

Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/00041/FPA
FULL APPLICATION DESCRIPTION	80 Dwellings with associated infrastructure, landscaping and car parking
NAME OF APPLICANT SITE ADDRESS	Persimmon Homes Former Council Offices, Seaside Lane, Easington, County Durham, SR8 3TN
ELECTORAL DIVISION CASE OFFICER	Barry Gavillet 03000261958 dmcentraleast@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSAL

Site:

1. This application site lies within the settlement boundary and Electoral Division of Easington on the site of the former District Council Offices. The majority of buildings on the site have been demolished apart from some small buildings in the south east corner of the site. As such, the site is previously developed, brownfield land.
2. The site is rectangular in shape, measures approximately 2.1 hectares and slopes from east to west by approximately 11 metres. It is situated on land to the south east of the Seaside Lane and Thorpe Road Junction and is surrounded on all sides by residential properties. Directly to the west of the site is the Easington Village Conservation Area. In the central part of the site adjacent Seaside Lane there is a memorial garden which remembers former district councillors, this garden and a significant number of mature trees within the garden and along the boundary with Seaside Lane would be retained as part of the proposals.
3. There are numerous community facilities nearby including primary and secondary schools, shops, a post office and healthcare facilities. There are also bus stops on Seaside Lane directly outside of the application site with frequent services to Hartlepool, Sunderland and Durham.

Proposal:

4. This application seeks full planning permission for the erection of 80 dwellings with associated infrastructure, car parking and landscaping. The density of the site would be approximately 38 dwellings per hectare and would be made up of 62 no. 2 bedroomed dwellings and 18 no. 3 bedroomed dwellings which would be a mix of 2 and 2.5 storeys in height. Of these 80 dwellings, 8 would be affordable in the form of

6 affordable rented dwellings and 2 discounted sale dwellings thus meeting the requirement in East Durham for 10% of housing development to be affordable.

5. The layout of the development would be a simple “L” shaped layout which is constrained by the requirement to retain the memorial garden and the mature trees which run alongside Seaside Lane. Access to the site would be gained from two points, one on Seaside lane to the north of the site and one from Thorpe Road to the west. The proposed footpath network would integrate into the existing network with a new pedestrian access being created from the site to the bus stop on Seaside Lane.
6. The design of the dwellings would be traditional, using a red facing brick and grey concrete tiled roof. The dwellings would be a standard Persimmon product, but would be the higher quality ‘village’ style house type rather than the standard which would involve the use of traditional materials including coloured entrance and garage doors, entrance canopies and feature chimney pots on some of the properties.
7. This application is being reported to committee as it is classed as a major development.

PLANNING HISTORY

8. This site has a long history of development beginning in the mid nineteenth century when a union workhouse was present on the site. The site was then extended to include a hospital and then Board Offices and finally the site became the home of Easington District Council which was recently closed due to the creation of the new Durham County Council.

PLANNING POLICY

NATIONAL POLICY:

9. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.
10. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’

The following elements are considered relevant to this proposal:

11. *Part 1* - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
12. *Part 4* - Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system

needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

13. *Part 6* - To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
14. *Part 7* - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
15. *Part 8* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible, Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
16. *Part 10* - Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
17. *Part 11* - The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

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>

LOCAL PLAN POLICY:

District of Easington Local Plan

18. *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.
19. *Policy 18* - Development which adversely affects a protected species or its habitat will only be approved where the reasons for development outweigh the value of the species or its habitat.

20. *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.
21. *Policy 36* - The design and layout of development should ensure good access and encourage alternative means of travel to the private car.
22. *Policy 37* - The design and layout of development should seek to minimise the level of parking provision (other than for cyclists and disabled people).
23. *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.

