



Area Planning Committee (Central and East Durham)

Date Tuesday 13 March 2012
Time 1.00 pm
Venue The Vardy Suite, The Glebe Centre - Murton

Business

Part A

1. Minutes of the Last Meeting held on 7 February 2012 (Pages 1 - 8)
2. Declarations of Interest, if any
3. Applications to be determined by the Area Planning Committee (Central & East Durham)
 - a) PL/5/2011/0354 - 5 Palmer Road, Peterlee, SR8 2HU (Pages 9 - 20)
Light Industrial Commercial Development Comprising of 37 Individual Units
 - b) PL5/2011/0421 - Blackhall Working Mens Club, Cemetery Road, Blackhall, TS27 4JG (Pages 21 - 30)
Erection of 11 No. Dwellings and Associated Works
 - c) 4/11/00823/FPA - Former Ushaw Moor County Infants School, Temperance Terrace, Ushaw Moor, Durham, DH7 7PQ (Pages 31 - 48)
Erection of 29 No. Dwellinghouses, Formation of Access and Associated Works.
4. Decision Update - Easington Area Office (Pages 49 - 50)
PL/5/2011/0443 – Residential Development (outline) (resubmission)
Land at Seaton Nurseries, Seaton Village, County Durham, SR7 0LT
5. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham

5 March 2012

To: **The Members of the Area Planning Committee (Central and East Durham)**

Councillor C Walker (Chair)
Councillor P Taylor (Vice-Chair)

Councillors J Bailey, A Bell, J Blakey, G Bleasdale, J Brown,
P Charlton, D Freeman, S Iveson, A Laing, R Liddle, J Moran,
J Robinson, K Thompson and B Wilson

DURHAM COUNTY COUNCIL

AREA PLANNING COMMITTEE (CENTRAL AND EAST DURHAM)

At a Meeting of **Area Planning Committee (Central and East Durham)** held in Council Chamber, County Hall, Durham on **Tuesday 7 February 2012 at 1.00 pm**

Present:

Councillor P Taylor (Chair)

Members of the Committee:

Councillors J Bailey, A Bell, J Blakey, G Bleasdale, J Brown, P Charlton, D Freeman, S Iveson, A Laing, J Moran, J Robinson and K Thompson

Apologies:

Apologies for absence were received from Councillors C Walker and B Wilson

Also Present:

J Taylor – Principal Planning Officer (Durham Area)
A Dobie – Principal Planning Officer (Easington Area)
N Carter – Legal Officer
A Glenwright – Highways Officer

1 Minutes of the Last Meeting held on 10 January 2012

The Minutes of the meeting held on 10 January 2012 were confirmed as a correct record and signed by the Chair.

2 Declarations of Interest, if any

There were no declarations of interest submitted.

3 Applications to be determined by the Area Planning Committee (Central & East Durham)

**3a 4/11/00881/FPA and 4/11/00882/CAC - Sparks Cottage, Hall Lane, Shincliffe
Demolition of Existing Cottage and Erection of Two Storey Dwelling**

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that further representations had been submitted since preparation of the report and a total of 35 objections had now been received to date. The additional representations did not raise any new material objections, however the consultation period had not expired. Therefore if Members were minded to approve the application it was recommended that this be subject to no new material objections being received by the expiry of the consultation period. In the event that new material objections were submitted within this time, delegated authority be granted to the Chair and Vice-Chair of the Committee to determine the application.

The Officer also advised that the wording of condition 4 regarding materials/design of windows was to be amended, together with an amendment to paragraph 68 of the report regarding ecology issues. The reference made in the paragraph to The Conservation (Natural Habitats, etc) Regulations should read 2010 and not 1994.

Mr M Brooker spoke on behalf of local residents against the application. He stated that Shincliffe Village had been designated a Conservation Area because of the special architectural interest of the buildings, which included Hall Lane and the location of Sparks Cottage. The proposals did not protect or enhance the Conservation Area and were therefore contrary to Planning Policy E22. The development was almost double the footprint of the existing dwelling and would have a detrimental impact on the amenity of the residents of Wood View. The site did not constitute previously developed land as he understood that private gardens were now excluded from the new definition. He also expressed concern that Members of the Committee did not have an opportunity to consider any new representations made.

J Taylor, the applicant's architect stated that the existing property was very small and had no architectural merit or historical value. An application for Listed Building status had been refused by English Heritage. The site constituted previously developed land as the footprint extended no further than the existing garage on the site. The overall height of the building would be less than the adjacent two storey house to the north and the footprint would only represent 26% of the overall space. He therefore did not consider that this constituted over development. Separation distances to properties in Wood Terrace were in excess of minimum requirements and this would ensure that there was no loss of privacy. The proposed materials would be traditional and in-keeping with the Conservation Area.

In responding to the comments made, the Principal Planning Officer stated that the existing property was very modest and the scale of the proposed dwelling could easily be accommodated within the site. The materials to be used were traditional and commonly found in Conservation Areas. The mass of the dwelling would be mitigated through the use of single storey elements and the ridge height would be lower than that of the white two storey building to the north of the site, and that of Wood Terrace due to the difference in ground levels.

In determining the application Members acknowledged the need to protect the character of Shincliffe village but felt that the existing bungalow was not of any historic or architectural value, and that a carefully designed building would enhance the Conservation Area.

RESOLVED

- (i) That the application be approved subject to the following;-

No new material planning considerations being raised by the expiry of the consultation period;

or should any new material objections be received by the expiry of the consultation period delegation be granted to the Chair and Vice-Chair of the Committee to determine the application.

- (ii) Subject to (i) above, approval be granted in accordance with the conditions outlined in the report, with condition 4 being amended to read as follows:-

'4. Notwithstanding the submitted plans full details (including cross-sections) and materials and colour of all windows, doors and roof lights at a scale of 1:20 shall be submitted to and approved in writing by the Local planning Authority, prior to development commencing. The submitted details shall demonstrate that windows and doors have a recess of at least 100mm from the outer face of the wall. The development shall be carried out in accordance with the approved details.'

**3b 4/11/00738/FPA - The Former Durham Light Infantryman Public House, Gilesgate
Change of Use of Existing Public House to Create 5 No. Apartments and Erection of 8 No. Terraced Properties to the Rear of Public House with Associated Landscaping and Highway Improvement Works**

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

The Officer advised that the wording of condition 4 regarding materials was to be amended, together with an amendment to paragraph 80 of the report regarding ecology issues. The reference made in the paragraph to The Conservation (Natural Habitats, etc) Regulations should read 2010 and not 1994.

Councillor D Southwell, local Member expressed his support to the proposals, stating that whilst it was unfortunate that residents of Gilesgate had lost the former DLI Public House as an amenity, the proposed development would make good use of the site and was therefore welcomed.

In deliberating the application Members reiterated the comments made by Councillor Southwell regarding the loss of such an amenity in Gilesgate but noted

that there was a public house across the road from the development. It was felt that the proposed terraced houses to the rear of the development could easily be accommodated on the site with no impact on nearby residential properties.

RESOLVED

That the application be approved, subject to the applicant entering into a Section 106 Legal Agreement and to the conditions outlined in the report, with the following amendment to condition 4:-

4. Notwithstanding the submitted plans full details (including cross-sections) and materials and colour of all windows, doors and roof lights at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, prior to development commencing. The submitted details shall demonstrate that windows and doors have a recess of at least 100mm from the outer face of the wall. The development shall be carried out in accordance with the approved details.'

3c 4/12/00025/PNT - Land at Broomside Lane, Belmont Prior Approval for Siting and Appearance of 14.8m High Monopole with 2 No. Associated Equipment Cabinets

Consideration was given to the report of the Principal Planning Officer (Durham Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that the consultation period had not yet expired. To date a total of 13 objections had been received and Environmental Health had offered no objections to the proposal. One of the two objections received following the report being published asked why the mast could not be moved 100m to the east, however this site had been discounted on technical grounds.

Barbara Howarth, Belmont Parish Council stated that the proposed mast would be situated on an important tree-lined route into Durham City, which was increasingly being influenced by industrial development. If approved the Parish Council was concerned that this would encourage retailers to make application to advertise along that length of road. She agreed with the comments of the Council's Arboricultural Officer with regard to the potential impact on trees from the mast's foundations and cabinet, and the Parish Council was of the view that alternative sites should be explored further.

Councillor K Holroyd supported the views of the Parish Council expressing his concern with regard to the appearance of the mast along this route into the City, and also commented that an earlier application had been refused which was located only 400 yards away from the application site.

Councillor Southwell, local Member stated that alternative sites had been explored but were unsuitable. Residents views should be taken into account but he had received only one e-mail in relation to this application. Therefore he felt that the level of concern expressed regarding this mast should be balanced against the customer demand for a quality service.

In deliberating the application Members were advised that the Committee was only able to consider siting and appearance of the mast. The Principal Planning Officer provided Members with technical information about the extensive services provided by masts and explained that to ensure maximum coverage they needed to be located close to residential development. The location of the proposed mast was considered to have an acceptable impact on both the visual amenity of the surrounding area and the residential amenity of neighbouring residents.

RESOLVED

That prior approval of the application be granted subject to:-

- (i) no new material considerations being raised by the expiry of the consultation period;
- (ii) or should any new material objections be received by the expiry of the consultation period delegation be granted to the Chair and Vice-Chair of the Committee to determine the application.

Prior to consideration of the following application Councillor J Bailey left the meeting and Councillors J Brown, A Laing and J Robinson left during the discussion.

3d PL/5/2011/0438 - Land North of Station Road and East of Salters Lane including Site of Former Fleming Hotel and Bruntons Garage, Shotton Residential Development Comprising 175 Dwellings

Consideration was given to the report of the Principal Planning Officer (Easington Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation on the main issues outlined in the report, which included photographs of the site. Members had visited the site that day and were familiar with the location and setting.

Members were advised that paragraph 77 of the report wrongly implied that the delivery of community benefits by the developer was linked to the Community Infrastructure Levy. The Principal Planning Officer explained that this was not yet in place and would form part of the County Durham Plan. The issue was more properly explained in Paragraph 91, where it was identified that various community benefits were necessary to offset the impacts of the proposals on the local community. The developer had agreed to make a number of contributions towards local facilities and community infrastructure by way of a Section 106 Legal Agreement, as outlined in the report.

The Officer also advised of an additional condition which would require details of the roundabout to be submitted to and approved in writing by the Local Planning Authority, with works to be completed prior to occupation of the first dwellinghouse.

Mrs Stoker, objector, represented the residents of Parklands who faced on to the Greenfield part of the application site. They currently enjoyed an open aspect on the edge of the village, were not overlooked and residents were concerned that this new development would not only have a detrimental impact on their privacy but would also reduce the value of their properties. Residents were also concerned about the increase in traffic which would be generated on the B1280, a road that was already busy at peak periods and at school times. In addition they did not believe that Shotton had adequate facilities for a development of this size, and that local amenities such as schools would not be able to cope with the increased population.

