

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	DM/22/03724/FPA
<b>FULL APPLICATION DESCRIPTION:</b>	Proposed artificial grass pitch (AGP) with perimeter fencing, 6 x 15m LED lighting columns, and hard standing areas.
<b>NAME OF APPLICANT:</b>	Lewis Pendleton (Park View Learning)
<b>ADDRESS:</b>	Park View Upper School And Sixth Form Church Chare Chester-le-Street DH3 3QA
<b>ELECTORAL DIVISION:</b>	Chester-le-Street East
<b>CASE OFFICER:</b>	Scott Henderson Senior Planning Officer Telephone: 03000 265286 <a href="mailto:scott.henderson@durham.gov.uk">scott.henderson@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### The Site

1. The application site is part of the Park View School complex and is currently in use as grassed sport pitches. Surrounding the site are Cestria Primary School and St Mary's and St Cuthbert's Church (Grade I Listed) to the west, Chester-le-Street Leisure Centre to the north, the A167 dual carriageway to the east and residential properties to the south along the tree lined Roman Avenue and streets running from it. The nearest residential properties are approximately 25 metres from the site boundary. The site sits outside of Chester-le-Street Conservation Area and the nearby Area of Higher Landscape Value at Riverside Park.

#### The Proposal

2. The proposed development comprises the following elements:
  - Artificial Grass Pitch (AGP) with synthetic turf surface;
  - Recesses to store equipment and provide team dugouts;
  - Mesh fence to enclose the pitch;
  - Acoustic fencing to enclose parts of the pitch;
  - 15m high LED lighting system (6 columns);
  - Associated spectator hard standing/access paths; and
  - Tree planting scheme.
3. The proposed operational hours are Monday to Friday 09:00 to 21:30hrs, Saturday 09:00 to 18:00hrs, Sunday and Bank Holidays 09:00 to 17:00hrs.

4. Primary vehicle access to the site will continue to be via Mains Park Road and Church Chare with egress from the site via Roman Avenue.
5. This application is being considered by committee at the request of County Councillor Tracie Smith, on the grounds of public interest.

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## **PLANNING HISTORY**

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6. DM/21/02809/FPA – Proposed 4G pitch, 15m LED lighting columns and associated clubhouse and spectator stands – Withdrawn April 2022.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

7. The following elements of the National Planning Policy Framework (NPPF) are considered relevant to this proposal:
8. *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.
9. *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.
10. *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.
11. *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.
12. *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.

13. *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.
14. *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.
15. *NPPF Part 15 - Conserving and enhancing the natural environment.* Planning policies and decisions should contribute to and enhance the natural and local environment.
16. *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>

#### **NATIONAL PLANNING PRACTICE GUIDANCE:**

17. 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; historic environment; design process and tools; determining a planning application; flood risk; healthy and safe communities; land affected by contamination; housing and economic development needs assessments; housing and economic land availability assessment; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, public rights of way and local green space; planning obligations; travel plans, transport assessments and statements; use of planning conditions; and; water supply, wastewater and water quality.

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

#### **LOCAL PLAN POLICY:**

##### The County Durham Plan

18. *Policy 6 Development on Unallocated Sites* supports development on sites not allocated in the Plan or Neighbourhood Plan, but which are either within the built-up area or outside the built up area but well related to a settlement will be permitted provided it: is compatible with use on adjacent land; does not result in coalescence with neighbouring settlements; does not result in loss of land of recreational, ecological, or heritage value; is appropriate in scale, design etc to character of the settlement; it is not prejudicial to highway safety; provides access to sustainable modes of transport; retains the settlement's valued facilities; considers climate change implications; makes use of previously developed land and reflects priorities for urban regeneration.

19. *Policy 21 Delivering Sustainable Transport* states that all development shall deliver sustainable transport by (in part) ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestions or air pollution and that severe congestion can be overcome by appropriate transport improvements.
20. *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.
21. *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 area's 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).
22. *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.
23. *Policy 32 Despoiled, Degraded, Derelict, Contaminated and Unstable Land* states [in part] that development will not be permitted unless the developer can demonstrate that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities.
24. *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.
25. *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 sewage 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.

26. *Policy 39 Landscape* states that 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 and that development affecting valued landscapes will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of the development in that location clearly outweigh the harm.
27. *Policy 40 Trees, Woodlands and Hedges* states that proposals will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate standoff distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.
28. *Policy 41 Biodiversity and Geodiversity* states that proposal for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or as a last resort, compensated for.
29. *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.

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

30. *Highway Authority* consider that the proposals would not be detrimental to road safety or have a severe cumulative impact upon the local road network. Existing junctions and roads would continue to operate within their design capacities and records indicate that there are no existing road safety issues affecting the roads serving the site. Parking is available within the site and is considered to be sufficient to accommodate expected vehicular traffic associated with the 3G pitch. This can be further controlled by the applicant via a management plan. Planning conditions are suggested to secure the following:
  - Submission of a Car Parking Management plan to be approved prior to first occupation;
  - A Booking and Information System;
  - Car parking to be laid out prior to first occupation along with informative parking flip signs at each entrance along with marked out parking bays which should be numbered;
  - Construction Management Plan;
  - Details to be submitted of measures to prevent footballs straying onto the A167;
  - Details to be submitted of lighting for the site including the car park and accesses; and
  - Implementation of Travel Plan.

the proposal is acceptable from a Highways perspective.

