

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/02950/FPA
FULL APPLICATION DESCRIPTION:	Erection of building, associated external works, landscaping and car parking and demolition of 3no. teaching blocks.
NAME OF APPLICANT:	Kier Construction
ADDRESS:	Bishop Barrington School, Woodhouse Lane, Bishop Auckland, DL14 6LA
ELECTORAL DIVISION:	Bishop Auckland
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 relates to Bishop Barrington School, a Local Authority owned Secondary school located within the Etherley area of Bishop Auckland. The site is irregularly shaped extending up to 5.36ha in area, relatively level, consisting of school buildings, parking, sports facilities and playing fields. The school complex essentially consists of 5 development blocks, including 3 teaching blocks ranging from single to three storey, a dining hall and a sports hall, with parking facilities served from a main access onto Woodhouse Lane. Residential properties encompass the site, while mature trees are present centrally within the site.
2. The site is located approximately 650m to the west of south east of Cockton Hill Conservation Area, whilst Bishop Auckland Conservation Area containing the Grade I Listed Building of Auckland Castle is located approximately 780m to the north.

The Proposal

3. This application seeks planning permission for the demolition of all three existing teaching blocks on site and the erection of a single new teaching block. The new block would be arranged in a T shape, with a mix of 2 and 3 storeys. The development would measure approximately 80m in width by 50m in depth, the two-storey element would have an approximate height of 8.5m, and the three storey a maximum height of 12.8m. Extract vents and boiler stacks would project beyond the roofline centrally. The proposed development while replacing existing dilapidated teaching accommodation would increase the capacity of the school from 791 to 900 pupils. The development

would be partly funded by the Education & Skills Funding Agency and Durham County Council Education Authority.

4. This planning application is being reported to the Strategic Planning Committee as the site area exceeds 4ha.

PLANNING HISTORY

5. The site has an extensive planning history permitting development for the current school buildings and sporting facilities. However none are specifically relevant to this proposal.

PLANNING POLICY

NATIONAL POLICY

6. A revised National Planning Policy Framework (NPPF) was published in July 2018. The overriding message continues to be that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three overarching objectives – economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways.
7. In accordance with Paragraph 213 of the National Planning Policy Framework, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevance of this issue is discussed, where appropriate, in the assessment section of the report. The following elements of the NPPF are considered relevant to this proposal.
8. *NPPF Part 2 Achieving Sustainable Development* - The purpose of the planning system is to contribute to the achievement of sustainable development and therefore at the heart of the NPPF is a presumption in favour of sustainable development. It defines the role of planning in achieving sustainable development under three overarching objectives - economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application of the presumption in favour of sustainable development for plan-making and decision-taking is outlined.
9. *NPPF Part 4 Decision-Making* - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
10. *NPPF Part 8 Promoting Healthy and Safe Communities* - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Developments should be safe and accessible; Local Planning Authorities should plan positively for the provision and use of shared space and community facilities. An integrated approach to considering the location of housing, economic uses and services should be adopted.
11. *NPPF Part 9 Promoting Sustainable Transport* - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce

congestion. Developments that generate significant movement should be located where the need to travel will be minimised and the use of sustainable transport modes maximised.

12. *NPPF Part 12 Achieving Well-Designed Places* – The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
13. *NPPF Part 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change* - The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
14. *NPPF Part 15 Conserving and Enhancing the Natural Environment* - Conserving and enhancing the natural environment. The Planning System should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests, recognising the wider benefits of ecosystems, minimising the impacts on biodiversity, preventing both new and existing development from contributing to or being put at unacceptable risk from pollution and land stability and remediating contaminated or other degraded land where appropriate.
15. *NPPF Part 16 Conserving and Enhancing the Historic Environment* - Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

<https://www.gov.uk/guidance/national-planning-policy-framework>

16. 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; conserving and enhancing the historic environment; design; flood risk; land stability; light pollution; natural environment; noise; open space, sports and recreation facilities and public rights of way; planning obligations; travel plans, transport assessments and statements; use of planning conditions and; water supply, wastewater and water quality.

