

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/03438/FPA
FULL APPLICATION DESCRIPTION:	Erection of 32no. dwellings, retail unit and associated infrastructure
NAME OF APPLICANT:	Mr Terry Jacques
ADDRESS:	Land Adjacent to Park Road, Witton Park
ELECTORAL DIVISION:	West Auckland
CASE OFFICER:	Steven Pilkington, Senior Planning Officer, 03000 263964, steven.pilkington@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is an agricultural field measuring approximately 0.94 hectares in area. There are terraced dwellings lining Park Road to the north and west of the site, however, most of the site is surrounded by more agricultural fields. Historical maps show that in the past the land appears to have been used as allotment gardens.
2. The application seeks full planning permission for a residential development of 32no. dwellings and a retail store measuring 84sqm in area. The proposed access would be taken directly from Park Road while the 32 dwellings would consist of a mix of detached, semi-detached, terraced properties, bungalows and apartments.
3. A S106 heads of terms has been submitted in respect of securing 3 units (10%) at a discounted market rate, as well as an open space contribution of £1000 per dwelling.
4. The application is reported to the planning committee in accordance with the Scheme of Delegation because the site area is classed as a major application.

PLANNING HISTORY

5. Outline planning permission (3/2010/0548) for 31 dwellings, a retail store and access was approved on the same site on 8th January 2013 following the signing of the Section 106 Legal Agreement.
6. Prior to that outline permission had been refused in 2010 for 34 dwellings and a retail store (3/2010/0028).

7. Full permission was also refused in 1989 for a bungalow (3/1989/0141).

PLANNING POLICY

NATIONAL POLICY

8. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). However, the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.
9. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight.
10. *Part 4 – Promoting sustainable transport.* Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. 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. On highway safety, development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
11. *Part 6 - Delivering a wide choice of high quality homes.* To boost significantly the supply of housing, applications should be considered in the context of the presumption in favour of sustainable development.
12. *Part 7 – Requiring Good Design.* 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. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.
13. *Part 8 – Promoting Healthy Communities.* 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.
14. *Part 10 – Climate Change.* Meeting the challenge of climate change, flooding and coastal change. 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.

15. *Part 11 – Conserving and enhancing the natural environment.* The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible; 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.

LOCAL PLAN POLICY:

16. The following saved policies of the Wear Valley District Local Plan as amended by Saved and Expired Policies September 2007 are considered to be consistent with the NPPF and can therefore be given weight in the determination of this application as it is a core principle of the NPPF that decisions should be plan led:
17. *Policy GD1 - General Development Criteria* - All new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
18. *Policy H3 - Distribution of Development* - New development will be directed to those towns and villages best able to support it. Within the limits to development of towns and villages, as shown on the Proposals Map, development will be allowed provided it meets the criteria in Policy GD1 and conforms to the other policies of the plan.
19. *Policy H15 - Affordable Housing* - The Council will, where a relevant local need has been established, seek to negotiate with developers for the inclusion of an appropriate element of affordable housing.
20. *Policy H22 - Community Benefit* - On sites of 10 or more dwellings the local authority will seek to negotiate with developers a contribution, where appropriate, to the provision and subsequent maintenance of related social, community and/or recreational facilities in the locality.
21. *Policy H24 - Residential Design Criteria* - New residential developments and/or redevelopments will be approved provided they accord with the design criteria set out in the local plan.
22. *Policy ENV1 Protection of the Countryside* – Sets out that development in the countryside will only be allowed for the purposes of agriculture, farm diversification, forestry, outdoor recreation, or existing compatible uses.
23. *Policy T1 – Highways* - Sets out that all developments which generate additional traffic will be required to fulfil Policy GD1 and; provide adequate access to the developments; not exceed the capacity of the local road network; and, be capable of access by public transport networks.

EMERGING PLAN:

24. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. Paragraph 216 of the NPPF says that 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. However, the Inspector's Interim Report following stage 1 of the Examination process, dated 18 February 2015, has raised

issues in relation to the soundness of various elements of the plan. The Council is currently considering the options available and in light of this it is considered that no weight should be afforded to the CDP at the present time.