31. *Sport England* offers no objection to the proposal, noting that the adopted 2019 Playing Pitch Strategy identified the need for 2 additional AGPs in this part of the County, not yet delivered. The new AGP is likely to be beneficial to the school's delivery of sport to its pupils and will be of greater benefit than the existing sport pitch. Acceptable subject to conditions.
32. *The Coal Authority* have no objections.
33. *Historic England* offer no observations.

#### **INTERNAL CONSULTEE RESPONSES:**

34. *Design and Conservation Section* comment that the proposed floodlights would have some impact on the setting/views of the nearby Grade I listed church from certain viewpoints but this harm would be less than substantial. There would be no further harm anticipated in terms of other nearby heritage assets. The benefits of the proposal would need to be balanced against this limited harm.
35. *Spatial Policy Section* note that the application is a scaled back version of a previous submission. Policy 26 (Green Infrastructure) would need to be complied with. The policy states that development will not be permitted if it would result in the loss of open space or harm to green infrastructure assets, unless the benefits of the development clearly outweigh that loss. The Council's adopted Playing Pitch Strategy (PPS) lists the site as having one poor quality adult football pitch with a recommendation to retain and improve its quality as required. The impact of the development in terms of residential amenity, highway safety and parking will need to be assessed in line with policies 21 and 31 of the County Durham Plan.
36. *Archaeology Section* consider additional information is required to ensure there is no adverse impact upon archaeological assets but advise this could be secured via planning conditions.
37. *Ecology Section* consider that the proposals are acceptable subject to the measures contained within the Biodiversity Net Gain Assessment and an agreement to maintain these for a period not less than 30 years which can be secured via planning condition.
38. *Landscape Section* have no objections to the proposals subject to the implementation and maintenance of the submitted landscaping and planting scheme which can be secured via planning conditions.
39. *Environmental Health (Nuisance Action Team)* have considered the submitted noise report and proposed acoustic barrier along the boundary with nearby residential properties and consider that subject to the mitigation works being secured by planning condition, the development would be acceptable from a noise impact perspective. In terms of the lighting, the Nuisance Action team consider that the output levels and hours of operation would ensure no adverse impact would be created, advising that this could be achieved via planning condition.
40. *Environmental Health (Contaminated Land)* have no objections and require no planning conditions to be imposed.
41. *Environmental Health (Air Quality)* consider that the level of traffic movement associated with the development would not lead to any significant impacts on air quality.

## **EXTERNAL CONSULTEE RESPONSES:**

42. Kevan Jones MP objects to the proposals on behalf of his constituents, reflecting their concerns in relation to the impact and loss of amenity, parking issues, light and noise pollution.
43. Councillor Scurfield objects to the proposal on the basis of adverse impacts from traffic, parking, noise and light pollution.

## **PUBLIC RESPONSES:**

44. At the time of writing a total of 284 representations have been received in response to the consultation exercise which itself involved individual notification letters to nearby dwellings/properties, press and site notices. Of these, 193 object to the proposals whilst 90 are in support of the application.
45. The main reasons for objection are as follows:
  - Increase in traffic, parking and highway safety issues;
  - Noise disturbance;
  - Light pollution;
  - Visual impact including impact on heritage assets;
  - Impact on biodiversity;
  - Wrong location for an artificial pitch;
  - Potential anti-social behaviour;
  - Increase in litter;
  - Increase in air pollution;
  - Loss of privacy;
  - Difficulties for emergency vehicles to access the area;
  - Better sites elsewhere;

### 46. Letters In Support

- Improve access to sport;
- Support wellbeing;
- Support the local economy;
- Provide a facility for all of the community;
- The lack of evening sporting venues needs to be addressed;
- Good location with easy access;
- Currently a shortage in the Chester-le-Street area;
- Can be used all year round;

## **APPLICANT'S STATEMENT:**

47. At Park View School we pride ourselves on the physical and emotional wellbeing of our pupils and staff. We are very proud of our school and we have done all that we can to enhance outdoor sports and play for our pupils.
48. Park View School is one of the largest schools in county Durham, unlike so many other schools in our locality we lack a full size artificial pitch which makes PE difficult to deliver often resulting in many lessons being cancelled.
49. A new 3G pitch would have a huge impact on our school curriculum, improving outcomes for our learners and freeing up space as the provision could take place all

year round. Our community also further compounds the issue by tearing up the grass pitches when teams use the pitches on a weekend in poor weather.

50. It is greatly disappointing for both our pupils and the local community groups that from October to March we cannot use much of the field for any sports or general recreation.
51. The last two years have been very difficult for students and the community and as we emerge from the pandemic the upgrade to our sports facilities will provide a boost to ensuring that every person in the community has access to, and benefits from, physical activity and good mental health wellbeing.

*The above is not intended to list every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <https://publicaccess.durham.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P8X9C0GDL8J00>*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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52. 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, highway safety and access, residential amenity, heritage and visual impact, ecology, flooding and drainage, and other matters.

