

## **DURHAM COUNTY COUNCIL**

At a Meeting of **County Planning Committee** held in Council Chamber, County Hall, Durham on **Tuesday 4 April 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, I Jewell, C Marshall, B Moir (Vice-Chairman), G Richardson, A Shield, A Turner and R Young

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors A Laing, R Lumsdon and H Nicholson.

#### **2 Substitute Members**

Councillor A Turner as substitute Member for Councillor H Nicholson.

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

There were no declarations of interest.

#### **4 Minutes**

The Minutes of the meeting held on 7 March 2017 were confirmed as a correct record and signed by the Chairman.

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

##### **a DM/16/03310/FPA - Land to the East of HMYOI Deerbolt and North of Bowes Road, Startforth**

The Committee considered a report of the Senior Planning Officer regarding an application for the erection of 162 dwellings with associated highways, external works and new access roads and new car park and road link to HMYOI Deerbolt on land to the east of HMYOI Deerbolt and north of Bowes Road, Startforth (for copy see file of Minutes).

A Inch, Strategic Team Leader, gave a detailed presentation on the application which included a site location plan, site photographs, proposed layout and street scenes. Members of the Committee had visited the site the previous day and were familiar with the location and setting.

The Strategic Team Leader informed the Committee that if the application was approved then there were some modifications to be made to the proposed Conditions as follows:

- Condition 2 - slight updates to the approved plans and documents, and
- Condition 11 – a change to the timing for the submission of the Travel Plan.
- S106 agreement – remove the reference to the voluntary scheme of targeted recruitment and training for the construction phases because this was voluntary and not necessary to make the development acceptable.

Councillor J Blissett, Town Mayor of Barnard Castle and Chairman of the Town Council addressed the Committee to object to the proposed development.

Barnard Castle Town Council objected strongly to the scale, nature and layout of the application with reference to the relevant retained policies of the Teesdale Local Plan, because there was little else in the local development framework to refer to.

The application and proposed development was contrary to policy GD1. The development should not be permitted because it was out of keeping with the character and appearance of the area and was without regard and inappropriate to the setting of neighbouring buildings, notably the Castle and Scar Top landscape features and open spaces of the surrounding area, particularly those bordering the River Tees. Officers had dismissed this.

The development would also generate unacceptable levels of traffic on the local road network, particularly Lartington Lane leading to the A67 crossing County Bridge and into Barnard Castle via Bridgegate. The report acknowledged the significance of this listed structure, but only in visual terms, not in terms of the additional wear and tear it would inevitably suffer and the danger this crossing point posed because of the close proximity of unsegregated vehicle and pedestrian traffic on the bridge.

The application and proposed development was contrary to policy BENV3. The proposed development would cause significant harm to the character, quality and distinctiveness of the landscape, particularly views from the Castle and Scar Top to the south. The history of Deerbolt, first as a military camp and latterly as a prison and Young Offenders' Institute, had gifted the town a green and lightly wooded open space which enhanced the setting of the Castle and the river. This development would take that away. It would impact directly and visually on the landscape and indirectly through increased vehicle movements.

The proposed development was of significant scale and was unsupported by amenities and local services easily accessible on foot and was consequently contrary to policy C1. Information supporting the proposal was outdated and inaccurate particularly with respect to primary school capacity. The lack of provision for schools, health centres and community facilities in Startforth and adjacent to the proposed development was key. The assertions in the report did not offer concrete evidence of the capacity of Barnard Castle to accommodate the additional people and service requirements generated by the development, but the growth was significant and the additional people and journeys would put a

significant stress on the existing infrastructure of the town, in particular on its many listed structures and scheduled monuments.

Taken together, the consequent pressure on Barnard Castle, and in particular the Barnard Castle Conservation Area, demonstrated that the proposal was contrary to policy BENV4. The proposal would generate excessive traffic, parking, noise and other environmental problems which would be detrimental to the character and appearance of the conservation area. In particular increased vehicle movements on the A67 and demands for additional parking in and around Barnard Castle would adversely affect the setting of a conservation area and therefore should not be permitted.