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

LOCAL PLAN POLICY:

Wear Valley District Local Plan (2007) (WVDLP)

17. *Policy GD1 – General Development Criteria*. 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.
18. *Policy BE1 – Protection of Historic Heritage* – Sets out that the Council will seek to conserve the historic heritage by maintenance, protection and enhancement of features and areas of particular historic architectural interest or archaeology interest.

19. *Policy BE4 – Setting of a Listed Building* – Sets out that development which impacts upon the setting of a Listed Building and adversely affects its special architectural, historical or landscape character will not be allowed.
20. *Policy BE8 – Setting of a Conservation Area* – Sets out that development which impacts upon the setting of a Conservation Area and which adversely affects its townscape qualities, landscape or historical character will not be allowed.
21. *Policy T1 – General Policy – Highways*. All developments which generate additional traffic will be required to fulfil Policy GD1 and provide adequate access to the developments; not exceed the capacity of the local road network; and be capable of access by public transport networks.

RELEVANT EMERGING POLICY:

The County Durham Plan

22. Paragraph 48 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. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision-making process at the present time.

The above represents a summary of those policies considered relevant. The full text, criteria, and justifications can be accessed at: <http://www.durham.gov.uk/article/3266/Whats-in-place-to-support-planning-and-development-decision-making-at-the-moment> (Wear Valley District Local Plan)

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

23. *Highway Authority* - It is advised that the total parking provision on site is within the relevant DCC maxima standards based on the quoted pupil and staff numbers. The DCC standards require a minimum of 3 no. electric vehicle charging points (this being based on total car parking capacity proposed) and a minimum of 15% car share space being allocated for car sharers, which should be secured. The proposed pedestrian access arrangements are acceptable.
24. *Drainage and Costal Protection* – Advise that the proposed drainage 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. No objections are raised to the proposal.
25. *Northumbrian Water* – Offer no objections providing the development is carried out in accordance with the submitted drainage strategy limiting surface water and foul water flows.
26. *Sport England* – Advise that the development does not fall within their statutory remit for consultation, general guidance is offered.

INTERNAL CONSULTEE RESPONSES:

27. *Landscape* – Concerns are raised regarding the loss of trees on site, however it is advised that the replacement planting is acceptable subject to some minor amendments.
28. *Landscape (Arboriculture)* – Advise that the development would result in the loss of good quality trees within the site which have limited external visibility but make a good contribution to the landscape and nature of the school grounds. It is advised that it is preferable that existing trees were afforded more consideration for retention, whilst accepting that there is a need to increase the building space on the site. Replacement trees should be provided in sustainable positions.
29. *Archaeology* – Raise no objection due to the previously developed nature of the site.
30. *Ecology* – Offer no objections to the proposals on ecological grounds. Subject to the conditioning of the recommendations included in the Preliminary Ecological Appraisal including the timing of the works.
31. *Environmental Health and Consumer Protection (Contaminated Land)* – Advise that a Geoenvironmental Desk Study Report has been submitted in support of the application. A conditional approach to secure further site investigations and mitigation where appropriate is recommended to recognised the phased nature of the development.
32. *Environmental Health and Consumer Protection (Pollution Control)* – Advise a conditional approach to control construction related impacts and to control the installation of external plant and lighting.
33. *Sustainable Transport* – Advise that a new travel plan for the school will need submitted, to be agreed by condition.
34. *School Places and Admissions Manager* – The Education Service of the council support this project. It will enhance the building by replacing significant parts of it which are in a poor state of repair. This will enable the school to more effectively deliver the curriculum in an environment that inspires students to maximise their potential. In addition the increase in capacity will meet the known demand for places at the school in the future.

NON -STATUTORY RESPONSES:

35. *Police Architectural Liaison Officer* – Offers general advice in to the design of new school buildings.

PUBLIC RESPONSES:

36. The application has been publicised by way of press notice, site notice, and individual notification letters. One letter of objection has been received. Whilst the objector advises that they have no fundamental objection to the redevelopment and improvement of the school facilities objections are raised in relation to a loss of residential amenity on no.145 Woodhouse Lane. This is due to the proximity of the proposed new build to the residential property which would lead to a loss of privacy and amenity particularly in relation to the three storey elements of the building which have large windows which would overlook gardens and the property. It is also considered that noise generated from the development particularly through natural ventilation and open windows would impact on residential amenity.

