

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	<b>DM/22/03529/FPA</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Demolition of existing school buildings and replacement with playing fields and landscaping</b>
<b>NAME OF APPLICANT:</b>	<b>Galliford Try Construction Limited</b>
<b>ADDRESS:</b>	<b>Woodham Academy Washington Crescent Newton Aycliffe DL5 4AX</b>
<b>ELECTORAL DIVISION:</b>	<b>Aycliffe East</b>
<b>CASE OFFICER:</b>	<b>Chris Shields Senior Planning Officer 03000 261394 <a href="mailto:chris.shields@durham.gov.uk">chris.shields@durham.gov.uk</a></b>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### Site

1. The application site comprising the existing school and sports hall is located on Washington Crescent in a residential area on the northern fringe of Newton Aycliffe, to the south of Woodham village. To the north, the site is adjacent to woodland and the watercourse of Woodham Burn and to the east, beyond a shared footpath/cycleway, are the school existing playing fields outside of the application site. Residential properties fronting Wolsey Close, Neile Road and Washington Crescent are located to the south, and are largely separated from the site by mature trees and hedgerows. To the west, the site is bound by undeveloped fields. More widely, the site is located approximately 800 metres northeast of Newton Aycliffe town centre and 800m south of Woodham village centre.
2. The overall school site measures 8.16ha. In February 2023 planning permission was granted for a new 3 storey school within the school site on an area of 6.32ha. This application is for the demolition of the existing school, which occupies 1.84ha of the overall school site.
3. The site is located entirely within a Low Risk Coalfield Development area. The site is entirely located with Flood Zone 1, a Major Groundwater Vulnerability zone and within a Groundwater Source Protection Zone (SPZ). Due to the location of the site the Agricultural Land Classification value is Grade 4 (urban) and is therefore not of a best and most versatile quality.
4. There are no landscape or ecological designations within, or in the immediate vicinity of the site. The Moor Local Nature Reserve (LNR) is located approximately 1km to the north west, Byerley LNR is located approximately 1.8km to the west, Aycliffe Nature Park Local Wildlife Site (LWS) is located approximately 1.6km to the south. Simpasture Junction LWS is located approximately 2.5km to the west and Shildon

Sidings is located approximately 3.3km to the west. Middridge Quarry Site of Special Scientific Interest (SSSI) is located approximately 3.3km to the west.

5. There are no designated heritage assets within the site and none within a 2.5km radius.
6. The site is located within a residential area. The nearest residential properties to the site are located immediately adjacent (5 to 10 metres) to the southern boundary on Wolsey Close, Washing Crescent and Neile Road. To the north the nearest properties are located on Grange Court, Whitton Court, Grindon Court, Mulgrave Court and Middleham Way approximately 100m from the site boundary but also separated by the Woodham Burn valley and woodland.
7. There are no public rights of way within or in the vicinity of the site. Public footpath No.31 (Great Aycliffe Parish) is located approximately 60m to the north of the school site within the Woodham Burn valley.
8. Land adjacent to the school site to the west is allocated for housing in the County Durham Plan (reference H32) with an anticipated yield of 100 no. dwellings.

#### The Proposal

9. This proposal is for the demolition of the existing Woodham Academy school buildings once the new school is completed and handed over for occupation. Following completion of demolition works a new playing field and informal soft landscaping would be created on the site of the former school.
10. The new playing field would measure 100m by 64m with design and drainage in accordance with Sport England standards.
11. The proposed demolition works are scheduled to start in September 2024 with the first 4 months of work involving specialist asbestos removal.
12. This application is being reported to the County Planning Committee because it involves major development of more than 2ha.

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## **PLANNING HISTORY**

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13. The existing school buildings at Woodham Academy date from 1952. Planning permission was granted in February 2023 under reference DM/22/03528/FPA for a new 3 storey school building and new sports building; associated landscaping, bin store, redeveloped access loop, reconfigured car parking, new accessible parking, and photovoltaic panel canopy; and temporary construction access and parking. Planning permission was granted subject to planning conditions and completion of an agreement under Section 39 of The Wildlife and Countryside Act 1981 to secure biodiversity management for the life of the development.

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## **PLANNING POLICY**

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### **NATIONAL POLICY**

14. A revised National Planning Policy Framework (NPPF) was published in September 2023. 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.

15. In accordance with Paragraph 219 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
16. *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.
17. *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.
18. *NPPF Part 8 – Promoting Healthy and Safe Communities* – The planning system can play an important role in facilitating social interaction and creating healthy, inclusive and safe communities. 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 community facilities and services should be adopted.
19. *NPPF Part 9 – Promoting Sustainable Transport* – Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
20. *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.
21. *NPPF Part 15 – 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, site of biodiversity or 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.
22. *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/government/publications/national-planning-policy-framework--2>

23. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to: air quality; climate change; determining a planning application; flood risk and coastal change; healthy and safe communities; historic environment; light pollution; natural environment; noise; renewable and low carbon energy; travel plans, transport assessments and statements; use of planning conditions; water supply, wastewater and water quality

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

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

The County Durham Plan (October 2020)

24. *Policy 4 – Housing Allocations* – identifies the locations for new housing within the County. Applications for housing on these allocations if in accordance with the site-specific requirements of the policy and infrastructure requirements should be approved if in accordance with other relevant policies in the plan.
25. *Policy 6 – Development of Unallocated Sites* – States the 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 the character of 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; encourages the use of previously developed land and reflects priorities for urban regeneration.
26. *Policy 21 – Delivering Sustainable Transport* – Requires planning applications to address the transport implications of the proposed development. All development shall 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.
27. *Policy 26 – Green Infrastructure* – 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. Where valued open spaces or assets are affected, proposals must incorporate suitable mitigation and make appropriate provision of equivalent or greater value in a suitable location. Where appropriate there will be engagement with the local community.

28. *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).
29. *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 the development can be effectively integrated 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 to an acceptable level.
30. *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.
31. *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.
32. *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.
33. *Policy 39 – Landscape –* States that 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 landscape and visual impacts occur. Development affecting Areas of Higher landscape Value will only be permitted where it conserves and enhances the special qualities of the landscape, unless the benefits of the development clearly outweigh its impacts. Development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape.
34. *Policy 40 – Trees, Woodlands and Hedges –* States that 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. Where trees are lost, suitable

replacement planting, including appropriate provision for maintenance and management, will be required within the site or the locality.

