APPLICATION DETAILS

APPLICATION NO: CMA/1/77, CMA/1/79 and 1/2012/02/DRC

1. Demolition of leisure centre and football club and construction of leisure facilities and academy (Reserved Matters application comprising layout, external appearance and landscaping).

FULL APPLICATION DESCRIPTION:

2. Removal of Condition 20 from outline planning permission 928/1/190 which prevents enclosure of the ‘accessible site’.

3. Discharge of planning Conditions 32, 33, 34 and 35 from outline planning permission 928/1/190

NAME OF APPLICANT: Durham County Council

ADDRESS: Belle Vue Site, Medomsley Road, Consett

ELECTORAL DIVISION: Consett North

CASE OFFICER: Ann Rawlinson, Senior Planning Officer

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DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site lies to the north of Consett town centre and extends to around 14.4 hectares (35.58 acres) The site is bordered by Medomsley Road (B6308) to the west, Ashdale Road to the south and Villa Real Road (A691) to the north. Properties within part of the Oakdale Road Residential Estate, Villa Real Estate and Consett Junior School adjoin the eastern boundary. The northern and eastern boundaries are lined by mature trees. The existing Magistrates Court sits to the south west of the site.

2. The site is currently in use for a mix of leisure related purposes. These include the Belle Vue Leisure Centre, Consett Football Club and Consett and District Rugby Club and their related playing fields. The site also incorporates the site of the former Derwentside District Council offices, now demolished, and car park, and the listed war memorial (Grade 2). Existing development is largely confined to the southern and western parts of the site with playing fields to the north.
The demolished site is at present secured by fencing. The developed part of the site including the football ground is generally at a lower level than the playing pitches and the Medomsley Road frontage, with the site sloping down significantly from north west to south east.

3. There is at present a large telecommunications structure and associated ancillary equipment sited to the front/side of the existing leisure centre and football ground. Officers are currently in discussions with the owners of this structure and progress is being made for its suitable relocation. An indication of a potential relocation to the eastern side of the rugby club car park is shown on the submitted site layout drawing. However a number of locations are presently being considered and as yet there is no definitive proposed position. This would in any case be the subject of a wholly separate planning application to be submitted for consideration in due course.

The Proposal

4. This report relates to the proposed development of a new academy for secondary education in Consett which aims to amalgamate the existing Consett Community Sports College and Moorside Community College schools on a new site. These proposals have been submitted by the County Council in its capacity as co-sponsor. Durham University is the lead sponsor within a consortium (Durham Excellence in Education Partnership) that includes the North East Chamber of Commerce. The Consett Academy is included within Phase 2 of the Durham BSF programme which targets the delivery of schemes mainly within the south area of the County over the 2013-2015 time period.

5. This proposal also includes the provision of replacement leisure facilities as an integral part of the development. These would be managed by the County Council’s Sport and Leisure Service. This report considers the acceptability of three separate applications. Each application is detailed below.

6. The main application under consideration seeks Reserved Matters approval for the layout, external appearance and the landscaping of the approved leisure facilities and academy pursuant to Conditions 2 and 3, of the extant outline planning permission (928/1/190) for the development, approved on the 12th of March 2010. The approved application gave outline planning permission for the demolition of the Derwentside Council offices, leisure centre, rugby club facilities, football club and construction of new combined leisure facilities and academy. The vehicular access points to the site and the scale of proposed development formed part of the outline permission. However the rugby club facilities are no longer to be demolished and are now to be retained in situ.
7. The applications are accompanied by a comprehensive package of plans and documents covering a range of matters including; Design and Access Statement, Contaminated Land Risk Assessment, Phase 1 Habitat Survey, Flood Risk Assessment, Travel Plan and External Sports Design. This report has taken into account the information contained in these submissions and that arising from statutory consultations and other responses.

8. The outline planning permission showed an illustrative layout of how the site and building could be developed. The present scheme has been adapted and developed from this. The concept of the single building, and the scale that this would require was an agreed principle taken forward in the advancement of the scheme to this detailed design stage. As well as the economics of scale in construction, costs and management, both facilities would be available to the community, increase the range of facilities available for pupils and provide enhanced facilities for sports clubs as well as seeking to create a presence and focus within its community.

9. The key fundamental element of the design of the scheme is a single building which accommodates the academy and leisure centre. The synergy of the scheme revolves around the effective sharing of a number of the facilities, particularly the sports hall and changing facilities. A further layer of secondary shared space such as pools, fitness suite in the leisure centre, and main hall and performance areas in the academy is a positive benefit of co-location. By sharing facilities an increased offer and potential is available to all users, whilst respecting two establishments in their own right and still allowing separate identities and faces to the building.

10. The proposed development would provide a 1700 space academy of approximately 12,360 m$^2$ floorspace for pupils aged 11 – 18 years including a sixth form of 200 students. The siting of a rectangular building, behind the existing magistrates court would be located within the bowl of the existing football pitch. The two storey leisure centre at the western end facing Medomsley Road would extend via one large double height sports hall, into a three storey academy addressing Ashdale Road. The building would utilise the fall in the topography such that the accommodation sits under a single roof plane, although with separate and distinct entrances off the two main thoroughfares. One of the key drivers in the design process was the sharing/flexible use of space and facilities and thus critical timing of use, to benefit from each others spaces whilst ensuring robust child safety systems.

11. The basic layout would consist of 2 no. 3 storey teaching wings, including a large main hall and lecture theatre, arranged around a flexible central space in the form of a glazed atrium that would provide adaptable catering, performance and open plan research/learning decks. The leisure facilities within the building would have a floor area
of about 4,684m² and would include a sports hall, squash courts, studios, activity halls, a 25m swimming pool with flume area, learning pool, spectator areas, fitness suite, café, children’s soft play area and changing rooms. The large sports hall would be designed to be separated into two smaller halls for both simultaneous academy and leisure centre use with provision for 4 courts in each (8 overall). Changing provision is also provided for separate academy and leisure centre use.

12. At its maximum the building is shown to have dimensions of 160m (length) by 50m (depth) and the main roof of the three storey sections would have a height of approximately 14m at the highest point. Two very separate contrasting but entirely related elements would distinguish between the academy and the leisure centre. The detailed design of the building elevations would have a sharp contemporary appearance encompassing extensive full length glazing and incorporating a combination of render, granite ceramic cladding (buff matt and matt black with polished banding), split faced block work with contrasting textured and polished banding, polished block work, various different blue coloured cladding panels and an aluminium roof material.

13. Directly to the north of the building would be children’s play area and outside café seating. Separated from this by wildflower meadow would be hard and soft surfaced academy external space including a science garden, separate 6th form garden orchard area, performance space and viewing area. Beyond this would be a large floodlit multi-use games area (MUGA), hard surfaced formal courts (suitable for basketball, hockey, netball, tennis etc.) practice areas and a senior floodlit artificial grassed pitch. To the eastern side of the building would be floodlit sprint lanes, a 4 lane synthetic surface running track, field athletics areas, training grids and two grassed playing fields (one junior and one senior). Cricket and rounders could also be able to be played outside these pitch areas. To the north of these, outside the proposed fenced area would be two 5 a-side /mini soccer areas. Land beyond these extending up to the trees adjacent Villa Real Road would remain open. The academy pitches and outside and inside sports areas would be available for general community and sports club use via booking arrangements.

14. The relocation of the existing skate park would also be accommodated to the eastern side of the existing leisure centre access fronting onto and accessed independently off Ashdale Road. Extending between this and the main academy entrances would be growing areas, including raised planters, a greenhouse and an external technology space. Extending round the eastern edge of the site an equipped trim trail is also proposed. To the very eastern edge of the site adjacent Consett Junior School a habitat garden is proposed. It is intended that this would also be available for use by the Junior School.
15. Vehicular access to the academy would be taken from the site access that currently serves the existing leisure centre on Ashdale Road. It is also intended to utilise the existing vehicular access arrangement off Medomsley Road, which formally served the Council offices, to serve the proposed leisure centre car park. The existing secondary access off Park View further to the north would serve residents of these properties only. The existing rugby club car park, incorporating 68 spaces, would be accessed through the leisure centre car park. Three new pedestrian access routes to the leisure centre would be taken from Medomsley Road, adjacent Park View, the existing entrance and an enhanced footpath from Ashdale Road. Pedestrian accesses to the academy (pupil and visitor) would be provided from an extended paved boulevard off Ashdale Road with a footpath link to both facilities to the northern side from Villa Real Road.

16. Car parking (101 spaces including 5 disabled) and a bus drop off area (to accommodate 5 buses) would be provided to the front of the academy building (currently occupied by the existing leisure centre car park) and a further area for use in association with the leisure centre would be available to the front of the leisure centre (previously the civic centre), incorporating 2 bus drop off points and 125 spaces including 7 disabled. The scheme would also include extensive cycle parking provision.

17. The existing war memorial would be retained and its setting enhanced as part of the proposals. Works would incorporate new surfacing around the memorial, the retention of a small area of existing car parking, seating, landscaping, enclosures and street furniture.

18. A combined service yard, incorporating bin storage, air condensers other plant and mini bus parking area would be located behind the existing magistrate’s court, accessed from both car parks and enclosed by powder coated louvered screens. A small substation would be sited to the far south western corner of the site to the west of the magistrate’s court.

19. An extensive landscaping scheme would be incorporated into the proposals, including the retention of existing trees, additional trees for softening/screening and buffer purposes, inclusion of incidental amenity grassed areas, hedge and shrub planting, ornamental and orchard planting. A notable element is the intended boulevard theme along frontages, walkways and generous landscaping within and around car parking area and surrounding built elements.

20. A variety of different hard surfaced areas are also proposed including tarmac, rumble strips, block paving, feature paving, natural stone paving and whinstone surfacing with timber edging. Plinths for student artwork/sculptures would be incorporated as would a variety of street furniture, benches etc.
21. The extant planning permission was also subject to a number of conditions which required the submission and agreement of further detailed information with the Planning Authority, either prior to the submission of the reserved matters application, at the same time or (for the majority) prior to commencement of the development.

