

## **DURHAM COUNTY COUNCIL**

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 3 October 2023 at 9.30 am**

### **Present:**

**Councillor G Richardson (Chair)**

### **Members of the Committee:**

Councillors J Atkinson, A Bell (Vice-Chair), M Currah, J Elmer, P Jopling, C Martin, I Roberts, A Savory, K Shaw, A Simpson, S Wilson and S Zair

#### **1 Apologies**

Apologies for absence were received from Councillor J Higgins.

#### **2 Substitute Members**

There were no substitute Members in attendance.

#### **3 Declarations of Interest**

Councillor J Atkinson declared a non-prejudicial interest in item no. 5b) with members of his immediate family attending the school.

#### **4 Minutes**

The minutes of the meeting held on 11 September 2023 were agreed as a correct record and signed by the Chair.

#### **5 Applications determined**

##### **a DM/23/01412/FPA - Unit 3, Hackworth Road, North West Industrial Estate, Peterlee**

The Committee considered a report of the Senior Planning Officer regarding an application for the reconfiguration and extension of Copart Peterlee site to develop additional car storage facilities (Use Class B8), boundary treatment, landscaping and associated infrastructure works at Unit 3, Hackworth Road,

North West Industrial Estate, Peterlee, SR8 2JQ (for copy see file of Minutes).

L Ollivere, Senior Planning Officer informed the Committee of the following updates to the report;

- Para 77 sentence 4 was altered to read as follows;

It is envisaged that the expanded site would enhance the role and importance of the Peterlee site within the wider business and consolidate the existing customer service operations, including 47 positions at Peterlee, and a further 9 jobs would be created.

- The recommendation in the report was altered to read as follows;

That the application be Approved subject to the completion of an agreement under Section 39 of the Wildlife and Countryside Act 1981 to secure on site delivery of a Biodiversity Management and Monitoring Plan for 30 years.

The Senior Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, site layout and site photographs within the site/looking east outside of the site/from PROW looking SE towards the site.

M Fortune addressed the Committee on behalf of the Applicant and confirmed that the nature of the business was store vehicles that were at the end of their lease or finance agreement prior to auctioning them online. Vehicles purchased were either delivered or collected from a relevant site.

The existing premises had been identified for additional storage and as a fully established business the Applicant did not wish to operate from multiple sites. She advised that the application complied with national and local planning policy and benefits included an increase to biodiversity net gain. A landscape strategy would ensure that the site was screened from neighbouring uses and the PROW to the north of the site would be retained, whilst new lighting would be downward facing, to avoid light spillage.

There had been no objections from technical services or members of the public and all matters had been resolved or were subject to conditions. Other associated benefits included economic growth which would benefit the wider area with the creation of nine new jobs.

In response to a question from the Chair, the Senior Planning Officer confirmed that the site was agricultural land and had been used for broad bean crop rotation.

Councillor Elmer queried the location of the site and the Senior Planning Officer advised that it was not within the boundary of the industrial estate but on the edge of the settlement and within the countryside according to policies within the CDP.

Whilst there would be an increase in biodiversity, Councillor Elmer was mindful that there would still be a loss and he noted the time that it would take for hedgerow planting to mature. There was also an increase in lighting which would impact on bats. The Senior Planning Officer advised that the preliminary ecology assessment contained further details relating to foraging areas and impacts from lighting on site, however mitigation had been included to control light and it was conditioned.

Councillor Elmer referred to the judgement made with regards to the identified loss of agricultural land weighed against the economic benefits and queried whether it was an opinion based or calculated judgement. The Senior Planning Officer advised that the NPPF gave significant weight to applications that included economic benefits to areas and CDP policy 14 did not preclude applications where there was a loss of agricultural land but advised of the need for a balancing exercise. The benefits of this application were deemed to outweigh the loss.

In response to a question from Councillor Jopling, the Senior Planning Officer advised that the land had not been allocated in the CDP.

Councillor Bell queried whether the Applicant had been required to submit any information regarding alternative industrial sites considered. The Senior Planning Officer advised that Policy Officers were not concerned about encroachment and allocated sites on the industrial site were identified, but they were a lot smaller and would involve splitting the site.

Councillor Bell observed that there were no comments from Business Durham.

Whilst Councillor Wilson noted the loss of agricultural land, he noted that the application had no objections indicating that there were no local concerns regarding the impact of the application. He moved the recommendation to approve.

Councillor Atkinson suggested that it made sense for the business to expand and whilst he had sympathy for the loss of agricultural land, splitting the site would be difficult. He seconded the motion to approve the application.

Councillor Jopling was concerned that the application could set a precedent for further expansion and queried whether there was any ability to protect the surrounding agricultural land in future.

S Reed, Planning and Development Manager advised that whilst it would have been helpful to include comments from Business Durham, occupancy rates in Peterlee were a concern and this gave him assurance that they would be supportive of the application. Despite vacant units, there was nothing of this size that the Applicant could consider relocating to. He alluded to the significant ecological improvements and advised that future expansion would need to be afforded the same process for determination however anything edging north and west of the site would result in landscape harm and the loss of the best and most versatile land.

Councillor Elmer had made a similar observation and suggested that the CDP allocation of land had been subject to rigorous scrutiny and should be adhered to. This was a large site which sat outside of the allocated industrial development.

Councillor Bell noted the increased number of employees that the expansion would bring and the impact of having to move to larger premises. The benefits outweighed the impact in this case and he offered his full support to the application.

## **Resolved**

That the application be Approved subject to the completion of an agreement under Section 39 of the Wildlife and Countryside Act 1981 to secure on site delivery of a Biodiversity Management and Monitoring Plan for 30 years and the conditions outlined in the report.

### **b DM/22/03529/FPA - Woodham Academy, Washington Crescent, Newton Aycliffe, DL5 4AX**

The Committee considered a report of the Senior Planning Officer with regards to an application for the Demolition of existing school buildings and replacement with playing fields and landscaping at Woodham Academy Washington Crescent Newton Aycliffe (for copy see file of minutes).

C Shields, Senior Planning Officer, advised that approval had been given for the new Academy building in February however at the time the demolition couldn't be determined as there was insufficient information regarding bats. The survey had since been completed and mitigation was included and had been conditioned.

The Senior Planning Officer gave a detailed presentation of the application which included a site location plan, aerial photograph, site layout, site photographs of existing buildings, and plans and elevations the new school building. He advised that only one objection had been received which related to school traffic however this had already been addressed as part of the new build application.

In response to a query from Councillor Roberts, the Senior Planning Officer advised that a condition had been attached to the previous application to Travel Plan

Councillor Wilson referred to the importance of the application to move on with construction of the new building and the need across the County for the facilities that the new school would provide. He moved the recommendation which was seconded by Councillor Bell.

Councillor Elmer queried whether the Applicant had proposed a strategy to manage impact on the bat roost and the Senior Planning Officer confirmed that prior to discovery of the roost, the application had included mitigation for bats, however there had been subsequent additions for a new bat roost which would be positioned to draw out the roost in advance of demolition works, and the Applicant was required to obtain a protected species licence.

### **Resolved**

That the recommendation be APPROVED subject to the conditions outlined in the report.