. He urged the Committee to refuse the application.

Councillor Charlton addressed the Committee as local member of the Tanfield Division and thanked the committee for the opportunity to speak and thanked residents for attending the meeting for the second time. The level of consultation with residents given the scale of the proposed development and the location was disappointing. The development was not in keeping with the local area due to the proximity to ancient woodland and no consideration had been given to the ecological impact. The proposed site was currently green open space and was a haven for wildlife and bats. It was confusing how the proposed development was to support the local economy. A plan for a development within the Gateshead area had recently been approved and felt that two similar developments within close proximity were unnecessary. The report stated that the development would support local restaurants and shops, but no safe footpaths were available, and the lane was dangerous due to it being unlit and contained blind bends. A great deal of construction vehicles and heavy goods vehicles (HGVs) would be required if the application was approved in addition to ongoing delivery vehicles travelling to the site. Significant costs associated with repairs to the bridge crossing Beamish Burn had already been made and additional vehicles regularly using the road would put further strain on the existing infrastructure. Mr Conroy, the Applicant, gave assurances early in the application process that

hot tubs would be removed, and it was disappointing when advertisements for the lodges included information on hot tubs. The concept of the development was good, but the location was wrong, and Beamish Museum had not supported the application in any way. Councillor Charlton respectfully asked the Committee to refuse the application.

Councillor Wood, before addressing the Committee, asked for two points of clarification from the planning officers.

Firstly, Councillor Wood asked for clarification on the size of the site that the Committee were required to determine. The Principal Planning Officer clarified that the site was 3.68 hectares as stated in the report and was for 24 no. lodges. Councillor Wood explained that although he was not a member of a planning committee, he had the required training and was aware that the Committee could only look at the application in front of them which stated 1.93 hectares and that was a material difference to the report.

Secondly, Councillor Wood referred to Paragraph 78 of the report where Kevan Jones, MP for North Durham was listed as 'commenting on behalf of constituents who had contacted him to object to the proposal'. Councillor Wood asked why this was listed as a comment rather than an objection. The Principal Planning officer explained that the views of Kevan Jones were made clear in the report. Councillor Wood had a printed copy of the letter by Kevan Jones dated 20 August 2021 which clearly stated his objection to the application. The chair confirmed that this would be noted for the report.

Councillor Wood proceeded to address the Committee as County Councillor on behalf of residents in the Pelton and Beamish division. As local member, he had serious concerns regarding how the application had been dealt with by the Local Authority and expressed concern with the report that was presented to the Committee. He had further concern regarding sustainability and the scale and impact of the proposal on the local area and upon the local highway network. The area had been registered as a conservation area since 1994 and he stated that the application was contradictory to Policy 29 of the County Durham Plan (CDP), particularly Part C and D. Although there was an indicative area for solar panels, any renewable energy generated would be far outweighed by the energy required to heat 24 hot tubs if they were to be installed. Double height living spaces would require heating and local wildlife would be impacted due to light pollution. The development would also impact on the local highway network, contradictory to Policy 8 of the CDP, and the proposed two storey, six-metre-high lodges would have a significant impact on the scale and character of the area. The residents had arranged for an independent assessment which was carried out by Northern Transport Planning Ltd and it highlighted the higher level of impact the development would have on the access lane. The assessment was dismissed in the report as a 'note'. Residents had repeatedly requested a meeting with highway

officers but to no avail and the local MP also raised this concern within his correspondence on 15 April 2022. Visitor accommodation as specified at Policy 8 of the CDP did not require an objection from highways to refuse the application. Although the report described the access as a by-way open to all traffic, the lane was unadopted, unlit, narrow, contained blind bends, was bordered by vegetation on each side, contained ditches and no footpaths were available. The car park at Beamish Museum had been used as a covid test centre during the pandemic and the army had taken steps to prevent access to the testing site via the lane on the grounds of highway safety. The proposed development was in an area of High Landscape Value and within a conservation area. The access lane was deemed unsuitable by Durham County Council for access to a picnic site and was unsuitable to walk to events held at Beamish Hall such as their annual firework display where pedestrian access has been refused. Councillor Wood understood that the application was finely balanced, but on balance he believed that additional traffic in an unsuitable and unsustainable location would have a significant and detrimental impact on highway safety for his residents, the public, and for those visiting the site. Councillor Wood respectfully asked the Committee to refuse the application.

The Principal Planning Officer advised that no correspondence or representation had been received from Beamish Museum.

