
APPLICATION DETAILS

APPLICATION NO: DM/16/04042/FPA

FULL APPLICATION DESCRIPTION: Hybrid application for NetPark Phase 3a, comprising full application for new spine road, new access from A177, drainage works including a pipe bridge, associated landscaping and infrastructure, and outline application for up to 14 two-storey buildings providing circa 1,670 m² B1 floorspace each.

NAME OF APPLICANT: Durham County Council

ADDRESS: Land To The North Of Discovery Offices, William Armstrong Way, NETPark, Sedgfield, TS21 3FH

ELECTORAL DIVISION: Sedgfield

CASE OFFICER: Colin Harding, Senior Planning Officer,
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DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site measures 16.7 ha in area and is located to the north of the NETPark development, and is bounded to the west by the A177, and to the east by agricultural fields, with the B1278 beyond. To the north, the site is bounded by agricultural fields and the riparian corridor of the River Skerne. Sedgfield itself lies approximately 1.5km to the south, and Fishburn approximately 1.2km to the north east. A farmhouse, Lizards Farm is located immediately to the north east of the site, beyond which lies Willowdene Care Home.
2. At present, the site comprises a number of agricultural fields, separated by a series of hedgerows, which contain a number of trees. An unnamed watercourse crosses the site in east-west direction, and presently serves as a field drain. The site undulates gently, rising towards the south east.
3. The site lies outside of any nationally or locally designated landscape, heritage or ecological areas, and the closes Public Right of Way (Footpath no.5 Bishop Middleham) lies to the west of the site, beyond the A177. Immediately to the west of the site lies an unnamed Local Wildlife Site, situated within a lay-by on the eastern side of the A177. The northern edge of Sedgfield Conservation Area lies approximately 1km to the south of the site.

The Proposal

4. This application forms a hybrid application, for Phase 3a of NETPark, and seeks full planning permission for a number of engineering related elements to be delivered at the initial stage, with outline permission being sought for the principle of B1 business uses across the site.
5. Full planning permission is being sought for the following elements:
 - The creation of a new junction access from the A177, spine road with access spurs to development parcels, and vehicle and pedestrian links to the existing NETPark and potential future development;
 - The construction of a below ground sewer pipe to serve future B1 Business development and pipe bridge over the River Skerne to enable connection to the foul sewerage outfall of the existing Northumbrian Water waste water treatment works located immediately to the north of the river;
 - Works to connect to, and divert existing utilities; and
 - Associated landscaping, street lighting, infrastructure and drainage.

Highways Works

6. It is proposed that a new T-junction with a left turn deceleration lane and right turn ghost island will be constructed on the existing A177 to form a new access to the proposed Development, through carriageway widening. A secondary access will also be created from the existing stub end located of the northern spur of the existing mini-roundabout at Joseph Swan Road / Thomas Wright Way.
7. The proposed spine road will consist of a 7.3 metre wide carriageway that runs predominantly north to south through the Site, and connects to the existing NETPark at Joseph Swan Road to the south (as described in paragraph 4.8). It incorporates 2 metre- and 3 metre wide shared-use cycleways and footpaths along the length of the carriageway, drainage swales and junction spurs to enable access to the individual B1 Business development parcels when these are built out in the future.
8. The internal road network is designed to enable future public transport penetration into the Site, and a swept-path analysis has been undertaken to demonstrate suitability for all vehicle types likely to access the Site in the future.

Sewer Pipe and Drainage Infrastructure

9. Full details of a surface water drainage scheme have been provided, and indicated that the spine road would be drained by means of swales towards either the existing highway drain on the A17, or into a new surface water system which will discharge into the unnamed watercourse that currently crosses the site, before ultimately discharging into the River Skerne.
10. With regard to foul sewage drainage, it is proposed to outfall to the existing sewage works located to the north of the site. The proposed pipeline to facilitate this would, for the most part be underground, however it would rise to cross the River Skerne via a pipe bridge consisting of two steel A-frame piers on either bank, with a steel beam between, to carry the pipe. Due to topography, it will also be necessary to run the pipe above ground for a distance of 5.5m on the southern side of the River Skerne, and brick piers would be used to carry the pipe over this distance.

Landscaping Measures

11. Landscaping measures which are proposed include the creation of a 15m wide native species tree and hedge planting belt along the site frontage with the A177. A further screening belt is proposed on the eastern boundary of the site. Details have also been provided for new hedge and tree planting within the site, wildflower meadow habitat creation, and protection and enhancement measures relating to two areas of secondary Magnesian Limestone grassland adjacent to the A177.

Outline Element

12. Outline planning permission, with all matters reserved, other than access is also sought for the provision of land for B1 Business development, consisting of 14 two-storey buildings, each with a gross floor area of approximately 1,670 sq.m of floorspace each, totalling around 23,000 sq.m. It is envisaged that these plots would be brought forward on an individual basis, by their respective end users. Consequently, no detail is currently available with regards to the detail design and layout of these elements, although a number of design principles have been set out within the application.
13. The application is being reported to the County Planning Committee as it constitutes a major development proposal exceeding 4 hectares in area.

PLANNING HISTORY

14. There is no planning history relating to the site itself, although there is extensive planning history relating to the existing NETPark development.

PLANNING POLICY

NATIONAL POLICY

15. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). 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. 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’.
16. 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. The following elements of the NPPF are considered relevant to this proposal.
17. *NPPF Part 1 – Building a Strong, Competitive Economy*. 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.