Principle of the Development

### *The Development Plan*

53. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The County Durham Plan (CDP) is the statutory development plan and the starting point for determining applications as set out in the Planning Act and reinforced at Paragraph 12 of the NPPF. The CDP was adopted in October 2020 and provides the policy framework for the County up until 2035.
54. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means:-
  - c) approving development proposals that accord with an up to date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or,



- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

55. This proposal seeks to develop land at the Park View Academy (PVA) Church Chare site for an artificial grass pitch together with associated facilities including LED floodlights, storage areas, team dugouts, acoustic and wire mesh fencing and landscaping/tree planting. It represents a resubmission of an earlier planning application Ref: DM/21/02809/FPA submitted in 2021 which also included spectator seating/clubhouse although it is noted that the current resubmission application removes those elements.
56. The extant development plan for the area comprises solely of the County Durham Plan (CDP) (2020). The area is not covered by a Neighbourhood Plan.
57. Policy 26 (Green Infrastructure) of the CDP is relevant as the site is identified within the Open Space Needs Assessment (ref: OSNA1494) in recognition of its educational use as playing fields. The Policy states that development proposals will not be permitted that would result in the loss of open space or harm to green infrastructure assets, unless the benefits of the development clearly outweigh that loss or harm and an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements.
58. Paragraph 98 of the NPPF (2021) states that 'Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.' The County Durham Playing Pitch Strategy (PPS) represents this assessment.
59. The adopted PPS lists the site as having one poor quality adult football pitch, with a recommendation to retain it for school use and improve quality as required. There is also a half-size 3G pitch which is not subject to this planning application.
60. It is noted that the proposed AGP will be constructed on the existing adult grass football pitch. Conversion of this site to AGP constitutes a loss of a playing field and Sport England (SE) in their role in protecting playing fields have considered if the application meets one of their five planning policy exceptions. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states: 'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of: all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.
61. Sport England have stated that the application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception 5 of the above policy, which states: 'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

62. Sport England will assess the potential benefit of the new or extended sports facility by taking into account a number of considerations. These may include whether the facility:
- meets an identified local or strategic need e.g. as set out in a local authority or NGB strategy (rather than duplicating existing provision);
  - fully secures sport related benefits for the local community;
  - helps to meet identified sports development priorities;
  - complies with relevant Sport England and NGB design guidance;
  - improves the delivery of sport and physical education on school sites; and
  - is accessible by alternative transport modes to the car.
63. Proposals will also need to demonstrate that the loss of any area of playing field will not have an unacceptable impact on the current and potential playing pitch provision on the site. For example, it is unlikely that a loss would be acceptable if:
- it would result in the main user (e.g. a school or a club) being unable to meet their own minimum requirements for playing pitches (the Department for Education provide area guidelines for playing fields at existing schools and academies);
  - other users would be displaced without equivalent replacement provision;
  - it would materially reduce the capability and flexibility of the playing field to provide for a range of sports and natural grass playing pitches; or
  - the area of playing field is significant in meeting local or strategic needs.
64. The County Durham Playing Pitch Strategy (PPS) was undertaken in accordance with Sport England's guidance and methodology. The PPS was finalised in November 2019, and subsequently adopted by the Council. The analysis of AGP provision compares existing pitches and their availability with an ideal ratio of provision based on the number of affiliated teams. The PPS identified that there was a need for an additional 10 AGPs across the County (five centrally, two in the North, two in the East and one in the South). The application site falls within the North area within the PPS.
65. AGPs surface characteristics mean that they are not suitable for all sports that utilise grass surfaces, and therefore in some instances their development on a playing field can be detrimental to other sports and activities. The application site's playing field is quite constrained in area, and aerial photos suggest its use has largely been for football, cricket and athletics (during summer months). Clearly the AGP is designed for football use, but athletics (sprints and training) could also be undertaken on the pitch. A cricket wicket seems to have stopped being set out on the field around 2012. The constrained nature of playing field (relative to curriculum use) would mean that it would be prone to overuse. Provided they are properly maintained, AGPs have – by contrast – a capacity for use that is only constrained by programming requirements and broader neighbour constraints. As such, the AGP is likely to be beneficial to the school's delivery of sport to its pupils. In light of the above Sport England is satisfied that the proposed facility will be of greater benefit to sport than the area of playing field that will be lost to its construction. As such the proposal is considered to meet exception 5 of their playing field policy.
66. Subject to the conditions required by Sport England detailed at the end of the report, including a requirement that the pitch only be used for sport, it is considered that the principle of the replacement AGP is acceptable on this site and in accordance with Policy 26 of the CDP and relevant parts of the NPPF. An assessment of the remaining elements of the scheme and the overall wider impact is detailed below.

