

## **DURHAM COUNTY COUNCIL**

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 7 February 2017 at 1.00 pm**

### **Present:**

**Councillor K Davidson (Chairman)**

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

Councillors D Boyes, J Clare, P Conway, M Dixon, G Holland, B Moir (Vice-Chairman), H Nicholson, G Richardson, J Robinson, A Shield, F Tinsley and R Young

### **1 Apologies for Absence**

Apologies for absence were received from Councillors Jewell, Laing, Lumsdon and Taylor.

### **2 Substitute Members**

Councillor F Tinsley as substitute Member for Councillor Jewell and Councillor J Robinson as substitute Member for Councillor Lumsdon.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Minutes of the meeting held on 3 January 2017**

The Minutes of the meeting held on 3 January 2017 were agreed as a correct record and signed by the Chairman.

### **5 Applications to be determined**

The Chairman informed the Committee that he proposed to amend the agenda order for the meeting so that Agenda Item 5(a) would be considered after Agenda Item 5(d) because of the level of public attendance for Agenda Items 5 (b), (c) and (d), and the Committee agreed.

#### **5b DM/16/03397/FPA - Land To The East Of Clare Lodge and Durham Road, Chilton, DL17 0RW**

The Committee considered a report of the Senior Planning Officer regarding a hybrid application, comprising full element of 92 dwellings and outline element for up to a further 90 dwellings on land adjacent to the east of Clare Lodge and Durham Road, Chilton (for copy see file of Minutes).

C Harding, Senior Planning Officer informed the Committee of the following amendments to the report:

- there was no Condition 6 in the list of recommended Conditions. This was due to mis-numbering and would be amended;
- paragraph 48 – the words ‘need to be considered’ to be inserted at the end of the paragraph;
- paragraph 108 should read 18 dwellings, not 19 dwellings;
- paragraph 130 – the figure of £93,647 should read £104,400.

The Senior Planning Officer informed the Committee of further representations which had been received but were not included within the report. Letters of objection had been received from Campaign for the Protection of Rural England, Durham Bird Group, whilst the North East Chamber of Commerce had written in support of the development. He also clarified that Councillor Potts had objected in her role as both a local member, and a local resident, and that the Council’s Landscape Section had not explicitly objected, as stated in the report, but had raised landscape impact as a matter of concern.

The Senior Planning Officer gave a detailed presentation on the application which included a site location plan, aerial photograph of the site, site photographs looking east and north, the view from the A689, proposed layout and indicative street scenes. Members of the Committee had visited the site the previous day and were familiar with the site and setting.

Councillor C Potts, local Member and resident of Meadow Dale, addressed the Committee to object to the application. Chilton had seen significant over-development in a short period of time, with developments by Avant, Gleeson and the Esh Group either taking place or due to take place which would result in an additional 421 houses to date. This proposed development would take that number to over 600 new homes in a small village. Chilton was becoming a doughnut village with developments taking place around its periphery and nothing being developed in the centre.

There were brownfield sites available within the centre of Chilton which could be developed to regenerate the centre and at the same time would preserve the green sites around the village. The roundabout at Thinford already experienced delays at most times of the day and the extra traffic generated from this development would exacerbate this problem.

Councillor Potts informed the Committee that she was reflecting the views of residents of Chilton and urged the Committee to reject the application.

Julie Cairns, local resident, addressed the Committee to object to the application. Ms Cairns informed the Committee that she had lived in Chilton for over 50 years. Chilton was a town in name with only its population meriting this description; it had none of the amenities of a town. There was a need to take account of amenities and services in Chilton and the town did not need additional housing. This development was too soon in the development of Chilton and Ms Cairns asked the Committee to reject the application.

Sandra Manson, director at WYG addressed the Committee in support of the application. WYG were instructed to prepare and submit a planning application for residential development on land east of Durham Road, Chilton and undertake post-submission project management which had involved close consultation with officers at Durham County Council.

Ms Manson endorsed the officer's report to committee, which comprised a balanced assessment of the proposals, and also welcomed the officer's recommendation for approval. The applicant had engaged thoroughly with the Local Planning Authority both through the pre-application process and since submission of the application itself. Indeed, the scheme for consideration was a result of both consideration of comments submitted by residents through the consultation process and also continued discussions with relevant officers in order to ensure that the final scheme complied with their requirements. This was borne out by an updated Building for Life Assessment which confirmed that all design and layout issues had been addressed, and the proposal would deliver a well-designed, quality scheme.

