

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/17/01691/FPA
FULL APPLICATION DESCRIPTION:	Demolition of existing school and erection of new school and associated works.
NAME OF APPLICANT:	Keir Construction
ADDRESS:	Vane Road Primary School Vane Road Newton Aycliffe DL5 5RH
ELECTORAL DIVISION:	Aycliffe East
CASE OFFICER:	Steven Pilkington, Senior Planning Officer, 03000 263964, steven.pilkington@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

The Site

1. The application site measures 2.7 hectares (ha) and is located within the built environment of Newton Aycliffe. The site is occupied by Vane Road Primary school built in the early 1960's. The site consists of two single storey flat roofed buildings sitting towards the western site boundary, associated school grounds and playing fields that wrap around the school. The rectangular site is bordered to the north by the B6443, Central Avenue and a mature line of trees and hedgerow. To the east the residential dwellings of Wellbury Grove are located, while to the south are the residential dwellings of Mellanby Crescent. To the west is the highway of Vane Road beyond which lie residential dwellings facing the application site. The site is served by two vehicular access points off Vane Road that lead to service areas and car parking. The topography of the site is relatively level.
2. The site lies outside of any nationally or locally designated landscape, heritage or ecological areas. Aycliffe Nature Park, a Local Wildlife Site is located 1.28km to the south of the whilst the Moor Local Nature reserve is located 1.68km to the north west. Both are separated from the site by the existing development of Newton Aycliffe. There are no public rights of way within the vicinity of the site.

The Proposal

3. This application seeks planning permission for the demolition of existing single storey education blocks and provision of a new school building, associated landscape works and access arrangements. The redevelopment of the school would be funded by the Education Funding Agency to provide a two form entry, increasing the school capacity from 399 to 420.
4. The proposed new building would comprise of a two storey development providing approximately 2,096m² of floor area, sited to the east of the existing buildings on site. The building would measure approximately 70m in length x 20m in width with a maximum height of approximately 9m. The building would be faced in a mixture of brick, render and coloured glazing. A Combined Heat and Power Plant is also proposed which will be located in the north eastern portion of the building, this would include an external flue at a maximum height of 10m.
5. In addition to the new building the existing car parking on site would be reconfigured to provide an additional 13 parking spaces (50no in total) and a service area. This would be accessed off one of the existing vehicular accesses onto Vane Road with the other being stopped up, 3no. pedestrian/cycle access points would be provided off Vane Road. Landscaping and SUDs drainage features are proposed within the site in proximity to the western site boundary and would treat and attenuate surface water from the site. The existing play area and sporting pitches would be reconfigured and formally laid out, taking account of the space freed up by the removal of the existing buildings.
6. A temporary construction access for the duration of the development it proposed off Central Avenue to keep construction and school traffic/pupils segregated as the existing school would be kept operation during the construction process.
7. The application is reported to Committee as it constitutes a major development proposal over 1,000m².

PLANNING HISTORY

8. There is no planning history associated with this site other than the erection of ancillary structures associated with the school.

PLANNING POLICY

NATIONAL POLICY

9. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF). 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. 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’.
10. In accordance with Paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight.

The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.

11. *NPPF Part 1 – Building a Strong, Competitive Economy.* The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
12. *NPPF Part 4 – Promoting Sustainable Transport.* 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.
13. *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 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.
14. *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.
15. *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.
16. *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.
17. *NPPF Part 12 – Conserving and Enhancing the Historic Environment.* Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

18. The Government has consolidated a number of planning practice guidance notes, circulars and other guidance documents into a single Planning Practice Guidance Suite. This document provides planning guidance on a wide range of matters. Of particular relevance to this application is the practice guidance with regards to: air quality; design; determining a planning application; flood risk; health and well-being; land stability; light pollution; natural environment; neighbourhood planning; noise; open space, sports and recreation facilities, planning obligations; travel plans, transport assessments and statements; use of planning conditions, water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

The Sedgefield Borough Local Plan (SBLP) 1996

19. *Policy E11* – Safeguarding sites of Nature Conservation Interest – Sets out that development detrimental to the interest of nature conservation will not be normally permitted, unless there are reasons for the development that would outweigh the need to safeguard the site, there are no alternative suitable sites for the proposed development elsewhere in the County and remedial measures have been taken to minimise any adverse effects.
20. *Policy E15* – Safeguarding woodlands, trees and hedgerows – Sets out that the Council expects development to retain important groups of trees and hedgerow and replace any trees which are lost.
21. *Policy L11* - New or Improved Leisure/Community Buildings - The Council will normally grant planning permission for new community buildings and encourage improvements to community buildings that improve the range and quality of facilities provided that certain criteria are met.
22. *Policy D1* – General Principles for the layout and design of new developments – Sets out that all new development and redevelopment within the District should be designed and built to a high standard and should contribute to the quality and built environment of the surrounding area.
23. *Policy D2* – Design for people – Sets out that the requirements of a development should be taken into account in its layout and design, with particular attention given to personal safety and security of people.
24. *Policy D3* – *Design for Access*. This policy provides that development should make satisfactory and safe provision for use by all modes of transport, detailing eight criteria which will need to be included in new development as appropriate. These include cycle parking facilities, measures to minimise conflict between pedestrians, cyclists and motor vehicles and adequate car parking provision.

RELEVANT EMERGING POLICY:

25. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF.

