



Area Planning Committee (South and West)

Date Tuesday 23 June 2020
Time 9.30 am
Venue Remote Meeting - This meeting is being held remotely via Microsoft Teams

Business

Part A

Items which are open to the press and public

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest (if any)
4. The Minutes of the Meeting held on 20 February 2020 (Pages 3 - 10)
5. Applications to be determined
 - a) DM/20/00398/FPA - Sedgfield Community College, Hawthorn Road, Sedgfield (Pages 11 - 28)
Two storey extension to form a teacher training hub for the school and visiting university students, extension to 2 car parking areas and associated works
6. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
15 June 2020

To: **The Members of the Area Planning Committee (South and West)**

Councillor J Clare (Chair)

Councillor J Atkinson (Vice-Chair)

Councillors D Bell, J Blakey, L Brown, J Chaplow, E Huntington, G Huntington, I Jewell, J Maitland, S Quinn, G Richardson, J Shuttleworth, F Tinsley and S Zair

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DURHAM COUNTY COUNCIL

At a Meeting of **Area Planning Committee (South and West)** held in Council Chamber, County Hall, Durham on **Thursday 20 February 2020 at 1.00 pm**

Present:

Councillor J Clare (Chair)

Members of the Committee:

Councillors J Atkinson (Vice-Chair), D Bell, J Chaplow, E Huntington, G Huntington, I Jewell, J Maitland, S Quinn, G Richardson, F Tinsley, S Zair and C Martin (substitute for L Brown)

Also Present:

Councillor J Rowlandson

1 Apologies

Apologies for absence were received from Councillors J Blakey, L Brown and J Shuttleworth.

2 Substitute Members

Councillor C Martin was substitute for Councillor L Brown.

3 Declarations of Interest

There were no declarations of interest.

4 Minutes

The minutes of the meeting held on 23 January 2020 were agreed as a correct record and signed by the Chair.

5 DM/19/03212/FPA and DM/19/03213/LB - Fernavilles Rest, Whorlton, Barnard Castle

The Committee considered a report of the Planning Officer regarding an application for the conversion of a pub annex to residential dwelling,

including associated internal and external works, at Fernavilles Rest, Whorlton, Barnard Castle (for copy see file of minutes).

The Principal Planning Officer gave a detailed presentation which included a site location plan, aerial photographs and photographs of the site.

Mr J Dickinson, representing Whorlton and Westwick Parish Council objected to the application. The Chair advised that the four documents he had submitted had been circulated to Members of the Committee prior to the meeting (for copy see file of minutes).

Known formerly as The Bridge Inn, the application for the Fernavilles Rest was based on the projected viability of a reduced floor space, yet this pub had been operating at full capacity on evenings and weekends prior to its closure. There were a number of inaccuracies in the report, one relating to business rates, which Mr Dickinson believed had already been achieved in 2013. Mr A Miller, a Chartered Surveyor and Member of 'the pub is the hub', had concluded in one of the emails circulated, that no cogent argument had been produced to suggest the pub was no longer viable in its present format, and it was his opinion that the proposal would result in its demise.

Mr Dickinson confirmed that the outgoing tenant had ran a successful business and in 2016 the Parish Council had been approached with plans to erect a number of luxury camping pods. At the time the tenant had 25 employees and was operating at maximum capacity. Mr Dickinson referred to an article published by the Teesdale Mercury in September 2019, which in his opinion, did not describe a pub that was not viable. The former tenant had been quoted as stating the closure of Whorlton Bridge in August 2019, had drastically reduced trade.

Mr Dickinson confirmed that this proposal would reduce table covers by 60% and that level of loss could not result in an improved business model. The application proposed a loss of employment, tourist accommodation, and community and heritage asset.

Councillor Rowlandson, Local Member, believed that the actions of the Council following the closure of the bridge at Whorlton had played a part in the closure of the business. The signs which went up had only referred to the road closure and it had given the impression that businesses were closed. Councillor Rowlandson had emailed the Highways Strategic Manager, to ask for this to be rectified.

Councillor Rowlandson advised that the decision came down to the viability of the pub after the removal of the annex. The annex was the biggest part of the pub removing it would leave the pub with very little room. Although he recognised that it was ultimately for a new tenant to make the pub viable, the

applicant had suggested 30 covers would be available and this was questionable given the size of the area that would remain. Councillor Rowlandson had noticed that despite the pub not trading on weekday lunchtimes, assumingly due to lack of business, the viability report had listed half of its profitability from lunchtime trade.

Councillor Rowlandson described Whorlton as a traditional village community which should have its own pub. He considered the removal of the annex would ruin the viability and as stated in the Teesdale District Local Plan, proposals for change of use of public houses should not be permitted where it is no longer viable or required by the local community. He also noted the Whorlton Village Neighbourhood Plan, which stated that existing amenities should be protected and proposals resulting in their loss should be resisted.

Mr G Stastny had been a resident of Whorlton for 46 years and the pub was central to village life, due to a lack of alternative meeting places. As Parish Councillor and a Member of Whorlton Village Community Association, Mr Stastny confirmed that he had been involved in the development of the Whorlton Village Neighbourhood Plan. He believed the viability report was misleading and had been produced in the knowledge that this proposal would lead to the demise of the pub.

Mr Stastny confirmed that the applicant proposed to seek a lifestyle term using the capital from the residential development to bring the building back into a reputable state. He referred to the report of Mr Millar who had 30 years experience in the pub trade and was of the firm opinion that a reduced footprint would make the pub less viable. In Mr Stastny's opinion, the tenancy terms were unrealistic and the proposal would leave little chance of any tenant taking it on. The investment required could not be justified for the short length of tenancy being offered.

