

## COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION No:</b>	<b>DM/23/00294/FPA</b>
<b>FULL APPLICATION DESCRIPTION:</b>	<b>Demolition of existing school buildings with the exception of the drama block</b>
<b>NAME OF APPLICANT:</b>	<b>Durham County Council and the Department for Education</b>
<b>ADDRESS:</b>	<b>Belmont Church Of England Junior School, Buckinghamshire Road, Belmont, Durham, DH1 2QP</b>
<b>ELECTORAL DIVISION:</b>	<b>Belmont</b>
<b>CASE OFFICER:</b>	<b>Claire Teasdale, Principal Planning Officer 03000 261390 <a href="mailto:claire.teasdale@durham.gov.uk">claire.teasdale@durham.gov.uk</a></b>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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#### Site

1. The 8.27 hectare (ha) application site comprises the existing Belmont Church of England Primary School and Belmont Community School with associated playing fields and sports facilities. Access to the site is from Buckinghamshire Road and an internal school road runs from the western boundary (Buckinghamshire Road) up to the Belmont Church Of England Primary School building; providing vehicular access to Belmont Community School and serving car parking areas to the north and south.
2. The existing school buildings are across five buildings; two single storey buildings which house the junior school and nursery, and the high school which currently comprises three buildings (main school, sports hall and drama block) which vary between single and two storey height.
3. The site is surrounded by residential properties on all sides. The residential properties are accessed from Broomside Lane (Road C13) to the north, Buckinghamshire Road to the south and west and The Links to the east. Cheveley Park Medical Centre, library, Belmont Grange Care Home and Cheveley Park Shopping Centre are located to the north east of site and to the east of The Links. More widely, the site is located approximately 3km to the northeast of Durham City centre. The A1 lies approximately 220m to the west and Durham City Retail Park immediately to the west of it.
4. The rear gardens of residential properties along Broomside Lane, Buckinghamshire Road and The Links back immediately onto the application site with the distances varying depending upon the length of the gardens.
5. The site is not within or adjacent to any landscape designation. There are no Tree Preservation Orders (TPOs) within the site but there are two area TPOs along the north east boundary at Beechcroft Belmont and Belmont Vicarage and Belmont Grange, Broomside Lane, Belmont, Durham. Some 70m to the north west to the east

of Buckinghamshire Road are eight TPOs at Belmont House and in the vicinity of Belmont Court.

6. There are no ecological designations within or immediately adjacent to the proposed site. Some 350m to the south east is The Scrambles Local Wildlife Site (LWS). 1km to the north west is Frankland and Kepier Woods LWS and Ancient Woodland and Frankland Wood Ancient Woodland along the River Wear. 1.4km to the south west is Coalford Beck Marsh LWS. The closest Sites of Special Scientific Interest are located 1.8km to the north west (brasside Pond SSSI), 2.6km to the north east are Pittington Hill and High Moorsley SSSIs and 2.5km to the south east is Sherburn Hill SSSI and 4km to the south east Crime Rigg Quarry SSSI. The site lies within an identified SSSI Impact Risk Zone relating to the Brasside Pond SSSI present in the wider area.
7. There are no designated heritage assets within in the proposed site. The closest listed buildings are located to the north and north east. These being the Grade II Old School Community Centre and House Attached approximately 15m to the north and the Grade II Vicarage of St Mary Magdalene with Yard Wall and Gateway 25m to the north in the north eastern part of the site. The Grade II Church of St Mary Magdalene is located approximately 68m to the north of the site to the north of Broomside Lane. 158m to the north is the Grade II Belmont War memorial. Other listed buildings are some 1.8km distant from the site. The site lies close to the site of Ravensflatt medieval farmhouse. The Durham City Conservation Area lies over 1.6km to the south west with Sherburn House Conservation Area to the south and Sherburn Conservation Area 1.3km to the south east. The Durham Castle and Cathedral World Heritage Site is 3km to the south west with the World Heritage Site Inner Setting being closer at 1.4km to the south west. Kepier Hospital Scheduled Monument lies 2km to the west and Maiden Castle promontory fort.
8. There are no recorded public rights of way within or in the immediate vicinity of the school grounds. Public rights may be accrued by 20 plus years uninterrupted use, however, there is no evidence on file of this.
9. The site lies within an area of Groundwater Vulnerability as defined by the Environment Agency. There are no watercourses within or adjacent to the site. The site is in Flood Zone 1. The closest watercourses are Pittington Beck 740m to the east and the River Wear some 1.1km to the north west.
10. The site lies within a Coalfield Development Low Risk Area. The site lies within the mineral safeguarding area for coal as defined in the County Durham Plan and the south eastern corner of the site lies within an area identified for glacial sand and gravel. The site lies within the consultation area of the High Moorsley Metrological Office for any building/works exceeding 45.7m above ground level.
11. The lies approximately 555m to the west, beyond the A1, of the Durham City Air Quality Management Area Boundary.

## The Proposal

12. Although the 8.27ha application site comprises the existing Belmont Church of England Primary School and Belmont Community School with associated playing fields and sports facilities, this planning application is for the demolition of the existing school buildings with the exception of the drama block.
13. In March 2023 Planning Permission No. DM/22/03248/FPA was granted for the construction of a new two-storey primary school building, a three-storey secondary school building, and a one-storey, double-height sports hall building and playing fields

with associated landscaping, access and parking and demolition of the drama block. That application as originally submitted included the demolition of existing educational buildings. However, during the consideration of the application, it was identified that additional bat surveys were required for certain buildings and the application was subsequently amended to exclude all demolition apart from the drama block.

14. The layout of the approved new schools development has been designed to avoid the need for advanced demolition of the existing school buildings, reducing disruption to staff and pupils and to minimise the impact on existing site features and below-ground services. The development is phased to allow for teaching in the existing buildings to continue whilst the replacement buildings are constructed on site. There will be a temporary loss of grass playing field that will be used for the construction of the new buildings and new car parking area located within the western section of the site. However, the area of playing fields lost to the redevelopment proposals would be re-provided on the site of the existing buildings following their demolition.
15. Following construction of the new buildings the schools will decant into their new accommodation. The demolition phase would then commence. The proposed demolition works are scheduled to start in September 2024 with the first 4 months of work involving specialist asbestos removal. Demolition would be followed by the completion of the overall development with the provision of the sports fields, landscaping and parking.
16. Additional and amended plans have been submitted during the consideration of the application reflecting proposed changes to Planning Permission No. DM/22/03248/FPA through a Non-Material Amendment application no DM/23/02845/NMA. The changes relate only to the overarching landscape masterplan for the site and do not impact the wider principles of the scheme or the proposed demolition works.
17. 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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18. The existing school buildings date from the 1960s/1970s with some modern additions, including the 2007 performing arts block. There has also been a number of applications granted for car parks, storage containers and kitchen ventilation ductwork.
19. Planning application no. DM/22/03248/FPA for the construction of a new two-storey primary school building, a three-storey secondary school building, and a one-storey, double-height sports hall building and playing fields with associated landscaping, access and parking and demolition of the drama block (Amended description) was approved in March 2023.
20. Planning application no. DM/23/02845/NMA for a Non-material amendment pursuant to Condition 3 (Approved Plans) of Planning Permission No. DM/22/03248/FPA to permit internal and external design changes to the approved buildings and external amendments including a reduction in the size of the artificial grass pitch was approved in December 2023.