Councillor Blissett referred to Planning Application DM/16/02643/OUT for land to the north and east of Startforth Morrill Memorial School which was refused by the South and West Area Planning Committee on 23 March 2017. Reasons for refusal included that the development would have a significant harmful effect on the character and appearance of the area and setting of designated heritage assets, as well as to the setting and thereby significance of the Barnard Castle Conservation Area. The application was contrary to policy GD1, BENV3 and BENV4. These reasons for refusal were not materially different to this proposed development, which should also be refused.

Councillor Blissett asked the Committee to critically test the report's assertions on the lack of impact, which were not supported by evidence, and to seriously consider the policies of the Teesdale Local Plan which clearly opposed a development of this scale in this location.

Councillors R Bell and T Henderson, local Members, had made a representation on the application which the Clerk read out as follows:

*We do not oppose building on this site in principle, and there are positive elements of this scheme such as the affordable housing, and the retention of mature trees.*

*However we consider 162 units to be an over-development of this site for a village that has no amenities. In particular we would like to see less development where the site borders the Teesdale Conservation Volunteers site in Deepdale. TCV is a well-supported and regarded organisation, and carries out green waste collection on behalf of DCC.*

*We note the discussion of noise and odour at paragraphs 121 to 123 but consider that it is reckless of the developer to build houses where occupants are likely to suffer adverse amenity issues from a business that is already there. Paragraph 123 states it is likely that noise limits will be complied with, but "likely" means there is a reasonable probability they won't be.*

*It would not be responsible to give permission to build houses likely to give rise to dispute between TCV and their new neighbours and an Environmental Monitoring liability to Durham County Council, and for that reason we ask that these plans be rejected and a new scheme brought forward with a lesser number of units allowing*

*a more generous buffer zone between the new houses and TCV, perhaps with additional planting and specific noise reduction design elements.*

Mr M Bacon of Teesdale Conservation Volunteers (TCV) addressed the Committee to object to the application. The TCV had been carrying out composting operations as Rotters Community Composting on its site at Deepdale Woods for over 20 years. The site operated under an environmental permit and any dwelling within 250 metres of their operations site was deemed to be a sensitive receptor. There were currently only 5 sensitive receptors and this proposed development would result in an additional 150 sensitive receptors. Mr Bacon referred to monitoring which had taken place on 3 occasions while shredding operations were being carried out but informed the Committee that the shredding operations had not been carried out when this monitoring took place.

Mr Bacon informed the Committee that although Paragraph 121 of the report referred to lack of complaints about the site to date, there was currently not 162 houses on the doorstep of the site. Paragraph 122 of the report referred to the potential for odour from the site on an irregular basis and of limited duration and that this would fall short of being a statutory nuisance, this was on the basis of the number of complaints to date. However, there was a fear that this number would rise should this development take place and that this could create a statutory nuisance.

Mr Bacon informed the Committee that solutions to potential problems had been offered to the Homes and Communities Agency and to Kier Living but neither had shown any interest in these. Rotters currently had over 2,500 members and this development, if approved, would lead to the closure of the facility.

Luke Herring of Johnson Mowat, Planning and Development Consultants addressed the Committee in support of the application.

Mr Herring offered full support to the contents of the Officer's report and the recommendation. A lot of time and effort had been put into preparing this scheme, which had been designed in consultation with both the Homes and Communities Agency and Council Officers. The site had been included within the Council's SHLAA review for some time now and had long been earmarked as a suitable housing site that related well to the existing built up area.

The proposals had been discussed with Startforth Parish Council and, further to a comprehensive public engagement exercise including a local drop in event, there were only a small number of objections to the application.

The proposals had been peer reviewed by the North East Design Review Panel and had resulted in a high quality development that would retain a number of existing trees within the site and a strong green buffer along the eastern boundary. The applicant had undertaken a full Landscape and Visual Impact Assessment which demonstrated that views of the site would be heavily filtered by existing mature trees together with new planting proposed through a detailed Landscape Masterplan.

