

DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, County Hall, Durham on **Thursday 18 July 2024 at 10.00 am**

Present:

Councillor

Members of the Committee:

Councillors A Savory (Vice-Chair), E Adam, D Brown, N Jones, L Maddison, G Richardson, G Smith and S Zair

1 Apologies for Absence

Apologies for absence were received from Councillors J Atkinson and J Quinn.

2 Substitute Members

There were no substitute members.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 16 May 2024 were agreed as a correct record and signed by the Chair.

5 Applications to be determined

a DM/24/00315/FPA - Land West of 31 to 32 Church Street, Coundon

The Committee considered a report of the Senior Planning Officer that was to erect 16no. dwellings, together with formation of the site access, and associated landscaping and external works on land to the west of 31 to 32 Church Street, Coundon (for copy see file of minutes).

G Heron, Senior Planning Officer explained that this was an amended application for 16 bungalows from the previous application for 53 dwellings that had been refused at the planning committee in December 2023. The developer was awaiting an appeal decision from the Planning Inspectorate. She gave a detailed presentation which included site photographs that showed the view from the public highway, the previous site plan, site elevations that showed the changes in levels of the land from the basin of the site to where the dwellings would be proposed and the proposed floor plans that met the nationally described space standard. The land had a Grade II Listed Building located to the east and the Grade II Listed War Memorial to the northeast. The site partially lay within a Coal Mining High Risk Area. Upon consultation there were objections from Highways as the access did not demonstrate the required visibility splay, the Coal Authority as there were mine shafts present at the northern part of the site and from the Design and Conservation Team who through the Council's Design Review Process had scored the proposal with 8 red classifications, 1 amber and 3 green classifications. There were 23 letters of objections. She noted that although there were benefits to the development of bungalows they did not outweigh the policy conflicts on poor design and unsafe access. It was officer's recommendation to refuse the application as it failed to comply with Policies 6, 10, 21, 29, 32 and 39 of the County Durham Plan and Part 9, Part 12 and Part 15 of the National Planning Policy Framework.

Dr S Dobrowski addressed the committee in support of officer recommendation to refuse the planning application. He gave a presentation that compared the two applications side by side both of which still had seven reasons for refusal. At present he had a lovely view of the meadow on the skyline but if the proposal was approved this would disappear. He thanked officers for the comprehensive report. It had originally been proposed that the development would comprise of 54 dwellings and now this application had reduced the number to 16 and noted on the map that there was an area of meadow that was inaccessible where nothing could get in or out which he surmised would be a step toward further development in the future. He informed the committee that he was the resident of Fair View Cottage that would be next to the access for the site which was on a dangerous road which would be made more dangerous if another entry was added to the B6287. Work had commenced to locate mine shafts but surveyors had stated they needed to be careful and not too intrusive when digging behind the garage next to his property. He noted that highways had objected as there was insufficient room for the visibility splay unless they ran right through the cottage which they could not do.

He stated that the water runoff from the B6287 had not been identified as an issue but this could potentially cause flooding. He was also concerned that there were still red flags with the application that the developer had not addressed since December 2023. He thanked members for the opportunity to address the committee on behalf of him and other local residents and asked if this application could be refused.

There were no further registered speakers in relation to the application therefore the Chair opened up the meeting to questions and debate from members.

Councillor E Adam noted that the proposed scheme had included 10% affordable housing but he queried what first homes was.

L Ackermann, Legal Officer (Planning and Highways) explained that First Homes were affordable units that were only available to first time buyers and that the price of the property was capped at a level whereby it was affordable. First Homes was part of a government scheme to encourage first time buyers to buy properties. If the properties were then sold in the future there was a caveat that the properties were only allowed to be sold onwards to a first-time buyer. There were some other intricacies of the product but it was essentially an affordable route to home ownership. In principle this was affordable housing and would apply to all affordable housing schemes.

The Senior Planning Officer confirmed that the 10% affordable housing within the proposed scheme was made up of two affordable dwellings comprised of one First Home and one Affordable Home Ownership unit.