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## PLANNING POLICY

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### NATIONAL POLICY

21. A revised National Planning Policy Framework (NPPF) was published in December 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.
22. In accordance with Paragraph 225 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.
23. *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.
24. *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.
25. *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.
26. *NPPF Part 9 – Promoting Sustainable Transport* – Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
27. *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.

28. *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.
29. *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.
30. *NPPF Part 17 - Facilitating the sustainable use of minerals*. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

31. 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)

32. *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.
33. *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.

34. *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.
35. *Policy 27 – Utilities, Telecommunications and Other Broadcast Infrastructure* – supports such proposals provided that it can be demonstrated that there will be no significant adverse impacts or that the benefits outweigh the negative effects; it is located at an existing site, where it is technically and operationally feasible and does not result in visual clutter. If at a new site then existing sites must be explored and demonstrated as not feasible. Equipment must be sympathetically designed and camouflaged and must not result in visual clutter; and where applicable the proposal must not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation in the national interest.
36. *Policy 28 – Safeguarded Areas* – within safeguarded areas development will be subject to consultation with the relevant authority and will be permitted within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety. The Policy also requires that development would not prejudice the safety of air traffic and air traffic services, that there would be no unacceptable adverse impacts upon the operation of High Moorsley Meteorological Officer radar and the operation of Fishburn Airfield, Shotton Airfield and Peterlee Parachute Drop Zone Safeguarding Areas.
37. *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).
38. *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.
39. *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.
40. *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.

41. *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.
42. *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.
43. *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.
44. *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.
45. *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.
46. *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.

47. *Policy 56 – Safeguarding Mineral Resources* – states that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area. This is unless it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value, provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact, the non-minerals development is of a temporary nature that does not inhibit extraction or there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral or it constitutes exempt development as set out in the Plan. Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

#### **NEIGHBOURHOOD PLAN:**

48. There is no Neighbourhood Plan for this area.

*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)*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### **STATUTORY RESPONSES:**

49. *Highway Authority* – has raised no objections to the proposals advising that subject to the applicant following the procedures as set out in the Construction Environment Management Plan submitted as part of the application, then this proposal would be acceptable from a Highways perspective.
50. *Drainage & Coastal Protection (Lead Local Flood Authority)* – officers advise that the application heading is for the demolition of the existing school buildings; the information provided is for the proposed new development. A site specific surface water management plan should be submitted for the demolition and control of water during the demolition process.
51. *Northumbrian Water* – has raised no objections to the proposal. For information only Northumbrian Water advises that a public combined sewer and a sewerage rising main is within the red line site boundary be affected by the proposed demolition. Northumbrian Water does not permit a building over or close to its apparatus. It advises that it would work with the developer to establish the exact location of its assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the demolition. Northumbrian Water advises that this is an informative only and does not materially affect the consideration of the planning application.
52. *Sport England* – supports the application. Sport England advises that demolition proposals are not a form of development which Sport England is usually consulted upon. In this instance however, the demolition of these buildings will deliver the replacement playing field (in the form of an Artificial Grass Pitch) that means that the overall redevelopment of the school site meets playing field policy. In light of this Sport England wishes to support this application.
53. *The Coal Authority* – advises that the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development



Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted. In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the decision notice as an informative note to the applicant in the interests of public health and safety.

54. *High Moorsley Metrological Office* – has no objections. It is noted that the proposal is approximately 3.9km from the meteorological radar at High Moorsley and there would not be any impact on the data or the forecasts and warnings derived from it.

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

55. *Spatial Policy* – has raised no objections to the proposals. Officers consider the proposal to be in accordance with CDP Policy 6 (Development on Unallocated Sites) subject to satisfying other policy requirements within the CDP. Officers advise that it will be a matter for the case officer in conjunction with advice from specialist services to determine if the proposal is compliant with relevant CDP policy in relation to design, amenity, environmental health and landscape etc. Overall, there are no Spatial Policy objections to the development of a school on this site, however, there are a number of considerations to be taken into account, with a key issue being seeking confirmation that Sport England are satisfied.
56. *Environmental Health and Consumer Protection (Air quality)* – raise no objections having considered the submitted Air Quality Assessment, Dust Management Plan and the Construction Environmental Management Plan. Officers note that the Planning Statement appropriately summarises the conclusions of the air quality assessment.
57. *Environmental Health and Consumer Protection (Nuisance Action)* – has raised no objections to the proposals having undertaken a technical review of information submitted in relation to the likely impact upon amenity in accordance with the relevant TANs (Technical Advice Notes). Officers advise that their main concerns would be the impact of the demolition process on nearby residential dwellings and the surround environment. It is noted a dust management plan and Construction Method Statement has been submitted which provides further information on how various emissions from the demolition process will be controlled, this includes working times. Providing these documents are adhered to then it is envisaged relevant impacts would be within reasonable parameters. The information submitted demonstrates that the application complies with the thresholds stated within the TANS. This would indicate that the development would not lead to an adverse impact, however, the planning officer should consider the supporting detail. Officers confirm they have assessed the environmental impacts which are relevant to the development in relation to their potential to cause a statutory nuisance, as defined by the Environmental Protection Act 1990 and are satisfied, based on the information submitted with the application, that the development is unlikely to cause a statutory nuisance.
58. *Environmental Health and Consumer Protection (Contaminated Land)* – has raised no objection having assessed the historical maps and available information with respect to land contamination. There is no requirement for a contaminated land condition. An informative to cover any circumstance if unforeseen contamination is encountered is recommended.
59. *Ecology* – raise no objection. Officers advise that the bat surveys confirm the presence of 3 common pipistrelle roosts therefore a Natural England (NE) bat mitigation licence is required for the demolition of the school buildings. Replacement roost provision is

likely to be required as part of the NE licence. Further information was requested on the proposed bat roost provision as officers need to be sure that the bat roost provision is sufficient to enable a successful NE licence application, and this was provided. Ecology officers consider that the bat survey work is sound, but that demolition should not proceed until a NE licence is in place as per the Ecological Impact Assessment Sept 2023 OS Ecology.