Whilst he would prefer the application be refused, he asked the Committee to consider attaching a condition to ensure that if the pub failed to attract a tenant, the owner would be required to sell the property at a value reflecting its existing use. This was the only way that a tenant could be found to ensure the continuation of the pub for the long-term benefit of the community, rather than for a short term financial gain for the Applicant. The Solicitor advised Members that it was unreasonable to impose a condition with regards to the sale of the property.

Mr I Carter-Becker, the Applicant, addressed the Committee and confirmed that there was nothing to suggest that this application was aimed at taking away the viability of the pub, the clear point of it was to turn the pub around. It had been a serial failure for the previous ten years, having seen out four tenants, none of which had made a success. The entire point of the application was to remove the failing aspect, reduce the cost, allow inward

investment, and bring something to the market which would be tenantable in the long term.

Mr Carter-Becker confirmed that his family ran a number of pubs in the Teesdale area; this one had been owned by the family for 70 years and it was important that the pub worked, not just from a business perspective, but from an emotional point of view. He did not agree with the idea that Members should ignore the experts; he had worked in the pub industry for 10 years and his Mother for 30 years prior - she also supported the proposal. He was trying to bring a viable pub to Whorlton.

Mr Carter-Becker advised that anything that could bring a pub that was currently vacant, back into use would be positive for the people who lived there.

The Principal Planning Officer responded to the comments made by speakers and advised Members of the policy test; to consider whether the proposal would result in the loss of the pub. The Applicant had been asked to submit a viability appraisal to establish whether the reduced footprint would still be viable. It was accepted that this proposal was for the public house to remain, albeit a scaled down version. It would be incorrect to compare the viability of previous businesses to the potential for moving forward – the key focus was that the pub, even with its reduced footprint, would still be viable.

With regards to the listed building, heritage and tourism elements, there had been no objection from Design and Conservation, no adverse impact on the conservation area or listed building status, and the revised footprint would still allow bed and breakfast accommodation to be offered, but this was ultimately a consideration for a future operator.

Councillor Richardson confirmed that the pub was in his ward and there had been a considerable number of similar applications for failing pubs brought to this Committee. From his point of view, this proposal would be the first step to this pubs demise. He agreed with Councillor Rowlandson's comments on the closure of Whorlton Bridge and disagreed with the Applicants comments that it had been a failing business for ten years. Councillor Richardson remembered a time recently when meals were booked in advance, due to it having such a good reputation. The Villagers were very protective over the pub and restricting the footprint would not leave enough tables in the dining room for it to remain viable, therefore he could not support the application.

Councillor Jewell recognised that a closed pub was not viable and therefore he considered the application to be an attempt to make it viable. He advised that if Members refused the application, the pub may not reopen.

Although Councillor Tinsley had some reservations and felt the reduction in floor space and lack of reconstruction could make the public house *less* viable, it would still be viable.

Councillor Clare confirmed that this was clearly a valued community asset which villagers felt was being downgraded, resulting in its loss, but the Committee could only refuse the application if they considered it would result in a complete loss. He sympathised with the objectors but agreed with the comments by made by Councillor Tinsley. There was intention to protect community assets in the Neighbourhood Plan, but the only decision for Members was whether the pub would still be viable or not. It was apparent the footprint would reduce, but Members had to question whether that was sufficient to warrant a complete loss.

A motion to approve was moved by Councillor Tinsley and seconded by Councillor Atkinson.

Resolved

That the applications be **APPROVED**, subject to the conditions outlined in the report.

6 DM/19/03733/FPA and DM/19/03734/LB - The Laurel Building, South Church Road, Bishop Auckland

The Committee considered a report of the Principal Planning Officer regarding an application for 16 no. bungalows, partial demolition of former King James School and construction of 12 no. apartments at The Laurel Building, South Church Road, Bishop Auckland (for copy see file of minutes).

The Planning Officer gave a detailed presentation which included a site location plan, aerial photographs and photographs of the site.

Councillor Zair confirmed that the application site was in his ward and the building had been beautiful in its day, but recently left to deteriorate and had also been subjected to arson and antisocial behaviour. He felt sorry for the residents who were exposed to this eyesore and was delighted that someone had come forward with the intention of investing in the building. He was satisfied that the original façade would be retained and the building would be brought back into use.

Councillor Zair asked for a description of the site boundary in relation to the cricket ground and Planning Officer confirmed that ball stop fencing would be erected along the north boundary of the site, but finer details were yet to be agreed.

Councillor Zair asked whether the Applicant would consider the erection of a plaque or memorial to highlight the connection to Stan Laurel, who was educated at the school as a child. The Chair confirmed that this request could be made to the Applicant, but the Committee could not impose a condition. Finally, Councillor Zair asked if there had been any consultation between the Applicant and local residents. The Applicant responded that he had no objection to discuss maintaining the heritage of the building and that he was also open to discussions with local residents. Councillor Zair moved the recommendation to approve.

Councillor Martin supported the application, it would bring a beautiful building back into use, and provide bungalows in the town centre. He seconded the motion to approve the application.

Councillor Tinsley asked for the condition with regards to ball stop fencing to be amended. There was a safeguarding risk to construction workers and to children entering the site to collect balls. Members agreed that the Planning Officer negotiated the rewording of the condition to ensure the ball stop fencing was erected at an appropriate time, giving thought to the necessary investigations that needed to be undertaken prior to beginning ground work on the site. Councillor Tinsley seconded the recommendation to approve.

Councillor Jewell was pleased that the application included bungalows and considered any negative impact of the application to be very small.

Councillor Richardson alluded to the traffic on the access road due to the nearby school, which at peak times caused difficulty, but he noted the Highways Authority had offered no objection to the proposal.

