

Henry Jones
Durham County Council.
County Hall
Durham
County Durham
DH1 5UQ

Date: 7 February 2022

Our ref: 22410/01/MHE/JA/20651513v1

Your ref:

Dear Henry

Application Submission - Discharge of Conditions 8, 10, 13, 15, 17, 18 and 25 pursuant to Phase 6 of Consent DM/18/01597/VOC

We write on behalf of our client, Integra 61 (Durham) Ltd, in relation to an application for the discharge of Conditions 8, 10, 13, 15, 17, 18 and 25 for the Small Unit Scheme (Phase 6) pursuant to outline planning permission DM/18/01597/VOC, which relates to the land south of Bowburn and west of the A688. The conditions are so worded that they can be discharged on a phase-by-phase basis.

Permission ref no. DM/18/01597/VOC grants consent for the following:

"Outline application with all matters reserved (except for access details of roundabout and internal distributor road) for a maximum of the following; 270 dwellings (class C3), a 70 bed hotel (class C1), a 60 bed residential care home (class C2/C3), a 3.96ha solar farm, change of use of 710m2 of agricultural land to residential garden space, 170,859m2 of general industrial, storage and distribution (class B2/B8), 1,858m2 of restricted goods retail (class A1), 409m2 restaurant/café/takeaway (class A3/A5), 613m2 public house (class A4), 450m2 children's nursery (class D1), 400m2 GP surgery (class D1) and 1860m2 car showroom (class sui generis)."

This application has been submitted via the planning portal under reference PP-10590484.

It seeks to discharge Conditions 8, 10, 13, 15, 17, 18 and 25 for Phase 6 which is the four B2/B8 unit scheme submitted for Reserved Matters approval in February 2022.

Condition 8

"With the exception of phase 1a as defined on drawing Indicative Phasing Plan 5658 – 356 dated 23.05.18 no development within any phase shall take place until a construction management plan for that phase has been submitted to and approved in writing by the local planning authority. The aim of each management plan shall be to protect local residents from environmental impacts and should include the following:

- *Hours of operation*

- *Noise mitigation measures*
- *Vibration mitigation measures*
- *Dust mitigation measures*
- *Artificial light mitigation measures*
- *Any specific operational matters i.e. piling, demolition works*
- *The approved construction management plan for that phase shall be adhered to throughout the construction phase.*
- *The phase 1a development shall be implemented in full accordance and adherence with the details contained within Preliminary Construction Management Plan by Goodrich Consulting LLP including appendices received 21 June 2017."*

In order to discharge this condition, please find attached the Construction Management Plan (February 2022).

Condition 10

"With the exception of phase 1a as defined on drawing Indicative Phasing Plan 5658 – 356 dated 23.05.18 no development (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) 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.

The phase 1a development shall be implemented in full accordance and adherence with the details contained within:

Indicative Phasing Plan 5658 - 185

Phasing Plan Phase 1a 5658-263

Phase 1 Drainage Works 301-011

Micro Drainage Page 0 File SW NET2a r7 with swale.mdx

Micro Drainage Page 0 File SW NET1 rj.mdx

Micro Drainage Pipe Codes 203-300

Drainage Concept 301-001 K"

In order to discharge this condition, please find attached:

- 18582-DC3-00-CA-D-SW P0 CALCS, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0501 P2 DRAINAGE STRATEGY GA, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0510 P0 DRAINAGE SHEET1, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0511 P0 DRAINAGE SHEET2, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0600 P0 EARTHWORKS EXISTING GA, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0601 P1 EARTHWORKS FINISH GA, prepared by IDOM Merebrook;
- 18582-DC3-00-DR-D-0602 P0 EARTHWORKS ISOPACHYTE, prepared by IDOM Merebrook; and

- 18582-DC3-00-DR-D-0603 Po EARTHWORKS FORMATION, prepared by IDOM Merebrook. It is considered the drainage strategy provides sufficient detail in order to discharge this condition.

Condition 13

"With the exception of phase 1a as defined on drawing Indicative Phasing Plan 5658 - 356 dated 23.05.18 no development other than (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) 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."

In order to discharge Part A and B of this condition please find enclosed the following documents:

- Geo-Environmental Assessment – Rest of Site, prepared by IDOM; and
- Plot DC3 Contamination Statement, prepared by IDOM.

The IDOM Merebrook Report, Titled Geo-Environmental Report, reference GEA-18582Q-16-311 and dated August 2016 was prepared in order to inform developers of the geo-environmental issues that would be encountered in various locations which include the part known as Plot DC3 (Phase 6).

In respect of contamination the conclusions of the report are that there is no significant contamination of the soils or groundwater and no restriction on re-use of materials subject to geotechnical criteria being met.

Condition 15

"With the exception of phases 1a and 3 as defined on drawing Indicative Phasing Plan 5658 - 356 dated 23.05.18, no development (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) shall take place for each phase of development until a final lighting scheme for that phase of the development adhering to the parameters shown on Parameters Plan 6: Dark Zones (5658-362) dated 10.05.18 and Parameters

Plan 7: Lighting Levels (5658 -366) dated 10.05.18 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.

Lighting within phases 1a and 3 as defined on drawing Indicative Phasing Plan 5658 – 356 dated 23.05.18 shall be implemented in accordance with the following plans and details:

Phase 1a - Preliminary Street Lighting Layout Plan Sheet 1 NEA3160-1300 Rev A

Preliminary Street Lighting Layout Plan Sheet 2 NEA3160-1301 Rev B

Phase 3 - Indicative Site Plan External Lighting Layout 18-027-EX-001 Rev P1

External LED Lighting Assessment Report dated 9th May 2018

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."

In order to discharge this condition, please find attached:

- External Lighting Strategy, prepared by ESP.

Condition 17

"Prior to the occupation of each of the B2, B8, C2, D1, A3, A4 and A5 uses hereby approved details of the proposed opening/operating hours of the units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the units shall operate in accordance with the approved details."

In order to discharge this condition, it is proposed that the units shall be open 24 hours, seven days a week including Bank Holidays. It is critical that the units have this flexibility in opening hours in order to successfully attract tenants.

Condition 18

"With the exception of phase 1a as defined on drawing Indicative Phasing Plan 5658 – 356 dated 23.05.18 no development (excluding demolition, archaeological investigation, services diversions and any land remediation/ground improvement works) 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.

Phase 1a works should be implemented in accordance with the following document:

Schreder Product Environmental Profile"

In order to discharge this condition, please find attached:

- Condition 18 – Energy and Sustainability Statement Plot DC3, prepared by ESP, with associated appendices.

The submitted reports above demonstrates that the specifications being adopted by the end user along with the intended use of this facility represents good energy efficiency with minimal environmental impact. It is therefore considered that this condition can be discharged.

Condition 25

“No development in any phase shall commence until an Employment & Skills Plan for that phase of development 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.”

In order to discharge this condition, please find attached:

- Employment and Skill Plan (February 2022).

The submitted Employment and Skills Plan, demonstrates the commitments made by the developer to secure local employment through the duration of the build phase. It is therefore considered that this condition can be discharged.


Summary

Payment of the £116 planning application fee has been made online via the planning portal.

We trust that the above is in order for you to validate the application. We will contact you in due course to discuss the likely timetable for determination.

Should you have any queries or require further information, please do not hesitate to contact me or my colleague Emma Hepplewhite.

Yours sincerely


John Aynsley
Senior Planner