Mr Rogers, objector, considered that consultation on the proposals had been inadequate. He reiterated the views of Mrs Stoker and stated that the access should be re-located to the northern end of the site with additional traffic calming measures provided for pedestrians. There were a number of elderly and young people living in the location and the road was already very busy to cross.

Mr Struthers, the applicant's agent stated that there had been full consultation in June 2011 by way of an exhibition for local residents. Loss of views was not a planning consideration and the development had been designed to protect the privacy of both existing and new residents. A full traffic assessment had been carried out, and a new junction with roundabout was proposed which would create natural traffic calming. An access to the north of the site was not feasible. The site was sustainable and the proposals would bring about community benefits for the village through a Section 106 Agreement. Local jobs would be created and local businesses would benefit.

In responding to the comments made Members were advised that loss of views and devaluation of properties were not planning considerations. If approved this development would represent a significant proportion of the proposed housing allocation for Shotton, whilst also maintaining the fabric of the village. Local facilities would be supported and enhanced by the additional population, and with regard to consulting with local residents, the Principal Planning Officer was satisfied that adequate consultation on the application had been carried out by Planning Officers.

A Glenwright, Highways Officer confirmed that the applicant had submitted an in-depth Traffic Assessment and had offered to implement any traffic calming measures deemed necessary. Highways Officers considered that the proposed roundabout would resolve any concerns about vehicle movement and would bring about effective traffic calming. With regard to pedestrian safety, he explained that as pedestrian movements would not significantly increase, the location did not meet the requisite criteria for the installation of pedestrian crossing facilities.

In deliberating the application Members appreciated the concerns expressed by residents in relation to loss of views and devaluation of their homes, but that these were not planning considerations. The site was currently an eyesore and the

proposals would bring about excellent community benefits. Members were assured by the applicant's agent that in the current financial climate the developer was committed to providing 20% affordable housing.

RESOLVED

That the application be approved subject to the applicant entering into a Section 106 Legal Agreement, and to the conditions outlined in the report. Such conditions to include the following:-

'No development shall commence until full details of the design, layout and specification of the proposed roundabout at the access point of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the roundabout shall be completed in accordance with the approved details and brought into use prior to the occupation of the first dwelling house hereby approved.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.'

3e PL/5/2011/0473 - Hawthorn Industrial Estate, Murton Variation of Timescale to Carry Out Highway Works to the A182 as Required by Condition No. 14 of Planning Permission Ref No. PLAN/2005/0955 (resubmission)

Consideration was given to the report of the Principal Planning Officer (Easington Area) which recommended approval of the application.

The Principal Planning Officer gave a detailed presentation, which included photographs of the site. In presenting the report the Officer advised of minor amendments to the wording of condition 13 regarding highway works.

RESOLVED

That the application be approved subject to the conditions outlined in the report and to condition 13 being amended to read as follows:-

'13. The following levels of development shall not, either individually or cumulatively, be exceeded until such time as the highway works shown on the Jacobs Babbie drawing number 10780/P/T/01 Rev B are constructed and open to traffic to the satisfaction of the Local Planning Authority in consultation with the Highways Agency, to ensure the satisfactory operation of the A19/A182/B1285 junction.

Maximum permissible levels of development:

- 10,567 sqm Gross Floor Area (GFA) of Use Class B1; or
- 33,852 sqm GFA of Use Classes B2/B8.'

4 Appeal Update

**Appeal by Mr J Collard and Ms E Jameson
Site at Plot 2 Littlethorpe Farm, Littlethorpe, Easington
Planning Ref: PL/5/2011/0208**

The Inspector had dismissed the appeal.

**Appeal by Wilbury Developments Ltd
Site at Fernhill, Crossgate Moor, Durham
Planning Ref: 4/11/00535/FPA**

The Inspector had dismissed the appeal.

**Appeal by Roger Lindley
5 North Side, Shadforth, Durham
Planning Ref: 4/11/0315/FPA**

The Inspector had dismissed the appeal.

RESOLVED

That the information given, be noted.

Planning Services

COMMITTEE REPORT**APPLICATION DETAILS**

APPLICATION NO:	PL/5/2011/0354
FULL APPLICATION DESCRIPTION	LIGHT INDUSTRIAL COMMERCIAL DEVELOPMENT COMPRISING OF 37 INDIVIDUAL UNITS
NAME OF APPLICANT SITE ADDRESS	PHILADELPHIA STRUCTURES 5 PALMER ROAD, PETERLEE SR8 2HU
ELECTORAL DIVISION CASE OFFICER	Shotton Laura Martin laura.martin@durham.gov.uk 03000261960

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The site relates to approximately 2ha of brownfield industrial land, previously the site of a single large light industrial unit, which has since been demolished. The site now consists of a blank concrete slab hard standing with associated roads and landscaping which has been left from the previous development. The site is almost totally enclosed with security fencing, the only exception being the southwest perimeter, which has an adopted highway entrance.

Proposal:

- 2 Full planning permission is sought to erect 35 new build light industrial units (B1 use), one unit for general industrial (B2) use and one for storage/distribution (B8) use with associated highways and parking facilities. The units would range in size from 465 square metres to 120 square metres offering a wide variety of options for different uses of the premises.
- 3 The units would be arranged in 4 sections with a private road allowing access around the site. The units would measure 7 metres in height being constructed from brickwork up to damp course level and a steel frame with silver and white cladding in a striped design to the upper section. Pedestrian access would be via double doors with a canopy feature and vehicular access via a roller shutter type door. Each unit would be fitted out with a kitchen and toilet facilities with the rest of the unit open to allow the end user to decide upon the finished layout. 124 car parking spaces are proposed in conjunction with the application along with bicycle parking. Additional security fencing is proposed to the east and west of the application site.

- 4 As part of the application it is proposed to fence and block off a section of adopted highway and remove 2 No. lighting columns. This is dealt with under a separate section of the Town and Country Planning Act 1990, Section 257, for which a separate Stopping Up Order would be required in order to facilitate such works if planning permission is granted.
- 5 The application is reported to the committee as it has a floor area of over 1000 square metres and is classified as a major development.

PLANNING HISTORY

None relevant to the application.

PLANNING POLICY

NATIONAL POLICY:

- 6 Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.
- 7 Planning Policy Statement 4- Planning for Sustainable Economic Development proposes a responsive and flexible approach to planning which provides sufficient employment land and makes better use of market information. The PPS is designed to establish a national planning policy framework for economic development at regional, sub-regional and local levels for both urban and rural areas.
- 8 The emerging National Planning Policy Framework (NPPF), currently in draft form, is a material consideration in the determination of planning applications, and advances a presumption in favour of sustainable development to encourage economic growth.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

REGIONAL PLAN POLICY

- 9 Policy 2 - Seeks to embed sustainable criteria through out the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.
- 10 Policy 3 -The RSS recognises that climate change is the single most significant issue that affects global society in the 21st century. Policy 3 will seek to ensure that the location of development, encouraging sustainable forms of transport, encouraging and supporting use of renewable energy sources, and waste management all aids in the reduction of climate change.
- 11 Policy 35 - Seeks to identify opportunities to control and manage floodwater and the potential for the extension of managed washlands along with managing the risk from tidal effects, surface water and fluvial flooding.

- 12 *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.*
- 13 In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies by making Orders under Section 109 of the Localism Act 2011. Both the RSS and the stated intention to make the necessary Orders are material planning considerations and it is a matter for each Planning Authority to decide how much weight can be attached to this stated intention, having regard to the evidence base which informs the RSS.

LOCAL PLAN POLICY:

District of Easington Local Plan

- 14 Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
- 15 Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
- 16 Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
- 17 Policy 53 - General industrial estates are designated for B1, B2 and B8 uses at Peterlee North East, Peterlee North West, Peterlee South West and Dalton Flatts, Murton. Retail will be allowed in accordance with policy 105.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

- 18 Parish Council- no comments received.
- 19 Environment Agency- raise no objections subject to appropriate conditions relating to land contamination and surface water, due to the sites location on a magnesian limestone aquifer and ground water protection zone.

- 20 Northumbria Water- raise no objection subject to conditions relating to sewerage diversion and surface water run off.
- 21 Police Architectural Liaison Officer- no comments received

INTERNAL CONSULTEE RESPONSES:

- 22 Tree officer- raises no objections subject to conditions relating to landscaping and its implementation.
- 23 Highways Section- raises no objections
- 24 Planning Policy- no comments received.
- 25 Low Carbon Officer- raises no objections
- 26 Environmental Health Section- raises no objections
- 27 Landscape Section- raises no objections subject to conditions relating to landscaping and its implementation.
- 28 Ecology Unit- raises no objections
- 29 East Durham Business Service- no comments received.

PUBLIC RESPONSES:

- 30 The application was advertised by means of a press and site notice and by a further 9 letters of notification. No letters of representation have been received in respect of the above development.

APPLICANTS STATEMENT:

- 31 We strongly believe the development makes best use of the land with hugely beneficial implications to the area for jobs and commerce (some units have already been let!). The development would also negate the serious trespass issues raised by the local police authority.
- 32 Some developments by others have tended to plough through the Planning processes (regarding it as a paper exercise), however we have actively undertaken all of the best practice guidance, which has come about from yourselves (and makes a better site!). We will only proceed with the next stage of detailed design once we have the positive feedback from this first process.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=115289>

PLANNING CONSIDERATION AND ASSESSMENT

The main planning considerations in the determination of the application are: -

- Principle of development
- Highways Issues
- Design and Scale
- Sustainability
- Environmental Issues

Principle of Development

- 33 The site is within the defined industrial employment area for Peterlee and is allocated as such within the Local Plan. Policy 53: General Industrial Estates protects sites uses within the 'B' use classes and establishes a principle against redevelopment of the site for other incompatible uses.
- 34 PPS 4, Policy EC2: Planning for sustainable economic growth states that development should seek to make the most efficient and effective use of land, prioritising previously developed land which is suitable for re-use. In addition development should reflect the different location requirements of businesses, such as the size of the site required, site quality, access and locally available workforce. Therefore in this respect the application is taking advantage of a previously developed site and providing units of a smaller scale, which the applicant has advised is a market driven factor in deciding upon the size of the units applied for.
- 35 Up until recently, the site was occupied by a double height warehousing business. The building was demolished in 2010 due to vandalism and anti-social behaviour taking place at the site.
- 36 The principle of the proposed redevelopment of the site for business, industrial and warehousing uses (Use classes B1, B2 and B8) accords with national, regional and local planning policy, in that it will bring a now vacant/previous employment site back into use. The proposed development will provide new high quality employment floor space in the Peterlee area, which has seen little investment since the late 1990's with the expansion of Caterpillar. In addition to providing investment the proposal will provide important opportunities for local businesses and employment benefits.

Highways Issues

- 37 In support of the application a Transport Assessment and Travel Plan have been submitted. A full highway safety assessment has been made by the applicant and it was concluded that there does not appear to be any location where there are existing, inherent highway safety issues and that the increase in traffic associated with the proposed development will not materially affect highway safety on the surrounding road network. In respect of access to the units, the site is well served by the existing cycle and pedestrian network and the closest bus stops from the site entrance are approximately 4 minutes walk away. A Framework Travel Plan has been submitted as part of the application, however as end users of the premises are yet to be identified full details of how sustainable modes to work are to be achieved are not yet known. Therefore as part of the Framework Travel Plan it has been agreed that once 50% of the units are occupied a full Travel Plan will be submitted

and the appointed Site Travel Plan Co-ordinator will oversee its implementation and management.