18. *NPPF Part 4 – Promoting Sustainable Transport.* The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
19. *NPPF 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 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.
20. *NPPF Part 10 – 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.
21. *NPPF Part 11 – Conserving and Enhancing the Natural Environment.* The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.
22. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to; air quality; conserving and enhancing the historic environment; design; determining a planning application; flood risk; health and well-being; land stability; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; noise; public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

<http://planningguidance.planningportal.gov.uk/>

LOCAL PLAN POLICY:

The Sedgefield Borough Local Plan (SBLP) 1996

24. *Policy E1 – Landscape Protection and Enhancement* – Normally requires that landscape features such as hedgerows, woods, streams and buildings fit into the landscape scheme for any development in the southern and eastern lowlands landscape.
25. *Policy E11 – Safeguarding sites of Nature Conservation Interest.* Sets out that development detrimental to the interest of nature conservation will not be normally permitted, unless there are reasons for the development that would outweigh the need to safeguard the site, there are no alternative suitable sites for the proposed development elsewhere in the county and remedial measures have been taken to minimise any adverse effects.
26. *Policy E15 – Safeguarding woodlands, trees and hedgerows* – Sets out that the council expect development to retain important groups of trees and hedgerow and replace any trees which are lost.
27. *Policy IB3 - Proposals For the Development of New Industrial and Business Areas* allocates the site for development as a business area.
28. *Policy IB4 – Development of Large, Single-User Industrial or Business Sites* states that permission for business use requiring a large site outside of an existing prestige business area or general industrial area will normally be approved only if there are significant employment and economic benefits to the economy of County Durham. Large sites are expected to comprise a high standard of site layout, building design and landscaping in accordance with Policy D4.
29. *Policy T1 – Footways and Cycleways in Towns and Villages* – states that the Council will seek to ensure that safe, attractive and convenient footpath and cycleway links and networks are provided.
30. *Policy L15 – Winterton Hospital Estate* sets out that development proposals within this allocation should form part of a comprehensive planning scheme that conserves the landscape setting of the site, retains buildings and features of importance, includes business use, and maintains open land between the Winterton Hospital Site, and the Sedgefield Community Hospital site.
31. *Policy D1 – General Principles for the layout and design of new developments* – Sets out that 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.
32. *Policy D2 – Design for people* – Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
33. *Policy D3 - Design for access* – Requires that developments should make satisfactory and safe provision for pedestrians, cyclists, cars and other vehicles.
34. *Policy D9 – Art in the Environment* seeks to encourage the incorporation of artistic elements in development schemes.

EMERGING PLAN:

35. 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 (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

Neighbourhood Plan

36. Sedgefield Parish was designated as a neighbourhood area in September 2013. A submission draft of the neighbourhood plan was consulted upon in early 2016. The Examination Report was delivered in June 2016 however this recommended significant deletions to the plan. While the Town Council have yet to decide how to proceed, it is noted that there would be no impacts on this proposal regardless of how things progress with the plan.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (Sedgefield Borough Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

37. *Highway Authority* – Raise no objections. It is advised that the development is unlikely to have a severe impact upon the highway network, although further modelling work should be secured at three identified junctions, and mitigation secured if shown to be necessary.
38. *Northumbrian Water Limited* – Raise no objection, subject to the development being carried out in accordance with the submitted flood risk and drainage assessment.
39. *Drainage and Coastal Protection* – Offer no objections, considering that the proposed drainage scheme would be appropriate.

INTERNAL CONSULTEE RESPONSES:

40. *Spatial Policy* – Offer no objection, noting that assessment of this proposal against the development plan has identified that Policies L15 and IB3 of the Sedgefield Local Plan can be considered out of date in relation to the southern area of the application site. In this regard the planning balance test outlined in Paragraph 14 is relevant, and the significant economic benefits that the proposal would bring are highlighted.
41. *Landscape* – Offer no objection, noting that the site current comprises pleasant, if unremarkable farmland. The proposed screening from the A177 is considered to mitigate impacts. Provided that tree removals are minimised, and hedges retained in accordance with the submitted plans, then landscape and visual effects will be acceptably contained.

42. *Landscape (arboriculture)* – No objections are raised. Those trees that make the most significant amenity contributions will be retained. Some tree removal and loss of hedgerow will be inevitable, as part of the initial phase of works, however later phases can be address impacts of individual developments upon trees at a later stage.
43. *Design and Conservation* – Offer no objection to the application, as it is unlikely to have any adverse impact on the setting of heritage assets. The stated design principles are considered to be positive.
44. *Ecology* – Offer no objections, subject to conditions being attached in order to secure adherence to the mitigation strategy contained within the submitted ecology report.
45. *Environment, Health and Consumer Protection (Pollution Control)* – Note that the development is likely to be served by significant external plant, building openings and other potential noise sources. Without specific controls noise from these elements may cause a significant impact on residential properties, however subject to a condition requiring adherence with a noise rating level threshold, this could be mitigated to an acceptable level as the detailed proposals for each plot are finalised. A construction management plan is also requested.
46. *Environment, Health and Consumer Protection (Air Quality)* – No objections are raised. The operational phase of the development would have only a negligible impact upon air quality. There is a medium risk of dust affecting residential properties during the construction phase, and a dust management plan should be secured by condition as a result.
47. *Environment, Health and Consumer Protection (Contaminated Land)* – Advise a conditional approach in relation to land contamination as the submitted reports do not take account of the outline element of the application.
48. *Archaeology* – No objection. The geophysical survey has revealed anomalies that should be tested through targeted trial trenching, but are unlikely to affect the principle of developing the site, and can be secured via condition.
49. *Sustainable Travel* – Advise that the site should be futureproofed to enable future re-routing of buses into the site. Separate cycling facilities should be provided in preference to shared use paths, wherever possible. Some amendments to the submitted travel plan are also required prior to occupation.

PUBLIC RESPONSES:

50. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents. 2 letter of representation has been received, raising concerns that some parts of the submitted ecology survey are not available for public viewing, and that the development does not sufficiently consider the issue of wider cycling infrastructure provision.