APPLICANTS STATEMENT:

37. Bishop Barrington School is an 11-16 mixed secondary school within the town of Bishop Auckland. It is popular within the local community and has seen its numbers rise over the last 5 years, despite little student mobility in the area. However its existing teaching buildings that have sprouted organically over the years are at the end of their natural design life and in decline. The sprawling nature of expansion on the site over the years has resulted in split departments, impractical/ excessive pupil movement between lessons and complicated fire egress routes to name but a few issues. The building fabric both internally and externally are not in good condition and offer poor performance both thermally and acoustically making it an unsatisfactory environment for learning. In addition to this, the steeply sloping grounds are not suitable under DDA and make access into certain buildings unsatisfactory. After a successful funding application to address the conditions of the existing buildings, it was also deemed necessary to increase its pupil role from 791 to 900 to address the local demand.
38. Early dialogue with Durham County Council (DCC), Kier and ESFA determined the approach to the design of a new school building. The initial pre-application planning letter and initial discussions with DCC acknowledged the limited choice of available site for a new building. As such their priority was that any new building did not impact on the amenity of neighbouring residents, particularly the properties that front out on to Woodhouse Lane. It was recognised that the site is established in nature, has mature boundary treatments and that by utilising planning guidelines for separation distances of 2 & 3 storey facing buildings, that this amenity shouldn't be adversely affected. The Kier team has taken cognisance of this and located/ massed the new building accordingly. As such the new building is broken into two blocks; one of 2 storey that exceeds the min. 21m of the southern boundary and one of 3 storey that exceeds the min. 30m.
- The floor area of the new building is divided into basic teaching area, learning resources, staff and administration, storage and circulation areas. The existing sport and dining halls will be retained. Key aspirational drivers of the design include:
 - Creation of an attractive and welcoming arrival space with clear wayfinding to garner a positive impression to visitors and encourage continued community use of the facility.
 - Restructuring the site to form a cohesive whole by retaining existing large facilities and utilising the new teaching block as a binding element
 - Condensing the sprawling teaching blocks into one comprehensive building that supports and facilitates the schools ethos and pedagogy
 - Maximizing the educational, sporting and community use of the site.
 - Provision of safe and simple access and circulation.
39. The design was also governed by the following constraints:
- Retaining the existing school buildings as operational through the duration of the build to avoid lost cost on temporary accommodation.
 - The school site is bound by housing which require privacy distances to be maintained.
 - Significant falls across the site, especially 2.5m from west to east in hard play/ potential build zone to rear of the existing blocks.
 - Existing pedestrian and vehicular routes to be retained essentially and adapted off Woodhouse Lane. Parking provision to be increased.
 - School playing fields to the west to be retained and adopted in the proposals.
40. We feel that the new design achieves all these. The new condensed teaching blocks 'T' footprint positioned to the west of the current school, works within all these parameters

whilst also retaining a suitable offset from the existing buildings for retained circulation and segregated construction access.

41. The public frontage of the school will have an open feel to reflect the welcoming community ethos of the school. 2 storey and 3 storey wings embrace and gather visitors in unlike how it is at present. The current community use of the dining hall and sport hall buildings as well as the tennis court and pitches remain unaffected and site security is clear and secure. Distances between the buildings are minimal and now more clearly visible to create a collegiate feel campus with good passive surveillance. Strategically located staff areas across all floors ensure that the building provides natural surveillance to all areas of the site.
42. The existing drop off area outside the school site boundary is retained, and therefore it is only new staff and visitor parking that have been added. The site entrance has a very green appearance with the retained memorial garden and new replacement trees for the displaced existing ones planted to create an avenue that will lead visitors to the main entrance.
43. We feel the new building will enable the school to further develop as a beacon for learning and is something the staff, pupils and wider community deserve and can be proud of.

The above 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>

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 advice within the National Planning Policy Framework (NPPF), the policies contained therein are material considerations that should be taken into account in decision-making. Other material considerations include representations received. In this context, it is considered that the main planning issues in this instance relate to: the principle of the development, design, layout and the effect on the character of the surrounding area, residential amenity, highway safety and access, ecology, flooding and drainage, ground conditions and heritage impacts.