Councillor G Huntington was happy to support the application, but he also felt it was important for the Applicant to make a commitment to honouring the buildings heritage.

Resolved

That the application be APPROVED subject to the completion of a Section 106 Obligation to secure the retention of 4 no. affordable units in perpetuity; the conditions outlined in the report; and the amendment of condition no. 5 with delegated authority to be granted to the Planning Officer in consultation with the Chair and Vice-Chair

- a **DM/19/03961/FPA - King William Grange, High Grange Road, Spennymoor**

The Committee considered a report of the Planning Officer regarding an application for 11 no. bungalows including demolition of existing sheltered housing at King William Grange, High Grange Road, Spennymoor (for copy see file of minutes).

The Planning Officer gave a detailed presentation which included a site location plan, aerial photographs and photographs of the site.

Councillor Tinsley moved approval of the application, noting the provision of sought after bungalows.

Councillor Quinn confirmed that she was familiar with the building and it had been well maintained, but had recently come into a state of disrepair. She welcomed the application for bungalows and was satisfied that the bungalows at this site would be retained.

Councillor Atkinson seconded the motion to approve the application.

Resolved

That the application be **APPROVED** subject to the completion of a Section 106 Obligation to secure the retention of 2 no. affordable units perpetuity and an off-site open space contribution of £13400, payable in a single instalment prior to the occupation of the first dwelling, and the conditions outlined in the report.

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Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

| | |
|--------------------------------------|--|
| APPLICATION No: | DM/20/00398/FPA |
| FULL APPLICATION DESCRIPTION: | Two storey extension to form a teacher training hub for the school and visiting university students, extension to 2 car parking areas and associated works. |
| NAME OF APPLICANT: | Mr David Davies. |
| ADDRESS: | Sedgefield Community College, Hawthorn Road, Sedgefield. TS21 3DD |
| ELECTORAL DIVISION: | Sedgefield |
| | Susan Hyde |
| CASE OFFICER: | Planning Officer |
| | 03000 263961 |

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. Sedgefield Community College is located on the north east side of Sedgefield and forms a modern two storey secondary school set within generous grounds with most of the sports facilities located to the north of the school. The modern school buildings constructed in 2011 are built of a variety of materials including buff bricks, stone, timber and render and some sedum roofing. Access to the school is gained from either the south of the site via Butterwick Road which forms the , student access point and vehicular drop off/pick up for coaches, or to the west of the site from Chestnut Road where there is a gated vehicular access for staff and visitors and the provision of onsite car parking.
2. Residential properties lie to the south and west of the school boundary and a cemetery lies to the immediate south west. The area to the north beyond the school sports pitches is open countryside. This also extends to the east although a current planning application is being progressed on surplus Council land immediately adjacent to the school for residential development.

The Proposal

3. Planning permission is sought for a two storey extension to the existing school that would be sited to the north east of the existing two storey school buildings and physically connected at the ground floor and first floor level to the existing two storey school annexe that gained planning permission in 2015. Part of the land for the development includes the foundations of previous buildings that housed a school

farm and a residual concrete base is still visible on site and this land is currently fenced off from the active school use.

4. The proposed two storey development is intended to provide flexible facilities that are likely to be used for teacher training by Durham University, for 1 day a week and additional teaching space for the College for the remaining 4 days. The floor plans display a layout over 2 floors that would provide 5 classrooms, a two-storey auditorium for use as a lecture hall/theatre/exam hall etc, offices, and w. c. facilities.
5. The building is proposed to be of modern contemporary design in keeping with the appearance of the existing school. The building would have an eaves height of 6.8 metres – and so it would be lower than the annexe building to which it is attached by about a metre. Materials are proposed to be a buff brick and verticality in the design would be achieved using columns, and an active frontage on the front (west) elevation through the use of glazing at both ground and first floor. Windows are proposed to be in grey aluminium which is keeping with the annexe. The auditorium/theatre would be situated in the eastern section of the building and this two-storey space is illuminated from roof windows. The blank eastern elevation includes ground level brick insets to provide interest. Whilst the building would be within the enclave of existing buildings it would be visible on a main pedestrian arrival route within the school site from the western Chestnut Road entrance and the design clearly indicates the building entrance from this direction .The roof is proposed to be flat with half of it forming a sedum roof.
6. The existing car parking provision at the College is accessed from Chestnut Road and is proposed to be increased by an additional 100 parking spaces as a result of the extension of two car parking areas. An additional 50 spaces are proposed to the north car park, north of Chestnut Road and an additional 50 spaces to the east of Elm Avenue, adjacent to the existing tennis courts. The College is already being used for teacher training purposes by 50 student teachers. The additional spaces are proposed to accommodate both the student teachers and address an existing under provision of parking on site at the school. The agent has clarified that 50 parking spaces will be developed initially and the further 50 spaces if the school developed further on-site car parking problems. Associated lighting for the car park is proposed and a footpath link to the new building.
7. The application is being reported to the Planning Committee as it is a major application and at the request of Sedgefield Town Council as they have concerns about intensification of the vehicular access route.

PLANNING HISTORY

7/2009/0011/CM Planning permission was granted for the construction of a new two storey school building and associated site alterations including the demolition of the existing school.

7/2011/0158/DM Planning permission was granted in July 2011 for the relocation of 3 demountable classrooms, refurbishment of classrooms and resiting of polytunnels with associated works.

7/2013/0293/DM Outline planning permission was granted for the installation of athletics training facilities – approved in September 2013.

PLANNING POLICY

NATIONAL POLICY

8. A revised National Planning Policy Framework (NPPF) was published in July 2018 (with updates since). The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
9. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). 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.
10. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
11. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
12. *NPPF Part 4 Decision-Making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
13. *NPPF Part 6 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 a low carbon future.
14. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.

15. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.
16. *NPPF Part 11 - Making Effective Use of Land* - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.
17. *NPPF Part 12 Achieving Well-Designed Places* - 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.
18. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
19. *NPPF Part 15 - Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from Page 73 pollution and land stability and remediating contaminated or other degraded land where appropriate.

<https://www.gov.uk/guidance/national-planning-policy-framework>

NATIONAL PLANNING PRACTICE GUIDANCE:

20. 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 relevance to this application is the practice guidance with regards to; conserving and enhancing the historic environment; design; and use of planning conditions.

<https://www.gov.uk/government/collections/planning-practice-guidance>

LOCAL PLAN POLICY:

21. The following policies of the Sedgefield Borough Local Plan saved policies:
22. *Policy E15 – Safeguarding of woodlands, trees and hedgerows* – expects development proposals to retain areas of woodland, important groups of trees, copses and hedgerow wherever possible, replacing any trees which are lost.

23. *Policy H18 – Acceptable uses within housing areas* – identifies residential institutions as an acceptable use within a housing area where it would comply with other plan policies, would not significantly harm the living conditions for nearby residents and where they are appropriate in scale to the character of the housing area.
24. *Policy D1 - General principles for the layout and design of new developments* - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
25. *Policy D2 - Design for people* - This policy seeks particular attention for the personal safety and security of property, the access of users. It seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of Durham CC, including those that arise from growth and to make all services accessible to all.
26. *Policy D3 - Design for access* - seeks to ensure new development makes satisfactory provision for all road users and pedestrians.
27. *Policy D6 – Layout and Design of Pedestrian Areas and Public Spaces* – This policy seeks to ensure a co-ordinated approach to the layout and design of public spaces is achieved.
28. *Policy L5 – Safeguarding of Areas of Open Space* – Seeks to protect areas of open space from inappropriate development that would lead to a loss of an area of open space.
29. *Policy L11 - Development of new or improved leisure and community buildings* - The Council will normally grant planning permission for new community buildings and encourage improvements to community buildings that improve the range and quality of facilities provided that certain criteria are met.
30. *Policy D9 – Art in the environment* – seeks to encourage the incorporation of artistic elements in development schemes.

Sedgefield Neighbourhood Plan:

31. The proposal site falls within the boundary of the Sedgefield Neighbourhood Area which was adopted in October 2019.
32. Planning Policy Guidance advises that a Neighbourhood Plan becomes part of the development plan when it has been approved at a referendum. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Relevant policies include:
33. *Policy G1a - Development within the Built-up Area Boundary* – Supports development providing it accords with national and local policies.
34. *Policy E1 - Visual and Spatial Impact* - Development should enhance the visual and spatial characteristics of the plan area.
35. *Policy R1 – Recreational Facilities* – Future recreational facilities should be of an appropriate scale for Sedgefield and the landscape.

RELEVANT EMERGING POLICY:

36. Paragraph 48 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.
37. The County Durham Plan (CDP) which in time will replace the existing saved Local Plans in County Durham commenced its Examination in Public (EiP) in Winter 2019. The programmed hearing sessions subsequently closed on 6 February 2020, and the Inspector's issued his post hearing advice on 20 February 2020. An amended CDP has been prepared to take account of the specific instructions from the Inspector, and all the minor/main modifications which the Council proposed following the hearing sessions and in response to the action points issued by the Inspector. Consultation on the CDP (Main Modifications) commenced on Tuesday 26 May and will last until 21 July 2020 (an eight-week period). All comments that are received during this consultation period will be sent to the Inspector to inform his final report. Paragraph 48 of the NPPF states 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. Although the CDP is now at an advanced stage of preparation, it is considered that it should not be afforded any weight in the decision-making process until the Inspector's final report has been received.

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:

38. *Highways Authority* – notes that the increasing supply of on site car parking would significantly undermine any attempts to encourage sustainable transport travel which is likely to be in conflict with sustainable transport policy. Whilst it is not felt that an increase in supply can be resisted the applicant should be required to revisit and renew commitments through a revised school travel plan. This should be conditioned within an approval.
39. *Sedgefield Town Council* – Raise objection because of traffic and highway implications. It is considered that there is already a significant volume of traffic generated by the Community College and this planning application will generate further still. The proposal will divert pedestrian and vehicle traffic along Hawthorn Road which is through a constricted housing estate. This proposal is simply moving traffic, and its associated problems and risks, from its current location in the Town, i.e. Butterwick Road, to another area, i.e. Hawthorn Road, without actually addressing the situation. The risks to both pedestrian and vehicle traffic, both in the current location and proposed location, are considerable and should be addressed through a new School Travel Plan which also deals with associated pollution implications upon the surrounding area.

Consultee Responses

40. *Sport England* - Raise no objection and comment that they are satisfied that the proposed development meets exception 3 of their playing fields policy, in that the proposed development affects only land incapable of forming part of a playing pitch.
41. *Design and Conservation* – Raise no objection and considers the building is well designed in appropriate materials and the location of the proposed building is visually contained by the existing buildings and landscaping which form part of the College complex.
42. *Sustainable Travel* - The school do have a travel plan (version Feb 2015), however, an update is expected every 5 years. A condition is therefore recommended that requires an updated School Travel Plan before the development is occupied and must achieve Bronze Level Accreditation within 1 year of the buildings first occupation.
43. *Drainage and Coastal Protection* – Raise no objections. The proposed design demonstrates compliance with national standards and council policies in providing sustainable surface water management solutions and ensuring the prevention of flood risk to and from the proposed development.
44. *Ecology* – Raise no objection on ecological grounds.
45. *Environmental Health noise* Raise no objection and note the proposed extension to the school and two extensions to the car parks are located to the far north of the existing school. Whilst there are some residential properties to the west of the furthest west park the information submitted demonstrates that the application complies with the thresholds stated within the TANS. This would indicate that the development will not lead to an adverse impact.
46. *Environmental Health contaminated land* – They have assessed the available information and historical maps with respect to land contamination and reviewed the submitted report Patrick Parsons (October 2019) Phase 2 Geoenvironmental Appraisal.