35. *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 well as biodiversity net gains. Proposals are expected to protect geological features and have regard to Geodiversity Action Plans and the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity. Development proposals which are likely to result in the loss or deterioration of irreplaceable habitat(s) will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.
36. *Policy 43 – Protected Species and Nationally and Locally Protected Sites* – States that development proposals that would adversely impact upon nationally protected sites will only be permitted where the benefits clearly outweigh the impacts whilst 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.
37. *Policy 44 – Historic Environment* – Requires development proposals to contribute positively to the built and historic environment. Development should seek opportunities to enhance and where appropriate better reveal the significance and understanding of heritage assets.

#### **NEIGHBOURHOOD PLAN:**

Great Aycliffe Neighbourhood Plan (July 2017)

38. *Policy GANP CH1 – Landscape Character and Townscape* – states new development should, where appropriate maintain existing hedgerows, trees and woodland and encourage the planting of new trees and hedgerows.
39. *Policy GANP T1 – Parking Impacts on Existing Infrastructure* – states that development proposals that include a reliance on existing streets shall not be permitted where on-street parking would impact on the safety of road users or have an unacceptable adverse impact on the character of the area and adequate provision has not been made on-site for parking and access for deliveries, service vehicles, tradesmen working on-site, workers, social visitors and residents.

*The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham> (Adopted County Durham Plan and Adopted Great Aycliffe Neighbourhood Plan)*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

40. *Great Aycliffe Town Council* – has advised that they have no comments to make.
41. *Highway Authority* – Officers made comments on the application for the new buildings that are relevant for this proposal as well. Officers initially objected to the proposals due to inadequate onsite parking and safety implications of the construction access on

to Neile Road. The scheme was subsequently amended to direct construction traffic to the existing main entrance on Wolsey Close and retain this access for teaching staff and pupils. Construction workers parking would be accessed from Neile Road and access for demolition traffic would also use Neile Road. Following this amendment Highways officers accepted that the access arrangements would be acceptable. A condition is recommended to require a swept path analysis of Neile Road for demolition traffic.

42. *Drainage & Coastal Protection* – Officers made comments on the application for the new buildings that related to the full site. Details were requested for final calculations that were subsequently submitted and approved under planning condition.
43. *Sport England* – has raised no objections to the proposal. Officers have assessed the proposals and note that once the existing school has been demolished there would be a net increase in playing field area of 0.1ha. Notwithstanding this, conditions have been requested to ensure the timely delivery of the replacement playing fields to a good standard and also for submission and compliance with a community use agreement for the sports facilities.

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

44. *Spatial Policy* – has raised no objections to the proposals. Officers have provided advice in respect of the principle of development and appropriate national, local and neighbourhood plan policies for determining the application.
45. *Environmental Health and Consumer Protection (Nuisance)* – has raised no objections in respect of noise impact. Officers have commented that working hours should be restricted to 0800 – 1800 Monday to Friday and 0800 – 1400 Saturdays with no working on Sundays.
46. *Environmental Health and Consumer Protection (Air quality)* – has raised no objections to the proposal. Officers requested a Construction and Environmental Management Plan (CEMP) be secured by condition for this application and the application for the new buildings. The CEMP has been subsequently submitted and approved and covers the new build and demolition works.
47. *Environmental Health and Consumer Protection (Contaminated land)* – has raised no objections and have stated there is no requirement for a contaminated land condition.
48. *Ecology* – has raised no objections to the proposals. Officers sought clarifications in respect of bat mitigation and biodiversity net gain but were satisfied following the submission of additional information.
49. *Landscape* – has raised no objections to the proposals. Officers have requested conditions to secure full details of hard and soft landscaping with a requirement to deliver long term management of soft landscaping.
50. *Design and Conservation* – has raised no objections to the proposals.

#### **PUBLIC RESPONSES:**

51. The applications have been advertised by site notice and in the local press as part of the planning procedures. Notification letters were sent to individual properties in the vicinity of the site. One letter of objection has been received in response to the consultation.

52. The issue raised in the objection letter relates to highway access and safety, particularly in relation to the school bus as it is stated that this cannot access the site because of the tight corner from Washington Crescent to Wolsey Close. It is also stated that many people drive on the path due to congestion.

*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/search.do?action=simple&searchType=Application>

#### **APPLICANTS STATEMENT:**

53. The proposed redevelopment of Woodham Academy will provide a state-of-the-art new school building and sports facilities for its pupils. The school was selected by the Department for Education (DfE) to receive funding under the Schools Rebuilding Programme (SRP), due to the poor quality of the existing school accommodation. The new school buildings will ensure the academy is fit for the future by providing a high-quality and spacious learning environment. This improvement in the learning environment will have a positive impact on the quality of education and the well-being of pupils who attend Woodham Academy. The school is at the heart of its community and the redevelopment proposals will help to ensure that they can deliver the education and skills children need to succeed in life.
54. The new school buildings have been designed to tackle climate change through being Net Zero Carbon in Operation (NZCiO), which is a significant commitment in terms of sustainable design. The proposed development will use technologies such as air source heat pumps and PV panels, which will reduce carbon emissions and contribute towards a cleaner environment. In addition, the proposals include an increase in electric vehicle charging facilities and cycle parking, which will encourage more pupils and staff to travel to school by sustainable modes of transport, further contributing to the environmental improvements of the proposals.
55. The improved sports facilities such as the new sports hall, swimming pool and activity centre will provide the school with greater opportunities to promote student participation in sports and expand the school sports curriculum and range of extracurricular activities. The new sports facilities will also be accessible to the local community through a Community Use Agreement. The new facilities will offer venues for events such as training sessions, swimming lessons, community sports and coaching. This will improve the access of the local community to high quality sports facilities within walking or cycling distance of their homes. This in turn will promote healthier lifestyles and reduce the reliance on private vehicles.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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56. 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 development, layout and design, locational sustainability of the site, access and traffic, residential amenity, contamination and coal mining risk, flooding and drainage, landscape, ecology, recreational amenity, cultural heritage, other matters and public sector equality duty.