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/article/3272/Wear-Valley-District-Local-Plan>

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

25. *Highway Authority* – Following receipt of amended plans have indicated that there are no highway objections to the proposal and the scheme would be served by sufficient parking.
26. *Northumbrian Water Limited* – Offer no objections provided that the application is carried out in accordance with the principles of the Flood Risk Assessment.
27. *The Coal Authority* offer no objections to the scheme providing a condition is imposed for further site investigation works to be undertaken prior to any development beginning on site.

INTERNAL CONSULTEE RESPONSES:

28. *Spatial Policy Section* – Advise that the proposal is effectively a reworking of an approved scheme and therefore the site has a fall back position of an extant consent. Despite the development of this site conflicting with policies of the Wear Valley District Local Plan, support can be offered on this instance. It is advised that contributions should be sought towards offsite sporting and recreational facilities, while advice is offered on the layout and connectivity of the scheme.
29. *Ecology Section* – Raise no objections.
30. *Landscape Section* – Following the receipt of amended plans advise that the proposals would have a minimum impact on the surrounding landscape. It is however recommended that conditions be attached in relation to the protection of trees on site.
31. *Arboricultural Officer* – Has no adverse comments.
32. *Environmental Health Section* – Offer no objections to the scheme, but make recommendations to control the working hours on site and incorporate measures to suppress noise and dust during construction. A condition is suggested in relation to controlling details of plant/machinery associated with the retail use.
33. *Contaminated Land Section* – Advise a conditional approach in relation to land contamination.
34. *Drainage and Coastal Protection* – Offer no objections providing a detailed scheme of surface water disposal is submitted limiting run off to greenfield run-off rates.
35. *Housing Development and Delivery* – Highlight that the developer would be expected to provide 10% affordable housing provision on the site to be secured through a S106 agreement.
36. *Sustainability Section* – No response received

PUBLIC RESPONSES:

37. The application has been publicised by way of press and site notice, and individual notification letters to neighbouring residents. 1 letter of objection has been received raising concerns regarding existing parking pressures in the area. Concerns are also raised regarding potential future developments in the area.

APPLICANTS STATEMENT:

38. Outline planning permission was originally granted on this site in January 2013 for 31no. dwellings and a retail unit. This permission remains in existence, and normally an outline consent would be followed by a Reserved Matters application for the details of the development. In the case of this site, however, the indicative plan which supported the outline proposal did not accurately reflect the topography and constraints of the site, whilst the access point was not in the optimum position, and thus a new detailed planning application has been prepared for the development of 31no. dwellings in a variety of house types, together with the retail unit with its integral living accommodation. The resulting detailed scheme is considered to be a significantly improved proposal to that indicated in the original outline scheme, and it will deliver a higher standard of housing development in Witton Park to reinforce the village's improving image as a desirable place to live.
39. The applicant's intention is that this will be a high quality scheme which he is keen to see commenced on site in the near future, and he sees the submission of the detailed proposals as a strong commitment to development taking place in Witton Park on a site which, in all honesty, has done the village a disservice in terms of its somewhat derelict condition over recent years. With a wide range of housing to be provided, it is considered the proposal will be complementary to existing housing as well as supplementing the choice available and creating a fluidity in the local housing market.
40. It is also strongly suggested that the re-introduction of a retail unit into the village will be warmly welcomed, and with this development, together with the existing residents and future development, it is to be hoped the village shop will be successfully sustained as a local facility.
41. The Committee is asked to regard this application as the next appropriate stage in the realisation of new housing development based on its earlier outline decision.

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://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NEU20GGDIQ00>

PLANNING CONSIDERATIONS AND ASSESSMENT

42. 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 raised relate to the principle of development, effect on the character of the surrounding area, residential amenity, and highway safety.