The above is not intended to repeat every point made and 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:

<https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NS4WULGDLNL00>

APPLICANTS STATEMENT:

51. County Durham's economic performance is currently below that for the North East region as a whole, which itself is one of the poorest regions in the UK. The employment rate, at 66.8%, is significantly below the national average of 73.4%. The existing proportion of jobs in the private sector in Durham is also significantly lower than the national average, 63.8% compared to 72.6%, and this imbalance is growing.
52. DCC's Assessment of Future Land Requirements Interim Report (May 2016), which considers the likely future land requirements across County Durham associated with the 'B' land use class sectors, identifies a requirement for between 35 and 70 additional hectares of office space over the period 2016 to 2033. Further development at the NETPark site, a location that has already proven popular with high-tech employers, would make an important contribution to meeting this identified future need.
53. NETPark phases 1 and 2 has been extremely successful in attracting high value high-tech occupiers, and the need to expand the technology park is increasing as occupiers within the existing buildings are outgrowing the facilities. To capitalise on the initial success and enable continued employment and economic growth that will benefit County Durham and the wider North East region as a whole, the proposed phase 3A expansion is needed to provide a further range of buildings with increased levels of floorspace than are currently available within the existing NETPark provision. This would enable established occupiers to move into larger spaces whilst also providing additional incubator buildings, freeing up spaces in the smaller units for use by new startup businesses.
54. Further growth at NETPark for high-tech, fast growing companies is a priority for the North East Local Enterprise Partnership (North East LEP). The North East LEP have awarded the project £6.8million funding, under the Local Growth Fund, for the construction of the new access road in order to facilitate the future development of Phase 3A of the technology park. The Local Growth Fund supports major capital investments to promote innovation, economic and skills infrastructure and sustainable transport across the North East LEP area to deliver the priorities identified in the region's Strategic Economic Plan.
55. The funding will help secure essential enabling infrastructure through the provision of additional land take, service diversions and supplies to be constructed, along with design and construction of a spine road and access stubs to proposed business units. The proposed Development is, therefore, an important strand in achieving the LEP's aim of creating an extra 100,000 more and better jobs by 2024.
56. The above demonstrates a compelling justification for the proposed Development, in terms of supporting economic growth and job creation within County Durham through the provision of essential enabling infrastructure and B1 Business development plots that will facilitate and strengthen the continued successful growth of NETPark.

PLANNING CONSIDERATIONS AND ASSESSMENT

57. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with Paragraph 212 of the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of development, landscape and

visual amenity, ecology and nature conservation, flood risk, highways impacts, impacts upon heritage assets, and other issues.

The Principle of Development

The Development Plan

58. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Sedgefield Borough Local Plan (SBLP) remains a statutory component of the development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 215 that greater weight may be given to local plan policies depending on their degree of consistency with the NPPF.
59. NPPF Paragraph 211 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. However, notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired.

The NPPF

60. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - ii) specific policies in this Framework indicate development should be restricted.

Assessment having regards to Development Plan Policies

61. Southern part of the application site is identified within the SBLP as being subject to Policy L15, which allocated the former Winterton Hospital site for a variety of mixed uses, including housing and business use, and has led to the emergence of NETPark as a science park.
62. Assessment against this policy is difficult given the dramatic level of change on the ground since the policy was adopted, and the fact that the site has been developed out in a manner that is not in strict accordance with the illustrative masterplan set out within the SBLP.
63. It is noted that an Employment Land Review (ELR) was undertaken in 2012 which identified that a considerable area of land at NETPark should be allocated for uses specific to those in research and development over the future Plan period. This includes the site area that is covered by the L15 designation.

64. Although this provides some recognition that the policy may still be relevant, the illustrative plan contained with Policy L15 now bears little resemblance to how the site has been developed out, and it is therefore concluded that SBLP Policy L15 is now out of date.
65. Policy IB3 identifies the Winterton Hospital Estate should be developed as a Business Area. Given that this is to be read in conjunction with Policy L15, again it is concluded that this policy is out of date for the purposes of the Winterton site.
66. However policies in Paragraphs 14 and 49 of the NPPF do not make “out of date” policies irrelevant in the determination of a planning application. Nor do they prescribe how much weight should be given to such policies in the decision, this being a matter for the decision-maker, having regard to advice at Paragraph 215 of the NPPF.
67. With respect to these policies, the proposed developed is considered to be in accordance with them. The proposal would deliver a significant amount of B1 development, as an expansion of the already successful NETPark development, which has established itself as a prestige location for science and technology business, within the region.
68. The northern part of the site which lies outside of the allocated areas, falls to be considered against the provisions of Policy IB4 which seeks to ensure that large business sites outside of allocated areas do not significantly prejudice environmental interests, are located close to existing business or industrial areas, and have a satisfactory standard of access to the strategic road network. This policy is considered to be up-to-date, and NPPF consistent, meaning in can accrue full weight.
69. With regards to the provisions of this policy, those criteria relating to environmental impacts, and access will be fully considered elsewhere in this report, however with regards to the locational requirement, it is noted that the proposal would be located immediately adjacent to the existing NETPark development, and as a result this element of the policy would be satisfied.

Conclusion on the Principle of the Development

70. The proposed development can draw support from SBLP Policies IB3 and E17, which allocates much of the site for the uses proposed, although only reduced weight can now be afforded to these policies. The remainder of the site is subject to the provisions of SBLP Policy IB4, which attracts full weight, and subject to technical matters being considered satisfactory, there is no conflict with this policy, in principle.
71. However, as SBLP policies IB3 and L15 are considered to be out of date, the acceptability of the proposed development rests on whether any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits or whether there are any specific policies in the NPPF that indicate development should be restricted.

Landscape and Visual Amenity

72. SBLP Policies E1 and D1 requires that developments should be designed and built to a high standard which contributes to the quality of the built environment while also having an acceptable impact on the surrounding landscape of the area. This is reflected in Parts 7 and 11 of the NPPF which promotes good design and sets out that the planning system should contribute to and enhance the natural and local

environment by protecting and enhancing valued landscapes. It is therefore considered that full weight can be afforded to SBLP Policies E1 and D1 due to their compliance with the NPPF in this respect.

