

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	928/1/190
FULL APPLICATION DESCRIPTION:	Proposed demolition of leisure centre, Council offices, football and rugby club facilities and construction of new academy (school) and leisure facilities, land at Belle Vue, Medomsley Road, Consett (outline application).
NAME OF APPLICANT:	Durham County Council Children and Young People's Services Rivergreen Centre
ADDRESS:	Aykley Heads Durham DH1 5UL
ELECTORAL DIVISION:	Consett North
CASE OFFICER:	John Byers Tel: 0191 383 3408 <i>John.Byers@durham.gov.uk</i>

DESCRIPTION OF THE SITE AND PROPOSALS

Introduction

- 1 Academies are all-ability state funded secondary schools that are intended to transform educational standards in under performing areas. They differ from other state maintained schools in that they are operated and managed by a Governing Board and sponsors rather than directly by local authorities. The Government is committed to establishing 400 academies across the country and 3 are initially being proposed within County Durham as part of the wider Building Schools for the Future (BSF) programme that is intended to renew or refurbish schools over a 10 to 15 year period to meet 21st Century needs. The programme also seeks to ensure that new schools will be at the heart of local communities, providing opportunities for lifelong learning and community, cultural and sporting activities.
- 2 This report relates to the proposed development of a new academy for secondary education in Consett which aims to amalgamate the existing Consett Community Sports College and Moorside Community College schools on a new site. It is followed by related report for an academy in Stanley. These proposals have been submitted by the County Council in its capacity as co-sponsor of the Consett and Stanley schemes. Durham University is the lead sponsor for Consett within a consortium (Durham Excellence in Education Partnership) that includes the North East Chamber of Commerce. The Academies are included within Phase 2 (National Wave 6) of the Durham BSF programme which targets the delivery of schemes mainly within the south area of the County over the 2013-2015 time period. This proposal also includes the provision of replacement leisure facilities as an integral part of the development. These would be managed by the County Council's Sport and Leisure Service.

The Site

- 3 The proposed academy and leisure facilities would be developed on around 14.4 hectares of land to the north of Consett town centre. The site is bordered by Medomsley Road (B6308) to the west, Ashdale Road to the south and Villa Real Road (A691) to the north. Properties within part of the Oakdale Road Residential Estate, Villa Real Estate and Consett Junior School adjoin the eastern boundary. The site is currently in use for a mix of office and leisure related purposes. These include Council offices in the Civic Centre, the Belle Vue Leisure Centre, Consett Football and Consett and District Rugby Clubs and playing fields. Existing development is largely confined to the southern and western parts of the site with playing fields to the north. The developed part of the site including the football ground is generally at a lower level than the playing pitches.

The Proposal

- 4 The application seeks to establish the acceptability of the site in principle for the proposed academy and leisure facilities. It has therefore been submitted in outline form. Approval is being sought at this stage for details of access and the scale of the development. Other matters relating to the appearance, layout and landscaping of the development are formally reserved for subsequent consideration although some indicative material of the likely appearance and layout is provided. The application is accompanied by various supporting information including planning, transport and design and access statements.
- 5 The proposed development would provide a 1700 spaces Academy for pupils aged 11 – 18 years including a sixth form of 200 students. These would be catered for within a mainly 3 storey height building of approximately 14,152 m² floorspace located largely on the footprint of the leisure centre car park and existing football club. The main part of the academy including the building entrance would face Ashdale Road. The basic layout would consist of 2 No 3 storey teaching wings arranged around a flexible central space that would provide adaptable catering, assembly, performance and resource areas. The academy would be linked to the west to a double height sports hall and other facilities within a replacement leisure centre that would be made up of a mix of one and two storey elements. This is intended for school and community use and would be served from a main public entrance off the Medomsley Road frontage of the site. The leisure facilities within the building would have a floor area of about 3,800m² and would include sports halls, activity halls, a swimming pool and training pool, fitness suites and changing rooms. The details of layouts and activities to be hosted have still to be finalised and would be confirmed at a later stage in consultation with local people.
- 6 At its maximum the building is shown to have dimensions of 190m (length) by 100m (depth) and the main roof of the three storey sections would have a height of around 13.75m. Detailed design of the academy including the treatment of elevations had still to developed but it is intended to have a contemporary appearance using a combination of render, cladding, glazed curtain walling and metal roofs as external material.
- 7 External space on the site would be arranged in two distinct zones. There would be a range of hard and soft areas around the buildings linked to the operation of the academy including informal hard surfaced space, football pitches (including floodlit senior pitch) and Multi Use Game Area (MUGA). These would be contained within the fenced boundary of the academy. Outside this area there would be two playing fields a grass athletics track and incidental areas of open space available for general use. The academy pitches and those provided outside would be available for community use via booking arrangements.

- 8 Vehicular access to the academy would be taken from the site access that currently serves the existing leisure centre on Ashdale Road. It is also intended to utilise the existing vehicular access arrangements around the Council offices to serve the proposed leisure centre. The main entrance to the visitor car park would be taken from the existing civic centre access. A secondary access for deliveries would be taken off Park View further to the north. These would be interspersed by a new pedestrian route from Medomsley Road and enhanced footpath from Ashdale Road. Pedestrian access to the academy would be provided from an extended paved boulevard and a series of informal and formal footpath links to the site would be available.
- 9 Car parking and a bus drop off area would be provided along the south west flank of the academy building (currently occupied by the existing leisure centre) and a further area for use in association with the leisure centre would be available to the south east of the entrance to this building. The scheme would also include cycle parking provision.

PLANNING HISTORY

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

PLANNING POLICY

11 National Policy:

Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Statement 4: Planning for Sustainable Economic Growth outlines the Government's objectives to help achieve sustainable economic growth including the positive approach to be taken to development that helps to build prosperous communities, promote regeneration and tackle deprivation.

Planning Policy Statement 9: Biodiversity and Geological Conservation sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Statement 22: Renewable Energy sets out the Government's policies for renewable energy to which Planning Authorities should have regard when making planning decisions.

Planning Policy Statement 23: Planning and Pollution Control: aims to ensure the sustainable and beneficial use of land and that the adverse effects of potentially polluting activities are minimised and contained within acceptable limits.

Planning Policy Statement 25 Development and Flood Risk explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

Planning Policy Guidance Note 13: Transport sets out objectives to integrate planning and transport at the national, regional, strategic and local level and to promote more sustainable transport choices both for carrying people and for moving freight.

Planning Policy Guidance Note 15: Planning and the Historic Environment lays out government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

Planning Policy Guidance Note 16: Archaeology and Planning sets out the Government's policy on archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation describes the role of the planning system in assessing opportunities and needs for sport and recreation provision and safeguarding open space which has recreational value.

12 **Regional Policy:**

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal.

Policy 2: Sustainable Development states that proposals should support sustainable development and construction through the delivery of environmental, social and economic objectives.

Policy 3: Climate Change sets out the regional policy on contributing to the mitigation of climate change and assisting adaptation to the impacts of climate change.

Policy 4: Sequential Approach to Development provides the broad locational criteria for identifying development land giving preference to suitable previously developed sites within urban areas.

Policy 7: Connectivity and Accessibility seeks to minimise the need to travel by promoting public transport, travel plans, cycling and walking. Green Travel Plans are encouraged.

Policy 8: Protecting and Enhancing the Environment encourages high quality design in all development proposals sensitive to the surrounding built and natural environment.

Policy 9: Tyne and Wear City Region supports the regeneration and development of Consett to promote sustainable growth that does not adversely affect regeneration initiatives in the priority Tyne and Wear conurbation.

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

Policy 24: Delivering Sustainable Communities refers to the need to concentrate most of the Region's new development within defined urban areas on accessible sites that reduce the need to travel and utilise previously developed land where possible.

Policy 25: Urban and Rural Centres supports the provision of educational and recreational facilities in urban centres to maintain and enhance the health and vitality of these areas.

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

Policy 35: Flood Risk requires consideration to be given to the flood risk implications of development proposals adopting the sequential risk based approach set out in PPS25.

Policy 38 Sustainable Construction sets out the principles to support sustainable construction in planning proposals that minimise energy consumption and achieve high energy efficiency.

Policy 39: Renewable Energy Generation requires at least 10% of the energy requirements of development proposals to be met by decentralised and renewable or low carbon sources.

Policy 54 Parking and Travel Plans promotes the minimisation of parking provision and travel plans for non-residential developments in order to encourage sustainable modes of transport.

13 **Saved Local Plan Policies:**

Derwentside District Local Plan

Policy GDP1: General Development Principles sets out key principles for the layout and design of new developments including the need where appropriate to incorporate measures to protect amenity, the existing landscape and natural and historic features and open land recognised for its amenity value or contribution to the character of an area.

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

Policy TR3: Cycling seeks to ensure that the needs of cyclists are taken into account in new developments.

Policy EN11: Trees and Development expects proposals to retain and incorporate trees within new developments wherever possible and replace any trees which are lost.

Policy EN17: Alterations and extensions to Listed Buildings expects new development adjacent to a listed building to safeguard its special character or setting.

Policy EN19: Protection of ancient monuments and archaeological features requires that appropriate assessments are carried out on sites that could affect a site of archaeological interest.

Policy EN26: Control of development causing pollution refers to the need to take account of potential pollution in the determination of applications for planning permission and states that this should only be granted for development that is unlikely to have an adverse environmental impact in this respect.

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

National Planning Policy <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/>

Regional Planning Policy http://www.gos.gov.uk/gone/planning/regional_planning/

Local Planning Policy <http://www.planningportal.gov.uk/england/genpub/en/> Look under Local Information, view Development Plan and search for Derwentside or view via <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=494>

CONSULTATION AND PUBLICITY RESPONSES

14 STATUTORY RESPONSES:

Environment Agency has objected to the proposal as submitted on the basis that insufficient information has been submitted with regards to surface water drainage and that a flood risk assessment (FRA) is required to address this matter. The Agency has also advised that should this issue be satisfactorily resolved it would request that a planning condition be attached to any consent to prevent pollution of the water environment.

Highway Authority makes a number of comments and consider that the proposal would be acceptable in terms of predicted traffic and impacts on the local road network and access arrangements. No objection is raised subject to the imposition of planning conditions covering subsequent detailed issues and requirements for travel plan and traffic management measures.

