

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION No:	DM/21/01984/FPA
APPLICATION DESCRIPTION:	Formation of community athletics track facility with associated floodlighting, access, car parking, drainage and landscaping
NAME OF APPLICANT:	East Durham Community Athletics Track Steering Group
ADDRESS:	Land South West of Burdon Place, Sedgefield, TS21 3BF
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Henry Jones Principal Planning Officer 03000 263960 henry.jones@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application relates to a 6.3ha parcel of land located between the residential development known as Hardwick Grange and NETPark to the north of Sedgefield. The land is greenfield, formally agricultural in nature and now containing a range of vegetative coverage.
2. The southern end of the site contains the remnants of a pond and beyond, on the site boundary with NETPark, a belt of trees. The western boundary principally comprises of a hedgerow whilst to the north, adjacent to the housing, boundary fencing is in situ. The eastern boundary principally comprises of a hedgerow beyond which is the B1278 Salters Lane. Adjacent to the to the south-eastern corner of the site is a tarmacked pedestrian and cycle route which provides access to NETPark, informal tracks and walking routes exist within the bounds of the site. The south-western portion of the site contains sections of hedgerow measuring a total of approximately 225m in length.
3. The site contains no statutory or locally designated landscapes or ecological sites, no heritage assets and, there are no designated public rights of way within the site.

The Proposal

4. The application seeks planning permission for the provision of an athletics facility and associated works. An athletics track is proposed with sections of 8 and 6 lanes enclosing a central grassed athletics field together with long jump, pole jump, high jump, javelin and throwing cage provision/areas. The athletics track would be located within the approximate centre of the application site. The athletics track would be lit via the provision of 8 flooding lighting columns of 18m and 20m in height.
5. Access would be formed to the east via Salters Lane which would lead to a hardsurfaced carpark comprising of 127 car parking spaces, additional coach parking and cycle parking space. To the north of this main car park a further grasscrete overflow is proposed. The car parking areas are proposed to be lit via a further 12 lighting columns of 6m in height. The athletics track and car parking areas are proposed to be enclosed via 2.4m high perimeter fencing. To provide the finished levels of the site and flat plateau for the athletics track, land remodelling and level changes are proposed as part of the construction phase of the development and on a section of the northern perimeter of the athletics track and west of car parking area a retaining wall is proposed varying in height of between approximately 1.5m and 3.5m in height.
6. Between the athletics track and Hardwick Grange a Sustainable urban Drainage System (SuDS) basin is proposed, mounded areas and tree planting. Other areas of the site are proposed to have woodland, hedgerow, scrub and grassland planting.
7. The application is being reported to the County Planning Committee as it comprises a major non-residential development on a site in excess of 2ha.

PLANNING HISTORY

8. There is no history of planning applications on the application site itself.
9. Hardwick Grange, the residential development being completed to the north, gained planning permission in July 2017 following a public inquiry (DM/16/01522/OUT) and once contained Sedgefield Community Hospital.
10. On land approximately 160m to the west a planning application is currently pending consideration for a NETPark extension known as phase 3a. This comprises of a detailed planning application for research and development units of 18,628m² floorspace and outline planning permission for further research and development units of 19,822m² and up to 2,700m² of ancillary use floorspace.

PLANNING POLICY

NATIONAL POLICY

11. A revised National Planning Policy Framework (NPPF) was published in July 2021. 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.
12. The following elements of the NPPF are considered relevant to this proposal.

13. *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.
14. *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.
15. *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.
16. *NPPF Part 7 Ensuring the Vitality of Town Centres -* Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
17. *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.
18. *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.
19. *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.
20. *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.
21. *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.

22. *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 pollution and land stability and remediating contaminated or other degraded land where appropriate.
23. *NPPF Part 16 - Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

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

24. 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; determining a planning application; flood risk and coastal change; healthy and safe communities; historic environment; land affected by contamination; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities; town centres and retail; travel plans, transport assessments and statements; use of planning conditions; viability and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

The County Durham Plan (CDP)

25. *Policy 2 – Employment Land* supports business, general industrial and storage and distribution development within specified employment allocations and also protects other existing employment sites from being changed to non-employment uses, unless appropriate marketing has been undertaken or that the use would not compromise the main employment use and would comply with retail Policy 9 where main town centre uses are being proposed. Where a non-employment development is proposed on the protected employment sites, any existing jobs on site must be relocated. Specific further protection and safeguarding is outlined for land north of NETpark, at Integra 61 and Project Genesis, Consett.
26. *Policy 6 Development on Unallocated Sites* states that the development of sites within the built up area that are not allocated in the plan or in a neighbourhood plan will be permitted provided they accord with all relevant development plan policies and meet specific criteria in relation to existing permitted uses, coalescence of settlements, loss of land with identified value such as in relation to ecology or recreation, is appropriate, is not prejudicial to highway safety, has good access to sustainable modes of transport to relevant services and facilities, does not result in the loss of the settlements last community building, minimises vulnerability and provides resilience to impacts resulting from climate change, maximises the effective of previously developed land and where appropriate reflects priorities for urban regeneration.

27. *Policy 9 Retail Hierarchy and Town Centre Development* seeks to protect and enhance the hierarchy of Sub Regional, Large Town, Small Town, District and Local retail centres in the County.
28. *Policy 14 Best and Most Versatile Agricultural Land and Soil Resources*. Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits. All development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.
29. *Policy 21 - Delivering Sustainable Transport*. Requires all development to deliver sustainable transport by: delivering, accommodating and facilitating investment in sustainable modes of transport; providing appropriate, well designed, permeable and direct routes for all modes of transport; ensuring that any vehicular traffic generated by new development can be safely accommodated; creating new or improvements to existing routes and assessing potential increase in risk resulting from new development in vicinity of level crossings. Development should have regard to Parking and Accessibility Supplementary Planning Document.
30. *Policy 25 - Developer Contributions*. Advises that any mitigation necessary to make the development acceptable in planning terms will be secured through appropriate planning conditions or planning obligations. Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Planning obligations must be directly related to the development and fairly and reasonably related in scale and kind to the development.
31. *Policy 26 – Green Infrastructure*. States that development will be expected to maintain and protect, and where appropriate improve, the County’s green infrastructure network. Advice is provided on the circumstances in which existing green infrastructure may be lost to development, the requirements of new provision within development proposals and advice in regard to public rights of way.
32. *Policy 28 – Safeguarded Areas*. Within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted where it can be demonstrated that it would unacceptably adversely affect public safety, air traffic safety, the operation of High Moorsley Meteorological Officer radar.
33. *Policy 29 – Sustainable Design*. Requires all development proposals to achieve well designed buildings and places having regard to SPD advice and sets out detailed criteria which sets out that where relevant development is required to meet including; making a positive contribution to an areas character and identity; provide adaptable buildings; minimise greenhouse gas emissions and use of non renewable resources; providing high standards of amenity and privacy; contributing to healthy neighbourhoods; providing suitable landscape proposals; provide convenient access for all users; adhere to the Nationally Described Space Standards (subject to transition period).
34. *Policy 31 - Amenity and Pollution*. Sets out that development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that they can be integrated effectively with any existing business and community facilities. Development will not be permitted where inappropriate odours, noise, vibration and other sources of pollution cannot be suitably mitigated against, as well as where light pollution is not suitably minimised. Permission will not be granted for sensitive land

uses near to potentially polluting development. Similarly, potentially polluting development will not be permitted near sensitive uses unless the effects can be mitigated.

35. *Policy 32 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land.* Requires that where development involves such land, any necessary mitigation measures to make the site safe for local communities and the environment are undertaken prior to the construction or occupation of the proposed development and that all necessary assessments are undertaken by a suitably qualified person.
36. *Policy 35 - Water Management.* Requires all development proposals to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. All new development must ensure there is no net increase in surface water runoff for the lifetime of the development. Amongst its advice, the policy advocates the use of SuDS and aims to protect the quality of water.
37. *Policy 36 - Water Infrastructure.* Advocates a hierarchy of drainage options for the disposal of foul water. Applications involving the use of non-mains methods of drainage will not be permitted in areas where public sewerage exists. New sewage and waste water infrastructure will be approved unless the adverse impacts outweigh the benefits of the infrastructure. Proposals seeking to mitigate flooding in appropriate locations will be permitted though flood defence infrastructure will only be permitted where it is demonstrated as being the most sustainable response to the flood threat.
38. *Policy 39 – Landscape.* Proposals for new development will only be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals are expected to incorporate appropriate mitigation measures where adverse impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities, unless the benefits of the development clearly outweigh its impacts.
39. *Policy 40 - Trees, Woodlands and Hedges.* Proposals for new development will not be permitted that would result in the loss of, or damage to, trees, hedges or woodland of high landscape, amenity or biodiversity value unless the benefits of the scheme clearly outweigh the harm. Proposals for new development will be expected to retain existing trees and hedges or provide suitable replacement planting. The loss or deterioration of ancient woodland will require wholly exceptional reasons and appropriate compensation.
40. *Policy 41 - Biodiversity and Geodiversity.* Restricts development that would result in significant harm to biodiversity or geodiversity and cannot be mitigated or compensated. The retention and enhancement of existing biodiversity assets and features is required as are biodiversity net gains. Proposals must protect geological features, have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity.
41. *Policy 43 - Protected Species and Nationally and Locally Protected Sites.* Development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst adverse impacts upon locally designated sites will only be permitted where the benefits outweigh the adverse impacts. Appropriate mitigation or, as a last resort, compensation must be provided where adverse impacts are expected. In relation to protected species and their habitats, all development likely to have an adverse impact on the species' abilities to

survive and maintain their distribution will not be permitted unless appropriate mitigation is provided or the proposal meets licensing criteria in relation to European protected species.