The report states a phase 1 report has been completed although this has not been submitted with the application. The report also covers the extension only and not the car park area. Given the risks posed it is likely that these areas do not need considering beyond the phase 1 and therefore there are no concerns in relation to the phase 2. Ground gas monitoring is ongoing at the time of reporting and therefore the ground gas risk assessment is also needed. The results to date indicated gas protection measures are required. Full details of the proposed membrane and a verification plan will be required should this be the case.

Given the above contaminated land conditions are required on the application.

47. *Landscape* – Raise no objection.
48. *Trees* - Based on the information provided, there appears to be minimal risk of damage to significant trees providing protective fencing is installed around the existing vegetation (outside the root protection areas) to prevent accidental damage.
49. *Education* – No response received.

PUBLIC RESPONSES:

50. The application was advertised by neighbour letters to 65 local residents, site notices and a press notice and 1 letter of representation from a local resident has been received.
51. This raises concerns about an increase in vehicles leading to an increase in fumes and the implications of that on health. He also notes that if landscaping is increased this will help absorb some of the fumes. He would welcome more links between the school and the local community.

APPLICANTS STATEMENT:

The teacher training hub at Sedgefield Community College (SCC), looks to address the issues faced in the Northeast by education providers and employers alike. The idea is simple and the benefit great – retain highly skilled people in the region, rather than continue to fall victim to the ‘brain drain’, which plagues the Northeast, as graduates in all fields of study return to their hometowns, rather than develop their careers and create a life in the Northeast. The Laidlaw Schools Trust (LST), of which SCC became a part of in 2020, are aware of this issue and have formed a partnership with Durham University (DU), to try and address this issue, in any way they can. Sedgefield Community College does not plan to increase its staff or student numbers as a result of the proposed teacher training facility.

The quality of the architecture is considered extremely high for a secondary school, reflecting the maturity and ambition of the school and trust. A simple palette of brickwork and glazing compliment the timeless architectural language explored, which primarily addresses the playground to the West, completing the 3-sided courtyard. The scale of the extension respects that of its immediate neighbours and sits comfortably in its surroundings, making the most of existing scrub land currently fenced off from the pupils, ensuring no sports pitches or playing fields are lost as a result of the development.

Approximately 50 Durham University students currently use the school’s facilities as existing. This is due to increase to approximately 100 in September 2021. The new development looks to provide much needed additional teaching and learning space, to ease the time tabling pressures currently faced by the school. The school and Trusts vision are that student teachers trained at this facility, will consider a permanent career in the Northeast, whether that be at a LST school or elsewhere, thus contributing to the economic development of the region and education of the next generation. The proposal looks to provide 50 additional, onsite parking spaces, allowing the students to continue to park within the school site safely, ensuring congestion outside of the school boundary is not worsened by roadside parking. The proposal also includes plans for a further 50 car parking spaces, which will not be built as part of this development, should the school need to increase their parking provision further in the future. No access to the facility will be provided via Butterwick road. Access will be granted exclusively via the Hawthorne road entrance. This is a mandate of the school and Durham County Council. The school retains its policy that no parents should park along Butterwick road, as the congestion this creates is a daily problem for local residents. The school continues to do everything it can to deter parents from parking in this location. Funding for this project has been provided by the LST and DU. The funding has been ring-fenced on the condition that the teacher training facility be open and functioning by September 2021. The project is currently being delivered to an extremely tight programme, which is not uncommon for projects of this nature. Should a planning decision not be achieved in line with the

expected, standard approval timeframes, our client fears and has explicitly stated, that the funding stream would no longer be available.

PLANNING CONSIDERATIONS AND ASSESSMENT

52. 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 principle of the development, the impact on the character and appearance of the surrounding area, ecology and highway safety.

Principle of Development

53. 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 Neighbourhood Plan (SNP) was adopted in October 2019, and so is an up to date plan and forms a statutory component of the development plan and is the starting point for determining applications as set out at Paragraph 2 of the NPPF. The Sedgefield Borough Local Plan (SBLP) was adopted in October 1996 and the NPPF advises at Paragraph 213 that the weight to be afforded to existing Local Plans depends on the degree of consistency with the NPPF.
54. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - ii) 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.
55. Whilst there are no policies in the SNP relating specifically to new school extensions. The site is located within the defined settlement boundary where Policy G1a supports development within the built-up area providing it accords with national and local policies. The policy includes reference to section 6 of the NPPF that encourages the development of a strong competitive economy and appropriate business development. In addition whilst the SNP does not have a specific policy regarding the protection of green space it does provide a list of sites that includes Sedgefield Community College and playing fields that it considers to be a green space and references other national or local policies that seek to protect these.
56. The site is also allocated as an area of open space within Policy L5 of the SBLP which seeks to safeguard areas of open space against inappropriate development. However, in this case the proposed two storey school extension and extended car parking areas would involve limited land take that would be linked directly with the use of the allocated open space for education. The land that forms the development sites are not actively used for sport, and the consultation with Sport England confirms this land is not capable of being used for this purpose. The justification for

Policy L5 notes that there may be cases where small areas of larger areas of open space may enable new facilities to be provided. This is assessed to be the case here with the new building being sited on an area of previously developed land, one car park being sited within the settlement boundary and one extending the existing car park on ancillary grass land. No development impacts on the sports playing fields. The proposal is therefore considered to accord with this policy.

