

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/15/01090/OUT
FULL APPLICATION DESCRIPTION:	Residential development comprising 44 houses (outline)
NAME OF APPLICANT:	Mr R Dunn
ADDRESS:	Land to the south east of Brackenhill Avenue, Shotton Colliery
ELECTORAL DIVISION:	Shotton and South Hetton
CASE OFFICER:	Barry Gavillet, Senior Planning Officer, 03000 261958, barry.gavillet@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

Site:

1. This application site is approximately 1.3 hectares in size and is located within the Electoral Division of Shotton and South Hetton. The site is agricultural grazing land and is therefore a greenfield site, it is also located outside of the Shotton settlement boundary as identified in the District of Easington Local Plan and is therefore classed as being in the countryside.
2. The site is located south east of a terrace of houses known as Brackenhill Avenue and there are large detached properties to the rear of the terrace. The site is orientated on a north west to south east axis along Shotton Lane that would form the frontage of the proposed development and from which vehicular access would be taken.
3. To the north of the application site is agricultural grazing land with the Whitehouse and Brackenhill Business Parks immediately to the east. To the south the application site boundary is bound by a hedgerow which separates the site from a livery business. To the west of the site is agricultural land and two sites where caravans are located for occupation by gypsy and traveller families.

Proposal:

4. Members will recall that an identical proposal was refused by the Central and East Planning Committee in July 2014 on the basis that the proposals would have an adverse landscape impact and that the location of the development was unsustainable. Subsequently an appeal was lodged and the inspector concluded that he did not agree with the Councils decision and that the proposals were acceptable. However, the inspector could not uphold the appeal on a technicality as there was no draft Section 106 agreement in place which was required to secure community benefits and affordable housing and therefore the appeal failed. This application proposes an identical residential development to the one previously submitted which the inspector found acceptable, however in this instance the applicant has agreed to

the necessary contributions toward recreation, ecology and affordable housing and draft heads of terms have been submitted.

5. The application proposes a residential development of up to 44 dwellings and is an outline application with all matters including access, appearance, landscaping, layout and scale reserved for future determination. The applicant has provided an indicative site layout plan which shows access coming off Shotton Lane which bounds the site to the north east. The plan also shows cul-de-sac type development which includes a mixture of house types including terraces, semi-detached and detached properties. All properties would have garaging or off-street parking along with garden areas to the front and rear.
6. This application is being reported to committee as it is classed as a major development.

PLANNING HISTORY

7. Two previous applications (PL/5/2011/0138 and PL/5/2012/0078) for four dwellings within the current application site were submitted and subsequently withdrawn. In addition, an application for 44 dwellings (DM/14/00249/OUT) has been refused at appeal as explained above.

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), 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.
9. 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’ .
10. 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. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.

The following elements of the NPPF 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.

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 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.
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.
24. *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.
25. *Policy 74* - Public Rights of Way will be improved, maintained and protected from development. Where development is considered acceptable, an appropriate landscaped alternative shall be provided.

RELEVANT EMERGING POLICY:

The County Durham Plan

26. 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. The County Durham Plan was submitted for Examination in Public in April 2014 and stage 1 of that Examination has been concluded. However, the Inspector's Interim Report which followed, dated 18 February 2015, has raised issues in relation to the soundness of various elements of the plan. In the light of this, policies that may be relevant to an individual scheme and which are neither the subject of significant objection nor adverse comment in the Interim Report can carry limited weight. Those policies that have been subject to significant objection can carry only very limited weight. Equally, where policy has been amended, as set out in the Interim Report, then such amended policy can carry only very limited weight. Those policies that have been the subject of adverse comment in the interim report can carry no weight. Relevant policies and the weight to be afforded to them are discussed in the main body of the report.
27. *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.
28. *Policy 15 (Development on unallocated sites)* – States that development on unallocated sites will be permitted on the basis that they are appropriate in scale, design and location to the character and function of the settlement, they do not result in the settlements last community facility, would not prejudice the intended use of adjacent sites and land uses and that they are not in the countryside.
29. *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.