## Highways Safety and Access

67. Policy 21 of the CDP outlines that development should not be prejudicial to highway safety or have a severe cumulative impact on network capacity. It also expects developments to deliver well designed pedestrian routes and sufficient cycle and car parking provision. Similarly, Policy 29 advocates that convenient access is made for all users of the development together with connections to existing cycle and pedestrian routes. Specifically, the NPPF sets out at Paragraph 110 that safe and suitable access should be achieved for all people. In addition, Paragraph 111 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.
68. This application has been supported by a Transport Statement and an accompanying parking accumulation survey report. The previous determination was viewed unfavourably for issues including unclear parking measures regarding inadequate parking on the school site at peak times of overlapping regular evening events. The Highway Authority have had positive discussions during the course of this application with the applicants Transport Consultant to address the parking concerns at the site. The applicant was asked by The Highway Authority to undertake a full comprehensive net parking accumulation study of the site. This included assessment of the parking present on the surrounding streets when the site would be in operation.
69. There has been a significant level of public concern raised in relation to the parking and highway impact on neighbouring streets from local residents in the surrounding area. In summary the concerns relate to:
  - Increased level of traffic visiting the site and using the surrounding streets for parking;
  - Inadequate level of on-site car parking to cater for the increased demand;
  - Associated issues of highway and pedestrian safety;
  - Visitors not using the suggested vehicle access route via Mains Park Road/Church Chare and instead using the surrounding residential streets to access the site;
  - Increased problem of air pollution/noise from vehicle movements;
70. In planning terms, the existing fallback position is a material consideration. The land at the school site already has a lawful and long-established use as a sports pitch and therefore the site is already used for football training / football matches which already generates vehicular traffic to and from Park View School site from the main highway network. The existing use is unrestricted in planning terms i.e. it could be used at any time. From an analysis of accident data there have been no recent personnel injury collisions in the vicinity of the site, the school or its access points. The proposed hours of use of the 3G pitch are out of the normal traffic peak periods and any major events could be controlled and managed by the school to ensure they would not overlap. A traffic marshal would be present onsite to control traffic and parking when the 3G pitch is in operation and this will be controlled through a car park management plan (to be conditioned).
71. A car parking survey submitted shows that 97 spaces are available on site (70 spaces at the main carpark and 27 spaces at the overflow carpark) and that whilst these spaces are well used during the day. This use drops noticeably outside school hours, as observed during site visits, and therefore it is considered that adequate parking spaces would be available for use in the evenings and at weekends (this is explained in further detail below). The school intends to use the secondary carpark when needed which has 27 spaces that would allow access to be controlled outside normal school hours if the school's main carpark is full. Cycle parking is also available on the site which encourages other sustainable modes of transport. Similarly, as the site is

located adjacent to the defined the town centre, there are excellent pedestrian links and bus stops close to the site, and as such the site is highly accessible using alternative more sustainable modes of transport other than private vehicles.

72. The applicant's consultant has used TRICs modelling to predict the net vehicular trip generation during the weekday, weeknight and weekends for the average trip rate per parking space (this data is sufficiently robust and not in dispute). The survey data from the consultant sets out the occupancy levels of the carparks at the time of highest demand. In the time of peak demand, it is considered there would be sufficient spaces available. The gates for the overflow car park within the site would only be open when the main carpark is full, and this would be supported with flip signage. Concerns have been raised about 'rat running' through the school however there would be no real net benefits for motorists to do this out of peak times and the gate would be mainly closed and marshalled. A total of 97 on-site spaces are available across the site and 69 spaces would be required when the proposed sports pitch is operating at capacity on a weekday evening and 90 spaces would be required on a weekend. Therefore, the proposed development is not expected to lead to a harmful increase in parking overspill into surrounding streets. The existing astro-turf pitch at the site can also be used as an overflow parking area if so ever required. The predicted vehicular trips generated are modest at 40 two-way vehicle movements per hour at most and do not warrant further impact assessments on junctions within the town centre. In the Saturday peak there would be 150 predicted two-way movements when traffic is much lower on the network than the weekday peak periods. A school of 1000 pupils and staff could reasonably generate around 485 two-way traffic movements in the AM and PM peak periods.
73. The traffic data count recorded from the DCC Traffic Database system on the network at C183 Church Chare / Main Park Road and Roman Road highlights the levels of traffic that would be reduced when the proposed 3G pitch is at its busiest out of peak times. The recorded traffic volumes are normal and are within reasonable expectations and clearly show that there would be at least around a 50% drop off in peak traffic levels at the site main access and a 70% reduction of traffic on Roman Road when the 3G site would be operating at its busiest times on weekday evening at 7-8pm and a Saturday 4-5pm.

#### Site main mini roundabout Main Access - C183 Church Chare / Main Park Road

ADT (daily traffic)	7,586 per day
4-5 PM Weekday peak traffic	796 per hour
7-8 PM Weekday evening	407 per hour
4-5 PM Saturday Weekend	350 per hour

#### Roman Road - Secondary Overflow Carpark

ADT (daily traffic)	772 per day
4-5 PM Weekday peak traffic	141 per hour
7-8 PM Weekday evening	43 per hour
4-5 PM Saturday Weekend	23 per hour

74. It is therefore concluded that the existing car parking at the school can accommodate expected vehicular traffic outside normal school hours when the 3G pitch is used. The proposed 3G use would therefore result in a negligible impact on the local highway network and as such would not lead to unacceptable additional car parking stress on the local roads.