22. Permission is also sought to remove Condition 20 from the outline planning permission, which prevents enclosure of the ‘accessible site,’ an area free from fencing, which was shown on the illustrative layout submitted as part of the outline application. The area consisted of publically accessible playing field and open grassed space to the north and east of the site.

23. The third application under consideration seeks to discharge planning Conditions 32, 33, 34 and 35 from the outline planning permission. These relate to the sports provision on the site and are as set out as follows:

- Condition 32 requires, prior to the submission of the reserved matters application an audit setting out the quantity of playing pitch to be lost as a result of the development and the quality of pitch and ancillary provision across the Belle Vue playing fields.
- Condition 33 requires that the reserved matters application shall include measures to secure replacement playing fields (s) of equal or better quality and quantity to those that will be lost to the development.
- Condition 34 requires that the reserved matters application shall include details of the relocation of the teams affected.
- Condition 35 requires that prior to the submission of the reserved matters an audit setting out: the current community sports facilities across the Belle Vue leisure facilities, Consett and Moorside Comprehensive Schools; an assessment of local facility needs (community and sporting groups) for identified facility types and how the findings have informed the proposed mix of facilities.

24. These Conditions seek to ensure the satisfactory, quality, quantity and accessibility of replacement provision which secures a continuity of sports provision. The original permission required this information to be submitted 3 months before the submission of the reserved matters application to ensure that the results of the audits and findings of the local community and sporting groups facility needs could inform the mix and extent of facilities and pitches within the design and development of the scheme. These Conditions were subsequently varied to allow submission of the information up to one month before the submission of the reserved matters application in order that the new ‘Durham County Council Playing Pitch Strategy and ‘Playing Pitch Toolkit’ could
be used to perform and support the audits and thus inform the mix and extent of facilities proposed.

25. The applicant, as part of this current application is also seeking to discharge the majority of the outstanding conditions from the existing outline planning permission. Information has been submitted to seek to agree the following conditions, listed below:

- Condition 4 - existing and proposed site levels
- Condition 7 - phasing programme, timing and sequence of works.
- Condition 8 - materials to be used in external surfacing.
- Condition 9 - layout, construction and sight lines of access.
- Condition 10- parking spaces, materials, drainage, bus drop off
- Condition 11 - hard and soft landscaping.
- Condition 12 - proposed removal and retention of trees.
- Condition 14 - protection of retained trees.
- Condition 15 –position of CCTV cameras.
- Condition 16 - footpaths, cycle paths, retaining walls and access ramps
- Condition 18 - signs, external play, storage, bin structures, waiting shelters, art work and relocated skate park.
- Condition 19 - means of enclosures.
- Condition 21 - floodlighting and hours of operation.
- Condition 22 - flood light maintenance scheme.
- Condition 23 - cycle stands.
- Condition 24 -hours or use of the buildings and external facilities.
- Condition 26 - travel plan
- Condition 27 - scheme to minimise energy consumption
- Condition 28 - submission of geo-technical investigation
- Condition 29 - programme of archaeological work.
- Condition 30 - flood risk assessment
- Condition 31- discharge of surface water
- Condition 37 - investigation and risk assessment of contamination
- Condition 38 -site remediation
- Condition 43- submission of a phase 1 habitat survey
- Condition 45- off site traffic management scheme

26. Applications for the approval of Reserved Matters, discharge and removal of conditions are normally determined under the officers scheme of delegated powers. However these applications are reported to planning committee on the basis that, in the opinion of the Head of Planning, they are by their nature particularly controversial and the three applications are inextricably linked.
PLANNING HISTORY

27. The Belle Vue Park site has been in open use for playing fields for many years. Consett Football Club has been present since the 1950’s and the former Council offices and existing leisure facilities on the western and southern areas were developed during the 1970’s. The Rugby Club has been based there since the 1990’s and has had upgrades to its facilities since then. The Skate Park was formed on part of the leisure centre car park following the receipt of planning permission in 2003.

28. Outline planning permission was granted in March 2010 for the demolition of the existing leisure centre, Council offices, football and rugby club facilities and construction of new academy and leisure facilities on the site. This also gave permission for the intended scale of and vehicular access points into the proposed development.

29. Planning permission was granted in November 2011 at land adjacent to Tesco’s Store, Delves Lane, Consett, for a new category E football ground for Consett AFC. The development is to include a club house, changing facilities, floodlighting and associated car parking and access road. This has yet to be implemented, however it is envisaged that work will be complete prior to removal of the existing Belle Vue facilities.

PLANNING POLICY

NATIONAL POLICY

30. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.

31. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’; The following elements of the NPPF are considered relevant to this proposal:

32. **NPPF Part 1 – Building a strong, competitive economy** – The NPPF outlines in paragraph 19 that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 22 specifically states that; planning policies should avoid
long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

33. **NPPF Part 4 – Promoting Sustainable Transport** - States that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It is recognised that different policies and measures will be required in different communities and opportunities to maximize sustainable transport solutions which will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

34. **NPPF Part 7 – Requiring Good Design** - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive.

35. **NPPF Part 8 – Promoting Healthy Communities.** Recognises the part the planning system can play in facilitating social interaction and creating healthy and inclusive communities. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities and planning policies and decisions should achieve places which promote safe and accessible environments. This includes the development and modernisation of facilities and services.

36. **NPPF Part 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change.** Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy.

37. **NPPF Part 11 – Conserving and Enhancing the Natural Environment.** The planning system should contribute to, and enhance the natural environment by; protecting and enhancing valued landscapes, recognizing the benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing new and existing development being put at risk from
unacceptable levels of soil, air, water or noise pollution or land instability, and remediating contaminated and unstable land.

38. **NPPF Part 12-Conserving and Enhancing the Historic Environment** - In determining applications LPAs should take account of; the desirability of sustaining and enhancing the significance of the heritage asset, the positive contribution conservation of heritage assets can make to sustainable communities and economic viability, and the desirability of new development making a positive contribution to local character.

**REGIONAL POLICY**

39. **The North East of England Plan** - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

40. In July 2010 the Local Government Secretary signalled his intention to revoke Regional Spatial Strategies with immediate effect, and that this was to be treated as a material consideration in subsequent planning decisions. This was successfully challenged in the High Court in November 2010, thus for the moment reinstating the RSS. However, it remains the Government's intention to abolish Regional Spatial Strategies when Orders have been made under section 109 of the Localism Act 2011, and weight can now be attached to this intention. For the time being, at least, the following policies are considered relevant.

41. **Policy 1 – North East Renaissance** – Developments should support a renaissance throughout the north east by delivering sustainable economic growth and conserving, enhancing and capitalising on the regions natural and built environment, heritage and culture.

42. **Policy 2 – Sustainable Development** - Seeks to embed sustainable criteria throughout the development process and influence the way in which people take about where to live and work; how to travel; how to dispose of waste; and how to use energy and other natural resources efficiently.

43. **Policy 3 - Climate Change** - Sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.
44. **Policy 4 - Sequential Approach to Development** – Requires a sequential approach to development giving priority to previously developed sites in the most sustainable locations.

45. **Policy 7 – Connectivity and Accessibility** – Requires the internal and external sustainable connectivity and accessibility of the North East of England, with focus upon the reduction in use of the private motor car and increase in green and sustainable infrastructure.

46. **Policy 8 - Protecting and Enhancing the Environment**- Requires new development to maintain local distinctiveness.

47. **Policy 9 - Tyne and Wear City Region** - supports the concentration of new development around key centres within the Region

48. **Policy 13 – Brownfield Mixed-use Locations** - Aims to deliver sustainable economic activity and provide development and investment opportunities that will ensure the long-term development and regeneration of the North East.

49. **Policy 14 - Supporting Further and Higher Education** - Recognizes the importance of strategies, plans, programmes and planning proposals in supporting the growth and increasing role of universities and colleges in the regional economy.

50. **Policy 24 - Delivering Sustainable Communities** - All development within the Region should be designed and located to deliver sustainable communities. Proposals should assess the suitability of land for development and the contribution that can be made by design in relation to 16 detailed criteria, including concentrating development in urban locations, reducing need to travel, proximity to infrastructure, health and well-being, biodiversity and crime prevention/community safety.

51. **Policy 25 - Urban and Rural Centres** - Supports the provision of educational and recreational facilities in urban centres to maintain and enhance the health and vitality of these areas.

52. **Policy 27 - Out of Centre Leisure Developments** - Require a sequential approach to be taken to the provision of leisure facilities outside town centres to justify the choice of location.

53. **Policy 33 - Biodiversity and Geodiversity** - Proposals should ensure that the Region’s resources are protected and enhanced to return key resources to viable levels.

54. **Policy 35 - Flood Risk** - Requires consideration to be given to the flood risk implications of development proposals adopting the sequential risk based approach.
55. **Policy 38 – Sustainable Construction** – Planning proposals should seek to encourage sustainable design of new buildings and facilitate the generation of at least 10% of the Region’s consumption of electricity from renewable sources.

56. **Policy 39 - Renewable Energy Generation** - Planning proposals should, facilitate the generation of at least 10% of the Region’s consumption of electricity from renewable sources by 2010.

57. **Policy 54 – Parking and Travel Plans** – seeks to support the delivery of improved public transport throughout the Region, the promotion of travel plans and the provision and pricing of parking will be essential. Key elements include the marketing of public transport, cycling, walking and car sharing in trying to influence travel behaviour.