60. *Landscape* – has raised no objections and advise that there are no landscape and visual issues subject to tree protection measures required by the Arboricultural officer.
61. *Arboricultural (Trees)* – officers advise that tree removals would have a negative effect within the site noting that the trees provide mature cover within the carparking area. Trees which are to be retained within the site and those concentrated within the boundaries must be protected with fencing shown within submitted tree report. Inspection must be undertaken before demolition of buildings to ensure that fencing is in place and at the recommended distances shown within the AIA. Officers provide advice on the specifics tree planting recommending that all tree work and planting must be undertaken to a high professional standard in accord with arboricultural best practice and in line with the appropriate British Standard.
62. *Design and Conservation* – advise there is no objection from a design and conservation perspective.
63. *Archaeology* – raise no objection stating that there are no archaeological concerns regarding the demolition of the existing school buildings. Archaeological investigations in advance of the construction of the replacement buildings and landscaping will take place as part of planning application DM/22/03248/FPA.
64. *Access & Rights of Way* – advise they have no comments to make.
65. *Sustainable Travel* – advise no comment is required.

#### **PUBLIC RESPONSES:**

66. The application has been advertised in the local press (the Northern Echo), by site notice and through neighbour notification letters as part of the planning procedures. Notification letters were sent to 1,307 individual properties in the vicinity of the site. A reconsultation took place following receipt of the additional information referred to above.
67. One representation has been received from a member of the public. The member of the public advises that he is all for improving and developments of schools and other public buildings, however queries if it would it be possible to provide a park and ride service for the workmen involved. It is stated that the streets are quite congested with their personnel vehicles which in turn creates difficulty for refuse disposal and general service deliveries to the Cheveley Park area.

*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:**

68. The Durham County Council Plan 2020-2023 includes the ambition ‘to safeguard, enhance and provide a wide range of educational facilities’.

69. The application is for the demolition of existing school buildings with the exception of the drama block. This forms the second element of the Proposed Development, following approval earlier this year for the first part of the proposals for the construction of replacement educational buildings for both Belmont C of E Primary School and Belmont Community school and a new sports hall and playing fields, co-located on the same site. The existing school buildings have reached the end of their design life and have been prioritised for replacement.
70. The approach to split the proposed development into two applications was taken due to timescales for the delivery of the new school buildings and the requirement for additional bat surveys relating to the existing buildings which could not be undertaken until May 2023, meaning mitigation requirements could not be clearly identified until recently.
71. Approval of this application will therefore enable the delivery of the full masterplan for the site with the demolition of existing buildings freeing up the space required to deliver the playing fields.
72. The works for the demolition are scheduled to start in September 2024.
73. The Applicant team has engaged with the LPA and statutory consultees, including Ecology and Sport England prior to the submission of the planning application to agree the approach for the split application and throughout the determination period to address consultee feedback and to ensure that proposals are appropriate for the local area
74. The proposals once fully delivered, including elements already approved, will result in significant benefits to the local community, as summarised below:
  - The development will provide accommodation for 1,475 students and 122 staff across the two schools and community use of the sporting facilities. The new schools will allow for additional pupil capacity to accommodate existing residential growth and future projected growth in the area.
  - The proposals will result in a betterment to the sporting provision on site through an increase in the area available for sporting use as well as the inclusion of an artificial grass pitch. The existing playing field area on site is 39,942sqm and the proposed playing field provision will increase to 42,425sqm, which will include a playing field area of 30,986sqm, sports courts and an artificial grass pitch. The artificial grass pitch will be floodlit, allowing for additional usage during the winter months whilst being controlled to ensure no adverse impacts on nearby residents. The development will benefit staff, student and the community health and well-being by providing access to additional, modern and better quality sports facilities within the locality.
  - The development will replace the current energy inefficient buildings with modern high-quality buildings which incorporate a number of measures to reduce energy consumption and utilise renewable energy sources. The development incorporates LZC technologies, such as photovoltaics and air source heat pumps in order to offset the energy requirements of the development. The aim is to be consistent with the drive to the electrification of heating systems and to utilise heat pumps to generate heating and hot water demands for all the buildings.
  - The proposed development will utilise a fabric-first approach to improve sustainability and energy performance. Both airtightness and U-values show improvement upon the targets set out within the Building Regulations. The

development also incorporates a range of passive design and energy efficiency measures throughout the site, including improved building fabric standards beyond the requirements of the Building Regulations, Part L document and highly energy efficient mechanical and electrical plant.

75. Overall, the proposals will have significant benefits for the residents of Belmont and surrounding areas by improving the education and community sport facilities being offered in the area. Approval of the demolition application is essential to facilitating the delivery of the new school development and realising the benefits associated with the development described above.

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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76. 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, residential amenity, access and traffic, layout and design, contamination and coal mining risk, flooding and drainage, landscape and trees, ecology, recreational amenity/sports provision, cultural heritage, other matters and public sector equality duty.

### The Principle of the Development

77. 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 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.
78. 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.

79. The Council has an up-to-date development plan. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay (Paragraph 11 c). Accordingly, Paragraph 11(d) of the NPPF is not engaged.
80. The proposal is for the demolition of existing school buildings with the exception of the drama block. Planning permission has previously been granted for the construction of a new two-storey primary school building, a three-storey secondary school building, and a sports hall building and playing fields with associated landscaping, access and parking and demolition of the drama block. The proposed development would enable the delivery of the approved scheme which would provide an improved educational facility for the local community and increase the capacity of the schools allowing for additional pupil capacity to accommodate for existing residential growth and future projected growth in the area.
81. Paragraph 99 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. In essence new schools on this site will deliver wider community benefits and can be viewed in terms of the requirements of CDP Policy 6, along with other policy requirements of the CDP.
82. 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.
83. The application site is not allocated for educational use within the CDP but benefits from an established use as a school site for both a primary and secondary school and planning permission has recently been granted for a new schools development. 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 and applicable to the current application are considered in more detail elsewhere in this report. However, with regard criterion a), the application site is currently occupied by two schools and planning permission has recently been granted for a new schools complex. The demolition of the existing buildings would enable the delivery of an approved educational scheme, thus being compatible and not be prejudicial to the approved use.
84. Criteria b) is not relevant given the current application is for the demolition of the existing buildings and would not contribute to coalescence with other settlements nor result in lead to ribbon development or coalescence with other settlements. With respect to criterion c) loss of the buildings would not result in the loss of open land. The wider application site is not publicly accessible and has limited recreational and ecological value and no heritage value, although there is a listed building approximately 15m to the north and others slightly further distant which is considered below.
85. Criterion d) is not applicable to the demolition of the buildings. Consideration was given to Criterion d) when considering the new schools development and the proposals were considered to be acceptable.
86. Criteria e) and f) relate to transport and access. The site is located within a primarily residential area and with existing bus stops in the vicinity and has good access by sustainable modes of transport. During demolition works all transport would be directed via Buckinghamshire Road. Given the temporary duration of the demolition works it is considered that there would not be an adverse impact on the highway network.
87. With respect to criteria g) there would be a loss of existing educational buildings but the demolition of the buildings would enable the delivery of the approved new schools development and would not negatively impact or result in the loss in neighbourhood facilities or services.
88. A suitable drainage scheme would be provided during demolition. Demolition of the buildings would allow playing fields and landscaping to be provided in their place on previously developed land and would enable the provision of the approved new schools development in accordance with criteria h), i) and j).
89. The current application to demolish the existing buildings would enable the delivery of the approved new schools development. In summary it is considered that the development of the application site would accord with CDP Policy 6 as it is considered well-related to the settlement, 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 opinion is set out in the consideration of the scheme against the relevant criterion of the Policy in later sections of this report.