The Principle of Development

43. The application site is located outside of the defined development limits of Witton Park where saved policy H3 of the Wear Valley District Local Plan seeks to direct new housing. Sites located outside of residential frameworks are considered against countryside policies and objectives including saved Policy ENV1, to which there is a presumption against development other than for countryside purposes. The development of this site for housing would therefore conflict with saved policies of the Wear Valley District Local Plan in this respect.
44. However, it is recognised that this application is effectively a detailed reworking of a recently approved outline scheme for 31 dwellings and a retail store (3/2010/0548). Although this proposal is for 1 more dwelling, the dwelling is within the same site and does not materially alter the fact that the principle of residential development and a retail store has recently been established on this site.
45. While the outline proposal sought to provide 9 affordable bungalows, that was beyond the Council's policy requirements at the time and was not at the Council's insistence. It was also not backed up by any viability appraisal. In drawing up the detailed scheme it has confirmed the concerns that were previously expressed by Officers that provision of 9 affordable bungalows was overambitious and unachievable. This scheme proposes 3 affordable units, which would meet the current 10% requirements of the most up to date evidence base. This has been accepted by both the Council's Planning Policy and Housing Delivery Sections and together with other design changes to the scheme would result in a far more viable scheme that would hopefully increase the prospects of delivery on site with the added benefit of the shop.
46. The scheme also proposes an appropriate off-site open space contribution of £32,000. The offsite contributions are more appropriate than on site provision in this case because of the small size of the site and proximity to the large central village green.
47. Both the affordable housing and open space contribution would be secured by a Section 106 Legal Agreement.
48. Taking all of the above into account, the principle of development remains acceptable.

Design, layout and the effect on the character of the area

49. As set out above outline planning approval has previously been granted on the site and although only indicative, the proposed layout sought to tightly arrange the dwellings on small plots around one cul-de-sac and a private access courtyard. This would have resulted in densely spaced dwellings lining the eastern and southern boundary of this site. Frontage out onto Park Road would have been limited given the access arrangements and the location of parking. That arrangement would not have represented the most optimal layout of the site had it been progressed to reserved matters stage.
50. This scheme would provide a much stronger frontage out onto Park Road through the provision of 4 dwellings directly facing out onto the highway and repositioning the retail store closer to the edge of the highway with an active frontage. The redistribution of dwellings within the site has also taken account of an underground culvert crossing the site, which had not been previously considered.
51. This scheme does not include any public open space within the site, but it is not necessary given the existing provision in the immediate area. Importantly, this has also considerably aided the overall layout by improving the size of the plots, which in turn has improved variety

in dwelling types and sizes, as well as resulting in a less densely packed development around the site perimeter and in relation to perimeter trees.

52. The scheme offers a good mix of dwelling type and size. Some are 2 ½ storey, however they can be accommodated on the site because of the steep level change falling away to the north east. The proposed dwellings are to be well detailed in a traditional local vernacular and would represent a good quality of development. The application suggests the dwellings would be faced in natural stone further enhancing the quality of development. There would be a large amount of parking hardstanding within the site so choice of materials will be very important and tarmac should be avoided. All materials should be controlled by condition. In addition to this as the scheme proposes an open plan layout, it is recommended to remove permitted development rights for fences forward of main elevations.
53. Overall, the proposal is considered to be a significant improvement to the indicative layout accompanying the outline approval. It is considered to be of an appropriate scale, design and layout, and would have an acceptable impact on the visual amenity of the surrounding area and character of the village. This is in line with the key aims of the NPPF in respect of good design, and is in accordance with Local Plan policies GD1 and H24.

Residential Amenity

54. Wear Valley Local Plan Policies GD1 and H24 require that new developments should protect the amenities of neighbouring uses. At present the site is open and the properties along Park Road have a ready view across the site. However, the principle of residential development has previously been established on the site, accepting that there will be a reduction in the current outlook experienced, but not to the extent that there would be a loss of amenity to those residents subject to detailed consideration of scale and layout.
55. The proposed scheme would achieve habitable window separation of approximately 20m to the opposite dwellings on Park Road, which is representative of front to front street relationships further north along Park Road and in the surrounding area, and is therefore considered acceptable. There would be approximately 15m between the proposed retail store and surrounding residential dwellings, again this is considered acceptable given the non-residential nature of this use. No objections have been received from neighbouring residents in this respect.
56. The Council's Environmental Health Section has recommended conditions relating to working hours and construction activities. However, these construction related effects are matters which the planning system cannot reasonably prevent or control and there are controls outside of planning that deal with noise nuisance and other disturbance, which would be more appropriate controls than planning conditions. A condition has also been requested for the prior approval of any plant or machinery installed in the proposed retail unit to ensure this does not adversely affect the amenity of neighbouring residents. However, the installation of this equipment in itself will require planning permission enabling the Authority further control in consultation with Environmental Health colleagues. Therefore, there is no precise justification for such conditions.

Access and highway safety issues

57. Access was the only matter not reserved by the previous outline approval. In that approval, the site access would have been taken opposite the Rose and Crown P.H, centrally within the site.