42. *Policy 44 - Historic Environment.* Seeks to ensure that developments should contribute positively to the built and historic environment and seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets. The policy advises on when harm or total loss of the significance of heritage assets can be accepted and the circumstances/levels of public benefit which must apply in those instances.

NEIGHBOURHOOD PLAN POLICY:

The Sedgefield Plan (SNP)

43. *Policy G1a – Development within the Built-up Area Boundary.* Development within the Built-up Area Boundary will be supported providing it accords with national and local planning policies.
44. *Policy T1 – Cycling and Walking Access.* The improvement of existing and the development of new walking and cycling routes will be supported.
45. *Policy R1 Recreational Facilities.* Development for indoor and outdoor recreation and sport facilities will be supported subject to conformity with statutory planning policies. Proposals must be appropriate in scale and in keeping with the form and character of Sedgefield and the local landscape.
46. *Policy E1 Visual and Spatial Impact.* States that development should enhance the visual and spatial characteristics of the plan area. Particular consideration should be given to the impact of development upon significant views of heritage assets.
47. *Policy E4 Listed Buildings, Scheduled Monuments and Heritage Assets.* States that proposals which affect designated and non-designated heritage assets will be considered in relation to the NPPF which seeks to protect them subject to certain criteria.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

48. *Sedgefield Town Council –* The Town Council are supportive of the creation of an athletics track but have concerns regarding the impact of this proposal upon nearby residents in terms of amenity, pollution and traffic. The application should be heard at Planning Committee to ensure all views are considered.
49. *Highway Authority –* Raise no objections. Visibility at the access point is acceptable for the speed of vehicles on Salters Lane. Parking provision is appropriate with the provision of cycle parking and coach parking included together with an overflow. The access design has been amended during the course of the determination of the application, with the width increased to 7.3m which enables two opposing vehicles to turn into and out of the site from Salters Lane simultaneously. The swept path analysis submitted is accepted. Vehicle movements would be spread and generally outside of peak periods.

50. *Drainage and Coastal Protection* – Raise no objections. Following amendments received the proposed sustainable urban drainage system proposed is acceptable.
51. *Fishburn Airfield* – Raise no objections, no impacts upon the airfield are expected.

INTERNAL CONSULTEE RESPONSES:

52. *Spatial Planning Policy* – Raise no objections. The CDP allocates land to the north-west of NETPark for expansion within the Plan period (until 2035). Further land is safeguarded as future expansion land beyond 2035. The proposed track is located on the safeguarded land beyond the Plan period. The views of Business Durham will be required to inform upon whether the loss of the safeguarded land would be acceptable. Aside from this key issue, as an unallocated site, the principle of the proposals should be considered in the context of CDP Policy 6 whilst new recreational facilities are supported in principle through Policy R1 of the Sedgefield Neighbourhood Plan.
53. *Business Durham* – Raise no objections. It is noted that the proposal would result in the loss of land safeguarded for employment purposes, however, the development should bring significant leisure amenity to the area that will benefit businesses, employees and visitors.
54. *Regeneration and Development* – Raise no objections. Whilst ordinarily the loss of employment expansion land would be objected to, this land is unlikely to be required for some considerable time and there are many regeneration and other benefits that can be accrued from a facility of this nature and it is well known that sport and recreation builds stronger, healthier, happier and safer communities. The benefits derived from the development would outweigh the loss of employment land that isn't required for many years.
55. *Archaeology* – The site is a large greenfield site with prehistoric and Roman archaeological activity in the wider landscape. As such an evaluation of the site should take place starting with a geophysical survey and tested by trial trench evaluation.
56. *Design and Conservation* – Raise no objections. A heritage statement has been produced which explores the potential impacts on the significance of the Church of St Edmund and Sedgefield Conservation and the conclusions are accepted. No harm to heritage assets is identified.
57. *Culture, Sports and Tourism* – Support the proposals. It is stated that the Culture, Sports and Tourism Service has worked, initially with the Sedgefield Harriers and lately the EDCAT steering group, to locate a site for this facility and this has included feasibility studies on other locations. The Sedgefield harriers play a vital role in community sports and need to establish a base from which they can develop and expand their activities. The facility would help to underpin the corporate aspiration to promote healthy active lifestyles.
58. *Ecology* – Raise no objections with the latest biodiversity metric submissions addressing earlier concerns. A detailed habitat management and monitoring strategy will need to be devised. A final detailed lighting scheme should be conditioned in the event of an approval.
59. *Environment, Health and Consumer Protection (Air Quality)* – Raise no objections. The information submitted demonstrates that the proposed development will be in compliance with national air quality objectives and of EU Limit Values. A dust action plan should be devised as part of a wider construction management plan during the construction phase.

60. *Environment, Health and Consumer Protection (Pollution Control)* – Raise no objections. The submitted noise impact assessment and lighting assessment have been assessed and the conclusions generally agreed with. Operating hours of 7am-10pm Monday – Thursday and 7am – 8pm Friday, Saturday and Sunday would be appropriate. It is understood that no PA system is proposed and this would be appropriate and should be conditioned. No starting gun should be employed outside the hours of 9am to 8pm.
61. *Environment, Health and Consumer Protection (Contaminated Land)* – Raise no objections and there is no requirement for a contaminated land condition.
62. *Landscape* – Do not object, however, it is noted that the proposed development would result in the loss of some field boundary hedgerows, and an area of open grassland. To enable the development there would be significant regrading of the site. The access would result in the loss of some hedgerow. There would be an effect on landscape character and visual effects through the intensification of the use of the site, car parking and floodlighting. A more considered structural landscape scheme is necessary.
63. *Sustainable Travel* – Raise no objections. It is noted that the site is within an acceptable walking distance of bus stops, the cycle link to the path alongside Salters Lane is welcomed. Routes should be appropriately signed, all cycle parking should be appropriately designed and secure. Though the application submissions suggest a travel plan has been devised it would not appear to have been submitted. If one is not submitted that a travel plan should be conditioned.

EXTERNAL CONSULTEE RESPONSES:

64. *Sport England* – Support the proposal, considering that it addresses an identified need for the facility with the potential to be of benefit to the development of athletics. The design of the facility accords with relevant technical guidance. The design, location and intended hours of use will enable the facility to be used for community sport.
65. *Northumbrian Water Limited* – Raise no objections subject to a condition requiring a detailed scheme of surface and foul water disposal to be agreed.
66. *Durham Constabulary Architectural Liaison* – Raise no objections but provide advice on appropriate secured by design approaches such as fencing, lighting, planting and CCTV.

PUBLIC RESPONSES:

67. The application has been advertised by way of a press and site notice, individual notification letters to neighbouring residents and publication on the weekly list of planning applications.
68. In total of 192 representations have been received. Of the representations received, 87 are in support of the proposals and 102 in objection. 3 letters received raise points from a neutral stance, with both supportive comments and those in opposition or on behalf of constituents. Outlined below is a summary of the main issues raised by objectors / supporters of the application and any other specific responses received from the public. Supportive comments received include comments from athletics/sporting clubs, associations and outdoor activity organisations. Concerns have also been received from the Sedgfield Development Trust.

69. It should be noted that 2 letters of support have been submitted by the chair of the East Durham Community Athletics Track Steering Group (the applicant), detailing the merits of the scheme and history of the steering group and its progression.

70. In Support

Principle of the Development

- Sports facilities in the County have been in decline
- Efforts have been made to find alternative locations but they are not available
- Demand exists and the facility will be well used
- The facility will make it easier for local groups including children to access and use such facilities, reducing the need for travel
- It will offer new track and field training and competition facilities for the area
- The facility will support a range of users including sports clubs but also local schools
- Reference is made by several athletics clubs/associations to the considered success stories already achieved and the contribution that this facility will make to furthering those in terms of participation and performance
- Reference is made by athletics clubs/associations to current limitations at their training bases and the benefits that the proposal will bring to them as a result and their ability to broaden their participation offer
- Sedgefield Harriers have been a recent success story often competing against clubs with their own tracks, they should have their own facility so they can continue to compete at that level

Health Benefits

- The facilities would enhance options for young people and help with anti-social behaviour and encourage socially responsible young people
- Sports facilities bring health and mental wellbeing benefits
- Help reduce child obesity
- The track will provide a safe environment to train, preventing children and women running on dark streets and uneven surfaces etc

Ecology

- The site contains little/no protected wildlife
- Though some species are on the site, this is reported in the application and mitigation is proposed and has been improved during the course of the application

Other

- Reference is made to living near existing facilities such as Sedgefield cricket and rugby clubs and that the noise or lighting from these venues does not cause detrimental impacts
- Though the scheme is supported, alternative sites should be considered potentially farther from housing and less prone to flooding
- The proposal will result in economic benefits
- In response to concerns raised over the financing of the project, it is highlighted that the ongoing running costs of such facilities are relatively low
- The amended documentation submitted during the course of the application is welcomed with the travel plan considered an excellent idea whilst the landscape and biodiversity strategy is well thought out and access arrangements improved
- The scheme will help to attract business to NETPark
- The drainage system proposed utilises SuDS principles