73. The site lies in the Tees Lowlands County Character Area which forms part of the larger Tees Lowlands National Character Area (NCA23). It lies in the *Sedgefield, Windlestone and Aycliffe* Broad Character Area which belongs to the *Lowland Plain* Broad Landscape Type. The site does not lie within a locally or nationally designated landscape.
74. The submitted Landscape and Visual Impact Assessment (LVIA) identifies a number of key receptors and viewpoints, from which the site can be appreciated. These primarily relate to distant views from Fishburn, Winterton and Sedgefield, as well as users of the A177 and Winterton lay-by, immediately adjacent to the site.
75. The LVIA concludes that the impact on the landform is considered to be negligible, whilst the effect on the landscape features of the site is considered to vary between minor and major, with the major effects being on the field boundary hedgerows and trees that are to be removed. The proposed development is considered to have a minor to moderate impact on the landscape character. The impact on residential receptors varies, from moderate-major for the residents of nearby Lizard's Farm to minor for the limited number of residents in Fishburn who have more distant views of the site. The impact on walkers, cyclists and horse riders ranges between negligible and minor, whilst for motorists the impact is considered moderate.
76. A series of mitigation measures are proposed and have been incorporated into the proposed development. These include up to a 15 metre wide structural planting belt along the western edge of the Site providing screening from the A177, and new amenity planting, including trees and hedgerows, providing green infrastructure links between established ecological habitats, as well as creating new habitats.
77. The landscape measures would need to be augmented by sympathetic plot development layouts and complimentary planting schemes to minimise further reduction in visual amenity value and landscape character. The LVIA states that these can be appropriately assessed through future planning and / or reserved matters applications as each B1 Business development plot comes forward.
78. The LVIA concludes that the only notable residual effect after mitigation would be the effect on landscape character at the level of the site itself and its immediate surroundings. This reflects the effects of built development on a tract of undeveloped farmland. However, it is considered that such effects would be localised. The effects on the local landscape beyond the site are considered to be of moderate magnitude and significance, and the effects on the wider landscape beyond that of low magnitude and minor significance. The resulting effect from the proposed development would be reduced following the implementation of mitigation planting, and would reduce further over time as the planting further matures.
79. Landscape Officers have considered the content of the submitted LVIA, and finds its methodology and conclusions to be sound. It is recommended that subject to the proposed mitigation planting being secured condition, the proposal would be considered to be in accordance with SBLP Policies E1 and D1, as well as Part 11 of the NPPF.

80. SBLP Policies D1, D2, D3 and seek to promote good design which relates well to the natural and built features of the site, the surrounding area and adjacent land uses. Policy E15 expects development proposals to retain woodland, hedgerows and important trees wherever possible. SBLP Policy D9 seeks to encourage the incorporation of public art within developments wherever possible. Parts 7 and 11 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 58 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Due to their compliance significant weight can be afforded to SBLP Policies D1, D2, D3, D9 and E15 in this respect.
81. The proposed indicative masterplan suggests that a cohesive development could be achieved on the site, and with the proposed design principles being secured by condition, whilst noting the outline nature of the application, it is considered that this would provide for an acceptable layout. This matter would however be fully controlled in any reserved matters application.
82. SBLP Policy D9 seeks to encourage public art within new development, and it is considered that the incorporation of a public art feature can be secured by means of a planning condition.
83. The submitted arboricultural assessment identifies that a number of trees would be lost as a result of the development, however none are considered to be of a higher quality than “moderate”, and the number to be lost has been minimised as far as possible. The highest loss will occur in the construction of the new road access and junction, and further losses may occur when individual plots are developed, however these will be considered at the detailed design stage, through any reserved matters application.
84. These losses should however, be considered in the context of the proposed landscape mitigation, which will include a structural landscaping belt of 15m in depth along the boundary of the site with the A177, which will include native species trees. Furthermore, this mitigation could be augmented in the future by sympathetic plot layout and high quality plot-by-plot landscaping detailing. Overall therefore, there is considered not to be a conflict with SBLP Policy E15, as the overall landscape and visual amenity of the site, in terms of existing trees would not be unreasonably affected, overall.
85. Overall subject to the securing and detailing of the proposed landscaping of the site the development would have an acceptable impact on the character and appearance the surrounding area, while the indicated layout could provide for an attractive cohesive development. The development is therefore considered to comply with SBLP D1, D2, D4, and D9, as well as Parts 7 and 11 of the NPPF subject to the attached conditions in relation the implementation of landscaping.

Flood Risk and Drainage

86. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only

consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.

87. The application is accompanied by a flood risk assessment (FRA), which highlights that the application site is within flood zone 1 with a low flood risk probability, and furthermore that there is a low risk of surface water flooding. The FRA sets out a drainage strategy including the incorporation of Sustainable Urban Drainage (SUDs). This includes the implementation of storage/attenuation ponds on an area of amenity land central to the site. This, along with other techniques including infiltration, would restrict runoff to Green Field rate before being discharged into existing watercourses. Drainage and Coastal Protection officers, and Northumbrian Water offer no objections in principle providing a detailed scheme design is submitted in accordance with the findings of the FRA.
88. A condition to resolve the final surface and foul water disposal proposals is recommended and no objections to the development on the grounds of flood risk or drainage are raised having regards to Part 10 of the NPPF.

Residential Amenity

89. SBLP Policy D1 requires that the design and layout of development to have no serious adverse effect on the amenity of those living or working in the vicinity of the development site. These Policies are considered NPPF compliant with a core planning principle at Paragraph 17 of the NPPF stating that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings. Part 8 of the NPPF amongst other guidance advises on the need to create safe and accessible environments where crime and disorder and the fear of such are considered. Whilst Part 11 seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.
90. The indicative site layout demonstrates that adequate separation from the closest residential property, Lizard's Farm which lies approximately 300m beyond the eastern edge of the site, would be maintained, and that there would be no significant adverse effects in terms of loss of light or dominance.
91. Environment, Health and Consumer Protection acknowledge that there is the potential for noise from the proposed business units to affect nearby residents, particularly at night, however it is considered unlikely that this would amount to statutory nuisance, or lead to unacceptable levels of residential amenity, if properly addressed with design mitigation at the detailed design stage. As a result conditions are suggested in order to secure a review of background noise levels prior to development commencing, and conditions to secure adequate details of proposed plant, door openings and operational hours at the reserved matters stage for each plot.
92. While recognising that the Environment, Health and Consumer Protection officers have additional controls outside of the planning system that deal with noise nuisance and other construction related disturbances, given the proximity of neighbouring residential properties, some form of control is necessary. The issues raised by Environment, Health and Consumer Protection officers could however all be dealt with under a single condition requiring a Construction Management Plan detailing measures to minimise the impact of construction activities on the neighbouring properties.