Great Aycliffe Neighbourhood Plan

26. The Great Aycliffe Neighbourhood Plan (GANP) was subject to a local referendum on 22nd June 2017, whereupon it received the support of 91.2% of the vote. In accordance with Section 3 of the Neighbourhood Planning Act 2017, the draft neighbourhood plan now becomes part of the development plan, ahead of its adoption. As a result, it should now be afforded significant weight in the decision making process. The following policies of the GANP are considered relevant to this application:
27. *Policy CH1 (Landscape, Character and Townscape)* – This Policy seeks to ensure that new development respects the landscape character of the Parish and its settlements, by maintaining existing hedgerows, trees and woodland, by accommodating and providing tree-lined avenues to maintain existing character, and by ensuring that green open space is set aside within the development site.
28. *Policy CH3 (Existing Amenity Open Spaces & Recreational Areas)* - This Policy states that existing open spaces, sports and recreational buildings and land not specifically identified in Policy CH2 should not be built on, except in very special circumstances, where an assessment has been undertaken which shows that the open space, buildings, or land are surplus to requirements; or where the loss resulting from the development would be replaced by better provision; or the development is for alternative sports and recreation provision; or the development can help alleviate extensive, long-term on-street parking problems.
29. *Policy E5 (Protection of Trees within New Development)* – States that proposals for new development will be expected to retain existing trees where possible and integrate them fully into the design, having regard to their management requirements and growth potential. New development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the need for, and benefits of, the proposal clearly outweigh the loss.

The County Durham Plan

30. The County Durham Plan (CDP) was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 18 February 2015, however that Report was quashed by the High Court following a successful Judicial Review challenge by the Council. In accordance with the High Court Order, the Council has withdrawn the CDP and a new plan being prepared. In the light of this, policies of the CDP can no longer carry any weight. As the new plan progresses through the stages of preparation it will begin to accrue weight.

The above represents a summary of those policies considered most relevant. The full text, criteria, and justifications of each may be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (Sedgefield Borough Local Plan) http://www.great-aycliffe.gov.uk/uploads/Neighbourhood%20Plan/Full_Plan_-_Referendum_Version.pdf ([Great Aycliffe Neighbourhood Plan](#))

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

31. *Highway Authority* – Raise no objections advising that the proposed parking would comply with DCC Parking and Accessibility Standards 2014. It is however advised that the 3no. separate pedestrian/cycle access points should be protected by a

minimum of a 6 m pedestrian guard rail to prevent pupils running or cycling onto the road. A condition securing this is recommended. It is further advised that the existing vehicular access point should be removed and replaced with a footway, whilst the northern junction access radii should be amended to 6m. No objections are raised to the temporary construction access.

32. *Drainage and Coastal Protection* – Offer no objections advising that the proposed design demonstrates compliance with National Standards and Council Policies in providing sustainable solutions to surface water management, and ensuring the prevention of flood risk to and from the proposed development. Conditions recommending the implementation of the strategy are recommended.
33. *Sport England* – Advise that the quantity of playing field that would be available for use once building work is completed would be least equivalent to the amount of playing field that currently exists at the school. Whilst the resultant playing field would be split into two areas rather than the current single area, this is not considered to be detrimental to its quality. The quality of the new area of playing field should however be secured by way of condition. It is also advised that a condition requiring the submission community use agreement should be attached to any planning approval.

INTERNAL CONSULTEE RESPONSES:

34. *Landscape* – Raise no objections and advise that a detailed landscaping plan should be submitted for approval.
35. *Landscape (arboriculture)* – Advise that for the majority of the site, there is no major arboricultural conflict. The only area where there is potential for significant conflict is the installation of parking bays in the north east corner of the site and the installation of containers to the north of the proposed school building. It is recommended that, in order to avoid damage and decline post development, the positioning of these elements of the development are reconsidered altering the parking area to move the proposed parking bays outside the root protection areas of the trees and employing tree protection measures in line with BS5837 for the remainder of the site (to be installed pre demolition).
36. *Ecology* – Offer no objections, advising that the conclusions of the Preliminary Ecological Report are sound however the delivery of the mitigation should be conditioned, including the updating of the landscaping plan to reflect the mitigation recommendations.
37. *Environment, Health and Consumer Protection (Pollution Control)* – Overall raise no objections, however it is advised that conditions to provide details around lux levels within the external lighting strategy, details of plant to be installed, flue extraction systems. Concerns are raised regarding the potential impact of the use of the outside play/sport areas other than by the school on surrounding residential properties.
38. *Environment, Health and Consumer Protection (Contaminated Land)* – Advise a conditional approach in relation to land contamination to allow further assessment under the existing school buildings.
39. *Environment, Health and Consumer Protection (Air Quality)* – Advise the development would likely exceed the thresholds requiring the undertaking of an air quality impact assessment. However, given the low background levels of contaminants recorded at the site a conditional approach could be adopted in

relation to the use of CHP in this instance requiring an impact assessment which should detail mitigation measures where appropriate. A dust management plan should be submitted in relation to the construction phase.

40. *Archaeology* – No objections are raised on archaeological grounds as it is advised that there are no known archaeological remains within the development area and the main construction would be taking place in areas previously developed.
41. *Sustainable Travel* – Advise that modification to the existing bus stop would be required to facilitate the access improvements. The submitted plans do not appear to set out whether cycle parking will be provided, this should be conditioned. A travel plan would need to be developed for the site.

PUBLIC RESPONSES:

42. The application has been publicised by way of press notice, site notice, and individual notification letters to neighbouring residents. No representations have been received.

