

DURHAM COUNTY COUNCIL

At a Meeting of **County Planning Committee** held in Council Chamber,
County Hall, Durham on **Friday 10 January 2025 at 10.00 am**

Present:

Councillor G Richardson (Chair)

Members of the Committee:

Councillors A Bell (Vice-Chair), D Boyes, M Currah, J Elmer, J Higgins, B Kellett (substitute for S Wilson), C Martin, D Oliver (substitute for P Jopling), K Shaw, A Simpson, G Smith and S Zair

Also Present:

Councillor James Rowlandson and Councillor Angela Sterling

1 Apologies

Apologies for absence were received from Councillors J Atkinson, P Jopling, A Savory and S Wilson.

2 Substitute Members

Councillors D Oliver and B Kellett were present as substitute Members for Councillors P Jopling and S Wilson respectively.

3 Declarations of Interest

Councillor Oliver confirmed that he had been involved in some discussions in 2020 with regards to item no. 5e) however he had made no representations and would determine the application with an open mind.

Similarly Councillor Shaw had been present for discussions in relation to item no. 5d) however he had made no representations and would determine the application with an open mind.

4 Minutes

The minutes of the meeting held on 3 December 2024 were agreed as a correct record and signed by the Chair.

5a) DM/21/02861/FPA - Land to the east of Fern Dene, Knitsley Lane, Templetown

The Committee considered a report of the Senior Planning Officer with regards to the proposed development of 170 residential dwellings with associated infrastructure and open space (revised description 16/12/2024) on Land to The East Of Fern Dene, Knitsley Lane, Templetown (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation which included a site location plan, site photographs, a proposed site layout plan and Illustrative Elevations.

Following further discussion with the Coal Authority, the two conditions referenced within the report were recommended to be replaced by four amended conditions.

Councillor A Sterling, addressed the Committee as Local Member and also on behalf of Councillor Walton. She wanted to make it clear to residents who had objected that as allocated land, the development itself was not something they could object to, and their role had been to work with the Applicant and Officers to ensure the best development for the people within their ward. Most residents were aware of this and therefore there had been limited objections. Whilst they broadly supported the development, there were some remaining concerns.

They had been keen to include a bus route to access public transport but also to limit the possibility of creating a rat run through the Dales View development, however it was considered financially unviable. A bus route would have ensured that the road was gritted in the winter and following recent snowfall people were struggling with the incline so this would have been beneficial. In the absence of a bus route, they would continue liaising with Officers to ensure that the development was closed off as it was a huge concern for residents and speeding on Dales View was already an issue. Councillor Sterling requested that the road be gritted during the construction phase.

Councillor Sterling advised that they had worked hard to get the most out of the development and were pleased that it would provide footpath and cycle links to not only benefit residents of the new estate but also from the wider area, which was a great benefit. The Applicant had agreed to put heritage boards up along the pathway to explain the history of the area and Section 106 money was being put aside to provide a gateway feature which she requested was ringfenced. The Applicant had agreed to create these footpath links so that the whole community could benefit from improvements

and access to shops, amenities and schools. Overall, they were supportive of the scheme and appreciated the fact the Applicant had worked with them, however they remained disappointed that a bus route could not be incorporated.

Local resident, Mr O'Sullivan addressed the Committee and confirmed that additional housing should only be approved with sufficient infrastructure. His concerns related to the additional traffic generated on Knitsley Lane, a rural country lane wide enough for only one vehicle. There were several blind bends and to the north of the Old Mill, there had been a number of accidents. The road was also used by pedestrians and by farmers to move livestock. In his opinion the road was not capable of taking any additional traffic and he was concerned at the amount of traffic that would be generated by this development. The issues on Knitsley Lane and not been addressed by the Highways Officer or within the Transport Assessment. Whilst he fully recognised the allocation in the County Durham Plan, he had concerns that if the development proceeded, accidents would increase. He asked whether additional signage could be considered in addition to suitable passing places.