Councillor E Adam was concerned with the topography of the site as it was at different levels that made it appear that it would push any surface water from the road into the front of the bungalows within the vicinity that may lead to the gardens being prone to flooding. He queried if Officers had looked at this issue.

The Senior Planning Officer stated that a surface water drainage scheme had been submitted with the application that had been agreed in principle by the Lead Local Flood Authority. Additional information had been requested to base hydraulic calculations upon but this had not been supplied yet. The information request could be controlled by conditions. There were concerns with the design of the scheme as it was a high engineered solution. However the planning authority had taken the lead of the Lead Local Flood Authority.

Councillor E Adam asked why the scheme had not included SuDS due to potential flooding from the road into the site.

S Pilkington, Principal Planning Officer confirmed that a SuDS scheme had been included in the application. He acknowledged that the green area would be the retention basin and would manage the surface water before it would be discharged back into the main network. The main issue was that the scheme was highly engineered that would drill a hole into the hillside but this had been accepted in principle by the Lead Local Flood Authority.

Councillor D Brown requested clarity on the planning history of the site. The initial application had been submitted to committee in December 2023 and was refused for 54 dwellings and an appeal was pending. He asked what the position was for the application now if the appeal was successful.

The Principal Planning Officer advised that if the appeal was successful then the original planning application that was refused in December would stand and could commence at any time. This alternative scheme may overlap with the decision if this application was approved by Committee. In both applications there were issues with the SuDS, the engineered drainage solution and the Highway issues relating to the entrance to the site.

Councillor D Brown referred to the settlement of Coundon and queried the score it had received of 53 and how that had been determined as it stated that there was no need for further housing in the area and it was described as 'cut and paste'.

The Principal Planning Officer responded that Coundon had been accredited as part of the Durham County Plan regarding the number of community facilities like schools and shops in the area. The settlement had scored high that had been considered but it was still classed as being inaccessible due to the limitations of design and access to it. He explained that 'cut and paste' was not Durham County Councils wording.

Councillor D Brown noted that over the last two weeks there had been changes afoot in the government, the adjournment of Durham County Council's Strategic Housing Strategy and changes to national planning that had been made within the Kings speech and queried if the application should be looked at in a different light.

The Principal Planning Officer stated that members were required to clearly determine the application that had been brought before them and give weight to the deficiencies and benefits of the scheme.

Councillor S Zair reiterated Councillor E Adam's comments regarding potential flooding at the site and required further information on the issue.

The Senior Planning Officer confirmed that further information had been requested from the developer that was yet to be received. She noted that the previous application that had been considered in December 2023 had been refused on flooding. The applicant had supplied more information in this application but more was required.

Councillor E Adam was disappointed that there had been no significant changes from the first application to the present application on design, layout or highway issues. The only difference being was the number of properties had been reduced. He was dissatisfied that the new application still had eight red flags that had not been addressed. He proposed to agree with officer recommendation and **moved** to refuse the application on the grounds that it did not comply with policies 6, 10, 29 and 39 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

Councillor S Zair **seconded** the application for refusal. He thought that the application was not good enough in relation to highway safety aspects.

Councillor G Richardson agreed with Councillors E Adam and S Zair to refuse the application. He had attended the site visit seven months again and had seen the site first hand and he could not accept the application in its current state as it did not comply with policy.

Upon a vote being taken it was **unanimously**

Resolved:

That the application be **DISMISSED**.

b DM/23/02925/FPA - Hardwick Hall Hotel, Sedgefield

The Committee considered a report of the Planning Officer that was for the creation of a new spa complex and wellness facility at Hardwick Hotel, Sedgefield, Stockton on Tees, TS21 2EH (for copy see file of minutes).