30. *Policy 30 (Housing Land Allocations)* – In order to meet the housing requirement a number of sites have been allocated for housing. Planning applications for housing submitted on these sites that are in accordance with site specific and phasing requirements will be approved. Applications submitted in advance of its phasing will be approved where they do not prejudice delivery of other allocated sites phased in an earlier time period, where they are required to maintain a five year supply of deliverable sites and where infrastructure requirements can be satisfactorily addressed.
31. *Policy 35 (Development in the Countryside)* – Sets out that new development will be directed to sites within built up areas, or sites allocated for development, whilst the countryside will be protected from inappropriate development.
32. *Policy 39 (Landscape Character)* – States that proposals for new development will only be permitted where they would not cause significant harm to the character, quality or distinctiveness of the landscape, or to important features or views, unless the benefits of the development clearly outweigh its impacts.
33. *Policy 47 (Contaminated and Unstable Land)* – Sets out that development will not be permitted unless the developer can demonstrate that any contaminated or unstable land issues will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health, and the built and natural environment.
34. *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.

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.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

35. The Environment Agency have no objections to the proposals subject to conditions relating to contaminated land.
36. Northumbrian Water have no objections to the proposals subject to a scheme for surface and foul water being submitted before commencement of development.
37. Natural England have no objections to the proposals subject to mitigation relating to protection of European Protected sites on the coast.

INTERNAL CONSULTEE RESPONSES:

38. Education officers have confirmed that school capacity in the area is sufficient and therefore no contributions are required.

39. Pollution control have no objections subject to conditions relating to contaminated land and noise.
40. The Housing Development and Delivery team state that 10% affordable housing should be provided on site.
41. Landscape and tree officers have no objections to the proposals.
42. Highways Officers state that on site car parking provision, footpath provision and access as shown on the indicative layout are all acceptable. However, access and layout are reserved matters which would be considered at a later date should this outline application be approved.
43. Ecology officers have no objections to the proposals subject to mitigation relating to protection of European Protected sites on the coast.
44. Policy officers have no objections to the proposals in light of the inspectors report.

PUBLIC RESPONSES:

45. This application has been advertised by way of press notices, site notices and letters to individual residents. One letter of objection have been received from nearby residents.
46. The main reasons of concern are that the proposals would result in an increase in traffic and highway safety issues, that the proposals would lead to a loss of ecology and that the greenfield nature of the site makes it unsuitable for housing development.

APPLICANTS STATEMENT:

47. This outline planning application is a resubmission of an earlier application following an appeal in which the Inspector found wholly in favour of the development but was unable to uphold the appeal decision in the absence of a s106 agreement.
48. The re-submission in all respects remains as per the original planning application for 44 residential dwellings located off Brackenhill Avenue, Shotton.
49. This outline application is consistent with the NPPF both in terms of sustainability and its contribution toward the requirement for the local authority to be able to demonstrate and provide a rolling programme of sites suitable and capable of delivery over the next 5 years.
50. There are no identified prohibiting technical reasons likely to prevent the delivery of the proposed development within the next five years nor are there any significant adverse constraints or threats to: local ecology or habitat; flooding; the local neighbourhood or surrounding environment that are likely to delay progress on the development going forward.
51. The application site affords easy access to: local shops; schools; health and community facilities; is well located in terms of primary public transport routes; and the employment and work opportunities available on the nearby industrial and business areas of Peterlee.
52. The proposed development will provide a choice of affordable and aspirational housing options with some 75% of the dwellings proposed comprising 2 -3 bed

terraces and smaller 2 – 3 bed semi-detached properties to meet the predicted future demand for smaller family sized homes within the North and East Durham sub-area identified in the updated County Durham Strategic Housing Market Assessment.

53. The proposed development will deliver tangible social and economic benefits for the community good through the provision of 10% affordable housing and financial contributions to the Heritage Coast Management Plan and open play space.

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://82.113.161.89/WAM/showCaseFile.do?action=show&appType=planning&appNumber=10/00955/FPA>

PLANNING CONSIDERATIONS AND ASSESSMENT

54. 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 previously submitted planning application, the subsequent inspectors report and section 106 contributions.