The above is not intended to repeat every point made and represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at: <https://publicaccess.durham.gov.uk/online-applications/search.do?action=simple&searchType=Application>

APPLICANTS STATEMENT:

43. None Received

PLANNING CONSIDERATIONS AND ASSESSMENT

44. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that if regard is to be had to the development plan, decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In accordance with Paragraph 212 of the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to the principle of development, design, layout and the effect on the character of the surrounding area residential amenity, open space/play fields, access and highway safety, ecology, flooding and drainage and other issues.

The Principle of Development

The Development Plan

45. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material planning consideration. The Sedgefield Borough Local Plan (SBLP) remains a statutory component of the development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 215 that greater weight may be given to local plan policies depending on their degree of consistency with the NPPF. Whilst the NPPF at Paragraph 211 advises that Local Plan policies should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

46. Relevant to this application is SBLP Policy L11 which sets out that the Council will normally grant planning permission for new community buildings and encourage improvements to community buildings that improve the range and quality of facilities. This is provided that certain criteria are met, including being located within the main towns of the borough, including Newton Aycliffe. SBLP Policy L11 is considered consistent with the NPPF in this respect which identifies the need to deliver sufficient community facilities for all. Furthermore Paragraph 73 of the NPPF sets out that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education and should give great weight to the need to create, expand or alter schools. It is therefore considered that full weight should be afforded to SBLP Policy L11 in this respect.
47. The Great Aycliffe Plan is silent in relation to development proposals of this nature.
48. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay. Given the policy support offered by SBLP Policy L11, subject to a detailed assessment of material considerations the redevelopment of the school is considered acceptable in principle.

Design, layout and the effect on the character of the surrounding area

49. SBLP Policies D1, D2 and L11 seek to promote good design which relates well to the natural and built features of the site, the surrounding area and adjacent land uses. GANP Policy CH1 seeks to ensure that new development respects the landscape character of the Parish. Parts 7 and 11 of the NPPF also seek to promote good design, while protecting and enhancing local environments. Paragraph 58 of the NPPF also states that planning decisions should aim to ensure developments function well and add to the overall quality of the area and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Due to their compliance with the NPPF significant weight can be afforded to SBLP Policies D1, D2 and L11 and GANP Policy CH1 in this respect.
50. As highlighted above the existing school consists of two development blocks, built in the early 1960s. The buildings are brick built with flat roofs and have a sprawling appearance on the site and have been modified over the years. Although commensurate with the surrounding housing stock the buildings display limited architectural merit and offer little to the quality street scene. The two access routes and separate development blocks also give a confusing appearance to layout of the school which has no obvious main entrance.
51. The proposed redevelopment of the site would result in the demolition of the existing buildings and the erection of one development block, sited more centrally in the site than the existing on a north south axis adjacent to the northern boundary. The erection of a two storey building of a modern appearance inherently would create a prominent feature of the street scene. However, the design of the building, has an easily identifiable educational appearance, accentuated through the through the use of rendered sections and coloured glazing. This is considered appropriate for this established educational site, while the orientation of the building gives a more positive relationship with Vane Road. The rationalisation of the access points, both

vehicular and pedestrian, provides more clarity to the layout to the school creating an obvious main entrance and focal point.

52. A detailed landscape strategy has been provided which sets out that the frontage of the site would be landscaped with shrub planting and ornamental trees which would have a significantly softer appearance than the existing, which is dominated by car parking and hard standings. Landscape officers offer no objections to the scheme subject to the detailing of a final landscaping plan for review and it is recommended that this is secured by condition.
53. The proposed car parking would be located adjacent the north eastern boundary of the site, which is largely screened by the existing highway mature planting (hedgerow and trees) beyond the northern site boundary. The impact of the development on these mature trees has been assessed by Arboricultural officers who identify that elements of the proposed parking would be located in the trees root protection areas and this may have a negative impact on the future health of the trees which SBLP Policy E15 and GANP Policy E5 seek to avoid. It was advised that consideration should be given to moving some of the parking out of the root protection areas.
54. Consideration has been given to this matter but this would result in significant layout changes, impacting on the access and SUDS drainage arrangements which would have financial implications. It is therefore considered appropriate to adopt a no dig engineering solution to the construction of the car park elements in this location to protect the existing tree roots. A condition to detail this, supported by an Arboricultural survey is recommended. Further concerns are raised by the Arboricultural officer in relation to the proposed siting of two storage containers on site which are again in proximity of root protection areas. A condition requiring the detailing of the siting of these elements is also recommended to secure modest adjustments to their position.
55. A section of hedge row (approximately 6m) would need to be removed to facilitate the temporary vehicular access. It is considered that subject to its replacement this would have no long term visual impact.
56. Overall, subject to the securing and detailing of the proposed landscaping of the site, the development would have a positive impact on the character and appearance the surrounding area, replacing a dated building with limited architectural merit. The development is therefore considered to comply with SBLP Policies D1, D2, L11 and E15 and GANP Policy CH1 and Parts 7 and 11 of the NPPF, subject to conditions in relation the detailing and implementation of landscaping and no dig solution to the tree protection areas and alteration of the position of storage containers.