The Principle of Development

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 Wear Valley District Local Plan (WVDLP) remains the statutory development plan and the starting point for determining applications as set out at Paragraph 12 of the NPPF. However, the NPPF advises at Paragraph 213 that the degree of weight to be afforded to existing Local Plans is dependent upon the degree of consistency with the NPPF.
46. The WVDLP was adopted in 1996 and was intended to cover the period to 2006. Notwithstanding this, it is considered that a policy can be out-of-date if it is based upon evidence which is not up-to-date/is time expired depending on the circumstances.
47. Within the WVDLP there are no relevant planning policies on how to assess planning applications related to new or improved education facilities, other than general

development criteria assessment contained in policy GD1 and other policies relating to specific matters.

48. Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. For decision taking this means (unless material considerations indicate otherwise):
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Policies in this Framework taken as a whole.
49. Although there are no WVDLP policies which directly relate to new build schools or alterations to existing schools, policy GD1 does set out general development principles for new development. In this instance policy GD1 is considered a relevant development plan policy that is most important for determining the application and is up to date for the purposes of paragraph 11 of the NPPF. The acceptability of the scheme therefore rests on whether the scheme accords with development plan policies taking into account material considerations.

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

50. WVDLP Policy GD1 sets out that development to be designed and built to a high standard and should contribute to the quality and built of the surrounding area. Furthermore, development should be in keeping with the character and appearance of the area, and be appropriate in terms of form, scale, mass, density and layout, to its location whilst not impacting on the landscape quality of the area. Part 12 of the NPPF seeks to ensure that good design is indivisible from good planning, highlighting that developments should be visually attractive as a result of good architecture, appropriate landscaping and respond to local character. Full weight can therefore be afforded to this policy in this respect in the decision making process.
51. The existing school consists of a number of different buildings spread out across the site, varying in scale, size and design. The majority of the buildings, including those proposed to be demolished were erected in the late 1970's. These buildings are considered to have limited architectural merit and do not positively contribute to the character and appearance of the surrounding area. The proposed redevelopment of the site would result in the erection of a mixed two and three storey building arranged in a T shape. The form of the building is a result of functional form meeting statutory requirements for the layout of new education provision. The appearance of the building is nevertheless considered to represent a significant improvement in design terms over and above the existing buildings on site and would provide an engaging place to learn in comparison.
52. The building is proposed to be sited towards the southern boundary of the site, adjacent to the school playing fields. The location of the building is of a result of an

analysis of options which allow the school to remain operational during the construction phase and negates with the use of costly temporary, demountable classrooms. The siting of the building in this location would result in the loss of a number of mature trees centrally to the site. As advised by the Council Landscape and Arboricultural Officer, these trees make a good contribution to the landscape and nature of the school grounds, however they do have limited external visibility in the wider streetscape/landscape. A comprehensive landscaping scheme is proposed, which includes replacement trees and areas of hard and soft landscaping which is considered acceptable by the council's Landscape Officer subject to reviewing finer details of planting methods. Although this landscaping scheme could not fully mitigate the loss of the mature trees it would ensure that an attractive, considered environment would be created.

53. Overall, it is considered that the proposed building would represent a positive improvement over and above the appearance of the existing buildings on site to be demolished, in accordance with policy GD1 of the WVDLP and part 12 of the NPPF. A number of mature trees would need to be removed to facilitate the development, whilst an appropriate landscaping plan has been submitted, this loss should however be considered in the planning balance.