Mr McVickers addressed the Committee on behalf of the Applicant and confirmed that the proposal would deliver 170 high-quality, sustainable, new homes for local people in Templetown, Consett. He referred to the struggle to afford affordable homes due to the combination of rising interest rates and a shortage of new housing. The housing crisis was high up on the political agenda and the Government had committed to build 1.5 million homes over four years. To achieve this target a new standard method for calculating housing need was being introduced through National Policy and this would adjust the annual number of homes that Local Authorities had to provide. Whilst not yet applicable in County Durham, the requirement would soon rise by 78% which equated to more than 2,000 new homes per year.

The Applicant was proud to support local first-time buyers, families and young people to buy their own homes. Typically buyers moved within a 3-mile radius and he confirmed that on other recent nearby developments in Durham, over 80% of buyers had moved from within the postcode area. In the last two years 50% of the private sales had also been to first-time buyers.

The site had been allocated for housing within the County Durham Plan and it would support the Councils ambition of meeting local housing need whilst delivering new investment and employment opportunities in the local area. To achieve the increased housing need, it was crucial for allocated sites to come forward. The site was one of five adopted housing allocation sites totalling 670 homes in north west Durham area and this reflected this areas status as one of the most sustainable settlements in the county. This was the first site which had progressed to planning stage.

The development would provide a range of 2, 3, 4 and 5 bedroom housing which were all policy compliant. In addition to the 10% affordable housing offer, it included 10% elderly persons provision. The Applicant had worked closely with both planning and design officers and proposals had been amended since the original submission. There had been a reduction of 31 dwellings and the scheme had accomplished 11 green and 1 amber from the internal design panel which was testament to the high design quality of the development. The site was landscape-led and incorporated 13.5 hectares of open space and 1.8km of off-highway footpaths and cycleways. The design was contemporary, whilst being sensitive to the areas industrial heritage. All homes would be built to a minimum of 2021 building regulations and deliver a 31% reduction in CO2 emissions, with electric charging vehicle points being incorporated into all homes. The scheme would deliver on-site biodiversity net gain in addition to ecological enhancements in nearby Bridgehill. There were significant Section 106 contributions towards education, healthcare, open space and infrastructure within the local area. In conclusion this new development would support Durham's ambition of meeting local housing needs and make a difference to local people trying to get on the property ladder.

In response to a question from Councillor Elmer, the Senior Planning Officer advised that consideration had been given to four key bus routes, none of which had been suitable. The design had originally included a bus turning circle however this had later been removed from the scheme following direct discussions with Go North East. The bus operator confirmed it would not be possible to re-route any of their existing services to the site therefore the only other option would be a dedicated shuttle service to Consett Bus Station where onward connections to other destinations were available. They estimated it would cost in the region of £1.2m to deliver over the build out period and once funding ran out acknowledged the service would likely be withdrawn. The Applicant had therefore provided a range of more sustainable links via several walking routes. Existing bus stop lay within 800m of the site and are well serviced by existing routes. Given site constraints, the provision of a bus route could not be justified.

Councillor Elmer was concerned that a service provider had determined the bus route as it was not commercially viable. He responded that despite high levels of accessibility properties could be purchased by older people who were unable to drive and not providing sufficient bus links was a serious failure. The Senior Planning Officer confirmed that bungalows had been positioned for ease of access and the Applicant had worked hard to ensure gradients met adoptable standards, however, it was unfortunate that it was not a viable option to bring a dedicated public transport service to the site.

The Senior Planning Officer concluded that despite site constraints, the Applicant had done everything they could to create high quality walking and

cycling routes. Should bus provision be brought to the site, it would not result in a high quality service unlike the existing ones serving Delves Lane where residents would be more likely to walk to.

Councillor Oliver advised most of Knitsley Lane was within his ward and whilst he agreed with the concerns raised regarding the lack of bus route the site was constrained in terms of accessibility. He agreed that it would be difficult to provide a commercially viable bus route.

Cllr Bell queried the affordable housing provision and the Senior Planning Officer confirmed that this was a low viability area with a 10% requirement of affordable units. There would be 17 units, four 2 bed first homes and thirteen 2 and 3 bed discounted market units. In addition, there was 10% older persons provision. This all complied with regards to meeting housing needs.