Mr Herring referred to the sustainability of the site and access to local services. Although the site was located within Startforth, it related well to the wider Barnard Castle area, identified as a Tier 1 settlement with access to a number of local schools, shops and services all within the preferred maximum walking distances suggested by the Institution for Highways and Transportation.

The development would provide a quality mix of 2, 3 and 4 bed homes that would appeal to both growing families and first time buyers together with the provision of 24 affordable homes. The application sought full permission and Kier Living anticipated that subject to a positive decision, the majority of the development could complete over the next five years, and could therefore make a good contribution to the District housing shortfall.

This was a high quality scheme that had been designed in conjunction with stakeholders and the local community which was reflected by the time taken in putting together an application.

There was a presumption in favour of sustainable development and the proposals had demonstrated no insurmountable technical issues. The development of the site would align with the Council's SHLAA and would contribute a range quality design new homes to meet the District's housing needs.

Mr Herring invited Mr Dawson of Wardell Armstrong to address the Committee with details of noise and odour assessments carried out. Mr Dawson informed the Committee that Wardell Armstrong had considered the issues of odour and bio aerosols as well as a noise assessment.

Six sniff tests for odour had been carried out throughout the year and the Environmental Health Officer and Environment Agency were happy with this approach and report produced. There had been slight or transient odour in 2 of the 6 tests but this odour quickly dissipated. There were no effects on background levels of bio aerosols.

Noise assessments had been carried out on 5 occasions when composting operations had been taking place, including shredding, and the road noise was dominant.

Local mitigations were proposed which included mitigations internally to the properties to address any noise levels.

The Strategic Team Leader addressed the issues raised as follows:

- The relationship of the development with Barnard Castle and the Conservation Area was limited because of mature planting and mitigating landscaping.
- Residents from the development would be reliant on Barnard Castle for services which could be accessed via the footbridge or the County Bridge. This would result in more people being in the Conservation Area.
- The school places and admission manager had advised that there were sufficient primary and secondary school places available in the area to accommodate pupils from the development.

- The relationship of the site to the TCV site – advice had been sought from the Environmental Health Officer who had considered the submitted Wardell Armstrong report, a peer review of that report provided on behalf of TCV, and a further report by Wardell Armstrong addressing the issues raised through the peer review. Having considered all of the information, the Environmental Health Officer had concluded that while odour and noise would not be eliminated, the effects would be slight and intermittent but not significant. The topography of the site, mature planting between the sites and proposed Condition 15 to mitigate noise internally within the properties, would address both the odour and noise issues.

Councillor Richardson informed the Committee that he could not support approval of the application. The development site was next to an established composting plant and also a Young Offenders Institute which could lead to future complaints from its residents. Roads in the area were too small to accommodate the extra traffic which would be generated and more traffic would need to cross the County Bridge. The development was too large for the Conservation Area and a recent nearby application in Startforth had been refused by the South and West Area Planning Committee because of its impact on the Conservation Area.

Councillor Boyes informed the Committee that he supported approval of the application, which was a well-designed development. Highways issues had been addressed at paragraphs 135 to 142 in the report and highways officers had offered no objection to the proposal.

Councillor Boyes informed the Committee he had attended the site visit the previous day and had walked to the top of the hill above the TCV site. The TCV site was far down in the valley and prevailing winds would send odours in a direction away from the development site. The development would bring 15% affordable housing, nearly £41,000 towards outdoor play space provision and would have a voluntary scheme of targeted recruitment and training for the construction phase. Councillor Boyes **moved** approval of the application.

Councillor Shield asked the distance between this site and the recently refused application in Startforth and also asked for the distance for receptors nearest to the composting area.

The Strategic Team Leader replied that the nearest property would be 75 metres from the composting site, although there was a significant difference in levels between the proposed housing and the composting site. The site of the recently refused application was shown on an overhead plan. The application had been refused on the grounds of coalescence between High Startforth and Low Startforth, increased open views with the Conservation Area and proximity to listed buildings.