Residential Amenity

54. WVDLP policy GD1 sets out that development should not disturb or conflict with adjoining uses. This policy is considered NPPF compliant which seeks to ensure a high standard of amenity for existing and future uses of land and buildings.
55. In this respect, the majority of the school buildings have been present on site from the 1970's, with a close relationship with surrounding residential properties. The presence of these buildings, noises and coming and goings with the school have an established impact on the level of residential amenity experienced with neighbouring residents. The demolition of some of the school buildings will improve the level of amenity experienced by some local residents (137-143a) Woodhouse Lane due to the presence of an existing block approximately 15m away from the rear elevations of these properties. However, the new build will be closer to the residential properties of 143 and 145 Woodhouse Lane. Objections to the development have been raised from the resident of 145 Woodhouse Lane in this respect.
56. The proposed new build would be arranged in a T shape, with the cross of the T up to three storey in height, the remainder would be 2 storey in height. The building would be located to the north west of no. 145 with the three-storey element located a minimum of approximately 32.5m from the rear elevation of the dwelling. The two-storey element would be located a minimum of approximately 35m from the side elevation of the property. Additional tree and shrub planting is proposed along the common boundary, whilst opaque film to the lower portion (1800mm from finished floor level) of the closet two windows on the 1st and 2nd floor on the three storey block.
57. In assessing the impact on the development on no. 145 Woodhouse Lane, it is recognised that there are level changes from no.145 to the school site. A detailed site survey has been undertaken which sets out that the finished floor level of the school would be approximately 2.5m lower than the finished floor level of no. 145 and 1.5m lower than the garden. These level changes would help reduce the impact of the new build. However a large element of the building would remain visible, largely equivalent to 2 storeys on the three storey element and one storey on the two storey element. Existing vegetation equivalent to one floor level would provide some screening however at certain times of the year would not be entirely effective, whilst the proposed planting would take time to mature. Views would be achievable back to the residential dwelling

and associated garden space, reducing the level of amenity currently experienced, particularly in relation to the three-storey element.

58. Although not specifically applicable to this application, as not relating to a new residential development, Policy H24 sets out a recommended separation distance of 21m should be achievable between windows of habitable rooms in new residential developments. This separation distances set out in policy H24 are considered an appropriate guide in assessing impacts of developments, although recognising the educational nature of the development. The proposed three storey element would be located a minimum of 32.5m away from the rear elevation of no. 145, whilst the garden would inherently be closer. Although recognising the scale of the development and that there would be some overlooking, in the round the impact on the level of amenity is not considered to be at a significant adverse level but would be required to be taken into account in the planning balance even taking into account the proposed mitigation of planting and obscure film on the windows.
59. A distance of approximately 22.5m would be evident from the principle rear elevation of no.143 Woodhouse Lane to the two storey gable elevation of the new building. This elevation of the new build has one window in the ground floor with a classroom window and stairwell window on the first floor set back an additional 2.4m. Due to this separation distance and the existing mature vegetation along the rear boundary of no. 143 a significant loss of amenity is not considered to arise for this resident.
60. In order to limit the potential disturbance for existing and future residents during construction, Environmental Health and Consumer Protection officers recommend that a construction management plan be secured to deal with construction related impacts. Although a construction management plan has been submitted in support of the application, clarification is sought on several matters, including whether there needs to be any piling. It is also recommended that details of any external plant and lighting should be agreed before the building being brought into use.
61. Overall, the scheme would reduce the level of amenity of the resident of no.145 Woodhouse Lane. However due to the level changes on site, existing and proposed vegetation and the separation distances, this impact is not considered to be at significant adverse level or represent a conflict of WVDLP Policy GD1 or Parts 12 and 15 of the NPPF. This impact would however need to be weighed in the planning balance.

Highway Safety and Access

62. WVDLP Policies GD1, and T1 set out that developments should be served by a safe means of access and development should not create unacceptable levels of traffic which exceed the capacity of the local road network. These policies are considered consistent with the NPPF in this respect (and therefore afforded full weight) which also sets out at that safe and suitable access can be achieved for all people.
63. The development as existing would be served by a vehicular access off Woodhouse Lane, which also provides the main pedestrian to the site. A second pedestrian access is located the north west of the site which will be retained. The existing car parking arrangements will be reconfigured once the buildings have been demolished to provide a total of 140 spaces. This represents an increase of 82 spaces.
64. The Highways Authority have advised the proposed parking levels and pedestrian access arrangements are acceptable and would not impact on highway safety. Conditions are however recommend to secure the provision of 3.no electric charging

points and car share spaces to be secured through a new travel plan for the school, as also requested by the Councils Sustainable Transport Team.

65. Overall, on the advice of the Highway Authority, a satisfactory means of access would be retained and the level of car parking on site is in line with DCC guidelines. The scheme is considered to accord with WVDLP Policies GD1, and T1 in this respect and Part 9 of the NPPF.

Ecology

66. Part 15 of the NPPF seeks to ensure that developments protect and mitigate harm to biodiversity interests. 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 2017 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 is low. Precautionary working practices particularly in relation to the timings of vegetation clearance works are however proposed.
67. The Councils Ecology Officer advises that the findings and conclusions the submitted ecology report are sound and subject to the implementation of the precautionary working practices the development is considered to conform with WVDLP policy GDP1 and Part 15 of the NPPF in this respect.