Councillor Bell required more information regarding the discount market rate as a scheme within his own ward had not priced their affordable homes much lower than normal price. The Senior Planning Officer confirmed that the level of discount was calculated by set rates and Mr McVickers confirmed that a 20% discount was offered on 2 bed properties and 29% discount on 3 bed properties.

Councillor Elmer asked for concerns to be addressed regarding additional traffic on Knitsley Lane and whether it could be accommodated. The Highway Development Manager confirmed that the submission had included a transport assessment accompanied by two technical notes which confirmed that the level of traffic that would travel along Knitsley Lane was proportionately small and the Highway Authority was content with those assessments.

Councillor Boyes was familiar with road and fully supported the application. It was an attractive scheme and whilst he also had concerns regarding the lack of a bus route, they had been addressed. He was still concerned about the volume of traffic at peak times as it could take 25 minutes to get to Delves Lane, which was a route that that would normally take 2-3 minutes. He moved approval of the application in accordance with the conditions outlined in the report, including the amendments reported by the Senior Planning Officer, which was seconded by Councillor Bell.

Councillor Elmer confirmed that it was good to see a major scheme going forward on an allocated site, it was a fantastic development with connectivity to the Lanchester cycle route and significant open space provision and good size gardens. The Applicant had attended to nature conservation, provided for solar energy and electric vehicles and they had fully engaged. He remained disappointed regarding the lack of bus provision but appreciated the constraints.

Resolved

That the application be APPROVED subject to the conditions outlined in the report, the amendments reported by the Senior Planning Officer and completion of a legal agreement under Section 106 of the Town and County Planning Act 1990 (as amended) and under Section 39 of The Wildlife and Countryside Act 1981 to secure the following:

- The requirement to enter into a S.39 Agreement to secure the long term management and maintenance, including a monitoring strategy of the biodiversity land;
- provision of 10% affordable housing units on site equating to 17 units for affordable home ownership;
- £126,412 towards improving offsite open space and recreational provision within Delves Lane Electoral Division;
- £534,864 towards secondary education provision;
- £142,766 towards SEND education provision;
- £82,110 to increase GP surgery capacity;
- £51,000 towards improvements to the Sustrans National Cycle Network Route No. 14 (NCN14), also known as the Lanchester Valley Railway Path, within the vicinity of the development;
- £8,500 towards improving the facilities and services at Delves Lane Community Centre;
- £34,000 towards the provision or maintenance of environmental or community schemes.

The Chair confirmed that the following items 5b) and 5c) would be heard together.

5b) DM/24/02829/VOC - Plot D Land At Aykley Heads, Framwelgate Peth, Durham, DH1 5UQ

See item 5c) below.

5c) DM/24/02888/RM - Plot D Land At Aykley Heads, Framwelgate Peth, Durham, DH1 5UQ

The Committee considered the following applications for the Variation of Conditions 1 (Approved Plans), 2 (Floor Space and Use Classes), 5 (Travel Plan) and 10 (Ecology) pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D, and Reserved Matters submission for the matters of Appearance, Landscaping, Layout and Scale pursuant to hybrid planning permission DM/20/01846/FPA,

to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D, on Land at Aykley Heads, Framwelgate Peth, Durham, DH1 5UQ (for copies see file of minutes).

The Senior Planning Officer gave a detailed joint presentation which included a copy of the Aykley Heads Masterplan which had been previously approved in January 2021, a site location plan, aerial photographs, site photographs from various locations of the site, a previously approved Parameter Plan at Plot D, a proposed Parameter Plan at Plot D, a proposed site plan Plot D (Reserved Matters), and various illustrative elevations with details of the proposed height and materials.

The Senior Planning Officer confirmed that following publication of the report, Durham University had responded to comments received from the City of Durham Trust and two Members of the public, to confirm that they had considered a number of alternative sites in the Durham City area and Plot D was considered the most suitable.