57. Paragraph 94 of the NPPF attaches great weight to ensuring that 'a sufficient choice of school places is available to meets the needs of new and existing communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. 'Local planning authorities should 'give great weight to the need to create, expand or alter schools'. In addition, Part 6 of the NPPF seeks to promote a strong competitive economy and conditions where businesses can invest.
58. With regard to open space paragraph 97 of the NPPF is clear advice that open space including playing fields should not be built on unless certain requirements are met. In this case the land is currently not used for active sport participation and Sport England has raised no objection to the use of the land for a building associated with the school or the associated car parking. The proposal therefore accords to paragraph 97 of the NPPF.
59. Section 11 of the NPPF seeks to promote an effective use of land for a variety of uses and strives to make as much use as possible of previously developed land. Para 118 expects planning decisions to give substantial weight to the value of using suitable brownfield land within settlements for a variety of uses. As the proposals seek relate to development on an existing school site within the main settlement, the application would glean support from these sections of the NPPF.
60. It is therefore considered that the provision of additional teaching training facilities / teaching space at Sedgefield Community College is supported by the main policies within the NPPF.
61. As the SNP is considered to be an up to date Local Plan and the main relevant policies are considered to be consistent with the SNP paragraph 11d of the NPPF is not required to be engaged. Accordingly, the principle of development is considered to accord with the Development Plan and the NPPF and regarded as acceptable subject to the detailed consideration of the issues below.

Design and Impact upon Visual Amenity / Green Space.

62. Policy E1 of the SNP requires that development should enhance the visual and spatial characteristics of the plan area. The proposed extension would not have the same level of elaborate design exhibited in the main school building but would have a simple rectilinear form that visually links it to the existing later modern extension immediately to the south. However, given the scale and purpose of the building as a teaching block it is appropriate for it to appear subservient to the main school building. There are links both at the ground floor and first floor to the building to the south and the scale and massing, roof profile, render, finishes and fenestration would be of the same vernacular appearance as the southern teaching block extension therefore providing a visual connection between both the existing annexe and the main two storey school building. The proposed siting of the new building would maintain an existing informal area for pupils to congregate during break times between the buildings

63. The Design and Conservation officer has noted that the design has reflected pre application advice and presents verticality, rhythm, and active frontage and animation at both ground and first floor. She notes that the building will be highly visible on a main pedestrian arrival route into the site and therefore the animated facades, highly legible entrance and high-quality materials are welcomed.
64. The application site is located in the settlement boundary on the SNP and within this plan reference is made to Sedgefield Community College forming a green space where local and national policies should protect the green space. Policy L5 of the SBLP also seeks to protect the open space and Part 8 of the NPPF seeks to protect open space and playing fields. In this case the playing fields to the north of the site and the areas of active sport within the grounds are not affected by the proposed development. Sport England have confirmed that they have no objection to the application and the use of the site as outdoor participatory sport is not detrimentally affected by the development. The new building is proposed to be constructed on previously developed land that is currently fenced off from school use and the car park extensions from green area adjacent to the existing car parks that are not in active sport or recreational use. The application is therefore considered to protect the existing playing fields, areas of outdoor participatory sport and the areas of recreational space within the school grounds. The building and car parks form part of the planning unit for Sedgefield Community College and are not considered to materially detract from the green space in accordance with Policy L5 of the SBLP and Part 8 of the NPPF.
65. The proposals are therefore considered appropriate in terms of siting, scale and the character of the surrounding area as required by Policy E1 of the SNP. They are also considered to be consistent with SBLP Policy L11 and the design principles set out within part 12 of the NPPF. As discussed above the green space referred to within the SNP is also considered to be protected. This is consistent with policy L5 of the SBLP and Part 8 of the NPPF.

Residential Amenity

66. There are residential properties located to the south and west of the school site the nearest being located on Butterwick Road approximately 150 metres to the south and Elm Avenue and Chestnut Road approximately 230 metres to the west. The proposed development would be located to the east of the existing school building and would therefore be screened from properties to the west. The proposal would be also largely hidden from view from the south by the existing two storey annexe and energy centre.
67. Paragraph 127 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 180 of the NPPF requires new development to be appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment by mitigating and reducing adverse impacts from noise, protecting tranquil areas and limiting light pollution. Paragraph 181 advises more specifically in regard to air quality including that opportunities to improve air quality or mitigate impacts should be identified.
68. In this case the distance between the proposed building and the existing dwellings is sufficient to protect the residential amenity of the neighbouring dwellings.
69. With regard to the two car parking areas these are separated from the residential dwellings by existing boundary hedge treatment. Car park 1 to the north would be set

a minimum 2 metre distance from the centre of the hedge to the beginning of the car parking which provides adequate space for the protection of the roots of the hedgerow. Car park 2 would be in alignment with the tennis courts providing around 4 metres to the centre of the hedgerow and account for any change in ground levels. The retained hedges would screen the residents rear gardens from the car parking associated with the school use. The school controls the gated access into the school and the use of the car parks is therefore restricted to school hours and the comings and goings related to the school use only. Associated lighting for the car parking area is proposed from 5 metre high columns and the supporting lighting external impact assessment indicates that there would be restricted light spill into residential gardens. The lights would be operated by both a photo cell so they will be switched off between dawn and dusk and by a timer so that at a minimum they will be switched off between 23.00 and 7am. Whilst the addition of the parking area and associated lighting will be a noticeable change to residents the level of disturbance is considered to be at a level that would not cause demonstrable material harm to justify a refusal of consent. A condition is proposed that requires the lighting to operate in accordance with the external lighting impact assessment.