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>

EMERGING POLICY:

24. The emerging County Durham Plan was submitted in April 2014 ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. Further, the Planning Practice Guidance explains that in limited circumstances permission can be justifiably refused on prematurity grounds: when considering substantial developments that may prejudice the plan-making process and when the plan is at an advanced stage of preparation (i.e. it has been Submitted). To this end, the following policies contained in the Submission Draft are considered relevant to the determination of the application:
25. *Policy 1 (Sustainable Development)* – States that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
26. *Policy 18 (Local Amenity)* – In order to protect the amenity of people living and/or working in the vicinity of a proposed development, permission will not be granted for development proposals which would have a significant adverse impact on amenity such as by way of noise, vibration, odour, dust, fumes, light pollution, overlooking, visual intrusion, visual dominance, loss of light or loss of privacy.
27. *Policy 41 (Biodiversity and Geodiversity)* – States that proposals for new development will not be permitted if significant harm to biodiversity and geodiversity, resulting from the development, cannot be avoided, or adequately mitigated, or as a last resort, compensated for.
28. *Policy 48 (Delivering Sustainable Transport)* – All development shall deliver sustainable travel by delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and

direct routes for all modes of transport; and ensuring that any vehicular traffic generated by new development can be safely accommodated.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

29. Easington Village Parish Council object to the proposed development as the housing allocation in the emerging County Durham Plan is only 63 dwellings rather than 80. This is a concern due to the increase in traffic that the proposals would generate. There are also concerns about the loss of trees on the site and request that a Tree Preservation Order is put in place. There are also concerns about school places in the area and that the development would put further pressure on local schools.
30. Northumbrian Water have no objections to the proposals on the basis that a condition is imposed which would control rates of surface and foul water discharge.
31. The Environment Agency have no objections to the proposals on the basis that conditions are imposed with regard to contaminated land.

INTERNAL CONSULTEE RESPONSES:

32. The Highways Officer initially requested amendments to the layout of the development and the number and location of car parking spaces. Amended plans have been received and the Highways Officer has confirmed that the proposals are now acceptable from a highways point of view.
33. The Sustainability Officer has no objections to the proposals and has commented that the site is in a sustainable location for residential development.
34. Landscape Officers do not object to the proposals but have commented on the need to ensure some of the most important trees on site are protected.
35. Housing Officers have confirmed the need to provide 10% affordable housing on the site.
36. Tree Officers have no objections to the proposals but have requested that the trees that are to be retained are protected throughout the construction process.
37. Design Officers do not object to the proposals but have raised a number of concerns with the applicant during the application process. The developer has made a number of amendments to the scheme in light of these concerns.
38. Economic Development Officers have requested that a scheme of Targeted Recruitment and Training is secured in order to improve local training and job opportunities.
39. Pollution Control Officers recommend that a remediation strategy is conditioned to ensure any contaminated land is appropriately removed. In addition, hours of construction should be limited in order to ensure that nearby residents do not suffer undue disturbance.

40. Archaeology Officers have no objections subject to a programme of archaeological work being carried out and the results of such work deposited at the County Durham Historic Environment Record.

PUBLIC RESPONSES:

41. Two letters of objection have been received from nearby residents. The main areas of concern are that the proposals would lead to an increase in traffic and congestion, that the proposals would put pressure on school places in the area, that the loss of trees on the site would be unacceptable and that there would be a loss of residential amenity.

APPLICANTS STATEMENT:

42. This development offers the opportunity to create a new sustainable residential development within the core of Easington Village. The proposal is for 80 units across a mix of two, three and four bedroom properties and includes a 10% affordable housing provision in line with the emerging planning policy to provide an excellent range and choice of dwellings to satisfy current and future residential requirements within Easington and also the wider County Durham area.
43. From the onset we have engaged with Durham County Council throughout the planning process resulting in the scheme being revised multiple times in response to feedback and we are now satisfied that the scale and form of development, as well as the proposed housing mix is appropriate within this locality. The proposals shall develop an urban infill site within the centre of Easington, creating a new, attractive residential development for the village.
44. Public consultation has been carried out through which a number of concerns were raised. Through adaptation of the proposal and responses to these concerns, which are available within the accompanying Statement of Community Involvement, we are confident that there are no outstanding issues regarding the development.
45. The site's location within an existing residential area of Easington ensures that the site is highly sustainable with good access to a wide range of social and community facilities. Furthermore, existing public transport routes directly adjacent to the site provide frequent services to key retail and employment opportunities within the village and beyond.
46. The site is included in the County Durham Local Plan in Policy 30 as a preferred housing site and is allocated on the proposals map. The Local Plan was submitted on the 25th April 2014 for examination by an independent planning inspector with the site included. Development on the application site would therefore accord with the Council's emerging policy in the County Durham Plan.
47. Finally, the impacts of the development have been mitigated via a planning gain package which includes an offsite Recreation/Leisure Contribution in addition to the 8 affordable housing units that shall be provided on site.