Residential Amenity

57. SBLP Policies D1 and L11 require that the design and layout of development to have no serious adverse effect on the amenity of those living or working in the vicinity of the development site. These Policies are considered NPPF compliant with a core planning principle at Paragraph 17 of the NPPF stating that planning should always seek to secure a good standard of amenity for existing and future occupants of land and buildings. Whilst Part 11 of the NPPF seeks to prevent both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of pollution.
58. The existing school site is predominately surrounded by residential dwellings where is has an established impact on the amenity of existing residents. The demolition of

the rebuilding of the existing school is therefore not considered to significantly change or intensify the use of the site. However, whilst raising no objections to the application Environment, Health and Consumer Protection officers (Pollution Control) require further clarification round the around lux levels within the external lighting strategy, ensuring that there is limited light spill onto adjacent properties. Further to this, details and specification (including noise outputs) of any external plant to be installed is required along with details of the flue extraction system for the kitchen. It is considered that these detailed matters can be controlled by condition.

59. Concerns are also raised by Environment, Health and Consumer Protection officers (Pollution Control) regarding the potential impact of the use of the improved outside play/sport areas other than by the school. This has raised issues in other areas of the County, creating a disturbance for local residents. However, this is considered to come down to the level of use and also the times that outdoor areas are utilised. In order to control this matter and enable the development to comply with other requirements (detailed below) it is considered appropriate for a condition requiring a community use strategy to be developed, including management and review facility to be submitted to and approved by the Planning Authority.
60. The proposed development would replace two single storey blocks of development with a two storey building, closer to residential properties on the eastern site boundary. This inherently would lead to a degree of overlooking towards adjacent residents of Welbury Grove. However, a separation distance of approximately 65m would be evident to the site boundary of these properties. This is considered well in excess of the 21m between habitable room windows separation distance as advocated in the SBLP, even recognising the educational nature of the proposal. To the south, a separation distance of 59m from the gable end of the development would be evident to the southern boundary with Mellanby Crescent. This would actually represent an improvement over the existing 22m separation distance, although appreciating the two storey nature of the development. To the properties along Vane Road a distance of over 80m would be achievable.
61. A construction management plan has been submitted indicating phases for the works and the formation of a secondary vehicular access as well as detailing mitigation measures to control construction dust and noise. Whilst the measures set out in this document are considered generally sound and the temporary vehicle access would help keep deliveries away from the closest residential dwellings, it is considered that further scrutiny of the finer details of the submitted information are required. A conditional approach to this matter is therefore recommended.
62. The Environmental Health and Consumer Protection officers (Air Quality) advise that no mitigation measures are required in relation to air quality following given the established nature of the development and its scale. However, it is advised that scrutiny of the emissions of the proposed Combined Heat and Power Plant, a condition to require submission of this information is recommended.
63. Overall, it is considered that the development would not cause any adverse impact upon the amenity of those living in the vicinity of the development site subject to the above recommended conditions. The development is therefore considered compliant with SBLP Policies D1 and L11 in this respect and Parts 8 and 11 of the NPPF.

Open Space/ Play Fields

64. There are playing fields on the site which reference within the Council's Open Space Needs Assessment 2010 and falls within Sports England definition of a playing field. As set out above in order to keep the school operational during the construction

phase, the new school is proposed to be built to the east of the existing on playing fields. Following completion of the new development the existing buildings on site would be demolished and the playing fields re provided. GANP Policy CH3, in accordance with Paragraph 74 of the NPPF seeks to prevent opens/recreational facilities from being built on unless there is a equivalent better provision.

65. In considering the application Sport England, the statutory consultee for development affecting playing fields, offer no objection to the development. This is on the basis that the quantity of playing field that will be available for use once building work is completed will at least equivalent to the amount of playing field that currently exists at the school. Whilst the resultant playing field will be split into two areas rather than the current single area, it is advised that this is not considerable to be detrimental to its quality. It is however recommended that the quality of the new area of playing field should be secured by way of condition, whilst a community use agreement should be entered into.
66. As highlighted above concerns are also raised by Environment, Health and Consumer Protection (Pollution Control) officers regarding the potential impact of the use of the improved outside play/sport areas other than by the school. However, subject to the imposition of a condition requiring a community use strategy to be developed, including management and a review mechanism, this matter can be addressed. It is however recognised that there may be instances such late in the evening when an extended use would not be appropriate.
67. Overall, subject to conditions requiring the re-provision of the playing fields once the existing school buildings have been demolished and securing a community use agreement, the development would accord with GANP Policy CH3 in accordance with Paragraph 74 of the NPPF.

Access and highway safety issues

68. SBLP Policy D3 requires that development proposals achieve a satisfactory means of access onto the wider highway network while seeking to protect highway safety in terms of vehicle movements and traffic generation. This Policy is considered compliant with the NPPF which also seeks to promote accessibility by a range of methods while ensuring that a safe and suitable access can be achieved and therefore can be given full weight in considering the application. The NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
69. The application has been considered by the Highways Authority, who raise no objections advising that the proposed parking would comply with DCC Parking and Accessibility Standards 2014. It is advised that the 3no. separate pedestrian/cycle access points should be protected by a minimum of a 6 m pedestrian guard rail to prevent pupils running or cycling onto the road. A condition securing this is recommended.
70. It is further advised that the existing vehicular access point proposed to be stopped up, should be removed and replaced with footway. It is also recommended that the northern junction access radii should be amended to 6m. It is considered that the widening of the existing junction would interfere with the location of a bus stop and would require modifying. It is recommended that conditions are attached to secure these minor amendments.