- 38 As previously noted at the start of the report, there is a section of adopted public highway contained within the application site, which will need to be formally 'Stopped up' in order to facilitate the development. This is dealt with under Section 257 of the Town and Country Planning Act 1990 and would require a separate application to be submitted to the Authority before any such works commence.
- 39 It is therefore considered that there are no highways or transportation reasons to warrant refusal of the application.

Design and Scale

- 40 In terms of the overall scale and design, it is considered that the proposed buildings are acceptable, taking into account the broader site context and the previous building at the site. As stated earlier the building that was previously on site had fallen into a state of disrepair and had become an eye sore within the industrial estate. It is considered that the modern design would allow more effective working within smaller units whilst being located amongst compatible uses. The striped design with the use of white and grey cladding will help to visually break up the mass of the buildings along with their formation in rows rather than just one large block.
- 41 Within the proposed site layout there is minimum opportunity for soft landscaping owing to the nature of the site and the nature of the proposed uses. Some areas of planting are proposed to the west and at the entrance to the site, however a full landscaping scheme and its implementation would be conditioned as part of any approval at the site.
- 42 By virtue of the siting and design of the buildings within a defined industrial area with no neighbouring residential properties, there will be no impact on the visual and residential amenities of surrounding properties.

Sustainability

- 43 A Sustainability Report and Energy Assessment have been submitted with the application. As outlined in the Sustainability Report a variety of measures to promote sustainability, both in the construction and the operational phase of development, will be achieved, for example by:
- Reuse of construction waste;
 - Optimising the use of previously developed land;
 - Adoption of a Travel Plan prepared to assist in the promotion of sustainable transport;
 - Development will be designed to meet BREEAM 'Good' standards;
 - Use of low energy fittings
 - Green construction materials
- 44 The applicants have agreed to achieve a BREEAM (Building Research Establishment Environmental Assessment Method) certification of 'Good'. BREEAM takes into account factors such as contribution of renewable energy technologies to on site energy requirements, sustainable transport methods, grey water recycling, building installation, solar gain, and sustainable sourcing of building materials and disposal of construction waste to determine their accreditation system.

- 45 Although the above commitments are welcomed, the proposal will be required to demonstrate a reduction of 10% in carbon emissions, achieved through the use of onsite renewable energy technology as part of the proposed development. Specific proposals for the inclusion of renewable technology should be included, and justification provided to demonstrate that this requirement would be met; therefore it is recommended that this be conditioned.

Environmental Issues

- 46 The existing site has historically been used for wood coating and manufacturing of wood and timber based products. In addition the site lies within an area of high environmental sensitivity, as the Magnesian Limestone principal aquifer underlies the site and the site lies within Zone 2 of a currently designated groundwater Source Protection Zone. Due to this and in consultation with the Environment Agency it is considered that additional information is required in respect of Land Contamination, and as such as part of any approval at the site additional survey works would be required. This additional survey work would not only identify what contamination is on site but a further verification report (also dealt with via condition) would also ensure that there was no risk to controlled waters as part of the works.

CONCLUSION

- 47 The redevelopment of this former Brownfield industrial site for employment purposes is welcomed as it will suitably consolidate the function of this defined employment area and will enhance the economic viability and job creation potential of this part of the county in line with PPS4. The siting, built form, design and appearance of the development and its associated access arrangements are considered acceptable. The proposal would also be compatible with adjoining land-use activities and would not detract from current levels of amenity as enjoyed by nearby premises.
- 48 The proposal is considered to be consistent with the existing national strategic, regional and local planning guidance regarding new employment development. It is therefore recommended that planning permission be granted subject to the conditions outlined below.

RECOMMENDATION

- 49 That the application be **APPROVED** subject to the following conditions;
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
 2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; No. Planning Statement, Flood Risk Assessment ref MD0557/rep/001, Design and Access statement, Extended Phase 1 and protected species Survey prepared by E3 Ecology Ltd ref 2421 ExP1 R01, Sustainability/Energy Statement Rev A dated 14 December 2011, Transport Assessment prepared by S.A.J Transport Consultants, Drawing Number MD0557.PS.01, MD0557.PS.02, MD0557.PS.03, MD0557.PS.04, MD0557.PS.06,

MD0557.PS.07, MD0557.PS.08, MD0557.PS.09, MD0557.PS.10, MD0557.PS.11, MD0557.PS.12, MD_PE_001 all received 03 January 2012 and MD0557.PS.05, MD0557.PS.13 and Framework Travel Plan Rev A dated February 2012 all received 21 February 2012.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.

3. The mitigation strategy as detailed within Section D3 of Extended Phase 1 and protected species Survey prepared by E3 Ecology Ltd ref 2421 ExP1 R01 shall be completed in accordance with the approved details prior to the use of the building commencing.

Reason: To conserve protected species and their habitat in accordance with Planning Policy Statement 9 - Biodiversity and Geological Conservation.

4. No development shall commence until a detailed landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats. The landscape scheme shall include accurate plan based details of the following: Trees, hedges and shrubs scheduled for retention. Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers. Details of planting procedures or specification. Finished topsoil levels and depths. Details of temporary topsoil and subsoil storage provision. Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc. The local planning authority shall be notified in advance of the start on site date and the completion date of all external works. Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

6. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

7. Prior to the commencement of development approved by this planning permission, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
all previous uses; potential contaminants associated with those uses;
a conceptual model of the site indicating sources, pathways and receptors;
potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent pollution to controlled waters and to comply with saved policy 35 of the Easington Local Plan.

8. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To prevent pollution to controlled waters and to comply with saved policy 35 of the Easington Local Plan.

9. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Unsuspected contamination may exist at the site which may pose a risk to controlled waters and to comply with saved policy 35 of the Easington Local Plan.

10. Development shall not commence until a detailed scheme for the diversion of Northumbrian Water's apparatus or redesign of the proposal to avoid building over by the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

Reason: Two public sewers cross the site and are shown built over on the application. Northumbrian Water will not permit a building over or close to its apparatus. Diversion or relocation of the apparatus may be possible at the applicant's full cost.

11. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details. Reason: To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of Planning Policy Statement 25 "Development and Flood Risk" .

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:

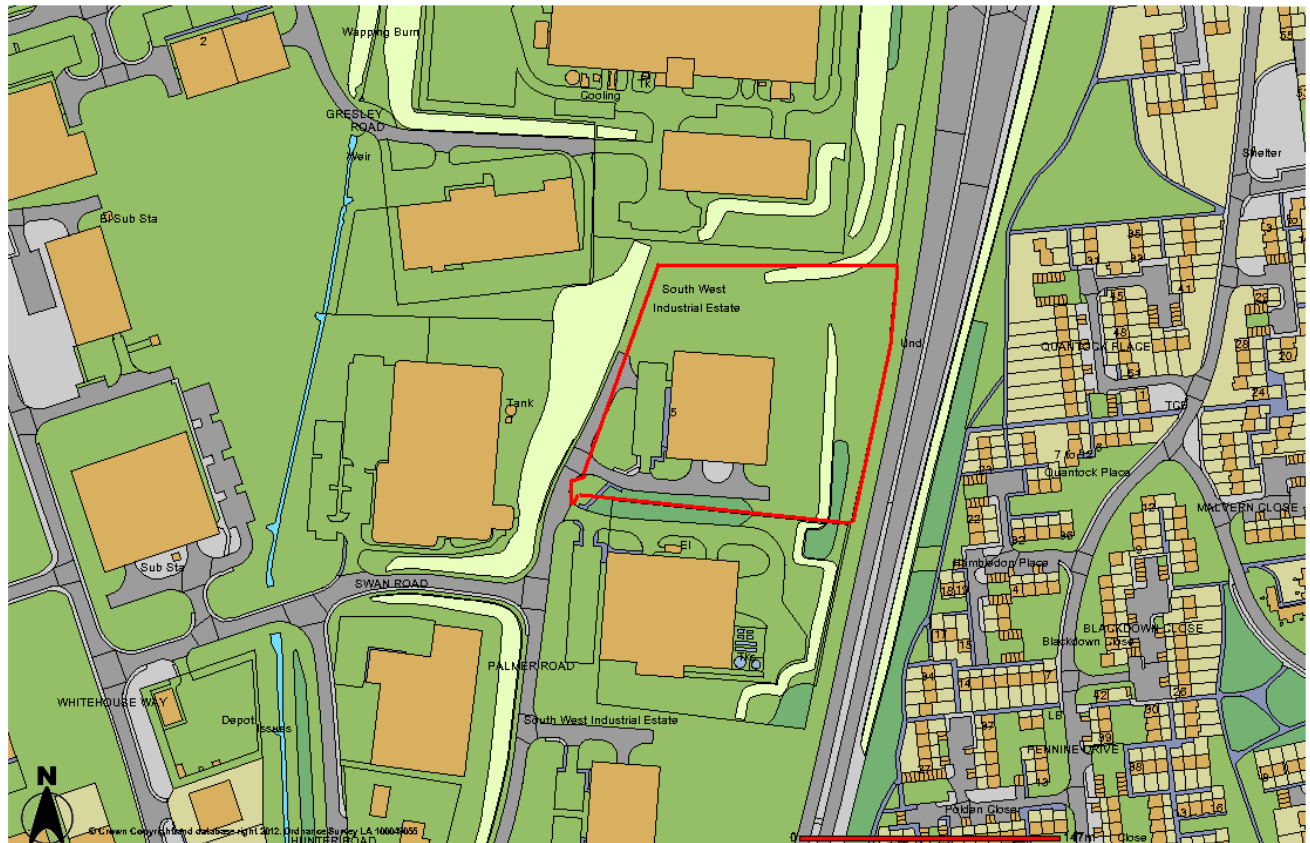
DISTRICT OF EASINGTON LOCAL PLAN
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PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE
REGIONAL SPATIAL STRATEGY
REGIONAL SPATIAL STRATEGY
REGIONAL SPATIAL STRATEGY

ENV35 - Environmental Design: Impact of Development
ENV36 - Design for Access and the Means of Travel
GEN01 - General Principles of Development
IND53 - Existing General Industrial Estates
PPS1 - Delivering Sustainable Development
PPS4 - Planning for Sustainable Economic Growth
Policy 2 - (Sustainable Development)
Policy 3 - (Climate Change)
Policy 35 - (Flood Risk)

2. In particular the development was considered acceptable having regard to consideration of issues of policy, highway safety, design, sustainability, landscape and contaminated land.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



Proposed LIGHT INDUSTRIAL COMMERCIAL DEVELOPMENT COMPRISING OF 37 INDIVIDUAL UNITS at 5 PALMER ROAD, PETERLEE SR8 2HU PL/5/2011/0354

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Comments

Date 28 Febuary 2012

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	PL/5/2011/0421
FULL APPLICATION DESCRIPTION	ERECTION OF 11 NO. DWELLINGS AND ASSOCIATED WORKS
NAME OF APPLICANT SITE ADDRESS	DENNIS HARLEY DEVELOPMENTS LTD BLACKHALL WORKING MENS CLUB CEMETERY ROAD, BLACKHALL TS27 4JG
ELECTORAL DIVISION CASE OFFICER	Blackhalls Laura Martin 03000261960 laura.martin@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

- 1 The application site relates to a cleared area of land, which formerly housed Blackhall Workingmen's Club. The site is located to the rear of a terrace of residential properties to the north and to the south is the Parish Council operated cemetery. The site is currently vacant and awaiting re-development.