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

PLANNING CONSIDERATION AND ASSESSMENT

48. Local planning authorities (LPA's) must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.
49. In this instance, the main relevant considerations are the principle of the development, highways issues, impact on surrounding residents and the street scene, affordable housing, ecology and trees and archaeology. Of particular relevance are the accordance with the saved policies from the District of Easington Local Plan, the Governments recently published National Planning Policy Framework (NPPF) and the emerging County Durham Plan.

Principle of the development

50. The key planning policy issues arising from this proposal which require due consideration in the determination of the application are the sustainability of the location, degree of accordance with existing and draft proposed policies and whether it is justifiable to permit an application on this site to come forward ahead of the County Durham Plan examination and adoption.
51. The existing local planning framework (Easington Local Plan) is to be superseded by the emerging County Durham Plan. The Council's Preferred Options report has been through significant public consultation with the application site promoted as a preferred housing allocation. When determining potential housing allocations in the emerging plan due regard has been given to the principles set out in NPPF with the objective of securing sustainable development. The NPPF is most relevant to the consideration of this proposal in advance of the emerging plan, being the most up to date planning policy framework.
52. At the heart of the NPPF is 'the presumption in favour of sustainable development'. In terms of pursuing sustainable development the NPPF sets out five positive improvements to be sought which include;
 - Moving from a net loss of bio-diversity to achieving net gains for nature
 - Improving the conditions in which people live, work, travel and take leisure; and
 - Widening the choice of high quality homes.
53. It is considered that the development of the land in question has the potential to deliver these improvements. In addition to the above, the NPPF encourages the reuse of brownfield land such as this application site and saved Policy 3 of the District of Easington Local Plan advises that development within settlement boundaries such as proposed should be favoured over development in the countryside. The proposed development site is considered to be a highly sustainable location for residential development given its location in the centre of Easington Village with good access to community facilities such as schools, healthcare provision, shops and public transport links.
54. The NPPF is an important material consideration for planning decisions and it is worthwhile noting at this stage that the County Durham Plan concurs with the NPPF's aspiration to deliver sustainable growth.

55. Overall, officers consider that the submitted scheme does not conflict with or undermine the objectives of the existing planning policy framework for the area or the emerging County Durham Plan. As such, subject to technical matters being addressed there are no planning policy objections to the principle of the development coming forward in advance of the new Plan subject to the applicant first entering into an appropriate s106 legal agreement. The proposal is also not considered to be in conflict with the NPPF and it is considered to constitute sustainable development and on balance the principle of the development is considered acceptable.

Highways issues

56. The proposed development would be served by two access points, one from Seaside Lane to the north of the site and one from Thorpe Road to the west. Both of these access points were in place and were utilised by staff and visitors to the former District Council Offices. Highways Officers have been consulted as part of the application process and initially raised some concerns with the layout of the proposed development and the location and numbers of parking spaces. Since these comments were made the plans have been amended to show additional parking spaces on site and some technical alterations to junction radii, as a result of these amendments Highways Officers have confirmed that the proposals are acceptable from a highways point of view and have raised no concerns regarding traffic congestion or highway safety issues.
57. It is therefore considered that with regard to highways issues that the proposals are in accordance with part 4 of the National Planning Policy Framework and saved Policies 36 and 37 of the District of Easington Local Plan.

Impact on surrounding residents and the Street Scene

58. In terms of the impact on the amenity of existing residents who surround the site, the distancing standards as set out in the District of Easington Local Plan are adhered to in all instances. These standards state that a minimum of 21 metres between main elevations facing each other and 13 metres between main elevations and gables should be achieved in order to ensure there are no adverse impacts in terms of overlooking, loss of privacy, loss of light or overshadowing. In terms of the privacy distances between dwellings within the proposed site, there are relatively few instances where these standards are not met, however, the shortfall in the distances involved does not give rise to any significant planning concerns, especially given that the site is constrained by the need to retain significant numbers of trees and the memorial garden.
59. In terms of the street scene it is considered that the scheme is of a good quality, as noted above the scheme would retain a significant number of trees and dwellings would face the main roads of Seaside Lane and Thorpe Road resulting in an active frontage and pleasant street scene. The house types have been chosen to reflect the fact that the site is adjacent to the Easington Village Conservation Area as the developer has chosen to use their 'village' house type rather than their standard product. This would involve the use of traditional materials and features such as chimneys, feature doorways and traditional metal railing enclosures.
60. Overall, it is considered that the proposals would lead to a good quality housing scheme on what is now a derelict site. The proposals would retain a significant