70. The application has been assessed by the Environmental Health (nuisance) officer and she has raised no objections to the application.
71. It is noted that a planning application has recently been validated for residential development to the east of the proposed building which is still in the early stages of consideration. (Planning reference DM/20/01351/OUT) However the proposed development is of a suitable scale, mass siting and appearance (with limited windows on the east elevation) to allow a suitably designed residential scheme to be progressed in this location. The case officer for the residential development scheme is aware of the particulars of this scheme.
72. No other issues in respect of residential amenity have been raised and it is therefore considered that the proposal would accord with Parts 12 and 15 of the NPPF.

Highways

73. Sedgefield Community College is accessed from Butterwick Road which is the primary access for pupils, and bus drop off points and from Chestnut Road which serves the existing off road parking area for staff at the school. The proposal is to increase the number of car parking spaces by 100 with the provision of an additional 50 spaces to the east of Elm Avenue adjacent to the existing car park in this location and an additional 50 spaces to the north of Chestnut Avenue by extending the existing car park in this location. Vehicular access would continue to be provided via existing gated entry system controlled by the school.
74. The proposed development is to provide teaching accommodation for student teachers from Durham University and the number of students would increase from between 50 to around 100 students. The agent has clarified that the additional car parking is to accommodate the additional students in the school car park and to resolve an existing on-site car parking problem due to insufficient spaces. The agent has clarified that 50 car parking spaces would be constructed in association with the new building and that the additional 50 spaces would only be provided if the pressure on the school car parking increases again in the future.
75. As noted earlier when the proposed building is not in use for Durham University teacher training purposes it will be used by the school. The agent has confirmed that the additional classrooms and theatre / exam hall will lead to no additional pupils or

staff but will allow space for easier classroom timetabling at the school and a bespoke theatre space.

76. The highway officer has not raised an objection but has stressed that the school should continue to promote sustainable transport at the secondary school. The school does have an existing school travel plan, but it is considered that this should be updated to reflect the changing circumstances at the school. A condition is therefore recommended regarding the provision of an updated school travel plan before the proposed development is occupied, and to achieve bronze level accreditation within 1 year of occupation. It is also considered that the approved Travel Plan should be monitored and reviewed, and that the additional 50 car parking spaces should only be provided if this is demonstrated by the Travel Plan
77. The SNP does not include explicit highway policies. The NPPF in paragraph 108 and 109 seeks to ensure a safe and suitable access to the site can be achieved and that appropriate opportunity is given to promote sustainable transport modes. Paragraph 109 is clear that development should only be prevented or refused if it would have an unacceptable level of highway safety or the residual cumulative impact would be severe. The SBLP Policy D3 seeks to ensure the provision of a suitable access.
78. In conclusion Highways officers raise no objections to the proposals and although there would be some highway impacts it would be unlikely to be detrimental to highway safety or have a significant effect on the amenity of occupiers of neighbouring property in accordance with Paragraphs 108 and 109 of the NPPF. A condition requiring an updated School Travel Plan is required to ensure provision has been made for sustainable transport with appropriate use of public transport, cycling, walking and car sharing. Subject to the above the proposal would therefore accord with Policy D3 of the SBLP and Paragraph 108 /109 of the NPPF.

Other matters:

79. Flooding and Drainage - The County Councils Drainage Engineer has clarified that the proposed design demonstrates compliance with national standards and council policies in providing sustainable surface water management solutions and ensuring the prevention of flood risk to and from the proposed development. The proposal is therefore considered to include a satisfactory surface water drainage design in accordance with Part 14 of the NPPF.
80. Ecology and Nature Conservation - The application site is within existing school grounds and the County Councils Ecologist confirmed no ecology surveys were required on this site in accordance with Part 15 of the NPPF.
81. Contaminated Land – In accordance with Paragraph 178 of the NPPF the planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposal for mitigation. The Environmental Health Officer has confirmed that ground contamination conditions are required for the development and these are conditioned accordingly.

CONCLUSION

82. The proposed development would be located on an existing school site, within a sustainable and accessible location. It would be situated on land that has been previously developed in part, and the siting, mass and design would be in keeping with the main school building and adjoining two storey school annexe. The proposal

would improve the teacher training facilities at the school by the provision of a bespoke building. It would also improve the education facilities available to the College through the use of the teacher training block for 4 days out of the 5 and the addition of a new double height auditorium.

83. The design and location of the proposed building is considered acceptable in terms of appropriately protecting the residential and visual amenities of the area. It is considered that the development would not give rise to any adverse environmental effects, having assessed the relevant issues in terms of ecology, drainage and flood risk, highway safety and visual impact.

84. The application is required to be considered in the context of paragraph 11 of the NPPF, which states that development proposals that accord with up to date development plan policies be approved without delay. The application is considered to satisfy the provisions of Parts 2, 5, 8, 9, 11, 12, 14, and 15 of the NPPF and saved policies G1a, E1 and R1 of the SNP, E15, H18, D1, D2, D3, D6, L5, L11 and D9 of the SBLP. In view of the foregoing the application is recommended for approval.

RECOMMENDATION

That the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy G1a, E1 and R1 of the Sedgefield Neighbourhood Plan and E15, H18, D1, D2, D3, D6, D9 L5 and L11 of the Sedgefield Borough Local Plan.

3. The surface water management scheme for the proposed development shall be completed in accordance with the Drainage Strategy and Water Quality Management-Issue P03 - 30/015/2019 subject to the submission of the following information:

- o Microdrainage file to be supplied in digital format for audit prior to commencement.
- o Outstanding Information as identified on drawing No. C-9201 Rev S2 P02 to be submitted to the local planning authority and approved in writing prior to commencement on site.