Proposal:

- 2 Full planning permission is sought for the erection of 11 No. dwellings with associated car parking and highways works.
- 3 As part of the application process the site layout was amended in line with highways comments and as part of this the application was reduced from 13 No. dwellings to 11 No. dwellings.
- 4 The properties are set within 2 blocks, one containing 4 terraced properties and the other 7 properties. To the frontage of the properties is a designated car parking area with 18 spaces available. The properties are designed with a number of architectural features to break up the blocks with bay windows, canopies and chimneystacks added to a number of the dwellings. Internally the application would allow for the creation of three-bedroom dwellings with associated living facilities at ground floor level.
- 5 The application is reported to the committee as it for more than 10 dwellings and is classified as a major development.

PLANNING HISTORY

None relevant to the application.

PLANNING POLICY

NATIONAL POLICY:

- 6 Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning System.
- 7 Planning Policy Statement 3: Housing (PPS3) underpins the delivery of the Government's strategic housing policy objectives and our goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.
- 8 Planning Policy Statement 23 (PPS23) is intended to complement the new pollution control framework under the Pollution Prevention and Control Act 1999 and the PPC Regulations 2000.
- 9 The emerging National Planning Policy Framework (NPPF), currently in draft form, is a material consideration in the determination of planning applications, and advances a presumption in favour of sustainable development to encourage economic growth.

The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>

REGIONAL PLAN POLICY

- 10 Policy 2 - Seeks to embed sustainable criteria through out the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.
- 11 Policy 3 -The RSS recognises that climate change is the single most significant issue that affects global society in the 21st century. Policy 3 will seek to ensure that the location of development, encouraging sustainable forms of transport, encouraging and supporting use of renewable energy sources, and waste management all aids in the reduction of climate change.
- 12 Policy 24 - Refers to the need to concentrate the majority of the Region's new development within the defined urban areas, and the need to utilise previously developed land wherever possible.
- 13 *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.*

- 14 In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies by making Orders under Section 109 of the Localism Act 2011. Both the RSS and the stated intention to make the necessary Orders are material planning considerations and it is a matter for each Planning Authority to decide how much weight can be attached to this stated intention, having regard to the evidence base which informs the RSS.

LOCAL PLAN POLICY:

District of Easington Local Plan

- 15 Policy 1- Due regard will be had to the development plan when determining planning applications. Account will be taken as to whether the proposed development accords with sustainable development principles while benefiting the community and local economy. The location, design and layout will also need to accord with saved policies 3, 7, 14-18, 22 and 35-38.
- 16 Policy 3 - Development limits are defined on the proposal and the inset maps. Development outside 'settlement limits' will be regarded as development within the countryside. Such development will therefore not be approved unless allowed by other policies.
- 17 Policy 35 - The design and layout of development should consider energy conservation and efficient use of energy, reflect the scale and character of adjacent buildings, provide adequate open space and have no serious adverse effect on the amenity of neighbouring residents or occupiers.
- 18 Policy 36 - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
- 20 Policy 66 - Developers will be required to make adequate provision for children's play space and outdoor recreation in relation to housing development of 10 or more dwellings. Provision may be secured elsewhere if it is inappropriate to make provision at the development site.
- 21 Policy 67 - Housing development will be approved on previously developed land within settlement boundaries of established towns or villages provided the proposal is of appropriate scale and character and does not conflict with other policies in the plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=7534>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

- 22 Parish Council- raise a number of issues in respect of the development stating concerns for the narrow width of the access road, it is vital that the site has adequate car parking to cope with the development, how the site will be enclosed and they would like re-assurances that the Cemetery Road will not be used for construction purposes.
- 23 Northumbrian Water- No response was received.
- 24 Environment Agency- No response was received.
- 25 Police Architectural Liaison Officer- raises no objections

INTERNAL CONSULTEE RESPONSES:

- 26 Environmental Health section- states that the hours of construction should be limited to avoid any impact upon residential amenity.
- 27 Low Carbon Officer- states that the development should aim to achieve 10% of its energy from a renewable source.
- 28 Planning Policy- No response was received.
- 29 Ecology Unit- No response was received.
- 30 Highways Section- raises no objections subject to the imposition of an appropriate condition relating to road widening at the site.

PUBLIC RESPONSES:

- 31 The proposal was advertised by means of a site and press notice. A further 34 letters of notification were sent to neighbouring properties within the area. Two letters of objection have been received stating concern for increased traffic and issues with car parking at the site and the neighbouring Glenholme Terrace residents.

APPLICANTS STATEMENT:

- 32 We wish the above proposal to be looked at favourably for approval.
- 33 The previous brownfield site, last used and occupied by the workingmen's club will be used to build new terrace format housing with associated parking and amenity space. The scheme will maximize the site area and the designs reflect the existing domestic vernacular styles.

The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://planning.easington.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=116067>

PLANNING CONSIDERATION AND ASSESSMENT

34 The main considerations in the determination of the planning application are:-

- Principle of development
- Design and layout
- Highways issues
- Provision of outdoor play space/sports facilities
- Consultation responses

Principle of development

35 In terms of the principle of the development the site is located within the settlement boundary for the village of Blackhall and is classified as a previously developed site and is Brownfield. Blackhall is a large village with a range of facilities and as such development of this nature would be considered to be as within a sustainable location and would be supported in terms of national, regional and local planning policy, in particular Planning Policy Statement 3, Housing and Policies 3 and 67 of the local plan.

Design and Layout

36 It is considered that the design of houses is of good standard, materials should be controlled through a planning condition to ensure appropriate colour and quality.

37 All distancing standards from the District of Easington Local Plan have been met which will ensure that there are no significant impacts on surrounding residents in terms of loss of light, loss of privacy or overshadowing. In all cases a minimum of 21 metres separates facing main elevations. As part of the amendments submitted by the applicant the garden lengths have been increased to a distance that is now considered acceptable. They are however slightly short on the normal standard and as such permitted development rights should be removed in order for the Authority to assess future proposals and ensure that a suitable level of outdoor amenity space is retained.

38 With regard to means of enclosure, a suitable, high quality scheme should be secured through a planning condition. This scheme should incorporate an appropriate boundary to the east of properties along Cemetery Road, which would mitigate the concerns expressed by the Parish Council. The applicant will also be advised to incorporate renewable and sustainable energy sources into the scheme.

Highways issues

39 The applicant has submitted amended plans, which have satisfied the Highways Authority in terms of parking provision and access. The development would involve the creation of new pedestrian footpaths and the widening and improvement of the road surface along the rear of Glenholme Terrace, which is currently very narrow in terms of access and due to on-road car parking. The Highways Authority is satisfied that there would be no significant problems caused by an increase in traffic. It is considered that through the imposition of an appropriate condition relating to the provision of road widening works prior to the commencement of development and site visibility splays this would allay the concerns raised by the neighbouring properties and the Parish Council. In addition, the site is well served by bus services

(and is a brownfield site) and as such the site is considered a sustainable location for residential development.

Provision of outdoor play space/sports facilities

40 Policy 66 of the Local Plan requires developers to provide outdoor play space in new housing development. Where this cannot be achieved the developer is required to provide a financial contribution towards these facilities offsite. Accordingly, the applicant has agreed to enter into a Section 106 agreement to secure a financial contribution towards offsite facilities and the development is therefore in accordance with Policy 66 of the Local Plan.

Consultation responses

41 It is considered that some disturbance during construction cannot be avoided, however the hours of construction should be restricted on site to minimise disturbance, this should be secured through a planning condition. Amended plans have recently been received from the applicant which largely addresses the other main concerns and objections that have been raised, these are addressed above

CONCLUSION

42 It is considered that the principle of residential development on this site is acceptable; it is a brownfield site within the settlement boundary. In addition it is considered that the design and layout are acceptable and the development would not have any adverse impacts on surrounding residents or the street scene. There are no highways objections, and all remaining concerns can be overcome by planning conditions. Overall, it is considered that the proposal is acceptable in planning terms and would contribute toward the ongoing regeneration of Blackhall and the county as a whole.

RECOMMENDATION

43 That the application be **APPROVED** subject to a suitable Section 106 agreement securing a financial payment in lieu of on site open space provision and subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; No. Location Plan, Design and Access statement both received 8th November 2011, Phase 1 Desk Study Investigation dated 14th December 2011, Drawing Number 1120/L102B, Drawing No. 1120/L103B both received 27 January 2012 and Drawing No. 1120/L101D received 20 February 2012.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policies 1 & 35 of the District of Easington Local Plan.

3. The development hereby permitted shall not be commenced until:
- a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment . Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority if identified as being required following the completion of the desk-top study.
 - b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority.
 - c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority.
 - d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.
 - e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed with the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Planning Policy Statement 23 - Planning and Pollution Control.

4. Site works (including deliveries and operation of temporary site generators) shall only be carried out during the following hours: Monday - Friday 08:00 to 18:00 hours and Saturday 09:00 to 14:00 hours.

Reason: In the interests of the residential amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

5. No development shall commence until a scheme for the widening of the existing carriageway to the rear of No's 1-12, Glenholme Terrace, has been submitted to and approved in writing by the Local Planning Authority. None of the dwellings comprised in the development shall be occupied until the widening of the existing carriageway to the rear of No's 1-12, Glenholme Terrace, has been completed in accordance with the approved scheme.

Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.

6. Notwithstanding the information contained in the submitted application, prior to the occupation of the first dwelling hereby approved the proposed car parking area and vehicular access from the site onto the rear of Glenholme Terrace shall be created and minimum 2.4 metres x 25 metres junction visibility splays in both directions shall be provided as shown on Highways Section response dated 8 February 2012. Thereafter the visibility splays and car parking shall be maintained in perpetuity.
Reason: In the interests of highway safety and to comply with saved policy 36 of the District of Easington Local Plan.
7. Notwithstanding any information submitted, development shall not commence until a scheme demonstrating how CO2 reduction and energy efficiency measures will be incorporated into the approved development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented and retained in accordance with the approved scheme thereafter.
Reason: In order to minimise energy consumption and to comply with the aims of the Regional Spatial Strategy North East Policy 38 and Planning Policy Statements 1 and 3.
8. Notwithstanding any details of materials submitted with the application no development shall commence until samples of the external walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.
Reason: In the interests of the appearance of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
9. Prior to the commencement of the development details of means of enclosure shall be submitted to and approved in writing by the Local planning authority. The enclosures shall be constructed in accordance with the approved details prior to the occupation of the dwelling to which they relate.
Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that Order, no extensions shall be constructed at any time to the dwelling house(s) without the grant of further specific planning permission from the Local planning authority.
Reason: In order that the Local planning authority may exercise further control in this locality in the interests of visual and residential amenity in accordance with saved policies 1 and 35 of the District of Easington Local Plan.
11. No development shall commence until a detailed landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats. The landscape scheme shall include accurate plan based details of the following: Trees, hedges and shrubs scheduled for retention. Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers. Details of planting procedures or specification. Finished topsoil levels and depths. Details of temporary topsoil and subsoil storage provision. Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage. The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

The local planning authority shall be notified in advance of the start on site date and the completion date of all external works. Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

12. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development. No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats. Any approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements will be subject to the same conditions.