## Residential Amenity

90. Paragraph 180 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 191 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 192 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 193 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).
91. 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.
92. The site is surrounded by residential properties on all sides. The nearest residential properties are located on Broomside Lane to the north, Buckinghamshire Road to the south and west and The Links to the east which are bungalows on the school side of the road. Belmont Grange Care Home is located to the north east. All properties are separated from the site by their rear gardens with varying widths.
93. The impact of the proposals during construction and operation of the school including use of external sports facilities were considered as part of the previous new schools application and considered to be acceptable subject to conditions where appropriate.
94. During demolition, the proposed hours of working are 08:00 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturdays when required. It is not proposed to work on Sundays, Bank or Public Holidays. Any noisy operations (defined in the Construction Method Statement as deliveries, soil stripping and enabling works, excavations, concrete placement (foundations and upper floors) and steel frame erection and composite decking) are proposed to be undertaken between 09:00 to 17:00 hours or out of those hours upon agreement with the school and neighbours.
95. A Construction Method Statement and Construction Environmental Management Plan have been submitted with the application. These set out how the construction process would be managed seeking to ensure that the site would have a minimal impact on the surrounding residential properties and providing mitigation measures in terms of traffic, noise, vibration and dust during both the construction (Phase 1) and demolition phase (Phase 2). The Construction Method Statement seeks to enhance the safety of the scheme for onsite workers, suppliers, and local residents and seeks to reduce

congestion and disruption providing a framework to reduce the number of deliveries and by scheduling deliveries outside of peak periods.

96. The Construction Environmental Management Plan specifies the method and process of demolition with a mixture of mechanical and hand demolition techniques. It advises that all practical measures would be employed to ensure no significant adverse environmental effects to air quality occur over the site and surrounding area. The document also states that local residents would be informed in writing prior to any demolition works taking place and contact details for the site team would be made available.

#### Noise and vibration

97. Planning conditions would require adherence to the submitted Construction Method Statement and Construction Environmental Management Plan which, amongst other matters, control the hours of construction and limits as to when noisy operations would take place. These also include measures to seek to control vibration.

#### Lighting

98. External lighting is proposed for the new schools development along with sports lighting and lighting for the car park. This was previously assessed and considered to be acceptable subject to conditions where appropriate.
99. Details of any lighting required for demolition can be required through condition.

#### Air Quality/Dust

100. 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 operations. 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 as a result of demolition, earthworks, construction and trackout activities. This has been assessed in accordance with the IAQM methodology. It is advised that, assuming good practice dust control measures are implemented, impacts would be minimised throughout construction. During the operational phase of the development there is the potential for air quality impacts as a result of traffic exhaust emissions associated with vehicles travelling to and from the site. These were assessed against the relevant screening criteria. This has been assessed against the screening criteria provided within relevant IAQM guidance. Due to the low number of anticipated vehicle trips associated with the proposals, road traffic impacts were not predicted to be significant. As such, mitigation to reduce potential effects is not considered necessary.

#### Summary

101. There would be some disturbance to residential properties during demolition operations as there are during construction operations, but these can be mitigated through appropriate conditions and implementation and adherence to the Air Quality Assessment, Dust Management Plan and the Construction Environmental Management Plan. This disturbance would be time limited and necessary to provide new educational facilities.



102. Environmental Health and Consumer Protection (Nuisance Action) officers raise no objection. Providing the submitted dust management plan and Construction Method Statement are adhered to then it is envisaged relevant impacts would be within reasonable parameters and working hours would also be controlled. Officers consider that the development would not lead to an adverse impact and consider that the development is unlikely to cause a statutory nuisance. Environmental Health and Consumer Protection (Air quality) also raise no objections.
103. Overall, it is considered that the proposed demolition works 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 Policies 29, 31 and Part 15 of the NPPF.

#### Access and Traffic

104. Paragraph 114 of the NPPF states that safe and suitable access should be achieved for all users. In addition, Paragraph 115 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.
105. A new vehicular access with The Links has previously been approved in the form of a crossroads junction with Brackendale Road to serve the proposed new schools. The existing vehicular access arrangement with Buckinghamshire Road would remain as existing but be used by the school bus services only, with all traffic associated with the car park reassigned to the new vehicular access on The Links. Pedestrian access to the schools would be via Buckinghamshire Road and The Links.
106. The current access to the site from Buckinghamshire Road is being retained during the construction phase and is utilised by the schools, pupils, staff, and parents. Following the completion of the new buildings and the relocation of students to the new facilities, the access would be utilised for the demolition works. Following the completion of the demolition works and re-installation of the sport pitches the access point would be closed.
107. A Transport Assessment was submitted in support of the previous application. Subject to conditions, the Council as Highways Authority had no objection to the previous application.
108. In terms of the current demolition application, Highways officers advise that subject to the applicant following the procedures as set out in the submitted Construction Environment Management Plan, the proposal would be acceptable from a Highways perspective.
109. No objection is raised by the Council as Highway Authority. It is considered that the demolition proposals have been appropriately assessed 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. It is therefore considered that the proposed demolition of the existing buildings would not conflict with CDP Policy 21 and Part 9 of the NPPF.

## Layout and Design

110. 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 135 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.
111. Tree cover on the wider schools site is generally contained around the periphery of the site or within occasional groups around parking areas and playgrounds. The redevelopment as a whole which includes the approved new schools development and demolition would require the removal of 45 trees and the removal of a hedgerow to allow creation of the new access onto The Links. The loss of trees and hedgerows would be compensated for through the proposed landscaping scheme details of which are to be submitted through condition on the new schools development planning permission. Landscape and trees are considered below.
112. Design and Conservation officers raised no objection to the previous application with details of materials and finishes of the buildings being approved through condition pursuant to that planning permission. Design and Conservation officers raise no objections in relation to the current demolition application.
113. In response to CDP Policy 29 it is considered that the development as a whole would positively contribute to the character and townscape of the area and would create modern buildings capable of providing and accommodating up to date educational needs. Although the current application is for demolition, it would enable the delivery of the approved new schools development. It is therefore considered that the development would accord with CDP Policy 29 and Part 12 of the NPPF in respect of good design.

## Contamination and Coal Mining Risk

114. Part 15 of the NPPF (Paragraphs 124, 180, 189 and 190) 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.
115. The site lies within a Coalfield Development Low Risk Area. A Coal Mining Risk Assessment is therefore not required. Notwithstanding this, the applicant has considered coal mining legacy matters as stated above. The Coal Authority has considered the current demolition application in respect of coal mining risk and raises no objections. The Coal Authority has advised that should planning permission be granted then it would be necessary to include its Standing Advice within the decision notice as an informative note to the applicant in the interests of public health and safety.