75. A travel plan is necessary and would be secured via planning condition. A construction traffic management plan would also be conditioned to provide management and control over construction traffic access to the site and measures to reduce the impact on the surrounding highway network and neighbouring properties. The existing School Travel Plan should also be updated to take account of the use of the 3G pitch. Additionally, a Car Park Management Plan will need to be provided and adhered to. This should set out the times of the operation, and when and where parking for staff and visitors are available. The applicant needs to consider measures to be introduced as part of the management of the car parking demand generated by the mixed use if there a smaller activities going on at the school at the same time. This information should be available online, any large events should not be able to be booked on line at the same time as the 3G Pitch. Within the car parking areas, spaces should be appropriately demarcated to differentiate between staff, visitor bays, and accessible badge bays to avoid mistaken use of spaces. Appropriate signage would advise which spaces were accessible to staff and users / visitors of the site as well as the approved route to the overflow car park. The Marshal shall open and close the access gate onto Roman Road only when required. In addition to formal parking areas, a dedicated area for pick-up and drop-off activities for vehicles should be available where required. Should a vehicle be parked in the wrong area then appropriate action should be taken by the applicant regarding the owners vehicle, the Marshal should check that the visitors are parking within designated areas only. Signage detailing this process would be clearly set out and on display in the car park along with flip signs on the main access. All of these issues shall be contained in the approved Car Park Management Plan to be approved upfront by the Local Planning Authority.
76. Overall, the findings of the transport statement are accepted and subject to the suggested conditions there are no objections to the proposal on highway safety grounds. As such the development is considered to accord with the aims of Part 9 of the NPPF and Policy 21 of the County Durham Plan.

#### Residential Amenity

77. Policies 29 and 31 of the CDP outline that developments should provide high standards of amenity and privacy, minimise the impact of development upon the occupants of existing adjacent and nearby properties and not lead to unacceptable levels of pollution. A Residential Amenity Standards Supplementary Planning Document (SPD) has also been adopted by the Council. The aforementioned policies and SPD can be afforded significant weight. Parts 12 and 15 of the NPPF, which 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.
78. Objections have been received from local residents raising the following concerns:
- Increased disturbance from noise for a greater length of time, from footballs hitting fences, shouting from players and spectators, vehicle movements and a general increase in activity at the site;
  - Light pollution from the LED floodlights;
  - Loss of privacy through increased visitor activity.
79. The application relates to an existing sports field, the boundary of which is within 20m of housing to the south across Roman Avenue. The development intends to introduce an artificial grassed sports facility, with six 15m high floodlights and an associated hard standing spectator area. The proposed operational hours of are Monday to Friday 0900 to 2130hrs, Saturday 0900 to 1800hrs, Sunday and Bank Holidays 0900 to 1700hrs. School use would be limited to 0900 to 1600hrs Monday to Friday with

community use outside of these times. The development would be a noise and light generating development and this section assesses the impact in regard to both.

80. The application has been accompanied by a Noise Impact Assessment (NIA) examining existing background noise levels and a lighting strategy designed to accord with the Institute of Lighting Professionals Guidance Note 01/20 for the Reduction of Obtrusive Light.
81. The introduction of the AGP would see an increase in the use of the site both in relation to school hours and evening and weekend use by the wider community, noise can be associated with the use of the facilities and the spectator area which includes noise from impact noise on fencing, panels, chain link, vocalisation of players and supporters.
82. The submitted Noise Impact Assessment proposes mitigation measures comprising a Noise Management Plan, Vibration Clamp Panels to eliminate rattle noise from mesh fences and the installation of an acoustic barrier along the southern boundary of the site (close boarded timber fence 3 metres high).
83. DCC Environmental Health Officers have assessed the submitted noise report and mitigation measures and note the following. Current guidance produced by Sports Scotland advises that a noise level of 61dB(A) can be expected in relation to football being played on AGPs at 10 m from the pitch perimeter, as opposed to 58dB(A) suggested within the Sports England document. If we take this higher level than this could have the effect of increasing predicted levels by 3dB(A) at the nearest residential property facades. However, taking the background and predicted levels from the NIA, even when considering the increase of 3dB(A), the recommended mitigation measures suggested should provide suitable attenuation which ensures that noise from the operational phase of the development would appear unlikely to give rise to statutory nuisance.
84. It is worth noting that an increase of 3 decibels is the minimum that can normally be perceived by human hearing and that all facing residential properties along Roman Avenue feature rear amenity space which would be further sheltered from any increase in noise levels.
85. Subject to securing the proposed mitigation measures (plus construction restrictions) Environmental Health Officers are satisfied that the development would not cause nuisance in terms of noise impact.
86. Officers have taken advice from DCC Environmental Health in respect of impact from lighting also. The lighting scheme has been designed in accordance with the Institute of Lighting Professionals Guidance Note 01/20 for the Reduction of Obtrusive Light. The applicants have stated that the scheme was developed to provide the sports facility with the recommended lighting levels as specified by the relevant National Governing Bodies whilst avoiding adverse impacts on surrounding residents. Light spill diagrams have been provided which has illustrated the calculated level of light impact as it diminishes with distance from the site and officers with DCC Environmental Health have confirmed that they consider the impact from lighting would not be adverse to residents and within acceptable levels to recommend approval. Since the original lighting scheme was designed a significant element of tree planting has now been proposed along the southern boundary which would further assist in mitigating issues of light spill.
87. In summary, both in terms of lighting and noise impact, subject to the proposed mitigation measures being implemented, officers consider that any impact to

residential amenity will be within reasonable levels and in accordance with Policy 31 of the CDP and relevant parts of the NPPF.