93. With regards to air quality, the applicant has provided an air quality assessment, which concludes that based upon the level of traffic likely to be generated by the development, that there would unlikely be a material impact on air quality during the operational phase of the development. It is acknowledged that there would be a medium risk of dust being generated during construction, and as a result a planning condition is suggested in order to secure a dust management plan.
94. Overall, it is considered that the development would not cause any adverse impact upon the amenity of those living in the vicinity of the development site, and adequate levels of amenity for prospective occupiers can be secured and further required in subsequent applications. The development is therefore considered compliant with SBLP Policy D1 in this respect and Parts 8 and 11 of the NPPF.

Access and highway safety issues

95. SBLP Policy D3 requires that development proposals achieve a satisfactory means of access onto the wider highway network while seeking to protect highway safety in terms of vehicle movements and traffic generation. SBLP Policy T1 seeks to ensure that safe, attractive and convenient footpath links are provided, where appropriate, to serve new development. These Policies are considered compliant with the NPPF which also seeks to promote accessibility by a range of methods, while ensuring that a safe and suitable access can be achieved and therefore can be given full weight in considering the application. The NPPF sets out at Paragraph 32 that safe and suitable access can be achieved for all people while setting out that developments that generate a significant amount of traffic should be supported by Transport Assessments or Statements. In addition Paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
96. The application is accompanied by a Transport Assessment (TA) which seeks to inform on and assess the key highways related implications of the development. This includes the accessibility of the development; trip generation and traffic assignment; future year flows; operational assessment of junctions; highway safety; and present highways works necessary to facilitate the development.
97. The TA establishes that the impact of the development upon the highway network, would, for a large part be acceptable, and not result in an impact such that it could be considered to be "severe". Highways officers have advised that they are satisfied with many of the conclusion reached within the TA, however further modelling of impacts upon three junctions is required. It is though considered that the junctions in question would be capable of being mitigated, and subject to a condition securing the further modelling, and mitigation works if required, the development is unlikely to result in severe impacts.
98. It is noted that Bishop Auckland Cycling Club have raised the issue of the provision of wider cycling infrastructure in terms of accessing the development. Although the improvement of cycling infrastructure, where appropriate, is supported as a matter of principle, this would involve offsite highways works beyond mitigating the level of impact that development would be likely to generate, and would therefore be considered to be excessively onerous. Offsite cycle network improvements, would not, it is considered, render the development unsustainable.
99. No objections have been received from the County Highways Authority, and overall, the highways impact of the proposed development is considered to be acceptable, subject to the necessary mitigation, and therefore in accordance with SBLP Policy D3 and Part 4 of the NPPF.

Ecology

100. The closest site of nature conservation interest is an unnamed Local Wildlife Site which is located immediately to the west of the application site, in a highway verge, and comprises magnesian limestone grassland. SBLP Policy E11 and Part 11 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests. An ecology survey has been submitted with the application assessing the impacts of the development upon a number of protected species. It highlights that a known previously active badger sett is no longer occupied. Otter spraint was also found in the River Skerne corridor, but these are considered to be related to commuting otters, with no suitable holt locations being identified. No evidence of Water Vole or Great Crested Newt were found within the site.
101. With regards to bats, emergence and transect surveys have been carried out, and indicated low numbers of common bat species using the hedgerows and existing batcote within the NETPark development, but with little activity within the site itself. Two of the trees identified for removal were assessed as having the potential to host roosting bats, however further investigation revealed no evidence of this being the case.
102. It is likely, as with much of farmland in this part of the county, that the site is used by birds for nesting purposes, however the populations of those birds likely to use the site would not be adversely affected by the loss of this particular area of farmland. Prior to development commencing, a breeding bird survey would be carried out to ensure that any nesting would be identified before works start.
103. Overall, the submitted ecology report finds that the development would lead to the immediate loss of small sections of generally species-poor hedgerows, trees and arable land, with low biodiversity value. There would however, be potential for short-term disturbances to otter populations whilst the pipe bridge is installed. Additionally there is the potential for the fragmentation of bat commuting and feeding corridors, and loss of breeding and feeding habitat for some common breeding birds.
104. Mitigation for these impacts is proposed through the provision of additional landscaping and planting as the development progresses. Furthermore, it is proposed to enhance the existing off-site area of magnesian limestone grassland within the adjacent lay—by, which is in Durham County Council ownership. This would take the form of topsoil removal, and planting with a suitable limestone grassland seed mix.
105. Ecology officers have reviewed the submitted information and have raised no objection, and subject to conditions relating to adherence to the Biodiversity Management Plan, and an informative in relation to the timings of vegetation clearance, the Council can satisfy its obligations under the Conservation of Habitats & Species Regulations 2010 and the proposal would comply with NPPF Paragraph 118.
106. Given that biodiversity impacts can be adequately mitigated, both on and off site, along with the planting proposed, the development is considered to conform to SBLP Policy E11, and Part 11 of the NPPF in this respect subject to the conditions outlined above. None of the works proposed are likely to require a licence from Natural England, and therefore it is considered to be not necessary to consider the derogation tests.