Councillor Shield informed the Committee that the control of smells and odours was subjective and expressed concern that a green recycling licence could be revoked because of a lack of control of odours. He had concerns about the proximity to the site to the TCV site and asked which direction the prevailing wind was. The Strategic Team Leader replied that the prevailing wind was south-westerly, away from the site and towards the composting site.

Councillor Marshall informed the Committee that if the application was to be refused, valid planning grounds would be needed, and he did not consider these had been provided by either the objectors or the Town Council. The development would provide much needed housing for families. The Teesdale Local Plan was outdated and there was a need to follow the NPPF. The application met all planning requirements and was a well-designed scheme. Councillor Marshall **seconded** approval of the application.

Councillor Davidson referred to the houses already located near to the TCV site and asked how many complaints had been received regarding noise and odour. The Strategic Team Leader replied that there were 12 properties approximately 120 metres from the TCV facility and in the 14 years since the facility started operating only one unsubstantiated complaint had been received.

Councillor Clare informed the Committee that he was on the Committee which recently refused the application in Startforth. That application would have engulfed High Startforth and would have removed separation between Low and High Startforth. Although he appreciated there was a nervousness to developing a site between the Young Offenders Institute and the TCV site, there was already a development immediately to the west of the Young Offenders Institute which had been observed on the site visit. The density of housing proposed was 15 houses per hectare which was way below the development being able to be considered high density.

Councillor Moir informed the Committee that he had considered the application and the issues raised at the meeting, particularly Policies BENV4 and BENV11 in the saved Teesdale District Local Plan and NPPF Part 12. However, on balance, he supported approval of the application, and hoped that the business licence for the TCV site would continue.

Councillor Holland informed the Committee that this was a brownfield site as it had previously been developed. It was a sustainable development which would enhance the economy of Barnard Castle and he supported approval of the application.

Upon a vote being taken it was:

**Resolved:**

That the application be approved subject to the completion of a Section 106 Legal Agreement to secure the following:

- provision of 15% affordable housing units
- a voluntary scheme of targeted recruitment and training for the construction phase,
- a contribution of £40,845 towards improving outdoor play space provision with Barnard Castle and Startforth Parishes.

and the conditions contained in the report, subject to amendments to Conditions 2 and 11.

Councillor Conway left the meeting.

Councillor Dixon joined the meeting.

**b DM/16/04048/OUT - Land At The East Of Moss Close Farm Pelton DH2  
1PG**

The Committee considered a report of the Senior Planning Officer regarding an outline application including means of access for the erection of up to 190 dwellings on land at the east of Moss Close Farm, Pelton (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 image, views across the site and an indicative masterplan.

The Senior Planning Officer informed the Committee that additional letters of objection had been received and there were now 54 letters of objection and 21 letters of support.

Councillor Bill Barrett of Urpeth Parish Council addressed the Committee to object to the application.

It was important to emphasise that the development fell within the geographical boundaries of Urpeth parish. Parish Councillors were extremely annoyed and disappointed that the Parish Council and the residents it served had not been given the same level of explanation or consideration that Pelton Parish Council or residents living in Pelton Lane Ends and Newfield had been afforded. Two consultation events were held that neither Urpeth Parish Councillors nor residents were invited.

The applicant first attended a Parish meeting at Urpeth on 15 November 2016 where they explained their plans to progress an outline planning application, which would include details of proposed house types on the site. At that point the Parish Council requested a percentage of bungalows be provided, approximately 15 in total. The applicant at that stage was proposing 6, which was more than currently being proposed. At the close of the meeting the Parish Council was advised that once the finer details regarding the layout of the development had been agreed a further meeting would be arranged with Parish Councillors to discuss proposals in more depth. The Council was also advised at this point that the outline application would be submitted in February/March 2017 when in fact this happened in December 2016.