71. No objections are raised by the Highways Authority to the temporary construction access, recognising the benefits to segregate construction traffic from pupils and operational school traffic. It is advised that approval would be required under Section 184(3) of the Highways Act 1980 to secure this. This process operates outside of the planning system.
72. The Council's Sustainable Travel officer highlight that a travel plan would need to be developed for the school and should be secured by condition. The submitted scheme identifies the provision of separate visitor/staff cycle parking and a separate area for students.
73. Overall, subject to the recommended conditions it is considered that the proposal would be served by an appropriate means of access and would not have a negative impact on the wider highway network. The proposal is therefore considered acceptable in highways terms and complies with SBLP Local Plan Policies L11, D3 and Parts 4 and 8 of the NPPF.

Ecology

74. An ecology survey has been submitted with the application, highlighting that no species that are afforded special legal protection under the Conservation of Habitats and Species Regulations 2010 and/or the Wildlife and Countryside Act 1981 (as amended) have been recorded within the site. The report therefore concludes that the risk of protected species being on the site, with the exception of foraging bats and breeding birds, or the development being a risk to the protected species is low or negligible.
76. Ecology officers have reviewed the Preliminary Ecological Report and advise that the conclusions of the Report are sound. However, it is advised that the delivery of the mitigation should be conditioned, including the updating of the landscaping plan to reflect the mitigation recommendations. The proposal would therefore comply with SBLP Policy E11 which is considered consistent with NPPF Paragraph 118.

Flooding and Drainage

77. National advice within the NPPF and PPG with regard to flood risk advises that a sequential approach to the location of development should be taken with the objective of steering new development to flood zone 1 (areas with the lowest probability of river or sea flooding). When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment.
78. The application is accompanied by a flood risk assessment (FRA), which highlights that the application site is within flood zone 1 with a low flood risk probability. Nevertheless, the FRA identifies that there are areas of high risk surface water flooding on the site and mitigation would be required to deal with this. The FRA sets out a drainage strategy including the incorporation of Sustainable Urban Drainage (SUD's). This includes the implementation of storage/attenuation area to the west of the site. This, along with other techniques including infiltration, would restrict runoff to Green Field rate before being discharged. In considering the submitted information Drainage and Costal Protection officers offer no objections, advising that the proposed design demonstrates compliance with National Standards and Council Policies in providing sustainable solutions to surface water management, and ensuring the prevention of flood risk to and from the proposed development. Conditions requiring the implementation of the strategy are recommended. Subject to

this condition the development would comply with Part 11 of the NPPF in this respect.

Other Issues

79. Environment, Health and Consumer Protection officers (Contaminated Land) advise that the submitted ground investigation results are considered acceptable, however further survey work is required once the existing school buildings are demolished. A conditional approach is recommended. The development would comply with Part 11 of the NPPF in this respect.
80. The Councils Archaeology Officer raise no objections on archaeological grounds advising that there are no known archaeological remains within the development area and the main construction will be taking place in areas previously developed. The development would comply with Part 12 of the NPPF in this respect.

CONCLUSION

81. It is concluded that the demolition and rebuilding of the school would comply with SBLP Policy S11 representing an improved community facility within the built environment of Newton Aycliffe and subject to relevant conditions would not harm the living conditions of nearby residents, is appropriate in scale and character of the surrounding area and would provide an appropriate access and levels of car parking.
82. The scheme, subject to appropriate conditions, is considered to comply with GANP Policies CH1 and CH3, having a positive impact on the surrounding area and protecting existing mature vegetation.
83. It is concluded that the scheme would not result in the loss of a playing field/recreation facility, subject to a condition requiring the re-provision once existing buildings are demolished in accordance with GANP Policy CH3 and Paragraph 74 of the NPPF.
84. Paragraph 14 of the NPPF establishes a presumption in favour of sustainable development, for decision taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay. It is identified that there are relevant saved policies of the Local Plan which can be afforded significant weight in the decision making process. It is concluded that the development accords with these local plan policies and therefore in accordance with paragraph 14 the application should be approved without delay.
85. Furthermore it is recognised that redevelopment of the school would contribute to the social and environmental dimensions of sustainable development. Resulting in a significantly improved teaching facility and representing the redevelopment of a site which offers little the environmental quality of the area.

RECOMMENDATION

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

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

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

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

VRS-NOR-ZZ-GA-A-3003 GA FLOOR PLANS
VRS-NOR-ZZ-GA-A-3004 ROOFPLAN
VRS-NOR-ZZ-EL-A-5001 ELEVATIONS
VRS-NOR-ZZ-SE-A-4002 SECTIONS SHEET 1
VRS-NOR-ZZ-SE-A-4001 SECTIONS SHEET 2
VRP-COL-00-XX-DR-L-5001 Planting Strategy REV 6
VRP-COL-00-XX-DR-L-6021 Site Sections Rev 05
VRP-COL-00-XX-DR-L-6017 Rev 07 KS2 play - relocation of play equipment
VRP-COL-00-XX-DR-L-6016 Rev 06 KS1 Play - relocation of play equipment
VRP-COL-00-XX-DR-L-6015 Reception area - relocation of play equipment
VRP-COL-00-XX-DR-L-6008 REV 12 Landscape Masterplan
VRP-COL-00-XX-DR-L-6004 Rev 10 Access and Security
VRP-COL-00-XX-DR-L-6003 Rev 09 Access and circulation
VRP-COL-00-XX-DR-L-6002 BB103 - Area comparison
VRP-COL-00-XX-DR-L-6001 Rev 09 Landscape Zonal Plan
1014851-RPT-003 - SUSTAINABILITY STATEMENT
1014851-RPT-001- PART L REPORT
BS01(50)1001 ROOF PLANT

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies D1, D2, D3 and L11 of the Sedgfield Borough Local Plan and parts 4,7,8,10 and 11 of the NPPF.