Sport England states that there is further work to be done to fully satisfy Sport England's statutory role in respect of playing fields. However, in view of current progress in dealing with these matters

and the time available to the submission of reserved matters it is satisfied that the proposal meets one of the exceptions of its policy for the protection of playing fields in that the playing fields which would be lost as a result of the proposed development would be replaced by playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

This being the case, Sport England raises no statutory objection to the application subject to the imposition of specified planning conditions requiring an audit of playing fields that are to be lost and replaced on the site and measures to ensure that the new fields are of an appropriate quantity and quality. A scheme detailing the arrangements for the temporary/permanent location of teams affected by the development is also highlighted. All these steps are required to be in place prior to the commencement of development.

Sport England also makes comments in a non statutory capacity about the new indoor leisure facilities and existing school playing fields and recommends that a planning condition is used to ensure that an audit of current facilities and needs is undertaken and used to inform the mix of proposed facilities on the respective sites. A scheme to secure appropriate community access to sports facilities on the site is also suggested.

Natural England objects to the proposal at this stage based on the information provided. It is considered that further information should be submitted to demonstrate whether or not the development would have an adverse affect on species especially protected by law. It is noted that although a risk assessment has been undertaken no surveys have been carried out to determine the presence or otherwise of bats or other protected species. Natural England has concerns in this respect and recommends that further information or key amendments to the supporting information are made to address these concerns.

English Heritage does not consider that it is necessary for this application to be notified to them.

ONE North East offers no comments as it is not considered that the application falls within the relevant notification criteria.

Association of North East Councils (North East Planning Body) has no observations to make and therefore will not be submitting a formal response to assess the conformity of the development proposals with regional planning policy.

The Coal Authority has stated that it does not wish to provide specific comments as the proposal is not an EIA related development.

15 INTERNAL CONSULTEE RESPONSES:

Ecology refers to the possible presence of bats and that relevant Government guidance advises that protected species surveys should accompany planning applications. It is noted that if planning permission is granted and subsequent surveys find bats to be present there may be a risk to the development if necessary licenses are not subsequently obtained.

Planning Policy supports the principle of the proposed development and recommends that consideration be given to a number of detailed matters as the proposals are developed further.

Landscape has no objections subject to appropriate trees constraint/protection measures being implemented as part of the development.

Design and Conservation supports the outline proposal and considers that it represents a good design response to the site.

Archaeology has no objections to the proposal, but has recommended that conditions be attached to any planning permission requiring further geo-technical investigation and an archaeological mitigation strategy as part of subsequent reserved matters submissions.

Sustainability expected more information to be provided as part of the appraisal but notes that the application is in outline and that further detail would be supplied at reserved matters stage. It is therefore recommended that a planning condition be attached to any consent to cover details of how BREEAM requirements would be met and to secure minimum 10% energy use from appropriate renewable sources.

Economic Policy support the proposed academy development that will help raise local educational achievement, prepare pupils for work and further education, raise aspirations and in the longer term contribute to overcoming economic inactivity and unemployment. It would also help raise the environmental quality of Consett and new community leisure and sports facilities would help improve health of local people, having direct and indirect economic advantages in terms of higher levels of productivity.

Rights of Way advise that there are no known public rights of way on the site and welcomes the incorporation of the proposed pedestrian routes which could possibly be expanded to cater for cycles.

Environmental Health - Pollution Control state that the site is surrounded by residential properties and that the main issues likely to affect these properties during demolition and construction works from a pollution control perspective are noise, dust, air quality and lighting. Various conditions to mitigate against these issues are suggested. The developer should satisfy the Local Planning Authority that unnecessary disturbance would not be caused to surrounding residential properties during the development and once completed the academy will need to consider how the effect of noise and lighting upon surrounding residential properties can be limited.

Contaminated Land and Development state that the geo-environmental assessment outlines the conceptual site model and recommends further intrusive investigations and subsequent analysis from contaminated land perspectives. The Contaminated Land Team does not have any serious concerns about the proposal provided this information is submitted to appropriate timescales.

Local Members – Letters of objection to the proposal have been received from a local member and on behalf of 6 members within the Derwentside Independent Group and Durham Independent Group of Councillors on the County Council.

Councillor Temple, the local Member, believes that the application should be recommended for refusal and raises the following:

- The application is deficient in a number of respects, it includes contradictions and is lacking in necessary and proper assessments.
- The application is contrary to saved policies in the Local Plan particularly in respect to the protection of amenity open space under Policy GDP1. The proposals also do not fully consider the needs of cyclists as required by Policy TR3.

- The application fails to match the requirements of PPG17 regarding the knock on affects for users of displacing sports facilities. Appropriate assessments of future community needs for sport leisure and recreation have yet to be published and it is therefore not possible to judge the application in terms of an audit of requirements. The overall reduction in playing fields would not meet requirements to ensure that playing fields of equivalent or better quantity and quality in a suitable location would be provided.
- Extreme concern is expressed that this development has already been clearly rejected by a majority of residents at pre-application stage.

The Independent Group of Councilors notes that the decision to have an academy in Consett is now over. Whilst not opposed to the development in principle they consider that Belle Vue is the wrong location to provide the facility and maximise regeneration benefits. The proposed site is considered problematic because:

- it is and always has been greenfield land;
- it is not a regeneration site;
- transport links for the site are appalling;
- an alternative regeneration site in the immediate Consett area can accommodate the academy without the problems highlighted above.

16 PUBLIC RESPONSES:

The application has been advertised on site, in the press and the closest residents notified in writing. 128 letters of objection and 5 in support of the scheme had been received as a result of this statutory publicity at the time this report was compiled.

Prior to the submission of the planning application the proposals were exhibited at an open evening where drawings and other information were displayed and the design/project management team and others promoting the scheme were available to explain the proposals and discuss issues. This took place at Consett Community Sports College on 7 December 2009 following invitations to a range of local residents and interested parties and publicity in the local press. The proposals were also placed on display in Consett library for a week (7-14 December). 134 written comments were made at or following these events of which 98 were recorded as objections, 14 in support (including a petition with 15 names) and the remainder providing mixed views on the scheme. These were collated and included with the planning submission particulars. Many of the issues documented as a result of the exhibition were reflected in the responses to the planning publicity.

About 62% of the written objections with postal addresses (some sent by email without these details) received at the planning stage were from surrounding streets within a 250m radius of the site. Objections from the Consett North Partnership, a community interest group, were also received and concerns were raised by Consett Junior School. The Derwent Valley Partnership also advised that it voted by a large majority to reject the proposed academy at Belle Vue. The main objections and concerns can be summarised as follows:

Traffic and Highway Safety Issues

- Traffic congestion, parking, pedestrian and highway safety issues in the area surrounding the site. The proposed new vehicular entrance to the academy and adjacent junctions off Ashdale Road is not suitable to cope with envisaged traffic levels.
- There are 4 existing nurseries, 2 infant and junior schools and a special school within a half mile radius of the site. With the new academy this will mean there are approximately 2500 pupils accessing a small area.

- There is poor cycle route provision to access the site. No details are provided of how cycling facilities would be improved and it is unreasonable to expect that approximately 400 pupils would cycle to school given these conditions.
- The scheme is deficient in road crossing points and no details are provided of proposed pedestrian routes. It is also unrealistic to expect all children that live within 2 miles of school to walk.
- Proposed car parking provision, in line with the County Council's Accessibility and Parking Guidelines, is insufficient as is provision for coaches visiting the school. Less car parking spaces will not deter staff from driving to school and will encourage them to park on surrounding streets. Parking provision for the proposed new leisure centre is also not adequate.
- Restricted parking for neighbouring residents would occur as parents will use surrounding streets to drop off / collect children.
- The recent bad weather caused serious traffic disruption in the area with a number of minor accidents; this would worsen with additional traffic from the academy.
- There are no plans for scholars' buses to serve the academy, this will encourage parents to drop off / collect their children from school using private cars.
- Travel Plans will not solve congestion problems. The primary schools in the area already have these and traffic is still a problem. This will be made worse by the academy.
- The evidence in the transport assessment is flawed and inaccurate. It uses data from the 2001 census and car ownership has increased in the last 9 years and there is more traffic on the road now.
- Additional traffic congestion would affect the ability of emergency services to access the sheltered housing complex and Accept Care Disability Units on Ashdale Road.
- In the last two years of Derwentside District Council, 2 major planning applications on Medomsley Road were refused due to councillors from all parties agreeing they would lead to an increase in traffic and congestion.
- The proposed development would have an adverse impact on the ambulance and fire stations located on Villa Real Road particularly at peak school times when roads are congested, this may endanger lives.
- The Design and Access Statement does not include an assessment of student flows to the academy, including the use of certain paths and back streets, this will lead to noise and disturbance for residents.

Loss of Green Space and Sports and Recreation Facilities and Offices

- The proposal involves the loss of playing fields and does not take full account of PPG17 guidance regarding required audits and assessments and the protection of open space. It should be called in for determination by the Secretary of State in accordance with Sport England and Government policy.
- The proposal is not in accordance with Policy GDP1 of Derwentside District Local Plan. It does not protect existing landscape, open space or amenity and should be refused.
- Loss of green open space and well used sports facilities, with replacement sports facilities of a smaller scale than existing. The development will result in reduced leisure services and the local community will be disadvantaged. The scheme should aim to provide increased and enhanced sports facilities and not on a reduced or like for like basis as proposed. Consett is a growing town, leisure facilities should be increased not decreased.
- Removal of leisure facilities will have a detrimental effect on the health and fitness of the local population; this is particularly significant as the area has high levels of obesity in children and young adults.

- Few details of the proposed replacement leisure facilities have been provided.
- There will be a conflict and competition for the use of leisure facilities between pupils and members. Public use will be limited and not available during the daytime.
- The sequential assessment of alternative sites for the leisure facilities is flawed, out of date and inaccurate. It ignores the Genesis site as an option and includes sites that are developed or totally unsuitable. It is an incompetent assessment that is not fit for purpose.
- There are no other green spaces in this area of Consett. Part of Consett Park was lost to residential development and the Blue Heaps site may also be lost in the future.
- Transition for leisure facilities should be seamless and there should not be a loss of provision at any time.
- Replacement rugby and football club provision will result in the loss of further areas of open space and planning permission to relocate these clubs has not yet been sought. Replacement rugby club facilities cannot be provided safely at Consett Sports College whilst this is still operational.
- The existing running track at Blackfyne would be replaced by a grass track of amateur and inadequate standard; this element of the proposal should be upgraded and promoted into local education; at least one proper athletic track should be provided in the area.
- Provision of the grass running track outside the academy's boundary fence is unacceptable. This raises safety issues for school children as it will be unfenced and close to the road and will also lead to dog fouling and become accessible to undesirables.
- The site is subject to a village green application. Any planning decision should be deferred until this is decided.
- There is a restrictive covenant on the land stating it should remain in open use, Durham County Council are already aware of this in their "Consett Academy Site Options File."
- Any future expansions of the academy would encroach on the playing field areas.
- The plans show no provision for outdoor play areas other than the playing fields.
- There is no proposed relocation or replacement of the skate park.
- The application site includes all existing areas of open space when there is no proposed change of use for areas of public open space, the site boundary should be altered to show the secure academy area only or a planning condition should be attached that precludes fencing off the public area of open space to guarantee public use of this area.
- Loss of civic centre conference hall which is used for boxing, musical events, wedding receptions, trade events and conferences. There is no proposed replacement of this facility, dual use of the academy hall is not a practical option and replacement facilities should be provided.
- The scheme represents a misuse of public funds, by spending money on demolishing soon to be empty council offices to save running costs and maintenance. The existing Civic Centre is adequate and it is not necessary to spend money re-building a new one.
- There are no proposals for replacement Council services in Consett for the existing Civic Centre. Consett needs to have an accessible Civic Centre.