The proposed layout demonstrated how the site could be delivered for the proposed quantum of development, with the scheme delivering a mix of house types including 2, 3 and 4 bed houses, including affordable provision, in an attractive landscaped setting.

With regard to the principle of development there was a national, regional and local housing shortage that needed to be addressed and, as such, the National Planning Policy Framework identified a clear growth agenda which was focused on the need to significantly boost housing supply. The announcement of the Government's White Paper to address the crisis reaffirmed the critical context for housing delivery. The Council was currently unable to demonstrate a 5 year housing land supply and, as such, it fell for the application to be determined against paragraph 14 of the NPPF which required that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The applicant and officers had worked proactively and, as a result, the proposal before Members did not create any adverse impacts that would outweigh the benefits of granted consent. All relevant issues had been addressed, including highways, design and layout, net biodiversity enhancement, landscape and visual impact, and flood risk/drainage. Importantly, in working alongside the landscape officer, the quality of the landscaping proposed both on the western and southern edge of the application site ensured that the development very much softened the existing southern edge of Chilton and thereby enhanced the visual quality of the approach to the village from the south. In addition, pedestrian links to the town centre had been enhanced through the provision of a new footpath link between the site entrance and the existing footpath of the site.

With specific regard to the benefits of the scheme, the proposal presents significant economic and other benefits to Chilton's residents. The economic benefits of the scheme included:

- the creation of 460 full-time direct and indirect jobs, with direct jobs being offered to the local community by way of a Training and Recruitment Plan to be agreed with the County Council;

- a contribution £440,160 towards primary education across the whole catchment area; and
- the generation of approximately £4m in direct capital receipt to the Council from Council Tax and New Homes Bonus over the 6 years of the New Homes Bonus.

In addition, the scale of delivering a number of other benefits including:

- the provision of 18 affordable homes;
- a financial contribution of £33,165 towards the off-site creation of grassland adjacent to Woodlands and within Woodland Glades, as part of the Council's Woodland Creation Initiative;
- a financial contribution of £114,810 towards new/enhance off-site open space provision; and
- a financial contribution of £104,000 towards the upgrade of Rushyford roundabout junction to enable the delivery of housing in the wider area to meet the Council's ongoing requirement.

Avant Homes offered a high-end product with homes aimed at attracting senior personnel and professional people who aspired to high-quality new housing within a quality landscaped setting. Together with the benefits of the scheme, both economic and other, the addition of high-quality new housing to the existing offer in Chilton could only be positive for the town itself. Avant Homes were fully committed to delivering homes on this site. Indeed, they had sought to agree as much detail as they can upfront in order to avoid as many pre-commencement conditions as possible which could delay a start on site.

In conclusion, the scheme comprised sustainable development in the context of the NPPF and Ms Manson asked the Committee to support the officer's recommendation for approval and grant planning permission to enable the delivery of much needed housing, in the short-term, to address the current 5 year supply shortage.

Councillor Robinson apologised for not being on the site visit the previous day. He had listened to the representations made by Councillor Potts and considered that the original village of Chilton had been lost. The Council should have a policy of protecting communities such as Chilton which were no longer communities in which residents were born. The proposed development would lead to an additional estate exit road which would be near to roads exiting two nearby estates and Councillor Robinson expressed concern about road safety. Councillor Robinson referred to paragraph 14 of the NPPF and asked when the Council would say enough was enough.

The Senior Planning Officer replied that until a County Durham Plan was adopted, paragraph 14 of the NPPF would apply. The capacity issues at Thinford roundabout had been acknowledged and a scheme had been designed for the roundabout which took into account both this and other nearby developments. Referring to access onto Durham Road, the Senior Planning Officer informed the Committee that highways officers had raised no concerns and that the speed limit on the road was to be reduced to 40 m.p.h.

Alan Glenwright, Principal HDM Engineer informed the Committee that an approved plan had been submitted for access onto Durham Road with a staggered access arrangement and protected right turn. Another junction, which was a turning for the primary school on Durham Road, was a distance up the road from this development. The 40 m.p.h. speed limit reflected current vehicle speeds on Durham Road.

The Senior Planning Officer referred to the character of Chilton. There were a number of approved schemes for development in Chilton but there was no policy about too much development in a single settlement, and it could prove difficult to evidence any adverse impacts. Each application was considered on its own merit and this application could have a positive effect on local services in Chilton.

Councillor Davidson reminded the Committee that the County Durham Plan was currently in a state of hiatus because of the Government's Housing White Paper.