Other Issues

107. Environment, Health and Consumer Protection officers (Contaminated Land) have noted that the development would result in “a more sensitive end user” but are satisfied that a conditional approach to site investigation and any necessary remedial work would be appropriate in this case. The site falls within the defined Coal Mining Development Low Risk Area and should planning permission be granted an informative note would be included with the decision notice in the interests of public safety. An informative can be added having regards to the requirements Paragraph 121 of the NPPF.
108. As advised by the Design and Conservation Officer there are no heritage related issues associated with the development, in particular, there being no impact on the setting on Sedgefield Conservation Area given the distance separating the sites and absence of inter-visibility. However, in terms of archaeology, after reviewing the submitted Geophysical Survey Archaeology, Officers advise that no further work is required, and that the application is acceptable, and in accordance with Part 12 of the NPPF.
109. The Council has an aspirational target of providing 10% of any labour requirement of new developments to be offered as new employment and skills opportunities. This can be achieved by committing developers/bidders to provide an agreed target of new opportunities to County Durham residents to maximise the economic benefit from any new development or procurement opportunities. These opportunities can include apprenticeships, job opportunities and work placements. This is a matter which can be addressed through the means of a suitable planning condition.
110. 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. Subject to further information in relating to sustainability and energy being provided on a plot by plot basis, which can be secured by means of a planning condition, in this regard the proposal would accord with the objectives of Part 10 of the NPPF.
111. It is noted that the single representation received raised concerns over the public availability of the ecological survey, and it is advised that this document was marked as sensitive on the Council’s Public Access page in order to protect the location of the known badger sett which is located within the site, and is protected by The Protection of Badgers Act 1992.
112. If committee members are minded to approve the application, it is recommended that an extended period for submitting reserved matters be provided, in order to allow the NETPark extension to be delivered over the envisaged 15 year period.

Planning Balance

113. The acceptability of the housing element of the scheme should be considered under the planning balance test contained within Paragraph 14 of the NPPF. No specific policies within the NPPF are considered to indicate development should be restricted and therefore in order to justify the refusal of planning permission any adverse impacts of a proposed development must significantly and demonstrably outweigh any benefits.

Benefits

114. The proposed development would provide the essential infrastructure, and establishment of principal for the further expansion of the already successful NETPark development, to the extent of approximately 23,000 sq.m of B1 floorspace, to be delivered over the next 10-15 years, providing an estimated 620 jobs. This will deliver clear economic and employment benefits.

Adverse Impacts

115. The development would lead to the loss of agricultural land. Furthermore there would be limited localised adverse landscape impacts by virtue of the development being on a greenfield site. There would also be some adverse impacts upon biodiversity as a result of displacing ground breeding birds.

CONCLUSION

116. The acceptability of the application should be considered in the context of the planning balance test contained within Paragraph 14 of the NPPF.
117. Paragraph 14 states that where development accords with an existing development plan, that it should be approved without delay. In this instance, it is considered that the development would be in accordance with SBLP Policy IB4, which is considered to be consistent with the NPPF, and remains 'up-to-date'.
118. As set out above, the southern part of the site is subject to SBLP Policies E17 and IB3, however these policies are considered to be out-of-date, for the purposes of paragraph 14 of the NPPF. Consequently the acceptability of the proposed development on this part of the site falls to be considered in the context of Paragraph 14, which states that the development should be approved without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
119. Subject to mitigation, the development would have an acceptable impact on the wider highway network and provide a safe means of access. The scheme would not significantly impact on the residential amenity of surrounding properties, and the development would not give rise to flood risk elsewhere.
120. When the clear economic and employment benefits of sustaining and expanding the existing successful NETPark development, are weighed against the limited adverse impacts relating to loss of agricultural land, limited landscape impacts, and displacement of breeding bird habitat, these adverse impacts when considered collectively are considered to not "significantly and demonstrably" outweigh the economic benefits identified, and as a result, the proposed development can be considered to constitute sustainable development for the purposes of paragraph 14, for which there is a presumption in favour.

RECOMMENDATION

That the application is **APPROVED** subject to the following conditions:

Time Full

1. The access road, preliminary landscape works, and drainage works hereby permitted as identified on drawings '1323044/PA/01, 1323044/30/01 and B225H007/NetPark/GA/01, 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.

Time Outline

2. No development other than site clearance and remedial works shall take place on the area of land identified for future development on drawing '1323044/PA/04' until approval of the details of the appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") has been obtained from the Local Planning Authority in writing before the expiration of fifteen years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters, or the case of approval on different dates, the approval of the last 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.

Plans

3. The development hereby approved in shall be carried out in strict accordance with the following approved plans and documents :-

Planning Application (Overall Layout) (drawing no. 1323044/PA/01 Rev B);
Planning Application (Proposed B1 areas) (drawing no. 1323044-PA-04);
Planning Application (Road Layout) (drawing no. 1323044/PA/05);
Engineering Layout (drawing no. 1323044/03/01);
Proposed Street Lighting Layout Rev B (drawing. 50323/73/Net Park);
Typical Cross Sections (drawing no. 1323044/08/01);
Tree Constraints Plan (drawing no. 1323044-PA-02);
Landscape: Planting Layout (drawing no. 1323044-30-01)
Site Boundary Ways across the site and Site Clearance Sheet 1 (drawing no. 1323044/02/01)
Site Boundary Ways across the site and Site Clearance Sheet 2 (drawing no. 1323044/02/02)
NETPark Pipe Bridge General Arrangement Rev A (drawing no. B225H007/NETPark/GA/01);
Foul Water Sewer Drainage Details - Drawing A (drawing no. 1323044-05-05);
Foul Water Sewer Drainage Details - Drawing B (drawing no. 1323044-05-06);
Foul Water Sewer Drainage Details - Drawing C (drawing no. 1323044-05-07);
Foul Water Sewer Drainage Details - Drawing D (drawing no. 1323044-05-08);
Surface Water Drainage Details - Drawing A (drawing no. 1323044-05-01);
Surface Water Drainage Details - Drawing B (drawing no. 1323044-05-02);
Surface Water Drainage Details - Drawing C (drawing no. 1323044-05-03);
Surface Water Drainage Details - A177 Junction (drawing no. 1323044-05-04);
Drainage Standard Details 1 of 2 (drawing no. 1323044/05/09)
Drainage Standard Details 2 of 2 (drawing no. 1323044/05/10)
Public Utilities' (drawing no. 1323044/07/01);
Earthworks Isopachytes (drawing no. 1323044/06/01);
Topographic Surveys (drawing nos. 20151130-00 to 20151130-17

Topographic Surveys (drawing nos. 20151130-00 to 20151130-17)

Reason: To define the consent and ensure a satisfactory form of development is obtained in accordance with Policies E1, E11, E15, IB4, D1, D2, D3, and D9 of the Sedgefield Borough Local Plan.