Reason: In the interests of the visual amenity of the area and to comply with saved policies 1 and 35 of the District of Easington Local Plan.

REASONS FOR THE RECOMMENDATION

1. The development was considered acceptable having regard to the following development plan policies:

DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
DISTRICT OF EASINGTON LOCAL PLAN
PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE
PLANNING POLICY STATEMENT/GUIDANCE
REGIONAL SPATIAL STRATEGY
REGIONAL SPATIAL STRATEGY
REGIONAL SPATIAL STRATEGY

ENV03 - Protection of the Countryside
ENV35 - Environmental Design: Impact of Development
ENV36 - Design for Access and the Means of Travel
GEN01 - General Principles of Development
HOU66- Provision of open and playspace.
HOU67 - Windfall housing sites
PPS1 - Delivering Sustainable Development
PPS23 - Planning and Pollution Control
PPS3 - Housing
Policy 2 - (Sustainable Development)
Policy 24 - (Delivering Sustainable Communities)
Policy 3 - (Climate Change)

2. In particular the development was considered acceptable having regard to consideration of issues of highway safety and visual and residential amenity
3. The stated grounds of objection concerning highway safety, traffic generation and car parking were not considered sufficient to lead to reasons to refuse the application because of the imposition of appropriate planning conditions and through the submission of amended plans through the application process.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008
- District of Easington Local Plan 2001
- Planning Policy Statements / Guidance, PPS1, PPG2, PPS3, PPS7, PPS9, PPS13, PPG15, PPG16
- Consultation Responses



Planning Services

Proposed ERECTION OF 11 NO DWELLINGS AND ASSOCIATED WORKS at BLACKHALL WORKING MENS CLUB CEMETERY ROAD, BLACKHALL TS27 4JG PL/5/2011/0421

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Comments

Date 28 February 2012

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COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	4/11/00823/FPA
FULL APPLICATION DESCRIPTION:	Erection of 29 no. dwellinghouses, formation of access and associated works
NAME OF APPLICANT:	Gleeson Homes and Regeneration
ADDRESS:	Former Ushaw Moor County Infants School, Temperance Terrace, Ushaw Moor, Durham, DH7 7PQ
ELECTORAL DIVISION:	Deerness Valley
CASE OFFICER:	Henry Jones Senior Planning Officer 03000 263960 henry.jones@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site comprises of the former curtilage of the Ushaw Moor County Infants School, located off Temperance Terrace and Cockhouse Lane, Ushaw Moor.
2. The school buildings have been demolished and the site is now predominantly a large expanse of hardstanding with some areas of unkempt grass and a small number of immature trees. The site is bounded by enclosures on all sides comprising of a mixture of walling, railings and fencing. There is an existing vehicular access at the eastern side of the site via a back lane to the rear of South View. The site is not level with a significant slope falling from the north towards the south.
3. The site is located within the settlement boundary of Ushaw Moor towards the western end of the village. Terraced properties are located to the north, east and west of the site with the St Lukes Church building also adjacent to the west. To the south lies Cockhouse Lane and beyond open countryside and fine views are available from the application site towards the south over the Deerness Valley. The village centre, which is a designated local centre within the Local Plan is within close proximity just over 200 metres to the east.

The Proposal

4. This application seeks planning permission for the erection of 29 no. dwellinghouses. A mix of five house types are proposed comprising of a mix of 2, 3 and 4 bed properties and a mix of semi-detached, terraced and detached properties.
5. The proposed access to the site is via the road to the west and the internal road would run through the middle of the site terminating in the east with no access through to the rear of South View. Properties would be arranged to the north and south of this internal road with those to the south comprising of groups of terraced properties and those to the north semi-detached and detached properties. Parking would be provided for each property through a mixture of garaging and dedicated spaces. The properties to the south of the internal access road are orientated to face onto Cockhouse Lane, those to the north face the access road itself.
6. This application is being presented to Committee as it constitutes a major development proposal.

PLANNING HISTORY

7. The application site comprises of a currently vacant parcel of land which formerly comprised of the Ushaw Moor County Infants School. Since demolition of the school this application is the first formal application seeking to redevelopment the site.
8. Previous planning history relates only to minor developments when the site was utilised as a school including the provision of new enclosures and demountable classroom units none of which is of significant relevance to this proposal.

PLANNING POLICY

NATIONAL POLICY

9. In July 2011 The Government published the National Planning Policy Framework in its draft form. The draft framework is based on the policy of sustainable development and establishes a presumption in favour of sustainable development. The presumption means that where local plans are not up-to-date, or not a clear basis for decisions, development should be allowed. However, the development should not be allowed if it would undermine the key principles for sustainability in the Framework. Being in draft format and a consultation document it is subject to potential amendment. It can be considered a material consideration, although the weight to be attributed to it will be a matter for the decision maker in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.
10. *Planning Policy Statement 1 (PPS1): Delivering Sustainable Development* sets out the Governments overarching planning policies on the delivery of sustainable development through the planning System.
11. *Planning Policy Statement 3 (PPS3): Housing* underpins the delivery of the Government's strategic housing policy objectives and the goal to ensure that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.
12. *Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation*, sets out planning policies on protection of biodiversity and geological conservation through the

planning system. These policies complement, but do not replace or override, other national planning policies and should be read in conjunction with other relevant statements of national planning policy.

13. *Planning Policy Guidance Note 13 (PPG13): Transport* - seeks to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight. It also aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and to reduce the need to travel, especially by car.
14. To deliver these objectives, the guidance says that local planning authorities should actively manage the pattern of urban growth, locate facilities to improve accessibility on foot and cycle, accommodate housing principally within urban areas and recognise that provision for movement by walking, cycling and public transport are important but may be less achievable in some rural areas.
15. *Planning Policy Statement 23 (PPS23): Planning and Pollution Control* - sets out the planning approach to pollution control, the location of polluting development and where possible ensure new development is not affected by pollution.
16. *Planning Policy Statement 25 (PPS25): Development and Flood Risk* explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.
17. Flood risk should be considered on a catchment-wide basis and where necessary across administrative boundaries, assuming the use of flood plains for their natural purpose rather than for inappropriate development.
18. The PPS says that susceptibility of land to flooding is a material planning consideration that the Environment Agency has the lead role in providing advice on flood issues and that developers should fund flood defences, where they are required because of the development.

REGIONAL PLANNING POLICY

19. *The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008*, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.
20. In July 2010 the Local Government Secretary signaled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies by making Orders under Section 109 of the Localism Act 2011. Both the RSS and the stated intention to abolish are material planning considerations and it is a matter for each Planning Authority to decide how much weight can be attached to this stated intention, having regard to the evidence base which informs the RSS. Policies of particular relevance to this application are as follows:

21. *Policy 2 - Sustainable Development* planning proposals should seek to promote sustainable development through social, economic and environmental objectives.
22. *Policy 4 - The Sequential Approach to Development* establishes that priority should be given to previously developed land within sustainable locations.
23. *Policy 7 - Connectivity and Accessibility* which requires new development proposals to reduce travel demands, and promote opportunities to use public transport, cycle and walk.
24. *Policy 8 - Protecting and Enhancing the Environment* which requires new development to be of high quality and maintain local distinctiveness.
25. *Policy 24 - Delivering Sustainable Communities* states that planning proposals should seek through design to promote social cohesion, reduce inequalities as well as meeting sustainable development objectives.
26. *Policy 28 - Gross and Net Dwelling Provision* - Advises that Local Development Frameworks should make provision for average annual level of total dwelling construction in the period 2004-2021.
27. *Policy 29 - Delivering and Managing Housing Supply* - Advises that Local Development Frameworks and/or planning proposals shall deliver and manage housing supply
28. *Policy 30 - Improving Inclusivity and Affordability* sets out that developments should provide a range of housing types and sizes responding to the needs of all members of the community as well as addressing affordability issues.
29. *Policy 35 - Flood Risk* promotes a proactive approach to reducing flood risk and advises that risk should be managed with regards to tidal effects, fluvial flooding and flooding from surface water runoff. The requirements of PPS25 with regards to the sequential approach and submission of flood risk assessments.
30. *Policy 38 - Sustainable Construction* seeks to promote development which minimises energy consumption and promotes energy efficiency. On major development proposals 10% of their energy supply should come from decentralised and renewable or low-carbon sources.

LOCAL PLAN POLICY: (City of Durham Local Plan 2004)

31. *Policy E14 - Trees and Hedgerows* sets out the Council's requirements for considering proposals which would affect trees and hedgerows. Development proposals will be required to retain areas of woodland, important groups of trees, copses and individual trees and hedgerows wherever possible and to replace trees and hedgerows of value which are lost. Full tree surveys are required to accompany applications when development may affect trees inside or outside the application site.
32. *Policy E16 - Protection and Promotion of Nature Conservation* is aimed at protecting and enhancing the nature conservation assets of the district. Development proposals outside specifically protected sites will be required to identify any significant nature conservation interests that may exist on or adjacent to the site by submitting surveys of wildlife habitats, protected species and features of ecological, geological and geomorphological interest. Unacceptable harm to nature conservation interests will be

avoided, and mitigation measures to minimise adverse impacts upon nature conservation interests should be identified.