Mr Baglee addressed the Committee on behalf of the Beamish Burn Residents Group. He stressed their passion for the Beamish Burn conservation area and highlighted that 222no. letters of objection had been submitted and advised that no attempt had been made to contact residents to discuss their concerns and that questions posted via the portal had been unanswered. He noted that addressing members of the Committee was the first opportunity they had been given to voice their concerns, but that there was limited time to do so. He noted that holiday accommodation was already available in the area and a new development with permitted planning was currently pending. He expressed great concern with drainage and advised that Beamish Hall had objected on these grounds and explained that water could lie stagnant. He noted that no discussions had taken place with the adjacent landowner about the application and expressed concern with the affect the development would have on bats, birds, and wildlife. He advised that economic benefits would be minimal as travel to all local businesses would require a private motor vehicle and pointed out that no shops were close to the development and guests were therefore likely to travel outside of County Durham for essential items. He noted that local business did not support the application and that all residents were concerned of the safety of the lane that accessed the site and could foresee tragic accidents. He stated that himself and the residents felt disappointed and let down by the planning process and felt disrespected that the professional report they submitted to

the planning team had been recorded as a note. On behalf of the Beamish Burn Residents Group, he urged the Committee to reject the application.

Mr P Conroy, the Applicant addressed the Committee and advised that he was born and raised in Beamish and emphasised his passion for the area. He noted that planning began in Autumn 2019 and responses at that stage had been positive and has worked with planning officers since then to find solutions to the concerns that have been raised. He confirmed the development would be family friendly, would use renewable energy and clarified that hot tubs were no longer proposed. With regards to economic benefits, he advised that staying visitors contributed more than daily visitors.

Mr A Franklin, the Agent addressed the Committee and welcomed the support and approval of planning officers and thanked residents for working with them. He advised that there was a need for this type of accommodation and Beamish was a prime location due to the many nearby visitor attractions. He referred to Policy 8 Part 2c of the CDP and confirmed that the principle of development was acceptable. In terms of the concerns raised regarding highways, he noted that the report submitted by residents had been considered and explained that not all lodges would have two cars and not all lodges would be occupied throughout the year and therefore increase to traffic would be minimal and that trips would generally be made by guests outside of peak hours. He confirmed that additional parking was planned for visitors and noted that no accidents had been recorded on the lane. He advised that there would be no impact on residential amenity and that lodges were heavily screened. He noted that Environmental Health had not objected to the development and advised that a management document detailing park rules would be issued to guests. The application site was not within flood zones two or three as identified by the Environment Agency and that they had not raised any objection to the application in this regard. He explained that the proposal delivered on biodiversity net gain and confirmed that no trees would be removed. In summary, he stated that the application fully met the planning policy and the identified need for accommodation and requested the Committee to approve the application.

In response to a question from Councillor Jopling, the Agent confirmed that there were no plans to sell any of the lodges privately.

Councillor McKeon, in supporting the data regarding trips associated with guests, questioned why 24 no. lodges were proposed if there was no expectation to be fully booked throughout the year. The Applicant envisaged approximately 80% occupancy but advised that even if occupancy was 100%, he would still not anticipate any issues with regards to highways.

Councillor Haney confirmed he had attended the site visit and noted that the location was secluded but that access to the site was a concern. He referred

to the comment in the report regarding Visit County Durham and asked whether the need for visitor accommodation was specific to this area or for County Durham as a whole. He thanked residents for the materials they had submitted including the transport assessment and for all the hard work they had put in.

In response to a question from Councillor Watson who asked if the land was greenbelt, the Principal Planning Officer clarified that the land was not greenbelt but that it was in a conservation area associated with Beamish Valley. In response to the question from Councillor Haney regarding Visit County Durham, the Principal Planning Officer confirmed that the need for accommodation was for County Durham as a whole.

D Smith, Principal DM Engineer referred to the transport assessment and confirmed that all information received had been assessed by Highways and explained that daily trips taken by guests would be outside of peak hours. He advised that following analysis of the data it was confirmed that there were no accident trends or collisions recorded and he explained the site visibility splays. Although accepting there would be additional vehicle movements on the road, he noted that he had no concerns with access to the site or road safety and confirmed that the development met parking requirements. In terms of larger vehicles that used the road, he noted that Beamish Hall would have daily deliveries and although passing a larger vehicle could happen, no issues were foreseen. He confirmed that the road was a byway by virtue but was designed and maintained to highway standards.

Councillor Batey raised a point of order stressing that as an elected member, she was aware that statistical evidence for accidents did not indicate that accidents had not happened and noted that photographic evidence showing accidents that had occurred had been provided. The Principal DM Engineer advised that although the consultant for Beamish Burn Residents Group had submitted accident data for the previous 22 years, only five years of data had been considered in line with the recommendations from the Department for Transport.