116. A Preliminary Investigation (Desk Study) was submitted with the previous new schools application. This identified that the site had been previously occupied by a farm and that there may be possible sources of contamination on the site.
117. Environmental Health and Consumer Protection (Contaminated Land) officers have considered the current demolition application proposals and raise no objections in respect of land contamination. Officers advise that there is no requirement for a contaminated land condition but an informative to cover any circumstance if unforeseen contamination is encountered is recommended.
118. It is considered that the proposed demolition 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 with appropriate mitigation would provide an acceptable standard of residential amenity in accordance with CDP Policies 32 and Part 15 of the NPPF.

#### Flooding and Drainage

119. 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 180 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.
120. Paragraph 173 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.
121. 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
122. The site is entirely located with Flood Zone 1 and within an area of Groundwater Vulnerability as defined by the Environment Agency. There are no watercourses within or adjacent to the site. The site is in Flood Zone 1. The closest watercourses are Pittington Beck 740m to the east and the River Wear some 1.1km to the north west.

123. A Flood Risk Assessment (FRA), Drainage Philosophy and overall proposed drainage general arrangement details have been submitted in support of the application. These are updates to the drainage information submitted with the original application. The FRA identifies that the majority of the site is in an area classified as being at 'Very Low' risk of flooding from surface water, though there are some areas around the existing building that are shown to be at a medium - high risk of surface water flooding, however, these are located outside the area where the new buildings are proposed. The existing risk of flooding from overland sources is categorised as 'medium'. However, the risk would be reduced to 'low' once the proposed works have been completed which includes the demolition of the existing buildings as part of the proposed works and include re-grading the levels of the existing land and providing new relatively level playing fields that are positively drained with regards to sports pitch drainage. In terms of flooding from sewers the FRA established a potential flood risk caused by insufficient flows into the Northumbrian Water Limited sewer on site. However, the new proposals would mitigate this risk by restricting surface water discharges to Greenfield rates, being significantly less than the current scenario. The FRA considers that is at low risk from ground water flooding as well as flooding from artificial sources. The FRA concludes that the overall assessment of flood probability to the site 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.
124. A proposed drainage strategy for the wider new schools development has been submitted with the application. However, Drainage and Coastal Protection officers note that the submitted details relate to the approved new schools development. As such officers have no objection to the proposal demolition application subject to a condition requiring precise details of the surface water management plan for the demolition and control of water during the demolition process.
125. NWL has raised no objections but advises that a public combined sewer and a sewerage rising main is within the red line site boundary be affected by the proposed demolition. It advises that it would work with the developer to establish the exact location of its assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the demolition.
126. 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 as a whole. It is therefore considered that the proposals would not conflict with CDP Policies 35 and 36 and Part 14 of the NPPF.

#### Landscape and Trees

127. Paragraph 180 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.
128. 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.

129. 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.
130. The site is not within any landscape designation. The Durham City Green Belt and an AHLV encircle Gilesgate, Moor End, Carrville and Belmont. At its closest point the Green Belt and AHLV are 355m to the east of the site.
131. There are no TPOs within the site but there are two along the north east boundary at Beechcroft Belmont and Belmont Vicarage and Belmont Grange, Broomside Lane, Belmont, Durham. Some 70m to the north west to the east of Buckinghamshire Road are eight TPOs at Belmont House and in the vicinity of Belmont Court. Nor are there areas of ancient woodland in the vicinity of the site.
132. Existing vegetation would be retained where possible although the proposed development would require the removal of 45 trees and the removal of hedgerow to allow creation of the new access onto The Links. 35 of the trees are considered to be of moderate quality, 8 are of low quality and 2 require removal regardless of the new schools development. Indicative landscaping plans have been provided with the current application to show hard and soft landscaping within the site, including playing fields, pathways and planting. Final details would be provided through condition on the previously approved application.
133. Landscaping details, Tree Survey and Constraints Report and Arboricultural Impact Assessment (AIA), Arboricultural Method Statement and Tree Protection Plan have been submitted in support of the application. The loss of trees and hedgerows would be compensated for through the proposed landscaping scheme and appropriate protection measures put in place for the protection of retained vegetation. The loss of these trees were considered as part of the previous application and found to be acceptable.
134. With regard to the current demolition application Landscape officers raise no objections and advise that there are no landscape and visual issues.
135. The Council's Arboricultural (Trees) officer advise that tree removals would have a negative effect within the site noting that the trees provide mature cover within the carparking area. Trees which are to be retained within the site and those concentrated within the boundaries must be protected with fencing shown within submitted tree report. Inspection must be undertaken before demolition of buildings to ensure that fencing is in place and at the recommended distances shown within the AIA. Officers provide advice on the specifics tree planting recommending that all tree work and planting must be undertaken to a high professional standard in accord with arboricultural best practice and in line with the appropriate British Standard. Planting details are required through the planning permission previously granted for the new schools.
136. The wider development would result in the loss of some tree planting, but this would be mitigated through replacement planting across the site along with the opportunity

to enhancements to the site as part of the development of the site. In addition, there would be appropriate protection of retained trees throughout the demolition phase. It is therefore considered that the proposal would not conflict with CDP Policies 39 and 40 and Part 15 of the NPPF.

## Ecology

137. Paragraph 186 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.
138. 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 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 which could harm a European Protected Species to apply three 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.
139. There are no ecological designations within or immediately adjacent to the proposed site. Some 350m to the south east is The Scrambles Local Wildlife Site (LWS). 1km to the north west is Frankland and Kepier Woods LWS and Ancient Woodland and Frankland Wood Ancient Woodland along the River Wear. 1.4km to the south west is Coalford Beck Marsh LWS. The closest Sites of Special Scientific Interest are located 1.8km to the north west (Brasside Pond SSSI), 2.6km to the north east are Pitlington Hill and High Moorsley SSSIs and 2.5km to the south east is Sherburn Hill SSSI and 4km to the south east Crime Rigg Quarry SSSI. The site lies within an identified SSSI Impact Risk Zone relating to the Brasside Pond SSSI present in the wider area, however, development of the nature proposed does not meet the identified impact risk triggers. Given the distance from the other designated sites it is not considered that the proposed development would have any adverse impact upon them.
140. An Ecological Impact Assessment incorporating a Preliminary Ecological Appraisal, a Bat Survey and Biodiversity Net Gain Assessment have been submitted in support of the application.
141. The Assessment provides an analysis of baseline conditions for the site and an assessment of habitats and species on the site. It is noted that buildings, hardstanding, grasslands and scrub habitats are considered to be of low value, whilst hedgerows and scattered trees present within the site and around the site boundaries are considered to be of up to local value. The Infant School, Junior school and High

School structures are considered to be of moderate suitability to roosting bats. It was found that the site provides opportunities to a range of bird species through hedgerows, scrub and scattered trees. Flat roof structures have the potential to provide nesting opportunities for gull species and the assessment recommends that a bird risk assessment during the nesting season is undertaken to confirm the value of the site to nesting birds. Although the priority species hedgehog was recorded within the site during two of the transect surveys, the site is considered to be of low value to this species. Due to the nature of the habitats present, other notable or protected species are considered likely to be absent from the site.