Flooding Risk and Drainage

68. 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.
69. 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. The FRA also sets out a drainage strategy including the incorporation of Sustainable Urban Drainage (SUD's) including source and site controls leading to a retention basins, permeable paving and filter trenches to capture surface water and attenuation tanks to discharge at a controlled rate. Subject to a condition securing delivery of this, the, the Council's Drainage and Coastal Protection officers and Northumbrian Water offer no objections to the development.
70. In relation to foul water, it is proposed to connect to the existing sewerage network, to which Northumbrian Water raise no objections to.
71. Subject to conditions to resolve the final surface and foul water disposal, no objections to the development on the grounds of flood risk or drainage are raised having regards to WVDLP Policy GD1 and Part 14 of the NPPF.

Ground Conditions

72. In relation to land contamination the applicant has submitted a phase 1 desk top study, undertaken site investigations and gas monitoring which identifies that small elements of the site that need remediating elements of the site that need remediating whilst further site investigations are required following the demolition of the school buildings.

After reviewing the submitted report Environment, Health and Consumer Protection officers (Contaminated Land) recommend a conditional approach to secure and review further investigations and mitigation, whilst accepting this will need to be done in a phased approach, in accordance with Policy GD1 of the WVDLP and Part 15 of the NPPF

Heritage Impacts

73. Policies BE1, BE4 and BE8 of the WVDLP respectively seek to protect and enhance, historic features, listed buildings and Conservation Areas. Policy BE1 is considered largely consistent with the NPPF which at Part 16 seeks to protect heritage assets proportionate to their significance. Policies BE4 and BE8 are considered only partly consistent however, as they do not permit the same degree of flexibility as the NPPF to balance public benefits against any heritage harms. The site is located approximately 650m to the west of south east of Cockton Hill Conservation Area, whilst Bishop Auckland Conservation Area containing the Grade I Listed Building of Auckland Castle is located approximately 780m to the north. However, as the site would have no direct inter-visibility with these heritage assets, principally due to the surrounding land topography existing development of Bishop Auckland there would be no harm in this respect. The existing school buildings to be demolished have no significant architectural merit and are not considered to represent non-designated heritage assets.
74. In terms of archaeology, the NPPF sets out the requirements for an appropriate programme of archaeological investigation, recording and publication to be made. However, in this respect given the previously developed nature of the site and the Council's Archaeology Section advise that there would unlikely to be any remains of any significant on the site and therefore no further mitigation is required in this respect.

CONCLUSION

75. Although there are no policies with the WVDLP that specifically relate to new or altered education facilities, policy GD1 does set out general development principles for new development. In this instance policy GD1 is considered a relevant development plan policy that is most important for determining the application and is up to date for the purposes of paragraph 11 of the NPPF. The acceptability of the scheme therefore rests on whether the scheme accords with development plan policies taking into account material considerations.
76. The scheme has been assessed against relevant development plan policies GD1, BE1, BE4, BE8, T1 of the WVDLP. It is identified that the development would result in harm in relation to residential amenity of to the dwelling of no.145 Woodhouse Lane and would result in the loss of mature trees on site. However these impacts are not considered to represent a conflict with relevant WVDLP policies, or specific policies within the NPPF.
77. Furthermore these impacts are also considered to be outweighed by the benefits of providing new and increased capacity education facilities, which paragraph 94 seeks to promote in the planning balance.
78. The proposal has generated some limited public interest, with a letter of objection having been received. Concerns expressed regarding the proposal have been taken into account, and carefully balanced against the scheme's wider social, economic and community benefits.