Council Handling of the Proposal

- Consultation is not in accordance with procedures and meaningless as the decision has already been made to locate the academy at Belle Vue. There is significant public objection to the proposed siting of the academy and no thought is being given to residents.
- There is a lack of democracy and transparency within the new County Council. It over-rides on local issues and has no appropriate consideration of those affecting Consett.
- Decisions regarding the academy are being made by officers and councillors with no understanding or concern for Consett and are being rushed.

- There has been a lack of consultation and information concerning the scheme and insufficient time given for residents to respond, the first the majority of residents had heard about it was in the local press.
- Some neighbouring residential occupiers (Oakdale Road) have not been notified of the development.
- The proposed development is not reflective of the needs of the area in general; there has not been an adequate assessment of the development by all interested parties.
- There has been no consultation with council offices employees and local people on the affect of closing and demolishing the Civic Centre that will lead to reduced council services in Consett.
- The scheme is expensive and does not represent best value for money.
- Query whether the new academy is needed? The Council's own statistics indicate a falling number of school roles in the area.
- Durham County Council is the applicant and the Local Planning Authority; this is unfair and the County Council should not be allowed to determine its own planning application.
- The Council should sequentially prove there is no better location for the academy and should consider this major development as part of its own Masterplan exercise for Consett, not exclude it.

Amenity Issues

- New academy will be a bad neighbour leading to problems of litter, noise and anti-social behavior. There will be a loss of local amenity to surrounding properties and drop in property values.
- Adverse impact upon visual amenity in the area, the site is currently attractive and visually appealing and this character will be lost.
- The academy is too big and out of keeping with the area. No consideration is given to the character of the area, availability of infrastructure, density of development, loss of light, over shadowing, layout, position, design and external appearance.
- There is a high proportion of elderly and disabled residents in care homes and bungalows in the vicinity that will be affected and a disabled persons club on Ashdale Road.
- Significant disruption will be caused to local residents during the construction phase.
- Residents have previously experienced problems with school children in the area, this will worsen with the significant number of additional pupils at the academy; the Genesis site is away from residential properties.

Design Issues

- Site is not big enough to accommodate development and will be cramped, no room for expansion.
- Whilst the majority of pupils would access the academy by service buses, cycling or on foot, there are no coach parking or drop off facilities for users of the academy or leisure centre.
- The leisure centre and swimming pool would be too small for purpose.
- Public services such as drainage and water supply may be compromised.
- The proposed academy is located too close to the Magistrates Court; it is not a good idea for a school to be located beside this establishment.
- The development would have an adverse impact upon the value of neighbouring residential properties.

Alternative Site for Academy

- Preference for Berry Edge / Genesis Site that is better placed to cope with additional traffic that will be generated and is more centrally located and accessible to more people than Belle Vue.
- There is currently significant emphasis on partnership working in higher education; it would therefore be more suitable to locate the academy on the Genesis site close to Derwentside College.
- The stated argument that the Genesis site is to be retained for industrial use holds no water. This approach has been adopted by economic development agencies for the last 20 years without success. There are still lots of land and buildings available on all industrial estates within Derwentside that are underutilised and there is continued decline in manufacturing industry. The Genesis site should be used for the academy rather than left to stagnate.
- If the Genesis site was contaminated, new houses constructed there in recent years would be worthless and significant compensation claims would be made by residents. This is not an argument for choosing not to build here.
- The proposal ignores Government policy and guidance choosing to build on a greenfield site as opposed to a brownfield site.

Ecology, Contamination and Ground Conditions

- The development will have an adverse impact upon nature conservation, particularly bats which are present in the area.
- No full habitat surveys submitted to determine whether bats are present on the site. The presence of protected species is a material planning consideration and the planning application should not be submitted until this has been carried out.
- Coal mining problems are associated with the site and a capped mine shaft is located within 50m of it, this raises underground gas issues and may cause a risk to property.
- No proper flood risk assessment has been submitted with the application, there may be the potential for contaminated ground water run-off and worsening of existing flooding problems on land to the east.
- The planning application states there will be an environmental medium risk to public health from contamination which was specified as a reason for not building the academy on the Genesis site. There is the potential for contamination on this site which has not been properly investigated.

Planning Submission

- Planning application is not detailed enough, there is no economic impact assessment to consider impacts upon regeneration and the design and access statement is lacking in detail, contrary to guidance in Circular 01/2006.
- There should be further investigation of the impact of the development by statutory and non statutory consultees.
- The planning application form states that the hours of use of the facilities will be till 9pm weekdays and 5pm weekends, it is expected that leisure facilities would be available longer than this.
- There are discrepancies in the size of the site area described in the application.
- Central and Local Government policy and guidance have not been taken into account.
- Possible departure from the Local Plan as site not allocated for proposed use in local plan and has not been advertised as such.

- The proposed pupil numbers do not take into consideration the 4000+ new homes constructed in Consett in the last 10 years and the additional 500+ homes to be built at Berry Edge in the next few years, these figures are unrealistic and not representative.
- The application form states the applicant is not an employee of Durham County Council when he in fact is.

The 5 letters in support include 2 from Directors of local businesses and state the following:

- The academy involves significant investment and would be a prestigious development providing improved educational facilities to young people who are the future work force.
- Education is the key to the jobs of tomorrow. Businesses need to compete and future jobs will be heavily I.T. dependent which requires higher levels of education. As a longstanding Consett employer this is welcomed.
- Belle Vue is the best site to provide co-joined and integrated facilities. It is close to the town centre and the increased footfall it would bring would have economic benefits. Existing facilities are unsightly and the relocation of the football and rugby clubs to more modern facilities would increase their attractiveness and that of the town.
- The Academy will provide a much needed facility for local children and the community as a whole.
- It will provide a real opportunity for children's success at secondary school.
- Many parents that did not attend the consultation event prior to the submission of the planning application feel positively about the proposed new school.
- There is support for enhanced school facilities.

Applicant's Statement

Significant efforts have been made over the past twelve months to bring forward proposals for new academies in County Durham alongside the existing BSF programme. This has involved significant (statutory and non-statutory) consultation with particular emphasis on the users of the existing schools and their feeder establishments. Given the significant investment and the benefits that can be derived from the academy and BSF process, increased efforts have been made to align the education programmes with ongoing and potential regeneration investments. This approach has been endorsed by the County Council's Cabinet through the Regeneration Statement, which sets out the aspirations and headline priorities for County Durham.

Following a detailed site option analysis, the preferred option is to locate the Consett Academy on the Belle Vue site with a new leisure facility which will integrate swimming provision with sports halls and a range of outdoor sports pitches including all weather provision. The proposal does not conflict with the aims of the development plan. At a high level the RSS identifies Consett as a regeneration town and as such the proposed significant investment the development will bring is felt to be complementary to the strategic aim of reinforcing the role of Consett and strengthening the vibrancy of the town.

The RSS also requires new development to meet the aims of sustainable development and in this respect the site is considered the most sequentially preferable in the settlement close to its town centre heart. When considered alongside the implementation of sustainable travel plans and measure to incorporate low carbon design, energy conservation measures the Belle Vue Academy proposal will be consistent with the aims of sustainable development. In addition the proposal does not conflict with any saved policy contained in the Derwentside Local Plan and would make provision to secure the installation of replacement off site leisure and recreational facilities.

It is considered that the proposals will provide a strong visual gateway into town and as such will add to the local environment. The illustrative material submitted with the application demonstrates how the development can easily be incorporated within the site without appearing cramped or out of place with surroundings. Layout also provides for much public open space and the landscaped areas with specific proposals to address the use of the periphery of the site and the interface with surrounding properties currently being developed by Groundwork North East.

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 the Durham County Area Planning Team. Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below

PLANNING CONSIDERATIONS AND ASSESSMENT

- 17 In assessing the proposals against the requirements of the relevant guidance and development plan policies and having regard to all material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of development, sport and recreation, cultural heritage and ecology, residential amenity, access and traffic, ground conditions, sustainability and economic development regeneration implications.

Principle of Development

- 18 The site is situated within the built up area of Consett that is long established as a location for the provision of community facilities including Council services and various leisure and recreation opportunities. The surrounding area is mainly residential in character but neighbouring uses within the immediate vicinity include a mix of other community facilities including the Magistrates Court, swimming baths/bowling greens and primary schools.
- 19 The site is not allocated or safeguarded for any specific purpose within saved policies in the existing Local Plan and in locational terms the proposal is in line with the general thrust of current national and regional planning policy espoused within PPS1 and Policy 4 of the RSS that seeks to direct new development to previously developed land in sustainable locations within existing urban areas.
- 20 Schools are an integral part of the social fabric of settlements and for the most part are located in or around the residential areas they are intended to serve. There is no specific planning requirement to consider the relative locational advantages or disadvantages of alternative sites for this form of development as part of the assessment of individual planning applications, notwithstanding the general aim of promoting sustainable development. Nevertheless, the suitability of other potential sites was considered as part of a developer led assessment. This was directed mainly by educational requirements and initially covered 6 sites including the existing schools, land at Crookhall, Leadgate, the Project Genesis site and Belle Vue. These were weighed against criteria that included the ability to facilitate educational transformation, potential disruption to existing schools, a location to serve local communities, linkages to local regeneration and delivery risks. The Belle Vue and Crookhall sites emerged from this process as the most viable alternatives and following subsequent appraisal a decision was taken to select the Belle Vue site as the preferred option for the proposed Consett Academy. It is this option that has therefore been put forward for consideration in planning terms.