71. In Objection

Principle of the Development

- Alternative locations for the track should be considered and inadequate submissions in this regard have been made
- Alternative tracks and facilities already exist serving demand
- The money for this development should be spent on other projects
- The proposal is contrary to the safeguarding of the land for NETPark expansion of research and development uses only, necessary marketing processes to permit the release of the land for alternative purposes has not taken place. Reference is made to a pending application (DM/21/03348/FPA) also involving safeguarded land and contradictory arguments are being presented in relation to each
- The proposal, being on safeguarded land, undermines the County Durham Plan process and proposed development well in advance of what residents could have expected
- The proposal is on Green Belt land
- Concerns are raised that the applicant do not have the finance to complete or maintain the development further queries are raised over the content of any lease agreement made with the Council
- Economic benefits of the track will be limited, with no employment as the track would be ran by volunteers, no businesses are located nearby which could benefit from the footfall
- A holistic approach to planning is needed, it is inappropriate for a recent residential development to have occurred and to now potentially develop an inappropriate running track adjacent. Consideration must also be given to the extent of expansion of NETPark given Hardwick Grange is now in situ
- Athletics in the area is declining – the local parkrun had to be cancelled
- A swimming pool should be added to the proposals and then the scheme would gain more support
- The site is inappropriate set against England Athletics criteria

Ecology and Animal Welfare

- Detrimental impact upon the livery at Lizards Farm. Horses at the livery will be stressed and detrimentally affected by proposals due to noise and lighting and vehicular movements. The proposed programme of use of the track may result in increased training by runners at NETPark when they cannot use the new facility and this affects the amount of hacking/horse exercising which can occur. Other livery yards in the area may also be affected. Greater use of the site could attract anti-social behaviour which may also affect the horses.
- The application relies upon ecological reporting from the Hardwick Grange application and updated surveys and reporting are necessary, generally the ecological submissions do not accurately reflect the ecological value of the site
- The ecological report inaccurately asserts that there is no woodland or water on the site, the application form is incorrectly completed in relation to the ecological questions
- Loss of habitat for a variety of species, objections include lists and photographs and species present in the area
- Floodlights will harm the wildlife which remains
- The application erroneously claims wetland is being created as there already exists wetland on the site
- Discover Brightwater is currently working with statutory partners and communities in redeveloping the length of the River Skerne to encourage native species whilst the

current hydrological regime and preclude the reinstatement of the natural watercourse on the site

- The biodiversity assessment of the land is inaccurate, terms such as “ruderal” and “rank” is inaccurate, the land is already complex and could become increasingly so
- The carbon emissions from the bog land would increase and prevent the bogs current contribution to removing carbon

Residential Amenity, Health and Pollution

- Detrimental impacts caused by light and noise pollution, particular impacts will occur on children, families, night shift workers and those who need to be in bed and/or up early
- Increased anti-social behaviour and littering
- Those in support do not live near the site and will not suffer the impacts
- The noise report is disingenuous and misleading including in the manner in which it considers noise only from a single point in the centre of the facility failing to properly consider the noise from the congregations of people in more peripheral locations, the likelihood of spectators shouting etc
- Increased air pollution from vehicles
- The various detrimental impacts will affect mental health and well-being
- Mature hedging is to be removed between the road and The Lizards increasing road noise
- A resident of Burden Place is suffering from cancer and moved to this location for quiet and peaceful surrounds
- No toilets or changing facilities are proposed – the landscaping may well be used and no consideration is given in the application to foul water disposal
- The site provides walking and dog walking opportunities
- The proposals would not accord with the County’s support for Dark Skies
- The development could create a statutory nuisance

Highways Issues

- Increased traffic
- Salters Lane is crossed by children, the housing development has made the road busier and the track will further still
- Consideration for crossing facilities should be given
- The access point is on a blind corner on a fast, dangerous road
- The transport assessment is disingenuous and misleading with inadequate surveying
- There is no information of car parking charges or whether it will be free
- The bus shelter is in a state of disrepair and encourages anti-social behaviour, it should be demolished and replaced with a sign only

Visual/Landscape and Heritage Impacts

- The proposal will transform the landscape and look wholly unsuitable
- No visual impact assessment has been undertaken
- The Council refused planning permission for the housing at Hardwick Grange considering the landscape and visual implications of that development to be unacceptable
- Landscape mitigation will pose its own issues, affecting outlook and light entering garden spaces
- Further archaeological evaluation and heritage statement submissions are required to understand the implications of the development upon heritage

- Impact upon The Lizards Farmhouse a non-designated heritage asset

Flood Risk and Drainage

- The submitted Flood Risk Assessment is inadequate and the Lead Local Flood Authority have raised issues with submissions
- The land is very wet – the historic name for the field is called East Boggs
- On the neighbouring land, Tolent struggled to contain the amount of water on their site
- The more that has been built in the area the flooding issue has grown, the land did not suffer from flood risk in the past
- Drainage proposals would involve crossing land owned by residents of Hardwick Grange and connecting to the Hardwick Grange system which is inappropriate

Other

- Occupiers of Hardwick Grange bought properties on the understanding that the surrounding fields were safeguarded against development
- The applicant failed to consult with local residents and occupiers, consultation focused upon the athletics community
- S106 funds are being sought to part fund the proposal, the appropriateness of the of this fund is disputed
- The content of the Statement of Community Involvement is considered to be misleading and consultation was not extensive enough, focusing upon the athletics community
- The facility should be broadened – a football pitch could be utilised within it
- Supportive comments are generally being received from those who do not live in the area
- Devaluing of property
- Sedgefield is not in “East Durham” and is suggestive that the proposal will encompass and serve the deprived areas in the east of the County which it will not
- Inadequate notification from the Council - letters were received on 2nd July 2021 whilst it is also stated that statutory publication requirements have not been followed
- County Cllr Lines is a founder of Sedgefield Harriers and has a conflict of interest
- The comments of Sport England do not demonstrate support for the position of the proposed track whilst England Athletics should have been consulted
- It is stated that Sedgefield Harriers have lost their charity status are no longer the applicants, replaced by East Durham Community Athletics Track
- Lack of facilities for the disabled
- One letter of objection questions whether the proposals have taken into account a wide range of matters such as whether the proposal is sustainable; whether it represents good value for; whether consultation has been adequate including with particular groups of the community; whether consideration has been given to other similar facilities nearby
- The applicants do not have adequate funding to deliver the scheme

72. Paul Howell MP (Sedgefield) – Is supportive of the attempts to bring sport into Sedgefield but relays and seeks clarification of some of the concerns raised by his constituents. The concerns relate to a perceived lack of communication, that the proposal is sought on safeguarded employment land, access is via a hazardous road whilst queries are raised in regard to the allocation of S106 financial contributions for the proposals and consideration given to other schemes for those contributions.
73. Campaign to Protect Rural England (CPRE) – Raise objections considering that the proposal is in conflict with County Durham Plan Policy 2 given it is safeguarded for

employment purposes. The site is not considered to be sustainably located, noticeably beyond the boundaries of both Sedgefield and Fishburn. Concerns are raised on residential amenity and pollution grounds, particularly light pollution and noise. CPRE cannot see evidence of support from Sport England. The development would result in the loss of land of ecological value.

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/simpleSearchResults.do?action=firstPage>

APPLICANTS STATEMENT:

74. The application proposes the development of a new community athletics track facility on land to the north of NETPark in Sedgefield.
75. While rich in heritage and community, the East Durham area is poor in terms of facilities for sport and young people in general – and there is no existing athletics provision serving the eastern side of the county.
76. This has been a major problem for local running clubs for some time, not least in Sedgefield, where Sedgefield Harriers, a hugely successful athletics club – UK Athletics Club of the Year in 2011 – have long had an aspiration to develop a dedicated athletics facility.
77. Against this background, a Track Steering Group was formed in 2012 with the aim of developing an athletics training facility in and around the Sedgefield area – and planning permission was previously obtained for a track facility at Sedgefield Community College in 2013. However, this could not be implemented due to site ownership issues, and while other locations in and around Sedgefield have been considered over the last eight years, including sites at East Park and Hardwick Park, initial feasibility studies identified a range of potential planning and heritage issues, and none progressed to a planning application.
78. However, through ongoing discussions with Durham County Council, (DCC) the site subject to the current application was identified. It was previously owned by NHS Estates, but was recently acquired by Durham County Council as part of their acquisition of land to facilitate the development of further land as an extension to NETPark.
79. The site lies to the north of the existing development at NETPark and to the south of the residential development on the site of the former Community Hospital. It is highly accessible by car, foot and cycle directly from the B1278. It is also conveniently accessible by public transport, with existing bus stands lying within 100m of the proposed site access.
80. While the site has been identified for long term development as an extension to NETPark, it is unlikely to be needed for many years and the Council has agreed, in principle, to lease the site to a track management group for 30 years in order to allow the site to be used as a community athletics facility. Against this background, the Steering Group, engaged in initial pre-application discussions with Council Officers and subsequently submitted the subject application.
81. The details of the application scheme are covered elsewhere in the Officer's report to committee but it is particularly important to note the various amendments that have been made to the scheme since the original submission in order to respond to comments received. The application scheme now before the Council is one which delivers not only a first-class athletics facility in an area with no existing athletics provision and very

limited sporting and leisure facilities generally, but also a scheme with much wider community, sustainability and biodiversity benefits.

82. It will plug a significant gap in County Durham's sports provision and its development is expressly supported by policies in the Neighbourhood Plan for Sedgefield (adopted in October 2019).
83. While the track started out as a Sedgefield Harriers project, as time has moved on it has evolved into a facility which is aimed at meeting the wider needs of athletics across East Durham. A new organisation of local athletics clubs and running groups – the East Durham Athletics Network (EDAN) – has been formed and will play a central role in the management of the track once developed. The track will be managed as a community asset, for community and business use by a management group (which will include representatives from Business Durham, NETPark and other sports and community groups within EDAN - and will be available for use by other sports clubs, schools, and businesses / employees working at NETPark.
84. A volunteer-led initiative, it has the potential to have a transformative impact on the lives of young people and future generations of residents in East Durham. It is supported by Council Officers and we hope that members are able to recognise both the need for the development, and it's huge potential, and grant planning permission in order to enable the project to move forward.