## The Principle of the Development

57. 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) and the Great Aycliffe Neighbourhood Plan (GANP) comprise the statutory development plan relevant to this proposal and are 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. The GANP was adopted in July 2017 and covers the period 2016 to 2036.
58. 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.
59. In light of the recent adoption of the CDP, and the GANP, the Council now 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). Accordingly, Paragraph 11(d) of the NPPF is not engaged.
60. The application site is located within the Woodham area of Newton Aycliffe and is adjacent to a site allocated for housing within CDP Policy 4 with the reference H32 (Land at Woodham College) for 100 houses. CDP Policy 4 states that applications which come forward for housing development on allocated housing land will be approved where they comply with other requirements of the CDP. The allocation was adopted in the knowledge that the school and playing fields existed and would continue to operate on the adjoining site. The school has co-existed with surrounding developments satisfactorily and there is no reason to suspect that the proposal would prejudice the housing allocation.
61. Paragraph 95 of the NPPF emphasises the importance of sufficient school places to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. The proposed demolition of the existing school would allow the approved new school to deliver the required level of sports provision for this site and can be viewed in terms of the requirements of CDP Policy 6, along with other policy requirements of the CDP.

62. Policy 6 of the CDP states that the development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and:
- a) is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
  - b) does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
  - c) does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
  - d) is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
  - e) will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
  - f) has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
  - g) does not result in the loss of a settlement's or neighbourhood's valued facilities services unless it has been demonstrated that they are no longer viable; or
  - h) minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
  - i) where relevant, makes as much use as possible of previously developed (brownfield) land; and,
  - j) where appropriate, it reflects priorities for urban regeneration.
63. The application site is not allocated for educational use within the CDP but benefits from an established use as a school site. The site is located in a built-up area and therefore the acceptance criteria associated with CDP Policy 6 are engaged. Many of the criteria associated with CDP Policy 6 are considered in more detail elsewhere in this report. However, with regard criterion a), the application site is currently occupied by a school, and it is considered that education is the established and prevailing land use. The use of the land has therefore been demonstrated to be compatible with the existing adjacent land uses.
64. With regard to criteria b) part of the site is previously developed land with a clear boundary that is already surrounded by other, existing development and would therefore not lead to ribbon development or coalescence with other settlements. With respect to criterion c) the application site is not publicly accessible and has very limited recreational and ecological value and no heritage value. The proposal to demolish the existing school would facilitate the creation of additional playing fields, thereby improving the recreational value of the site and the proposed planting and landscape features would add ecological value. Continuing the use of the site for education would maintain the character in the locality.

65. With respect to criterion d) the approved school is a three storey building with a rectangular plan form. The new school would be complimented by the proposed demolition of the existing school and creation of replacement playing field.
66. Criteria e) and f) relate to transport and access. The site is well located within a residential area with bus stops less than 100m from the site entrance. The site would have multiple pedestrian access points and would have adequate parking provision for staff and would not have a detrimental impact on the highway network.
67. With respect to criteria g) the development would not negatively impact or result in the loss in neighbourhood facilities or services.
68. The wider development would provide modern, energy efficient buildings with carefully considered drainage and green energy systems on previously developed land currently occupied by a school in accordance with criteria h), i) and j).
69. In summary it is considered that the development of the application site would accord with CDP Policy 6 as it is considered to be located within the built up area, would not significantly affect the landscape character and lies within acceptable distances to local community facilities, services and sustainable transport links. The reasoning behind this judgement is set out in the consideration of the scheme against the relevant criterion of the Policy in later sections of this report. It is also considered that the proposal would not conflict with CDP Policy 4 as the housing allocation would not be prejudiced by the continuation of an education use on the application site.

#### Layout and Design

70. CDP Policy 29 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.
71. Within the wider school site there are trees to the south and east of the existing school building that would be retained. A more dense woodland planting belt in the south east corner, northern and eastern boundaries would also be retained. The demolition of the existing school would impart a visual change to the area, particularly to the south where the existing building is clearly visible. The new school building has previously been found to be acceptable.
72. In response to CDP Policy 29 it is considered that the development would positively contribute to the character and townscape of the area and would create a modern school site capable of providing and accommodating up to date educational needs.
73. The applicant has not demonstrated that the new school would achieve a Building Research Establishment Environmental Assessment Method (BREEAM) 'very good' rating but has instead demonstrated that it would achieve Net Zero Carbon in Operation, thereby confirming that the overall development would be highly efficient.
74. Subject to the imposition of a condition requiring details of hard and soft landscaping it is considered that the development would accord with CDP Policy 29 and Part 12 of the NPPF in respect of good design.

## Locational Sustainability of the Site

75. Criteria f of Policy 6 of the CDP requires that developments on unallocated sites have good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement. Policy 21 of the CDP requires all developments to deliver sustainable transport by providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users. Policy 29 of the CDP requires that major development proposals provide convenient access for all users whilst prioritising the needs of pedestrians, cyclists, public transport users, people with a range of disabilities, and emergency and service vehicles whilst ensuring that connections are made to existing cycle and pedestrian networks. Specifically, the NPPF sets out at Paragraph 105 that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. At Paragraph 110 the NPPF states that appropriate opportunities to promote sustainable transport modes should be taken whilst Paragraph 112 amongst its advice seeks to facilitate access to high quality public transport.
76. The proposed development would be located on a site currently occupied by a school and is surrounded by residential properties. The site provides access to the A167 via an established route through Wolsey Close, Washington Crescent and Central Avenue and would provide adequate parking on site for staff and visitors. The site is served by existing pedestrian entrances that would continue to be used during construction and operation of the new school and there is a good network of pavements to the site to allow people to walk. Cycle parking would be provided on site to facilitate and encourage staff and pupils to cycle to school. In addition, there are bus stops less than 100m from the site entrance.
77. In conclusion, the development would promote accessibility by a range of methods in accordance with Policies 6 criterion f, 21 and 29 of the CDP and Paragraphs 98, 103, 108 and 110 of the NPPF.

## Access and Traffic

78. Paragraph 110 of the NPPF states that safe and suitable access should be achieved for all users. 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. CDP Policy 21 states that the transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans.
79. Policy GANP T1 states that development proposals that include a reliance on existing streets shall not be permitted where on-street parking would impact on the safety of road users or have an unacceptable adverse impact on the character of the area and adequate provision has not been made on-site for parking and access for deliveries, service vehicles, tradesmen working on-site, workers, social visitors and residents.
80. An objector to the development has raised issues of traffic impacts on Washington Crescent and accessibility for the school bus. Site access was considered as part of the new build application and found to be acceptable, and it is not considered necessary to revisit this as part of this application.