- 21 A planning requirement to consider alternative options for leisure facilities does exist as these are among a group of activities that are more normally associated with town centre locations. When assessing proposals for major leisure development outside of town centres there is need to consider a sequential approach to site selection in accordance with PPS4 guidance. This requires that preference is given to town centre locations before edge of centre and out of centre sites are considered. A sequential assessment has been undertaken as part of the current application as the site lies just to the north of the (defined) town centre.
- 22 The assessment initially looked at the suitability, availability and viability of 12 sites that were identified as having town centre (5) and edge of centre locations. It was concluded that only 3 of these met the relevant 2 hectares size threshold for a stand alone leisure facility and all were unavailable. The study was subsequently amended to consider an additional edge of centre location on the Berry Edge Business Park site that was granted planning permission in 2006 for a new Sports Centre and playing fields. This consent has now expired and the site was considered to be far in excess of the required space needs and raised issues of potential availability. Whilst this site has previously been judged acceptable for this use in planning terms the earlier proposals were also a departure from the development plan and do not appear to have been subject to any sequential assessments.
- 23 Although the 'edge of centre' definitions used to describe the reviewed sites are not considered to strictly reflect those in Annex B of PPS4, as all could be regarded as 'out of centre', this does not affect the outcome of the assessment. Having regard to these findings and the relative merits of the existing site in terms of its size, established use, distance, links and connectivity to the town centre, and an array of services and facilities, it is considered that there are no other sequentially preferred sites available. Consequently there are no overriding planning concerns surrounding the principle of re-providing leisure facilities on the site.

Sport, recreation and open space

- 24 The primary use of the site is for sport and leisure purposes and existing facilities offer a range of opportunities for indoor and outdoor recreation and are well used. The demolition of the existing leisure centre, removal and relocation of football and rugby clubs and reconfiguration of playing pitches will affect this provision. One of the key planning considerations arising from the development therefore concerns the affect on existing sports and recreation provision and the extent to which this would be safeguarded (or indeed enhanced) by the proposals.
- 25 In terms of outdoor play there are currently 4 no grass playing pitches available for general community use on the site. A further 3 floodlit pitches are leased on a long term basis by the football club and rugby club (2) and operated on a private basis through these organisations. Although there would be a reduction in the total area given over to playing pitches on the site following the development, there would be no net loss in the number of pitches that would be available for school and community use. A total of 6 pitches (3 senior and 3 junior sized) would be available overall. Four of these would be within the academy grounds including a flood lit full size 3rd generation artificial turf football pitch. The level of provision would accord with DCFS standards for education purposes and all pitches would be available for public use on a booking basis including those outside the operational academy area that would be used primarily by the public on a similar basis as now. The pitches are likely to be used more intensively but improvements to surfaces and drainage are intended as part of a package of works and an all weather synthetic surface senior pitch (and MUGA for tennis and other hard court games) would be hard wearing. The margins of one of the junior pitches would also be enhanced for sports purposes by the marking out of a 400m grass running track for summer use.

- 26 The amalgamation of the existing schools would also potentially release a range of other playing pitches on existing school sites for wider community use. The future of these sites in terms of development potential and longer term management is as yet unknown but the retention of playing fields is a planning consideration that would need to be factored into any future development options. The overall level of playing pitch provision in the Consett area as described in the Derwentside District Playing Pitch Strategy 2006- 2009 is considered healthy although there is some shortfall in the number of junior pitches. The proposals would potentially provide a means to help address this deficiency if some of the retained pitches were adapted for junior use. Further assessment of this matter should be carried out as part of an audit to establish the quality and quantity of replacement pitches required by Sport England. This is needed to compensate for the overall decrease in provision at Belle Vue.
- 27 The football and rugby clubs have been present on the site for a considerable number of years and have over time built up significant facilities that are enjoyed by junior and senior players, club members and supporters. Although these facilities would no longer be available at Belle Vue it is intended to re-locate the clubs to new sites within the Consett area and provide replacement pitches and associated facilities (floodlighting/changing/club house/car parking etc.) of a comparable or enhanced standard to meet modern requirements and realistic club aspirations. In the case of the football club for instance it would be the intention to cater for possible promotion to the next league within the regional football hierarchy by achieving a FA Ground classification Category D specification.
- 28 The Clubs are agreeable in principle to re-location and preferred sites are under consideration in the locality. These are important community assets that would need to be secured and put in place at a suitable point before the Belle Vue site could be redeveloped. There are other mechanisms to ensure that this occurs including the need for parties to agree terms under lease agreements but if planning permission is granted for the academy it would be both necessary and reasonable to condition any consent to require that the development was linked to a phasing programme for the re- provision of these sports facilities.
- 29 Whilst further work is clearly necessary to bring forward replacement facilities to cater for existing needs and projected demands there are the means to reconcile these within the total playing field assets that are available in the town that are under the control of the Council. The required pitch re-locations, upgrades and community access to facilities can be suitably covered and controlled by planning conditions in line with Sport England and PPG 17 requirements. There are therefore no unresolved playing field issues surrounding the principle of development on the site.
- 30 Within planning legislation and guidance the term "open space" includes any land used for the purposes of public recreation. Therefore, like many other recreation grounds within built up areas the Belle Vue playing fields has this role. This does not mean that the open land on the site has village green status. This is a separate matter from any planning consideration that is currently being contested by some local residents and the County Council through a different process. Irrespective of this issue it is the case that the site has a wider resource value that is expressed in a number of ways including visually and as a place that is available for informal recreation and casual enjoyment purposes. The site can be readily accessed for these purposes from an existing footpath along most of its eastern boundary and from various open areas along its perimeter.

- 31 A broad analysis of land use on the existing site has been undertaken as part of the planning submission. This mapped the areas that were covered by buildings, hardsurfacing or otherwise fenced and enclosed including football and rugby club pitches and those open areas on the site that were publically accessible. From this it was estimated that just over half of the total site area (52% of land) was made up of accessible open space.
- 32 The proposed development would result in some reconfiguration and loss of available open space. Operational areas linked to the academy site would need to be fenced to comply with educational requirements including general health and safety and safeguarding reasons. Nevertheless, the scheme has had regard to existing patterns of use and allows for this in the location of buildings and continued public access to green space. The siting of buildings towards the southern end of the site on areas that are already largely developed would minimise the loss of playing field land overall and help to retain much of its open character. Routes to the area of retained pitches and incidental open space including tree planted areas would also be formally created or enhanced and landscaping measures around the new tracks are proposed. These works are intended to provide additional visual interest in what is currently a fairly sterile and neglected micro environment overall that would benefit from improved management. This work would be carried out in consultation with local residents using Groundwork North East as scheme designers.
- 33 Taking account of the proposed new buildings, hardsurfacing and fenced areas that would be provided as part of the development it is estimated that around 48.5% of the total site area would remain in use as publically accessible open space. Whilst this still represents a quantitative reduction in the level of available space it is relatively minor one that would be largely compensated for by the consolidation and enhancement of the public area and improved access measures. The affect of the development on the overall level and function of the site as an area of open space is therefore not considered significant. In this respect therefore the proposal would not conflict with the objective of Policy GD1 (e) of the Local Plan to protect/safeguard open land that has amenity value.
- 34 The Council is currently undertaking an Open Space Needs Assessment as part of the evidence base to inform the Local Development Framework Core Strategy. The Assessment has not yet been finalised, but emerging findings indicate that the Consett Area Action Partnership area has sufficient amenity open space and that improvements could be made to some of these areas. It is also suggested that the skate park area adjacent to the existing leisure centre is well used and that there is a demand for more facilities of this type in the Consett area. The proposal would therefore be in keeping with general findings of the Assessment and it intended to replace the skate park as part of the overall development package.
- 35 The co-location of academy and leisure facilities within a single development on one site is intended to bring synergies of design, use, access, management and cost. The facilities to be provided within the sports complex would be designed to meet curriculum and related school requirements and community needs. This would not be achieved on a like for like basis and the floor space within the proposed leisure centre would be just over half that currently available within the existing leisure centre and swimming pool buildings. Nevertheless, the space within the centre would be flexible and multifunctional and equipped to a high standard to perform the required roles. These would be available for school and community use throughout the day and the County Council's sport and leisure services managers are confident that these needs can be accommodated within the scope of the proposed activity areas.

- 36 The new leisure centre would also incorporate a swimming pool and provide a single point of access for all facilities. Some adjustments to the facilities that are on offer within the building would be necessary and activities such as 5 a side football would be partly catered for on new external play areas as part of the development. However, the operational benefits associated with the provision of integrated new facilities on the site would outweigh any losses linked to the rationalisation of existing floor space. It is also the case that the existing facilities are nearing the end of their economic life. These have performed well but date from the 1970's and lack the flexibility to meet modern requirements without significant further investment.
- 37 If the development proceeds, on site construction would take place on a phased basis. The programme would be designed to minimise the disruption to existing facilities for as long as possible although some temporary adjustments would be necessary particularly in respect to displaced car parking areas at the existing Civic Centre and Leisure Centre. However, these buildings are not directly on the footprint of the new academy and leisure centre and use of the existing facilities and the off site swimming pool would continue until the new buildings are available for occupation. Use of the public playing field area and pedestrian access to the site would also be available although some adjustments to create safe working areas would be needed. Whilst the development would have some inevitable short term construction related consequences for existing facilities, public access to these would largely be maintained over this period.
- 38 The proposals would also result in the demolition of the existing Civic Centre on Medomsley Road. This was the headquarters of the former Derwentside District Council and continues to provide access to a range of Council services and is available for community functions. The way that County Council services are provided within localities is under review following the move to unitary council status and assessments on the nature and level of that provision and delivery mechanisms are currently being made. Alternative public access to services would be made available within Consett following removal of the Civic Centre. No firm proposals have yet been developed but this is likely to be within an accessible new location within the town centre. It is unlikely that there would be a requirement for existing levels of office and civic space as part of the new arrangements. However, the proposed leisure centre and academy building are intended to perform a community role and the use of rooms for community functions would be available via a booking system.

Visual and Residential Amenity

- 39 The proposed development would replace existing buildings that are visually undistinguished and lacking in design quality. These have grown up on the site over time and are not particularly well related to each other or surrounding development. Associated structures such as floodlighting and a telecommunications mast have further compromised the visual position. Consequently they make a poor contribution to the character and appearance of the surrounding area.
- 40 In terms of the scale and position of buildings, the proposed scheme would generally respond well to the opportunities and constraints that are present on the site. It would largely occupy the existing developed area which is extensive and has two established frontages. The proposed academy is intended to be prominent along Ashdale Road and have a strong identity. This site frontage which is both wide and deep can satisfactorily accommodate a 3 storey building of the size and scale envisaged that is set back from the road in the manner indicated. Although surrounding development is mainly 2 storey there is no local uniformity in height or

style and 3 storey reference points are provided by a block of flats on rising ground to the south. The existing leisure centre also extends to 12m high. Subject therefore to its final form and appearance it is considered that a signature building of some presence and focus can be established on this part of the site in accordance with the requirements of Local Plan Policy GDP1.