**LOCAL PLAN POLICY:**

Derwentside Local Plan (January 1997) (DLP)

58. **Policy GDP1 - General Development Principles**- is an overarching policy which aims to ensure that all developments incorporate a high standard of design, conserve energy and are energy efficient, protect the existing landscape and natural and historic features, protect and manage the ecology of the area, protect valuable open land, provide adequate landscaping, incorporate crime prevention measures and improve personal safety, protect amenity, provide adequate drainage, protect flood risk areas and protect the water resource from pollution.

59. **Policy TR2 - Development and Highways Safety** - Requires developments to make satisfactory and safe provision for access to the site, road and public transport network and parking provision in compliance with car parking standards.

60. **Policy TR3 - Cycling** - When considering proposals for new developments, the Council will ensure that the needs of cyclists are taken into account.

61. **Policy EN11 - Trees and Development** - States that throughout the area existing trees should be retained where possible.

62. **Policy EN17 - Alterations and extensions to Listed Buildings** - Expects new development adjacent to a listed building to safeguard its special character or setting.

63. **Policy EN19 - Protection of Ancient Monuments and Archaeological Features**- Requires that appropriate assessments are carried out on sites that could affect a site of archaeological interest.
64. **EN24 - Proposals for the Reclamation and Re-use of Derelict Sites** - Proposals should deal comprehensively with the environmental needs of the site and associated proposals for the sites after use.

65. **Policy EN26 - Control of Development Causing Pollution** - Refers to the need to take account of potential pollution in the determination of applications for planning permission and states that this should only be granted for development that is unlikely to have an adverse environmental impact in this respect.

**RELEVANT EMERGING POLICY:**

The County Durham Plan

66. The County Council is currently developing a countywide Local Plan, and has carried out a consultation on a “Preferred Options Draft” during the latter part of 2012. The application site remains identified as white land within the County Durham Local Plan, as is the exiting situation within the Derwentside Local Plan.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at:

- http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=494 (Derwentside Local Plan)

**CONSULTATION AND PUBLICITY RESPONSES**

**STATUTORY RESPONSES:**

67. **County Highways Authority** – The 2010 permission approved the location of the development and the means of access. Because of this the highway comments are restricted to matters relating to the internal design and to the conditions imposed on the original approval.

68. Historically, this sites previous and existing uses has always generated traffic on Ashdale Road and Medomsley Road. The rugby club remains, and the Sports Centre is being replaced. In effect the “new traffic in this area” is not the traffic generated by the new school, as the closure of the Derwentside Offices and the removal of the football club to an alternative site has reduced traffic and this will offset some of the “new traffic”.

69. The Transport Assessment shows that the existing junctions can cope with the additional traffic. The original TA was considered acceptable at outline stage and the updated TA covers the same junctions and peak periods and the access points were agreed at outline stage. The
Consett Academy Travel Plan needs to detail commitments to initiatives to encourage and promote all forms of sustainable transport to students and staff and discourage car use.

70. Staff/pupil figures would indicate that 123 spaces are required for the school. The scheme shows that 101 spaces will be provided (a shortfall in 22 spaces). However, there is an overprovision of parking associated with the Leisure Centre uses. In addition, the peak parking at the school site will occur at times when the leisure centre car park is operating at 50-60% capacity. The parking accumulation survey shows that the level of parking proposed for the leisure centre will be adequate for peak times (6:00pm to 8:00pm) and that at other times the car park will be under-utilised.

71. Essentially the two uses have different peak hours. There is little point in providing additional parking and therefore the proposed car parking is acceptable. As the school car park will be under-utilised (possibly even empty) outside school opening hours, the Highways officer considers that both car parks should be available at all times. This will allow for overspill parking should the leisure centre host events. The Highways Officer also advises that there is an overprovision of cycle storage.

72. The Highways Officer offers no objection subject to the imposition of new school warning signs, road markings on Medomsley Road and Ashdale Road as shown on the submitted plans. He is satisfied that the full engineering details of the proposed vehicular accesses, including a vehicle swept path analysis of the bus routes through the car parks and out onto the highway and the relocation of the pedestrian refuge on Medomsley Road are satisfactory.

73. In respect of the proposed pedestrian access route onto Villa Real Road, there is no footway on the south side of Villa Real Road between the Balmoral Road junction to the west and Villa Real Estate to the east. Providing a pedestrian refuge on Villa Real Road would require local road widening and the existing bus stop and shelter to be relocated. As with a bus at the stop, the island would block the road for westbound vehicles.

74. The Highways Officer welcomes the intention to link the new path into the existing path adjacent the bus stop and to provide a pedestrian barrier and School Keep Clear markings. He considers that account should be taken of the likely destinations of pupils leaving school in this direction. Some will be heading towards the bus stops, and others will be walking home. Likely residential destinations are limited, some may travel west to Medomsley Road, and others east to Villa Real, possibly Leadgate, however there are few properties opposite the proposed access. On this basis an extended footway up to the roundabout, pedestrian barrier rail and School Keep Clear markings are deemed
appropriate at this pedestrian access and also at the additional informal route along the eastern side of the site.

75. **Sport England** – Raises no objections. Sport England considers that the playing fields to be lost as a result of the proposed development would be replaced, by new playing field sites of equivalent or better quality and of equivalent or greater quantity in a suitable location and subject to equivalent or better management arrangements. Advice is also provided regarding the design detail of the indoor and outdoor sports facilities proposed and a requirement for a community use agreement.

76. **The Environment Agency** – notes that the flood risk assessment indicates that the surface water drainage is to be directed into the public sewerage system with the agreement of Northumbrian Water. This is acceptable and there are no objections.

77. **Natural England** – Advises that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. Natural England advises that site is not within a SSSI or SAC notified for bats and that the survey does not highlight suitable features for bat roosting within the site. It advises the Local Planning Authority to accept the findings and consider promoting biodiversity enhancements for bats.

78. **Northumbrian Water** – has no objection.

79. **The Coal Authority** – has no objections subject to a condition being attached to any grant of planning permission requiring that further intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that site investigations confirm the need for remedial works to treat mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, this should be conditioned.

**INTERNAL CONSULTEE RESPONSES:**

80. **Spatial Policy** – considers that the proposals will impact on the open space provision in the locality. The Open Space Needs Assessment (OSNA) demonstrates a large oversupply of outdoor sports space in the North Consett Ward which provides scope for developing on the site. The development would improve the quality of the sports open space and provide more five-a-side pitch provision for which there is a requirement in the area.

81. The provision of 200 cycle parking spaces would facilitate and encourage greater cycling patronage. The local road network linking
from the main cycle routes in the area may benefit from cycle-lanes to improve safety for road users.

82. Existing tracks giving access across the site would benefit from an all-weather surface. A specific dog-exercising area could be considered. This may ensure the overall quality of the site is improved helping to compensate for the loss of open space.

83. The aspired BREEAM ‘Excellent’ standards are beyond statutory requirements, and thus are supported given the growing importance of mitigating and adapting to climate change.

84. *Design and Historic Environment* – advises that the submission is an impressively fine looking leisure centre and learning academy of a very high quality design which should significantly raise the positive contribution of the built environment and the architectural interest and quality of central Consett, not only in relation to existing structures it replaces but also as a major new investment in its own right.

85. The development should raise aspirations and public pride in a facility providing a new and next generation sport. As a civic and learning environment the design has delivered an aspirational and positive location for all age groups and the future of the town and North West Durham area that it will serve.

86. The integration of the listed Consett War Memorial is an excellent aspect. It is extremely well respected and used. Further detailed advice regarding the hard surfacing and soft landscaping layout is provided to ensure a suitably improved and functional setting and a much improved peripheral treatment which would get complete support.

87. *Landscape* – indicate that he considers the proposed landscaping scheme and tree protection measures satisfactory. However he feels that the less favoured north elevation shades some of the outdoor functions and facilities. The south west side of the building is largely dedicated to car parking and open space. Public access across the site is understandably limited although two mini soccer pitches are provided within the publicly accessible Villa Real Road frontage. Given the use of this area for dog exercising he suggests that these pitches should be surrounded by 1m high fencing and self closing gates.

88. *Ecology* – has no objection to the demolition of the buildings. The submitted ecology survey advises a single visit breeding bird survey should be carried out or checking survey prior to any clearance and a badger mitigation method statement is also required. Ecology officers consider that the recommendations from the extended phase 1 should be conditioned.
89. **Sustainability** – With the addition of the proposed CHP system the reduction of Co2 gas emission will be a 27% saving, is in excess of the Councils requirements and is therefore fully supported.

90. **Public Rights of Way** – has no objection but has confirmed that an order to stop up any public rights on way that exist at this location has recently been confirmed by the Secretary of State.

91. **Pollution Control (Contamination)** – In respect of the existing conditions relating to contamination site investigations, risk assessment and remediation it is confirmed that the information submitted is satisfactory to discharge the relevant conditions.

92. Given the nature and the scale of the development, the proposed remediation works will be “phased” including some additional testing and assessment to further refine the remediation process. Therefore some remediation works will run concurrently with part of the proposed development and this is deemed satisfactory.

93. A further report should be provided confirming the results of the additional works undertaken and any refinement to the proposed remediation scheme that may be required. Upon completion of the additional testing and implementation of the remediation scheme, a validation report should be submitted to the LPA. Details of the validation testing requirements/regime should be agreed with DCC Contaminated Land prior to implementation. Given the nature and scale of this development the validation report may be “phased” for differing areas of the site and this is considered acceptable.

94. **Pollution Control (Noise)** – Confirm that following the provision of the floodlighting plan and a statement on the hours of use, consider that sufficient information has been provided to meet the requirement of Conditions 20, 21 and 24, imposed on the outline permission relating to the provision of a floodlighting scheme and hours of use. The floodlighting plan indicates that the light from the flood lights serving the main pitch will be approximately 2 lux at the boundary with the nearest residential property. This is at a level which is unlikely to cause a nuisance, if installed as stated and used between the specified hours.