81. A Travel Statement (TS) and Construction Phase Plan have been submitted in support of the application. The TS provides a baseline assessment of the existing school, highway network and highways safety. Details are provided of the proposed development, site access and parking, refuse and servicing vehicles, proposed school opening times and construction management. The TS concludes that the proposed development, including demolition, is in a highly sustainable location with no local highway safety issues and that there would be no impact on traffic or parking demand in comparison with the existing situation.
82. The Construction Phase Plan, as originally submitted, showed access for teaching staff, construction workers and student pedestrian access to be from Neile Road, which is not currently used for school access at all. The main entrance would only be accessible for construction vehicles. Following discussions with the Highway Authority, the applicant has amended the construction access arrangements so that staff and pupils would continue to access the school from the existing main entrance, construction traffic would enter the site via new entrance immediately adjacent to the main entrance with appropriate segregation. Construction staff would access the temporary construction from Neile Road, and demolition traffic would also use Neile Road. It is important to note that demolition work would not commence until construction of the new school is complete so there would not be any overlap. . Construction and demolition traffic would be time managed to strictly avoid any vehicles arriving during school drop off and pick up times.
83. Following submission of the revised Construction Phase Plan, the Highway Authority consider the access arrangements for both the construction, demolition and operational periods to be acceptable. Conditions were requested for a pre-commencement and post-completion road condition survey, incorporating Wolsey Close, Washing Crescent, Neile Road and Dafoe Crescent. The pre-construction survey has already been submitted and agreed. A condition is also requested for a pre-commencement swept path analysis of Neile Road for demolition traffic.
84. No objection is raised by the Highway Authority subject to appropriate conditions. It is considered that the proposals have been appropriately assessed through a Transport Statement and would not result in harm to the safety of the local or strategic highway network and would not cause an unacceptable increase in congestion or air pollution. Subject to the condition set out above the development would not conflict with CDP Policy 21, GANP Policy T1 and Part 9 of the NPPF.

#### Residential Amenity

85. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air or noise pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality and water quality. Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Paragraph 186 of the NPPF advises that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Paragraph 187 of the NPPF advises that planning decisions should ensure that new development can be integrated

effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs).

86. CDP Policy 31 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 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 locating of 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.
87. The nearest residential properties to the site are located immediately adjacent (5 to 10 metres) to the southern boundary on Wolsey Close, Washing Crescent and Neile Road. To the north the nearest properties are located on Grange Court, Whitton Court, Grindon Court, Mulgrave Court and Middleham Way approximately 100m from the site boundary but also separated by the Woodham Burn valley and woodland. There are no public rights of way within or in the vicinity of the site. Public Footpath No.31 (Great Aycliffe Parish) is located approximately 60m to the north of the site within the Woodham Burn valley.
88. A Noise Impact Assessment has been submitted in support of the application. The assessment provides baseline data for the existing acoustic environment around the site and a consideration of the potential noise from the operation of the building and sports pitches against British Standards and the Councils Technical Advice Notes (TANs). The assessment concludes that operation of the school and sports pitches during normal school hours would be consistent with the noise environment in the area and no mitigation is required. No lighting is proposed for the outdoor sports areas.
89. During construction and demolition, the proposed hours of working are 0800 to 1800 Monday to Friday and 0800 to 1400 on Saturdays. It is not proposed to work on Sundays, Bank or public holidays.
90. Environmental Health and Consumer Protection (Nuisance Action) officers have considered the submitted information and have not raised any issues, agreeing with the conclusions of the submitted impact assessment.
91. An Air Quality Assessment has been submitted in support of the application. The assessment provides a baseline analysis, details of assessment methodology, legislation and policy and consideration of the potential impacts. The assessment identifies that the proposals have the potential to cause air quality impacts at sensitive locations during the construction phase. These may include fugitive dust emissions and road traffic exhaust emissions from construction vehicles travelling to and from the site. During the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. This has been assessed in accordance with the IAQM methodology. It is advised that, assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout activities would not be significant. Potential impacts during the construction phase of the proposed development may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the site. This has been assessed against the screening criteria provided within the IAQM[10] guidance document. Due to the low number of anticipated vehicle movements associated with the proposals, road traffic exhaust impacts have been predicted to be not significant.

92. Environmental Health and Consumer Protection (Air quality) officers have considered the proposals and raise no objections in respect of potential nuisance or air pollution. Officers welcome the recommendations with the air quality assessment to implement a construction management plan for the construction and demolition phase and for a travel plan to be adopted during the operational phase. Conditions would be imposed to secure these measures.
93. There would be some disturbance to residential properties during construction and demolition. This disturbance would be time limited and necessary to provide new educational facilities. A Construction Phase Plan has been submitted to control and mitigate any potential impacts from construction, this would be secured by planning condition. It is considered that the proposed development would not create an unacceptable impact on health, living or working conditions or the natural environment. The proposals would not result in unacceptable noise, air quality or light pollution and, subject to the imposition of the conditions recommended above, it is considered that the proposals would provide an acceptable standard of residential amenity in accordance with CDP Policy 31 and Part 15 of the NPPF.

#### Contamination and Coal Mining Risk

94. Part 15 of the NPPF (Paragraphs 120, 174, 183 and 184) requires the planning system to consider remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate. Noting that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. CDP Policy 32 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.
95. A Phase 1 Desk Study and Phase 2 Site Investigation have been submitted in support of the application. This assessment concludes that that there may be possible sources of contamination on the site.
96. The site is within a Low Risk Coalfield Development area. A Coal Mining Risk Assessment is therefore not required but an informative would be provided to the applicant regarding development in this location.
97. Environmental Health and Consumer Protection (Contaminated Land) officers have considered the proposals and raise no objections in respect of land contamination. No conditions are requested.
98. It is considered that the proposed development would be suitable for the proposed use and would not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities and it is considered that the proposals would provide an acceptable standard of residential amenity in accordance with CDP Policy 32 and Part 15 of the NPPF.

#### Flooding and Drainage

99. Part 14 of the NPPF directs Local Planning Authorities to guard against flooding and the damage it causes. Protection of the water environment is a material planning consideration and development proposals, including waste development, should ensure that new development does not harm the water environment. Paragraph 174 of the NPPF advises that planning decisions should contribute to and enhance the

natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as water quality.

100. Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment it can be demonstrated that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate, and any residual risk can be safely managed.
101. CDP Policies 35 and 36 of the 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
102. The site is entirely located with Flood Zone 1 and a Minor Groundwater Vulnerability zone. Due to the location of the site the Agricultural Land Classification value is Grade 4 (urban) and is therefore not of a best and most versatile quality.
103. A Flood Risk Assessment (FRA), SuDS Management Plan and Drainage Philosophy have been submitted in support of the application. The FRA concludes that the risk of flooding to the proposed primary school on the greenfield parcel of land off Durham Road is low from all forms of flooding as categorised in the NPPF and Technical Guidance. This confirms the flood designation for the site, and it is stated that the proposed uses of land are appropriate in this Flood Zone.
104. The SuDS Management Plan has identified that there are limited opportunities within the site to incorporate open SuDS such as filter strips, swales, basins or ponds. It is therefore proposed to provide permeable paving and attenuation tanks with hydro brakes to control surface water flow. The management plan also provides details of monitoring and maintenance of the SuDS features. Surface water from the site would drain to public sewer.
105. Drainage and Coastal Protection officers provided comments on the drainage strategy as part of the application for the new buildings, which covered the wider site. Final drainage details were provided by condition for the wider site and were found to be acceptable.
106. It is therefore considered that the proposed development would not lead to increased flood risk, both on and off site, and through the use of SUDs would ensure there is no net increase in surface water runoff for the lifetime of the development. It is therefore considered that the proposals would not conflict with CDP Policies 35 and 36 and Part 14 of the NPPF.

## Landscape

107. Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.
108. CDP Policy 39 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. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects. Development affecting Areas of Higher Landscape Value will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.
109. CDP Policy 40 states that proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Where development would involve the loss of ancient or veteran trees it will be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. Proposals for new development will not be permitted that would result in the loss of hedges of high landscape, heritage, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Proposals for new development will not be permitted that would result in the loss of, or damage to, woodland unless the benefits of the proposal clearly outweigh the impact and suitable replacement woodland planting, either within or beyond the site boundary, can be undertaken.
110. Policy GANP CH1 states new development should, where appropriate maintain existing hedgerows, trees and woodland and encourage the planting of new trees and hedgerows.
111. The site is not located within on close proximity to any designated landscapes. There are also no areas of ancient woodland, protected trees or trees in conservation areas within or in close proximity to the site.
112. A Landscaping Masterplan, Tree Survey and Arboricultural Impact Assessment (AIA) have been submitted in support of the application. The AIA has identified 86 trees within influencing distance of the application site, comprised of largely middle aged landscaping around the periphery of the school grounds with more mature trees growing around the north west and north east boundaries of the development site.
113. The wider development proposals would involve the removal of 22 individual trees and tree groups comprising an area of approximately 0.0426ha. No hedgerow would be removed. This loss would be mitigated through the planting of 22 trees and an area of whips equivalent to the felled area, which would replace the lost tree cover after 20 years.
114. Indicative landscaping plans have been provided to show hard and soft landscaping within the site, including playing fields, pathways and planting.
115. Landscape officers have considered the proposals and raised no objections. Conditions are recommended to confirm full details of hard and soft landscape proposals. Hard landscape details should include all enclosing elements, street furniture and street lighting locations. As stated above, details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings.

116. Soft landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.
117. In support of the planting schedule, details of proposed soft landscape management plan should be provided. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 30 years. This is encapsulated within the Biodiversity Management Plan secured under the Section 39 (Wildlife and Countryside Act) agreement agreed as part of the planning permission for the wider site.
118. The proposed demolition works would remove a building that will be redundant following the completion of the new school build and the vacated area would provide space for playing fields and associated landscaping. It is therefore considered that the proposal would not conflict with CDP Policies 39 and 40, GANP Policy CH1 and Part 15 of the NPPF.

## Ecology

119. Paragraph 180 of the NPPF sets out the Government's commitment to halt the overall decline in biodiversity by minimising impacts and providing net gains where possible and stating that development should be refused if significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for. CDP Policy 41 reflects this guidance by stating that proposals 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. CDP Policy 43 states that 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.
120. The presence of protected species is a material consideration in planning decisions as they are a protected species under the Wildlife and Countryside Act 1981 and the European Union Habitats Directive and the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations). The Habitats Directive prohibits the deterioration, destruction or disturbance of breeding sites or resting places of protected species. Natural England has the statutory responsibility under the Regulations to deal with any licence applications but there is also a duty on planning authorities when deciding whether to grant planning permission for a development where a licence is required to apply three derogation tests contained in the Regulations in order to determine whether a licence is likely to be granted. These state that the activity must be for imperative reasons of overriding public interest or for public health and safety, there must be no satisfactory alternative, and that the favourable conservation status of the species must be maintained. Brexit does not change the Council's responsibilities under the law.
121. There are no ecological designations within, or in the immediate vicinity of the site. The Moor Local Nature Reserve (LNR) is located approximately 1km to the north west,

Byerley LNR is located approximately 1.8km to the west, Aycliffe Nature Park Local Wildlife Site (LWS) is located approximately 1.6km to the south. Simpasture Junction LWS is located approximately 2.5km to the west and Shildon Sidings is located approximately 3.3km to the west. Middridge Quarry Site of Special Scientific Interest (SSSI) is located approximately 3.3km to the west.

122. A Preliminary Ecological Appraisal (PEA), Ecological Impact Assessment, Biodiversity Net Gain Assessment and Preliminary Roost Assessment have been submitted in support of the application.
123. The PEA provides an analysis of baseline conditions for the site and an assessment of habitats and species on the site. It is noted that the existing buildings on the site are not of a type that are typically associated with the presence of roosting bats but the surrounding trees and hedgerow could support a bat population and further survey of the buildings is recommended prior to demolition. Similarly, the existing buildings could provide a limited extent of bird nesting habitat. No other species, including Great Crested Newt, common reptiles, dormice, otter, vole or other protected species were found on the site or considered likely to be supported by the available habitat. The PEA concludes that, notwithstanding the requirement for further bat surveys, the site would provide opportunity to incorporate appropriate measures to mitigate any potential impacts to ecological features and to demonstrate 'biodiversity net gain in accordance with NPPF and local planning policy.
124. The supporting Ecological Impact Assessment sets out measures for mitigation and enhancement including planting of grass, scrub and trees, management of hedgerows to maximise benefit to wildlife, gapping up of hedgerows, creation of green roofs for the buildings, creation of hibernacula and installation of bird and bat boxes. The assessment concludes that it is anticipated that the proposals may proceed with no significant adverse effect on protected or notable habitats and species assessed within this report. This is with the exception of bats that are assessed separately.
125. A Preliminary Roost Assessment was initially submitted in the absence of a full bat survey. The objective of the survey was to assess the existing buildings in terms of their potential to support, or find actual evidence of, roosting bats. The assessment concludes that, based upon the building and tree features recorded during the external assessments, the sports hall at north of the site and all trees assessed were deemed to provide negligible bat roost potential; the remainder of the buildings are deemed to provide low bat roost. It was identified that it would not be possible to determine the presence of roosting bats within the buildings without further nocturnal survey work. The assessment therefore recommended that a single nocturnal survey to be undertaken during the bat season (May – August inclusive) in appropriate weather conditions prior to the demolition of the existing school buildings.
126. A bat survey report has been subsequently submitted in support of the application. The surveys were carried out on the existing school building during the 2023 season. A total of 4 survey visits were carried out and this identified a bat roost (Common Pipistrelle) within the northern elevation of the main block of the existing school. The report identifies mitigation measures to offset the loss of the habitat due to the proposed demolition by erecting a bat box in the retained trees to the north prior to the commencement of works. The report states that further surveys of the buildings would be carried out in advance of demolition of the building to confirm the absence of bats.
127. Bats are a protected species and the presence of protected species such as bats is a material planning consideration. The bat survey report states that loss of a roost of any size requires a European Protected Species licence, which must be obtained prior to the work being carried out on the building. The report recommends that a licence is