PLANNING CONSIDERATIONS AND ASSESSMENT

85. 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 advice within 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 the development; visual, landscape and heritage impact; pollution, amenity and health; highways issues; flood risk and drainage and ecology. Other matters are also discussed.

The Principle of the Development

The Development Plan

86. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035.
87. 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.
88. CDP Policy 2 relates to employment land. The application site is located adjacent to NETPark, however, it forms neither a part of the existing protected site nor a part of the specific 15.84ha of land allocated for research and development use only. The site does form a part of a further 15.93ha of land identified for safeguarding for future expansion beyond the end of the Plan period. As the justification to Policy 2 explains, NETPark is a regionally significant centre for research and development and that it is important to the continued success of NETPark that future phases of development are allocated and safeguarded.
89. However, as the safeguarded land is neither a specific allocation within the plan period nor part of an existing protected employment site the specific elements of the policy which advise upon non-employment uses being proposed on such land do not apply. These elements of the policy essentially require a marketing period to have been undertaken or an assessment made on whether the non-employment proposal would compromise the main employment use of the site or not.
90. As a result, in relation to CDP Policy 2, it is considered that a balanced assessment of an athletics track being proposed on the safeguarded land must be made having regard to the likelihood of that compromising the medium and longer term future of NETPark. Secondly, as the site is unallocated land, an assessment against CDP Policy 6 is necessary.
91. In regard to the Policy 2 assessment, Spatial Planning Policy highlight that, as the application site is on land safeguarded for future NETPark expansion, the views of Business Durham will be required to inform upon whether the loss of the safeguarded land would be acceptable. Business Durham have responded to the application consultation and have not raised objection stating that whilst the development would result in the loss of land for employment purposes it should bring a significant leisure amenity to the area that will benefit businesses, employees and visitors. Regeneration and Development have advised that whilst ordinarily the loss of employment expansion land would be objected to, this land is unlikely to be required for some considerable time and there are many regeneration and other benefits that can be accrued from a facility of this nature with the associated wellbeing benefits cited and, that in their view, these benefits would outweigh the loss of future employment land not required at present.
92. DCC Culture, Sport and Tourism have also provided a consultation response, providing full support to the scheme. They highlight that Sedgefield Harriers play a vital role in community sports activity in the area and this proposal provides the opportunity for their expansion and progression as well as underpinning aspirations to promote healthy active lifestyles within the County. Culture, Sport and Leisure also highlight that they have worked with, initially, Sedgefield Harriers and lately the EDCAT steering group, to locate a suitable development site for the facility with various options explored. Sport England have also commented, supporting the proposal, considering that it addresses an identified need for the facility with the potential to be of benefit to the development of athletics.
93. Therefore, in relation to CDP Policy 2, it is considered that the provision of the athletics track proposals can be accepted. The loss of land safeguarded for future development

would result, however, this is not land which is allocated as such nor stated within the CDP as being required within the plan period ending in 2035. The delivery of the proposal would bring its own benefits through the provision of new sporting facilities and the contribution to wellbeing that this can bring. To an extent, it is considered that the development could compliment NETPark it is reasonable to conclude that it could provide an attractive facility for use by its occupiers albeit not necessarily to a significant degree. The key consultation responses from the likes of Business Durham and Regeneration and Development lead officers to conclude that no unacceptable or compromising impact would occur upon the future of NETPark.

94. CDP Policy 6 advises that the development of sites which are not allocated and are either within the built-up area or outside the built-up area but well related to a settlement will be permitted provided the proposal accords with other relevant development plan policies and subject to a series of detailed criteria. In summary, this criteria being that the proposal must be compatible with and would not be prejudicial to existing adjacent land uses including allocations; does not result in unacceptable coalescence, ribbon or backland development; does not result in loss of land of recreational, ecological, or heritage value which cannot be adequately mitigated; is appropriate in scale, design etc. to the character of the area or settlement; is not prejudicial to highway safety; provides access to sustainable modes of transport; retains a settlement's valued facilities (i.e. pub); considers climate change implications; where relevant, makes use of previously developed land; and where appropriate, reflects priorities for urban regeneration.
95. Within The Sedgefield Neighbourhood Plan (SNP) the application site is identified as being within the built-up area boundary and therefore in turn, for the purposes of CDP Policy 6, the site is within the built-up area of a settlement. Therefore, whilst greenfield, the land is not deemed countryside and no assessment against the content of CDP Policy 10 is required.
96. NPPF and CDP (Policy 9) advice is that main town centre uses should be located in town centres, then in edge of centre locations; and, only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered and via the application of a sequential test. The NPPF and CDP identify that the more intensive sports and recreation uses are main town centre uses. The examples provided of such facilities are health and fitness centres and indoor bowling centres. Therefore, these examples are indoor facilities, different from outdoor athletics provision and, therefore not the form of use that national and local planning guidance is suggesting should, preferably, be located in a town centre location.
97. Nevertheless, consideration of alternative sites has been given. The applicant is the East Durham Community Athletics Track Steering Group with key support and promotion from Sedgefield Harriers and the Friends of Sedgefield Harriers. The locational requirements of the athletics track mean that the facility is sought within the south-east of the County. The local centre boundary of Sedgefield itself is relatively small, centred upon the High Street/Front Street. The area contains no land capable of accommodating an athletics track and the area is highly sensitive in heritage terms, wholly within the Sedgefield Conservation Area and immediate setting of a number of listed buildings including the Grade I listed Church of St Edmund and, even if land were available in this central location the heritage implications of the development would likely be unacceptable in planning terms.
98. The application submissions and consultation response from Culture, Sport and Leisure reference alternative sites which have been explored previously, namely Sedgefield Community College and land at East Park and Hardwicke Park but discounted due to a combination of land ownership and planning constraints.

99. Ultimately, officers consider that there is no requirement for the applicant to have demonstrated the availability or suitability of alternative sites and this application should be assessed on its own merits. Notwithstanding this, the application submissions and consultation response received from Culture, Sport and Leisure reference other sites which have been considered but discounted.
100. Policy R1 of the SNP relates to recreational facilities and amongst its advice states that indoor and outdoor recreation and sport facilities will be supported subject to conformity with the statutory planning policies including those within the SNP itself. The Policy references that a new athletics track facility is sought and states that there is strong community support for the project. The proposal is considered to draw support from this policy.
101. The collective views of the key consultees of Business Durham, Economic Development and Spatial Planning Policy is that the athletics track would not have an unacceptably harmful impact upon the future of NETPark. As a result, the principle of the facility at the site is considered acceptable.
102. The detailed impacts of the varying aspects of the proposals, such as heritage, landscape and others are considered below.

Visual, Landscape and Heritage Impact

103. Policy 39 of the County Durham Plan states proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals would be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Policy 6, amongst its advice, states that development should not result in the loss of land which contributes to the character of the locality which cannot be adequately mitigated or compensated for whilst it should remain appropriate in terms of design to the location and settlement. Policy 26 outlines developments are expected to provide new green infrastructure and ensure provision for its long-term management and maintenance. CDP Policy 29, amongst advice, states that new development proposals are required to achieve well designed buildings and places, contributing positively to an area with appropriate landscaping. Policy 40 seeks to avoid the loss of existing trees and hedgerows unless suitable replacement planting is provided. Parts 12 and 15 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment.
104. SNP Policy E1 provides advice in respect to the visual and spatial impacts of development stating that development should enhance the visual and spatial characteristics of the plan area with a particular focus upon the impact of development upon significant views of heritage assets. Policy R1 of the SNP states that the development of sports and community facilities must be of an appropriate scale and in keeping with the form and character of Sedgefield and the local landscape.
105. In regard to heritage, CDP Policy 6 advises that development should not result in the loss of land of heritage value whilst Policy 44 is the dedicated heritage policy within the CDP. Policy 44 sets out that development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate. Consistent with Part 16 of the NPPF, Policy 44 similarly advises that when considering the impact of a proposed development on the significance of a

designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

106. In addition to Policy E1 referenced above, SNP Policy E4 also relates to heritage assets, reiterating the messages of protection contained within Part 16 of the NPPF.
107. Furthermore, the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty that, when considering whether to grant planning permission for a development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Any such harm must be given considerable importance and weight by the decision-maker. Under the Act, special attention to the desirability of preserving or enhancing the character and appearance of a conservation area must be equally considered.
108. The proposals would result in a transformative impact upon the site, the present greenfield nature of the land would alter with the development firstly altering land levels and then in the longer term the more significant visual impact resulting from the floodlighting and lighting columns, ranging from 6m to 20m in height, the track itself, access and car parking provision and perimeter boundary fencing which on the submitted plans would also entail a significant section of retaining wall on the northern side of the track and car park. In addition to the impact of the operational development itself, the lighting columns and floodlights would create a marked change from the present situation at night. Impacts would occur on landscape features, a section of hedgerow within the site of approximately 225m in length would require removal whilst further loss of a section of the roadside hedge adjacent to Salters Lane would be required to facilitate the provision of the access. Regrading of the site and changes in levels would also occur to set the levels for the development.
109. Landscape Officers have not objected to the proposals though acknowledge the loss of the above features and the effects on landscape character would clearly intensify. Key visual receptors are identified as the residents of Hardwick Grange and pedestrian and vehicle users on Salters Lane.
110. Landscape Officers noted that upon submission the application included landscape screening proposals, though in their originally submitted form they were considered ineffective, with a more considered and structural landscape mitigation scheme necessary. A considered scheme utilising appropriate planting and use of some bunding would help assimilate the development into the area and reduce the impact from Hardwick Grange. During the course of the determination of the application an amended landscape masterplan was submitted improving the structural landscaping proposals albeit the manner in which landscaping, habitat provision and the Sustainable urban Drainage System (SuDS) provision have been considered together can be improved. Landscape have advised that there would be adequate land available on the site to rationalise the precise location and design of SuDS, landscaping features and levels on the northern edge of the track more successfully than presently shown on the submitted plans and avoid a high retaining wall (maximum retention stated as 3.5m in sections) in favour of more gentle step changes in levels. In the event of an approval, it is considered that a condition could be utilised to address this.
111. The site contains no designated heritage assets. Two conservation areas are situated in Sedgefield - Hardwick Park located approximately 1km to the south-west at the nearest point and Sedgefield Conservation Area located approximately 1.8km south of the site. The closest listed building to the site is the Grade II Church of St Luke,