The applicant did not come back to a Parish meeting until February 2017. It was subsequently agreed that Lewis Stokes would attend the March meeting to discuss the application further as there were still many unresolved issues. Unfortunately after the meeting in March there were still areas of concern that could not be answered by Mr Stokes and the Parish Council respectfully asked the applicant to defer the application until June, to enable those concerns raised to be addressed to



be addressed and for full consultation to be undertaken with Urpeth Parish residents. It should be noted that Mr Stokes at that meeting acknowledged that the consultation had not been undertaken as widely as it should or could have been.

The Parish Council and many residents were concerned that the applicant would not be developing the site should permission be granted. This would be a choice which the landowner could make to sell to any building company he chose and this caused great concern given the potential for further involvement of Persimmon in the area.

In conclusion the Parish Council respectfully requested the Committee to defer the application until unresolved issues had been resolved and further consultation with Urpeth residents been carried out.

Councillor Joyce Roberts of Pelton Parish Council addressed the Committee in support of the application. Ms Roberts informed the Committee that she was also Chair of the Chester le Street and District Business Association and Pelton Lane Ends Residents Association and a governor of Roseberry Primary School. All of which were supportive of this application.

The development site was a short walk to the shops within Pelton and residents of the development would help support local business. Pelton Community Centre, which was near to the proposed development, was a well-used facility and its use could increase if this development was approved. The development was easily accessible from the roundabout on the A693, and would provide a new cache of pupils for the Roseberry Primary School.

The applicant had attended meetings of the Pelton Parish Council and had kept local residents well informed of the application.

Councillor J Cordon, local Member was not able to attend the meeting but had submitted his comments as follows, which were read out to the meeting:

*'This important planning application for another 190 houses in Pelton certainly has my backing, even if I reside only a few hundred metres from the building space.*

*The Banks Group have responded well to community briefings, having appeared before Pelton Parish Council and Newfields Residents Association. They have been well received here in the local area, having explained their plans to us.*

*I would hope our Planning Committee could agree imposing work-start and finish times, as well as prohibiting big work vehicles from using Pelton Lane and the village as an entrance/exit route to and from the building site, protecting our Community Primary School and shopping area. The low bridge below the church should help ensure this though. There is an entrance to the building site from the A693.*

*We plan to establish a liaison group to monitor events during the construction phase, and, with goodwill from both sides, the minimum of fuss, mainly noise and muck, can be achieved. We need more houses for our people to live in.*

*This designated area has been earmarked for housing for a long time, and we need to crack on.*

Councillor Batey, local Member, addressed the Committee as a representative of local residents.

The proposed development was situated within Urpeth Parish whereas consultation had taken place within Pelton Parish.

While Councillor Batey was under the impression that residents in the near vicinity were largely in favour of this proposed development due to comments made by Pelton Lane Ends and Newfields Residents Association this was not the case. Councillor Batey informed the Committee that she had been contacted by numerous individuals, particularly after the publication of a second article in the Chester le Street Advertiser and the Northern Echo which had caused outrage particularly as the title implied local residents were in favour. This had not been helped by those organisations supporting the application benefitting from grants from the Banks Community Foundation after the outline planning application had been submitted.

There had been a significant number of accidents on the stretch of road leading from the modified roundabout at Pelton and Perkinsville up to the Newfield roundabout. Significantly there had been two accidents that had been graded as severe on 20 January 2012 and 11 September 2015. While these accidents took place prior to the modifications at the Newfield roundabout there was a significant risk that increased traffic flow would seek alternative routes including West Pelton at Greens Bank junction which had a fatal accident on 29 March 2016. Additionally, traffic seeking a route to the A1(M) northbound was likely to use the unclassified road from Baytree Terrace to Urpeth.

It was also significant that when the new roundabout was being installed the impact was major traffic congestion at the Pelton/Perkinsville roundabout. Phase 1 of the Persimmon development was not yet completed and Phase 2 not yet commenced, and it was therefore impossible to predict how many additional vehicles would travel on this stretch of road or what the impact was likely to be. Site traffic for two potential developments in an area that has in excess of 23,000 vehicle journey's also needed to be considered.