Background and inspectors report

55. This planning application seeks outline permission for residential development comprising of 44 units. An earlier planning application (DM/14/00249/OUT) was refused planning permission by planning committee, contrary to the Officer recommendation of approval. Subsequently an appeal was lodged and the inspector concluded that he did not agree with the Councils decision and that the proposals were acceptable. However, the inspector could not uphold the appeal on a technicality as there was no draft Section 106 agreement in place which was required to secure community benefits and affordable housing and therefore the appeal failed.
56. The Inspector appointed for the recent appeal considered that there were two main issues which were those relating to the reasons for refusal given by the planning committee:
- whether the development would be in a sufficiently sustainable location to encourage alternative means of transport to the private car;
 - the effect of the proposal on the character and appearance of the area.
57. In terms of whether development would be in a sufficiently sustainable location, the Inspector gave a firm view on this issue at paragraph 6 of his decision letter where he concluded *“I consider that the walking distance to the shops and bus stops is not excessive, that the pedestrian footpaths to the facilities are largely adequate and that the site is in a sustainable location. There is little evidence to substantiate the Council’s claim that the location of the development would not encourage alternative means of travel to the private car”*.
58. The Inspector disagreed with the Council’s arguments that the site is not sustainably located as the distance to the nearest bus stops and shops is approximately 650m, and that this distance would encourage the use of the private car contrary to Policy 36 of the District of Easington Local Plan which encourages alternative modes of travel.

59. The Inspector went on to state at paragraph 7 of his decision that: *“the proposal would generate substantial social benefits through the provision of a mix of market and affordable houses in this sustainable location, helping to support the community of Shotton Colliery. Significant economic gains would also be provided through the investment in the local economy during the construction and by the ongoing support for local businesses from future occupants”*. Taking these findings into consideration it is clear that the site can be considered to be in a relatively sustainable location.
60. At paragraph 11 of the Inspector’s decision it was acknowledged that the appeal site is outside the Shotton Colliery settlement boundary and is, therefore, regarded as open countryside wherein Policy 3 of the Local Plan prohibits development other than where specifically allowed by other policies. However, the Inspector found that this Policy is not fully consistent with the policies in the National Planning Policy Framework as it is more restrictive. Therefore, less weight can be attributed to the proposal’s conflict with Policy 3.
61. Turning to the second key issue of the impact of the development on the landscape, the Inspector concluded (paragraph 14) that the impact of the development on the character and appearance of the area would not be significant and the important visual gap between the industrial estate and Shotton would be largely safeguarded. This represented direct disagreement with the Council’s view that development of the site would result in a significant adverse landscape and visual impact.
62. The Inspector ultimately concludes (Paragraph 18) that: *“The development would accord with many of the provisions of the Framework, including the need to boost the supply of housing and the presumption in favour of sustainable development. The development would result in the loss of green open space in the countryside. However, the harm to the landscape would be limited and would not significantly and demonstrably outweigh the benefits”*.
63. Notwithstanding the above, the Inspector ultimately had no choice but to dismiss the appeal as there was no S106 agreement to secure the infrastructure mitigation needed to make the scheme acceptable in planning terms, hence this current application which includes draft heads of terms involving financial contributions and affordable housing.

Section 106 contributions

64. 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”.
65. 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 or more dwellings/0.5 hectares or greater), 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.
66. In addition to the above, saved policy 66 of the District of Easington Local Plan states that 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. On this basis the applicant has agreed to make a

financial contribution of £22,000 towards the provision or improvement of offsite recreation.

67. Finally, the Local Planning Authority must also consider impacts on designated wildlife sites in the vicinity of the proposed development.
68. 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.
69. Under normal circumstances the applicant would provide a contribution toward the upgrading or provision of footpaths and walkways in the vicinity of the site in order to take pressure from additional visitors away from the coastal designations of significant importance. Given that the applicant is not in control and any suitable land nearby it has not been possible to achieve this. Therefore, the applicant has agreed to provide a financial contribution of £11,000 to be used towards the objectives of the Coastal Management Plan in order to directly off-set the impacts of the development on the coast, this contribution would also be secured through a S106 Agreement.