Councillor Conway informed the Committee that it was not ideal to consider applications under paragraph 14 of the NPPF. While Government Ministers had said that local authorities were in a position to determine 95% of planning applications, they had failed to add the restrictions of the NPPF. There was no mention in the report of paragraph 8 of the NPPF regarding the maintenance of healthy communities and this development had caused concern to both the local community and local MP regarding the sustainability of a healthy community in Chilton. Although average house prices nationally were 4 times the average national wage, the houses on this proposed development would be more than 4 times the average wage in County Durham, and Councillor Conway would have liked to see more affordable housing being made available. He hoped that the developer would be sensitive to community needs.

Councillor Shield informed the Committee that he had sympathy with the objectors but added that the problem of large developments without supporting infrastructure was not unique to Chilton. However, he could find no valid planning reasons for refusal of the application which was not contrary to either the NPPF or the saved Sedgfield Borough Local Plan.

Councillor Boyes informed the Committee that he shared the concerns regarding the cumulative impact of so many houses on the existing community. Existing communities were concerned when there was a large influx of people and 600 houses would result in up to an additional 1800 people in the community of Chilton. As an authority the Council should protect the character of communities against the cumulative impact of developments and take a stand on cumulative impact.

Councillor Holland informed the Committee that he felt the sense of angst within the local community and had sympathy with local residents. The village of Chilton was experiencing degrading buildings in its centre which were brownfield sites suitable for development, but developers preferred to develop sites in a green setting. There were no planning policy reasons to refuse this application. Councillor Holland referred to the s106 monies from the development and asked when these funds would be secured and released.

The Senior Planning Officer replied that the s106 agreement would be signed prior to the issue of planning permission and there would be binding commitments for the payment of monies at specific trigger points.

Councillor Richardson referred to the loss of agricultural land which was described in the report as not being the best and most versatile, however the land from Rushyford roundabout to Sedgefield was some of the best agricultural land in County Durham. Councillor Richardson agreed with the views of Councillor Boyes that a stand should be taken against the cumulative impact of this development as well as the loss of agricultural land.

Councillor Clare informed the Committee that while it was difficult to speak against members of the community, he supported the recommendation for approval of the application. Chilton was located in the middle of a triangle of DurhamGate, Aycliffe Business Park and NetPark which were all areas of economic growth and which would bring jobs and income to sustain the area. Given the location of Chilton in the middle of this triangle it had become a focus for development.

The Chilton bypass had transformed the nature of the community and had made it a more desirable area to live in. The development presented opportunities for those facilities which were struggling to survive and may attract new facilities.

Each application needed to be considered on its own merits and the grounds to refuse this application were very thin. The development was acceptable within the NPPF and Councillor Clare **moved** approval of the application.

Councillor Nicholson, while understanding the local objections, considered there were no planning reason to refuse the application and **seconded** approval of it.

Upon a vote being taken it was

**Resolved:**

That the application, with amendments as presented by the Senior Planning Officer, be approved subject to subject to the completion of a Section 106 Legal Agreement to secure the following:

- provision of 10% affordable housing units
- a scheme of targeted recruitment and training for the construction phase
- £440,160 towards the provision of additional capacity at Chilton Primary School
- £104,400 towards highways mitigation works at A167/A689 Rushyford Roundabout
- £114,180 towards the provision of improvements to outdoor sport space and allotments within Chilton Electoral Division,
- £33,165 towards biodiversity improvement projects within Chilton Electoral Division,

and the conditions contained in the report.

**5c DM/16/03249/FPA - Land At The North Of Woodhouses Farm And South Of Etherley Moor, Wigdan Walls Road, Woodhouses**

The Committee considered a report of the Senior Planning Officer regarding a hybrid application, full planning permission for the erection of 122 dwellings and outline planning permission (all matters reserved) for up to 115 dwellings on land at the north of Woodhouses Farm and south of Etherley Moor, Wigdan Walls Road, Woodhouses (for copy see file of Minutes).

S Pilkington, Senior Planning Officer gave a detailed presentation on the application which included a site location plan, aerial photograph of the site, site photographs along Etherley Lane, Wigdan Walls Road and Rockingham Drive, proposed site layout, indicative street scenes and the proposed highway entrance to the development. Members of the Committee had visited the site the previous day and were familiar with the site and setting.

The Senior Planning Officer informed the Committee that 11 affordable houses would be included in phase 1 of the development and not 12 as contained in the report. The total number of affordable houses across the development would be 24 which would meet the requirement for 10% affordable housing.