- 41 The leisure centre element of the scheme would be less dominant in the public realm. This would be set back from Medomsley Road at a lower level and would extend back into the site where the main bulk of the building would be partially screened from the south by the academy and the existing Magistrates Court. The full extent of the centre in combination with the academy building would be seen from the north but at some distance across the playing fields. The front of the building would present a more linear projection to Medomsley Road and would be positioned to provide a distinct point of convergence with a strong pedestrian approach for those accessing the facilities. This would also incorporate single storey sections that would assist in breaking up and adding variation to its massing. From a visual perspective the leisure centre is therefore capable of being successfully integrated within its surroundings.
- 42 The site is bordered by mix of residential and other development and there are a range of houses and bungalows along different parts of the boundary or with views into the site. The proposal would generally be further away from the nearest neighbouring properties than the existing buildings or at distances and orientations where there would be limited direct affect on residential amenity. The nearest residential properties to the north on Park View currently look on to the northern elevation of the Civic Centre (distances of 10m -20m). The closest of these would be approximately 20m from the north west corner of the proposed leisure centre but would not directly face the building. Properties to the west on Medomsley Road would look across the road to the end elevation of the leisure centre building at distances of 80m (currently 35m to Civic Centre) and the nearest properties on the corner of Medomsley Road/Ashdale Road to the south would be around 80m away.
- 43 Of the residential properties adjoining the site to south and east the flat development on Ashdale Road that occupies an elevated position would substitute views of the existing leisure centre (35m away) for the east wing of the academy (nearest point 50m). The nearest 7 or 8 semi detached houses backing on to the site in Oakdale Road would be 100m from this elevation (currently 27m to leisure centre). The proposal would also entail the removal of the existing swimming pool, a part two storey structure that is close (within 10m) to several residential properties in Harvey Court. Notwithstanding other relevant factors such as changes in levels, height differentials and treatment of elevations it is not considered the buildings are likely to give rise to conditions that are prejudicial to the amenities of the nearest residential occupiers.
- 44 Properties bordering other parts of the site would either not overlook the buildings (East View) or would do so at distance across open areas (Villa Real Road and Villa Real Estate 210m to north and 240m to north east respectively). Existing tree planting along the boundary within these areas would also filter views into the site as now.
- 45 The location and use of external spaces, including those for formal and informal play and car parking areas would have some potential to generate noise and disturbance at certain times but these would also be sited away from or directly off the boundaries from neighbouring properties and would be managed. The location of new playing pitches would be largely on the footprint of the existing play areas that are established. Floodlighting of one pitch is proposed and also the MUGA but the reduction in the overall level of floodlighting and structures (e.g. the

removal of the Rugby Club building and car parking) would also potentially improve the overall amenity situation for some properties on East View/Beaconsfield Street and Villa Real Road. Precise details of the floodlit pitch have not been submitted at this stage but it is shown to be positioned further away from neighbouring properties than the combined rugby club area that is larger and requires lighting for two pitches. The proposed MUGA would be situated immediately to the rear of the sports hall and any floodlight impacts from this source are capable of being acceptably contained.

- 46 The proposed leisure centre car park would be situated on part of the footprint of the existing Civic Centre and car park. Whilst there would be some change in the nature and pattern of activity in this area the new parking would be set off the boundaries and any amenity impacts arising from its use would not be significant. The proposed car parking for the academy would occupy much of the space vacated by the existing leisure centre. It would be closer to properties in Ashdale Road and Oakdale Road (minimum 25m) but significant new noise and disturbance issues are not anticipated.

Traffic, Access and Parking

- 47 The proposal involves the amalgamation of two separate schools on a single site in a new location and would result in some increase in traffic movements and redistribution of vehicle flows within the local area. However, the development would take place on a section of the Consett road network that is not heavily trafficked overall despite some short periods of localised congestion and would be within the capacity of the surrounding roads and junctions to absorb the predicted changes.
- 48 Whilst the proposed scheme would have different traffic related implications to those currently raised on the site, the existing uses already impact on the patterns of vehicle movement in the locality as do those movements linked to the existing schools. Staffing levels at the Civic Centre like those in most offices within the new Unitary Authority have recently been the subject of some fluctuation. However, within the last year up to 221 Council staff have been based at the Civic Centre. Further full and part time contracted staff (29 full time equivalent) are employed at the leisure centre and nearby swimming pool. These are publicly accessible buildings that are available throughout the working day and into the evenings. Use of the rugby club and football club facilities adds to this pattern of use albeit on a less frequent basis and largely outside busy times. Some of this traffic would be displaced from the immediate vicinity of the site as a result of the development.
- 49 The combined capacity of the two 11 -16 years schools is currently around 1600 although actual numbers are below this level. At present Moorside Community College (located 3 km away) caters for 575 pupils and 89 staff. The Consett Community Sports College School which is much closer to the Belle Vue site (within 700 metres) currently accommodates 696 pupils and 96 members of staff. Whilst difficult to quantify, it is the case that some of the existing traffic related to these schools will be on the road network within the vicinity of the site at certain points during the day including the morning peak period.
- 50 The proposed school would have a design capacity of 1700 children and would employ approximately 198 equivalent full time members of staff. The proposed leisure centre would also employ a range of people as now. 7 dedicated school buses are initially expected to pick up / drop off pupils that travel in excess of 2 miles to the site although this figure may need to be varied based on individual mileage assessments for assisted travel across the required distances.

- 51 A transport assessment was commissioned as part of the planning application to look at the capacity of the road network to accommodate predicted traffic flows generated by the development. The study by consultants Cundall Transportation used a combination of published data, surveys and established modeling techniques. This had regard to existing traffic conditions but did not take account of any possible traffic reductions associated with the removal of existing on site facilities in calculating predicted traffic. It was nevertheless concluded that traffic levels associated with the scheme would have minimum impact on overall traffic flows on the surrounding highway. It was also considered that the proposals raised no issues linked to the design capacity and performance of existing junctions although it was accepted there would be a slight increase in queues and attendant delays at either end of Ashdale Road at the beginning and end of the school day. The Head of Highways considers that the consultant's assessment utilises recognised procedures and locally collected data and is sufficiently robust. He has also advised that subsequent County Council surveys of junction delays in the area validated the consultant's findings.
- 52 In terms of general accessibility, the site is well related to the centre of Consett and the distribution of pupils at the two existing schools although those attending Moorside school from the Castleside area would have further to travel. Nevertheless, there are good pedestrian links to the town centre and bus station and the site is within close proximity to bus stops on established routes on Medomsley Road, Ashdale Road and Villa Real Road and some dedicated busing of pupils would take place. Surrounding residential streets and footpaths would also provide a satisfactory means of access for those living closer to the site. Combined travel to school data for bus travel and walking at both of the existing schools over the last 3 years indicates that in excess 80% of pupils currently access school via these means.
- 53 Access arrangements at the proposed academy would have regard to these travel patterns and would include a number of points where pedestrians and cyclists could enter the site. These would largely utilise and build on existing routes and desire lines that link with the surrounding area and would be suitably surfaced and spread around the site. Vehicle entry to the site would also be gained from established access points along Medomsley Road that is currently served by a protected right turn from the highway and from Ashdale Road. These would be acceptable for the intended purpose in highway design and safety terms subject to possible minor modifications to kerb radii.
- 54 Most new developments introduce change and this can be to the relative advantage or disadvantage of those surrounding a site. There is no doubt that residents bordering the existing schools and proposed academy would be affected by the changes in traffic redistribution that would occur. However, the area is subject to traffic flows associated with existing community facilities and primary schools and many of the concerns expressed by local residents about the proposed increase in traffic and the suitability and safety of the surrounding roads and junctions to accommodate this, are not supported by the assessments that have been carried out. The proposal would alter existing traffic patterns and marginally increase flows but the movement of vehicles would vary around school hours and peak periods of the working day. The new arrangement may cause some additional frustration and delay at busy times but this would be for short periods and it is not considered that the proposal would give rise to unacceptable highway impacts.
- 55 The proposed site layout drawing shows car parking levels that would exceed the recommended standards for schools use within the County Council's current 'Accessibility and Parking Guidelines'. 169 spaces for the academy (133 required) and 127 spaces for the leisure centre are shown including accessible parking bays. A bus drop off area is also

indicated and reference is made in the documentation to the provision of cycle parking stands to cater for up to 380 cycles.

- 56 The drawing includes the caveat that final numbers of car parking spaces are to be agreed at a later date but current levels of parking on the existing school sites suggests that the potential demand for spaces would exceed that required by the standards. Although staff would be encouraged to access the site by means other than the car it is considered that some additional spaces along the lines indicated could beneficially be provided. The leisure centre car park would be available at all times for public use and the indicative layout is reflective of the levels of parking currently provided for this use. Having regard to the need to maintain good levels of public access and the loss of existing car parking areas (that are used on an informal basis for parental picking up and dropping of children in the nearby primary schools) and the incorporation of new swimming baths within the scheme it is considered that additional levels of parking can also be justified here. PPS4 has recently signaled that a more flexible approach to local parking standards may be taken when it can be demonstrated that higher levels are needed and this stance is deemed appropriate in this case.
- 57 Both the existing schools have travel plans and it would be the intention to produce a new plan in association with the development to help manage travel patterns and promote safe walking, cycling and the use of public transport to get to and from the site from the surrounding area. Work on this has yet to commence although there is a commitment to the implementation of such a plan within 9 months of the opening of the facilities. As part of any detailed development work to help facilitate more sustainable travel modes it is considered that further off site links to improve access to the wider transport network need to be explored together with associated new works. These potential connections should seek to encourage cycling in particular and justify the proposed level of cycle provision on the site. This level of use is not currently reflected at the existing schools and opportunities to increase demand need to be fully exploited by the development partners.
- 58 The implementation of traffic management measures on the neighbouring roads would provide a physical component of any travel plan strategy. Restricted on street parking is already in place along Medomsley Road and a range of works, signs and markings within the highway would need to be provided on Ashdale Road to discourage parents from dropping off and collecting pupils close to the academy entrance. These would need to be covered by planning condition and carried out as part of any development at the applicant's expense. A safety audit of access arrangements would also need to be undertaken in accordance with adopted highways practice when the facilities becomes operational.
- 59 Having regard to the size and nature of the development, predicted travel patterns and levels, conditions on the highway network and access and parking matters it is considered that the highways implications of the proposal are acceptable in accordance with saved Policies TR2 and TR3 of the Derwentside District Local Plan and Policy 7 of the RSS. This view is supported by the Head of Highways who raises no objection to the development subject to the production and implementation of a travel plan, incorporation of a range of traffic management measures and satisfactory resolution of detailed highway issues within the layout as part of any subsequent reserved matters consideration.