CONCLUSION

70. Taking of all these issues into account, it is clear that the independent inspector considers that the development of this site will comprise a sustainable form of development in the context of the NPPF, and the landscape impact will be within acceptable parameters. This largely endorses the position of officers in relation to the original application which concluded that the site was part of the built up area and development within a 2nd tier settlement would be largely sustainable, and compliant within the Council's paper: Assessing Development Proposals in County Durham.
71. Therefore given that this resubmission has the appropriate mechanisms (S106 Heads of Terms/Agreement) to secure the necessary contributions towards recreation, ecology and affordable housing it is recommended that the application be approved.

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. £11,000 contribution toward the objectives of the Coastal Management Plan
- iii. £22,000 contribution toward enhancement or provision of play facilities in the Shotton and South Hetton Electoral Division.

Conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters 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.

2. Approval of the details of the access, layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any 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.

3. The development hereby approved shall be carried out only in accordance with the approved plans and specifications contained within:

Site Location Plan received 21st April 2015.

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.

4. 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.

5. Development shall not commence until a scheme for the disposal of surface and foul water from the development hereby approved has been submitted and approved by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

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.

6. 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.

7. No development shall take place until a detailed acoustic report, carried out by a competent person in accordance with the current edition of BS 8233 and the WHO Guidelines on community noise, on the existing noise climate at the development site has been submitted to and been approved in writing by the Local Planning Authority. In the event that the acoustic report finds that the following noise levels would be exceeded a noise insulation scheme shall be submitted to and approved in writing by the Local Planning Authority:

- i) 55dB LAeq 16hr in outdoor living areas
- ii) 40dB LAeq 16hr in all rooms during the day-time (0700 - 2300)
- iii) 30 dB LAeq 8hr in all bedrooms during the night time (2300 - 0700)
- iv) 45 dB LAmax in bedrooms during the night-time (2300 - 0700)

The approved scheme shall be implemented prior to any occupation of the development and shall be permanently retained thereafter.

Reason: In the interests of residential amenity in accordance with the aims of Policies 1 and 35 of the District of Easington Local Plan.

8. The development hereby approved shall be carried out in full accordance with all ecological mitigation measures, advice and recommendations within the Preliminary Ecological Appraisal prepared by E3 Ecology Ltd (December 2013).

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.

9. The approved development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Very Civil Engineers.Com report number VCE1402/rep/001 and the mitigation measures detailed within the FRA. The relevant mitigation measures shall be fully implemented prior to occupation of the first dwelling of the development.

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.

10. No construction/demolition activities, including the use of plant, equipment and deliveries, which are likely to give rise to disturbance to local residents should take place before 0800 hours and continue after 1800 hours Monday to Friday, or commence before 0800 hours and continue after 1300 hours on Saturday. No works should be carried out on a Sunday or Bank Holiday.

Reason: In the interests of residential amenity in accordance with the aims of Policies 1 and 35 of the District of Easington Local Plan.

11. Prior to submission of the reserved matters/full planning application the developer must undertake an agreed programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record within 6 months of the date of completion of the scheme hereby approved by this permission. The strategy shall include details of the following:

i) the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area in accordance with a brief issued by the County Durham Archaeology Section; the evaluation is to be undertaken following the approval of planning permission;

ii) an assessment of the impact of the proposed development on any archaeological remains identified in the trial trench evaluation phase;

iii) proposals for the preservation in situ, or for the investigation, recording and recovery of archaeological remains and the publishing of the findings, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible;

iv) sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (i) and (iii) above is completed prior to the commencement of permitted development in the area of archaeological interest; and

v) notification in writing to the Principal Archaeologist of the commencement of archaeological works and the opportunity to monitor such works.

Reason: to comply with Para 128 of the NPPF as the site has an archaeological interest.