Councillor Jopling commented that it was difficult to measure traffic movements with the proposed development and expressed concern regarding the drainage strategy for foul water. In terms of visitor accommodation, she felt the need had not been proven and that sufficient visitor accommodation existed within the area and believed that if lodges were sold privately, they could be treated as a home and occupied for up to 10 months of the year. She noted that the benefits did not outweigh the harm and confirmed that she did not support the application.

Councillor Stelling asked how the development would contribute to a low carbon future as stated at Policy 29 of the CDP given there were no safe

paths for guests to walk to the nearby facilities and a private motor vehicle would therefore be necessary to help the local economy. The Applicant took the view that as a lot of visitor attractions were in the vicinity and the current lack of visitor accommodation, the development would reduce the need for visitors to travel long distances. Councillor Stelling emphasised that safety was still a major concern.

Councillor Haney noted that assumptions had been made regarding traffic only coming from the A693 but he believed this was not the case. He highlighted residents had submitted a considerable amount of data regarding highways and felt this had not been given any weight.

Further to Councillor Binney's comments regarding the development not meeting the requirements of the CDP, Councillor Shaw asked for this to be clarified. The Principal Planning Officer explained the planning balance as detailed in the report clarifying that planning officers felt the economic benefit outweighed the harm but confirmed that Members must draw their own conclusions regarding balance.

Councillor McKeon noted that although hot tubs were no longer planned by the developer, they were originally permitted, and asked if the applicant would be required to submit an additional application for hot tubs should the Committee approve the application. In terms of trips, she asked whether the figures contained in the report included trips associated with food deliveries as this would make a material difference. Councillor McKeon stated that although the lodges were designed for a certain number of guests, in her opinion there was always potential for additional guests and asked if additional guests were included in the data regarding trips. She referred to the comment from the applicant regarding the expected occupancy of 80% but stated that the Committee had to base their decision on 24 no. lodges. She pointed out that when Beamish Museum was used a test site during the COVID-19 pandemic, the army had advised people not to use the lane as they deemed it unsafe. She stressed there were no sustainable transport links for guests to use and moved the application to be refused on the grounds of highways.

Councillor Earley felt it was difficult to equate positive tourism with the impact on the environment but confirmed that he took the view that the application was in an area of conservation and High Landscape Value which were solid planning grounds and that this outweighed any need for visitor accommodation. He also felt that the access road was unsafe. Councillor Earley confirmed that he seconded the motion for the application to be refused.

Councillor Watson stated that there were no areas on the lane to allow traffic to pass and felt that as the land was greenfield, the development was an

intrusion into the countryside and believed the application conflicted with policies 21, 39, and 44 of the CDP and he supported the refusal of the application on these grounds.

C Cuskin, Senior Lawyer Regulatory and Enforcement advised the Committee that the motion by Councillor McKeon to refuse the application on highways may not withstand an appeal due to highways information being based on empirical data. She explained that harm to an area of High Landscape Value and conservation highlighted by Councillor Earley were stronger grounds to refuse the application.

Councillor Earley moved that the application be refused on the grounds of harm to an area of High Landscape Value and conservation. This was seconded by Councillor Watson.

Councillor Shaw noted that the recent city of culture bid by Durham included information on four million more overnight stays and considering this felt that new developments for visitor accommodation was necessary. He noted that to grow as a County it was important to approve new developments and explained that he was aware of many developments within the Lake District that had similar restrictive access roads and felt that the lane could be accommodated accordingly to allow vehicles to pass safely. Councillor Haney whilst respecting the view of Councillor Shaw noted that the Committee could not enforce regulations on the access road.

Councillor Jopling believed that the need for accommodation had not been proven within the area and that the application should be rejected as the development would have a significant impact on the local residents.

Councillor Stelling stressed the development site was unsafe.

Councillor McKeon believed that the location was not appropriate due to the lack of infrastructure and the impact it would have on residents. In responding to Councillor Shaws comment regarding the Lake District, Councillor McKeon accepted that there were many developments in that area that were similar but explained that they had caused uproar in the communities. Councillor McKeon confirmed she would welcome new developments in County Durham but on sites that were safe and had sustainable transport links.

The Senior Lawyer clarified that a motion had been received from Councillor Earley on the grounds of harm to an area of High Landscape Value contradictory to Policy 39 of the CDP and harm to an area of conservation contradictory to Policy 44 of the CDP. The Senior Lawyer asked if the additional reasons of sustainability and the reason of need as raised by Members were to be included in the motion as these were also reasonable

grounds to refuse the application. Councillor Earley confirmed that he accepted the additional reasons to be included in his motion to refuse the application.