In relation to Condition 7 set out at the bottom of the Reserved Matters report, the Senior Planning Officer confirmed that this condition required further documents to be submitted which related to tree protection measures during the construction period. The required documents had been submitted by the Applicant, and the Landscape officer had advised that they were acceptable. The updated tree report and construction management plan would therefore be added to the approved plans list under Condition 1, and Condition 7 was to be removed, as it was no longer necessary.

The second update was regarding Condition 8, which was set out at the bottom of the Reserved Matters report. Condition 8 required further documents to be submitted which related to technical drainage matters. The Applicant had since submitted further documents as required by Condition 8, in an effort to remove the condition. The Drainage officer had not yet had the opportunity to consider the details and therefore had been unable to advise whether they were acceptable. It was therefore considered that Condition 8 was still required, to secure the submission and consideration of those plans.

The Senior Committee Services Officer read out a statement from Councillor L Brown which was also on behalf of Councillor E Scott. Local Members were both in support of the applications.

The original application was granted permission in January 2021 so the presumption of development was in place. The original permission as laid out in Policy 3 of the County Plan referred to class B1 development. This classification no longer existed and was class E(g) which encompassed this

application, however a variation of condition had been submitted which could not be refused in the circumstances.

The Aykley Heads Strategic Employment Site was originally going to provide 4000-6000 jobs, but this aspirational figure was no longer achievable in this post covid world and latest figures showed that showed that 9.9% of office space in regional centres was lying empty (6.6% in London). This equated to 105 million square feet of empty office space across the country, which is a lot of space to fill before building starts on this site.

Local Members saw this development as a catalyst which would bring other high technology companies into the area. Durham University was regularly ranked among the top 10 universities in the UK and given the advancement of AI, it required IT provision to go with this. The one caveat shared by both the Parish Council and the City of Durham Trust was that they would prefer to have seen the heat generated by the centre utilised in some way rather than wasted. Although this was not a material planning consideration it was something that needed to be considered. The Queen Mary University in London had recently announced it was using its data centre heat to warm campus buildings. The technology was there and Local Members hoped it could be applied to this scheme.

City of Durham Parish Councillor G Holland addressed the Committee on behalf of the Parish Council. He referred to the balance of the applications when measured against the integrity and interpretation of the Aykley Heads Masterplan, as well as the specific parameters for the development of Plot D which had been carefully drafted and approved in January 2021. At the time, the Parish Council believed they provided a substantive guideline which defined the layout and use on each of the identified development areas.

From the outset the Parish Council had made it very clear that they fully supported the University and the ambitious programme to bring a supercomputer driven Data Centre to Durham City. Its presence would benefit and lift the profile of both the University and the city, and it would enhance the North East. The reason that both applications had been called to Committee was not to block its progress but to give residents the opportunity to understand this proposed initiative, as it related to the special role of the Aykley Heads Strategic Employment Site and the community.

He referred to the Applicant's document L009 and advised that the Parish Council still felt there were three unresolved matters. Although reference had been made to justifying the very low number of jobs on site, this justification was missing from L009. This was important to sustain one key purpose of the Aykley Heads Strategic Employment Site, namely for achieving 4,000 jobs across the whole site. The response in the report was inadequate.

Councillor Holland continued that the building parameters for Plot D had recommended three buildings each with a 1,000sqm footprint. This had been converted this into a single footprint of over 3,000 square metres and the document stated that this would merely increase the maximum floorspace parameter by 1,032sqm and that this was minor when viewed within the context of the wider scheme. The parameters for Plot D however had identified three separate units which had been at least 15 metres apart, with trees retained between each unit to maintain the parkland quality for which Aykley Heads had been promoted. This constraint had been set aside.