12. Notwithstanding the details submitted, this permission relates to a maximum of 44 dwellings on the site.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with part 7 of the National Planning Policy Framework and saved Policies 1 and 35 of the District of Easington Plan.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

BACKGROUND PAPERS

Submitted application form, plans supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework (2012)

National Planning Practice Guidance Notes

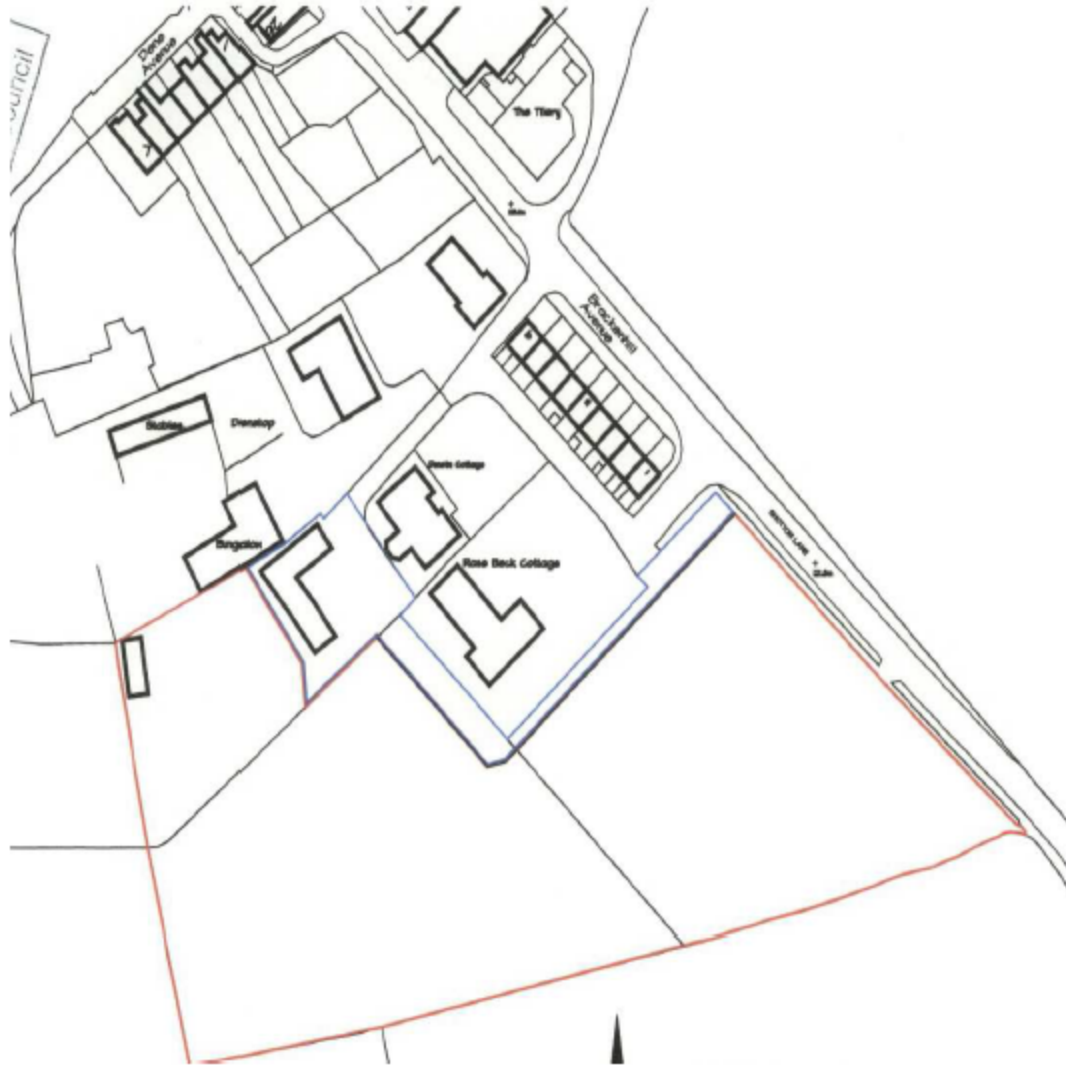
District of Easington Local Plan

The County Durham Plan (Submission Draft)

The County Durham Strategic Housing Land Assessment

The County Durham Strategic Housing Market Assessment

Statutory, internal and public consultation responses



Planning Services

Residential development comprising 44 houses (outline)

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005

Comments

Date July 2015