58. This application now proposes to take access from the most southern corner of the site, but still off Park Road.
59. The Highway Authority has no objections to this change in the position of the access, or to the impact of the development on traffic movement in Park Road and the wider local highway capacity. Amendments have been made to the car parking provision within the site in response to Highway Authority requirements.
60. It is therefore considered that the scale of development and proposed use of the vehicular access would not have an adverse impact on highway safety and local highway capacity. This accords with Wear Valley Local Plan policies GD1 and T1.

Other issues

61. There is a culvert crossing the site, but the layout of the scheme has been designed with this in consideration. Northumbrian Water and the Councils Drainage Section have not raised any objections to the proposed scheme providing conditions are imposed relating to foul water management and surface water run off in accordance with the submitted Flood Risk Assessment.
62. The site is in the Coal Authority High Risk Area. A site (coal) investigation report was submitted with the application to determine the stability of the land. The Coal Authority have raised no objections providing further conditions are imposed requiring investigation works to be undertaken prior to works commencing on site.
63. An ecology survey has been submitted with the application. The County Ecologist has viewed the survey and has not raised any objections, and it is therefore considered that the proposed development would not compromise protected species or their habitats.
64. As the end user of the land represents a more sensitive land use the Councils Environmental Health (Contaminated Land Section) advise a conditional approach in relation to land contamination. A condition securing this is recommended.
65. Planning plays a key role in helping to reduce 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 as set out in the NPPF. The development would be expected to achieve a proportion of its energy supply from renewable resources, or through an equivalent level through energy effect measures. A condition requiring this is recommended.

CONCLUSION

66. Although the development of this site for housing would not confirm to saved policies ENV1 and H3 of the Wear Valley District Local Plan, the principle of a residential development on this site has previously been established by the recent granting of outline permission and the proposal conforms with the affordable housing and open space requirements of Wear Valley District Local Plan policies H15 and H22.
67. This is a detailed scheme in response to the outline permission and has made significant improvements to the layout and appearance of the development compared to that indicated in the outline permission. Those changes are also considered to be more realistic in terms of responding to the constraints of the site and are likely to result in a scheme that is more viable and ultimately has a greater prospect of being deliverable.

68. The development would have an acceptable impact on the surrounding area in respect of visual amenity, neighbour impact, highway safety, ecology, land stability and drainage and is therefore, in these respects, in accordance with Wear Valley Local Plan Policies GD1, H24 and T1, as well as the aims of NPPF Sections 4, 7 and 11.

RECOMMENDATION

That the application is **Approved** subject to the completion of a satisfactory Section 106 Legal Agreement to secure a financial contribution of £32,000 towards the provision/maintenance of open space and recreation facilities in the locality and the provision of 3 affordable housing units.

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:

Proposed Site Plan, Ref P103-02(E), Received 6th March 2015
Proposed Street Scene, Ref P103-15 (A), Received 6th March 2015
House Type 1, Ref P103-03 (A), Received 25th February 2015
House Type 2, Ref P103-04(A), Received 6th March 2015
House Type 3, Ref P103-05 (A), Received 25th February 2015
House Type 4 and 4a, Ref P103-06, Received 11th February 2015
House Type 5, 5A & 5B, Ref P103-07, Received 11th February 2015
House Types 5 and 6, ref P103-08 (A), Received 6th March 2015
House Types 6 and 9, ref P103-11 (A), Received 6th March 2015
House Type 7, ref P103-09, Received 7th March 2015
House Type 8, ref P103-10, Received 11th February 2015
House Type 9 A, ref P103-12 (A), Received 6th March 2015
House Type 10, ref P103-13 (A), Received 6th March 2015

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GD1, H3, H24 and T1 of the Wear Valley District Local Plan.

3. The shop building with associated parking and servicing areas hereby approved shall have been substantially completed and made available for occupation and use within the site before the occupation of the 13th open market dwelling hereby approved.

Reason: To ensure the shop is implemented.

4. Notwithstanding any description of the materials in the application, no development other than preliminary site excavation and remediation works shall commence until samples or precise details of the materials to be used in the construction of any external surface and hard standing of the development hereby have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the surrounding area, in accordance with policies GD1 and H24 of the Wear Valley District Local Plan.

5. No development approved by this permission other than preliminary site excavation and remediation works shall commence until full details of the means of access, including the layout, construction details (taking account of the culvert), and surfacing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of highway safety in accordance with Policies GD1 and T1 of the Wear Valley District Local Plan.