number of trees and the memorial gardens leading to a pleasant outlook for existing and future residents. On balance having regards to part 7 of the NPPF and the most applicable Policies of the District of Easington Local Plan officers raise no objections to the application having regards to the impact upon surrounding residents and character and appearance of the area.

Affordable housing

61. The NPPF states that, in order to ensure a wide choice of high-quality homes, Local Planning Authorities should “plan for a mix of housing”, “identify the size, type and tenure of housing that is required in particular locations”, and “where affordable housing is needed, set policies for meeting this need on site”.
62. The County Durham Strategic Housing Market Assessment (SHMA) report was completed in 2012 and supplies the evidence base for 10% affordable housing across the East Durham Delivery Area (on sites of 15 dwellings/0.5 hectares), while the NPPF (Para 159) makes plain the importance of the SHMA in setting targets. The SHMA and the NPPF therefore provide the justification for seeking affordable housing provision on this site, which should be secured via S106 agreement.
63. The applicant has agreed to provide 10% affordable housing on site in the form of 6 affordable rent and 2 discounted market sale units and therefore the proposals are considered to accord with the requirements of the SHMA and the NPPF.

Ecology and trees

64. The presence of a European Protected Species (EPS) is a material planning consideration. The Conservation of Habitats and Species Regulations 2010 make it an offence to kill, injure or disturb the nesting or breeding places of protected species unless it is carried out with the benefit of a license from Natural England. Accordingly, the Regulations have established a regime for dealing with derogations in the form of a licensing system administered by Natural England.
65. Notwithstanding the licensing regime, the Local Planning Authority must discharge its duty to have regard to the requirements of the Regulations/Directive in the exercise of its functions. A Local Planning Authority failing to do so would be in breach of the Regulations. Specifically, where a likely interference to a European Protected Species is identified, the LPA must consider whether a developer might obtain an EPS licence from Natural England, which in turn calls for an application of the derogation tests. The derogation tests are threefold as follows:
 - That there is no satisfactory alternative
 - That the population of the species will be maintained at a favourable conservation status in their natural range
 - That there are imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment
66. The applicant has submitted a habitat survey which has been assessed by the Council’s ecology officers. The survey has found that three bat roosts are present on the site. Bats are a European Protected Species and therefore there is a requirement to obtain a licence from Natural England which has been highlighted in the mitigation section of the ecology report which ensures that no demolition to

buildings where the bat roosts are located will be carried out before the licence is obtained.

67. In applying the derogation tests, it is considered that there is no satisfactory alternative; in carrying out the demolition of the existing building, any bats present must be moved. It is also considered that the displacement of bats from the three roosts identified will not be detrimental to the overall population levels of the species in the area and that the proposed development will bring about overriding economic and environmental benefits. In particular, the direct and indirect economic benefits of housing development are well documented and it is of note that a programme of Targeted Recruitment Training is to be secured. The removal of a derelict building will result in a significant visual improvement to the streetscene. A condition will also be required which would ensure demolition and construction is carried out in accordance with the recommendations in the submitted habitat survey and that no demolition can be carried out until an EPS Licence has been obtained. Subject to this condition, it is considered that the proposals would be in accordance with saved policy 18 of the Local Plan and part 11 of the NPPF. It is also considered that as there is a possibility of a EPS licence being granted, the LPA has discharged its duties under the Directive and Regulations.
68. In addition to the assessment of protected species, the Local Planning Authority must also consider impacts on designated wildlife sites in the vicinity of the proposed development.
69. This application site is in close proximity to Durham Coast Site of Special Scientific Interest (SSSI). and Special Area of Conservation (SAC) Natura 2000 site and the Northumbria Coast SSSI, Special Protection Area (SPA) and Ramsar site, all of which are designations of significant importance.
70. In order to take pressure from additional visitors away from the coastal designations of significant importance, the applicant has proposed to provide a financial contribution toward the provision and upgrading of footpaths in the area, designed to attract more visitors by providing an enjoyable natural environment for recreation as an alternative to the designated sites on the coast. This contribution is to be secured through a S106 Agreement.
71. As such, it is considered that the proposed development would be in accordance with saved policy 18 of the District of Easington Local Plan and part 11 of the NPPF, both of which seek to protect and enhance biodiversity and the natural environment.
72. In addition to the above, it is noted that there are a number of mature trees and in and around the site, including in the memorial garden which are of high amenity value in the street scene. Given the proximity of the proposed development it is considered that a further condition should be imposed which requires these trees to be protected during construction and retained thereafter?. Subject to this condition it is considered that the proposals would be in accordance with part 11 of the NPPF.