Cultural Heritage, Ecology and Landscape

- 60 The proposals have been the subject of various preliminary surveys and assessments. The only statutory designation on the site relates to the war memorial within the Civic Centre car park that is a Grade II listed building. This was erected in 1925 and is currently situated on a

small and relatively isolated island of land within a tarmac area. Whilst this preserves the monument it does little to enhance its setting. It is intended to set this off the car parking area within a new and enlarged space accessed by footpaths. Details of the treatment of the area around the monument have still to be developed but the overall design concept would provide the means to improve the setting of the listed structure. In considering whether to grant planning permission for development which affects a listed building or its setting local planning authorities are required to have special regard to the desirability of preserving the building or its setting. The proposals would therefore accord with this heritage objective and Policy E17 of the Local Plan that reflects its requirements.

- 61 The site has been subject to previous development and disturbance including known 19th century quarry activity and the formation of playing fields. The desk top assessment of available data submitted with the application therefore concludes that it is unlikely to be of high archaeological potential. Further analysis of borehole and geo-technical information would be needed to confirm this position and would be undertaken as part of any detailed second stage planning submission. The County Archaeologist is content with this approach and has recommended that planning conditions be attached to any planning permission requiring that this work be undertaken and that suitable mitigation measures be put in place as a precautionary step in the event that further evaluation or monitoring is needed.
- 62 Most of the existing tree cover apart from a few isolated trees is situated along the margins of the site. Planting is not particularly extensive overall but well defined clusters of mature trees are present along most of the northern boundary and adjacent to Consett Junior School to the east. An avenue of trees also runs along part of western edge of the site where it backs on to East View. These belts of planting contribute to the character of the site and provide effective screening. None of these planting blocks would be adversely affected by the proposal although several individual trees on the development area of the site would need to be removed. As part of the future landscaping strategy it is intended to strengthen the existing planting framework and create further tree and shrub cover to provide a suitable soft landscaping context to buildings, external spaces and activity areas. Subject therefore to the subsequent acceptability and agreement of reserved matters landscape details, it is considered that proposals would have limited affect on the main landscape features on the site.
- 63 An ecological risk assessment was carried out on the site in respect to habitat and species issues. This involved a desk top study of available data and walkover survey to establish the position on the ground and the need for further survey work where necessary. As managed sports fields with incidental amenity planting there was little of interest in terms of fauna. The only protected species issue related to the possible presence of bats. Although there was no record of bats on the site from local data, foraging within the local area does occur and it was considered that the possibility of roosts within the existing buildings could not be discounted. As these are to be removed as part of the development the need to carry out a bat survey prior to the consideration of any detailed planning submission has been identified. A full survey programme covering bats, breeding birds and general habitats on the site (Phase I Habitats Survey) is proposed in line with these conclusions. The effect of this requirement in respect of bats is that no demolition works could commence until a detailed survey is completed. In the event that bats were present there would be a need to obtain a European Protected Species Licence from Natural England to carry these out.
- 64 The presence of bats is a material consideration in planning decisions as they are a protected species under the Wildlife and Countryside Act 1981 and the European Union Habitats Directive and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) (the

Habitats Regulations). The Habitats Directive prohibits the deterioration, destruction or disturbance of breeding sites or resting places of protected species. Notwithstanding that Natural England has the statutory responsibility under the regulations to deal with any licence applications there is also a duty on planning authorities when deciding whether to grant planning permission for a development which could harm a European Protected Species to apply three tests contained in the Regulations. These state that the activity must be for imperative reasons of overriding public interest or for public health and safety, there must be no satisfactory alternative, and that the favourable conservation status of the species must be maintained.

- 65 The lack of full bat surveys means that it is not possible at this stage to confirm that the favourable conservation status of any bat population would be maintained. However, it does not follow from this that the development would necessarily prejudice the future health of any bat populations that may be present. Although full bat surveys should have been carried out in line with national guidance (as highlighted by Natural England in its response) there are a series of mitigation measures that can be put in place to ensure that this does not occur as a result of the development and sufficient time would be available within the phasing programme to implement a management plan should this be required. Whilst expressing some concern about the manner in which the ecology issues have been assessed, the County Ecologist is of the view that the means exist to satisfy statutory safeguarding responsibilities and has not raised specific concerns in this respect.
- 66 Having regard to the balance of planning considerations and the 3 tests, it is also believed that there are compelling reasons for allowing the principle of development to be established. There are issues of overriding public interest in that development of the site would accord with wider planning policies referred to elsewhere in this report including those that encourage sustainable forms of development in urban areas and proposals that have economic and regeneration benefits. It follows from this that where development is considered acceptable in planning terms it should then be capable of implementation in the public interest. There are also no satisfactory or realistic on site alternatives to deliver the proposed development involving retention of existing buildings. These are on the developed part of the site and no longer required. Re-development options on other parts of the site would take up more open space and would not offer the package of environmental and community benefits now proposed. These have therefore been discounted as unsatisfactory.
- 67 It is therefore considered that there are compelling reasons of overriding public interest that would justify progression of the scheme as submitted. However, any decision in this respect does not remove the requirements for further detailed work and it remains essential to link the demolition of any buildings to the outcomes of detailed surveys and the implementation of any mitigation measures that may be required. Subject therefore to these steps being carried out and having regard to the issues of overriding public interest it is believed that the planning authority can discharge its duty under the Habitats Regulations.
- 68 Whilst strictly not in accordance with the steps outlined in administrative guidance accompanying PPS 9, it is considered that the proposals would satisfy the wider nature conservation objectives in the policy document. This states that planning authorities should be protected from the adverse effects of development using planning conditions where appropriate and that planning permission should only be refused where the harm to species that would result is not clearly outweighed by the need for and benefits of the development. It is therefore considered that the approach to safeguarding protected species on the site can be justified in this case.

Sustainability/Ground Conditions/Flood Risk

- 69 The proposed development would replace a series of on and off site buildings that were erected over a period of time. Most of these are poorly insulated and ventilated and inefficient in terms of energy use. The scheme would embed sustainable development principles within its detailed design that would be subject to a mandatory BREEAM assessment under the BSF initiative (including the leisure facilities). The development is expected to achieve a BREEAM score of 'excellent' for its environmental performance and would incorporate a range of sustainable features and measures to minimise its environmental impact. Full details of these are still to be decided but the building layout and orientation would reflect the need to maximise natural light and ventilation where possible and reduce excessive solar gain and heat loss. Rain water harvesting and other water efficient supply systems including sustainable urban drainage would be used to help reduce water demand and run off. Landscape and ecological proposals within the grounds would be geared to protecting the natural environment and enhancing ecological potential and transport. The related measures reflect the desire to encourage more sustainable travel choices. The new building would also incorporate energy efficiency measures and would be designed to achieve at least 10% of its energy requirements from decentralised and renewable or low carbon sources in accordance with RSS Policy 39.
- 70 The site had a history of mineral working prior to the development of playing fields and construction of existing buildings and a Phase I geo-environmental assessment of ground condition issues has been undertaken. This identifies a number of matters including potential contamination from made ground and residual mine gases and possible ground stabilisation issues associated with former shallow working and shafts. The environmental risk is assessed as moderate and well within the normal parameters that would enable the development to be carried out in an acceptable way. However, further detailed investigation and analysis is recommended and this would be undertaken as part of the detailed design process. The Coal Authority has made no comments on the planning submission but provided advice as part of the assessment. This raised no overriding concerns and the Council's Contamination and Development Officer is of a similar view subject to the submission of further site investigation information at a later stage. These matters can be covered by appropriate planning conditions.
- 71 A key objective of PPS 25 is to steer new development to areas that have the lowest probability of flooding. The site falls within flood zone 1 which covers this category (all land outside flood zones 2 and 3 identified on the indicative environment agency flood maps). Nevertheless, in view of the size of the development (over 1 hectare) there is a need to undertake a flood risk assessment to cover the potential vulnerability of increased on and off site flooding from increased hard surfacing and run off. This guidance indicates that this need only be brief and minimum requirements are outlined.
- 72 An initial assessment has taken place in relation to flood risk associated with the proposed development although the works completed to date do not conform to Environment Agency guidelines. Further information is currently being prepared in consultation with statutory drainage providers but is unlikely to be completed and submitted to the Agency for a formal view in advance of this meeting.
- 73 Despite the current unavailability of full information on flood risk, it is nevertheless considered that insufficient evidence has emerged from the work produced to date to indicate that there would be a material increase in the risk of flooding to support an objection to the principle of the development on these grounds. The proposed development would largely take place on previously developed land in an area with a low probability of flooding site and the submitted

information that is available indicates that this is unlikely to occur. Whilst further detailed work would be needed to satisfy the Agency it is therefore the planning view that this matter can be addressed by appropriate planning conditions as part of subsequent details to be submitted and agreed by the Local Planning Authority in consultation with the Environment Agency. The proposed conditions would require a full assessment of flood risk to be completed prior to any works commencing on site and the agreement and implementation of any mitigation measures that were needed. As part of this process it is also recommended that the planning condition suggested by the Agency within its consultation response should be imposed.

- 74 Some local residents and the Junior School have expressed specific concerns about the potential for increased run off and point to instances of localised flooding of open land and gardens to the east of the site around the junior school playing field. These have been investigated as a separate matter by the County Council and initial assessments indicate that this is not linked to the Belle Vue playing fields. Subject to adequate precautionary measures being taken during the construction phase it is not considered that the development would compound these issues. The developer is fully aware of this issue and the need to undertake an appropriate risk assessment as part of any drainage works that are subsequently developed.