Councillor Watson agreed but expressed that he would also like highways to be included in the motion and believed there was a case to defend this at appeal.

The Senior Lawyer referred to Policy 21b of the CDP and reiterated that the Council could be at risk of costs if the application progressed to appeal, but that Members were free to make their own decisions regarding this.

In response to a comment made by Councillor Shaw, the Senior Lawyer clarified that the wording of the policy was identified visitor need and although there may be an overall need for accommodation, that was separate to the argument that was put forward.

Councillor Earley noted that although he appreciated the dilemma with encouraging tourism as raised by Councillor Shaw, he accepted the advice from the Senior Lawyer and would proceed with the motion excluding the grounds of highways. Councillor Watson agreed.

In Summary, the Chair thanked the officers and the residents for all their hard work and confirmed that a motion to refuse the application had been **moved** by Councillor Earley and **seconded** by Councillor Watson.

Resolved

That the application be **REFUSED**.

Councillors J Blakey, K Earley and P Jopling left the meeting.

b DM/21/03514/FPA - Land to rear of Consett Park Terrace, Moorside, DH8 8ET

The Committee considered a report of the Senior Planning Officer, with regards to the proposed Construction of 84no. Affordable Dwellings with Associated Car Parking, Landscaping and other Infrastructure including diversion to a Byway and Footpath on Land to the rear of Consett Park Terrace, Moorside (for copy see file of minutes).

S France, Senior Planning Officer provided a detailed presentation of the application which included a site location, aerial photographs, site photographs, and site plans and elevations.

Mr M Nixon addressed the Committee and confirmed that he was in objection to the proposal. He described Moorside as having access to beautiful, unspoilt, accessible countryside with historic value, near land which had been recognised and protected by its designation as an Area of High Landscape Value in the setting of the Grade II listed Hownsgill Viaduct. He assumed that planners, developers and residents improve Moorside but this could not be achieved by the destruction of its area of high landscape value.

This proposal had not been developed to meet a genuine pressing need for affordable housing and Mr Nixon referred to two versions of the affordable housing statement which had been submitted by developers, one of which included property value data presented from Castleside, the more affluent neighbouring village, rather than Moorside. The developers had submitted a statement that detached properties within Moorside sold for an average of quarter of a million pounds arguing that Moorside's house prices were comparable to the rest of Durham.

Fortunately, the Council's Housing Team had requested that the developers used housing data from Moorside and the statement was updated with the relevant confirming that the average price of a house in Moorside was only £99,000, almost £58,000 (or 37%) cheaper than the averages of Castleside, Consett and County Durham as a whole. In the report, the developers had stated this to be 'slightly less'. Mr Nixon advised that affordability was the reason that many residents lived in Moorside in the first place. The fact that developers had inflated prices in the original housing statement was evidence in itself, that the pressing need for affordable housing in an Area of High Landscape value did not exist.

There was a Council owned brown field site Moorside on the former school site which was only 340 meters from the proposed development and although the availability of a more appropriate site was not material grounds for refusal, Mr Nixon thought it relevant because the former school site had been included in Durham County Council's Programme for the development of affordable homes and therefore should the application be refused, affordable housing would still be delivered in the area on an appropriate scale and in a sensitive manner.

If the Committee went against the recommendation and approved the application, Moorside's Area of High Landscape Value would be destroyed for the provision of housing whilst a brownfield site remained undeveloped and subject to continued anti-social behaviour.

Mr S McCoy, Adderstone Living, addressed the Committee and confirmed that an affordable housing section had been set up to work with registered providers in order to deliver affordable housing in areas that needed it most.

This site, in his opinion had a finely balanced planning position, and the scheme was what residents were saying that they needed and it included significant economic benefits as well as affordability. The site was well screened and located in an area of housing need. The dwellings would have A rated efficiency, which meant lower energy bills for residents.

Mr McCoy advised that affordable housing had been discussed at length of the course of the application and there was an annual need for 836 affordable dwellings in Durham, which was likely to be much worse given the impact of the pandemic. The report was clear that of the eleven properties which had been available to bid on since January 2022 almost 200 bids had been received and this suggested that for every successful letting there were many left waiting.

Adderstone had a policy of utilising local tradesman and the site would employ up to 70 local tradesman with locally sourced materials. Whilst the balance between affordable housing needs and landscape harm was always going to be finely balanced, the benefits for families to live in energy efficient houses and the effect on the wider prosperity of Moorside outweighed the harm.