Another area of concern was the impact of the development on local health services. In most localities it was anticipated there would be adequate primary healthcare provision to cater for projected population change. However, last Friday evening a local GP commented that problems with appointments were exacerbated by recruitment issues. This was acknowledged by North Durham CCG who stated in their General Practice Forward View Implementation Plan that one of the challenges facing primary care within North Durham was the ability to attract high quality general practitioners into the area and GP recruitment was proving very difficult. Taking this into consideration it was highly likely that a development of this size would place significant demand on already under pressure service.

The Chester le Street Plan referenced retaining the Green Belt and would protect the setting of Ouston/Urpeth Grange and prevent the coalescence of Perkinsville, Pelton, Beamish and High Handenhold. A 2015 planning application for the erection of a single 4 bedroomed dwelling and two outbuildings on land to the east of Ravenscroft, Stoney Lane, Beamish was rejected on the grounds that the proposed dwelling 'causes harm to the openness of the Green Belt, and contrary to the reasons of including the land within Green Belt without the benefit of very special circumstances, contrary to Policies NE4 and NE5 of the Chester le Street Local Plan', and Part 9 of the NPPF.

Residents were extremely concerned about the availability of secondary school places as both Kevin Jones MP and Councillor Batey were dealing with cases where parents had not been granted either first or second choices of secondary schools. This site was only 400 yards from the site of the former Roseberry Secondary School that was closed and subsequently demolished. Both Chester le Street schools, Hermitage and Park View were oversubscribed by 50 children for each school, along with Lord Lawson a Gateshead school attended by other Urpeth children.

The Urpeth Parish Council had requested Banks to defer to the June Committee for this application to be considered because it was considered that letter s of opposition would materialise. However, nobody expected the strength of feeling and tension the Chester le Street Advertiser article would create.

Councillor Batey asked the Committee to consider the number of controversial developments in the local area, the goodwill of residents had reached saturation point. A site visit for this application had not been undertaken and given the number of objections this would have been advisable, especially regarding the concerns in relation to road infrastructure. Councillor Batey asked the Committee to defer the application until a site visit could be arranged.

Mr Lewis Stokes, Community Manager at the Banks Group addressed the Committee in support of the application.

The application site was sustainable and the Banks Group was experienced in bringing forward projects such as this. The site had social and economic viability and had been identified for housing in the previous County Durham Plan.

There were no technical reasons to refuse the application. The Banks Group had met and listened to local people and had attended meetings of both Urpeth and Pelton Parish Councils as well as holding 5 public consultation events at two locations. It was pleasing that Councillor Cordon had supported the application.

The design of the development would promote walking and cycling and would provide 15% affordable housing, over £250,000 towards open space and sports provision in the area, a new cycle link to connect to the Coast2Coast cycle route and £1.8m new homes bonus.

The Senior Planning Officer responded to the issues raised as follows:

- The location of Green Belt land was to the north of this development site and to the south was green field land, not Green Belt.
- Chester le Street Local Plan Policies had limited weight
- The NHS had confirmed that local buildings could accommodate additional demand which would bring additional revenue and funding schemes
- The school placement manager had advised that there was sufficient primary and secondary capacity, including North Durham Academy
- The recently received letters of objection raised no issues which were not already addressed within the report.

Councillor Jewell referred to school places. Many applications considered by the Committee received information from the schools places manager that there were sufficient places in an area, yet local residents contradicted this. He asked where the s106 money would be spent to help the community as the wider community was split between Urpeth and Pelton. The proposed development would bring with it some bungalows which were often asked for and there was a need for housing in the area. Councillor Jewell **moved** approval of the application.

Councillor Marshall referred to the insinuation that irregular funding had been provided through the Banks Community Fund and informed the Committee that the Fund was operated by the County Durham Community Fund, not Banks directly. The Fund was open to all across County Durham to apply to.

The Senior Planning Officer informed the Committee that the consultation carried out by the applicant was over and above what a developer would normally carry out. The s106 money was necessary to make the development acceptable and applications to draw down this money would be considered by the s106 Working Group.