Economic Development/Regeneration

- 75 The proposals represent a significant financial and social investment in the Consett locality and its future. Provision of the new facilities would cost millions of pounds and although these are not primarily geared towards wealth generation they would have direct and indirect economic implications associated with construction work and the employment of staff on the site in the longer term. The proposals are also intended to link in to the wider regeneration aspirations and initiatives being promoted regionally and locally that are aimed at arresting decline and building better and more sustainable economic futures.
- 76 The Government's academy programme has transformation at its heart and the proposed facilities would help to create a learning environment that fosters a culture of educational attainment and develops skills to equip young people and others for the challenges in a competitive and rapidly changing working world. The provision of increased opportunities to raise aspirations and improve marketability would also be consistent with principles reflected in the Regional Economic Strategy and Sustainable Communities Strategy. These also promote a holistic approach to regeneration in which new community infrastructure plays an important role as components that can contribute to the vibrancy, cohesiveness and well being of towns and help provide a stimulus to economic growth.
- 77 The development of the academy would by no means tackle or resolve the many local issues facing Consett but it is seen as a catalyst for further change in the town in the emerging County Durham Regeneration Statement and the new development framework and master plan that is currently being developed by consultants on behalf of the County Council. This will look at a range of matters including the opportunities for future investment on an integrated basis and the detailed consideration of specific sites. The re-use of any surplus school land arising from the academy proposals would be looked at as part of this work.
- 78 Whilst the regeneration benefits of the scheme should not be overstated, public and community uses are regarded as a form of economic development for purposes of PPS 4. The proposal would be consistent with the key planning objectives outlined in the statement and its associated development management policies that require local planning authorities to take a positive and constructive approach towards planning applications for economic development.

CONCLUSION

- 79 The proposed development is part of the national BSF programme to create first class schools at the heart of local communities to meet 21st Century needs. The proposed Consett scheme would replace a series of school buildings and existing leisure facilities on three sites in a single development that would be equipped to meet modern educational and community needs and would involve significant capital and social investment in the local area.
- 80 The combined academy and leisure centre development would be located on land occupied by existing community facilities and playing fields close to Consett town centre. The site is not allocated for any specific purpose by saved policies in the adopted local plan and the development would be in general conformity with locational criteria within national and regional planning policies that seek to direct new development to sustainable and accessible sites within urban locations. There is therefore no objection in planning policy to the principle of re-developing the site for the intended mix of facilities.
- 81 The proposal would displace existing sports clubs on the site but there is a commitment to replace these elsewhere in the town and there would be new sports provision within the development that would be made available for public use. Existing public playing fields on the site that are also used for informal recreation purposes would be substantially retained and works to improve the appearance, condition and access to this area are proposed.
- 82 Existing on site buildings have limited visual appeal and subject to final detailed design the proposal has the potential to make a positive contribution to the character and status of the site which is situated around an important northern approach to the town centre. It would also improve the setting of the listed war memorial which is the only statutory designation on the site. The site is large enough to accommodate a development of the intended scale and the size and location of the buildings and associated external works would raise no significant amenity issues of an adverse nature for neighbouring residents.
- 83 The proposal would safeguard key landscape features on the site and improved integration with the surrounding environment is intended. Further surveys and investigation work would be necessary in a number of areas to meet the requirements of consultees but no overriding issues have been identified such that outline planning permission should be withheld. However, these matters would need to be covered by planning conditions and resolved prior to the commencement of development.
- 84 The proposal would increase the numbers of people using the site and would affect vehicular movements and travel patterns within the vicinity. Whilst there would be some localised increase in traffic for short periods at peak school hours, the overall impacts of the development on the surrounding road network would be within acceptable limits and the scheme would incorporate measures to encourage less reliance on the private car in line with wider health and sustainability objectives. The position and general configuration of new vehicular accesses would not change and would meet highway design and safety requirements. Some additional car parking would be included within the scheme in recognition of local circumstances.

-
- 85 The proposed development has generated local objection. This has been evident in both the evolution of the proposals and response to the planning application. Much of this stems from the decision to locate the academy at Belle Vue rather than another site in the town that is considered more suitable for the intended use. Whilst other sites will have their advantages and disadvantages, the site selection process and the decision to proceed with the Belle Vue site as the preferred option is not an issue for debate as part of this planning application. The Committee can only consider the proposals that have been submitted and make a decision on these having regard to the development plan and other material planning considerations.
- 86 The planning related comments received from the public form part of those material considerations and it is acknowledged that many people have taken the opportunity to make their views known. In weighing these it is also accepted that the proposal raises complex issues and that there are genuine fears and concerns about the loss, relocation and re-provision of on and off site facilities and the form these would take. Nevertheless it is considered that these are matters that can be acceptably and appropriately addressed as the proposals are developed further and that there are no substantive planning reasons for rejecting the principle of this development on the site.
- 87 Having regard to the size and location of the proposed development and its relationship to the surrounding built and natural environment, it is considered that it would be a positive addition that would consolidate and enhance the status of the site and provide wider ranging community benefits. Subject therefore to the imposition of suitable planning conditions to cover reserved matter details and related issues it is concluded that the proposal should be supported as it would accord with relevant planning policy and would otherwise be acceptable in development management terms.
-

RECOMMENDATION

88 That the application be **APPROVED** subject to the following conditions:

Reserved Matters

1. Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the date of approval of the last of the reserved matters to be approved.
2. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in accordance with the approved plans, specifications and conditions hereby imposed.
3. Approval of the details of appearance, landscaping and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the development is commenced.
4. The detailed drawings with respect to the matters reserved for subsequent approval shall incorporate sufficient information concerning the levels of the site and proposed levels relating to levels of adjoining land and highways. All levels shall be in metric and related to ordinance survey datum.

-
5. For the avoidance of doubt this permission does not approve the elevational details shown on the illustrative plan accompanying the application.
 6. No part of the proposed academy building shall extend more than three storeys in height above ground level and unless otherwise agreed in writing by the Local Planning Authority the gross floorspace of that part of the building for academy use shall not exceed 14,152m².

Phasing

7. No part of the development shall commence except in accordance with a phased programme that has been submitted to and approved in writing by the Local Planning Authority including the timing and sequence of the development works.

External Materials

8. None of the buildings hereby approved shall be constructed until a full schedule of all the materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, samples of the materials to be used in the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of these buildings. The development shall be carried out in accordance with approved details.

Access and Car Parking

9. Notwithstanding the information shown on the submitted plans, no development shall be commenced until details of the means of access, including the layout, construction, and sight lines to be provided have been submitted to and approved in writing by the Local Planning Authority, and the buildings hereby permitted shall not be occupied until the approved access has been constructed, in accordance with the approved plans.
10. Before the buildings hereby approved are occupied details of the proposed parking provision and bus drop off and servicing arrangements including layout, number of spaces, surface materials and drainage shall be submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with those agreed details. Thereafter the car parking, bus and service areas shall be used and maintained in such a manner as to ensure their availability at all times for their intended purpose.

Landscaping

11. A landscape scheme for the site showing the treatment of all areas of soft and hard landscaping the position, size, species and density of all new planting, mounding, site re-contouring, and a programme of works and maintenance, shall be carried out as part of the development hereby approved in accordance with details to be submitted to and approved in writing by the Local Planning Authority. All planting seeding or turfing shall be carried out by the end of the first planting season following the completion of the development and any new trees or shrubs which within a period of five years from the completion of the development are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

-
12. That detailed drawings of the layout showing which trees are to be removed and which trees are to be retained on the site (tree constraints plan), shall be submitted to and shall have been approved by the County Planning Authority before the commencement of any works, such details to show the spread and species of trees.
 13. No trees shall be wilfully damaged or destroyed or uprooted, felled lopped or topped without the previous written consent of the Local Planning Authority within 5 years of the completion of the development. Any trees removed without such consent or becoming seriously damaged or diseased before the end of that period shall be replaced by trees of such size and species to be agreed in writing by the Local Planning Authority.
 14. That existing trees to be retained within the site shall, for the duration of the development, including site clearance and demolition, be protected by fences or other suitable means in accordance with BS5837 2005 within which no construction related activities or storage of materials shall take place. These means of enclosure shall be erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any part of the development commencing.

External Features

15. Details of the height, type, position and angle of external lighting and of CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being brought into use. The lighting and CCTV shall be erected and maintained in accordance with the approved details.
16. Details of any roof mounted or wall mounted renewable energy devices, biomass boiler, energy centre and associated external works required in association with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the construction/installation of any of these items. The development shall thereafter be carried out in accordance with the approved details.
17. Details of all footpaths/cyclepaths, retaining walls and access ramps shall be submitted to and approved in writing by the Local Planning Authority prior to the construction / installation of any of these items. The development shall be carried out in accordance with the approved plans, and shall thereafter be so maintained.
18. Details of all signs, external play and storage structures, bin stores, waiting shelters, art work and any relocated skate park shall be submitted to and approved in writing by the Local Planning Authority prior to the construction / installation of any of these items. The development shall be carried out in accordance with the approved plans, and shall thereafter be so maintained.
19. Details, of all fencing or other means of enclosure including gated access points and ball stop fencing, shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in accordance with the approved details prior to the development hereby permitted being brought into use.
20. Details of the height, type, position and angle of any floodlights and hours of operation shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby permitted being brought into use. The floodlights shall be erected and maintained in accordance with the approved details.

-
21. The proposed floodlights where provided shall be installed, focused and maintained in accordance with a scheme to be approved in writing with the Local Planning Authority to minimise light spillage and glare outside the designated area.
 22. Details of the design, location and number of cycle stands shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and provided prior to first occupation of the new building.
 23. Details of the hours of use of the buildings and external facilities shall be submitted to and approved in writing by the Local Planning Authority. The buildings and external facilities shall operate in accordance with the approved arrangements unless otherwise agreed in writing with the Local Planning Authority.
 24. Unless otherwise agreed in writing by the Local Planning Authority, no plant, structure or apparatus other than shown on approved plans shall be erected placed or fixed to any part of the roof or the external faces of the proposed buildings.

Travel Plan

25. A travel plan shall be submitted to and approved in writing by the Local Planning Authority. Such a plan shall detail objectives, measures and targets to minimize potential impact of traffic on the development together with a programme of monitoring and review. The travel plan shall be implemented in accordance with the approved details within 9 months of the academy buildings becoming operational.

Renewable Energy

26. A scheme to minimise energy consumption within the development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the buildings. The scheme shall include at least 10% decentralised and renewable energy or low carbon sources unless otherwise agreed in writing by the Local Planning Authority. It shall also include the following details:
 - Calculation of the baseline annual energy consumption and amended energy consumption building (after energy efficiency measures have been installed) of the development;
 - Calculated 10% energy target;
 - Detailed technology breakdown explaining how the 10% target will be met and why other renewable technologies have been discounted;
 - Detailed expected annual CO2 emissions and savings from the development;
 - Copy of the BREEAM assessment.

Thereafter the development shall be carried out in accordance with the approved scheme prior to first occupation and thereafter retained in perpetuity.

Archaeology

27. Prior to or in association with any reserved matters submission the applicant, or their agents or successors in title, must submit the results of a geo-technical investigation across the site. A copy of any analysis, reporting, or publication must be submitted to the County Archaeologist in order to permit an informed understanding of the potential of the site to contain undisturbed archaeological remains.