3. Notwithstanding the submitted information, prior to the first use of the building hereby approved a scheme of highway mitigation work shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details and timings for implementation of:-
- A 6 meter Junction Radii on the site entrance,
 - Provision of pedestrian guard rails at pedestrian/cycle exit points
 - The removal of the existing vehicular access point replacement with a footway.
 - The relocation and modification of the existing bus stop.

The submitted scheme shall be fully undertaken in accordance with the approved details and timings thereafter.

Reason: In the interests of highway safety in accordance with Policies D1, D2, D3 and L11 of the Sedgfield Borough Local Plan and Part 4 of the National Planning Policy Framework.

4. Notwithstanding the submitted information, prior to its installation full details of the proposed temporary access to be utilised during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the surfacing of the access, vegetation removal, and a landscaping remediation scheme including a timeframe for its undertaking. The development shall be carried out in accordance with the approved details and timings thereafter.

Reason: In the interests of highway safety and visual amenity of the surrounding area in accordance with Policies D1, D2, D3 and L11 of the Sedgefield Borough Local Plan and Part 4 of the National Planning Policy Framework.

5. Within a period of six months of the first occupation of the building hereby approved, a final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be undertaken thereafter in accordance with the Travel Plan.

Reason: To reduce reliance on the private motor car and to promote sustainable transport methods in accordance with Policies D1, D2, D3 and L11 of the Sedgefield Borough Local Plan and Parts 4 and 10 of the National Planning Policy Framework.

6. Within 3 months of the completion of demolition of the buildings on site the surface water management scheme for the development shall be fully implemented in accordance with the following documents.

- Drainage Strategy - Ref : 1014851-RPT-C002 – 17/05/2017
- Drainage Strategy Appendices 1 to 6
- Flood Risk Assessment – Ref: 1014851-RPT-C003 – 19/05/2017

Reason: To ensure effective drainage measures and sustainable principles are adhered to, and to safeguard the proposed development from flood risk, whilst not increasing flood risk elsewhere in accordance with Part 11 of the National Planning Policy Framework.

7. Within 2 months of the demolition of the former school buildings on the land proposed for the new playing field area the following documents shall be submitted to and approved in writing by the Local Planning Authority:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full within 12 months of the completion of demolition works. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Great Aycliffe Plan Policy CH3 and Part 8 of the National Planning Policy Framework.

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

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Great Aycliffe Neighbourhood Plan Policy CH3 and Part 8 of the National Planning Policy Framework.

9. Notwithstanding the submitted information detailed in Condition 2, prior to the commencement of the first occupation of the building hereby approved a detailed landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority.

The landscape scheme shall include the following:

- Any trees, hedges and shrubs scheduled for retention;
- Details soft landscaping including planting species, sizes, layout, densities, numbers;
- Details of planting procedures or specification;
- Finished topsoil levels and depths; -
- Details of temporary topsoil and subsoil storage provision;
- The establishment maintenance regime, including watering, rabbit protection, tree stakes, guards etc.
- The timeframe for implementation of the landscaping scheme.
- Details of all means of enclosures.

Provision of ecological mitigation measures as detailed in the Preliminary Ecological Appraisal ref WIE10720-104-R-9-1-6-PEA

The approved landscaping scheme shall thereafter be undertaken in accordance with the approved details and timeframes.

Trees, hedges and shrubs planted in accordance with the scheme shall not be removed within five years. Within the area defined as public/structural landscape space any trees or plants which die, fail to flourish or are removed within a period of 5 years from the substantial completion of the development shall be replaced in the next planting season with others of similar size and species. Replacements within the area defined as public/structural landscape space will be subject to the same conditions.

Reason: In the interests of the visual and residential amenity in accordance with Policies L11 and D1 of the Sedgfield Borough Local Plan and Parts 7 and 11 of the National Planning Policy Framework.

10. No construction work shall take place, nor any site cabins, materials or machinery be brought on site until all trees and hedges, indicated in the All About Trees, Arboricultural Method Statement, Dated 20th March 2017 are protected by the erection of fencing, placed as indicated on the plan and comprising a vertical and horizontal framework of scaffolding, well braced to resist impacts, and supporting temporary welded mesh fencing panels or similar approved in accordance with BS.5837:2012.

No operations or alterations of ground levels, and/or no storage of any materials are to take place inside the fences, and no work is to be done such as to affect any tree.

No underground services trenches or service runs shall be laid out in root protection areas, as defined on the Tree Constraints Plan.

Reason: To protect mature tree in the vicinity of the site, in the interests of the visual amenity of the area and to comply with Policies E15 and L11 of the Sedgfield Borough Local Plan, Policy E5 of the Great Aycliffe Neighbourhood Plan and Parts 7 and 11 of the National Planning Policy Framework.

11. Notwithstanding the submitted information, no development of the car park or hardstanding hereby approved shall commence until full engineering details on the method of construction of the any hard standing area within any Tree Root Protection Area has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be supported by an updated Arboricultural Method Statement utilising tree friendly construction methods. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect mature tree in the vicinity of the site, in the interests of the visual amenity of the area and to comply with Policies E15 and L11 of the Sedgfield Borough Local Plan, Policy E5 of the Great Aycliffe Neighbourhood Plan and parts 7 and 11 of the National Planning Policy Framework.