Winterton Hospital located approximately 450m south of the site. Concentrations of listed buildings are located within the bounds of Hardwick Park and Sedgefield Conservation Areas and most significantly is the Grade I listed Church of St Edmund situated in the centre of Sedgefield Conservation Area. The Church of St Edmund is situated on higher ground and its tower is widely visible in approaches to Sedgefield. There are two Parks and Gardens of Special Historic Interest on the Historic England list register in the area, the Grade II* Hardwick Park itself and the Grade II Ceddesfeld Hall Gardens approximately 2km south of the application site. Further south still, Sands Hall is identified on the local County Durham list of historic parks, gardens and designated landscapes. The nearest Scheduled Monument to the site is Middleham Castle approximately 2.8km to the west. In terms of non-designated heritage assets, it is noted that a farmhouse has been historically sited at The Lizards with the occupiers stating that it is understood to date from 1707. The Lizards Farmhouse itself is situated approximately 120m north of the site.

112. Upon receipt, the planning application was not accompanied by a dedicated Heritage Statement. Following consideration by Design and Conservation in conjunction with site visits undertaken by Officers it was considered a Heritage Statement was necessary to inform the application. Although distances to designated heritage assets are in the main relatively significant the application site and the Church of St Edmund within Sedgefield Conservation Area can be viewed from higher ground to the north. For example in views from Harap Road, north of Fishburn, where, on the higher ground, the tower of the Church of St Edmund can be seen on the horizon with the application site in the foreground on lower ground. Although the Church of St Luke, Winterton Hospital is much nearer the site, views between it and the site are screened by the topography and the presence of landscape features.
113. During the course of the determination of the application a Heritage Statement (HS) was submitted, focusing upon the potential impacts of the development on Sedgefield Conservation Area and the Church of St Edmund. The HS highlights that the contribution made by setting to the significance of the Sedgefield Conservation Area is closely linked to the town's location on a low hill, clear of the surrounding area identified as lowland plain and the landmark role of the Church of St Edmund. The application site does form a part of this lowland plain but it is located a relatively substantial distance from the Conservation Area and separated from it by higher intervening ground. In respect to the Church of St Edmund and setting, the church is situated on raised ground and its tall tower gives it a strong presence and is appreciated as a notable way marker in routes to the town. The HS concludes that whilst from Harap Road views of the site and tower of the church in the background are available, it is not one of the more historic approaches to the town and emphasis is placed on the significant distances involved between the viewpoint and the church and the impacts of the development in these views would therefore be imperceptible. During the night-time, when the floodlighting would have visual impact, the backdrop with the church tower would be darkened. Overall, no impacts or harm upon the significance of Sedgefield Conservation Area or the Church of St Edmund are predicted under the HS.
114. Design and Conservation have assessed the submitted HS and the impacts of the development and raise no objections in respect to the impact upon Sedgefield Conservation Area or the Church of St Edmund nor state that detailed assessment is required in respect of other designated heritage assets in the locality.
115. In respect to The Lizards Farmhouse as a non-designated heritage asset, taking into account the distances to the development and impacts of intervening landscaping it is considered that impacts would be negligible.

116. Archaeology advise that evaluation of the site should take place starting with a geophysical survey and tested by trial trench evaluation. CDP Policy 44 advises that where proposals are likely to affect sites of known importance, sites of significant archaeological potential, or those that become apparent through the development management process, background research followed up by archaeological investigation will be required prior to their determination. The geophysical survey and trial trenching have not been submitted. The extent of archaeological potential is not fully understood at this stage. Archaeology have advised that prehistoric and Roman archaeological activity in the wider landscape is known and further interest on this site cannot therefore be ruled out. Equally the site may contain no archaeological deposits of any interest. It is considered that pre-commencement conditions could be applied in the event of an approval requiring the geophysical survey and trial trenching to occur. There is ultimately a risk that the archaeological investigation identifies features of interest and the potential to preserve those in situ cannot be ruled out which ultimately could affect the development layout. However, through the use of a pre-commencement condition this would ensure that any first stage of the scheme following any grant of planning permission would be required to be the archaeological investigation and the results and impacts would be known before any other progress occurs. As a result, it is considered a conditional approach can be take in the event of an approval.
117. In conclusion, the development would result in a transformative visual impact with the loss of greenfield land. The features proposed including the flood lighting, car parking area and perimeter fencing are by their very nature relatively utilitarian features. The loss of greenfield land would extend to the loss of landscape features as well including the loss of hedgerow. Some detrimental impact would occur from the development as a result. However, Landscape have not objected to the development and ultimately consider that the site contains land on which an appropriate landscaping scheme could be devised to help assimilate the development including from key receptors to the north such as Hardwick Grange and The Lizards. Such a scheme would need final resolution under condition though including in respect to a resulting level change and degree of retention needed on the northern edge of the track and car park. No harm to heritage assets is identified though archaeological implications are not fully known at this stage. No landscape, visual and heritage impacts of the development are considered unacceptable with the development considered compliant with CDP Policies 6, 26, 29, 39 and 40, SNP Policies E1, E4 and R1 and Parts 12, 15 and 16 of the NPPF.

Pollution, Amenity and Health

118. CDP Policy 31 is the principal CDP policy in respect to amenity and pollution and in summary advises that development will be permitted where it would result in no unacceptable impacts upon the health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. CDP Policy 29 requires, amongst its advice, that development minimises impact upon nearby occupiers and contributes towards healthy neighbourhoods, considering the health impacts of development and the needs of existing and future users. Furthermore, CDP Policy 6 advises that development proposals should not be prejudicial to any existing allocated or permitted use of adjacent land. Part 8 of the NPPF provides advice on how development can achieve healthy, inclusive and safe places. Parts 12 and 15 of the NPPF require that a good standard of amenity for existing and future users be ensured, whilst seeking to prevent both new and existing development from contributing to, or being put at unacceptable risk from, unacceptable levels of pollution.
119. Matters of pollution, amenity and health are amongst the most regularly raised and commented upon within the public representations received on the application, both in

opposition and in favour. The health conditions of particular residents, both physical and mental, are referenced.

120. Supportive comments have frequently cited the benefits to health that exercise results in and the contribution in that regard which the proposed development would result in. Certainly, the provision of such a facility clearly has potential beneficial impacts in terms of health and the facility provides the potential for participation to grow and spread such benefit further. In this regard the development is considered to draw support from the likes of paragraph 92 of the NPPF which states that decisions should enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of sports facilities (amongst other cited examples). It is acknowledged that such benefits could be achieved from such a facility in another location. However, the application must be considered on its own merits and the proposed facility is sought by the applicant at this site and not another location.
121. The proposal is close to sensitive receptors with the nearest being properties on the southern edge of Hardwick Grange and The Lizards farmhouse.
122. The development has the potential to cause impacts upon amenity. The flood lighting and car park lighting would be a significant change from the present situation at night. Noise from the activities associated with the facility, vehicular movements and the like would increase noise in the area and this would be greater on occasions when more significant events take place. In this regard, the details submitted within the application present that in many instances the track would be utilised purely for training purposes and the numbers involved would vary, at times participation may be low. However, events with greater numbers are also proposed - examples could include the likes of school competitions and Durham 5k and 10k championships.
123. Amenity and pollution submissions accompanying the application include an air quality technical note, a lighting level (lux) plan and noise assessment. Environment, Health and Consumer Protection are a key consultee in this regard.
124. In relation to air quality, Environment, Health and Consumer Protection confirm that the submissions demonstrate that the proposed development would be in compliance with national air quality objectives and of EU Limit Values and no objections are raised as a result. It is advised that a dust action plan should be devised as part of a wider construction management plan and this can be conditioned.
125. In respect to noise, Environment, Health and Consumer Protection raise no objections to the noise levels which are likely to result from the use of the site or the comings and goings.
126. Similarly, Environment, Health and Consumer Protection have raised no objections in respect to lighting stating that the submitted information demonstrates that light spillage would be minimal.
127. Officers acknowledge that some impact upon the amenity of nearest receptors will occur. To provide an illustration of proximity between the facility features and nearest properties, the curtilage of no. 5 Burdon Place would be located approximately 50m from the nearest section of the athletics track itself and 55m from the nearest track floodlight column. The rear curtilage of No. 4 Burdon Place would be located approximately 25m from the overflow car park and 60m from the nearest lighting column proposed within the main car park.