95. It is requested that consideration is given to limiting the use of the external areas on a Sunday to 9am-9pm to reduce the potential of a nuisance relating to noise. Would request conditions be added to formalise the proposals within the pollution control plan relating to artificial lighting, dust and noise.

96. **Archaeology** – advise that the geo-technical information has concluded that no further archaeological works are required as per Conditions 28 and 29 of the outline permission and therefore these outstanding conditions can be discharged. Therefore no objections to this reserved matters application.
97. **Drainage and Coastal Protection** – The surface water drainage layout is acceptable in principle and acceptable surface water discharge rate calculations have been agreed. The discharge should be limited to Greenfield runoff rate or limited to 50% of the existing hard standing area.

**Public Responses:**

98. The application was advertised as a major development, affecting the setting of a listed building, within the press and letters were sent to approximately 783 neighbouring residents and properties and site notices were placed in the locality. Letters of representation have been received from 60 individuals, including one letter of support. These are set out below;

99. *County Councillor Owen Temple, a local ward member,* objects to the application for the following reasons:

- Fencing off of the site contravenes planning condition attached to outline permission which sought to protect open space /public amenity as required by Local Plan policy
- The site was a municipal landfill site in the 1950s
- No program of remedial works has been submitted to make the site safe and stable given the contamination and ground stability
- The application has been submitted before necessary work has been undertaken and too many errors have been made and information omitted.

100. **Derwent Valley Partnership**– object to the application for the following reasons:

- Against the open needs assessment
- In breach of NPPF policy 32
- Against the Localism Bill
- Overwhelming local objection to the use of the site for the proposal
- A co-joined facility is an experimental project and a huge risk of public money
- Destruction of green open space with no replacement
- Contamination and mine shafts and their cost to rectify
- Parking, traffic and access issues given site to small in wrong location.

101. **Consett North Partnership** – object to the application for the following reasons:

- Fails to protect open land
• Further ground investigations and remedial works should be undertaken
• The footpath from Villa Real Road will encourage dropping off.
• Concerns regarding additional traffic, highway capacity and safety.

102. 

Beechdale Nursery School – is concerned regarding contamination on the site and lack of protective and remediation measures identified.

103. The main concerns and comments received from local residents are summarised as follows:

• Location of skate park in terms of safety and residential amenity
• Loss of open space, sports facilities, including sports hall, pitches, running track, bowls, playing fields
• New Crookhall facility will not be able to cope with demand for pitches
• Building on open green space and playing fields rather than brownfield land
• Too big and intrusive-no room for expansion
• Highway safety, increased traffic and inadequate road network especially at school drop off and pick up times
• Access/delay for emergency vehicles
• Parental drop-off in dangerous locations specifically on Villa Real Road adjacent a new footpath
• Inadequate access and junctions
• Insufficient car parking
• Safety of children at school
• Co-joining facilities will mean reduction in public access
• No improvement in facilities proposed
• Ground instability due to mines
• The Genesis site (former steelworks) should accommodate the new academy
• Better landscaping of car park
• Existing recycling facilities should not be re-located in new leisure centre car park
• Site too small for expansion
• What will happen to the existing swimming pool site?
• Contamination and associated health risks
• Too expensive
• Deterioration of local environment and residential and visual amenity
• Pressure on water and sewers
• Fencing in of open amenity green space
• Site good location providing state of the art facilities
APPLICANTS STATEMENT

104. This proposal is for a combined Wet and Dry Leisure Centre with a co-located Academy on the Belle Vue site in Consett. The development was granted outline planning approval on 10 March 2010 and this is a reserve matters application which discharges certain conditions attached at that time and takes the design to a greater level of detail.

105. This new civic building will bring much needed capital investment to the Consett area. It uses high quality materials to create a strong visual presence in keeping with its environment. Its landscaping will add definition to the access routes around the site and will link into the surrounding streets and public transport.

106. In general terms it is considered that there is a good degree of fit between the architectural proposals and National, Regional and Local Planning Policy. It is also considered that the scheme fulfils the ambitions of its stakeholders in terms of more specific provisions, such as the incorporation of renewable energy and high quality design.

107. The new Leisure Centre will replace the run down facilities in the area and will bring together wet and dry leisure under one roof. It will provide a range of modern accommodation that is fit for purpose and will support the development of fitness and healthy living programmes which will meet the needs of its clients.

108. The Academy is one of two academies sponsored by New College Durham and has been developed with their full involvement and support. Consett Academy itself came into existence on 1st January 2012 and will continue operating in existing accommodation on split sites until the new building is constructed. The new building will enable New College Durham and the Academy staff to fulfill their ambitions to provide the best for the children whatever their ability or aspirations. The new campus will offer unrivalled facilities for students, and for the wider Consett community.

109. The co-location of the Leisure Centre will give immediate access to a range of facilities that few other school children have on their doorstep. It will also benefit Consett's wider community by providing out of school hours access to a range of academy spaces such as the performance hall, library and ICT suites.

110. We consider therefore that the proposal will provide significant benefits to Consett and its locality and provide a valuable community facility. This would accord with the national and regional agenda of providing for sustainable communities and the Council’s aspirations and priorities for County Durham.
The above represents a summary of the comments received on this application. The full written text is available for inspection at the Council offices at County Hall

PLANNING CONSIDERATIONS AND ASSESSMENT

111. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development, sport and recreation, accessible open space, impact upon residential amenity, access and highway safety, design, appearance and layout, affect upon the listed war memorial, ecology, woodland and trees, flood risk and drainage, archaeology, contamination, sustainability and other matters.

Principle of Development

112. Outline planning permission was granted in March 2010 for the demolition of the existing leisure centre, Council offices, football and rugby club facilities and construction of new academy and leisure facilities on the site, which included the intended scale of and vehicular access points into the proposed development.

113. That grant of outline planning permission effectively approved the principle of the acceptability of the development on the Belle View site subject to the subsequent approval of those aspects that were not dealt with in the outline planning permission, and were ‘reserved’ by a condition of that permission.

114. The current applications being considered are therefore only for the approval of those matters that were ‘reserved’ by conditions of the outline planning permission and the ‘principle’, in terms of the use of the site for the development proposed and assessment against relevant National Regional and Local Planning Policy is not required to be considered further as part of the current applications.

115. For the avoidance of doubt the current applications seek approval to the layout, external appearance and the landscaping of the already approved leisure facilities and academy and the discharge of conditions of the outline planning permission and removal of condition 20 which prevents enclosure of part of the site.

116. Since the outline permission was approved in 2010, there has been significant change to the planning system not least the replacement of Planning Policy Statements (PPS’s) by the National Planning Policy Framework (NPPF) in 2012.
117. The NPPF sets out guidance relating to promoting healthy communities. Paragraph 70 states that planning decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance sustainability of communities and residential environments. Decisions should also guard against the loss of valued facilities and services, and to ensure that facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

118. Paragraph 72 of the NPPF attaches great weight to ensuring that a sufficient choice of school places is available to meet the needs of new and existing communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. Local Planning Authorities should give great weight to the need to create, expand or alter schools.

119. The proposed academy is a replacement for two existing secondary schools, one in Moorside and the other at Durham Road, Blackhill and also incorporates a sixth form facility. The new leisure centre is to replace the existing leisure centre already on the application site and the existing swimming pool, located opposite on Ashdale Road.

120. Whilst it is not necessary to revisit the relevant planning policy principles, the proposal by promoting healthy communities and improving the choice of school places, and by the provision of education and leisure facilities on land within the urban area that is currently in use for community based purposes, firmly align with the core principles of the NPPF.

Sport and Recreation

121. The primary use of the site is for sport and leisure purposes and existing facilities offer a range of opportunities for indoor and outdoor recreation and are well used. The demolition of the existing leisure centre, removal and relocation of the football club and reconfiguration of playing pitches will affect this provision. One of the key planning considerations arising at the previous outline stage therefore was the affect on existing sports and recreation provision and the extent to which this would be safeguarded (or indeed enhanced) by the proposals and the loss of 'accessible open space' on the site for public recreation. It was accepted in principle that there would be a reconfiguration of the playing fields and loss of accessible public open space in the granting of the outline planning permission.

122. Paragraph 74 of the NPPF requires that the loss of open space, sports and recreational buildings be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or intended development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.
123. It was recommended by Sport England that further assessment of this matter should be carried out as part of an audit to establish the quality and quantity of replacement pitches and facilities. This was needed to compensate for the overall decrease in provision. Sport England advised of the imposition of specific planning conditions requiring an audit of playing fields and facilities that are to be lost and replaced on the site and measures to ensure that the new fields and facilities are of an appropriate quantity and quality.

124. The overall level of playing pitch provision in the Derwent Valley AAP area as described in the recent Playing Pitch Strategy identified a surplus of adult playing pitches and an undersupply of junior pitches. It does not identify an overall shortfall of playing field quantity, but a temporal challenge for junior pitches on a Sunday morning. The proposals would make provision for a range of junior pitches, improve the quality of pitch and provide quality community accessible ancillary provision to meet the needs identified in the strategy. Furthermore no current users in respect of football would be displaced without alternatives.

125. In terms of outdoor provision there are currently 4 grass playing pitches available for general community use on the site, scored as average using Sport England’s Pitch Quality Assessment Toolkit. A further 3 floodlit pitches are leased on a long term basis by the football club and rugby club (2) and operated on a private basis through these organisations. It is noted that the rugby club and its pitches are now to be retained on site and thus 5 of these pitches would be directly affected by the development. The current playing field and additional grassed amenity space on the site is measured at 89,000m².

126. The development would result in the net loss of one senior grass football and one senior grass rugby pitch. This amounts to a loss of 19,829 m² of generally poor to average pitches. It is noted that the senior rugby pitch (located outside of the rugby club fence line) is rarely used as it has no floodlighting. However new grass playing fields and a full size floodlit 3G (3rd generation rubber based artificial turf) pitch would be available for community hire. The grass pitches would be superior to the existing and the 3G pitch would provide additional capacity extending availability into the evenings and when grass pitches are unavailable due to bad weather. It would also include a shock pad (spongy underlay) thus making it suitable for rugby. This would negate any need for the 3rd rugby pitch and prevent over use of the main rugby club pitches.