Archaeology

73. As noted in the planning history earlier in the report. The application site was once the site of a workhouse along with a hospital and mortuary. Archaeology Officers have recommended that the applicant consider the impact of these former buildings on the development site (although the mortuary was located on the site of the memorial garden which is not to be developed).

74. Given the past history of the site, officers recommend that ground works in sensitive areas and particularly in the area where the earliest workhouse structures were located be monitored by archaeologists.
75. It is considered that this work should be ensured via a condition. Subject to this condition it is considered that the proposals would accord with part 12 of the National Planning Policy Framework which seeks to protect sites with archaeological potential.

CONCLUSION

76. The National Planning Policy Framework advises that there should be a presumption in favor of sustainable development such as this identified allocation which is a brownfield site within the settlement boundary of Easington. Officers consider that the development constitutes sustainable development, the key theme running through the NPPF and that the development does not conflict with the emerging County Durham Plan nor cause harm coming forward in advance of this plan. The principle of the development can therefore be accepted.
77. Several other key considerations apply to the site other than the principle of the development namely matters of highways, impact on the character and appearance of the area, affordable housing, ecology, trees and archaeology, all of which have been fully considered as part of the application process.
78. For the reasons set out in this report the scheme is considered to be in a sustainable location for residential development and would contribute toward an identified housing need in the area including provision of affordable housing on site.
79. The development would provide employment opportunities for local people through securing targeted employment and training programmes as part of the legal agreement as well as enhanced play and footpath provision, improving the recreational offer for existing and future residents.
80. It is considered that the contribution the development will make toward meeting the housing and infrastructure needs of all sectors of the community and the investment and regeneration the development would bring to the area should be afforded significant weight in the determination of this application. Therefore the principle of bringing this site forward for residential development ahead of the County Durham Plan is acceptable and would not undermine future strategic objectives for the area.

RECOMMENDATION

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

- i. 10% affordable housing on site.
- ii. £40,000 towards play and recreation in the Electoral Division of Easington
- iii. £15,000 towards the provision and upgrading of footpaths in the Electoral Division of Easington
- iv. A programme of Targeted Recruitment and Training

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 only in accordance with the approved plans and specifications contained within:

Proposed Site Layout SSL-001 Rev B

Tree Protection Plan PH_Easington_AIA1.1

Proposed Landscape Masterplan SSL-003

Proposed Materials Layout SSL-002

Plans and Elevations: Hatfield (Village) HT-WD06
 Kendal (Village) KL-WD06
 Morden (Village) MR-WD06
 Moseley (Village) MS – WD06
 Roseberry (Village) RS-WD06
 Rufford (Village) RF-WD06
 Souter (Village) SU-WD06

Reason: To meet the objectives of saved Policies 1, 35 and 36 of the Easington District Local Plan and parts 1 and 4 of the NPPF.

3. No development shall take place until a site investigation and Desk top Study has been carried out in accordance with Part IIA of The Environmental Protection Act 1990. The results of the site investigation shall be submitted and approved in writing by the local planning authority.