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:

Proposed Block Plan - BBS-NOR-SS-XX-SP-A-9006 Rev B
Demolition plan - BBSNORSSXXSPA9004 Rev B
Perspective Sections - BBSNORSSZZSEA4002 Rev A
Contextual Section - BBSNORSSZZSEA-4010 Rev C
Sitewide Sections - BBSCOL00XXDRL3001 Rev 02
General arrangement sections - BBSNORSSZZSEA4001 Rev D
General Arrangement Elevations - BBS-NOR-SS-ZZ-EL-A-5001 Rev H
Hall Works - BBSNORSSZZELA5002 Rev E
Level 0 - General arrangement- BBSNORSS00GAA3001 Rev F
Level 1 - General arrangement - BBSNORSS01GAA3001 Rev E
Level 2 - General arrangement - BBSNORSS02GAA3001 Rev F
Level Roof - General arrangement - BBSNORSSRFGAA3001 Rev D
Floor plans for gross internal areas - JKK9301-10 Rev A
Site Wide Section - BBSCOL00XXDRL3001REV 02
Access & Security Boundary Treatments - BBSCOL00XXDRL6004 Rev 05
Drainage Strategy – 1015178-RPT-C-002
Proposed Drainage – Phase 1 - CLXX(52)1007 – Rev CP2
Proposed Drainage – Phase 2 - CLXX(52)1008 – Rev CP2

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies GD1 and T1 of the Wear Valley District Local Plan and parts 8, 9, 12, 14 and 15 of the National Planning Policy Framework.

3. No building hereby approved shall be occupied until a School Travel Plan, to achieve Bronze Level Accreditation within 1 year of the buildings first occupation, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall use Modeshift STARS to carry out this process and include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.

Reason: In order to deliver sustainable transport objectives including a reduction in car journeys and the increased use of public transport, walking and cycling. In accordance with Part 9 of the NPPF and policies GD1 and T1 of the Wear Valley District Local Plan

4. The 3no electric charging points set out on drawing number BBS-CND-PS-ZZ-DR-E-6301 shall be installed and brought into use before within a period of 3 months form the completion of the carpark hereby approved.

Reason: In order to deliver sustainable transport objectives. In accordance with Part 9 of the NPPF and policies GD1 and T1 of the Wear Valley District Local Plan

5. The Landscaping set out on plans BBS-COL-00-XX-DR-L-5002, BBS-COL-00-XX-DR-L-5002, BBS-COL-00-XX-DR-L-5002 (Landscape Proposals and Masterplan) shall be completed within the first planting season following the final demolition hereby approved. 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 of the surrounding area in accordance with policy GD1 of the Wear Valley District Local Plan and in accordance with Parts 12 and 15 of the National Planning Policy Framework.

6. 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 Tree Protection and Removal Plan, BBS-COL-00-xx-DR-L-6008 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: In the interests of the visual and residential amenity of the surrounding area in accordance with policy GD1 of the Wear Valley District Local Plan and in accordance with Parts 12 and 15 of the National Planning Policy Framework

7. The development shall be carried out in accordance with the ecological mitigation detailed in Preliminary Ecological Appraisal ref WIE10720-104-R-10-2-1-PEA.

Reason: To conserve protected species and their habitat in accordance with Part 15 of the National Planning Policy Framework and Policy GDP1 of the Wear Valley District Local Plan.

8. 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 Policy GD1 of the Wear Valley District Local Plan and Part 15 of the NPPF.

9. 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 Policy GD1 of the Wear Valley District Local Plan and Part 15 of the NPPF.

10. 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 Policy GD1 of the Wear Valley District Local Plan and Part 15 of the NPPF.

11. Prior to the commencement of any part of the development or any works of demolition, hereby permitted, 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:

- A Dust Action Plan including measures to control the emission of dust and dirt during construction
- Details of methods and means of noise reduction
- Where construction involves penetrative piling, details of methods for piling of foundations including measures to suppress any associated noise and vibration.
- Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- Designation, layout and design of construction access and egress points;
- Details for the provision of directional signage (on and off site);

- Details of contractors' compounds, materials storage and other storage arrangements, including cranes and plant, equipment and related temporary infrastructure;
- Details of provision for all site operatives for the loading and unloading of plant, machinery and materials
- Details of provision for all site operatives, including visitors and construction vehicles for parking and turning within the site during the construction period;
- Routing agreements for construction traffic.
- Details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.
- Detail of measures for liaison with the local community and procedures to deal with any complaints received.

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

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

Reason: In the interests of the amenity of surrounding residents and in order to comply with Policy GD1 of the Wear Valley District Local Plan and Part 15 of the NPPF.

12. 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.