The applicant confirmed that the Banks Community Fund, which had been in operation for 30 years, had made a donation of £10,000 to Pelton for the purchase of new gym equipment. However, the Fund was administered by the County Durham Community Foundation. Three drop in consultation events had been arranged at Pelton Community Centre during November and December 2016 and at the suggestion of Councillor Carr two further consultation events were held in Rosebery Primary school in December 2016 and January 2017.

Councillor Marshall informed the Committee he had a close affinity with the area. The applicant had carried out consultation over and above that which was expected and had consulted with people affected by the development. No planning issues had been raised. The development would be good for the local community and school and would help sustain the community and local businesses. Councillor Marshall **seconded** approval of the application.

Councillor Davidson informed the Committee that the Chester le Street local plan had been developed a long time ago, but the Green Belt was still standing.

Councillor Dixon sought clarity on the highways issues raised. J McGargill, Highways Development Manager replied that there had been two recent junction improvements at Pelton lane roundabout and Ouston Lane which had introduced

an elongated roundabout to reduce speed and the severity of accidents. The majority of vehicles using the A693 would travel towards the A1(M) and there would be an impact on Ouston Lane roundabout which would have capacity issues. The applicant had agreed to contribute towards a longer-term solution at the junction at Ouston Lane through the future introduction of traffic lights.

Councillor Boyes informed the Committee that the consultation by the applicant was over and beyond what was required. It was refreshing that community leaders were embracing a housing application.

Upon a vote being taken it was

**Resolved:**

That the application be approved subject to the completion of a Section 106 Legal Agreement to secure the provision of:-

- 15% affordable housing units on site including 5 bungalows
- £251,940 towards open space and sporting provision within the Electoral Division.
- £75,000 towards highway mitigation works.
- The formation of a new cycle link between the development site and C2C route

and the conditions contained in the report.

**c DM/16/04052/FPA - British Oxygen Co., Vigo Lane, Chester-le-Street, DH3 2RD**

The Committee considered a report of the Senior Planning Officer regarding a hybrid application for full planning permission for the erection of 123 dwellings and associated access, landscaping and engineering works and outline planning permission, with landscaping matters reserved, for the erection of up to 80 dwellings on land at British Oxygen Co, Vigo Lane, Chester le Street (for copy see file of Minutes).

G Blakey, Senior Planning Officer, gave a detailed presentation on the application which included a site location plan, aerial image, views across the site and proposed street scene. The Senior Planning Officer informed the Committee that Gateshead Metropolitan Borough Council had objected to the application because of wider impacts on the Gateshead boundary.

Dominic Waugh of Fairhurst Engineering, agent for the applicant, addressed the Committee in support of the application.

Mr Waugh highlighted that the site was brownfield, inside a settlement boundary, and offered 15% affordable housing along with financial contributions towards ecology, public open space and an extension to the nearby Park View Secondary School.

Councillor Shield informed the Committee that the site had no greenfield, green belt or green wedge issues and there were no objections from either statutory or internal consultees. Councillor Shield **moved** approval of the application.

Councillor Jewell informed the Committee that the site was ripe for development. He asked about land contamination issues on the site and **seconded** approval of the application.

The Senior Planning Officer replied that the applicant and agent had worked on the land contamination issues and the Environmental health officer was pleased with progress. Condition 23 of the planning permission covered the issue of land contamination.

Councillor Moir informed the Committee that while he supported the application, it was essential that conditions must be strictly adhered to.

Councillor Holland supported approval of the application.

Upon a vote being taken it was

**Resolved:**

That the application be approved subject to the completion of a Section 106 Legal Agreement to secure the following:

- provision of 15% affordable housing units on site
- £352,550 towards the provision of additional capacity at Park View Secondary School
- £203,000 towards the provision or improvements to open space and recreation within North Lodge Electoral Division,
- £22,000 towards biodiversity improvement at Waldrige Fell SSSI

and the conditions contained in the report.