128. Currently the site is undeveloped and the proposal would introduce noise from the use of the facility, the associated comings and goings, congregations of people, vehicular movements and the like. Whilst light spillage is expected to be minimal it would remain noticeable and be a transformative change at night from the present situation. The scale of the development and change in the use of the land is such that some impact would occur upon residents.
129. To aid in reducing the potential for disturbance discussions have been held with the applicant in regard to the operating hours of the facility and hours in which floodlighting is permitted. Operating hours and floodlit hours are now proposed as 7am-9pm Monday – Thursday and 7am-8pm Friday, Sat and Sun.
130. Furthermore, no PA system is proposed with no starter gun or starter system proposed to be deployed which would be audible at the nearest residential receptors. A further condition could be utilised which controls the final, precise layout of lighting columns so as to ensure that their siting and direction is designed to limit impact.
131. Aside from residential amenity it is noted that concerns have been raised in respect to the impact upon the welfare of horses and in turn the operation of a livery business at The Lizards. The Lizards farmhouse itself is located approximately 115m north of the application site but land within their ownership/interest abuts the application site and an outdoor exercise arena is located approximately 35m north of the site boundary and approximately 140m from the edge of the track facility itself.
132. Horses can become stressed as a result of changes and challenges in their environment. It cannot be ruled out that the activities and impacts of the operational phase of the development and, potentially more significantly the construction phase, could have an impact upon the horses. The construction phase will be temporary and the degree of impact from the operational phase will vary depending for instance from the extent of usage on any given period.
133. Equally, however, horses do exercise in locations prone to noise sometimes such as roads whilst it is not unusual for horse menages and the like to actually be floodlit themselves. Whilst there is the potential for the development to impact upon the horses and in turn the activities of the livery at The Lizards, equally officers consider that it is not evident that impacts would necessarily be harmful.
134. Objectors have raised concerns over a potential increase in anti-social behaviour as a result of the development and cite existing and past problems in the area. The Durham Constabulary Architectural Liaison Officer has been consulted in this regard to gain comment in respect to issues in the area and the nature and design of the proposal. Objections have not been raised, though they provide advice on measures which could be utilised to deter any incidents, such as appropriate fencing design, secure entrance gate and CCTV coverage and such measures can be controlled via condition in the event of an approval.
135. Concerns are raised that no dedicated changing or toilet facilities have been provided in the application though the applicant has submitted that when more significant events are held, porta loo arrangements can be made. Officers acknowledge there is the potential for some who are training who need the toilet to be tempted to go to a secluded or landscaped spot on the land. On the other hand, it is usual for outdoor sport and recreation provision to not have dedicated changing or toilet facilities. Many football pitches, for instance, do not have any provision. A judgement must be made on whether this would be such a likely frequency to harm the amenity of nearby residents to the extent that the application should be refused. Officers conclude that it should not be.

136. It is noted that, amongst the specific public comments, reference is made to the site providing walking and dog walking opportunities which would be lost to the development, however, the site contains no registered public rights of way with access across the site available on a more informal basis and officers conclude that a change to this circumstance cannot be objected to. Public concerns also raise the impact on dark skies. Lighting impact in general terms is discussed above, the development will create some light pollution but not to the extent that the development is considered unacceptable.
137. In conclusion, the development of the proposed facility would have the potential to bring positive impacts, such as increasing participation in exercise with the broad associated health benefits that this would bring. The nearest receptors to the site, residents and livery business would receive a change in conditions and some nuisance and degree of harm cannot be ruled out. However, officers conclude that such impacts would not be to an unacceptable level and as a result the application is considered to remain compliant with relevant amenity, health and pollution advice within CDP Policies 6, 29, 31 and 32 and Parts 8, 12 and 15.

Highways Issues

138. CDP Policies 6 and 29 require development proposals to achieve a satisfactory means of access onto the wider highway network in order to protect highway safety and be safely accessed by a choice of modes of transport including cyclists, pedestrians. Similarly, Policy 21 requires developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. SNP Policy T1 encourages the development of new walking and cycling routes. The NPPF at Paragraph 110, requires that safe and suitable access can be achieved for all users. Paragraph 111 of the NPPF sets out that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
139. Access would be formed to the east via Salters Lane. The detail of the access has been amended during the course of the determination of the application. Originally, the Highway Authority raise objection to the design of the access, concerned that its width could result in a situation where a vehicle would be required to wait on the Salters Lane for a coach to exit whilst a swept path analysis indicated that a coach would encroach onto the opposing lane of Salters Lane when turning left out of the access.
140. As a result, the access design has been amended and now proposes an access with a width of 7.3 metres which enables the opposing vehicles to turn into and out of the site from the B1278 simultaneously. The swept path analysis showing the access supports the design of the new junction and access. The Highway Authority now consider that the access is safe and appropriately designed. The Highway Authority confirm that visibility at the access point is acceptable for the speed of vehicles on Salters Lane.
141. The Highway Authority raise no issue with the quantum of parking provision proposed to be provided via the main car park and the overflow area proposed. It is expected that vehicle movements would often be outside of peak periods which would also assist in impact and acceptability.
142. Cycle parking for 24 no. cycles is proposed which the Highway Authority have accepted. It can be ensured via condition that the car park delivers electric vehicle charging provision aligned with the Council's adopted parking standards.

143. The site benefits from bus stop provision on Salters Lane in both northerly and southerly directions immediately adjacent to the site providing sustainable transport options for the facility.
144. Sustainable Travel have raised no objections to the development acknowledging the aforementioned bus provision and welcoming the access design with 3m wide footpaths suitable for pedestrians and cyclists.
145. The application is accompanied by a travel plan albeit it is a framework/preliminary format and in the event of an approval a condition would be required for a more detailed travel plan to be devised. Regardless, the sustainable transport credentials of the site are considered be acceptable.
146. Public responses to the application query whether it is proposed that there will be car parking charges for the development. The applicant has stated there is no intention to charge. This can be conditioned. This is considered appropriate to reduce the potential for inappropriate parking. It is also raised that the bus shelter is in a state of disrepair and encourages anti-social behaviour and should be demolished and replaced with a sign only. The condition of the bus stop and this planning application are considered essentially unrelated matters. Furthermore, bus stops with shelters are more desirable from a sustainable transport perspective as the greater protection from the elements helps to encourage usage.
147. Objection is raised to a considered lack of consideration for the disabled within the application proposals. Section 149 of the Equality Act 2010 requires public authorities when exercising their functions to have due regard to the need to i) the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct, ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share that characteristic.
148. In accordance with the Councils standard parking guidance, 5% accessible parking bays can be conditioned. The development is considered accessible by a range of transport options and In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.
149. The highways and transport related impacts of the development are considered acceptable and compliant with CDP Policies 6, 21 and 29 and Part 9 of the NPPF.

Flood Risk and Drainage

150. Policies 35 and 36 of the emerging CDP relate to flood water management and infrastructure. Policy 35 requires development proposals to consider the effects of the scheme on flood risk and ensure that it incorporates a Sustainable Drainage System (SuDs) to manage surface water drainage. Development should not have an adverse impact on water quality. Policy 36 seeks to ensure that suitable arrangements are made for the disposal of foul water. 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 fluvial 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 a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.

151. The application is accompanied by a Flood Risk Assessment (FRA) and drainage submissions, with updates during the course of the determination of the application. The application site is within Flood Zone 1 and therefore subject to the lowest risk of fluvial flooding. There is no requirement for the application to pass the sequential or exception tests as a result.
152. The drainage strategy includes the incorporation of Sustainable urban Drainage System (SuDS). Key features of the SuDS are proposed to include porous lateral and linear drainage channels to the track area itself, porous paving to the car parking spaces and further linear drainage channel, the surface water from which would be directed into an attenuation basin north of the track and car park areas with a controlled discharge to the surface water system subject to Northumbrian Water control. Drainage and Coastal Protection Officers advise that this approach would be in 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.
153. In relation to foul water no buildings are proposed under the application albeit the drainage plans indicate a proposed foul water drain extension to meet the existing sewerage network should a future proposal (such as a changing facility) be proposed. Northumbrian Water raise no objections subject to a connection.
154. Public objection includes concern in regard to the wet and boggy nature of the site and ground conditions. In flood risk terms, however, Drainage and Coastal Protection confirm that a satisfactory scheme can serve the development. Concerns are raised with the connection to the mains surface water system requiring access across third party land, this ultimately considered a matter for the applicant and third parties to resolve.
155. On this basis no objections to the development on the grounds of flood risk or drainage are raised having regards to Policies 35 and 36 of the CDP and Part 14 of the NPPF.
156. As referenced in the landscape impact discussion to this report, the engineering design currently proposed involves a significant section of retaining wall along the northern boundary of the track and car park. This could be amended further with a rationalising of the SuDS, landscape and habitat design in this area under a condition and as a result despite the acceptance of the current scheme by Drainage and Coastal Protection in the event of an approval, a conditional approach is recommended to agree a further final drainage design.

Ecology

157. Collectively, policies 6, 26, 35, 41 and 43 of the CDP seek to protect land of ecological value, secure net gains for biodiversity and coherent ecological networks. Policy 43 advises in relation to protected species and nationally and locally protected sites. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests, and where possible, improve them.
158. The application is accompanied by a Preliminary Ecological Appraisal (PEA) and biodiversity metric submissions, including a biodiversity management and monitoring strategy and these documents have been updated during the course of the determination of the application. The submitted PEA includes the results of field survey work. Key conclusions therein include that bat activity on the site was identified but deemed to be relatively low with no roosts identified. The site was found to support several bird territories. The loss of existing habitat such as grassland and habitat would affect the feeding territories of both bats and birds, however, as part of an overall

landscaping/biodiversity/SuDS proposal these would be mitigated for through new and enhanced habitat provision and the ecological submissions present that once complete these works would provide approximately a 25% improvement in habitat and 100% in hedgerow.