## Heritage and Visual Impacts

88. Policy 29 of the CDP outlines that development proposals should contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities. Parts 12 and 15 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 130 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
89. 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 26 outlines developments are expected to provide new green infrastructure and ensure provision for its long-term management and maintenance. Similar requirements are outlined in Policy 29. 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 by (amongst other things) recognising the intrinsic character and beauty of the countryside.
90. Policy 44 of the CDP sets out 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.
91. The NPPF 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.
92. 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 also, special attention to the desirability of preserving or enhancing the character and appearance of a conservation area must be equally considered.
93. The development area comprises the playing fields of Park View School and is located directly to the south and east of the Chester-le-Street Conservation Area. The Grade I listed Church of St Mary and St Cuthbert is within the conservation area to the west of the site. The Grade I listed Lumley Castle is 800m to the east of the site and surrounded by a Grade II registered park and garden. The development area is known

to contain a significant archaeological resource relating to the Roman vicus associated with the Roman fort to the west. The remains have been identified below modern ground present throughout the area, averaging 0.7m in depth, and deeper towards the southern and eastern edges of the site. Groundworks associated with the majority of the development would be too shallow to impact on the resource, but floodlight bases have the potential to be deep enough to impact.

94. With regards to the impact of the floodlighting proposal upon the setting of the grade I listed Church of St Mary and St Cuthbert. It would be anticipated that there is likely intervisibility at night from certain viewpoints potentially detracting from the visual experience of the Church as a historic night-time landmark in the town, and by default, potentially the scheduled monument as this is appreciated in the context of the church, and the conservation area. Given the height of the floodlights, proximity to the listed heritage asset, and value of the views it features within, intense lighting and excessive light spillage has the potential to excessively dominate over the more subtle architectural lighting to the Church, thereby detracting, failing to conserve or enhance its setting. The views section of the Councils adopted Chester-Le-Street Conservation Area Character Appraisal states that the key views in the conservation area are dominated by the two most significance structures, the Church of St Mary and St Cuthbert, the other being the Railway Viaduct. The spire of the church is noted in the character appraisal as being a prominent feature on the east side of the town centre.
95. The applicant has submitted a Heritage Statement produced by Durham University which has been assessed by DCC Conservation Officers who conclude that the introduction of LED floodlighting has the potential to adversely impact views of the Church Spire to a degree, when viewed from the east. However, this would be dissipated and filtered by tree planting. Importantly, officers consider that this would be further mitigated by utilising the features of the lights to automatically lower light intensity as daylight fades and automatic curfews to ensure lights are extinguished at a terminal hour. These measures could be satisfactorily secured via planning condition.
96. The Heritage Statement also identifies that there are clear views of the church from Middle Chare and the adjacent car park area where the 15mts floodlights may be partially visible in the background behind the trees and buildings, stating that there would be no discernible effect on the dominance of the spire and the church in either the daytime or when the spire is floodlit at night. It would be expected that in such closer quarter views the floodlights would not harm the dominance of the church, but rather that it has the capacity to form a detracting visual presence in the background at night potentially harming the visual experience of the church.
97. There would be an anticipated negligible impact, that would not be harmful, in terms of the setting of other listed buildings within the town and setting of the grade I listed Lumley Castle and its grade II Park and Garden of Special Historic interest. This would be due to intervening factors such as the distance between site and the listed heritage asset(s), the topography, existing built development and infrastructure, and tree coverage restricting intervisibility.
98. The site is within 200 meters of a recognised pilgrim route that contributes to part of the Outstanding Universal Values of Durham Cathedral and Castle World Heritage Site - Significance 2 criteria iii) The Pilgrimage Routes to the Cathedral. The pilgrim route is that of "Cuddys Corse" part of the final journey the St Cuthbert Community took from Chester-Le-Street to Durham Cathedral. The route begins at the Church of St Mary and St Cuthbert and travels through the old graveyard directly passing Burn Greens then heads under the main road to the Riverside Park. It continues up to Great Lumley to the riverside at Finchale Priory then heads down to the riverside at Durham



City. Officers consider that the development would be anticipated to cause no harmful impacts to its significance or setting. It would have no physical effect upon the route or harm accessibility. Due to the separation distance, intervening topography, existing built development, and tree cover it would be anticipated that no adverse effects would occur to the experience, understanding and appreciation of the route.

99. In summary, the proposal has the capacity to cause some harm to views/setting of the grade I listed heritage asset, and by default the character and visual appearance of the surrounding conservation area but this would equate to “less than substantial” level in NPPF terminology. By requiring curfews or the lighting and controls the reduce lighting intensity as daylight fades, this less than substantial harm can be further mitigated. Section 16 of the NPPF and Policy 44 of the CDP state that in such cases any harm must be balanced against the wider planning and public benefits of the scheme. In this case it is considered that the benefits of the improved public access to sporting facilities in a sustainable location do outweigh the less than substantial harm the lighting may bring about.
100. The applicant has supplied a geophysical archaeological survey report. Whilst the majority of the proposals will have little or no direct impact upon existing archaeology, there is potential for the lighting column foundations to cause disturbance. DCC Archaeological Officers have considered the information and consider it appropriate to require on site monitoring in the form of a watching brief and possibly more detailed excavation if the need arises. These items can be secured via planning condition. Subject to these conditions the proposal is considered to be in accordance with Policy 44 of the CDP and Part 16 of the Framework.
101. In terms of the more general visual impact of the proposal, the site is very visible from the adjacent Roman Avenue and the pedestrian footbridge oversailing the A167. Fleeting views from vehicles on the A167 are limited due in part to the extensive mature tree planting bounding the site. The main visual impact from Roman Avenue would be the introduction of additional tree planting within the site to screen the acoustic barrier and AGP pitch itself beyond. The LED lighting units themselves would have a limited visual impact but would naturally appear as an illuminated fitting in times of darkness. Officers have recommended planning conditions be imposed to secure suitable tree planting along the southern boundary which would introduce significant new elements of native trees leading to visual and ecological benefits as well as further filtering views of the proposed new facilities and fittings. Subject to this, it is considered that the resulting visual impact would be an acceptable one, in keeping with the existing boundary treatments around other parts of the site.
102. In summary, in terms of visual and heritage impact, whilst there would undoubtedly be an impact which would have potentially minor but adverse effects, these are considered to be less than substantial in NPPF terms, and are considered to be outweighed by the wider public benefits of the proposed development. These impacts would be further mitigated through the measures controlled via planning condition. The proposals are considered in accordance with policies 29, 39 and 44 of the CDP and relevant parts of the Framework.