6. No development other than preliminary site excavation and remediation works shall commence until a detailed landscaping scheme has been submitted to and approved in writing by the local planning authority. No hedges or trees shall be removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above. The landscape scheme shall include accurate plan based details of the following:

- Trees, hedges and shrubs scheduled for retention.
- Details of planting species, sizes, layout, densities, numbers.
- Details of planting procedures or specification.
- Seeded or turf areas, habitat creation areas and details etc.
- The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

The approved landscaping scheme shall be implemented in the first planting season following the substantial completion of the development. Trees, hedges and shrubs part of the approved scheme shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with policy GD1 of the Wear Valley District Local Plan.

7. No development shall commence unless in accordance with the Arboricultural Method Statement prepared by Claire Raw, and the tree protection plan, Ref ETLPA, Received 10th November 2014. The specified tree protection measures shall be installed on site prior to the commencement of the development and retained during the construction phase..

Reason: In the interests of the preservation of trees and visual amenity having regards to Policies GD1 and H24 of the Wear Valley Local Plan

8. No development approved by this permission other than preliminary site excavation and remedial works shall commence until a detailed scheme for the disposal of foul and surface water in accordance with the submitted Flood Risk Assessment received 13th November 2014 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in and implemented in accordance with the approved scheme thereafter.

Reason: In the interest of the adequate disposal of surface water in accordance with Policy GD1 of the Wear Valley Local Plan.

9. Notwithstanding the provisions of Schedule 2, Class A, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no fence or means of enclosure shall be erected forward of any wall of the dwellings hereby approved fronting onto a highway.

Reason: In order to ensure the satisfactory appearance of the development upon completion, in the interests of visual amenity of the surrounding area, in accordance with policies GD1 and H24 of the Wear Valley District Local Plan.

10. Notwithstanding the submitted information, no development shall commence on site until a detailed site investigation report has been submitted to and approved in writing by the Local Planning Authority. The report shall consider the risk of unstable land in relation to historic coal mining activity and make provision for mitigation measures in line with the findings of the investigation report. The development shall be carried out in accordance with the approved report and mitigation measures.

Reason: In order to ensure the future stability of the site in accordance aims of the National Planning Policy Framework

11. No development approved by this permission other than preliminary site excavation and remedial works shall commence until a scheme to embed sustainability and minimise Carbon from construction and in-use emissions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in complete accordance with the approved scheme and retained while the development is in existence.

Reason: In the interests of sustainable construction and energy generation in accordance with the aims of Policy GD1 of the Wear Valley District Local Plan.

12. Notwithstanding the submitted information, no development approved by this permission other than preliminary site excavation and remedial works shall commence until a revised plan setting an enlargement and full construction details and of the bin storage area to serve units 26-29. The development thereafter shall be carried out in accordance with the approved details and the bin storage area be brought into use before the first occupation of units 26-29.

Reason:- In the interests of highway safety and to ensure adequate refuse servicing of the development in accordance with policies GD1 and T1 of the Wear Valley District Local Plan

13. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the following:

Pre-Commencement

- (a) A Phase 1 Preliminary Risk Assessment (Desk Top Study) shall be carried out, to identify and evaluate all potential sources and impacts on land and/or groundwater contamination relevant to the site.
- (b) If the Phase 1 identifies the potential for contamination, a Phase 2 Site Investigation and Risk Assessment is required and shall be carried out to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

- (c) If the Phase 2 identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority. If during the remediation or development works any contamination is identified that has not been considered in the Phase 3, then remediation proposals for this material shall be agreed in writing with the Local Planning Authority and the development completed in accordance with any amended specification of works.

Completion

- (d) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development.

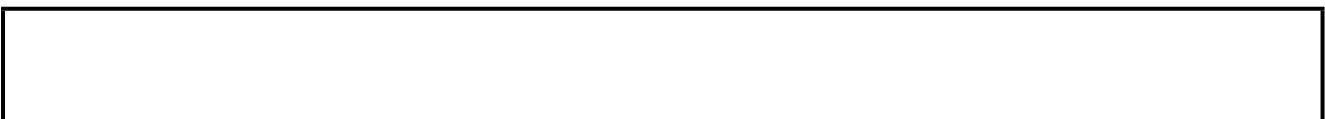
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with NPPF Part 11.