12. Notwithstanding the submitted information, the final siting of the storage containers identified on drawing no. VRP-COL-00-XX-DR-L-60008 Rev 12 shall be in accordance with an updated Arboriculture Method Statement and in accordance with the mitigation established under condition no.11. The positioning of the containers thereafter shall be retained in accordance with the approved details.

Reason: To protect mature tree in the vicinity of the site, in the interests of the visual amenity of the area and to comply with Policies E15 and L11 of the Sedgfield Borough Local Plan, Policy E5 of the Great Aycliffe Neighbourhood Plan and Parts 7 and 11 of the National Planning Policy Framework.

13. The development shall be carried out in accordance with the ecological mitigation detailed in Preliminary Ecological Appraisal ref WIE10720-104-R-9-1-6-PEA.

Reason: To conserve protected species and their habitat in accordance with Paragraph 109 of the National Planning Policy Framework and Policy GDP1 of the Wear Valley District Local Plan.

14. Notwithstanding the submitted information, prior to their installation, full details and specification of:-
- Any external plant - including noise rating against background noise levels were required,
 - means of extraction, including noise rating against background noise levels and odour abatement measures were required
 - Details of the emission levels of any Combined Heat and Power Plant.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenity of surrounding residents and in order to comply with Policies D1 and L11 of the Sedgfield Borough Local Plan and Part 11 of the NPPF.

15. Notwithstanding the submitted information, prior to the installation of any external lighting, a lighting strategy shall be submitted and thereafter approved in writing with the Local Planning Authority. This strategy shall include:-
- A description of the proposed lighting units including height, type, angling and power output for all lighting
- Drawing(s)/contour plans showing the luminance levels both horizontal and vertical of the lighting scheme to demonstrate that no light falls into the curtilage of adjacent neighbouring properties;
- Details of the Sky Glow Upward Light Ratio, Light Intrusion (into windows of relevant properties) and Luminaire Intensity.

Operational times of lights

The limits for the relevant Environmental Zone relating to Sky Glow Upward Light Ratio, Light Trespass (into windows) and Luminaire Intensity, contained in Table 2 (Obtrusive Light Limitations for Exterior Lighting Installations) of the Institute of Lighting Professionals Guidance on the Reduction of Obtrusive Light shall not be exceeded.

The development shall thereafter be carried out in accordance with the approved lighting strategy.

Reason: In the interests of the amenity of surrounding residents and in order to comply with Policies D1 and L11 of the Sedgfield Borough Local Plan and Part 11 of the National Planning Policy Framework.

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

No internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1700 on Saturday.

No construction works or works of demolition whatsoever, including deliveries, external running of plant and equipment, internal works whether audible or not outside the site boundary, shall take place on Sundays, Public or Bank Holidays.

For the purposes of this Condition, construction works are defined as: The carrying out of any building, civil engineering or engineering construction work involving the use of plant and machinery including hand tools.

Reason: In the interests of the amenity of surrounding residents and in order to comply with Policies D1 and L11 of the Sedgfield Borough Local Plan and Part 11 of the National Planning Policy Framework.

17. Notwithstanding the submitted information, prior to the commencement of any part of the development hereby permitted, including demolition, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include as a minimum but not necessarily be restricted to the following:
1. A Dust Action Plan including measures to control the emission of dust and dirt during construction
 2. Details of methods and means of noise reduction/suppression.
 3. Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
 4. Details of measures to prevent mud and other such material migrating onto the highway from all vehicles entering and leaving the site;
 5. Designation, layout and design of construction access and egress points;
 6. Details for the provision of directional signage (on and off site);
 7. Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
 8. Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
 9. Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;

10. Routing agreements for construction traffic.
11. Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
12. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
13. Detail of measures for liaison with the local community and procedures to deal with any complaints received.

The management strategy shall have regard to BS 5228 "Noise and Vibration Control on Construction and Open Sites" during the planning and implementation of site activities and operations.

The approved Construction Management Plan shall also be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In the interests of the amenity of surrounding residents and in order to comply with Policies D1 and L11 of the Sedgefield Borough Local Plan and Part 11 of the National Planning Policy Framework. This is required as a pre commencement condition in order to mitigate potential impact on residential amenity which needs to be considered before site works commence.

18. The development hereby approved shall not commence until a scheme to deal with contamination has been submitted to and agreed in writing with the Local Planning Authority. The full scheme, both pre-commencement and completion shall include the following, unless the Local Planning Authority confirms in writing that any part of sub-sections a, b, c or d are not required.

Throughout both the pre-commencement and completion phases of the development all documents submitted relating to Phases 2 to 4 as detailed below shall be carried out by competent person(s) and shall be submitted to and agreed in writing with the Local Planning Authority.

Pre-Commencement

(a) A Phase 2 Site Investigation and Risk Assessment is required to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. Prior to the Phase 2 a Sampling and Analysis Plan is required.

(b) If the Phase 2 identifies any unacceptable risks, a Phase 3 Remediation Strategy detailing the proposed remediation and verification works is required. If gas protection measures are required a verification plan is required detailing the gas protection measures to be installed, the inspection regime and where necessary integrity testing programme. The installation of the gas membrane should be carried out by an appropriately qualified workforce and the verification of the installation should be carried out by an appropriately competent, experience and suitably trained person(s) (preferably independent to the installer) to ensure mitigation of the risk to the buildings and the people who occupy them. No alterations to the remediation proposals shall be carried out without the prior written agreement of the Local Planning Authority.