33. Policy H3 - *New Housing Development within the Villages* allows for windfall development of previously developed sites within the settlement boundaries of a number of specified former coalfield villages across the District, provided that the scheme is appropriate in scale, design location and number of units. Exceptionally, the limited development of small greenfield sites will be permitted in the coalfield villages most in need of regeneration provided.
34. Policy H12 - *Affordable Housing* seeks the provision of an element of affordable housing on schemes where over 25 units are provided or where the site area would exceed 1.0ha. The associated Cabinet approved (December 2006) Supplementary Planning Document advises that 30% of all dwellings on a site providing over 25 dwellings should be provided as affordable units in perpetuity. Affordable Housing is defined in PPS3 as being housing which includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should meet the needs of eligible households including availability at low cost and should include provision for the homes to remain affordable in perpetuity.
35. *Policy H12A – Type and Size of Housing* – states that the type and size of dwellings will be monitored with where appropriate negotiation with developers to provide the right housing types and sizes to ensure balance.
36. *Policy H13 - Residential Areas – Impact upon Character and Amenity* states that planning permission will not be granted for new development or changes of use which have a significant adverse effect on the character or appearance of residential areas, or the amenities of residents within them.
37. *Policy T1 - Traffic – General* states that the Council will not grant planning permission for development that would generate traffic likely to be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property.
38. *Policy T10 - Parking – General Provision* states that vehicle parking should be limited in amount, so as to promote sustainable transport choices and reduce the land-take of development.
39. *Policy R2 - Provision of Open Space – New Residential Development* states that in new residential development of 10 or more units, open space will be required to be provided within or adjacent to the development in accordance with the Council's standards. Where there is an identified deficiency and it is considered appropriate, the Council will seek to enter into a planning agreement with developers to facilitate the provision of new or improved equipped play areas and recreational/leisure facilities to serve the development in accordance with Policy Q8.
40. *Policy Q3 - External Parking Areas* requires all external parking areas to be adequately landscaped, surfaced, demarcated, lit and signed. Large surface car parks should be subdivided into small units. Large exposed area of surface, street and rooftop parking are not considered appropriate.
41. *Policy Q5 - Landscaping General Provision* sets out that any development which has an impact on the visual amenity of an area will be required to incorporate a high standard of landscaping.
42. *Policy Q8 - Layout and Design Residential Development* sets out the Council's standards for the layout of new residential development. Amongst other things, new dwellings must be appropriate in scale, form, density and materials to the character of

their surroundings. The impact on the occupants of existing nearby properties should be minimised.

43. *Policy Q15 - Art in Design* states that the Council will encourage the provision of artistic elements in the design and layout of proposed developments. Due regard will be made in determining applications to the contribution they make to the appearance of the proposal and the amenities of the area
44. *Policy U5 - Pollution Prevention* seeks to control development that will result in an unacceptable impact upon the quality of the local environment.
45. *Policy U8a - Disposal of Foul and Surface Water* requires developments to provide satisfactory arrangements for disposing of foul and surface water discharge. Where satisfactory arrangements are not available, then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.
46. *Policy U11 - Development on Contaminated Land* sets out the criteria against which schemes for the redevelopment of sites which are known or suspected to be contaminated. Before development takes place it is important that the nature and extent of contamination should be fully understood.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at:

<http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=494>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

47. The *Highway Authority* initially raised some concerns with regards to the layout of the development, disjointed arrangement of parking spaces and gradients on site. However, these objections were removed following the receipt of an amended layout.
48. *Northumbrian Water* have commented on the application and require a scheme to be agreed to divert a public sewer that lies beneath the site. A condition is also advised for attachment on any approval to agree the disposal of surface water from the site.
49. *Brandon and Byshottles Parish Council* fully support the proposal considering that it will contribute to the regeneration of Ushaw Moor.

INTERNAL CONSULTEE RESPONSES:

50. *Design and Conservation* have commented on the application and broadly consider the development to accord with the advice of a development brief formulated for the site. It would be considered an improvement if the rear building line of the development followed that of the adjacent terraces and some concern is raised at the number of and design of house types.
51. *The Senior Ecologist* has raised no objections to the application though advises that the mitigation measures within the submitted ecological report are conditioned on any approval.
52. *Environmental Health* have raised no objections but recommendations are made with regards to limiting working hours on site, dust suppression, reducing noise and vibration during the construction and prevention of burning materials on site.

53. *The Senior Low Carbon Officer* has stated that the standard 10% energy reduction condition applies to the site and should be met.

PUBLIC RESPONSES:

54. Two letters of representation have been received in response to the Council's public consultation exercise.
55. Objection is raised to the impact of the development upon terraced property opposite with a loss of view, light and devaluing of property. The development would lead to the reduction in the amount of land on which children can play. Concern is raised on the grounds of highway safety and parking provision and whether existing utilities and refuse services can cope with the additional homes. It is considered that the properties will end up being privately rented and not owner occupied.

APPLICANTS STATEMENT:

56. The application has been accompanied by a planning statement, design and access statement, statement of community involvement and affordable housing statement in support of the proposal. The applicant considers that the site is located within a sustainable location would good access to services, facilities and local schools. The proposed development would make use of previously developed land. The site contains no significant ecological or landscape features of merit.
57. The development is considered to be sympathetic to its surroundings with the layout retaining the strong building line evident on Cockhouse Lane. All proposed properties are two storey to respect the neighbouring residential properties. The development comprises largely of 2 and 3 bed homes seeking to provide home ownership opportunities for families on relatively low incomes.
58. The applicant has submitted details of community consultation on the proposed development, public response levels were considered to be low but of those responses the majority were in favour of the development.
59. Financial contributions by way of a S106 are proposed with regards to open space and public art.

*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at:
<http://217.23.233.227/WAM/showCaseFile.do?action=show&appType=planning&appNumber=11/00823/FPA>*

PLANNING CONSIDERATIONS AND ASSESSMENT

60. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, the impact upon the character and appearance of the area, the provision of affordable homes, impact upon the amenity of nearby occupiers and impact upon highway safety.

Principle of the Development

61. This application site comprises of the former Ushaw Moor County Infants School which has previously been demolished. The site has started to be taken over by long grass but much of the site is covered by hard surfaces. The site is enclosed by walling, fencing and railings. The site is considered to constitute previously developed land. The application site is also located within the settlement boundary of Ushaw Moor. Ushaw Moor has a designated local centre and contains amenities within easy walking distance of the application site including a newsagents, convenience stores and public houses.
62. Policy H3 of the Local Plan accepts the principle of residential development on previously developed land within settlements such as Ushaw Moor. National and regional guidance contained within PPS3 and the RSS also have a preference for the development of previously developed land located within sustainable locations. The draft National Planning Policy Framework establishes a presumption in favour of sustainable development, which this development is considered to comprise.
63. The principle of residential development is therefore considered to wholly accord with local, regional and national planning policy guidance with the site suitable for residential development. As a result, officers do not object to the proposal in principle.

Impact upon Visual Amenity and the Character and Appearance of the Area

64. A key consideration in the determination of this application is the suitability of the design, scale and massing of the proposal and in turn its impact upon the character and appearance of the area.
65. PPS1 and PPS3 promote high quality design and development that is sympathetic to its surroundings. This approach is replicated in policy 8 of the RSS which requires that all developments are sympathetic to their surroundings.
66. Policies H3, H13, Q8 of the Local Plan also identify that development will not be considered acceptable where it would have an adverse effect on the character of the surrounding area whilst policy E14 seeks to retain trees and hedges of value where possible and replace those which are lost to development.
67. The local area is predominantly residential and largely comprises of traditional terraced properties laid out with strong established building lines. Recently built residential estates and properties are located in the area however, including at St Lukes Mews just to the west of the application site.
68. The proposed development has had revisions made to the layout during the course of the application with adjustments to the house types proposed and an overall increase in the number of dwellings from an initially proposed 26 to 29 no. dwellings. The development proposes semi-detached dwellings and terraced properties fronting on Cockhouse Lane which maintains the strong building line adjacent to the main road. Access would be gained from the side street to the west which has the benefit of retaining that expanse of uninterrupted dwellings fronting on Cockhouse Lane sympathetic to the street and terraced character of the area.
69. A mixture of house types are proposed, a matter that Design and Conservation have some concerns with in terms of the degree of variation and suitability of house types to the area given the terraced and quite uniform nature of the local area. This must be

balanced with providing a mix and variety of housing types for proposed occupiers an aim of Policy H12A of the Local Plan.

70. All properties are two storey which compliments the local area. The appearances of the proposed properties have resemblances to other recent residential properties in Ushaw Moor such as St Lukes Mews and those to the south of Broom Lane. The proposed housetypes exhibit simple and traditional design utilising pitched roofs, symmetry to fenestration and use of cills. Officers consider that the proposed dwellings would suitably assimilate into the area.
71. The application site contains no landscape features of significance and no trees of maturity or value would be lost to the development. A couple of young silver birch, a young rowan tree and shrubs would be lost to the development however, these could be more than compensated for within the landscape plan for the redevelopment of the site.
72. The front boundary of the site comprises of an original Victorian wall with railings atop and the proposed development seeks to retain this which would add quality and maturity to the site as well provide an indication to the past school use of the site.
73. Overall the proposed scale and design of the development is considered to be appropriate in the area and the development is considered to accord with Policies E14, H3, H13, Q5 and Q8 of the Local Plan in this regard.

Impact upon Residential Amenity

74. Policies H3, Q8 and H13 of the Local Plan seek to ensure that the amenities of neighbouring residents and land users are preserved through new developments.
75. Policy Q8 of the Local Plan provides advice on the layout of residential development and provides separation distance guidance seeking to ensure that the residential amenity of all occupiers is retained within a development. This guidance states that from a window to a single storey gable 6m separation should be maintained and to a two storey gable 13m should be maintained. This is to ensure that adequate outlook is retained for occupiers and that one development is not too overbearing upon another. In terms of privacy Policy Q8 advises that 21m should remain between the main facing windows.
76. Within the application site itself officers consider that each property is provided with adequate privacy and amenity. Distances between properties are considered to accord with the guidance contained within Policy Q8 of the Local Plan.
77. Some representations from residents residing in the terraces to the north of the application site have raised objections on the grounds of impact upon residential amenity, namely loss of light. It must be considered that with the present site being vacant, properties directly to the north have an open aspect towards the south and any redevelopment of the site will have some impact upon this.
78. The application site slopes significantly from north towards the south. As a result the proposed dwellings will be set on much lower ground than the terraced properties which flank to the north. Indeed the highest points of the proposed properties nearest to those on Temperance Terrace will finish at the approximately the same level as the eaves of the existing adjacent properties. Officers consider that the change in levels will help to reduce the impact upon both loss of light and outlook for the properties on Temperance Terrace. It must also be considered that Policy Q8 of the Local Plan recommends that

13m should remain from a window to a two storey gable to allow for adequate amenity and prevent development from being too close and too overbearing. The separation distances between properties on Temperance Terrace to the north and the proposed dwellings vary between 17.5m and 18.5m. Coupled with the beneficial impact of the change in levels officers consider that the proposed development will not result in harmful levels of reduction in light or outlook for occupiers in Temperance Terrace.