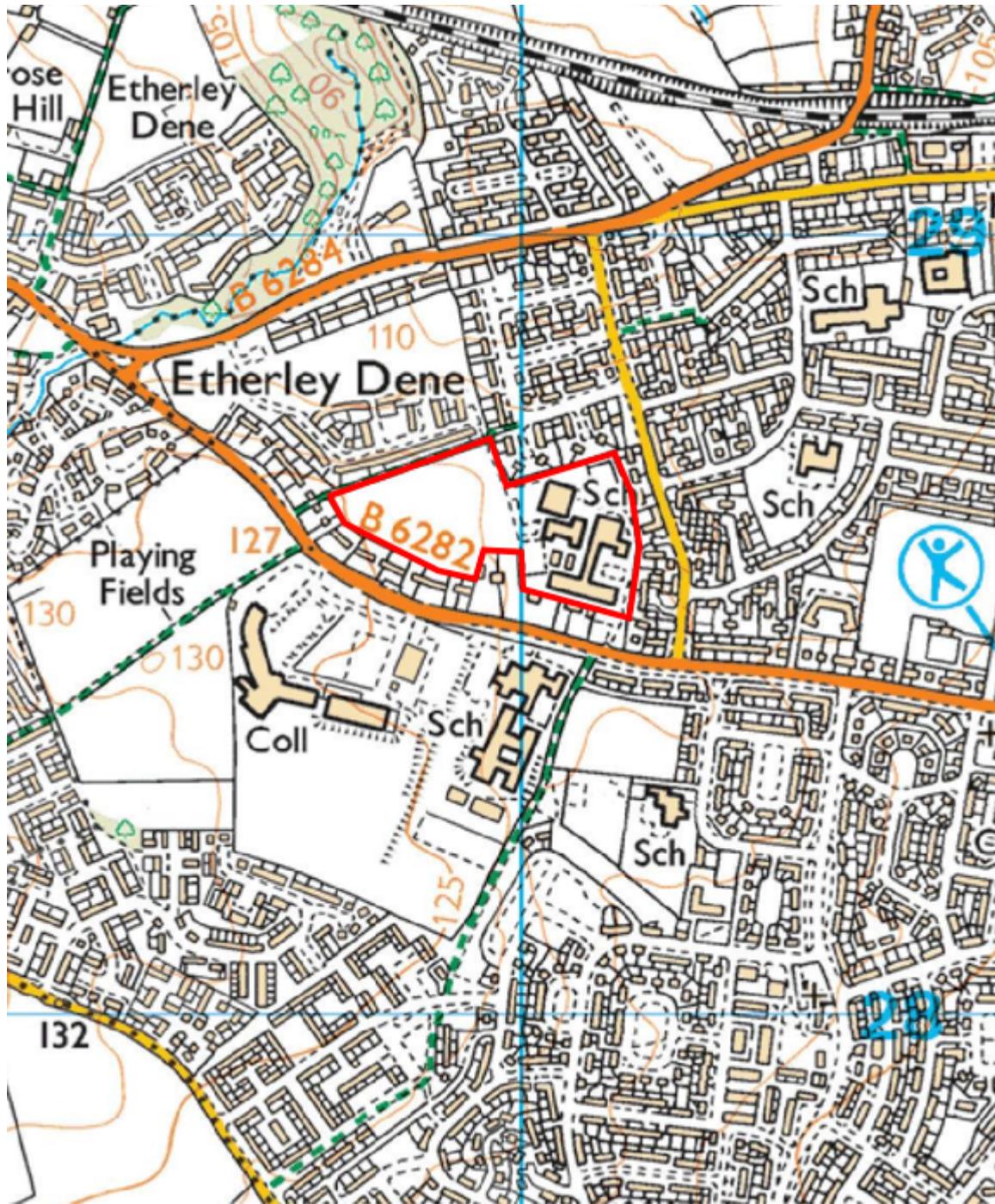
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours 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 recommendation to approve 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 (2018)
- National Planning Practice Guidance Notes
- Wear Valley District Local Plan 2006
- Statutory, internal and public consultation responses



Planning Services

DM/18/02950/FPA

Erection of building, associated external works, landscaping and car parking and demolition of 3no. teaching blocks.

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Comments

Date 4 December 2018

Scale Not to scale