Councillor C Wilson, local Member addressed the Committee to object to the application.

Councillor Wilson informed the Committee that she was speaking on behalf of the Kemp brothers who had farmed Wigdan Hall Farm since the 1960's as well as on behalf of local residents.

Wigdan Hall Farm had an award winning herd of Hereford cows which had won both national and local awards, and people visited the farm to see the cows because of the importance of the herd. The farm generated smells from the cows and noise when calves were taken away from their mothers. The proposed development would be near to the farm and Councillor Wilson asked how any possible complaints from residents of the proposed new development might be dealt with. The proposed development would prevent any future expansion of the farm and therefore would stifle the business and livelihood of the farm.

Councillor Wilson informed the Committee that this was green, agricultural land and that brownfield sites which were more suitable for development were available in Bishop Auckland.

The road towards Escomb was narrow and winding and Councillor Wilson was concerned about the increased traffic which would be generated from the proposed development using this road and she failed to see how the extra traffic would be controlled at the nearby crossroads at Four Lane Ends. Local schools did not have the capacity to accommodate the extra children which would be generated by the development.

Derek Newby, local resident, addressed the Committee to object to the application. The proposed development would have an adverse impact on schooling, roads and amenities in the area, with traffic bottlenecks already existing, for example, at Tindale Crescent. Mr Newby suggested that other sites were more suitable for development, including nearby Witton Park which was designated as a Category D village in the 1960's. Indeed, Sajid Javid, MP, had said that the strategy must be to build on brownfield sites at the launch of the Government's Housing White Paper. There was already a problem of school places in the area with pupils being bused to schools outside of the area and this development would exacerbate this problem.

Paul Fort, local resident, addressed the Committee to object to the application. Mr Fort agreed with the points raised by Mr Newby, adding that this proposed development could not be considered in isolation, with outline applications for sites to the south and north of the application site being considered, which could result in up to 757 homes being built. Greenfield sites such as this should be sacrosanct and more focus should be placed on the development of brownfield sites. Mr Fort queried the level of profit the developer would be making from the site and requested that should it be approved, greater contributions be made towards the community.

Mr Stickles, local resident, addressed the Committee to object to the application. Mr Stickles informed the Committee that he lived in Croftside which bordered onto the site for the proposed development. The development of up to 237 houses, with an average of two cars per household, would result in an extra 470 to 500 vehicles exiting onto Etherley Moor, as well as traffic generated by visitors and deliveries. This was a minor B road which could not be widened in places. Bishop Barrington and St John's, two nearby schools, already experienced traffic problems.

Simon Waugh, local resident, addressed the Committee to object to the application. He informed the Committee that he endorsed the representations of the previous speakers. Referring specifically to road safety, Mr Waugh informed the Committee that Wigdan Walls Road was narrow and in places it was difficult for two cars to pass. There had been numerous accidents at the crossroads at Four Lane Ends. Extra vehicles on this road could result in vehicles taking risks to turn in and out of the proposed development. Escomb school was already full to capacity. There was an availability of brownfield sites elsewhere which should be considered for development before greenfield sites such as this.

Sandra Manson, director of WYG addressed the Committee in support of the application. Ms Manson fully supported the officer's report which represented a balanced and considered view of the application proposals and welcomed the officer's recommendation for approval.

The site, along with land to the south of the Coal Burn, which was subject to a separate outline planning application, formed part of a wider masterplan area that was a proposed strategic housing allocation under Policy H11 (other strategic housing site) of the Durham Local Plan with the site also being subject to a Supplementary Planning Document aimed to guide development on the site. Whilst it was recognised that the draft allocation to the site within the withdrawn County Durham Plan could carry no weight in the consideration of the application, the fact

that the site was considered suitable for allocation in the first instance, which was informed by an evidence base collated by the Council, demonstrated that the Council considered it to be an entirely suitable and appropriate location for residential development.

There was a national, regional and local housing shortage that needed to be addressed and, as such, the NPPF identified a clear growth agenda which was focused on the need to significantly boost housing supply. Ms Manson referred to the White Paper being published today which reinforced there was a housing crisis. The Council was currently unable to demonstrate a five-year housing land supply and, as highlighted by the case officer in his report, the application fell to be determined against paragraph 14 of the NPPF, which required that permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The applicant had engaged thoroughly with the local planning authority both through the pre-application process and since submission of the application with both the applicant and the Council working pro-actively to address all issues raised. Additionally, the applicant had also had regard to the various representations submitted by local residents which had been appropriately addressed, wherever possible, in the application proposal.