## Ecology

103. Policies 26, 35, 41 and 43 of the CDP seek to secure net gains for biodiversity and coherent ecological networks. Policy 43 relates 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.

104. The application was accompanied by an Ecological Impact Assessment and a Biodiversity Net Gain Assessment. The impact assessment indicated that there was a single statutorily protected site within 2km of the application site, this being Cong Burn Local Nature Reserve but no impact would be created. The site itself has relatively low ecological value and development has the potential to greatly enhance this. No existing trees are proposed to be removed and no species are to be directly impacted. Bird and bat nesting is proposed to be provided on site, to be controlled via planning condition.
105. The submitted Biodiversity Net Gain Assessment has demonstrated that net gain can be achieved on the site as a rate of 1.44%. This would comply with current policy requirements. Monitoring reports are required to be submitted to the Council in years 2, 5, 10, 15, 20 and 30 years. This will be secured via a separate legal agreement with the applicant.
106. Subject to the implementation of the landscaping, tree planting and bird/bat boxes the proposals are considered to accord with policies 26, 35, 41 and 43 of the CDP and Part 15 of the NPPF.

### Flooding and Drainage

107. 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 river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where a sequential test and some instances exception test are passed, informed by a site-specific flood risk assessment.
108. The proposals would feature permeable surfacing and new base layers which would improve surface water drainage compared to the current made ground. No issues of flood risk or drainage are raised, and the proposal is considered to accord with Policies 35 and 36 of the CDP and relevant parts of the Framework.

### Other Considerations

109. The proposal has generated significant public interest, with 193 representations of objection having been received from local residents. The objections, queries and concerns raised have been taken account and addressed within the report, where appropriate.

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## **CONCLUSION**

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110. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.
111. In summary, the application site is an existing school and community sporting facility which is already used for the purposes proposed within the application and as such its

current use and function would not alter in planning terms. The proposal instead seeks to enhance the quality of facilities available and widen the access to these facilities for the benefit of both children attending the school, and the wider community. The proposals address an identified shortfall for such facilities in this part of the County and is considered acceptable in principle.

112. In addition, it represents an opportunity to better manage access and parking arrangements at the site and additional planning controls would be imposed to ensure impact upon the surrounding highway network is managed and within acceptable levels.
113. Whilst there would be some limited impact to identified heritage assets this has been assessed as being less than substantial for the purposes of Part 16 of the NPPF and would be outweighed by the public benefits highlighted in the report. In more general landscape and visual amenity terms the application proposes suitable mitigation via a comprehensive landscape scheme which could be secured via planning condition.
114. Sufficient evidence has been submitted in support of the application to demonstrate that any impact to residential from increase noise, disturbance and light spillage from associated lighting could be satisfactorily mitigated through planning conditions listed below.
115. The importance of this issue to local residents is not underestimated and significant work has been carried out by Highway Officers to address this as detailed in the report.
116. In light of the above the proposal is considered to accord with the requirements of policies 6, 21, 26, 29, 31, 32, 35, 36, 39, 40, 41 and 44 of the CDP, Parts 8, 9, 11, 12, 15 and 16 of the NPPF and Sections 66 and 72 of the Planning (Listed Building and conservation Area) Act 1990.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the completion of a Section 39 Legal Agreement to secure the following:

- a Biodiversity Monitoring and Maintenance Plan

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

Landscape \_ Ecology Plan

Location Plan

Aerial View

Updated Fencing Plan

Line Marking Plan

Cross Section  
Drainage Plan  
Proposed Block Plan  
Materials Plan  
Proposed floodlighting  
Movement Strategy

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 29 and 44 of the County Durham Plan and Parts 12 and 16 of the National Planning Policy Framework.

#### Pre-Commencement

3. Use of the development shall not commence until: (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy 26.

4. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch and include details of pricing policy, hours of use, access by non-school and club users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy 26.

5. Prior to the commencement of development further details of the AGP's football pitch markings shall be submitted to and approved by the Local Planning Authority [following consultation with Sport]. The AGP surface shall be marked out in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits in accordance with Development Plan Policy 26.

6. Prior to the commencement of any part of the development or any works of demolition, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall be prepared by a competent person and shall consider the potential environmental impacts (noise, vibration, dust, & light) that the development may have upon any nearby sensitive receptors and shall detail mitigation proposed, as a minimum this should include, but not necessarily be restricted to, the following:

A Dust Action Plan including measures to control the emission of dust and dirt during construction taking into account relevant guidance such as the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" February 2014.