L009 also lacked adequate details about how waste heat would be captured and re-distributed. All which had been offered was a schematic diagram of cooling systems, with no location for the necessary pumps, and no information on whether external modifications were required. Any heat transfer scheme relied on building allocations on adjacent sites. To justify this significant deviation from the original design, it had been argued that the approved 2020 Masterplan was indicative only, that consent for the wider Masterplan was outline only and that the arrangement on Plot D was one of many design arrangements that could have been put forward at reserved matters stage. This justification had confused the indicative nature of the Masterplan with the highly specific parameters for Plot D set out in the planning application approved in January 2021 and it was reasonable for the Parish Council to ask under what circumstances such carefully designed requirements were able to be set aside.

Councillor Holland suggested that to an extent the officer's report echoed this document when it justified these exceptional circumstances under the guise of functional need and he wondered how many times the persuasive cover of functional need would be used again in the future.

The Parish Council considered the application had been recommended in haste to approve a worthwhile scheme however it was vital that the Committee re-affirmed that Aykley Heads was for the creation of 4,000 high quality jobs on a site with high design standards. If not, it could be too easy for any future applications to step outside of the essential qualities which had been designed to safeguard Aykley Heads as the premier employment site in the County.

Councillor Holland advised that Durham's location and fitness to host the Data Centre was beyond question. It would service not only the five regional universities but also would provide opportunities in areas such as Healthcare, Life Sciences, Finance, Engineering and Manufacturing and therein lay its employment potential. Furthermore, in a national setting Durham was perfectly located between Bristol, Cambridge and Edinburgh with a university

fully qualified to manage and make best use of the 4th of these major research centres. Every effort should be directed towards Durham University joining the elite group of Bristol, Cambridge and Edinburgh.

In response to the government's cautious statement on 2 August 2024, and to achieve that goal in a financially competitive world, it was important that the strongest possible research and political reasons were presented to central government via the wider university community. Furthermore, Mary Foy MP was giving the project her full personal support, a support which might usefully include her fellow MPs whose university-based constituencies would also benefit from this Data Centre. In conclusion the Parish Council fully supported the application and wished Durham University and the Council every success with this initiative.

Mr Gemmill addressed the Committee on behalf of the City of Durham Trust and in objection to the proposals. He had prepared a slideshow presentation to accompany his speech.

The Aykley Heads Masterplan had aimed to attract new businesses to Durham and create 4,000 jobs by providing high quality accommodation within in a parkland setting. Detailed parameters for Plot D had been set out with a cohesive design language for the whole site. The proposal had claimed to only slightly exceed the original approved parameters, however it would have a much larger floor area. A tree belt would be removed and the area would be filled with large box 14m high, with a similar appearance to a warehouse and a 2.4m security fence to worsen this appearance. These significant amendments were a major departure from the original Masterplan.

Other aspects of the proposal were equally concerning. Instead of attracting hundreds of jobs, the facility would only create 15 jobs on site. This application would contribute nothing to the job target for this designated strategic employment site. The supposed further benefits of the scheme to attract businesses were entirely speculative and no indications of likely use other than by the university, had been offered. Durham University had argued that it had evaluated several locations and found none other suitable, however no details of these assessments had been provided. They had also accepted that operations would mainly be carried out remotely so there was no need for users of the facility to be located nearby.

The final issue was the lack of sustainability. Despite generating significant heat, it would be wasted and only due to the Parish Councils interference had any thought been given to how this could be fed into a future district heating scheme. Mr Gemmill suggested that the Council had facilitated the applications in haste to support Durham University's bid to host a supercomputer, despite it not being the right building or location and without sufficient grounds to deviate from a carefully considered Masterplan.

Mr Hurlow addressed the Committee on behalf of the City of Durham Trust in objection to the proposal. He had prepared a slideshow presentation to accompany his speech. The application failed to deliver on the promise of a high quality business park. It offered a building that fell short of the expected standards and with added intrusive security fencing, the design would not disguise that it was a featureless large block. The use was not what had been intended for the site and landscaping was not in accordance with the original submission. The proposal resulted in the loss of mature trees which had been protected by the parameters of the original design and the jobs created was insignificant compared to the original target. This was not an appropriate site and he suggested that the Masterplan should have been revised rather than changes being made plot by plot.