As a minimum requirement, the Desk Top Study should include the following information in relation to the study site:

- Historic Land Use
- Former contaminative site uses
- Typical contaminants from former industrial uses
- Watercourses, major underground aquifers, water source protection zones, at or close to the site
- Ground water, perched ground water
- Adjacent land uses and their historical land use, and potential to affect the study site
- All former holes in the ground on or close to the study site

If the desk top study determines there is no historical land use which may cause contamination of the site, no further action is required in relation to the contaminated land risk assessment.

If any historical land use which may cause contamination of the site is found from the desk top study site investigation, a 'Phase 2 Report' will be required as detailed below.

Phase 2 Report

A further report shall be submitted to and approved in writing by the local planning authority. This report shall take into consideration the relevant aspects of the desk top study and discuss remediation measures in accordance with appropriate legislative guidance notes.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority

Phase 3 – Validation Report

After remediation measures are implemented at the site, a final validation statement shall be submitted in accordance with the remediation recommendations of the above 'Phase 2' report.

Reason: To ensure that the application site is safe for the approved development, as required by paragraph 121 of the National Planning Policy Framework and in accordance with saved Policy 1 of the Easington District Local Plan and part 11 of the NPPF.

4. The approved development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Patrick Parsons Consulting Engineers dated October 2013 and the mitigation measures detailed within the FRA. The relevant mitigation measures shall be fully implemented prior to occupation of the first dwelling.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and in accordance with saved Policy 1 of the Easington District Local Plan and part 10 of the NPPF.

5. No development shall be commenced until details of trees which are to be retained along with measures for their protection throughout the development are submitted and approved in writing by the Local Planning Authority. The protection measures shall be in accordance with the relevant British Standard and shall be fully implemented in accordance with the approved details throughout the construction of the development and those trees identified for retention shall be retained

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. The development hereby approved shall be carried out in full accordance with all ecological mitigation measures, advice and recommendations within the Extended Phase 1 Survey prepared by E3 Ecology Ltd (19th November 2013) and no demolition of any buildings containing bat roosts shall be carried out without first obtaining a European Protected Species Licence.

Reason: To conserve protected species and their habitat in accordance with the objectives of saved Policy 18 of the Easington District Local Plan and part 11 of the NPPF.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a mitigation strategy document that has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:
- i) Measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance.
 - ii) Methodologies for the recording and recovery of archaeological remains including artefacts and ecofacts.
 - iii) Post-fieldwork methodologies for assessment and analyses.
 - iv) Report content and arrangements for dissemination, and publication proposals.
 - v) Archive preparation and deposition with recognised repositories.
 - vi) A timetable of works for each phase in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy.
 - vii) Monitoring arrangements, including the notification in writing to the County Durham Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.
 - viii) A list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

The development shall then be carried out in full accordance with the approved details.

Reason: To comply with paragraph 141 of the NPPF because the site is of Archaeological interest.

8. Prior to the occupation of the first dwelling, a copy of any analysis, reporting, publication or archiving required as part of the archaeological mitigation strategy for that phase shall be deposited at the County Durham Historic Environment Record.

Reason: To comply with paragraph 141 of the NPPF, which requires the developer to record and advance understanding of the significance of a heritage asset to be lost, and to make this information as widely accessible to the public as possible.

9. Prior to the commencement of development a scheme to minimise energy consumption in relation to that phase 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.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policies 1 and 35 of the Easington District Local Plan and Part 10 of the NPPF.

10. 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 each phase of 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.

11. No development works (including demolition) shall be undertaken outside the hours of 7.30am and 7.30 pm Monday to Friday and 8am to 1pm on a Saturday with no works to take place on a Sunday or Bank Holiday.

Reason: In order to protect the amenity of residents living in the approved development and in accordance with saved Policies 1 and 35 of the Easington District Local Plan and part 11 of the NPPF.

12. Notwithstanding any details of materials submitted with the application no development shall commence until details of the external walling, roofing materials and hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Thereafter 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 Easington District Local Plan and part 11 of the NPPF.

13. The development hereby approved shall be carried out in full accordance with all protection measures, advice and recommendations within the Arboricultural Impact Assessment prepared by Dendra Consulting Ltd (29th April 2014).