Reason: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere in accordance with Part 14 of the NPPF.

4. The external lighting shall be carried out in strict accordance with the document submitted by Corde: 'External Lighting Strategy'. In particular the car park lighting shall not have any light spill greater than the report specifies in the resident's gardens.

Reason: In the interest of residential amenity in accordance with paragraph 180 of the NPPF

5. No development shall commence until a land contamination scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall be compliant with the YALPAG guidance and include a Phase 1 preliminary risk assessment (desk top study).

If the phase 1 assessment identifies that further investigation is required a Phase 2 site investigation shall be carried out, which shall include a sampling and analysis plan. If the Phase 2 identifies any unacceptable risks, a Phase 3 remediation strategy shall be produced and where necessary include gas protection measures and method of verification.

Reason: To ensure that the presence of contamination is identified, risk assessed, and proposed remediation works are agreed in order to ensure the site suitable for use, in accordance with Part 15 of the National Planning Policy Framework. Required to be pre-commencement to ensure that the development can be carried out safely.

6. Remediation works shall be carried out in accordance with the approved remediation strategy. The development shall not be brought into use until such time a Phase 4 Verification report related to that part of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the remediation works are fully implemented as agreed and the site is suitable for use, in accordance with Part 15 of the National Planning Policy Framework.

7. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, adjacent to the car park to the north of Chestnut Road and to the east of Elm Avenue are protected by the erection of fencing, placed a minimum of 2 metres from the centre of the hedge line. The fencing shall comprise of a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2010 and retained for the duration of the development.

No operations whatsoever, no alterations of ground levels, and no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No removal of limbs of trees or other tree work shall be carried out.

No underground services trenches or service runs shall be laid out in root protection areas.

Reason: In the interests of the visual amenity of the area and to comply with Part 15 of the NPPF.

8. No building hereby approved shall be occupied, or more than 50 car parking spaces constructed until a School Travel Plan has been submitted and approved in writing by the Local Planning Authority. In accordance with this plan, the school must achieve Bronze Level Accreditation within 1 year of the buildings first occupation. The submitted details shall use Modeshift STARS to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, adhered to, monitored

and reviewed in accordance with the approved details and additional car parking spaces shall only be constructed if they are demonstrated to be required in the Travel Plan

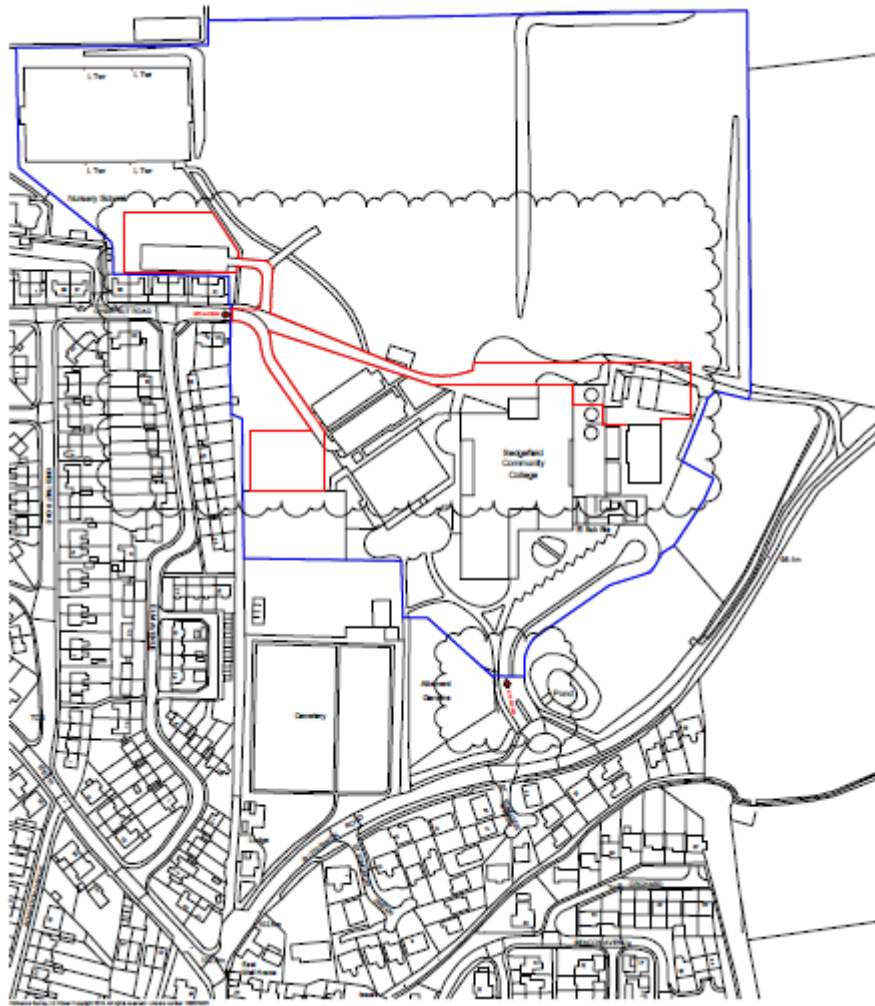
Reason: In the interests of sustainable travel in accordance with Part 9 of the NPPF

STATEMENT OF PROACTIVE ENGAGEMENT

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority 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.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
District of Easington Local Plan 2001
National Planning Policy Framework
Internal consultee responses
Public responses
Responses from statutory and other consultees
National Planning Policy Guidance



Planning Services

Two storey extension to form a teacher training hub for the school and visiting university students, extension to 2 car parking areas and associated works.

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Date
June 2020

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