sought under the Earned Recognition Scheme due to the low conservation value of the roost to be lost. With appropriate compensation and mitigation implemented through the licence, loss of the roost is unlikely to have a significant effect on the conservation status of the species.

128. In respect of the three derogation tests contained in the Regulations, the development would be critical for the delivery of a new school for the area as the required for replacement sports provision. In addition, the existing building housing the identified would need to be removed to prevent it becoming a hazard once vacated. The development is therefore of overriding public interest and would protect public health and safety. Leaving the existing school building would sterilise potential space for education provision within the wider site that could not be provided elsewhere and there is therefore no satisfactory and suitable alternative to the demolition of the existing building. Finally, the bat survey has stated that the loss of the bat roost is unlikely to adversely affect the favourable conservation status of the species. Ecology officers have raised no issues in relation to bats and consider that there would be no impediment to a licence being granted.
129. The Biodiversity Net Gain Assessment is supported by a DEFRA's Biodiversity Metric 3.1. The metric advises that the baseline site provides 29.12 habit units and 5.61 hedgerow units. Post development and taking into account the habitat creation set out in the paragraphs above, the wider school site would provide 30.34 habitat units and 6.46 hedgerow units equating to a net gain of 4.17% for habitat and 15.07% for hedgerow.
130. Ecology officers have considered the proposals and raised no objections. Officers initially sought clarity in relation to bat mitigation and biodiversity net gain. The applicant has agreed to a condition requiring the installation of an additional bat box, in accordance with mitigation recommended within the bat survey report. The applicant has also confirmed that the proposed biodiversity net gain set out in the metric for the wider site would be delivered as part of the landscaping proposals to be agreed by condition. Landscaping for the full site would be maintained as part of an existing planning obligation under Section 39 of The Wildlife and Countryside Act 1981 entered into under Planning Permission No. DM/22/03528/FPA to secure biodiversity management for the life of the development.
131. Ecology officers are satisfied with the submitted information and recommended conditions.
132. The proposed new school buildings themselves would provide biodiversity enhancement to the site and, whilst there may be temporary displacement of wildlife during the construction and demolition process, the net increase in biodiversity value would adequately mitigate any residual harm. It is considered that the proposed demolition would not impact upon any nationally or locally protected sites or protected species. It is therefore considered that the proposals would not conflict with CDP Policies 41 and 43 and Part 15 of the NPPF in respect of avoiding and mitigating harm to biodiversity.

#### Recreational Amenity

133. Part 8 of the NPPF seeks to promote healthy communities with a key reference being towards the protection and enhancement of public rights of way and access. Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken showing the facility to be surplus to requirements; the loss resulting from the proposed development would be replaced by equivalent or

better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

134. CDP Policy 26 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. Where valued open spaces or assets are affected, proposals must incorporate suitable mitigation and make appropriate provision of equivalent or greater value in a suitable location. Where appropriate there will be engagement with the local community.
135. The proposed demolition would assist in providing space for a range of outdoor play spaces and pitches across the wider school site that would also be available for community use outside of normal school hours. The area subject of this specific application would provide space for playing fields to mitigate the area lost to the new school building. Informal hard play areas are to be spread around the new school building.
136. Sport England has been consulted on the application and has raised no objections. Officers have carried out an assessment of the existing and proposed sports provision and concluded that once the existing school is demolished there would be a 0.1 hectare net increase in playing field provision. Notwithstanding this, officers have requested conditions to secure delivery and quality specification of the proposed playing fields. It has also been requested that a community use agreement be provided by condition. These conditions are appended to the planning permission for the new school building and do not need to be repeated.
137. Subject to the site being developed in accordance with the proposed site plan and detailed hard and soft landscaping plans supporting this scheme, as referred to above, it is considered that the temporary loss in open space on the wider site would be mitigated by the replacement playing field and overall improvement in sports provision on the site in addition to the new school. It is therefore considered that the proposal would accord with CDP Policy 26 and Part 8 of the NPPF.

## Cultural Heritage

138. In assessing the proposed development regard must be had to the statutory duty imposed on the Local Planning Authority under the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area. In addition, the Planning (Listed Buildings and Conservation Areas) Act 1990 also 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. If harm is found this gives rise to a strong (but rebuttable) statutory presumption against the grant of planning permission. Any such harm must be given considerable importance and weight by the decision-maker.
139. Part 16 of the NPPF requires clear and convincing justification if development proposals would lead to any harm to, or loss of, the significance of a designated heritage asset. CDP Policy 44 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.

140. There are no designated heritage assets within the site and none within a 2.5km radius. The application site has been significantly disturbed by the existing school buildings and any archaeological remains in this area would have already been lost. Trial trenching of the wider site has not identified any significant archaeological remains.
141. Design and Conservation officers have considered the proposal and raised no objections in respect of cultural heritage and as the development would not be intervisible with any designated heritage assets or their setting, it is considered that there would be no heritage harm.
142. It is considered that the proposal would cause no harm to heritage assets or archaeological remains in accordance with CDP Policy 44 and Part 16 of the NPPF

#### Public Sector Equality Duty

143. 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.
144. In this instance, officers have assessed all relevant factors and do not consider that there are any equality impacts identified.