159. Public objection to the development includes significant concern with regards to the ecological impacts of the development, these are detailed earlier in this report but include objection to the survey work being considered out of date, underestimation of the habitat value on site and value of species which utilise it and, detrimental impacts upon ecological enhancements sought on and in the vicinity of the site, such as a proposal to re-open a presently culverted watercourse.
160. Ecology have raised no objections to the impacts of the development upon protected species nor any designated ecological sites, the nearest of which include a locally designated road verge wildlife site off the A177 (approximately 450m west), locally designated wildlife site Mill House Pond (approximately 900m north-east), with the nearest statutory designed site being the Fishburn Grassland Site of Special Scientific Interest (SSSI), approximately 1.6km to the north.
161. The thrust of advice within the CDP and Part 15 of NPPF states that new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided or appropriately mitigated and compensated for, with development expected to achieve biodiversity net gain. It is accepted that the development would result in the loss of habitat on site. However, it is proposed new and enhanced habitat provision would be developed as part of a combined landscaping, habitat and SuDS scheme.
162. Ecology originally raised objections to the application considering that biodiversity metric submissions did not demonstrate that existing habitat loss would be adequately mitigated or a biodiversity net gain ultimately achieved. Amendments submitted during the course of the determination of the application have resolved these concerns, however. It should be noted that, aligned with the discussions elsewhere in this report regarding amendments to the precise SuDS design and retaining features on the northern side of the track/car park, there would be the need for the final habitat provision to be updated to reflect this. This final scheme and its long-term management and monitoring would, in the event of an approval, need to be secured via a Section 39 agreement pursuant to Wildlife and Countryside Act 1981. Final precise details of the lighting proposals would also be necessary to inform final impact on the proposed habitat and its design. This matter can be conditioned.
163. In respect to public comments received regarding future potential proposals to open up an existing watercourse and other potential ecological proposals on the site, ultimately this planning application must be considered on its own merits. Despite the merit that may lie in such alternative proposals, the proposal for the athletics track is that for determination and having regard to the comments received from Ecology no unacceptable ecological impacts have been identified.
164. The application is considered therefore to accord with CDP Policies 6, 26, 35, 41 and 43 and Part 15 of the NPPF. No interference with European protected species (such as the loss of a bat roost) is identified as a result of the development and, therefore, a European Protected Species Licence is not required nor an assessment having regards to the Habitats Directive brought into effect by the Conservation of Habitats and Species Regulations 2017.

Other Matters

165. Consideration has been given to the potential for cumulative impacts with the nearby pending proposal of the NETPark Phase 3a under application DM/21/03348/FPA and the impact of that development upon this proposal. Potential impacts would include but not be restricted to the cumulative amenity impacts and landscape and visual impacts. It is considered that the conclusions in regard to each relevant material planning consideration (that the proposals are acceptable) would not change and no unacceptable cumulative impacts would occur nor any unacceptable impact of this proposal upon the NETPark Phase 3a development.
166. CDP Policy 14 requires development proposals relating to previously undeveloped land to demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice. A condition can be utilised to ensure a detailed soil resource strategy is devised for the site.
167. CDP Policy 28 relates to safeguarded areas and requires consultation, where necessary, in regard to the likes of hazardous sites and pipelines, airports/airfields and the Meteorological Office radar site at High Moorsley. Fishburn Airfield and the Met Office have been consulted on the application, with no concerns raised by Fishburn airfield and no comments from the Met Office.
168. CDP Policy 29 requires that all major new non-residential development will be required to achieve Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent). From discussions with the Council's Low Carbon Economy Team, such BREEAM requirements could not be applied to a development such as this, however, when no building as such is proposed.
169. Environment, Health and Consumer Protection have raised no objections in regard to matters of contaminated land to which CDP Policy 32 advises, confirming that there is no requirement for a contaminated land condition.
170. Public comments received highlight that the proposal would result in the loss of Green Belt land. The land is greenfield but does not constitute Green Belt which is a specific land allocation.
171. Representations received state that the occupiers of Hardwick Grange bought properties on the understanding that the surrounding fields were safeguarded from development. Ultimately, a planning application can be submitted for any land and said proposal must be determined by the Local Planning Authority and the principle of the development is discussed elsewhere in this report and can be accepted.
172. Criticism of public consultation on the scheme is submitted within the representations both by the Local Planning Authority but also the applicant. All necessary statutory consultation requirements have been undertaken by the Local Planning Authority. There is no mandatory requirement for an applicant to undertake pre-application consultation on an application of this nature nor precisely how it should be undertaken though it is encouraged both national and locally. The applicant has undertaken consultation exercises.
173. Public requests are made to broaden the nature and content of the application, however, the application must be assessed upon its own merits and the precise scheme put forward by the applicant.
174. Matters of impact upon property value is not a material planning consideration.

CONCLUSION

175. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Council has an up-to-date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11 c). Where a planning application conflicts with an up-to-date development plan, paragraph 12 of the NPPF advises that permission should not usually be granted, however, Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
176. The application site is safeguarded under CDP Policy 2 for future potential NETPark expansion. However, the land is neither a specific allocation within the plan period nor part of an existing protected employment site and therefore the specific elements of the policy which advise upon non-employment uses being proposed on such land do not apply. As a result, a balanced assessment of an athletics track being proposed on the safeguarded land must be made having regard to the likelihood of that compromising the medium and longer term future of NETPark. Informed by key consultee feedback officers consider that NETPark would not be unacceptably compromised and, coupled with the site not being located on land defined as countryside under the Development Plan, the principle of the development is acceptable.
177. The development is not required under planning policy to demonstrate that other sites cannot cater for the development and the proposal on this site should be assessed on its own merits.
178. The development of the proposal on the greenfield land would have a transformative impact in visual and landscape terms and an impact from the development can be expected upon nearest sensitive receptors in comparison to the current conditions. However, no unacceptable impacts have been identified and the proposal is considered acceptable having regard to the range of material planning considerations applicable to the proposal. The development is considered to comply with the Development Plan and approval is, therefore, recommended.

RECOMMENDATION

That the application be **APPROVED** subject to the completion of a Section 39 Legal Agreement pursuant to Wildlife and Countryside Act 1981 to secure the following:

- The agreement of a habitat and biodiversity scheme within the site and to secure the monitoring and management of any habitat creation/enhancement for a minimum of 30 years

And 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 layout and development of the proposed athletics track facility and associated, access and car parking provision shall be carried out in strict accordance with the following approved plans:

Location Plan 010 2952-010 received 2 June 2021
Landscape Strategy 1328_100 Rev A received 12 January 2022
Proposed Site Access Arrangement Priority T-Junction 0001D received 12 January 2022

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 2, 6, 21, 26, 29, 31, 35, 36, 39, 40, 41, 43 & 44 of the County Durham Plan and Parts 2, 6, 8, 9, 11, 12, 14, 15 & 16 of the National Planning Policy Framework.

3. No development shall commence until a Construction Management Plan has been 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/suppression.
 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 all vehicles entering and leaving the site.
 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. Management measures for the control of pest species as a result of demolition and/or construction works.
 14. 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 also 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 and future residents from the development in accordance with Policy 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre commencement to ensure that the whole construction phase is undertaken in an acceptable way.

4. No development shall commence until a written scheme of investigation setting out a programme of archaeological work in accordance with 'Standards for All Archaeological Work in County Durham and Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work shall include a geophysical survey and trial trenching evaluation. The programme of archaeological work must then be carried out in accordance with the approved scheme of work and the archaeological work agreed must have been undertaken prior to any other development works on the site occurring.

Reason: To safeguard any Archaeological Interest in the site, and to comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework. Required to be a pre-commencement condition as the archaeological investigation/mitigation must be devised prior to the development being implemented.

5. The development shall not be brought into use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

Reason: To comply with Policy 44 of the County Durham Plan and Part 16 of the National Planning Policy Framework, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

6. No development shall commence until a soil resource management strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall clearly describe the proposed use of all soils on site and demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice. The strategy should detail soil handling, storage and replacement methods to be used appropriate to the grade of soil and intended after-use. The strategy shall also include details of the proposed soil depths upon replacement and plant and machinery to be used as well as, where appropriate, steps to prevent the spread of any soil-borne plant or animal diseases. If soils are to be removed from site, then details of quantities and a programme for removal shall be submitted. Thereafter, development shall take place in accordance with the approved details.

Reason: In the interests of the protection of soil resources and to comply with Policy 14 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be pre-commencement as the soil strategy must be completed prior to excavations taking place.

7. No development shall commence, nor any site cabins, materials or machinery be brought on site until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

No tree shall be felled or hedge removed until the landscape scheme, including any replacement tree and hedge planting, is approved as above.

Any submitted scheme must be shown to comply with legislation protecting nesting birds and roosting bats.

The landscape scheme shall include accurate plan based details of the following:

Trees, hedges and shrubs scheduled for retention and details of their protection as indicated on a tree protection plan with said trees, hedges and shrubs to be protected by the erection of fencing, placed as indicated on the plan and comprising 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. The protection shall be in place prior to any works on site commencing inclusive of works to trees, hedges or shrubs and said protection shall remain in place until the cessation of the development works

Details of hard and soft landscaping including planting species, sizes, layout, densities, numbers.

Details of planting procedures or specification.

Finished topsoil levels and depths.