142. The Assessment recommends avoidance, mitigation and compensation measures based on the survey work undertaken to date. These include: avoiding external lighting that may affect the site's suitability for bats or ensure it is limited to low level; alternatives to timber treatments that are injurious to mammals will be sought and used on site; any excavations left open overnight to have a means of escape for mammals that may become trapped; retained trees to be protected; no demolition works to the High School or the Infant School to be undertaken prior to a Natural England licence being granted; removal of key features around bat roosts by hand and supervision by a suitably qualified ecologist; works to other structures to be undertaken in accordance with a precautionary method statement in order to reduce the risk to bats; no works undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and nests are confirmed to be absent. It is also recommended: that landscape planting should include berry and fruit bearing species to provide increased foraging opportunities in the local area; areas of species rich coarse grassland and native scrub planting be incorporated into landscape plans; consultation with the LPA in order to confirm Net Gain requirements; installation of 20 bird boxes; incorporation of 10 bat roosting features into the proposed structures (specifications to be agreed with Natural England as part of Protected Species Licence), and works on site should be undertaken in accordance with a Construction Environmental Management Plan.
143. The report states that in order to confirm the value of the site to bird species a breeding bird risk assessment should be completed during the nesting season (March - August inclusive) and should additional trees be needed to be removed then ground based assessments would be required. With regard to a bird breeding assessment the Council's Ecologist has advised this is not required.
144. Results of bat surveys undertaken in August and September 2022 have been submitted. The drama building was found not to be suitable for bats, but the other buildings had potential to support them during the winter hibernation period and during the summer maternity period. Further surveys were subsequently carried out to determine the extent of bats present and any required mitigation measures. Dusk emergence surveys completed during September 2022 identified the presence of at least one, likely two common pipistrelle day roosts within the existing high school and a common pipistrelle day roost within the existing infant school, these were identified as roosts of local value. As the roosts had the potential to support bats during the winter hibernation period and during the summer maternity period, additional survey work was required to be carried out over the spring/summer to provide clarity on the extent of use of the buildings by bats.
145. Further bat surveys have been completed in 2023 and identified the presence of two common pipistrelle day roosts within the High School. No roosts were recorded within the Infant School during the 2023 surveys. The identified roosts are considered to be of local value. No roosts have been proven within the remaining buildings on site. The initial daytime risk assessment identified that the High School, Infant and Junior School all have the potential to support bats during the winter hibernation period and during

the summer maternity period, however survey during May and June 2023 did not record any evidence of maternity use. Transect survey and remote monitoring during August and September indicates that the wider site is likely to be of low value to foraging and commuting bats with small numbers of pipistrelle bats recorded using the site and noctule also recorded in the area on occasion.

146. Bats are a protected species and the presence of protected species such as bats is a material planning consideration. The loss of a roost of any size requires a European Protected Species Licence, which must be obtained from Natural England prior to the work being carried out on the building. 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.
147. In respect of the three derogation tests contained in the Regulations, the demolition would be critical for the delivery of the approved new schools development as the land is required for the provision of the sports fields and landscaping and completion of the approved development as a whole. In addition, the existing buildings housing the identified roosts would need to be removed to prevent them becoming hazards once vacated. The development is therefore of overriding public interest and would protect public health and safety. Leaving the existing school buildings 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 buildings. Finally, the loss of three bat day roosts 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. Accordingly, it is concluded that the derogation tests would likely be satisfied. Replacement roost provision is likely to be required as part of the Licence. A total of 10 bat roosting features would be incorporated into the proposed structures, the exact specification would be agreed with Natural England as part of the Licence. Ecology officers consider that the bat survey work is sound, but that demolition should not proceed until a Licence is in place.
148. The Biodiversity Net Gain Assessment is supported by a DEFRA's Biodiversity Metric 3.1. The metric advises that the baseline site provides 77.83 habit units and 7.22 hedgerow units. Post development and taking into account the habitat creation set out in the paragraphs above, the site would provide 78.42 habitat units and 15.5 hedgerow units equating to a net gain of 0.58 units or 0.75% for habitat and 8.27 units or 114.55% for hedgerow. In addition, the Assessment advises that the trading rules of the metric have been satisfied.
149. Ecology officers had no objection to the previous application noting that the BNG report confirmed a net gain of 0.75% in habitat and a gain of 114.55% in hedgerows and agree that trading rules have been met. Officers advised a Biodiversity Management and Monitoring Plan (BMMP) that covers a 30 year period from the date the habitats were created was needed with monitoring being undertaken in years 2, 5, 10, 15, 20 and 30 and the results supplied to the Council after each monitoring visit. A condition was regarded as a suitable mechanism in this case as the Council was the applicant. A BMMP has now been approved through condition.
150. The previously approved new schools development 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 development in its amended form 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/Sporting Provision

151. 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 103 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.
152. 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.
153. The approved new school buildings would be built on the existing playing fields to minimise disruption to the schools during this period. This would result in a temporary loss to some of the sporting provision on site however, an existing playing field area will be retained on site which would provide two natural grass pitches and existing courts to the south west corner would also be retained during the construction period. Furthermore, the schools would also have access to an off-site playing field to the north of Broomside Lane and west of the A1. School rebuild proposals are considered against Sport England's playing field policy, exception 4 on the basis that the playing pitch provision would be replaced once the new buildings are completed and the redundant buildings demolished, and this can be secured by planning condition.
154. Once operational, the proposals would result in an overall betterment to the sporting provision on site; the existing playing field area on site (across both schools) is a combined total of 39,942sqm and the proposed playing field provision would increase to 42,425sqm (an increase of 2,483sqm), which would include a playing field area of 30,986sqm, sports courts and an artificial grass pitch amounting to 11,439sqm.
155. Sport England raised no objection to the previous application subject to conditions and considered the proposal to meet exception 4 of Sport England's Playing Fields Policy and Guidance document, this being that the area of playing field to be lost as a result of the proposed development would be replaced, prior to the commencement of development, by a new area of playing field.
156. In terms of the current application, Sport England advises that demolition proposals are not a form of development which it is usually consulted upon. In this instance however, the demolition of these buildings would deliver the replacement playing field (in the form of an Artificial Grass Pitch) that means that the overall redevelopment of the school site meets playing field policy. In light of this Sport England wishes to support this application.

157. The demolition of the existing buildings would enable the delivery of the approved scheme which includes the provision of replacement playing fields and overall improvement in sports provision on the site in addition to the new schools. It is therefore considered that the proposal would accord with CDP Policy 26 and Part 8 of the NPPF.