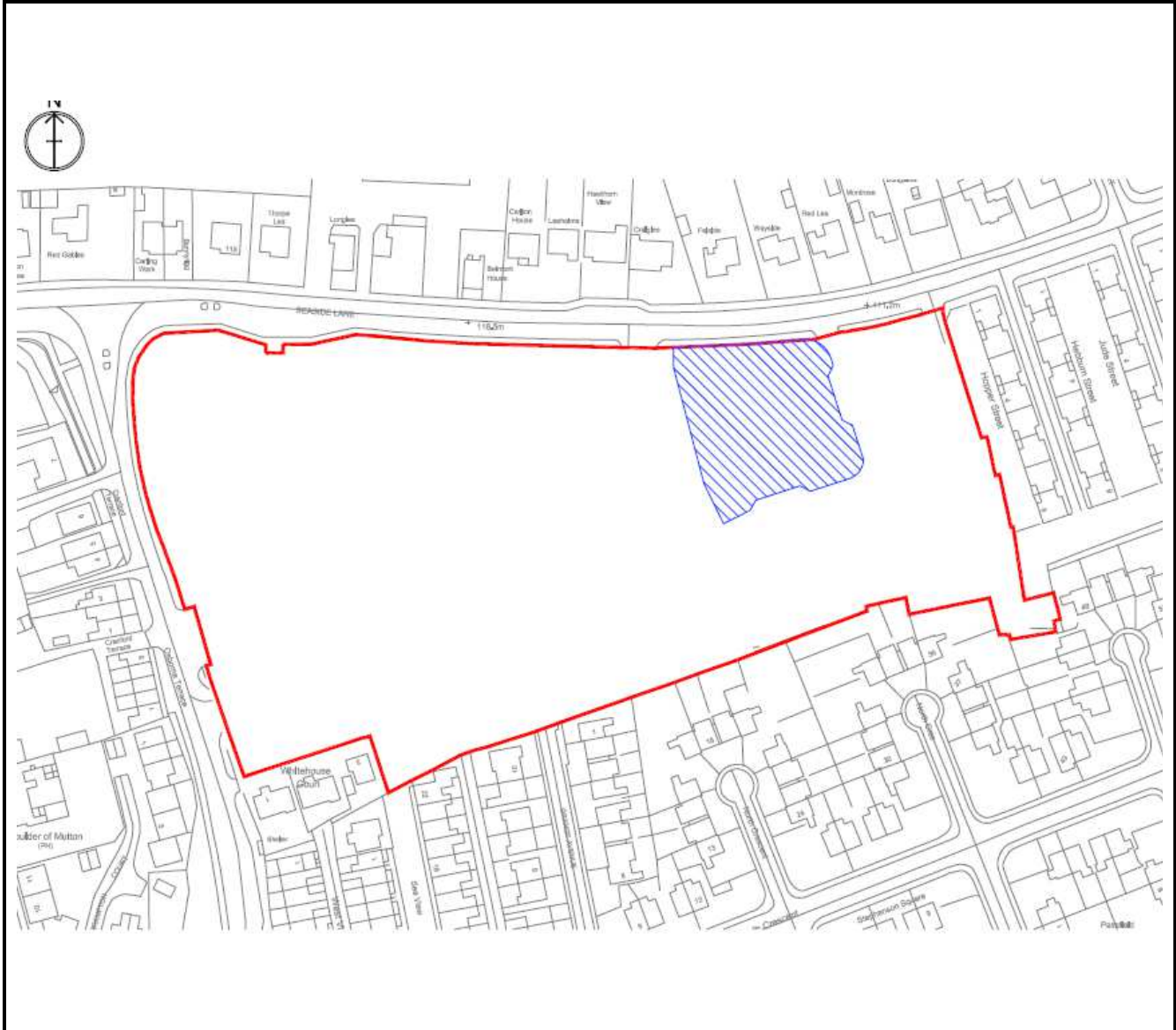
Reason: In the interests of the appearance of the area and to comply with saved Policies 1 and 35 of the Easington District Local Plan and part 11 of the NPPF.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans.
- Design and Access Statement
- County Durham Plan Pre-Submission Draft
- District of Easington Local Plan 2001
- National Planning Policy Framework
- Consultation Responses



Planning Services

Proposed **80 Dwellings** and associated infrastructure at the former Council Offices, Seaside Lane, Easington Village, County Durham

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Comments

Date June 2014