79. With regards to privacy, separation distances from the rear of the northernmost proposed properties and those on Temperance Terrace do fall short of the 21m recommended with Policy Q8 of the Local Plan with distances varying between 17.5m and 18.5m. It must be taken into consideration that the local area is one of a predominantly terraced character with existing properties generally being quite densely arranged and closely positioned from one another. For instance properties on Temperance Terrace and those properties at the Waltons Buildings and Cooks Cottages are located between 10m and 14m apart, which is significantly less separation than the proposed plans would provide between the new dwellings and Temperance Terrace. The levels of privacy residents would have is therefore greater than other properties in the immediate area. It must also be noted that in response to the Council's consultation exercise no objections have been raised with regards to matters of privacy.
80. Officers consider that the separation distances between properties being slightly below that which Policy Q8 advises must be balanced against the more intimate terraced arrangement of properties in the immediate area and indeed more widely the benefits of the vacant site being reused which this development proposes. Officers are satisfied that the impact of the proposed development upon the residents to the north of the application site would be acceptable.
81. The end terrace No. 1 Waltons Buildings flanks the application site to the west and this property has a single window in the gable though this is not understood to be to a main habitable room but to a kitchen. This window would in part flank the side elevation of the plot 19 dwelling but this is a gable end some 12 metres away and this raises no significant residential amenity concerns. The gable end of the proposed plot 1 dwelling flanks No. 32 South View but this property contains only a flanking window to a landing rather than a main habitable room and this again eases concerns over impacts upon amenity.
82. A more awkward relationship with No. 1 Cooks Cottages and the plot 29 dwelling exists. The building line of the proposed northernmost dwellings is such that the rear building lines do project beyond the adjacent terraces commencing with No. 1 Cooks Cottages. Although the gable end of the existing terrace is blank a kitchen offshoot containing windows does flank the plot 29 site and the rear elevation of the terrace contains windows understood to be to a lounge and a bedroom. The proposed layout of the development has altered since first submission including the plot 29 dwelling house type changing from the 401 type to 400 which is a slightly smaller property. The proposed plot 29 dwelling is set in from the shared boundary with the adjacent terrace by approximately 2.5. The proposed property is also orientated so that the roof slopes away from the adjacent terrace to the ridge. Despite the projection beyond the building line of the adjacent terrace the aforementioned aspects of the layout and house type do mitigate impact. Furthermore it must be considered that prior to demolition works on site the former school building, a building of significant scale was sited adjacent to South View similarly projecting well beyond the rear building of those properties. No objections have been received from the occupiers of the property No. 1 South View and officers consider that the relationships created by the development would remain acceptable.
83. Letters of representation which have been received in response to the consultation exercise raise some objection on the grounds of a loss of a view, the devaluing of

property values and difficulty in selling property. The loss of a private view from property and impacts of a development upon the value of property are not material planning considerations to be attributed weight in a planning decision.

84. On balance officers consider that the impacts of the development upon residential amenity both of the prospective occupiers and existing nearby occupiers would be acceptable. In some instances the proximity of the proposed dwellings to neighbouring residential property does not quite accord with the guidance within Policy Q8 of the Local Plan namely the window to window distances between the site and Temperance Terrace whilst the plot 29 dwelling does project significantly beyond the rear elevation of the adjacent terrace No. 1 Cooks Cottages. However, the generally intimate relationships in the local area must be taken into account, some consideration can also be attributed to the impact of the former school which was sited on the land previously and the overall benefits of redeveloping the vacant site should also be considered. Officers do consider it appropriate for permitted development rights for extensions to be removed from the proposed properties so that the Local Planning Authority retains control of future additions to the properties.

Highways Issues

85. Policy T1 of the Local Plan seeks to ensure that new developments are not harmful to highway safety whilst Policy T10 seeks to limit parking provision to encourage alternative modes and transport and reduce the land take of development.
86. The Highway Authority raised initial concern at the originally submitted layout on the grounds of the disjointed arrangement of parking spaces and the gradients proposed on site. The architect has submitted revisions to the layout together with further details on the gradients and levels on site. The objections of the Highway Authority have since been withdrawn. One letter of objection raises concerns with regards to highway safety and the junction with Cockhouse Lane. Since the receipt of this letter, the layout has been revised and access would now be taken from the side street to west which has far slower vehicle speeds and numbers.
87. Parking provision within the site is considered acceptable noting that Policy T10 of the Local Plan seeks to limit parking provision in new development so as to promote sustainable transport choices. The site is within close proximity to bus stops.
88. As a result officers do not raise objection to the proposal on the grounds of harm to highway safety in accordance with Policies T1 and T10 of the Local Plan.

Affordable Housing

89. The provision of affordable housing where a need has been identified is encouraged through PPS3 and Policy 30 of the RSS requires a range of dwelling types and sizes, including affordable housing and alternative forms of tenure, to meet the needs of all sectors of the community. The County Durham Strategic Housing Market Assessment (SHMA) report was completed in 2008 and supplies the evidence base for 30% affordable housing across the former Durham City area, while PPS3 (Para 29) makes plain the importance of the SHMA in setting targets. Where a developer puts forward an offer of less than 30%, a financial appraisal of the scheme must be undertaken to ensure that the maximum amount of affordable housing is achieved whilst ensuring the scheme remains viable.

90. The application was initially submitted with no affordable housing proposed for the site. The developer considering that the provision of affordable housing would render the development unviable for development. It was proposed that 10% of housing would utilise the Governments "First Buy" scheme a nationally available product which allows eligible first time buyers to purchase homes with the advantage of an equity loan. However, this product is not a PPS3 compliant form of affordable housing recognised by planning.
91. The Councils Estates Team in consultation with planning officers have undertaken both an analysis of the development appraisal provided by the applicant and also undertaken their own development appraisal. The outcome of this appraisal is that it is considered that the provision of 30% affordable housing on the site would indeed render the development unviable. However, it is considered that an off-site contribution of affordable housing the equivalent of 10% of total on site units (3 no. dwellings) could be achieved and still make the site viable to bring forward for development.
92. In liaison with colleagues from housing and assets a sum of £79,976 has been identified as an offsite contribution towards affordable housing equivalent to three units or 10%.
93. The financial contribution towards affordable housing of £79,976 would be ring-fenced from the land sale and transferred to the existing Section 106 account the exact time of transfer to be agreed by Head of Planning and Assets. This sum would then be controlled by the Section 106 working group who would ensure that the monies are used for off site affordable housing within the same electoral division.
94. In conclusion following thorough viability testing the development will provide 10% affordable housing offsite which can then be allocated within the electoral division satisfying the Policy requirements of H12 of the Local Plan and the Strategic Housing Market Assessment.

Impact upon Protected Species

95. When determining planning applications where protected species have been identified, local planning authorities must demonstrate that the decision has been made in the correct manner, particularly that the species has been identified as a protected species and that the LPA has discharged its duty to have regard to the Conservation of Habitats and Species Regulations 2010 which transpose the requirements of the European Habitats Directive into UK law, and any other relevant legislation such as the Wildlife and Countryside Act. Where there is likely to be a disturbance to protected species, caselaw has established that local planning authorities must consider whether the Applicant might obtain a relevant licence from Natural England. This requires an examination of the derogation provisions which also form the basis of the licensing regime. However, the Planning Authority must not usurp the functions of the Licensing body in this regard. It is for Natural England to decide licensing applications, the planning authority must only be satisfied that there is a possibility of a required licence being obtained
96. The application has been accompanied by an ecology report comprising of an extended phase 1 habitat survey and protected species surveys. The submitted report concluded that the site is of little ecological value and the surveys found no evidence of the presence of protected species. It is not considered that the proposed development would cause harm to any protected species, and therefore as there is unlikely to be a need for a licence, it is not necessary to consider the chances of such a licence being granted.

97. The Council's ecologist has commented on the application and no objections have been raised though the mitigation measures suggested within the submitted report are recommended to be conditioned on any approval. These mitigation measures relate to the timing of the removal of trees and shrubs to avoid the bird breeding season and the inclusion of berry bearing species in the landscaping plan. Such a condition can be attached to any approval.
98. No objections are therefore raised to the development with regards to the impact upon protected species in accordance with Policy E16 of the Local Plan, Policy 33 of the RSS and PPS9.

Other Issues

99. Some public objection to the application considers that the development would result in the loss of an area of play space for children. However, the application site is not a parcel of open space either formally or informally laid out which is suitable for play. Though it is possible that children and young people enter the site, the site is essentially an unkempt and semi derelict parcel of land which is not suitable for any recreational activity.
100. Furthermore in accordance with the provisions of Policy R2 of the Local Plan the application has also been accompanied by a S106 agreement proposing a financial contribution towards the improvement of play and recreational facilities in the area.
101. Some public objection raise concerns as to whether refuse services and utilities can cope with the additional homes. Northumbrian Water have submitted comments on the application and no objections are raised in principle. A public sewer is located under part of the application site and agreement would need to be reached on this being relocated which can be ensured by way of a condition. The submitted plans already indicate a proposed easement with regards to this. Details of foul and surface water disposal can be conditioned in accordance with Policy U8a of the Local Plan. With regards to refuse collection, officers do not consider that the provision of 29 additional homes would hinder refuse collection within this part of Ushaw Moor.
102. One public respondent considers that the proposed homes will not become owner occupied but privately rented. The supporting documents to the planning application suggest that the proposed dwellings would be marketed at owner occupiers, likely smaller families and those on modest incomes. Ultimately, whether the properties are owner occupied or privately rented is subject to market forces.
103. PPS23 relates to pollution control in planning and Local Plan Policy U11 relates to contaminated land on development sites. The application has been accompanied by a desk top geo-environmental assessment and this concludes that the overall risk of land contamination is low with no potentially contaminating historical uses of the site. No comments have been received from Environmental Health with regards to the specific content of the report, however. It is considered appropriate that on any approval a condition be attached requiring a detailed scheme of investigation into whether contaminants are present on site and measures to mitigate such potential site contaminants.
104. Environmental health do consider that there is the potential for noise disturbance during works and it is recommended that a condition restricting working hours is attached to any permission. Environmental Health also consider that the working methods and use of plant and machinery should be in accordance with BS5228 Noise and Vibration Control on Construction and Open Sites. It is also recommended that a condition be attached requiring the submission of a dust assessment and controlling methods. All

waste material must be disposed of in the correct and proper manner and the burning of any materials on site shall be prohibited.

105. Officers consider that a condition should be attached to any approval limiting the hours at which works can occur. The application has been supported by a construction and site management plan which also looks to address matters of dust suppression and noise from the development. With this in mind and the controls Environmental Health have under their legislation and remit it is not considered necessary to add further conditions with regards to such matters on any approval.
106. The application has been supported by a sustainability statement and the Councils senior low carbon officer considers that 10% on site energy reduction may be achieved on site though the submitted statement does not fully demonstrate this or expand on renewable energy options. Policy 38 of the RSS seeks to ensure that all major development proposals a 10% energy efficiency reduction is achieved. The Local Planning Authority has a standard condition which can be attached to any approval to ensure that such a scheme is devised and this condition is recommended for attachment on any approval.
107. Policy Q15 of the Local Plan seeks the provision of artistic elements in design and public art features. The Council supports the principle of “percent for art” encouraging developers to allow a pre-agreed proportion of the capital cost of development to commission art works. The applicants have submitted a section 106 agreement which includes a financial contribution being made towards public art.