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## CONCLUSION

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145. The proposed demolition would assist in the delivery of a modern, efficient secondary school for Newton Aycliffe on a site currently in use for education purposes by providing space for playing fields to mitigate the area occupied by the new school buildings. The new school would provide a significant benefit to the community, would be sustainable and well designed, and in keeping with and complementary to its surroundings.
146. The development has been considered against relevant development plan policies and material considerations and was found to be acceptable.
147. The proposed demolition has generated minor public interest, with only one letter of objection having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the benefits of the scheme in terms modern education provision.
148. The proposed development is considered to broadly accord with the relevant policies of the County Durham Plan and Great Aycliffe Neighbourhood Plan and relevant sections of the NPPF.

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## RECOMMENDATION

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

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

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

2. The Local Planning Authority shall be given at least seven days prior written notification of the date of commencement of the demolition works.

*Reason: To ensure the development is carried out in accordance with the approved documents.*

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

REFERENCE	DRAWING / DOCUMENT TITLE
<b>Plans</b>	
BS2717.001.001.01	Existing Ground Floor Plan
BS2717.001.002.00	Existing First Floor Plan
SRP1099-OOB-Z0-ZZ-D-L-0003_P05	Existing Site Layout
SPR1099-OOB-ZZ-ZZ-D-L-0040_P05	Site Sections as proposed Sheet 1
SPR1099-OOB-ZZ-ZZ-D-L-0041_P05	Site Sections as proposed Sheet 2
SPR1099-OOB-ZZ-ZZ-D-L-0042_P04	Site Sections as proposed Sheet 3
SRP1099-1HZ-ZZ-XX-M-Y-0001 Rev. A	Topographical and Underground Utilities Survey (as
SRP1099-DES-Z0-ZZ-D-E-6310 P02	Lighting Strategy Drawing Site Wide
SRP1099-DES-Z0-ZZ-D-Z-9600 P02	Mechanical and Electrical Services Proposed External Underground Infrastructure (as proposed)
SRP1099-DES-Z0-ZZ-D-Z-9602 P02	Mechanical and Electrical Services Proposed Site-wide
SRP1099-OOB-Z0-ZZ-D-L-0001_P09	Site Landscaping Plan General
SRP1099-OOB-Z0-ZZ-D-L-0070_P05	External Sports Provision
SRP1099-OOB-Z0-ZZ-D-L-1000_P04	Site Location Plan Application 1
SRP1099-OOB-Z0-ZZ-D-L-1001_P07 (27.01.23)	Landscaping Masterplan Application 1
SRP1099-OOB-Z0-ZZ-D-L-1002_P06 (27.01.23)	Site Layout Application 1
SRP1099-OOB-Z0-ZZ-D-L-1003_P05	Proposed Landscape Plan (Proposed Planting Plan)
SRP1099-SPA-ZZ-XX-D-A-2003_P02	Demolition Plan
SRP1099-OOB-Z0-ZZ-D-L-1008_P03 (27.01.23)	Bat Mitigation Plan
SRP1099-OOB-Z0-ZZ-D-L-1009_P02 (27.01.23)	Bird Mitigation Plan
<b>Documents</b>	
November 2022, SRP1099-AYL-ZZ-ZZ-P-T-0001	Planning Statement including Statement of Community Health Impact Assessment
November 2022, SRP1099-SPA-ZZ-XX-T-A-0002	Design and Access Statement
15 <sup>th</sup> November 2022, SRP1099-ARC-XXX-XX-T-O-0001	Supplementary Ground Investigation Letter
23-11-2022, TS01A	Transport Statement
22-11-2022, TP01A	Travel Plan
23/12/2021, SRP1099-1HZ-ZZ-Z1-T-Y-0001	Phase 2 Ground Investigation Report
18 <sup>th</sup> November 2022, SRP1099-APX-ZZ-ZZ-T-J-0005	Noise Impact Assessment
18 <sup>th</sup> November 2022, SRP1099-APX-ZZ-ZZ-T-J-0006	Air Quality Assessment
SRP1009-BGP-ZZ-Z0-T-C-0003 Rev.P04 (24.01.23)	Drainage Philosophy
SRP1009-BGP-ZZ-Z0-T-C-0004 Rev.P02 (24.01.23)	Flood Risk Assessment
SRP1009-BGP-ZZ-Z0-T-C-0005 Rev.P03 (24.01.23)	SuDS Management Plan
22/11/2022, SRP1099-DES-ZZ-ZZ-T-Z-5014-Issue P02	Energy & Sustainability Statement
21/11/2022, SRP1099-DES-ZZ-ZZ-T-Z-6300 Rev. P01	Lighting Strategy Report
SRP1099-GTC-XX-XX-T-X-0026 Rev. P05 (25.01.23)	Construction Phase Plan
SRP1099-GTC-ZZ-ZZ-T-X-9000 Rev. S5-P02	Sustainability Checklist For Developers
November 2022, SRP1099-TEP-ZZ-ZZ-T-0001 Rev. P02	Tree Survey and Arboricultural Impact Assessment
K8034/R15140, Rev.5 (09.01.23)	Archaeological Desk-Based Assessment
September 2022	Preliminary Roost Assessment Report
24/11/2022, 7059_R02	BNG Assessment and Biodiversity Management Plan
24/11/2022, 7059_v01	BNG Calculations Metric
GN-HSS-L03-101, Rev. P02	Soil Management Strategy

22/11/2021, SRP1099-1HZ-ZZ-XX-T-Y-0003	Phase 1 Ground Investigation Desk Study
21/12/2021, SRP1099-1HZ-ZZ-XX-T-Y-0004	Preliminary Ecological Appraisal (PEA)
Rev.R01 (09.12.23)	Ecological Impact Assessment (EclA)
25.01.23	Arboricultural Method Statement (AMS)

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 21, 31, 33, 39 and 41 of the County Durham Plan and Parts 9, 14 and 15 of the National Planning Policy Framework.*

4. The approved Construction Phase 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 protecting the amenity of neighbouring site occupiers and users from the impacts of the construction phases of the development having regards to Policies 21 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework. Required to be a pre-commencement condition and the details of the construction management statement must be agreed before works on site commence.*

5. Demolition operations shall only take place within the following hours:  
0800 to 1800 Monday to Friday  
0800 to 1400 Saturday

No operations including the maintenance of vehicles and plant shall take place outside of these hours or at any time on Bank, or other Public Holidays, save in cases of emergency when life, limb, or property are in danger. The Local Planning Authority shall be notified as soon as is practicable after the occurrence of any such operations or working.