The hybrid masterplan submitted with the application demonstrated how the site would be developed for the proposed quantum of residential development. The site would deliver a high-quality mix of house types and sizes, over a density of approximately 22 dwellings per hectare, including two, three and four bedroomed houses and including a policy compliant 10% affordable provision, in an attractive landscape setting. Key design features included:

- a substantial landscape buffer to Coal Burn, protecting the existing ecology and increasing its diversity through the introduction of new varied habitats, including SuDS ponds, with an additional off-site contribution of £43k towards off site ecological restoration and enhancement
- a substantial landscape buffer along the western edge of the site in order to soften the built edge adjoining countryside to the west;
- retained and enhanced pedestrian access points from the existing neighbouring development to the north and east;
- retained and improved existing public rights of way, with increased planting to complement the existing hedgerow and trees;
- a proposed pedestrian footbridge across the Coal Burn.

As a result of close liaison with officers at Durham Council throughout the consideration of the planning application, all issues had been satisfactorily addressed, as confirmed in the officer's report, including highways, landscape, visual impact, ecology, flood risk/drainage, design, layout, ground investigation and primary education provision. Indeed, the proposals would deliver significant economic and other benefits to the residents of Bishop Auckland. In economic terms, the development would:

- create approximately 600 full-time direct and indirect jobs, with direct jobs being offered to the local community by way of a training and recruitment plan to be agreed with the Council;
- contribute £673,000 towards primary education across the whole catchment area; and
- generate approximately £4.8m in direct capital receipt to the Council from Council Tax and New Homes Bonus over the six years of the New Homes Bonus.

In addition, the scheme would deliver further benefits in the form of:

- the provision of 24 affordable homes;
- a financial contribution of £43,189 towards the off-site restoration/enhancement of local wildlife sites and/or grassland creation, as part of the Council's Wild Flowers Project; and
- a financial contribution of £360,000 towards highways improvements across the wider area.

Avant Homes delivered a higher end product with the Woodhouses Farm site looking to meet the housing aspirations of senior people of high quality housing in an alternative landscaped setting. Avant Homes were firmly committed to delivering homes on this site. Indeed, in discussions with officers, they had sought to agree as much detail upfront in order to avoid as many pre-commencement conditions as possible which could potentially delay a start on site. As such, a grant of planning permission would enable the Council to immediately seek to address their current five-year supply deficit.

In conclusion the proposed scheme comprised sustainable development in the context of the NPPF and Ms Manson asked the Committee to support the officer's recommendation for approval and grant the permission for a high quality residential development which, along with the economic and other benefits presented, would be a positive addition to Bishop Auckland.

Councillor Davidson sought clarification on the highways issues raised during the representations.

J McGargill, Highway Development Manager, informed the Committee that a transport assessment had been submitted. The predicted traffic generated from the proposed development was 500 plus vehicles, but not all of these would be on the highway network at the same time and there was a need to consider traffic at peak hours. It was estimated that there would be up to an extra 150 vehicles during peak hours, 85% of which would travel eastwards towards Bishop Auckland and West Auckland. The rest of the traffic would travel west to the Four Lane Ends crossroads, which equated to only approximately 24 vehicles. There would be approximately an additional 8 vehicles during peak traffic flow on Wigdan Walls Road which was not considered to have any material impact on highway operations. There had been only 3 slight personal injury accidents at the Four Lane Ends crossroads in the last 5 years which represented an accident rate as expected for that part of the network.

Referring to the traffic which would travel eastwards, there would be some impact on the Greenfields Road/Tindale Crescent junction, however mitigation was proposed at the signalised together with improvement at the roundabout at Dilks Street/Watling Road. He reported that the development would generate approximately 50 extra vehicles at the Cockton Hill road junction which could not be mitigated and therefore there would be increased queues and delay at the junction. As a result traffic may use alternative routes or spread journeys outside the peak hours.

Mr Fort questioned the accident figures for Four Lane Ends and informed the Committee that two weeks ago the road had been closed at this location because of a road traffic accident. The Highway Development Manager replied that all statistics were supplied by the police when they attended a road traffic accident which involved an injury. The police fed this information into a database which was used by the Council. Although there may have been a recent incident at this junction which had not yet been fed into the database, this would not place the junction as being an increased risk within the highway network.

L Renaudon, Planning and Development Solicitor referred to the element of profit raised by Mr Fort and informed the Committee that the contribution calculation was not based on any profit from the development but was based on infrastructure needs arising from the development and the cost of meeting these needs. New homes bonus and council tax receipts, referred to by Ms Manson, did not mitigate the development.

