

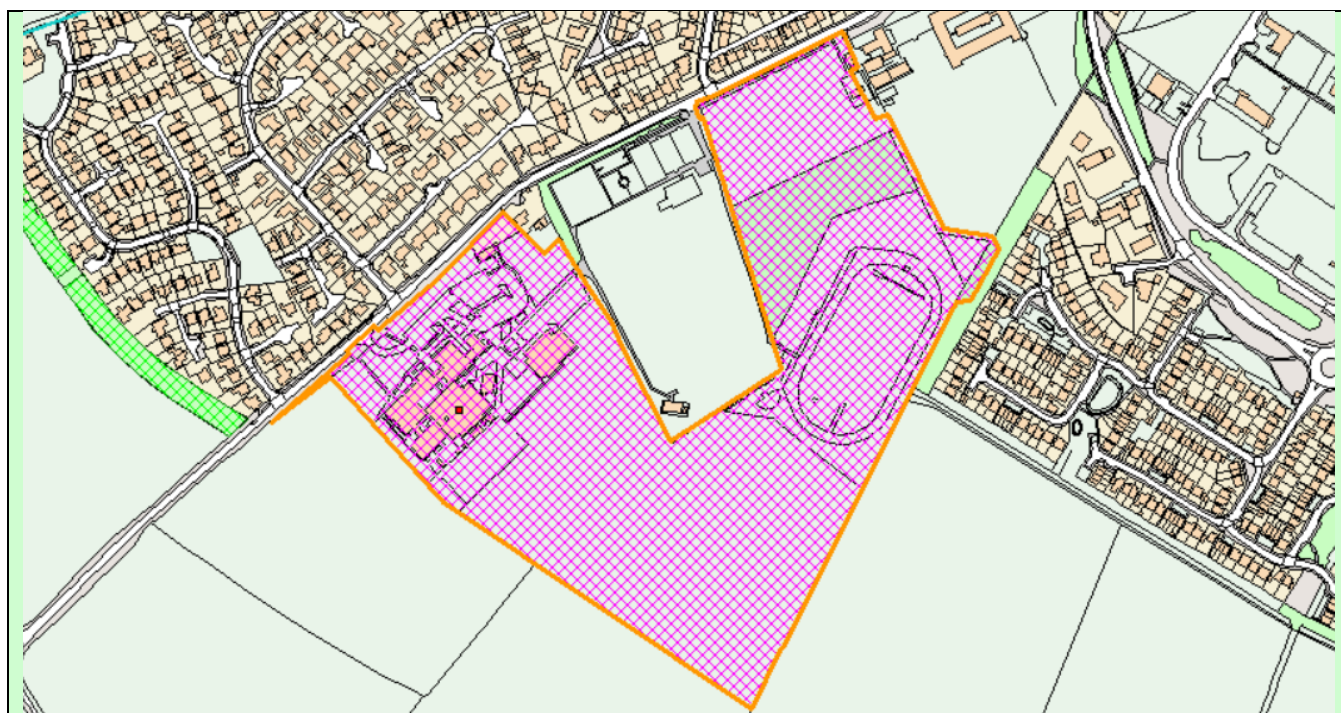


# Northumberland County Council

## Strategic Planning Committee 7<sup>th</sup> Nov 2023

<b>Application No:</b>	23/01677/CCD		
<b>Proposal:</b>	Demolition of existing buildings and construction of new secondary school with playing pitch provision, access, parking and landscaping		
<b>Site Address</b>	James Calvert Spence College Upper School, Acklington Road, Amble, Morpeth, Northumberland NE65 0NG		
<b>Applicant:</b>	Northumberland County Council C/O Agent	<b>Agent:</b>	Nicola Crowley Studio 012, Haylofts, St Thomas' St, Newcastle Upon Tyne NE1 4LE
<b>Ward</b>	Amble West With Warkworth	<b>Parish</b>	Amble By The Sea
<b>Valid Date:</b>	30 May 2023	<b>Expiry Date:</b>	10 November 2023
<b>Case Officer Details:</b>	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission subject to conditions.



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## 1. Introduction

1.1 This application falls to be determined by Strategic Planning Committee as it relates to a County Council Development.

## **2. Description of the Proposals**

2.1 Full planning permission is sought for the demolition of existing school buildings and the construction of a new secondary school with playing pitch provision, access, parking and landscaping at James Calvert Spence College (JCSC) (Upper Site), Acklington, Amble.

2.2 The proposed works are related to the wider redevelopment of the JCSC site which includes the refurbishment of the former middle school site, which is being assessed under application reference 23/01680/CCD.

2.3 The proposals form part of the wider masterplan to move to a two-tier system of education in Amble. This element involves the relocation of the high school from its current position to an area of open space adjacent to the lower school site.