## Cultural Heritage

158. 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.
159. 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.
160. The site is not within a Conservation Area and there are no designated heritage assets within the proposed site. The closest listed buildings are located to the north and north east. These being the Grade II Old School Community Centre and House Attached approximately 15m to the north and the Grade II Vicarage of St Mary Magdalene with Yard Wall and Gateway 25m to the north in the north eastern part of the site. The Grade II Church of St Mary Magdalene is located approximately 68m to the north of the site to the north of Broomside Lane. 158m to the north is the Grade II Belmont War Memorial. Other listed buildings are some 1.8km distant from the site. The site lies close to the site of Ravensflatt medieval farmhouse. The Durham City Conservation Area lies over 1.6km to the south west with Sherburn House Conservation Area to the south and Sherburn Conservation Area 1.3km to the south east. The Durham Castle and Cathedral World Heritage Site is 3km to the south west with the World Heritage Site Inner Setting being closer at 1.4km to the south west. Kesper Hospital Scheduled Monument lies 2km to the west and Maiden Castle promontory fort.
161. In considering the previous new schools application the impact upon the setting of nearby listed buildings was assessed. Design and Conservation officers reviewed the impact of that proposal on the adjacent listed buildings to the north of the application site and concluded that there would be no harm to their setting. In response to the current demolition application Design and Conservation officers raise no objection from a design and conservation perspective.
162. Archaeology officers raise no objection to the current demolition application stating that there are no archaeological concerns regarding the demolition of the existing school buildings. Archaeological investigations in advance of the construction of the replacement buildings and landscaping would take place as part of Planning Permission No. DM/22/03248/FPA.

163. It is considered that, subject to conditions, the proposal would cause no harm to heritage assets or archaeological remains in accordance with CDP Policy 44 and Part 16 of the NPPF and the Listed Building Act.

#### Other matters

164. The site lies within the mineral safeguarding area for coal as defined in the County Durham Plan and the south eastern corner of the site lies within an area identified for glacial sand and gravel. CDP Policy 56 advises that planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area or which will sterilise an identified 'relic' natural building and roofing stone quarry as shown on Map C of the policies map document unless one of the following apply: a) it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value as it does not represent an economically viable and therefore exploitable resource; b) provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact on the environment, human health or the amenity of local communities and within a reasonable timescale; c) the non-minerals development is of a temporary nature that does not inhibit extraction within the timescale the mineral is likely to be needed; d) there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral; or e) it constitutes exempt development as set out in appendix C of the Plan. Given the location of the site, the existing and proposed use of the land as well as the likely quality of mineral within the site, it is high unlikely that mineral extraction would be appropriate or viable in this is location. Furthermore, in line with criteria d) it can be argued that there is an overriding need for the provision of new schools on an existing site which outweighs the need to safeguard the mineral. In order to deliver the new schools development is necessary to demolish the existing buildings. It is therefore considered that the proposed demolition development would not conflict with CDP Policy 56 and Part 17 of the NPPF.
165. The site lies within the consultation area of the High Moorsley Metrological Office for any building/works exceeding 45.7m above ground level. The Metrological Office has advised that it has no objections to the proposal noting that it is approximately 3.9km from the meteorological radar and there would not be any impact on the data, or the forecasts and warnings derived from it. There would therefore be no conflict with CDP Policy 28 or the NPPF.
166. There are no recorded public rights of way within or in the immediate vicinity of the school grounds. There is no information as to whether any part of the school grounds is subject to unrestricted public access. Public rights may be accrued by 20 plus years uninterrupted use however the Council currently has no user evidence on file in support of one or more public rights of way over this land. Access & Rights of Way officers raise no objection to the proposals advising they have no comments to make. The development would not conflict with CDP Policy 26 and Part 8 of the NPPF.
167. One representation has been received related to staff parking during the construction phase and queries if a park and ride could be provided as there is currently local congestion with parked cars. In response an area for designated contractor parking has been highlighted in the Construction Method statement. All contractors will be asked to use this parking area rather than the street along with promoting the use of shared vehicles where possible.

168. 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.
169. 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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170. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.
171. The proposed demolition would assist in the delivery of a modern, efficient primary and secondary school within Belmont on a site currently in use for education purposes. The proposed development would provide a significant benefit to the community, would be sustainable and well designed, and in keeping with and complementary to its surroundings.
172. Consideration has been given to the principle of the development and the impact of the proposals in terms of layout and design, locational sustainability of the site, renewable energy, access and traffic, residential amenity, contamination and coal mining risk, flooding and drainage, landscape, ecology, recreational amenity/sports provision, cultural heritage and other matters. The development has been assessed against relevant development plan policies and material considerations and, subject to conditions where appropriate, the impacts are considered to be acceptable.
173. The proposed development has generated limited public interest, with one representation having been received related to staff parking during the construction phase. This concern has been taken into account and the Construction Method Statement takes this into account.
174. The proposed development is considered to broadly accord with the relevant policies of the County Durham Plan and relevant sections of the NPPF.

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## **RECOMMENDATION**

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175. 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 development.

*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:

- Site Location Plan ZZ-D-A-90000 (REV AA)
- Hard Landscape GA Sheet 1 (ref: LA0001-ONE-ZZ-ZZ-D-L-015110-C04)
- Hard Landscape GA Sheet 2 (ref: LA0001-ONE-ZZ-ZZ-D-L-015111-C06)
- Hard Landscape GA Sheet 3 (ref: LA0001-ONE-ZZ-ZZ-D-L-015112-C06)
- Hard Landscaping GA Sheet 4 (ref: LA0001-ONE-ZZ-ZZ-D-L-015113-C04)
- Hard Landscaping GA Sheet 5 (ref: LA0001-ONE-ZZ-ZZ-D-L-015114-C04)
- Hard Landscape GA Sheet 6 (ref: LA0001-ONE-ZZ-ZZ-D-L-015115-C05)
- LA0001-ONE-ZZ-ZZ-D-L-020001-C01\_SiteLandscapingPlanExisting-DemoWorks
- Site Landscape Plan (ref: LA0001-ONE-ZZ-ZZ-D-L-015000-C09)
- Outline External Levels Sheet 1 (ref: LA0001-ONE-ZZ-ZZ-D-L-233001\_C05)
- Outline External Levels Sheet 2 (ref: LA0001-ONE-ZZ-ZZ-D-L-233002\_C05)
- Outline External Levels Sheet 3 (ref: LA0001-ONE-ZZ-ZZ-D-L-233003\_C05)
- Outline External Levels Sheet 4 (ref: LA0001-ONE-ZZ-ZZ-D-L-233004\_C06)
- Outline External Levels Sheet 5 (ref: LA0001-ONE-ZZ-ZZ-D-L-233005\_C06)
- Outline External Levels Sheet 6 (ref: LA0001-ONE-ZZ-ZZ-D-L-233006\_C05)
- Drainage Design – Natural Turf Plan (ref: TGMS0461.12-1 Rev 1)
- LA0001-BGP-00-ZZ-D-C-165010\_C03 Doctors Surgery Drainage Diversion
- LA0001-BGP-00-ZZ-D-C-165000\_C09 Proposed Drainage GA