Ms Folley addressed the Committee on behalf of the Applicant of item no. 5b). The application to facilitate the construction of a Data Centre was integral to Durham Universities' advanced research potential and would replace underutilised brownfield land. The scheme was acceptable in principle and the amendments were minor when viewed in context of the wider scheme. The Data Centre would enhance the universities offer, support technology and generate new jobs with advanced skills. It would also act as a catalyst for market exposure. The scheme had a low environmental impact and facilitated a connection to any future heating system. The benefits of the scheme aligned with both national and local policy and overall it was a sustainable project with wide benefits.

Mr Bain addressed the Committee on behalf of the Applicant in relation to item no. 5c). Durham University generated over 11,000 jobs in the region, making it one of the largest employers and many of its students remained in the North East. The success of the university had raised the global profile of both the city and the region. The scheme would provide a high-performance computer in the heart of Durham with physical hardware to attract businesses and it would contribute to the science transformation programme. The location would deliver the greatest benefits for the university and the county. The Data Centre had been designed for one or more super computers, not just for use by distant users. It was a research facility for academics and other organisations seeking to use technology to enhance business and it would attract businesses to the area.

Mr Bain confirmed that alternative locations had been considered however none had been suitable. The University had consulted with key stakeholders and were grateful for the support of Councillor Holland. Considerable engagement and consultation had been undertaken and it was important to note that the project depended on external funding which would more likely be granted with the benefit of planning consent.

In response to a question from Councillor Elmer regarding the use of excessive heat, the Senior Planning Officer confirmed that further information had been received to confirm that the design was capable of redirecting heat through the local heat network and this could be secured through a condition.

Councillor Shaw referred to the original Masterplan which contained significant economic benefits. He questioned whether approval of this application would impact on the projected number of jobs and if so, whether alternative provision was being considered. The Senior Planning Officer confirmed that Officers would try to maximise employment on other plots as they came forward, however planning permission was not required for a change of use. The merit of any future applications would be considered as and when they were submitted. He was unable to confirm whether the target of 4500 jobs was still a possibility as no other applications had been received. The Planning and Development Manager added that this figure had been the suggestive target of an earlier application and reminded the Committee that projected figures for employment and similarly outline housing were always subject to a degree of flexibility. Officers in both Economic Development and Corporate Property and Land had been consulted and deemed the applications appropriate to move the site forward. Whilst this application would not provide jobs in isolation it was considered innovative and Officers were confident it was in accordance with the employment led aspirations that were set out in Policy 3 of the local plan.

Councillor Martin agreed with some of the concerns raised by the City of Durham Trust however he had always considered the aspiration to provide over 4000 jobs too difficult to deliver. The point of developing the site was to provide jobs in the city. The use of the building was not up for discussion and whilst the long-term strategic objectives were a concern, there were no grounds to argue that the application would harm the overall development aims. The original plan was to develop the site in stages and if rejected, there would be a wait for future developments. Although he had concerns, he could see no reason to reject the development.

Councillor Boyes questioned the debate on employment as the application was to determine whether the plans submitted for the amendments to the building were acceptable. The Senior Planning Officer confirmed that Members were being asked to determine the suitability of the building, including scale, layout, appearance and landscaping.

The Planning Development Manager confirmed that the original approved development could have been submitted without the requirement for a change of use. He added that there was acceptance from all parties, including the Economic Development team, that this development would create additional jobs, was in accordance with the allocation to bring forward

high quality employment use, and it would increase the sites attractiveness overall.

Councillor Shaw agreed with comments from the City of Durham Trust; that the site should have been developed in accordance with the agreed Masterplan. He was concerned that similar applications could be received with equally disappointing employment benefits and it would be a wasted opportunity. This site was the most strategically important site in the county and he wanted assurance that applications would be in accordance with the original approval. The Senior Planning Officer confirmed that as the case officer for the wider site, he could ensure that all applications were referred to the Committee if they were likely to lead to a comparable loss. It was difficult to refuse the application based on what may happen on other plots. Councillor Shaw remained concerned and suggested that a new masterplan was developed.