127. Superior changing facilities would also be available to accommodate full use of all the pitches. There is currently changing provision to accommodate up to 8 teams. At present when the site is used to full capacity three pitches do not have changing facilities and current changing facilities have been assessed as poor.
128. The pitches are likely to be used more intensively but improvements to surfaces and drainage are intended as part of a package of works and an all weather synthetic surface senior pitch (and 4 MUGA for tennis and other hard court games) would be hard wearing as well as floodlit athletics provisions.

129. Consett football club has now been granted planning permission to construct a new Grade E 3G football pitch and stadium at Crookhall. This would accommodate senior, 9v9 and other casual formats to meet local need, alongside associated facilities (floodlighting/changing/club house/car parking etc.) This is also subject to a community use agreement. This is supported by ‘good’ rated junior grass pitches, with one pitch to be reconfigured to assist junior development for under 13-under 15 age groups. Scheduling and management of both the 3G pitches and flexibility of kick-off times sanctioned by the government body would ensure demand for facilities would be met.

130. The overall development enables pitch sports to access significant all weather training amenities and alleviate pressure on grass pitches. There is also no temporary arrangement required for the development as the earlier provision of the new Consett FC facilities will enable initial football needs to be absorbed including the 15 Consett FC teams. It is envisaged that the new Consett Football club will be available before work commences and facilities are removed at Belle Vue. It is the case that Blackfyne Juniors have indicated their intention to stay at Blackfyne School and pitches at Clarence Gardens, Blackhill.

131. The amalgamation of the existing schools would also release a range of other playing pitches on the existing Blackfyne and Moorside school sites for wider community use. The future of these school sites in terms of development potential and longer term management is as yet unknown but the retention of playing fields is a planning consideration that would need to be factored into any future development options. Essentially there are the means to reconcile these within the total playing field assets that are available in the town that are under the control of the Council.

132. The facilities to be provided within the sports complex have been designed to meet curriculum and related school requirements and general club and community needs. This would not be achieved on a like for like basis for example the indoor bowls area would be lost, however it should be noted that a national standard of facility is available at Stanley. Nevertheless the space within the centre would be flexible and multifunctional and equipped to a high standard to perform the required roles. Sport England has welcomed the increase in waterspace, enhancements to tennis and netball courts and the full sized AGP. It is considered that the qualitative improvements and operational benefits associated with the provision of integrated new
facilities on the site would outweigh any losses linked to the rationalisation of existing floor space.

133. Sport England is satisfied that the detailed proposals meets one of the exceptions of its policy for the protection of playing fields, in that the playing fields which would be lost as a result of the proposed development would be replaced by playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, in accordance with the requirements set out within paragraph 74 of the NPPF as such it is considered that Conditions 32, 33, 34 and 35 can be discharged from the outline planning permission.

Accessible Open Space

134. It is noted that Condition 20 of the outline planning permission prevents enclosure of the ‘accessible site’ which was shown on the illustrative layout submitted as part of the outline application. The area consisted of publicly accessible playing fields and open grassed space to the north and east of the site.

135. However, operational areas linked to the academy site would need to be fenced in order to comply with educational requirements including general health and safety and safeguarding reasons. In addition given the retention of the rugby club the existing enclosure of this area would remain in situ. Therefore the submitted scheme cannot comply with the restriction preventing enclosure of playing fields used by the academy and thus continued public access to a large green space to the north and east of the site.

136. The applicant has advised that the public/private boundary is an absolute requirement to ensure that safeguarding and safety of students is assured and supervision by staff and safe delivery of the curriculum is achieved. Outside the secure fence line open access mini football/5-aside pitches and perimeter trim trail would improve the amenity space in what is currently a fairly sterile and neglected micro environment overall. The space would benefit from consolidated and enhanced facilities and improved, well maintained, safe, secure management and access measures for the wider community.

137. It should be noted that all the sports and recreational facilities would be available for community use as required by Condition 35 of the outline permission which requires a community use agreement to be submitted and approved by the Local Planning Authority prior to commencement of development. The benefits of fencing in and securing facilities and pitches for use by pupils and the wider community overall is considered to outweigh any conflict with the objective of Policy GD1 (e) of the DLP which seeks to protect/safeguard open land that has amenity value.
Impact on Residential Amenity

138. Residential properties surround the site on all sides, across Medomsley Road to the west, directly adjoining the site and across Villa Real Road to the north, Oakdale Road directly adjoining the site to the east and directly adjoining and across, Ashdale Road to the south. A small number of properties abut the northwest side of the site on Park View. These are generally two storey properties in the most part, apart from a three storey residential car home (at a higher level), part way down Ashdale Road and a bungalow adjoining the grassed area to north fronting onto Villa Real Road.

139. In order to safeguard the residential amenity of nearby surrounding residential occupiers it is noted that the outline permission, by virtue of condition 3 restricted the height of the academy and leisure centre building to 3 storeys from ground level. This requirement has been complied with, given that the leisure centre, at the western end of the building would be 2 storeys and the academy at the eastern end would be 3 storeys in height, utilising the fall and sitting down within the site.

140. The nearest point of the building itself, which is the north west corner of the leisure centre would be sited approximately 80m away from the rear elevation of the nearest residential property on Park View at a height of approximately 14m (the building is to be no higher than approximately 14m). This is the closest residential property to the proposed building itself and all other properties are located further away than this. The next nearest property to the building, on Ashdale Road is located at a distance of 86m from its rear elevation. It is considered that the height, scale and mass and separation distance from the nearest residential property would not result in a significant loss of residential amenity to neighbouring occupiers.

141. The submitted plans show the existing and proposed site levels which are also highlighted by cross sectional drawings. It can be seen that there would be only a minimal change in levels from the existing situation, and therefore there would be no significant residential or visual amenity concerns, as required by condition 4 of the outline permission. Indeed the siting of development utilises the change in the existing levels well to minimise its size and potential affect on residential amenity.

142. In addition to the impact of the new academy building it is considered that sufficient information has also been provided to meet the requirements of Condition no’s 20, 21 and 24, imposed on the outline permission relating to the provision of a floodlighting scheme and hours of use of these. The flood lighting plan indicates that the light from the flood lights serving the main pitch will be approximately 2 lux at the boundary of the nearest residential property fronting onto Villa Real Road. This is at a level which is unlikely to cause a significant adverse
affect on residential amenity if installed as stated and used between the specified hours.

143. The Environmental Health Officer has requested that consideration is giving to limiting the use of the external areas on a Sunday to between 9am and 9pm only in order to protect residential amenity. The applicant is agreeable to this restriction.

144. The scheme includes proposals to re-locate the existing skate park further east along the Ashdale Road frontage. This has been moved from the intended Medomsley Road frontage due to concerns raised by residents regarding residential amenity and safety. The skate park would be located 34m away from the boundary of the nearest residential property to the east, on Oakdale Road (37m from the rear elevation) and 30m from the residential care home on the opposite side of the road (39m from the front elevation). These are above minimum distances recommended from residential properties within National Playing Fields Association Guidance.

145. Furthermore given the incorporation of landscaping and the re-siting adjacent an existing main road, the relocation is not considered to have significant detrimental affect on the amenity of these properties. Any possible loss of amenity is considered to be outweighed by the benefit of such a facility for young people and the requirement for it to be sited in an accessible, visible location in order to minimise anti-social behaviour.

146. It is recognised that the siting and layout of the site may well bring built development and intensification of sport and vehicular activity closer to a number of residential properties, over the existing situation. However it is considered no individual elements of the scheme, taking into account the nature of the area and existing mixed land uses on the site, would result in any one individual property being significantly adversely affected by any particular element of the scheme.

147. The development proposes an extensive and well designed variety of fencing and means of enclosure, including ‘ivy green screens’ and steel louvers, in order to ensure appropriate attractive screening and safety for pupils and users, which would not significantly impact on the visual and residential amenity of residential properties to the satisfaction of Condition 14.

148. Overall it is considered that the details of the scheme comply with DLP Policy GDP 1 (H) in that the amenities of neighbouring occupiers and land owners will be protected, subject to compliance with the submitted pollution control plan.
Access and Highway Safety

149. A transport statement, which has been updated since the original approval, has been submitted in support of the proposal due to the potential amount of movement generated by the proposed development. This is in line with paragraph 32 of the NPPF. This paragraph also states that development should only be refused on transport grounds where the residual cumulative impacts on development are severe.

150. The vehicle and pedestrian access points into the developed have already been approved and remain as approved, which is as the existing situation on the site. Furthermore the estimated number of users and vehicle trips remains the same as previously considered. Therefore consideration of highway safety issues must relate only to the internal layout of the site and the acceptability of the information submitted to discharge the relevant planning conditions attached to the outline planning application. However for absolute clarity the anticipated number of vehicle trips a day can be accommodated within the existing highway network.

151. Specific concerns have been raised with regards to traffic congestion on Villa Real road, in particular. For clarity in this respect, the latest council survey (in 2010) shows that Villa Real Road carries less than 400 vehicles westbound and 460 vehicles eastbound at school opening time and less than 350 vehicles westbound and 400 vehicles eastbound at school closing time. Villa Real Road is a 7.3m wide principal road, which is capable of carrying a peak hour flow of 1140 vehicles each way. Therefore on this basis the additional school traffic was considered to have little impact on Villa Real Road. It is considered that the road is wide enough for emergency vehicles to pass through safely at peak times.

152. Condition 9 requires satisfactory layout, construction and sight lines of the already approved means of access. Condition 10 requires satisfactory layout, number of spaces, surface materials of the parking provision, bus drop off and servicing arrangements.