Details of temporary topsoil and subsoil storage provision.

Seeded or turf areas, habitat creation areas and details etc. Details of land and surface drainage.

The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.

Details of all means of enclosure to be erected within the site including the provision of any retaining walls or structures inclusive of those associated with the SuDS provision

The Local Planning Authority shall be notified in advance of the start on site date and the completion date of all external works.

Trees, hedges and shrubs shall not be removed without agreement within five years.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

8. All planting, seeding or turfing and habitat creation in the approved details of the landscaping scheme shall be carried out in the first available planting season following the practical completion of the development.

No tree shall be felled or hedge removed until the removal/felling is shown to comply with legislation protecting nesting birds and roosting bats.

Any trees, hedges or other vegetation which dies or fails to flourish within a period of 5 years from planting shall be replaced with the same species and said replacement shall be carried out within 12 months.

Reason: In the interests of the visual amenity of the area and to comply with Policy 29 of the County Durham Plan and Part 12 of the National Planning Policy Framework.

9. No development shall commence until a scheme for the provision of foul and surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in accordance with the Councils Sustainable Drainage Systems (SuDS) Adoption Guide 2016. The submitted scheme shall be developed in alignment with the final landscaping and habitat creation/enhancement proposals being devised for the site. The submitted scheme shall include details of the long-term maintenance and/or adoption proposals of the drainage scheme. The development thereafter shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure that surface and foul water are adequately disposed of, in accordance with Policies 35 and 36 of the County Durham Plan and Parts 14 and 15 of the National Planning Policy Framework. Required to be pre-commencement so that the SuDS design is combined with the landscaping proposals and site levels for the site.

10. No development shall commence until final details of the existing and proposed site levels for the development inclusive of any retaining wall/structures necessary have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the site levels shall be undertaken in accordance with the approved details.

Reason: In the interests of the visual amenity of the area having regards to County Durham Plan Policies 6, 29 and 39 and Parts 12 and 15 of the NPPF. Required to be pre-commencement so that the site levels are devised in conjunction with the final landscaping and SuDS proposals.

11. No external lighting shall be erected/installed until a detailed lighting scheme for the development based upon the principles and proposals contained within the following plans has been submitted to and approved in writing by the Local Planning Authority.

Siteco 20 mini LED 5XB21H2B308D received 8 June 2021

Floodlights HLSSTD Rev A received 10 June 2021

Floodlights + 6m Street Lighting Mast HLSSTD Rev A received 21 June 2021

Floodlighting 400A received 10 June 2021

Thereafter the development shall be completed and thereafter maintained in accordance with the approved details.

Reason: To confirm the final precise lighting proposals having regards to residential amenity and biodiversity having regards to Policies 6, 29, 31 and 41 of the County Durham Plan and Parts 12 and 15 of the NPPF.

12. No development in relation to the provision of the parking on site shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority.

Design and siting of the 24 cycle parking spaces

The provision of 6 no. accessible parking spaces

The provision of 6 no. active and 13 no. passive electric vehicle charging spaces

Thereafter, the facility shall not be brought into use until the agreed parking provision has been completed.

Reason: To encourage sustainable transport options having regard to Policies 21 and 29 of the County Durham Plan and Part 9 and 14 of the NPPF.

13. Prior to the first use of the development, a Travel Plan (conforming to the National Specification for Workplace Travel Plans, PAS 500:2008, Bronze level) comprising immediate, continuing or long-term measure to promote and encourage alternatives to single occupancy car use shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include mechanisms for monitoring and review over the life of the development and timescales for implementation. The Approved Travel Plan shall thereafter be implemented, monitored and reviewed in accordance with the approved details.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policy 21 of the County Durham Plan and Part 9 of the National Planning Policy Framework.

14. Prior to the first use of the development, CCTV provision shall have been installed on site in accordance with a scheme to have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the CCTV shall be maintained to serve the development.

Reason: In the interests of ensuring safety and reducing crime having regards to Policy 29 of the County Durham Plan and Part 8 of the NPPF.

15. During the operation of the facility hereby approved no Public Address (PA) system shall be utilised and no starter gun/starter system shall be utilised unless said gun/system is inaudible on the site boundary with Hardwick Grange and The Lizards.

Reason: In the interests of preserving residential amenity having regards to Policies 6 and 31 of the County Durham Plan and Part 15 of the NPPF.

16. The operating hours of the development hereby approved are as follows

7am-9pm Monday – Thursday and
7am-8pm Friday, Sat and Sun

Outside of these hours all training and use of the facilities shall not take place and all lighting must be switched off (subject to any period to ensure the safe exit of users and vehicles).

Reason: In the interests of defining the consent and preserving the amenity of nearby sensitive receptors having regards to Policies 6 and 31 of the County Durham Plan and Part 15 of the NPPF.

17. No events beyond routine training and which may involve the arrival of any spectators shall take place until details of temporary toilet facilities and any other temporary facilities necessary to serve said events has been submitted to and approved in writing by the Local Planning Authority. Thereafter events shall be held in accordance with the approved details.

Reason: In the interests of preserving the amenity of nearby sensitive receptors having regards to Policies 6 and 31 of the County Durham Plan and Parts 12 and 15 of the NPPF.

18. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0730 to 1800 on Monday to Friday and 0800 to 1300 on Saturday.

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0730 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.

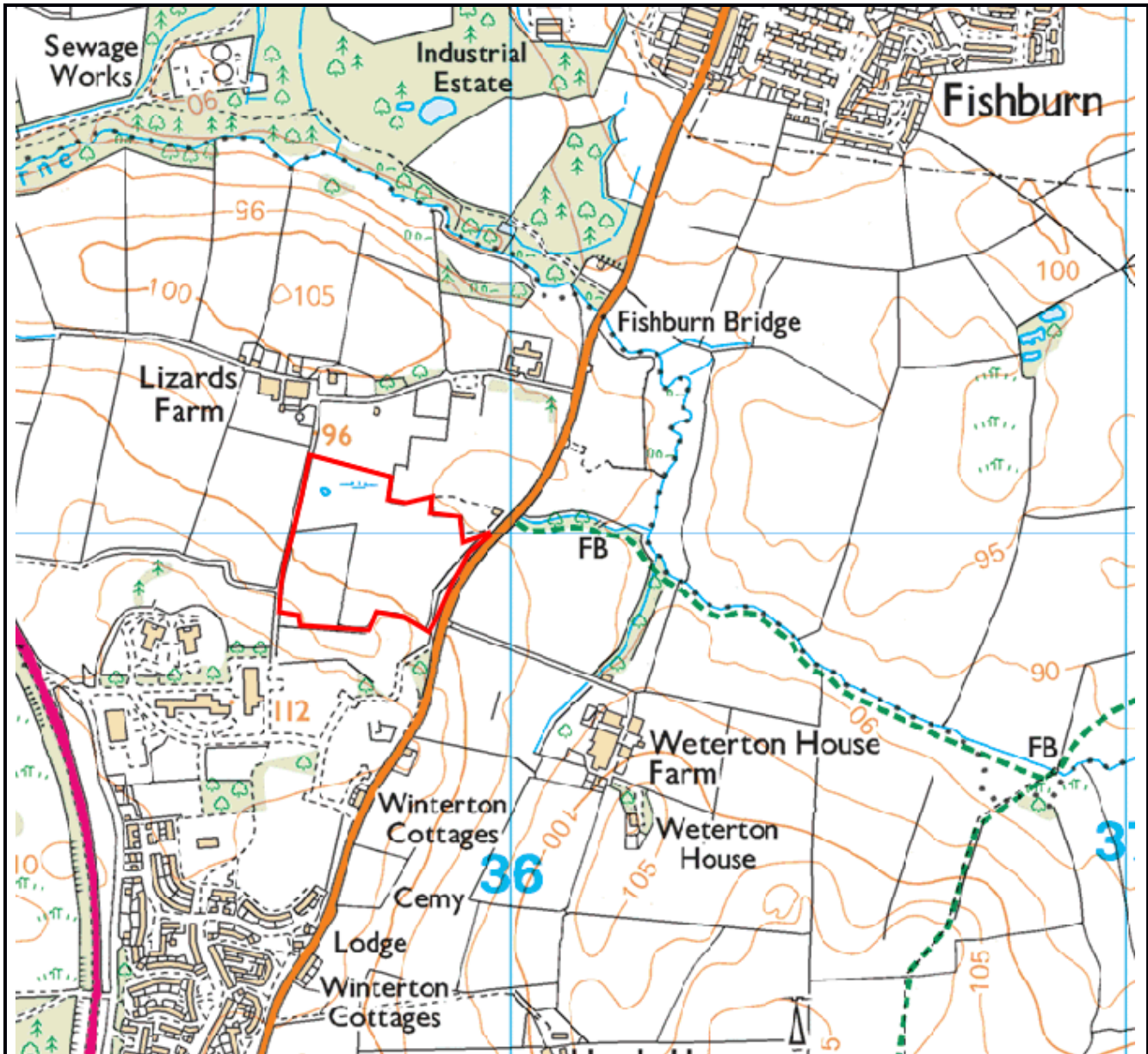
Reason: To protect the residential amenity of existing and future residents from the development in accordance with Policies 29 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.

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 form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework
- National Planning Practice Guidance notes.
- County Durham Plan (2020)
- Statutory, internal and public consultation response



Planning Services

DM/21/01984/FPA

Formation of community athletics track facility with associated floodlighting, access, car parking, drainage and landscaping

Land South West of Burdon Place, Sedgfield, TS21 3BF

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Comments

Date 1st March 2022

Scale NTS