

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.