Councillor Bell agreed with the validity of the points raised regarding employment, however he reminded Members that there had been significant changes to working arrangements since 2021. The number of jobs in the Masterplan had been aspirational and the Committee could only consider application before them. He moved a motion to approve both applications in accordance with the recommendations outlined in the reports and the amendments reported by the Senior Planning Officer.

Councillor Oliver confirmed that whilst important to ensure there were jobs in the city, this was not the scope of the decision to be made. The question was not whether the Data Centre was an acceptable scheme as it did not require permission. He remained optimistic about the potential of the site in terms of the comments made by Durham University. The jobs created would be of high value. He seconded the motion to approve the applications.

Resolved:

- i. That application DM/24/02829/VOC be APPROVED subject to the conditions outlined in the report.
- ii. That application DM/24/02888/RM be APPROVED subject to the conditions outlined in the report and the amendments outlined by the Senior Planning Officer.

5d) DM/24/00783/FPA - Land West Of Units 1-3, Admiralty Way, Seaham, SR7 7DN

The Committee considered a report of the Senior Planning Officer with regards to the Installation of ground mounted photovoltaic farm with associated infrastructure, engineering works, access, and landscaping on

Land West of Units 1-3, Admiralty Way, Seaham (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation which included a site location plan, site photographs, a proposed site layout plan and Illustrative Elevations.

Mr Adams addressed the Committee on behalf of the Applicant and confirmed that they were not just a developer, but they also constructed and operated their projects for the full term which ensured all planning and social obligations were met. They also monitored local resource and jobs where appropriate. They had worked closely with all local stakeholders and he advised that the site had been chosen due to its size and location for connection to the grid. The Applicant had worked closely with neighbouring developments for the eco drive thru' coffee outlet and EV charging hub to ensure they complemented each other. Whilst Seaham Town Council had not responded with any comments on the application, the Applicant had attended a number of meetings with them to allocate community benefits.

There was urgent need for renewable energy projects in the UK which had been identified in the Governments National Energy Security Policy. Whilst the site was modest in scale it would power clean renewable energy to approximately 3169 homes. The Applicant had worked hard to minimise the impact and agreed with the conclusions outlined in the report which confirmed that the benefits of the scheme outweighed the limited change to the landscape. The scheme included significant additional landscape with over new native species and hedgerow, woodland and new meadow grassland habitat, which exceeded biodiversity net gain requirements. He confirmed that the soil was not the best and most versatile and would therefore be a great site for a solar development. The scheme would assist to meet decarbonisation goals and as sustainable development, he requested it be approved by the Committee.

Councillor Elmer queried whether management of the meadow habitat secured for skylarks had been factored into the condition. The Senior Planning Officer confirmed that the original scheme had been altered slightly to secure this habitat, following which it had been approved by the Ecology Officer.

In response to a question from the Chair, the Senior Planning Officer confirmed the land was graded at 3b, which was not best and most versatile as defined by the NPPF. In response to a question from Councillor Oliver, the Senior Planning Officer noted Mr Adam's submission within his speech that there had been discussions between the applicant and with Seaham Town Council regarding the allocation of a community benefit fund, however

the Senior Planning officer noted this was outside of the planning process as it was not deemed necessary to outweigh harm of this particular application.

Councillor Shaw confirmed that as Local Member he considered the development to be in the right place. He asked for further clarification in relation to the limited screening described in the report and was advised by the Senior Planning Officer that dark green areas on the indicative site plan represented tree planting however it was problematic due to site gradients and unlikely to hide the site entirely. However combined with the existing screening the harm was not deemed unacceptable.

Councillor Shaw advised that this type of development tended to stir up a lot of public interest by nature, however there had been none from the local community and the Town Council had not raised any specific issues. The site was located at edge of an industrial estate and its location was appropriate for this type of location and he moved the recommendation to approve the application.

Councillor Elmer noted that the landscape impact was temporary and structures removable however he wanted to make the point that the consideration of landscape impact was a subjective matter and varied from person to person. The impact was over balanced by the urgent need to reduce carbon associated with energy generation and tackle the biodiversity emergency and this development done both therefore he seconded the recommendation to approve the application.