*Reason: In the interests of residential amenity and highway safety in accordance with the County Durham Plan Policy 21 and Part 15 of the National Planning Policy Framework.*

6. Prior to the commencement of demolition works a swept path analysis of the vehicle route through Neile Road shall be submitted to the Local Planning Authority for approval in writing.

*Reason: To ensure vehicles can enter and exit the site without causing harm to the highway structure or impacting highway safety in accordance with County Durham Plan Policy 21 and Part 9 of the National Planning Policy Framework.*

7. The development shall be carried out in accordance with the submitted flood risk assessment and SuDS Management Strategy. The mitigation measures detailed with the SuDS Management Strategy shall be fully implemented prior to development being brought into use. These measures shall be retained and maintained thereafter throughout the lifetime of the development.

*Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure there is no increase of flood risk elsewhere as a result of this development in accordance with Policy 35 of the County Durham Plan and Part 14 of the National Planning Policy Framework.*

8. Prior to the development being brought into use full details of hard and soft landscape proposals shall be provided to the Local Planning Authority for approval in writing. Hard landscape details should include all enclosing elements, street furniture and street lighting locations. Details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings. Soft Landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

*Reason: In the interests of the visual amenity of the area and to comply with County Durham Plan Policies 29 and 39, Great Aycliffe Neighbourhood Plan Policy CH1 and Parts 12 and 15 of the National Planning Policy Framework.*

9. Within 2 months of the date of this planning permission a bat box shall be erected in accordance with the Mitigation and Enhancement Measures set out in Section 6.3 of the submitted Woodham Academy Bat Survey Report (July 2023). The bat box shall be positioned to ensure it is adversely affected by an external lighting and retained in perpetuity.

*Reason: In order to retain protected species without causing harm in accordance County Durham Plan Policy 41 and Part 15 of the National Planning Policy Framework.*

10. The development hereby approved shall be carried out in full accordance Section 6.3 of the submitted Woodham Academy Bat Survey Report (July 2023).

*Reason: In order to retain protected species without causing harm in accordance County Durham Plan Policy 41 and Part 15 of the National Planning Policy Framework.*

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## **STATEMENT OF PROACTIVE ENGAGEMENT**

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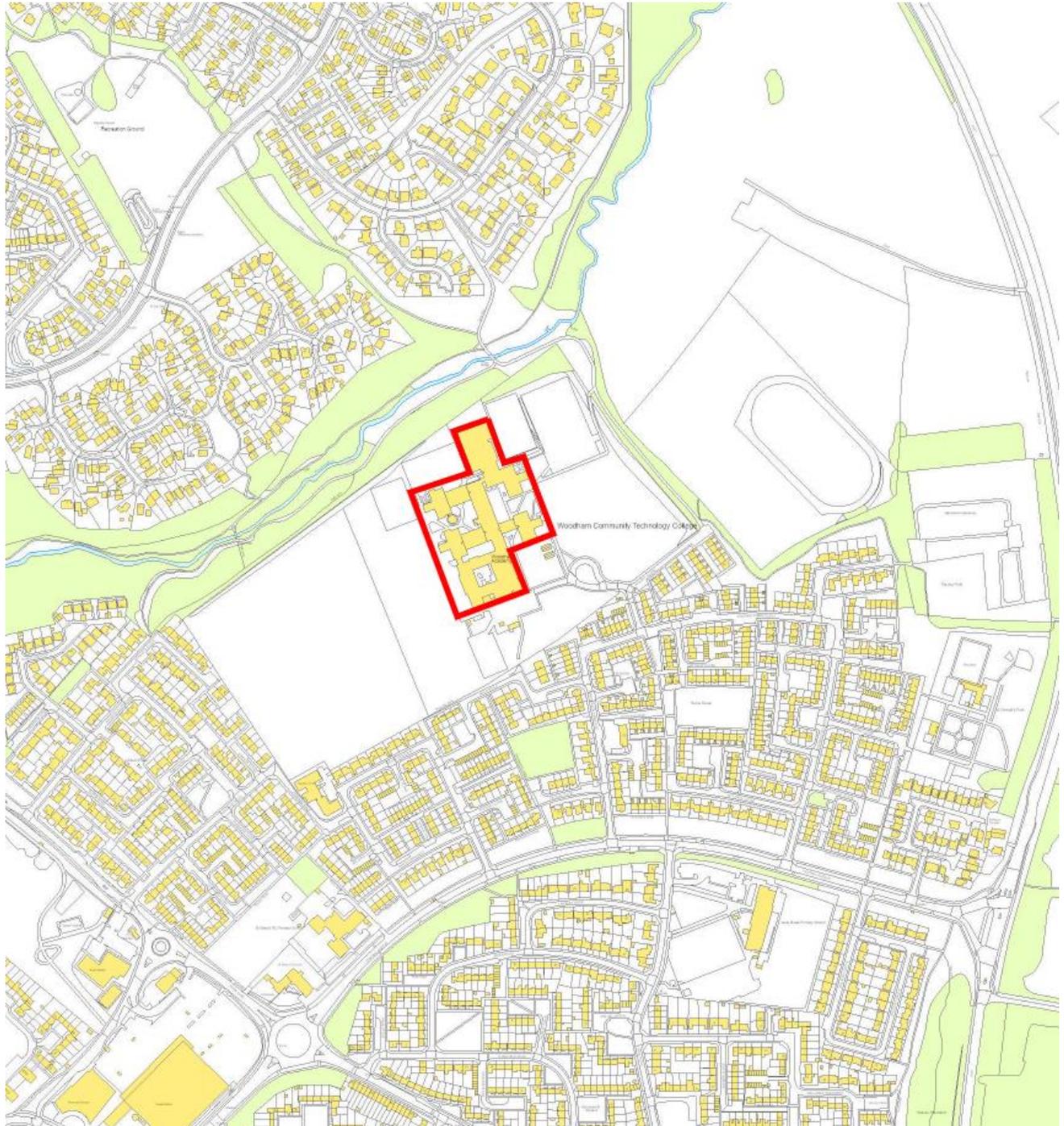
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant 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.
- The National Planning Policy Framework (2021)
- National Planning Practice Guidance notes
- County Durham Plan
- Great Aycliffe Neighbourhood Plan (2017)
- Statutory, internal and public consultation response



**Planning Services**

DM/22/03529/FPA

Demolition of existing school buildings and replacement with playing fields and landscaping- Woodham Academy Washington Crescent Newton Aycliffe DL5 4AX

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**Comments**

**Date** September 2023

**Scale** Not to Scale