153. Appropriate detailed engineering drawings relating to the safe manoeuvring of the vehicles that would need to access and leave the site have been submitted. These indicate the requirement to move an existing traffic island and associated dropped kerb on Medomsley Road 6.5m in a northerly direction to ensure that the buses can safely access the leisure centre car park.

154. In compliance with condition 45 which relates to the provision of an off site traffic management scheme the Highways Engineer is satisfied with the proposed ‘School Keep Clear’ road markings and single yellow line, on both sides of Ashdale Road including pedestrian barrier and the eastern side of Medomsley Road. Furthermore the scheme would
incorporate, on the recommendation of officers, a footpath extending from the existing bus stop on Villa Real Road to the proposed new pedestrian access point and also up to the Medomsley Road roundabout as well as pedestrian barrier and ‘School Keep Clear’ marks to the northern side of the site.

155. It is considered that a pedestrian access point from the northern side of the site will serve to disperse pupils in a number of different directions into and out of the site, rather than a concentration at peak times in any location in particular and also so that pupils will have ease of access into the site from this side. In respect of concerns raised regarding this pedestrian entrance encouraging parental drop off on Villa Real road, it is considered that at secondary school age many pupils walk or catch a bus to school but any potential drop off would be restricted by ‘school keep clear’ road markings.

156. In respect of the proposal to incorporate single yellow lines it is recognised that these would extend in front of a very small number of residential properties and will require approval by the Councils Highway committee. However, car parking in front these residential properties and adjacent access points would be prevented and assist with the management of traffic, particularly at peak time school opening and closing times.

157. It is important to note that in relation to car parking levels associated with new development, paragraph 39 of the NPPF requires that the accessibility of the development, type, mix and use, availability of public transport, car ownership levels and the overall need to reduce the use of car should be taken into account. In this respect an overprovision of spaces across the site as a whole, with peak parking to each car park at different times of the day would enable an appropriate level of car parking overall. It is also noted that the applicant is seeking to secure an agreement with the rugby club for school staff to use the rugby club car park during the day. The applicant has confirmed that the school car park would also be made available for events held at the leisure centre.

158. Extensive cycle storage (covered shelters and uncovered) would also be provided adjacent both the academy and leisure centre entrances as required by DLP Policy TR3 and in line with condition 23.

159. It is considered that the proposed development would comply with the requirements of Conditions 9 and 10, of the outline planning permission, DLP Policy TR2 and paragraph 32 of the NPPF which requires satisfactory access onto the adopted road network and safe vehicle entrance and exit. In line with paragraph 35 of the NPPF it is intended that a safe and secure layout which minimises conflict between traffic, cyclists and pedestrians would be secured. Adequate provision for service, refuse and emergency vehicles can be attained as required by DLP Policy TR2.
Design, Appearance and Layout

160. Policy GPD1 of the DLP and part 7 of the NPPF places great importance on the design of the built environment. Planning decisions must aim to ensure developments add to the overall quality of an area, establish a strong sense of place, respond to local character and history, and be visually attractive. Extensive advice and guidance has been sought from the Council’s Design Team and the scheme has evolved with the support and involvement of officers.

161. The scale of this building has already been accepted in principle through the granting of the outline permission. Notwithstanding this the slightly diagonal axis of the building footprint on the site does assist in minimising the considerable length of the building and best uses the complimentary gradients of the site naturally. Remaining developments adjacent to the site, namely the Magistrates building, whilst being a constraint has in fact possibly determined that greater attention to landscaping and creative positioning of uses on the site has happened and provided interest. Furthermore the high quality of all the elevations of the building, as they are all major faces observed from the public domain, should ensure that a high standard of design is established that will positively influence any future redevelopment of this site.

162. Whilst parking is principally to the road sides of the building the considerable distances and drop in levels from road levels to the face of buildings and the significant increase in green areas around the parking areas should not only be an improvement from the existing and former uses, but in their own right deliver an attractive softened civic and street engagement with the site’s Medomsley and Ashdale Road frontages especially.

163. The differing treatment to all facades is deliberate and successful. Each side has a distinctive and appropriate feel offering smart clean lines to the public main face of the swimming pool with sophisticated materials and positive uncluttered lines. It uses clearly different qualities and definitions to the south elevation set well back from Ashdale Road but which is seen from the approach pathways from the west and south. The artificial stone rock-faced to be used is acknowledged to be relatively golden in shade but given the deep colour of much of the local stone in Consett and the towns many rock faced buildings, this will provide warmth and variation as the overall scheme desires.

164. The use of several differing textures, colours and featured elements has been challenging but necessary for a building of this bulk and diversity of use so as not to appear just functional and utilitarian. It achieves this well. The proposed detailed scheme is considered to be of a very high quality design. It significantly raises the positive contribution that the built environment makes to the town’s central area
not only in relation to existing structures it replaces but also as a major new investment in its own right.

165. The proposed use of a mix of smart modern smooth materials as well as banding with rock faced artificial stone and granite alongside polished faces and some stylish use of coloured features will provide positive variation and interest on all four of its public faces. None are the same and that is both appropriate and interesting, and should raise aspirations and public pride in a facility providing a new and next generation sport, civic and learning environment for the town and north west Durham generally.

166. Clearly design is subjective but in this instance a contemporary modern style was encouraged rather that a pastiche or imitation of the surroundings which should be preserved in their own right rather than copied. Adopting this approach rather than the more traditional route would be consistent with the NPPF in so much as it expects that innovation and initiative should not be prevented or discouraged and in particular paragraph 60 of the NPPF requires that particular tastes, forms or styles should not be imposed. It is recognised that this scheme has developed so that it integrates well into the natural environment whilst finding its own identity and sense of place.

167. Overall the proposed development will secure the successful redevelopment of the site and form an attractive and high quality form of development which will enhance the site and contribute positively to the quality of character and appearance of the area. The potential of the site has been optimised to accommodate a development of architectural quality as well as an important mix of uses incorporating public space in accordance with paragraph 58 of the NPPF and policy GDP1 of the DLP. As such it is considered Conditions 8, 9, 10 and 11 relating to the materials to be used in the external surfacing of the development can be discharged.

Affect on the Listed War Memorial

168. Although there are no proposals as such to alter or extend the existing Consett war memorial its present site at the back of the former Civic Centre is at present rather isolated and underwhelming and its setting is not sufficiently reflective or respectful of its status as a grade 2 Listed Structure.

169. The inclusion of the war memorial into the application site for the new academy proposal is an opportunity to positively enhance its setting both as a listed structure and as an important memorial within the town. By providing much improved peripheral treatment including railings and seating this would significantly improve its setting and provide a better aspect for this fully in line with part 12 of the NPPF.
As required by condition 43 of the outline planning permission a phase 1 habitat survey (including habitat management and biodiversity strategy), bat surveys and bat risk assessment (for all buildings to be demolished) have been submitted in support of the application. This found a very low possibility of bat presence and established that there are no designated sites in the locality and that protected and important species are unlikely to be affected by the development.

No evidence of badgers was observed during survey work, however the local badger group have sited a single badger on the playing fields. It is therefore prudent to ensure a badger mitigation method statement is approved by the Councils Ecologist before commencement of development. This requirement can be suitably reinforced by a planning condition.

The submitted habitat survey recommended that a breeding bird checking survey should be undertaken immediately prior to demolition/site clearance and removal of any trees by a qualified ecologist or that demolition/site clearance should be undertaken outside the bird breeding/nesting season (March to August inclusive). These requirements can also be controlled via planning condition.

The retention of mature trees, new native tree planting and creation of hedgerows and wildflower meadow and the incorporation of invertebrate, bat and bird boxes and deadwood hibernacula piles would provide for the creation and enhancement of habitats and the nature conservation interest of the area. The submitted lighting scheme would also minimise the impact of external lighting upon bats.

The proposed mitigation strategy is supported by Natural England and the Councils Principal Ecologist. It is considered there would not be significant impact on wildlife, protected species and natural habitats as required by policy GDP1 of the DLP, paragraph 109, and 118 of the NPPF which requires that impacts on biodiversity should be minimised and net gains provided where possible.

Policy EN11 of the DLP requires that existing trees should be retained where possible. Policy GDP 1 (c) seeks to protect the existing landscape and natural and features.

The site benefits from extensive mature tree cover to the north in particular, and some to the east and west boundaries. This is a key feature of the character and appearance of the site within its context. An arboricultural implications report and tree constraints plan (as required by condition 12) assisted in informing the quality and value of the trees and subsequently guided the layout and footprint of the
proposed scheme in order to retain key individual and groups of trees and generally retain as many as practically possible.

There are 18 trees and two short stretches of hedging proposed to be removed, generally to accommodate the proposed sports facilities. Trees lost to the southern side of the site would be directly replaced by boulevard style tree planting to the southern site frontage and to form a screen against the retained magistrate’s court. None of those scheduled for removal are considered of such individual value that they should be retained.

As required by Condition 11 a comprehensive and well thought out hard and soft landscaping scheme using a variety of different hard surfacing treatment in different locations and extensive planting scheme for the site as described within the proposal section of the report has been submitted as required by Condition 11 of which the Landscape Architect is satisfied with.

A tree protection plan as required by condition 14 outlining the specific barrier to be erection outside the key groups of trees to the north, west and east of the site to protect these retained groups is deemed appropriate in accordance with the require British Standard.

It is considered the proposals would conform to the requirements of DLP Policy EN11 which requires the retention of trees where possible in the development of new layouts.

Flood Risk and Drainage

Paragraphs 99 -104 of the NPPF require that new development avoids increased vulnerability of flooding. A key objective is to steer new development to areas that have the lowest probability of flooding. The site falls within flood zone 1 which covers this category. Nevertheless, in view of the size of the development (over 1 hectare) condition 30 required the submission a flood risk assessment to cover the potential vulnerability of increased on and off site flooding from increased hard surfacing and run off.