-
28. Prior to or in association with any reserved matters submission the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority. The Scheme shall provide for:
- i. the proper identification and evaluation of the extent, character and significance of archaeological remains within the application area in accordance with a brief prepared by the County Durham Archaeology Team; the evaluation is to be undertaken prior to any ground preparation works and the results submitted in support of the reserved matters application(s);
 - ii. an assessment of the impact of the proposed development on the archaeological remains;
 - iii. proposals for the preservation in situ, or for the investigation, recording and recovery of archaeological remains and the publishing of the findings, it being understood that there shall be a presumption in favour of their preservation in situ wherever feasible;
 - iv. sufficient notification and allowance of time to archaeological contractors nominated by the developer to ensure that archaeological fieldwork as proposed in pursuance of (i) and (iii) above is completed prior to the commencement of permitted development in the area of archaeological interest;
 - v. notification in writing to the County Durham County Archaeologist of the commencement of archaeological works and the opportunity to monitor such works

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the Local Planning Authority.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the County Durham Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the Local Planning Authority.

Surface Water and Flood Risk

29. Prior to or in association with any reserved matters submission, a flood risk assessment (FRA) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. Any works agreed as part of the FRA shall be implemented in accordance with the approved details.
30. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

Sports Facilities

31. Not later than three months prior to the submission of the Reserved Matters application, the applicant shall submit and agree with the Local Planning Authority (in consultation with Sport England) an audit which sets out the following matters:
- the quantity of playing field that will be permanently lost as result of the Academy development; and

-
- the quality of pitch and ancillary facility provision across the Belle Vue playing fields.
32. Pursuant to the above condition, the Reserved Matters application shall include details of measures (including phasing) to secure replacement playing field or fields of equivalent or better quantity and quality to those that will be lost to the Academy development.
 33. The Reserved Matters application shall include a scheme for the temporary / permanent relocation of the teams affected by the development. The approved scheme shall be brought into effect upon the commencement of development.
 34. Not later than three months prior to the submission of the Reserved Matters application, the applicant shall submit and agree with the Local Planning Authority (in consultation with Sport England) an audit which sets out the following matters:
 - current community sports facilities across the Belle Vue leisure centres, Consett Community College and Moorside Comprehensive School sites;
 - a robust assessment of the local community and sporting group's facility needs in respect of the identified facility types;
 - how the findings from the above have informed the mix of facilities proposed for the respective sites.
 35. Prior to the commencement of the development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Site Investigations

36. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

37. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

38. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

39. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 36, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 37, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 38.

40. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

41. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

Ecology

42. No development shall take place other than in accordance with the survey of works to be carried out detailed within the risk assessment report (BSF Consett Site 4, Ecology Risk Assessment) including:

- Phase 1 Habitat Survey for the whole site
- BREEAM assessment of habitats, mapping, measuring and recording all habitats including hard standing and buildings, this can be in conjunction with the Phase 1 survey.
- Tree constraints plan and arboricultural impact assessment in compliance with B.S. 5837:2005, "*Trees in relation to construction*," from which a tree protection plan must be formulated.

-
- Bat surveys on trees and buildings, to comply with Natural England and Bat Conservation Trust guidance, including an assessment of foraging and commuting routes. Such surveys to be updated for any building demolished during a later phase of the development.
 - A breeding bird survey should be carried out.

Should Bats be found on site following the Summer surveys, an application for a licence to Natural England should be submitted prior to demolition of any buildings on the site.

43. No scrub clearing or tree felling shall be undertaken during the bird breeding season(1 March - 31 August inclusive) at any time during the construction phase unless a checking system has been undertaken by qualified ecologist prior to the commencement of works and no active nests are found.

Off Site Highway Works

44. That off site highway works relating to a traffic management scheme to be implemented in association with the development shall be carried out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved works shall be implemented prior to occupation of the academy and thereafter maintained to the satisfaction of the Local Planning Authority.

Construction Practices

45. At least 48 hours notice of the date of commencement of the development shall be given to the Local Planning Authority.
46. Any temporary topsoil or subsoil mounds formed under this permission shall not exceed 2m in height and shall be kept free of weeds. The mounds shall be removed and the land reinstated on completion of the development to the satisfaction of the Local Planning Authority.
47. During the construction works, measures shall be taken to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud or other debris on the highway.

REASONS FOR THE RECOMMENDATION

- i) The proposed development would involve the provision of education and leisure facilities on land within the urban area that is currently in use for community based purposes and is acceptable in principle for use on this basis having regard to the aims of National Planning Policy outlined in PPS1, PPS4, PPG13 and PPG17 and RSS Policies 2, 4,7,24,25,27, 38, 39 and 54
- ii) The proposed development can be satisfactorily accommodated in terms of its scale and location on the site and would relate acceptably to the surrounding built and natural environment in terms of visual and residential amenity and would take account of and incorporate measures as appropriate to protect existing landscape, natural and historic features, open land and general environmental conditions in accordance with Saved Policies GDP1, EN11, EN1, EN19 and EN26 of the Derwentside District Local Plan.
- iii) The proposed transport implications of the scheme in terms of traffic generation and movements on the surrounding road network, the siting and design of accesses and provision

for parking within the development would not prejudice the free flow of traffic, highway safety or wider transport objectives aimed at reducing reliance on the private car. The proposal would accord with Saved Policies TR2 and TR3 of the Derwentside District Local Plan and Policy 7 of the RSS.

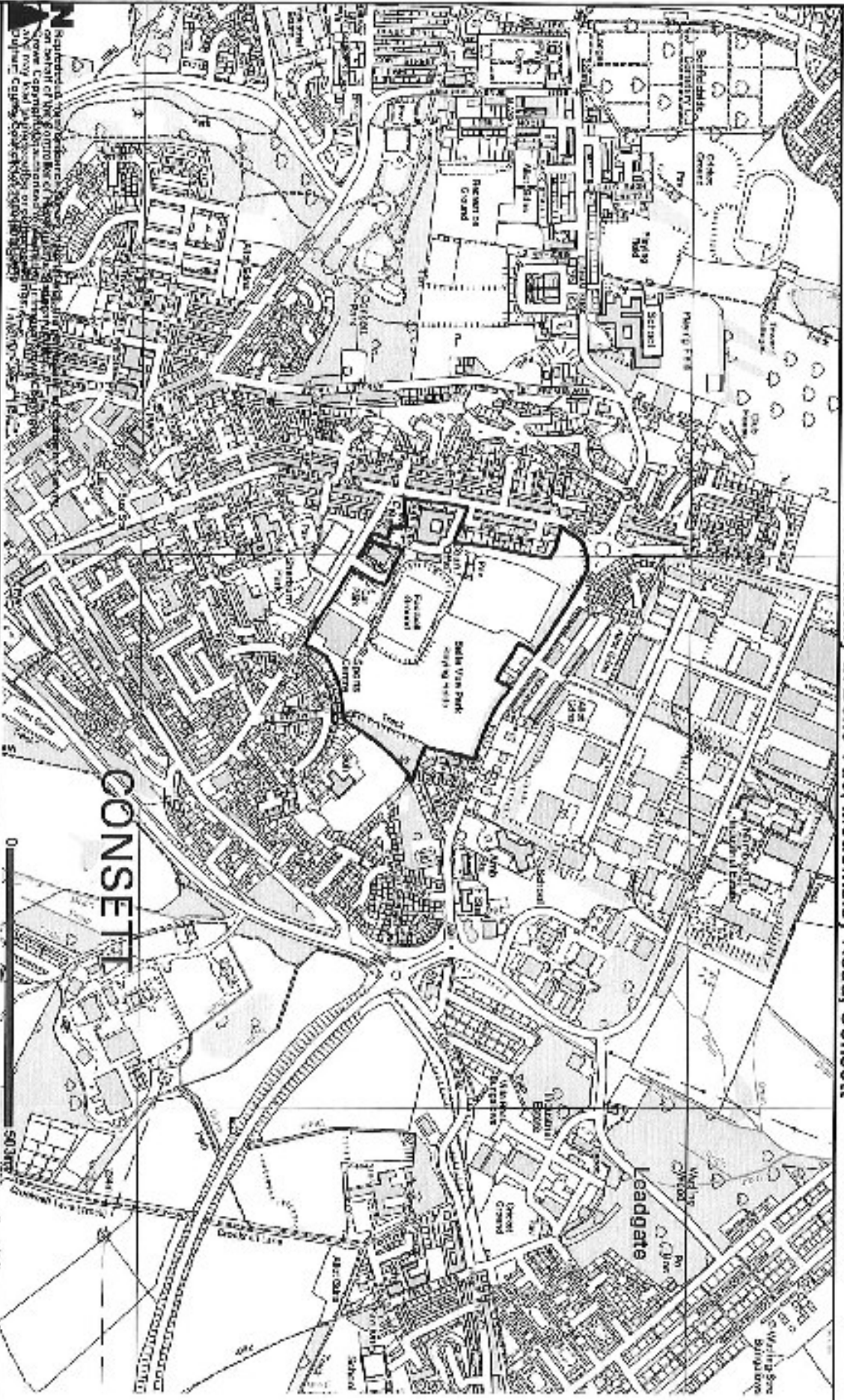
- iv) The proposed development would have an acceptable impact on the overall level of playing field provision (and open character on the site) and within the local area, and would enhance the quality of sports and recreational available in the local area in accordance with the aims of PPG17.
- v) The proposed development represents a significant and positive investment in the future of the local area that would help maintain its social health and vitality and contribute to wider economic and regeneration initiatives in line with Policies 2, 9,14 and 25 of the RSS.
- vi) It is considered that the objections, concerns and reservations expressed about the proposed development and its component parts are not sufficient to outweigh the overall acceptability of the scheme in planning terms. This view is generally reflected in the response of statutory and related consultees and suitable controlling measures can be put in place to ensure these environmental requirements are properly considered and met as part of the development.

BACKGROUND PAPERS

- Submitted Application Forms and Plans and supporting information, statements and assessments
 - North East of England Plan Regional Spatial Strategy
 - Derwentside District Local Plan
 - Relevant Planning Policy Statements / Guidance Notes/Circulars/Statutory Instruments
 - Statutory and other consultee responses
 - Public Consultation Responses
-



Proposed Demolition of Leisure Centre, Council Offices, Football and Rugby Club Facilities and Construction of New Leisure Facilities and New Academy at Belle Vue, Medomsley Road, Consett



Scale 1:10000



CONSETT