Mr J Ridgeon, the Agent addressed the Committee to advise that this was a finely balanced application with significant benefits which had to be weighed against the impact on the landscape. He referred to the impact on views from the viaduct, looking towards Moorside and to the picture taken by Officers which had been included in the presentation. Suicide prevention fencing had been installed on the viaduct which obscured views, that were also impacted by the existing industrial units to the left of the site. The proposed housing would be seen with existing houses of Moorside as a backdrop and would not appear unrelated to the existing built-up area.

Mr Ridgeon referred to Landscape Policy 39 which stated that for a development to be acceptable, the benefits had to outweigh any harm. In this case the scheme provided affordable housing for local people where there was identified need. The Applicant had engaged with Officers to understand the housing need in the area and the information provided by the Affordable Housing Officer was up to date and reliable, and it had been used to dictate the housing mix presented.

The Affordable Housing Officer accepted the need for rental properties in the area and as such 74 dwellings had been provided for rent by local people. Officers had noted concerns relating to the ten shared ownership dwellings however the housing association had carried out an assessment and were confident that there would be strong demand.

Finally, Mr Ridgeon confirmed that the boundary went through the site and part of it was within Castleside. This was the reason that the Housing Assessment had included information from Castleside. He reiterated that the application was very finely balanced and dependent on balance under Policy 39.

The Senior Planning Officer advised the Committee that the reasons were clear and balanced for refusal and not finely balanced as suggested.

Councillor Watson, Local Member, confirmed that there was a need for new builds in the area, however the detail for need had not been demonstrated. He preferred mixed development, rather than all affordable homes and reiterated that the former Moorside School site was crying out for development. This site was not in the County Durham Plan and he agreed with Officers with the reasons for refusal and **moved** the recommendation for the reasons outlined in the report.

Councillor Stelling knew the area well and agreed that the former school site was more suitable and queried whether it had been considered as an alternative. With regards to comments regarding the obscured view from the viaduct, he advised that these measures had been installed as a suicide prevent prevention measure.

Councillor Haney questioned the statement that part of the site was within Castleside as ward boundaries did not determine a settlement. He queried the process of assessing land for housing and G Smith, Housing Development Manager confirmed that an assessment of local housing need providers had been undertaken which could not be supported. The reference in the report to Durham Key Options was providing information of people bidding on homes within that area. Housing providers were provided with the information to support applications, however the information related bids on properties in the Moorside area, but was not restricted to people who were already living in the area and it was likely that there were bids from people living further afield.

The other issue with the data was that bids were relative to the number of homes that were available to bid on so if there was a large housing stock, more bids would be generated and areas without bids may have no housing stock. The Applicant had been asked for more data specific to Moorside as it was felt this was lacking. All assessments would need to confirm the local need of residents from the Moorside area.

The Housing Development Manager confirmed that more engagement with community to bring out local needs first hand may have been beneficial.

Councillor Haney confirmed that there were residents in Moorside whose views could have been sought, some that were in need of housing, however the evidence provided was anecdotal and did not meet the high benchmark for building in an Area of High Landscape Value. He had visited the site, it was a beautiful area and the comments regarding the restricted view due to the installation of suicide fencing was not justification for approval.

From the top of viaduct, long gardens created a buffer and the houses were just visible. This development would certainly impact the views of the countryside and be significant encroachment. There may have been some justification for small infill development to the West of the site, but once it went beyond that point it could not be demonstrated that policy was met. This application was not finely balanced and did not meet policy. He advised that Council should not contradict policy so soon after implementation and **seconded** the motion to refuse the application for the reasons outlined in the report.

Councillor M McKeon confirmed that she did not want to reject applications for affordable housing, however planning policy was in place for a reason and she was uncomfortable with anyone who would ask the Council to go against their own plan. She considered Policy 6 to be controversial as it allowed development on land that was not allocated in the County Durham Plan. This unsettled people and it could be used to circumvent so the Council needed to be careful when using it.

Councillor McKeon addressed the developers, advising that it had taken a long time to ensure the County Durham Plan was right and that it protected communities. She asked that developers made sure that reasonable steps were taken to ensure that sites were chosen in areas that would not be as controversial. The Committee wanted to see affordable housing, however did not want to see time and money spent on applications that would have to be rejected on the Councils own adopted policy.

Councillor Shaw asked whether the plans could be amended in order to tip the balance as there were over ten thousand people on the Councils waiting list. C Cuskin, Senior Lawyer, advised that it was not appropriate to consider alternative plans at this stage, but suggested that the developer liaised with the Senior Planning Officer and Housing Development Manager to try and come up with an acceptable scheme, if one could be arrived at.

Councillor Peeke acknowledged the need for affordable housing but also considered that brownfield sites should be considered prior to building in Areas of High Landscape Value.

Resolved

That the application be **REFUSED** for the reasons outlined in the report.