Completion

(c) During the implementation of the remedial works (if required) and/or development if any contamination is identified that has not been identified pre-commencement, it must be reported in writing immediately to the Local Planning

Authority. An investigation and risk assessment shall be carried out in accordance with part b of the condition and where necessary a Phase 3 Remediation Strategy shall be prepared in accordance with part c of the condition. The development shall be completed in accordance with any amended specification of works.

(d) Upon completion of the remedial works (if required), a Phase 4 Verification Report (Validation Report) confirming the objectives, methods, results and effectiveness of all remediation works detailed in the Phase 3 Remediation Strategy shall be submitted to and agreed in writing with the Local Planning Authority within 2 months of completion of the development. If integrity testing of the membrane(s) was required a verification pro forma should be included.

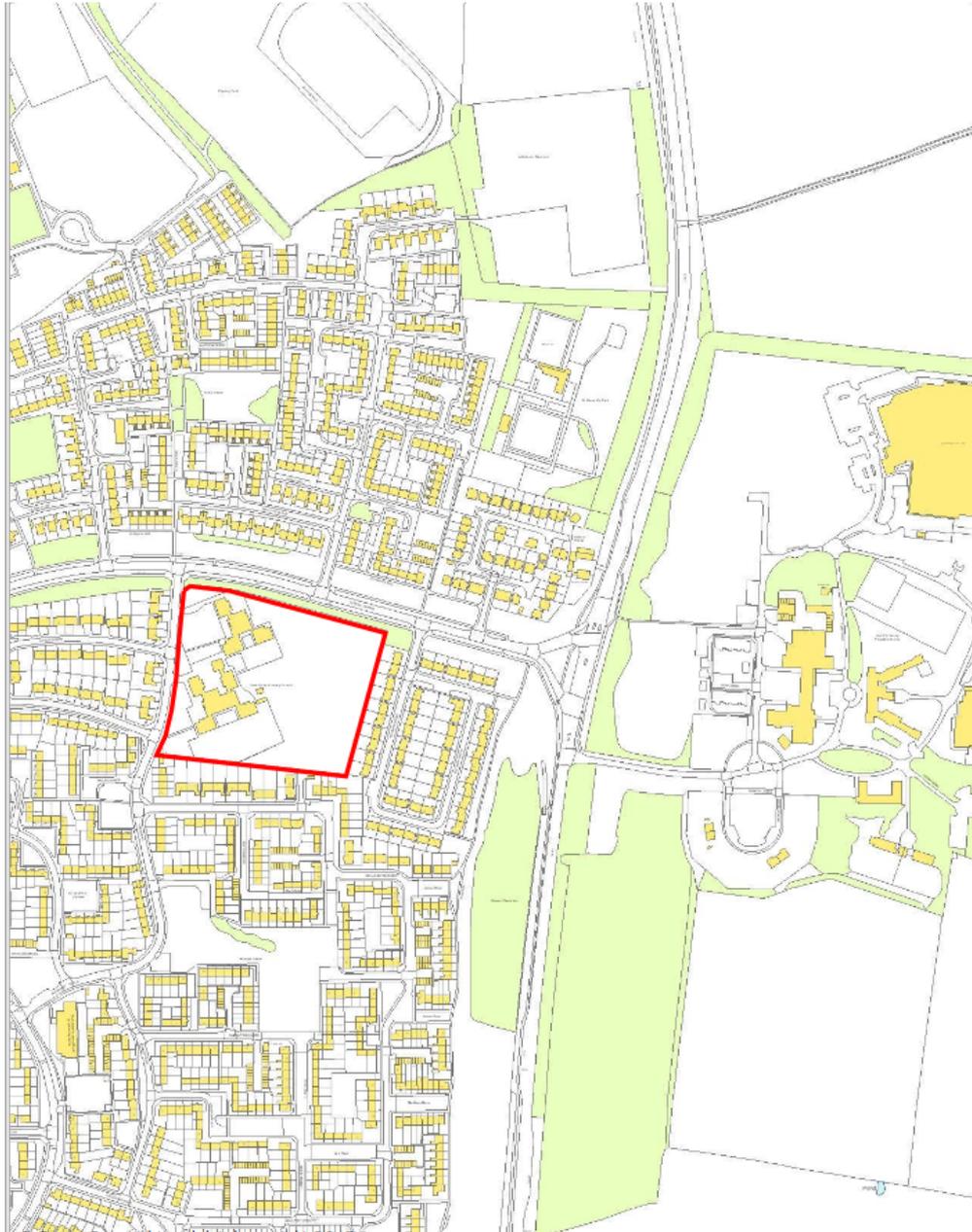
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with Part 11 of the National Planning Policy Framework. This is required as a pre commencement condition in order to consider potential impact of land contamination which may be disturbed by site works.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to support this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. *(Statement in accordance with Article 35(2) (CC) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)*

BACKGROUND PAPERS

- Submitted application form, plans supporting documents and subsequent information provided by the applicant.
- The National Planning Policy Framework (2012)
- National Planning Practice Guidance notes.
- Sedgefield Borough Local Plan
- Great Aycliffe Neighbourhood Plan
- Statutory, internal and public consultation responses.
- County Durham Settlement Study 2012



Planning Services

DM/17/01691/FPA
 Demolition of existing school and erection of new school and associated works at Vane Road Primary School, Vane Road, Newton Aycliffe, DL5 5RH

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Comments

Date July 2017

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