The flood risk assessment indicates that the surface water drainage is to be directed into the public sewerage system of which the Environment Agency and Northumbrian water have endorsed. Northumbrian Water is also satisfied that the submitted foul and surface water proposals are acceptable to them.

The Council’s Drainage Engineer advises that the surface water drainage layout is acceptable and has agreed appropriate surface water discharge rate calculations of which discharge would be limited to a combination of existing greenfield runoff rate and limiting surface water to 50% of the existing hard standing area. Surface water would also be passed through an oil interceptor as required by Condition 31,
The surface water would in any event be directed into the combined sewer, rather than the surface water sewer which does not discharge into the watercourse.

184. The proposed surface water and sewerage drainage scheme is considered to comply with the requirements of paragraph 100, of the NPPF which should ensure that flood risk is not increased elsewhere and that development is appropriately flood resilient and resistant and with DLP Policy GDP1 which requires protection of areas liable to flooding and satisfactory drainage. As such is it is considered acceptable to discharge planning conditions 29 and 30 of the outline planning permission.

Archaeology

185. Policy EN19 of the DLP states that there will be a presumption of the retention in situ of nationally important remains. An archaeological assessment may be requested prior to determining an application. Recording of known remains will be required where these would be affected.

186. Paragraph 128 of the NPPF requires that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, LPA’s should require developers to submit an appropriate desk based assessment and where necessary a field evaluation.

187. The Councils Archaeologist has advised that the submitted geo-technical information is acceptable; in line with policy EN19 of the DLP and paragraph 128 of the NPPF and that no further archaeological works are required. As such it is considered that Conditions 28 and 29 of the outline permission can be discharged.

Contamination

188. Policy EN24 of the DLP, requires investigation regarding likely effects of contamination and if required, remedial works to comprehensively deal with the environmental needs of the site to make the proposed development and surrounding area safe should be undertaken. Paragraphs 109, 120 and 121 of the NPPF require that development sites and the surrounding area are safe and appropriately remediated.

189. Based on the findings of the ground investigation of the site undertaken in 2011 and in order to comply with condition 37 of the outline approval a contaminated land risk assessment has been submitted in support of the application to assess nature and extent of contamination. This identifies potential contamination from made ground and residual mine gases and possible ground stabilisation issues associated with former shallow working and shafts. The environmental risk is assessed as
moderate and well within the normal parameters that would enable the
development to be carried out in an acceptable way.

190. This risk assessment identified areas of the site where slightly elevated
levels of contamination are present. A contaminated risk remediation
report which updates the contaminated risk report and thus provides
updated remediation advice was submitted in January 2013 as
required by condition 38 of the outline approval. This defines areas of
the site where remediation is required based on the different proposed
land uses.

191. With regard to the academy and leisure centre itself the assessment
criteria used was that of a ‘residential end use’ which is a very
conservative approach for a school setting and while the works
undertaken to date do indicate some degree of contamination is
present within the underlying soils, it is not significantly different from
many similar brownfield sites and can be safely managed and
developed through a combination of effective remediation and good
construction practice.

192. The initial assessment of risk to human health noted within the report
as ‘moderate/low’ assumes a worst case scenario and that the site
would be developed without any remediation works. With appropriate
remedial measures the potential risk to end users and other receptors
will be significantly reduced.

193. The primary risk to any end users would be inhalation or ingestion of
dust/soil from the made ground on site. The proposed remediation for
the site is that any area of the site not covered with tarmac/concrete (or
similar hardcover) will have a suitable thickness of ‘clean cover’ soils to
break any potential pathway. This is the most widely used and
accepted remediation technique employed throughout the UK.

194. With regard to the risk to construction workers and local residents, the
primary risk would be due to potential inhalation of dust and vapour(s)
during the development process. This potential risk would be managed
as part of good construction practice and also through an effective dust
management plan as set out within the submitted ‘Pollution Control
Plan’.

195. It has been noted that there is a contradiction within the report, which
states: “asbestos has been found in a number of locations” and then
“asbestos has been found at one location” The latter statement is
correct. From 19 samples screened for asbestos fibres only 2 returned
positive results, both from the same location. The majority of
brownfield sites, where asbestos analysis is undertaken, reveal some
degree of asbestos contamination. However this can be safely
managed with techniques such as damping down / specialist PPE /
RPE / air monitoring etc when dealing with such soils and this has
been taken on board by the development and construction team as part of the remediation strategy for the site.

196. Some further information/assessment has been requested to confirm some of the findings within the report and also assist in refining the remediation strategy for the site. On such a scheme where the existing site has a number of differing end uses there are inevitably areas of the site which may be inaccessible during the initial investigation and, as such, additional or supplementary testing and assessment is not unusual as the project progresses.

197. Once the additional works and assessment are completed the results will be discussed with the Council's Contaminated land team and any refinement to the proposed remediation works and mitigation measures agreed to ensure any potential risks are managed correctly. The works will be under constant review with Council's Contaminated Land team throughout the proposed works.

198. In terms of construction, the report details that any gas protection required within the building construction will be in accordance with current guidelines and will be validated upon completion; again this is very common in both residential and commercial buildings throughout the northeast.

199. Finally the site will also be subject to a Materials Management Plan (MMP), a voluntary Code of Practice which the developer has signed up to. This should ensure that all materials on site that are to be disposed or re-use etc are fully documented, assessed and tested (where required) to ensure they are handled in the correct manner and placed/used in the correct location.

200. The MMP although voluntary is now widely promoted by leading and respected organisations. It is used by the regulatory bodies in conjunction with remediation strategies and validation reports to ensure all earthworks are undertaken correctly.

201. It should be borne in mind that any proposed strategy at this time should be seen as a minimum proposal and may well be made more robust depending upon additional works/assessment. The majority of remediation schemes on large development sites start with a proposal which evolves as the site progresses.

202. It is expected on such a development that the Council's pollution control/contaminated land team would have regular site meetings with the developer as the works progress; this not only allows the Council to see the soil management during the programme but also keeps officers informed of the works that are being undertaken and any amendments/refinements to the strategy which may be required.
203. It is therefore considered on the basis of the investigative, assessment and remediation strategy information submitted that the proposed development complies with DLP Policies EN24 and paragraph 109, 120 and 121 of the NPPF in that the site and the surrounding area can be made safe and appropriately remediated to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property.

204. This scheme, ongoing investigations and assessments and subsequent validation reports, which would be required to be submitted for approval, in line with existing Conditions 39 and 40 of the original outline permission would ensure that the risks from land contamination to future users and neighbouring land are minimised, and to ensure that a safe development is secured without unacceptable risks to users, workers and neighbours.

205. The consultation response of the Coal Authority is noted and the requested condition requiring intrusive site investigation works to be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site is recommended. Remedial works to treat the areas of shallow mine workings to ensure the safety and stability would then be undertaken prior to the commencement of the development. This would ensure that the site is safe and stable for the approved development, as required by paragraph 121 of the NPPF.

Sustainability

206. Part 10 of the NPPF highlights the general need to improve energy efficiency in new development. Policy 38 of the RSS seeks to ensure that within all major development proposals a 10% energy efficiency reduction is achieved.

207. The scheme would embed sustainable development principles within its detailed design that would be subject to a mandatory BREEAM assessment under the BSF initiative (including the leisure facilities). The development is expected to achieve a BREEAM score of ‘excellent’ for its environmental performance and would incorporate a range of sustainable features and measures to minimise its environmental impact. These aspirations are beyond statutory requirements, and thus are supported given the growing importance of mitigating and adapting to climate change.

208. The building layout and orientation has been designed to reflect the need to maximise natural light and ventilation where possible and reduce excessive solar gain and heat loss. Rain water harvesting and other water efficient supply systems including sustainable urban drainage would be used to help reduce water demand and run off. Landscape and ecological proposals within the grounds would be geared to protecting the natural environment and enhancing ecological
potential and transport. The related measures reflect the desire to encourage more sustainable travel choices.

209. The new building would also incorporate energy efficiency measures. The incorporation of a gas fired CHP system and the resultant reduction of Co2 emission saving of 27% is in excess of the Councils requirements and therefore fully supported in accordance with RSS Policy 39 and as required by Condition 27.

Other Issues

210. The separate issue of whether the site has ‘village green’ status has been contested by a group of local residents. The decision of the Council (made on the recommendation of an Independent Inspector) to reject the village green application made by the Open Spaces Group, as there was not considered sufficient grounds to confirm this status, was challenged by the group at Judicial Review. The High Court Judge found that the Inspector had not determined the application correctly within his report. Therefore the Inspector has been required to reformulate the decision taking on board the recommendations of the Judge. This decision is due to be presented back for consideration by members of the Highways Committee on the 25th of February, and thus members will be updated verbally with the decision taken regarding this matter.

211. There are no public rights of way affected by the development. It is noted that the site has been laid out to retain the existing informal pedestrian link through the site from Villa Real Road to Ashdale Road and the Oakdale Road estate, so access can still be taken through the south side of the site.

212. Construction would take place on a phased basis. The programme has been designed to minimise the disruption to existing facilities for as long as possible although some temporary adjustments would be necessary. The leisure centre and use of the existing swimming pool and an area set aside for car parking would continue until the new buildings are available for occupation. Use of an area of public playing field and pedestrian access to and across the site would also be available although some adjustments to create safe working areas would be needed. Whilst the development would have some inevitable short term construction related consequences for existing facilities, and associated car parking to these, public access would largely be maintained over this period.

CONCLUSION

213. The development benefits from an extant planning permission granted in 2010 and therefore the development has already been approved in principle. This application considers the finer details of the layout,
external appearance and landscaping for the proposals, including the
details of conditions attached to the existing permission and the
removal of a condition from the permission relating to the erection of
fencing around open space.