The Senior Planning Officer informed the Committee that the two other planning applications in the area which had been submitted would be considered at a future date and that this application should be considered on its own merits.

Councillor Dixon informed the Committee that there was a need to accord with the NPPF. The application for consideration was for the erection of 122 dwellings, with outline permission for up to another 115 dwellings and this needed to form the basis for the Committee's decision. The proposed development was, in the opinion of highways officers, acceptable in highway safety terms and mitigation was proposed to address the extra traffic which the development would generate. Although reference had been made to the development of brownfield sites, the Council could not direct developers where to build.

Councillor Dixon referred to the provision of extra school places as detailed at paragraph 41 of the report and asked whether the contribution of £673,720 had been confirmed. The Senior Planning Officer replied that the applicant had confirmed their acceptance to enter a s106 agreement for this amount.

Councillor Richardson informed the Committee that he frequently travelled on the roads in this area and informed the Committee of a recent near miss he had experienced on the road from Etherley to Bishop Auckland. Although the highways officer had informed the Committee that most traffic from the development would travel eastwards, it could also travel westwards and use Wigdan Walls Road as a 'rat-run' to get to Bishop Auckland. The road down Croftside could not be widened and was a bottleneck.

Councillor Richardson referred to the noise and odour assessment which had been carried out relating to Wigdan Walls Farm and informed the Committee that noise and odour depended on the time of the year. He was concerned that the development could lead to future conflict with the farm over noise and odour. The application should be refused on highways grounds as well as being a loss of 26 acres of agricultural land and the cumulative impact from the development.

Councillor Davidson reminded the Committee that it had heard professional advice of the Council's highways officer that the application was acceptable on highways grounds.

Councillor Boyes expressed concern at the cumulative impact of up to 757 dwellings and asked whether this could be a reason for refusal of the application. The Senior Planning Officer replied that this application should be considered on its own merits and should not be pre-empted by other possible applications.

Councillor Boyes informed the Committee that the application site was outside of the settlement boundary and was on prime agricultural greenfield land. There was an abundance of brownfield sites for development and Sajid Javid, MP, had stated that more effort should be made by developers to consider brownfield sites.

Councillor Tinsley informed the Committee that the proposed development represented fragmented development dislocated from the main body of the settlement. The potential economic, social and environmental benefits did not outweigh the negative impacts, particularly if only the element of the development subject to the application for full planning permission were constructed. The proposal did not represent sustainable development as defined in the NPPF and would have negative landscape impacts.

Councillor Conway informed the Committee that he noted the comments of Councillor Tinsley regarding the hybrid nature of the application. The report acknowledged that the application conflicted with Policies H3 and ENV1 of the saved Wear Valley Local Plan and it was a matter of judgement how these saved Policies should be considered against the NPPF. Policy T1 of the Wear Valley Local Plan stated that developments which generated additional traffic would be required to fulfil Policy GD1 and provide adequate access to the developments; not exceed the capacity of the local road network; and be capable of access by public transport networks. This application would generate additional traffic and would exceed the capacity of the local road network. Councillor Conway informed the Committee that he was minded to move rejection of the application.

Councillor Robinson informed the Committee that there was a need for consistency regarding NPPF paragraph 14. He asked what number of jobs would be created from this application and said that reassurances were needed regarding highways issues, particularly the impact at Woodhouse Close/Cockton Hill junction which could not be mitigated.

The Senior Planning Officer replied that approximately 600 full time jobs would be created. Highways mitigation included traffic lights at Greenfield Avenue and two roundabouts on the A689.

Councillor Moir referred to paragraph 84 of the report. Policy GDP1 of the Wear Valley Local Plan was considered compliant with the NPPF and therefore full weight could be given to this Policy when making a decision. Policy GDP1 should be taken into consideration when deciding upon the application as well as the adverse impacts and residual landscape harm. Councillor Moir was not sure that the proposed planting scheme would mitigate the adverse impact of the development.

Councillor Clare informed the Committee that applications had previously been refused because of their proximity to industry and he questioned the wisdom of this development which was near to a working farm. Traffic from the development would have a negative impact on the Woodhouse Lane/Cockton Hill junction which could not be mitigated and for this reason Councillor Clare would refuse the application.

Councillor Tinsley **moved** refusal of the application, **seconded** by Councillor Boyes.