Councillor Bell reiterated that some solar farms were met with a lot of objections yet this had not been the case however the public did not see the amount of applications coming forward and the loss of arable land. Although these were deemed temporary structures, their lifespan ranged from 30-40 years. He referred to the need to review the County Durham Plan to include a policy to deal with the number of solar farms coming forward. Whilst he had no specific objections, he was concerned about the number of applications coming forward. The Planning Development Manager confirmed that there were a number of schemes at pre-application stage and this was an area of work to be considered as part of the County Plan review. The government and NPPF were supportive of solar energy schemes as they were an important part of the plan to reduce carbon emissions.

Councillor Oliver confirmed that when compared a scheme he was familiar with in Burnhope, this was much smaller with less visual impact. This site was not a view accessed in the same way and so whilst there may be slight visual concern, when balanced with the carbon emergency and need for green energy, he was supportive.

Councillor Shaw advised that the land had formally been subject to 100 years of coal mining with huge impacts on the environment. The impact of solar farms were negligible in comparison and he moved a motion to approve the application which was seconded by Councillor Elmer.

Resolved

That this application be APPROVED subject to an agreement under Section 106 of the Town and Country Planning Act to secure fees of £4,224 toward biodiversity monitoring for a 30 year period and the conditions outlined in the report.

5e DM/23/02510/FPA - Land South-West of West Farm, Stainton, DL12 8RD

The Committee considered a report of the Senior Planning Officer with regards to construction of a solar farm of circa 16MW, Battery Energy Storage System, and associated infrastructure on Land South of West Farm, Stainton (for copy see file of minutes).

The Senior Planning Officer gave a detailed presentation which included a site location plan, site photographs and a proposed site layout plan.

Councillor Rowlandson addressed the Committee as Local Member and Chair of Stainton and Streatlam Parish Council. The Parish Council had held a meeting to gauge the opinion of over 100 residents in Stainton Village and Stainton Grove. A large proportion of the comments had been in favour of the scheme however those directly affected by development had objected and suggested further planting of mature trees would mitigate the detrimental view from properties. The developer had been keen to suggest this could be done. The community benefit fund was a meagre amount and the developer had suggested that this could be negotiated, yet the Parish Council had not received any further communication. As a County Councillor he was in favour of the scheme as it would assist with one of the biggest employers in the area to mitigate costs and secure the future of largest plant in Barnard Castle.

Ms Lapsey addressed the Committee on behalf of the Applicant and confirmed that the scheme would secure long term renewable energy to a site that incurred significant energy costs. The energy produced by the site would meet 52% of the annual demand. Existing footpaths were protected and a new footpath would provide access to and across the site and link to the wider network. The application offered many benefits and provided 80% real carbon reductions and the reliance on fossil fuels. The scheme also provided a community benefit fund to neighbouring villages and biodiversity improvements. It would continue to support agriculture with the provision for

sheep grazing and the current soil classification would be enhanced through a condition.

In response to a query from Councillor Bell regarding land ownership, the Senior Planning Officer confirmed that the land was owned by the farm with a long-term agreement for all energy produced to be supplied for factory use only. If there was an over provision it would be sleeved to another GSK factory and not directed into the national grid. The direct supply to the factory had been awarded significant weight in the planning balance and therefore was conditioned.

Councillor Martin advised that whilst there was a downside to the application which would impact on the countryside views, it would directly benefit a local organisation that brought economic benefits to County Durham and the immediate area and overall was a positive scheme. He moved the recommendation to approve the application which was seconded by Councillor Shaw.

Councillor Oliver reiterated that the scheme was a different context to the solar farm within his ward, with more generous community benefits and the environmental aspect of the case was crucial and an overwhelming factor in the planning balance.

Resolved

That application be APPROVED subject to the completion of an agreement under Section 39 of The Wildlife and Countryside Act 1981 to secure biodiversity management and monitoring for the life of the development and the conditions outlined in the report.