214. The layout, siting, height and massing of the buildings as well as the
siting of associated outdoor sports/leisure facilities and associated
infrastructure is considered acceptable, in terms of appropriately
safeguarding the residential and visual amenity of nearby properties.

215. The development is considered an attractive and high quality form of
contemporary development which will enhance the site and contribute
positively to the quality of character and appearance of the area
significantly raising the positive contribution of the built environment
and the architectural interest and quality of central Consett, not only in
relation to existing structures it replaces but also as a major new
investment in its own right.

216. The development is considered acceptable in highway safety, access,
parking and traffic terms.

217. High value trees will be retained and comprehensive landscaping will
be provided which will assist in blending the scheme into its
surroundings.

218. The proposed development is not considered to detrimentally affect the
general population of bat species or negatively affect any other
protected species.

219. The submitted drainage schemes will ensure adequate foul and
surface water drainage of the site and ensure that flood risk is not
increased elsewhere.

220. The submitted contamination remediation scheme, ongoing
assessment and subsequent validation will ensure that the site and the
surrounding area are safe and appropriately remediated.

221. Careful and thorough consideration was given to the objections and
concerns raised throughout the consideration process and these have
been taken into account and addressed in detail within the body of the
report, however on balance these were not felt to be of sufficient weight
to justify refusal of these applications. Indeed a large proportion of
these relate to the principle of the development on this particular site
which has already been approved in principle.
RECOMMENDATION

a) That the application (CMA/1/77) for Approval of Reserved Matters of layout, external appearance and landscaping be APPROVED, subject to the conditions listed below;

b) That Condition no 20 of the Outline Planning Permission (928/1/190) be REMOVED and the development carried out without complying with that condition.

c) That Condition no’s 4, 7, 8, 9, 10, 11, 12, 14, 15, 17,18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 43, 45 of the outline planning permission (928/1/190) be DISCHARGED

Conditions:

1. The development hereby approved must be begun no later than the expiration of two years from the date of this permission.

   Reason: Required to be imposed pursuant to Section 92 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following approved plans, specifications and documents:

   2540.01 REV P1-03 Masterplan. Received 6th December 2012.
   2540.02 REV P1-02 Hardworks 1 of 2. Received 6th December 2012.
   2540.03 REV P1-02 Hardworks 2 of 2. Received 6th December 2012.
   2540.07 REV P1-02 Site Sections. Received 6th December 2012.
   CON-A001 Rev P1-00 Location Plan 23 November 2012
   CON-A001 Rev P1-00 Proposed Ground Floor Plan 23 November 2012
   CON-A002 Rev P1-00 Proposed First Floor Plan 23 November 2012
   CON-A003 Rev P1-00 Proposed Second Floor Plan 23 November 2012
   CON-A004 Rev P1-00 Proposed Roof Plan 23 November 2012
   CON-A010 Rev P1-00 Proposed Elevations 23 November 2012
   CON-A024 Rev P1-00 Building Sections - Cross Sections 23 November 2012
   CON-A025 Rev P1-00 Building Sections - Long Sections 23 November 2012
   CON-A300 Rev P1-00 3D Visuals 1 – Exterior 23 November 2012
   CON-A301 Rev P1-00 3D Visuals 2 - Academy 23 November 2012
   CON-A302 Rev P1-00 3D Visuals 3 - Leisure Centre 23 November 2012
   CON-A410 Rev P1-00 Elevations – Colour 23 November 2012
   CON-CD-9401 Rev P1-00 External Works Detail 23 November 2012
3. The existing signs, and road markings associated with the existing schools shall be removed within 3 months of the closure of the existing schools.

*Reason: In the interest of highway safety as required by policy TR2 of the Derwentside Local Plan*

4. New school warning signs, road markings, pedestrian barriers and shall be provided on Villa Real Medomsley Road and Ashdale Road, in accordance with the details shown on Drawing CON-CL-9402 S2-00, prior to the occupation of the new school and leisure centre.

*Reason: In the interests of highway safety as required by policy TR2 of the Derwentside Local Plan*

5. The accesses and car parking areas shown on the approved plans must be completed prior to the occupation of the new school and leisure centre.

*Reason: In the interest of highway safety as required by policy TR2 of the Derwentside Local Plan*

6. Full engineering drawings of the proposed new footpath to the southern side of Villa Real Road shall be submitted, approved in writing by the
Local Planning Authority and implemented as approved, before use of the approved Villa Real Road pedestrian entrance.

*Reason: In the interest of highway safety as required by policy TR2 of the Derwentside Local Plan*

7. No development shall commence until details of the construction of the new pitches, details of the design, layout, pitch markings, surfacing, performance quality specification, and floodlighting of the proposed Artificial Grass Pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The AGP shall not be constructed other than substantially in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy GDP1 of the Derwentside Local Plan.*

8. No development shall commence until details of the construction of the new MUGAs including the surfacing, court markings, means of enclosure and floodlighting have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The MUGA shall not be constructed other than substantially in accordance with the approved details.

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy GDP1 of the Derwentside Local Plan.*

9. The proposed sprint track shall be laid out and constructed in accordance with Sport England’s design guidance note on Athletics (Sport England 2008)

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy GDP1 of the Derwentside Local Plan.*

10. The proposed grass pitches proposed for the playing field area shall be marked out in accordance with the FA guide to pitch and goalpost dimensions.

*Reason: to ensure the proposed football pitches are fit for purpose and meet the needs of the intended users and to accord with policy GDP 1 of the Derwentside Local Plan.*

11. The top-soil and fill areas hereby permitted shown on the phasing plans shall be removed from the playing field within six months following first use of the academy school and within three months of removal [or in the first planting season following removal], the playing field land shall be reinstated to a condition fit for use as a playing field or in accordance with ‘Natural Turf for Sport’, (Sport England, 2011) or
the appropriate National Governing Body Performance Quality Standard.

_Reason:_ To ensure the site is restored to a condition fit for purpose and to accord with policy GDP 1 of the Derwentside Local Plan.

12. No development shall take place unless in accordance with the mitigation detailed within the Extended Phase 1 Habitat Survey-Update, BSF Consett academy, November 2012 and Habitat Management and biodiversity strategy: BSF Consett, November 2012.

_Reason:_ To ensure compliance with the requirements of Part 11 of the NPPF and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 and GDP 1 of the Derwentside Local Plan.

13. No development shall be commenced until intrusive site investigation works are undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that site investigations confirm the need for remedial works to treat the areas of shallow mine workings to ensure the safety and stability, these shall be undertook prior to the commencement of development.

_Reason:_ To ensure that the application site is safe and stable for the approved development, as required by paragraph 121 of the National Planning Policy Framework.

14. Details of any artificial construction lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented only in accordance with the approved details.

_Reason:_ In the interests of protecting residential amenity to comply with Policy GDP1 of Derwentside Local Plan.

15. No operations associated with the construction phase of the development hereby approved shall be carried out outside the hours of:
   - Monday to Friday – 08.00 – 1800hours
   - Saturdays – 08.00 – 1200hours
   - Sundays – None
   - Public and Bank Holidays – None

_Reason:_ In the interests of residential amenity in accordance with policy GDP1 of the Derwentside Local Plan.

16. Before its construction on site, the extent and height of any additional mounding to the north east corner of the site shall be approved in writing by the Local Planning Authority and retained as approved thereafter.
Reason: In the interests of visual and residential amenity having regard to policy GDP1 of the Derwentside Local Plan

17. Before its construction on site full details of the proposed new substation shall be submitted to and approved in writing by the Local Planning Authority and retained as approved thereafter.

Reason: In the interests of visual and residential amenity having regard to policy GDP1 of the Derwentside Local Plan.

18. The use of the sports facilities within the external fenced areas shall be limited to 9:00 to 21:00 hours (inclusive) on a Sunday.

Reason: In the interests of residential amenity having regard to policy GDP1 of the Derwentside Local Plan.

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REASONS FOR THE RECOMMENDATION

i) The proposed development would involve the provision of education and leisure facilities on land within the urban area that is currently in use for community based purposes and was considered acceptable in principle for use on this basis by the grant of outline planning permission for the development.

ii) The proposed development was considered to represent a significant and positive investment in the future of the local area that would help maintain its social health and vitality and contribute to wider economic and regeneration initiatives.

iii) The proposed development can be satisfactorily accommodated in terms of its scale and location on the site and would relate acceptably to the surrounding built and natural environment in terms of visual and residential amenity and would take account of and incorporate measures as appropriate to protect existing landscape, natural and historic features, open land and general environmental conditions in accordance with Saved Policies GDP1, EN11, EN17, EN19 and EN24 and EN26 of the Derwentside District Local Plan.

iv) The proposed transport implications of the scheme in terms of traffic generation and movements on the surrounding road network, the siting and design of accesses and provision for parking within the development would not prejudice the free flow of traffic, highway safety or wider transport objectives aimed at reducing reliance on the private car. The proposal would accord with Saved Policies TR2 and TR3 of the Derwentside District Local Plan and Policy 7 of the RSS.
v) The proposed development would have an acceptable impact on the overall level of playing field provision (and open character on the site) and within the local area, and would enhance the quality of sports and recreational available in the local area in accordance with NPPF Part 8 – Promoting Healthy Communities.

vi) It is considered that the objections, concerns and reservations expressed about the proposed development and its component parts are not sufficient to outweigh the overall acceptability of the scheme in planning terms. This view is generally reflected in the response of statutory and related consultees and suitable controlling measures would be put in place to ensure these environmental requirements are properly considered and met as part of the development.
STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support these applications have, 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.

(Statement in accordance with Article 31(1) (CC) of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.)

BACKGROUND PAPERS

- Submitted Application Forms and Plans
- National Planning Policy Framework
- Derwentside District Local Plan (1997).
- Statutory, internal and public consultation responses.
### Planning Services

Demolition of Leisure Centre and Football Club and construction of new Leisure Facilities and Academy (Reserved Matters Application)

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