Design Code

4. The development hereby approved shall be implemented in general conformity with the design principles set out in Chapter 5 of the submitted document "Proposed NETPark Phase 3A Spine Road, B1 Business Development and Associated Infrastructure, Design and Access Statement, December 2016".

Reason: To define the consent and ensure a satisfactory form of development is obtained in accordance with Policies E1, E11, E15, IB4, D1, D2, D3, and D9 of the Sedgefield Borough Local Plan.

Highways Mitigation

5. None of the B1 development hereby approved shall be operationally occupied until further modelling work relating to the following junctions:
 - A177: B1278 priority junction
 - Station Road Coxhoe/ A689 priority junction
 - A689/A177 roundabout

has been submitted to and agreed in writing by the Local Planning Authority, and any mitigation work required as a result of the modelling has been carried out.

Reason: In the interests of highway safety in accordance with Policy D3 of the Sedgefield Borough Local Plan and Part 4 of the National Planning Policy Framework.

Hours of Construction

6. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: To protect the residential amenity of existing and future residents from the development to comply with Part 11 of the National Planning Policy Framework.

Noise

7. Before the commencement of the development, a detailed noise impact assessment shall be submitted to and approved in writing by the local planning authority. The aim of the assessment shall be to identify the current background noise level on site and enable a noise rating level threshold to be set. The threshold shall be set so as to ensure that no future developments exceed the background (LA90) by more than 5dB LAeq (1 hour) between 07.00-23.00 and 0dB LAeq (15 mins) between 23.00-07.00. The measurement and assessment shall be made according to BS 4142: 2014.

Reason: To protect the residential amenity of existing and future residents from the development to comply with Part 11 of the National Planning Policy Framework.

Construction Management Plan

8. Prior to the commencement of development on any individual plot, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
 1. A Dust Action Plan including measures to control the emission of dust and dirt during construction
 2. Details of methods and means of noise reduction
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 4. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
 5. Designation, layout and design of construction access and egress points;
 6. Details for the provision of directional signage (on and off site);
 7. Details of contractors compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
 8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
 9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
 10. Routing agreements for construction traffic.
 11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
 13. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 Noise and Vibration Control on Construction and Open Sites during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: To protect the residential amenity of existing residents from the development to comply with Part 11 of the National Planning Policy Framework.

Tree Protection

9. No development work shall take place until all trees and hedges identified for retention on Tree Constraints Plan 1323044/PA/02, are protected by the erection of fencing and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar in accordance with BS 5837:2012. Protection measures shall remain in place until the cessation of the development works.

Reason: In the interests of the visual amenity of the area having regards to Policy E15 of the Sedgefield Borough Local Plan and Parts 7 and 11 of the NPPF. Required to be pre-commencement as landscape features must be protected prior to works, vehicles and plant entering the site.

Drainage

10. No development (excluding services diversions, provision of utilities, ground improvement works, and construction of the main access road) shall take place until a scheme for the management and disposal of surface and foul waters for the relevant phase of the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of managing surface and foul water disposal and reducing flood risk having regards to Policies U8a and U10 of the City of Durham Local Plan and Part 10 of the NPPF.

Contaminated Land

11. No development (excluding services diversions, provision of utilities, ground improvement works, and construction of the main access road) shall commence until a scheme to deal with any contamination has been submitted to and agreed in writing with the Local Planning Authority for each phase or part thereof. The scheme shall include the following, unless the Local Planning Authority is satisfied that the site is suitable for the proposed use and dispenses of any such requirements, in writing:

Pre-Commencement

(a) A Phase 2 Site Investigation and Risk Assessment is required and shall be carried out by competent person(s) to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications.

(b) If the Phase 2 assessment identifies any unacceptable risks, remediation is required and a Phase 3 Remediation Strategy detailing the proposed remediation and verification works shall be carried out by competent person(s). 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

(c) 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.

Lighting

12. No development other than services diversions, provision of utilities, ground improvement works, and construction of the main access road shall take place for each phase of development until a final lighting scheme for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The agreed lighting scheme shall thereafter be implemented prior to occupation of the respective phase. All permanent lighting shall be orientated and shielded or otherwise designed and positioned such that they meet the requirements of the Guidance Notes for the Reduction of Obtrusive Light GN01:2011. Lighting shall thereafter be retained only in accordance with the approved details.

Reason: In the interests of ensuring that light spillage from the development is acceptable having regards to potential impacts upon residential amenity, heritage assets and protected species having regard to Policies E3, E16, E21, E22 and E23 of the City of Durham Local Plan and Parts 11 and 12 of the NPPF.

Landscape Buffer

13. No development (services diversions, provision of utilities, ground improvement works, and construction of the main access road) shall take place until a scheme (to include the phasing of implementation) for the provision and management of up to a 15 metre wide landscape buffer zone alongside the A177 is submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the agreed phasing of implementation. The buffer zone scheme shall be free from built development including lighting, and formal landscaping. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term

Reason: In the interests of biodiversity and habitat creation in accordance with policy E16 of the City of Durham Local Plan and Part 11 of the NPPF.

Sustainability

14. No development (excluding services diversions, provision of utilities, ground improvement works, and construction of the main access road) shall take place on each phase of the development until a scheme to minimise energy consumption for that phase has been 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 or an equivalent scheme that minimises carbon emissions to an equal level through energy efficient measures. Thereafter each phase of the development shall be carried out in accordance with the approved scheme and retained so in perpetuity.