CONCLUSION

108. This proposal seeks to provide residential development on previously developed land within an existing settlement close to services and facilities. The proposed development is considered to represent a sustainable development and a sequentially preferable use of land. The principle of the development is considered wholly appropriate.
109. The Council has thoroughly assessed the viability of the site and levels of affordable housing that could be achieved without rendering the development unviable. An off-site financial contribution to the equivalent of 10% on site affordable housing is considered to be appropriate taking into consideration the need to provide affordable housing whilst taking into account economic viability. Financial contributions towards public art and open and recreational space are also proposed by the applicant.
110. The proposed development is considered to cause no detrimental impact upon the character or appearance of the area and the amenities of both prospective occupiers and existing nearby residents would be maintained through the development.
111. No objections to the development are raised on grounds of highway safety and no other objections on material planning grounds are raised with regards to the development.
112. As a result approval of the application is recommended.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions and subject to the entering into of a Section 106 agreement to secure:

- the payment of a commuted sum for the provision or improvement of amenity space/play space equipment of £29,000;
- the payment of a commuted sum towards the provision of public art works of £8, 551.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans:

SD701
SD704
SD (Garage threshold/Drive) received 21st October 2011
201/1A
301/1B
303/1A
310/1 received 16th December 2012
GH8:L:06A received 27th January 2012
400/1 received 13th February 2012
GH8:L:01 rev I
GH8:L:07
GH8:L:03F
GH8:L:04F
GH8:L:05C received 22nd February 2012

Reason: To define the consent and ensure a satisfactory form of development having regards to Policies E14, E16, H3, H12, H12A, H13, T1, T10, R2, Q3, Q5, Q8, Q15, U5, U8A and U11 of the City of Durham Local Plan 2004.

3. Notwithstanding any details of materials submitted with the application no development shall commence until details of the make, colour and texture of all walling and roofing materials have been submitted to and approved in writing by the Local planning authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of visual amenity having regards to Policy Q8 of the City of Durham Local Plan 2004.

4. The hereby approved development shall be carried out in accordance with the submitted landscaping scheme as shown on plan GH8:L:03F. The landscaping works shall be carried out within the first planting season following completion of development of the site and shall thereafter be maintained for a period of 5 yrs following planting. Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the provision of an adequate landscaping scheme in accordance with Policy Q5 of the City of Durham Local Plan 2004.

5. No development approved by this permission shall be commenced until:
- a) the application site has been subjected to a detailed site investigation report for the investigation and recording of contamination and has been submitted to and approved by the LPA;
 - b) should contamination be found, detailed proposals for the removal, containment or otherwise rendering harmless such contamination (the 'contamination proposals') have been submitted to and approved by the LPA;
 - c) for each part of the development, contamination proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development;
 - d) if during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA; and
 - e) if during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

Reason – To remove the potential harm of contamination in accordance with Policy U11 of the City of Durham Local Plan 2004.

6. No development shall take place unless in accordance with the mitigation measures detailed within section 8 of the submitted ecology report dated 18th October 2011 undertaken by Elliot Environmental Surveyors.

Reason: To conserve protected species and their habitat in accordance with Policy E16 of the City of Durham Local Plan 2004.

7. No construction works shall be undertaken outside the hours of 8am and 6pm Monday to Friday and 8am to 12 noon on a Saturday with no works to take place on a Sunday or Bank Holiday.

Reason: In the interests of residential amenity having regards to Policy H13 of the City of Durham Local Plan 2004.

8. Notwithstanding the information submitted and prior to works commencing, a detailed scheme for the disposal of foul and surface water including full details of a sewer diversion scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and implemented in accordance with the approved scheme thereafter.

Reason: To prevent pollution of the water environment and in the interests of appropriate drainage of the site in accordance with Policy U8A of the City of Durham Local Plan 2004 and Planning Policy Statements 23 and 25.

9. Prior to the commencement of development a scheme to minimise energy consumption shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of energy from renewable or low carbon sources provided on-site, to a minimum level of at least 10% of the total energy demand from the development, or an equivalent scheme that minimises carbon emissions to an equal level through energy efficient measures. Thereafter the development shall be carried out in complete accordance with the approved scheme prior to the first occupation and retained so in perpetuity.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policy U14 of the City of Durham Local Plan and Policy 38 of the Regional Spatial Strategy for the North East.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A, B or E of Part 1 of Schedule 2 of the said Order shall be carried out.

Reason: In the interests of preserving residential amenity in accordance with Policy Q8 of the City of Durham Local Plan 2004.

REASONS FOR THE RECOMMENDATION

1. The proposed development is considered to be an acceptable development in principle reusing previously developed land within an existing settlement for residential purposes. No objections are raised with regards to the impact of the development upon visual amenity, the amenity of neighbouring occupiers, highway safety or harm to protected species. The application has been accompanied by a S106 agreement proposing contributions towards affordable housing, public open space and public art. The application is considered to accord with the requirements of Policies E14, E16, H3, H12, H12A, H13, T1, T10, R2, Q3, Q5, Q8, Q15, U5, U8A and U11 of the City of Durham Local Plan 2004.

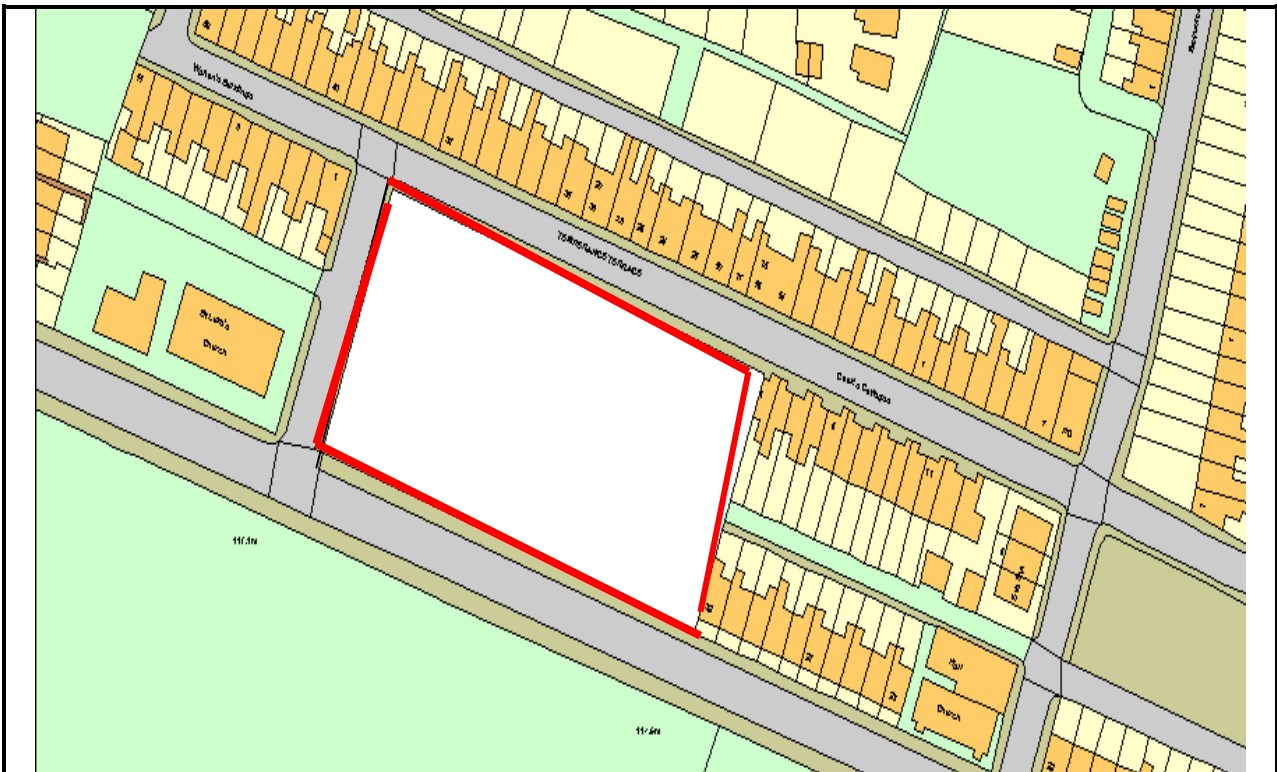
This decision has been taken having regard to the policies and proposals of the North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008 and the City of Durham Local Plan 2004 which is a saved plan in accordance with the Secretary of States Direction under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004. Due regard has also been given to the discharge of obligations required by the Conservation of Habitats and Species Regulations 2010.


2. More specifically, this proposal represents a suitable re-use of currently vacant previously developed land within an established settlement. The design and layout of the development is considered appropriate to the area. A detailed assessment of the provision of affordable housing taking into account site viability has been undertaken with off site provision to the equivalent of 10% of the total site units considered acceptable.
3. Public objection to the proposal relates to loss of a view, the impact upon residential amenity, property values, loss of children's play space, impact upon local refuse collection, utilities and highway safety. Matters of property values and loss of a private view are not material planning considerations. Key material planning considerations including impact upon highway safety and residential amenity have been considered and impacts deemed acceptable. The site is not considered to constitute a formal children's play space that should be protected for this purpose. The scale of the development considered to cause no detriment to local utility servicing or refuse collection.

BACKGROUND PAPERS

Submitted Application Forms and Plans and supporting documentation
Submitted Design and Access Statement, Planning Statement, Affordable Housing Statement and Statement of Community Involvement

City of Durham Local Plan 2004
 Regional Spatial Strategy for the North East
 Draft National Planning Policy Framework
 Planning Policy Statements 1, 3, 9, 23 and 25 and Planning Policy Guidance Note 13
 County Durham Strategic Housing Market Assessment
 Responses from The Highway Authority
 Response from Northumbrian Water
 Response from Parish Council
 Internal consultee responses
 Public responses
 Planning Circulars 11/95



 <p>Durham County Council</p> <p>Planning Services</p>		
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Planning Services

COMMITTEE REPORT

DECISION UPDATE (EASINGTON AREA OFFICE)

PL/5/2011/0443 – Residential Development (outline) (resubmission) Land at Seaton Nurseries, Seaton Village, County Durham, SR7 0LT

Members will recall that the Central and East Area Planning Committee considered a proposal for a residential development at the above site on 10th January 2012. It was resolved that the application be approved subject to the ecology surveys being acceptable and that the proposed conditions were reported back to the committee.

Officers can confirm that an updated ecology survey has been submitted by the applicant which has been agreed with the Senior Ecologist subject to a condition requiring the mitigation as set out in the survey. This condition and other suggested conditions are listed below.

1. Approval of the details of access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority before the development is commenced.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - a) the expiration of five years from the date of this permission; or
 - b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall not be commenced until:
 - a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment. Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority if identified as being required following the completion of the desk-top study.

b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority.

c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority.

d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme.

e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material shall be agreed with the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS 23 and policy U11 of the City of Durham Local Plan.

4. No development shall take place unless in accordance with the mitigation detailed within Section E of the ecology report 'A wildlife survey of Seaton Nurseries, Seaton Nurseries, Seaham, County Durham' carried out by E3 Ecology Ltd, revision dated 30th January 2012.

Reason: In the interests of preserving protected species in accordance with PPS9 and policy E16 of the City of Durham Local Plan.

5. No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local planning authority. The drainage shall be completed in accordance with the details and timetable agreed.

Reason: To prevent pollution of the water environment in accordance with Planning Policy Statement 23 - Planning and Pollution Control.

6. Notwithstanding the details submitted, this permission relates to a maximum of six dwellings on the site.

Reason: In order to restrict unsustainable development in the countryside in accordance with PPS1 – Delivering Sustainable Development and PPS3 – Housing.

Recommendation:

That the information be noted and conditions approved, enabling the planning permission to be issued.