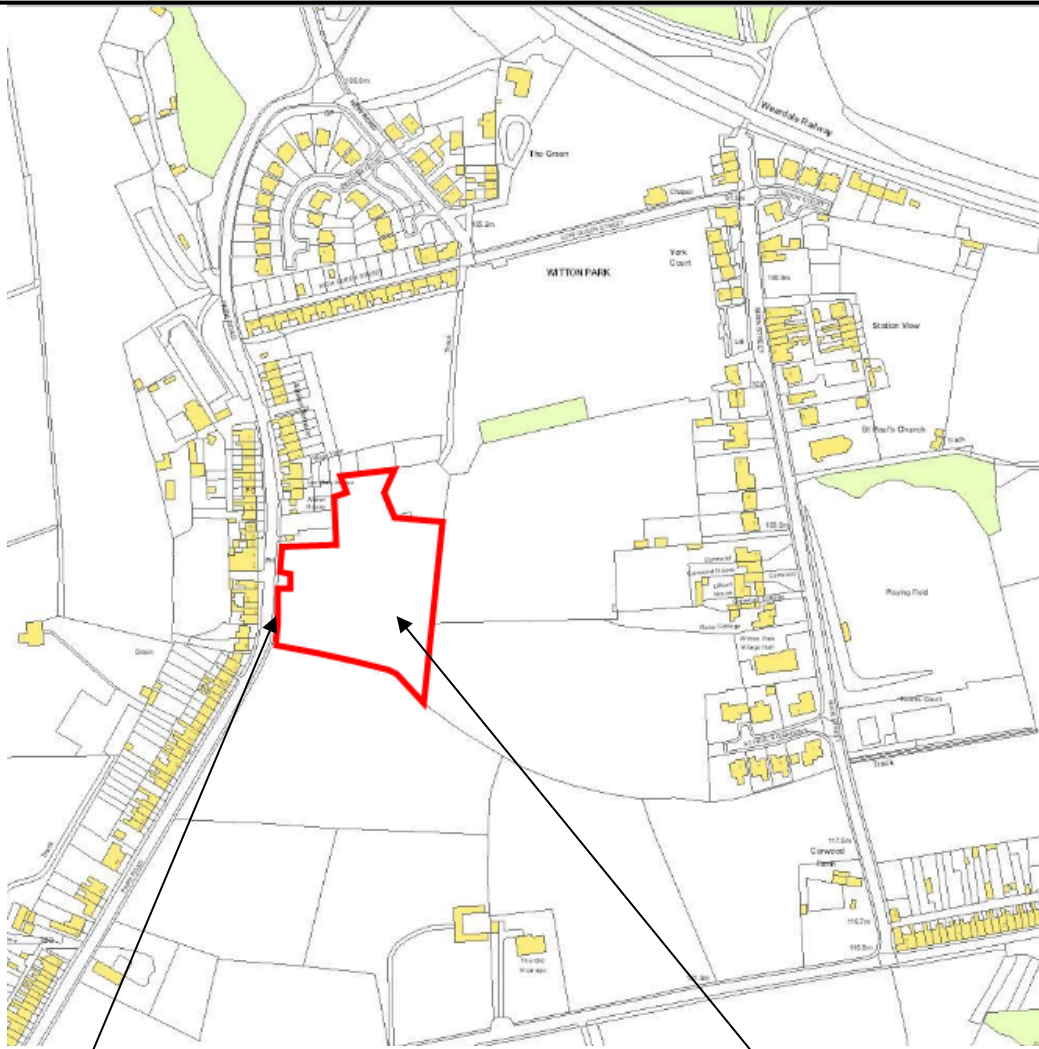
STATEMENT OF PROACTIVE ENGAGEMENT

65. In arriving at the recommendation to approve the application the Local Planning Authority has assessed the proposal against the NPPF and the Development Plan in the most efficient way to ensure a positive outcome through appropriate and proportionate engagement with the applicant, and carefully weighing up the representations received to deliver an acceptable development.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
Wear Valley District Local Plan
National Planning Policy Framework
Consultation responses
County Durham Local Plan Submission Version
County Durham Landscape Strategy
Application 3/2010/0548





Proposed Access Location

Application Site



Planning Services

Erection of 32no. dwellings, retail unit and associated infrastructure

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Comments

Date 5th March 2015

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