S France, Senior Planning Officer gave a detailed presentation that included a site location plan, aerial views of the site, the existing and proposed elevation, the layout of the building and photographs. Hardwick Hotel was located in open countryside that lay west of the A177. It was a Grade II listed building with the application proposing to extend and modify a group of ancillary buildings, car parking and informal storage areas to the rear of the hotel to create a swimming pool, changing rooms, bar and restaurant. He advised that a planning application had been submitted and approved for an additional 45 bedrooms to be built on the car park that was separated from the buildings by tarmac.

There had been concerns raised by Historic England regarding the loss of fabric. Work had been carried out with the applicant and the conservationist Officer over several years to come up with an acceptable proposal. It was to create 128 jobs. Upon consultation there were no issues from Highways, the biodiversity net gain was subject to conditions and Visit County Durham was supportive. It was the officer's recommendation to approve the application.

Mr S Hesmondhalgh, applicant as Planning Agent addressed the committee in support of the application. He stated that the outline of the application had been given that focused on the balance of harm caused against the benefits. He informed the committee that the proposed stables already had existing planning consent that could be built on along with proposed plans to build an additional 45 bedrooms on the carpark. The existing stable would be replaced and incorporated into the new scheme. The National Planning Policy Framework balanced the harm against the public benefit. The scheme was at the rear of the hotel and had a physical separation between the buildings with a tarmacked footpath. Upon consultation Tree Officers had expressed concern over the loss of 9 elderly trees but there was a proposal to plant 220 smaller trees. Hardwick Hall was dominated by existing mature trees. The application was supported by Visit County Durham as there was increased demand in the area for wellness and wellbeing facilities. Hardwick Hall employed 700 members of staff and the proposal would increase that further with an additional 71 direct jobs and 128 indirect jobs created. The development had an investment value for the area of £11 million. He asked that the committee agree with officer's recommendation to approve the application.

There were no further registered speakers in relation to the application therefore the Chair opened up the meeting to questions and debate from members.

Councillor D Brown noted that the planning application had been ongoing for a long time and asked if Officers could expand on its history.

The Senior Planning Officer confirmed that there had been a lot of time spent on the planning application. John White, architect had worked with Durham County Council Officers as the application was not straight forward. There had been a lot of issues to work through from the Conservation Team and the Planning Team. It had been a long and positive experience.

Councillor E Adam advised Members that he had attended a site visit through the Environmental and Sustainable Communities Overview and Scrutiny Committee to look around Hardwick Park. He mentioned that Ramside Hall levied a tourist tax on guests that supported the upkeep of the surrounding area. He was unsure if this was enforceable but queried if this could be part of a condition to help support the surrounds of Hardwick Park.

Mr J Adamson confirmed that he had introduced an optional charge of £1 bedroom tax that was added to guest's invoices with the accumulation of funds being paid to the Friends of Hardwick Park to help finance the upkeep of the grounds. This was optional and some guests paid it and some guests asked for it to be removed from their bill. It equated to approximately £3,000 to £5,000 per year. He would continue to do this but had not been instructed to do so. It was unclear what would happen with the new government regarding bedroom tax on the hospitality industry when the contribution may transpire to being bigger.

The Legal Officer (Planning and Highways) confirmed as this was a voluntary contribution between the business and a third party the planning authority could not impose this as a condition on the application.

The Chair opened up the meeting to debate.

Councillor E Adam proposed to agree with officer recommendation and **moved** to approve the application.

Councillor N Jones agreed with the application to put an old building back into use and **seconded** the application for approval.

Councillor G Richardson had found it interesting that Hardwick Park was a subsidiary of Ramside Hall.

Councillor L Maddison welcomed the application as tourism and culture was a big part of County Durham.

Councillor S Zair thought it was a fantastic proposal and thanked everyone who had worked on the application.

Councillor D Brown confirmed that Hardwick Park was part of the Ramside portfolio that had been in existence for over 60 years. The hotel and spa had created a boom for the Hardwick area. The applicant in dealing with the planning department had been amenable and so he supported the application.

Upon a vote being taken it was **unanimously**

Resolved:

That the application be **APPROVED** subject to the conditions outlined in the report.