Reason: In order to minimise energy consumption and to comply with Policies U14 and 15 of the City of Durham Local Plan 2004.

Site Levels

15. Prior to the commencement of the construction of each B1 office plot hereby approved, sections setting out existing and proposed site levels and the finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved information thereafter.

Reason: In the interests of the visual amenity in accordance with Policies E1, D1 and D5 of the Sedgefield Borough Local Plan and Parts 7 and 11 of the NPPF.

Travel Plan

16. Prior to the first occupation of each phase of development a final travel plan for that phase or part thereof shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of promoting sustainable transport options having regard to Part 4 of the NPPF.

Artistic Element

17. No development other than services diversions, provision of utilities, ground improvement works, and construction of the main access road shall take place until a scheme for the introduction of artistic elements/features into the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of the provision of art in development having regard to Policy Q15 of the City of Durham Local Plan.

Employment and Skills Plan

18. No development other than services diversions, provision of utilities, ground improvement works, and construction of the main access road shall commence until an Employment & Skills Plan is submitted to and approved in writing by the Local Planning Authority. Thereafter the development hereby approved shall be carried out in accordance with the approved Employment & Skills Plan.

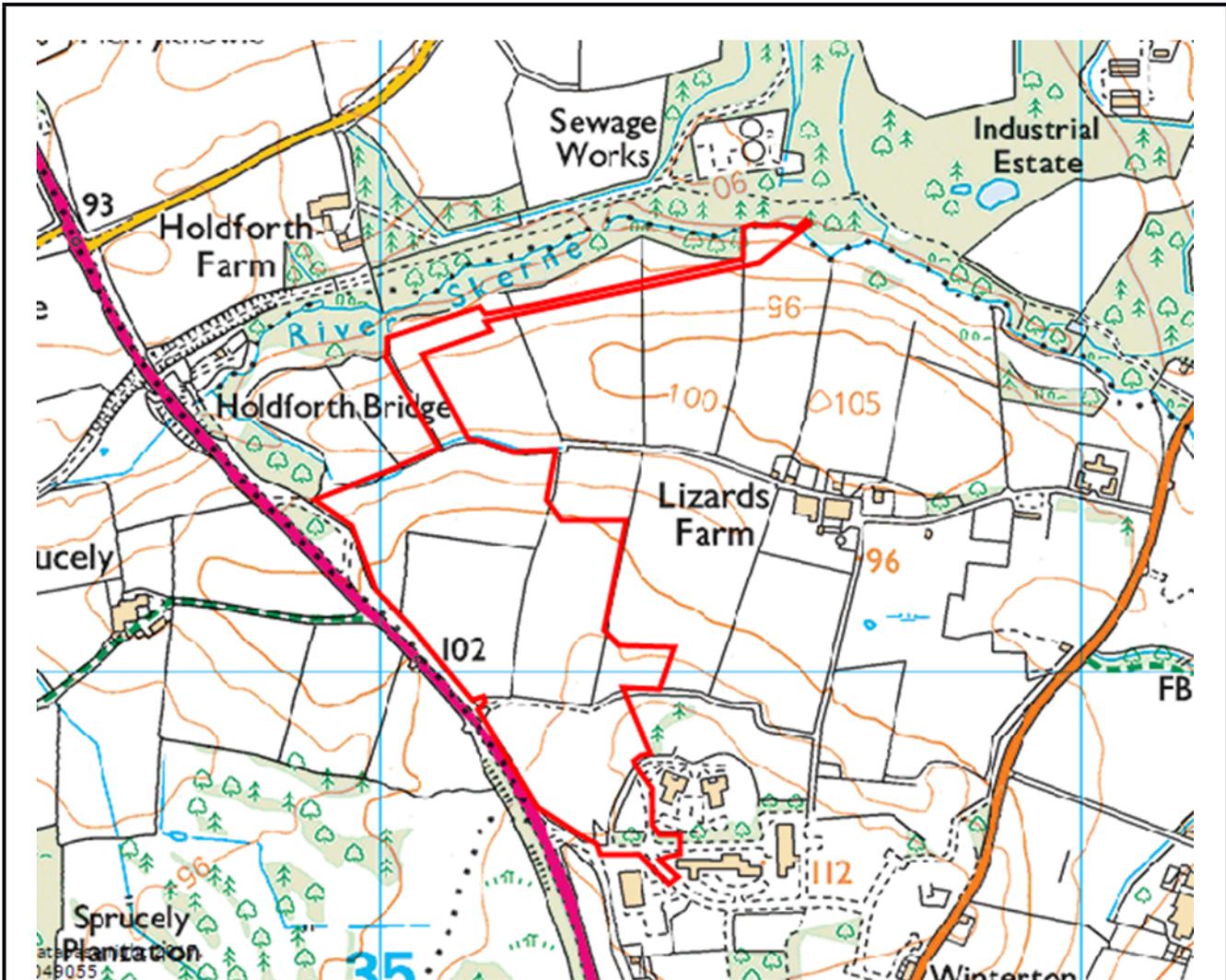
Reason: In the interests of building a strong and competitive economy in accordance with Part 1 of the NPPF. This condition is pre-commencement as it concerns construction workforce employment.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this 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) (CC) 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.
- Sedgefield Borough Local Plan
- Statutory, internal and public consultation responses.
- County Durham Employment Land Review 2012



Planning Services

DM/16/04042/FPA)
 Hybrid application for NetPark Phase 3a, comprising full application for new spine road, new access from A177, drainage works including a pipe bridge, associated landscaping and infrastructure, and outline application for up to 14 two-storey buildings providing circa 1,670 m2 B1 floorspace, Land To The North Of Discovery Offices, William Armstrong Way, NETPark, Sedgefield, TS21 3FH

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Comments

Date February 2017

Scale Not to Scale