L Renaudon, Planning and Property Solicitor sought clarification from the Committee on the proposed reasons for refusal of the application. She reminded the Committee that advice from officers was that the application was acceptable on highways grounds and that its proximity to Wigdan Wall Farm was acceptable on environmental health grounds. The NPPF encouraged but did not insist on prioritising brownfield sites for development and greenfield sites would need to be developed within County Durham to meet the likely housing requirement.

Councillor Boyes informed the Committee that he considered the application should be refused because it was on greenfield land outside of the settlement boundary and also an invasion into the countryside. It would also have an adverse impact on the countryside.

Councillor Tinsley informed the Committee that the cumulative impact of the development was not outweighed by the social and economic benefits of it. The hybrid nature of the application and scope of the proposed development would result in a dislocated and disjointed development which was unsustainable. There would be a negative landscape impact because it was a finger development.

Councillor Davidson informed Councillor Tinsley that this presumed that the second phase of the development would not be built. Councillor Tinsley replied that there was the possibility that the detailed aspect of the application could be developed and the outline part of it not. Councillor Davidson reminded the Committee that even if the application was not a hybrid application and was for full development there would still be no guarantee all of the development would be constructed, as with any planning application.

Councillor Moir informed the Committee that full weight could be given to Policy GDP1 of Wear Valley Local Plan which sought to protect and enhance the countryside.

Upon a vote being taken it was

**Resolved:**

That the application be refused on the grounds that the adverse impacts of the development in terms of its landscape harm and impact on the capacity of the highway network would, in the context of Paragraph 14 of the National Planning Policy Framework, significantly and demonstrably outweigh the benefits and would conflict with Policies GD1, ENV1, and H3 and T1 of the Wear Valley District Local Plan.

Councillors Conway and Tinsley left the meeting.

**5d DM/16/02709/OUT - Land Adjoining Woodham Bridge Cobblers Hall Road Newton Aycliffe**

The Committee considered a report of the Senior Planning Officer regarding an outline application for the erection of up to 430 dwellings (all matters reserved except access) and landscaping and engineering works on land adjoining Woodham Bridge, Cobblers Hall Road, Newton Aycliffe (for copy see file of Minutes).

S Pilkington, Senior Planning Officer, gave a detailed presentation on the application which included a site location plan, views of the site from the eastern and northern boundaries, view from the A167, indicative masterplan and indicative layout. Members of the Committee had visited the site the previous day and were familiar with the site and setting.

S Blakey, local resident, addressed the Committee to object to the application. She informed the Committee that she had been a resident of Woodham for 30 years and had considered the application with a balanced view, considering issues of flooding, safety, housing need and social impact.

The Woodham Burn area was one which frequently flooded and photographs had been submitted to show the extent of the flooding. The area proposed for development in this application was in a Zone 2 and 3 flooding area. Ms Blakey informed the Committee that she was previously a governor of Woodham Comprehensive School and at that time the pressure of the water table had caused damage to tiling in the school swimming pool.

Ms Blakey referred to highways safety. There was only one point of access proposed for the proposed development of 420 dwellings and Ms Blakey questioned emergency vehicle access to the site should this access become blocked.

The proposed development would have a social impact because local residents would be unable to find places in local schools. The proposed development would be insular.

Referring to housing need, Ms Blakey informed the Committee that a Chapter Homes development which was within 600 to 700 yards of this site had planning permission for 150 dwellings. Phases 1a and 1b of the development, which was a mixed housing stock, had been released and only 7 properties had been sold up to Christmas 2016.

The development would also impact on the abundance of wildlife in the area which included foxes, pigeons, jays and squirrels.

Mr Neil Morton, Director of Planning at GVA addressed the Committee on behalf of the applicant in support of the application.

From the outset it was recognised that that the planning application raised a number of planning policy issues. In line with Council advice, the applicant therefore entered into a formal pre-application process in order to establish the Council's position on the principle of development before a formal application was submitted.

A number of meetings were held with the Council during which it was explained that Officers were in agreement on the principle of development concerning a proposal for around 500 houses at the site. Indeed the Council's formal pre-application advice letter dated 20 January 2016 stated

"I would suggest that Option B resulting in a comprehensive development of the site would be the most preferable development proposal (with a single access on the A167."

In terms of landscape, the Council's pre-application advice was that a 15 metre landscaping belt at the site's eastern boundary should be incorporated and this was duly included in the application.