#### Documents

- Air Quality Assessment LA0001-APX-ZZ-ZZ-T-X-353003-C02 December 2022 by Apex
- Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan ARB/AE/2820 October 2022 by Elliot Consultancy
- Construction Environmental Management Plan dated 16/12/22 by Kier
- Construction Method Statement by Kier
- Design and Access Statement Rev B 8 November 2022 by Norr
- Dust Management Plan Revision A dated 26/01/2023 by Kier
- Ecological Impact Assessment September 2023 V4 by OS Ecology
- Planning Statement R001 V2 by DPP
- Pre-development Tree Survey ARB/AE/2820 March 2022 by Elliot Consultancy
- Bat Survey June 2023 by OS Ecology

*Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies 6, 21, 26, 27, 28, 29, 31, 32, 33, 35, 36, 39, 40, 42, 43, 44 and 56 of the County Durham Plan and Parts 2, 6, 8, 9, 14, 15, 16 and 17 of the National Planning Policy Framework.*

4. The approved Construction Method Statement, Construction Environmental Management Plan, and Dust Management Plan shall be adhered to throughout the demolition period and the approved measures shall be retained for the duration of the demolition 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 6, 21, 29 and 31 of the County Durham Plan and Part 15 of the National Planning Policy Framework.*

5. Demolition operations shall only take place within the following hours:  
08:00 to 18:00 Monday to Friday  
08:00 to 13:00 Saturday

Noisy operations as defined in the Construction Method Statement by Kier V2 shall only take place within the following hours:  
09:00 to 17:00 Monday to Friday

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. No development permitted under this permission shall commence until a site specific surface water management plan for the demolition and control of water during the demolition process hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

*Reason: To prevent the increased risk of flooding from any sources and to ensure surface water are appropriately managed on site in accordance with County Durham Plan Policy 35 and Part 14 of the National Planning Policy Framework. Required to be a pre-commencement condition to ensure a suitable scheme is agreed to prior to commencement of the development.*

7. The development hereby approved shall take place in accordance with the approved Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan ARB/AE/2820 October 2022 by Elliot Consultancy and protective fencing shall be erected prior to demolition works and maintained during those works in accordance with the approved document.

*Reason: In the interests of the visual amenity of the area and to comply with Policies 29 and 40 of the County Durham Plan and Parts 12 and 15 of the National Planning Policy Framework.*

8. Any external lighting associated with the demolition works should be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be erected and maintained in accordance with the approved details thereafter.

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

9. The development hereby approved shall be carried out in full accordance with the recommendations set out in the submitted Ecological Impact Assessment September 2023 V4 by OS Ecology.

*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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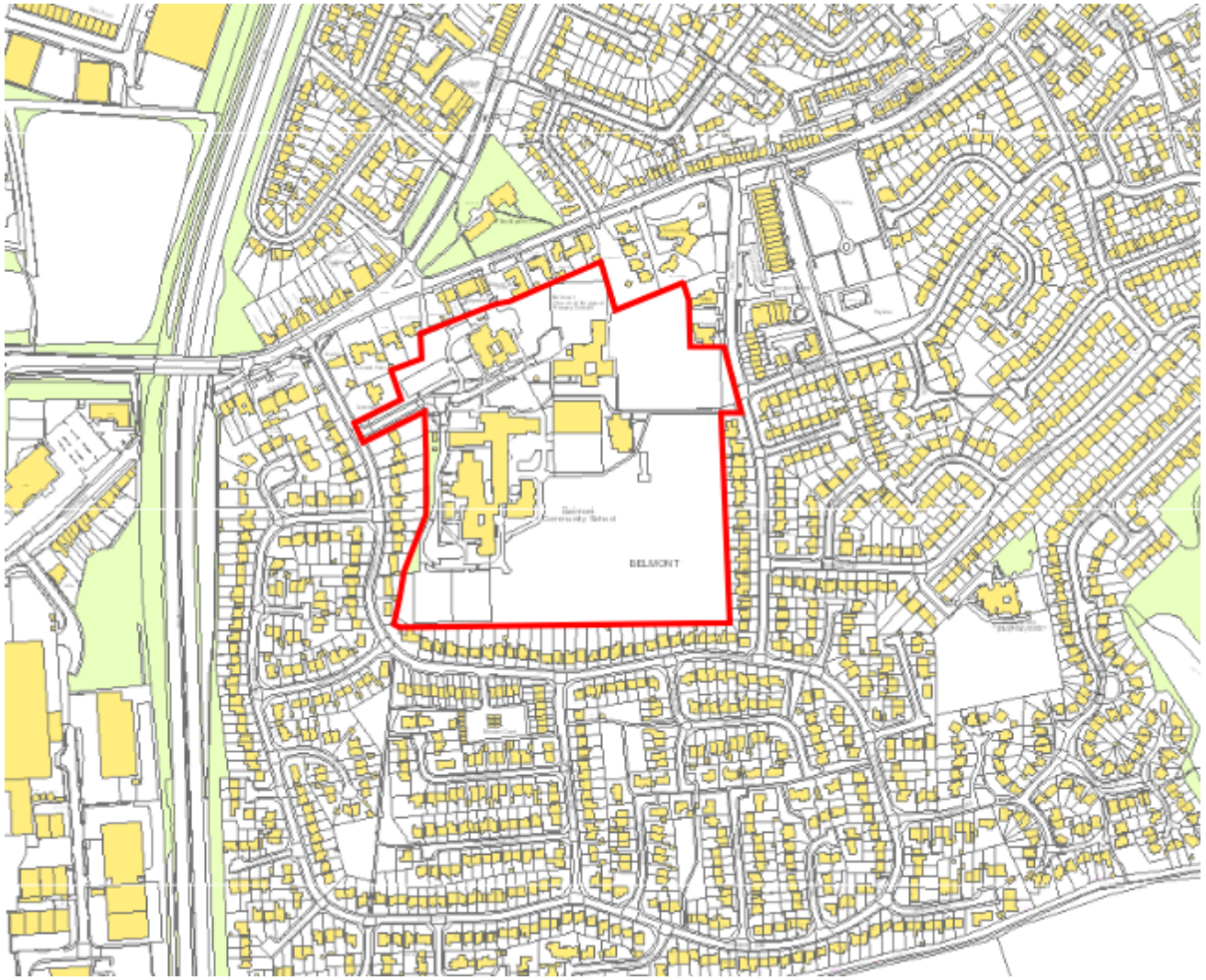
In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant 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 (December 2023)
- National Planning Practice Guidance notes
- County Durham Plan
- Statutory, internal and public consultation response



**Planning Services**

DM/23/00294/FPA

Demolition of existing school buildings with the exception of the drama block – Belmont Church Of England Junior School, at Buckinghamshire Road, Belmont, Durham, DH1 2QP

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**Comments**

**Date** December 2023

**Scale** Not to Scale