Details of methods and means of noise reduction

Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

Designation, layout and design of construction access and egress points;

Details for the provision of directional signage (on and off site);

Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;

Details of provision for all site operatives for the loading and unloading of plant, machinery and materials

Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;

Routing agreements for construction traffic.

Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

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: In the interests of residential amenity and Highways and Pedestrian safety in accordance with policies 21, 29 and 31 of the County Durham Plan.

7. No external construction works, works of demolition, deliveries, external running of plant and equipment shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1400 on Saturday. No 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: In the interests of residential amenity in accordance with Policy 31 of the County Durham Plan.

8. 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 will then be carried out in accordance with the approved scheme of works.

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 (NPPF).

9. The development shall not be occupied 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 paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure information gathered becomes publicly accessible.

#### Pre-Construction

10. No development shall commence 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.

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.

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.

11. 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 approved replacement tree or hedge planting shall be carried out within 12 months of felling and removals of existing trees and hedges.

Any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species.

Replacements will be subject to the same conditions.

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.

12. In accordance with the submitted Ecological Impact Assessment, development shall not commence until details of bird and bat boxes and their location within the site have been submitted to and approved in writing by the Local Planning Authority. The boxes shall be installed and maintained in accordance with the approved details thereafter.

Reason: In the interests of biodiversity in accordance with Policy 41 of the County Durham Plan and Local Plan and Part 15 of the National Planning Policy Framework.

#### Pre-Occupation

13. Prior to the first use of the 3G pitch hereby approved, a scheme for the ongoing maintenance of the areas of open space and structural landscaping within the development shall be submitted to and approved in writing by the Local Planning Authority. In the event of proposals to maintain the open space by means other than through transfer to the Local Authority then the scheme shall provide for details of an agreed maintenance schedule in perpetuity.

Reason: In the interests of the visual amenity of the area and to comply with Policies 26 and 29 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.

14. Prior to the first use of the 3G pitch hereby approved, a Car Parking Management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:
  - the times of the operation when and where parking for staff and visitors are available;

- Details of an online booking system to avoid duplicate activity bookings;
- Details of parking space markings, signage and approved route to access the overflow car park;
- Details of drop off and pick up areas;
- A Marshal scheme to control gate operations and traffic direction on the site; and
- Details of signage throughout the site in relation to parking.

Reason: In the interests of residential amenity and Highways and Pedestrian safety in accordance with policies 21, 29 and 31 of the County Durham Plan.

15. Prior to the first use of the 3G pitch hereby approved, all on site car parking shall be laid out and hard surfaced along with informative parking flip signs at each entrance. All marked out parking bays should be numbered.

Reason: In the interests of residential amenity and Highways and Pedestrian safety in accordance with policies 21, 29 and 31 of the County Durham Plan.

16. Prior to the first use of the 3G pitch hereby approved details of measures to prevent footballs straying onto the A167 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be maintained in accordance with the approved details.

Reason: In the interests of Highways and safety in accordance with policies 21 and 29 of the County Durham Plan.

17. A lighting management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being brought into use. The detail provided shall demonstrate adherence to the ILP guidance notes for the reduction of intrusive light. The external lighting shall be erected and maintained in accordance with the approved details thereafter.

Reason: In order to minimise light spillage and glare, in accordance with Policy 31 of the County Durham Plan and Local Plan and Part 15 of the National Planning Policy Framework.

18. 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.

In Accordance with



19. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or any order amending, revoking or re-enacting that order), the artificial grass pitch shall not be used other than for sport.

Reason: To protect the sports facility from a change of use to a non-sporting use that would be inappropriate to justify the loss of the grass playing field land in accordance with paragraph 99 of the NPPF, and to accord with Development Plan Policy 26.

20. The development hereby permitted shall not be brought into use until the noise mitigation measures as detailed in Noise Impact Assessment (acoustic fencing) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be installed in accordance with the approved details. The fencing shall be constructed to achieve a sound insulation value of 10dB(A) reduction at the closest Noise Sensitive Receptor.

Reason: In the interests of residential amenity in accordance with Policy 31 of the County Durham Plan.

21. The use hereby permitted shall be limited to the following hours at all times:

Monday to Friday 0900 to 2130hrs  
Saturday 0900 to 1800hrs  
Sunday and Bank Holidays 0900 to 1700hrs.

Reason: In the interests of residential amenity in accordance with Policy 31 of the County Durham Plan.

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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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.

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## **BACKGROUND PAPERS**

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

Statutory, internal and public consultation responses

The National Planning Policy Framework

National Planning Practice Guidance Notes

County Durham Plan

County Durham Strategic Housing Land Assessment Report (2019)

County Durham Strategic Housing Market Assessment (2019)

Open Space Needs Assessment (2018)

Residential Amenity Standards SPD (2022)

County Durham Building for Life SPD (2019)





<p><b>Planning Services</b></p>	<p>DM/22/03724/FPA - Proposed artificial grass pitch (AGP) with perimeter fencing, 6 x 15m LED lighting columns, and hard standing areas</p>	
<p>This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceeding. Durham County Council Licence No. 100022202 2005</p>		
	<p><b>Date</b> September 2023</p>	<p><b>Scale</b> NTS</p>