In line with the Council's pre-application advice, the applicant progressed to the preparation and submission of a planning application at significant expense. It was not until 8 weeks into the determination period that the applicant was advised for the first time that Officers had reconsidered their position on the application and no longer supported the principle of development due to a new landscape objection. After following all advice given by the Council and significant expenditure, this came as a complete shock and disappointment to the applicant.

The planning application was recommended for refusal for one single reason, namely that the Council's landscape officer considers the site to represent a valued landscape.

In considering valued landscape, it was important to recognise that case law had established that the term "valued" meant that the site must display and demonstrate special physical landscape attributes. It did not mean that it was popular with by those who may look upon it or use the site. The applicant had taken the

independent views of two landscape consultants, both of whom strongly advised that the application site did not display the attributes required for it to constitute a valued landscape against the relevant guidance. This was also the view of the Council's own landscape officer during the pre-application process. In short this site should not be taken as a "valued landscape" for the purposes of making a decision.

The Committee report confirmed a number of factors weighing in favour of the application:

1. That the Council was unable to demonstrate a 5 year supply of housing land and therefore the clear presumption in favour of granting planning permission set by the NPPF applied;
2. Against this, the planning application proposed up to 430 homes which would provide a valuable contribution to helping to meet the current housing shortfall, including in the next 5 years;
3. The application would provide a 10% affordable housing contribution or 43 affordable homes against an identified need for more affordable housing in the area;
4. The application would provide a range of direct and indirect economic benefits within the locality and wider area;
5. The scheme proposed could deliver a high quality and visually attractive development.

It should also be noted that other than the landscape officer objection, there were no objections to the planning application by any internal or external consultee and this included the School Places and Admissions Manager, Archaeology, Ecology, Environmental Health, Air Quality, Highways Authority, the Environment Agency and Northumbrian Water. All consultees other than the landscape officer considered that the application was acceptable, subject to planning conditions.

In conclusion, Mr Morton reiterated that the applicant had sought to go about the application in the right way and had followed Council advice at all stages. In submitting the application, the applicant followed express pre-application advice that the principle of development was acceptable. Under the terms of the NPPF there was a clear presumption in favour of the planning application being granted and the further additional benefits that the application would deliver had been highlighted. Other than the landscape officer, there were no technical objections to the application which demonstrated the acceptability of the scheme.

Mr Morton requested that the Committee allow the application and grant planning permission.

Councillor Clare informed the Committee that he supported the officer recommendation for refusal of the application. The proposed development would have a negative landscape impact and would also impact on wildlife on the site. Newton Aycliffe was built as a garden town based on green areas around which housing was clustered. Some weighting should be given to Great Aycliffe Neighbourhood Plan which, although not mentioning this site specifically, did emphasise the importance of internal green spaces. The development site was an

essential green area for the town, part of a network of green, valued landscape and essential to the nature of the town.

There was only one point of access proposed for the development and this was taken from the A167. Vehicles wishing to access Newton Aycliffe town centre from the development would need to make a long, circuitous route to achieve this.

Having listened to the applicant's agent it appeared that the only benefit from the development would be the contribution to the Council's 5 year housing supply and this did not outweigh the impact of the proposed development. Councillor Clare **moved** refusal of the application.

Councillor Dixon informed the Committee that he supported Councillor Clare's views. Flooding in this area was an issue and while the Council had undertaken works to ameliorate this, the problem could return should this development take place. Councillor Dixon **seconded** refusal of the application.

Councillor Boyes sought clarification on the issue raised by the agent for the developer that Council officers initially were supportive of the application and then changed their view,

The Senior Planning Officer replied that the applicant received positive pre-application advice which changed following scrutiny of the full application.

Councillor Holland referred to the problems at the swimming pool mentioned by Ms Blakey and informed the Committee that this could have been due to perched water tables in the area. If perched water tables were disturbed or interfered with, this could lead to flooding problems for the surrounding area.

Upon a vote being taken it was

**Resolved:**

That the application be refused for the reasons stated in the report.

**5a DM/16/03392/FPA - Glaxo Smith Kline, Harmire Road, Barnard Castle**

The Committee considered a report of the Senior Planning Officer for the construction of a pharmaceutical manufacturing facility and associated works at Glaxo Smith Kline, Harmire Road, Barnard Castle (for copy see file of Minutes).

T Burnham, Senior Planning Officer gave a detailed presentation on the application which included a site location plan, aerial photograph to show where the facility was proposed, photographs of the site and proposed plans.

Councillor Clare informed the Committee that the application would bring social and economic benefits to the area.

**Moved** by Councillor Richardson, **seconded** by Councillor Nicholson and

**Resolved:**

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