2.4 The proposed new secondary school would take the form of a 2-storey symmetrical building with a sports hall located at its the northwest corner. The application documents state that the building would be deliberately positioned close to the northern (roadside) boundary to maintain openness to the south and to ensure convenient and easy access from Acklington Road and to the outdoor playing fields and sports pitches. These outdoor facilities would sit to the south and west of the site with a range of artificial and natural grass pitches and MUGAs. The sports hall would benefit from a separate, dedicated entrance for community use and it is understood that community access to these indoor and outdoor facilities would be between 17:00 to 22:00 on weekdays and 08:00 to 22:00 at weekends, but it is made clear that these facilities would be designed to cater primarily for the pupils.

2.5 The existing car parking area to the southwest, which serves the buildings that are to be demolished, would provide parking for staff and for community use outside of school hours. Another car park would be situated next to the new building. Both would include E.V. charging points (13 across the two car parks). The design also includes footpath / cycle routes for pupils within the site and there would be parking for 90 bicycles. Landscaping would be introduced via a green infrastructure plan with removed trees being replaced and with biodiversity in mind, also with a view to the educational benefits of these features.

2.6 The roughly horseshoe shaped application site extends to approximately 13 hectares and is situated within the settlement boundary of Amble, approximately half a kilometre from Amble town centre, which lies to the north-east. The two ends of the horseshoe abut the B6345 Acklington Road that runs along the northern side of the site and from which the site is accessed.

2.7 The Site currently contains, towards its western side, (in the western prong of the horseshoe), the existing secondary school part of the existing James Calvert Spence College, (which is proposed to be demolished), and its car park, (which is proposed to be retained). The other part of the College, (the former Middle School), is outwith the site to its east and is the subject of the other application mentioned above. The southern part of the application site, away from the road, contains an athletics track and the school playing fields, which would be retained but reconfigured under the proposals. The eastern prong of the site is currently informal open space and is where the replacement secondary school building is proposed to be built.

2.8 In the space between the two parts of the horseshoe (outside the redline boundary) there is a single residential dwelling and a large public recreation ground, which includes Amble Skate and Play Park, available for community-wide use. The site is peripheral to the current built-up area of Amble, so that, while there are residential areas on the opposite (north-west) side of Acklington Road, and to the southeast of the site, there is open countryside to the south-west. However the fields closest to the school site in this direction have outline planning permission, with some matters reserved, for the construction of residential development of up to 500 dwellings, (application 16/04305/OUT, decision issued March 2022), such that the school and its fields are likely to be surrounded by housing in the fullness of time.

### **3. Planning History**

**Reference Number:** 23/01615/FUL

**Description:** Relocation of three existing single storey modular buildings and the erection of one new modular building on land behind the existing hard play area for a temporary time period whilst the existing school is redeveloped. (separate planning application ref:XXXXXX)

**Status:** APPRET

**Reference Number:** 23/01614/CCD

**Description:** Relocation of three existing single storey modular buildings and the erection of one new modular building on land behind the existing hard play area for a temporary time period whilst the existing school is redeveloped.

**Status:** PER

**Reference Number:** 15/00293/CCD

**Description:** Conversion of existing former caretakers bungalow to additional teaching/learning space.

**Status:** PER

**Reference Number:** 13/01516/FUL

**Description:** Provision of a biomass boiler and associated plant, including a 6.5m silo

**Status:** PER

**Reference Number:** 11/02317/CCD

**Description:** Installation of photo voltaic panels on the school roof.

**Status:** PER

**Reference Number:** C/04/00193/CCD

**Description:** Construction of 2 prefabricated buildings

**Status:** PER

**Reference Number:** C/04/00115/CCD

**Description:** Construction of an additional 35 car parking spaces

**Status:** PER

**Reference Number:** A/CC/2004/0015

**Description:** Construction of 2 prefabricated buildings

**Status:** PER

**Reference Number:** A/CC/2004/0008

**Description:** Construction of an additional 35 car parking spaces

**Status:** NOOBJ

**Reference Number:** C/03/00124/CCD

**Description:** Installation of 2 external platform lifts and enclosures for disabled access

**Status:** PER

**Reference Number:** A/CC/2003/0004

**Description:** Installation of external platform lifts and enclosures for disabled access

**Status:** PER

**Reference Number:** A/2001/0473

**Description:** Extension and upgrade of existing sports hall to provide additional sports facilities and associated storage and offices.

**Status:** PER

**Reference Number:** C/93/CC/47

**Description:** Erection of technical resources block

**Status:** PER

**Reference Number:** A/91/A/163

**Description:** Lattice Mast (213m),

**Status:** REF

**Reference Number:** A/79/A/511

**Description:** Details of phase 3 of Coquet County High School,(Sports Hall, Sixth Form and Social Area)

**Status:** PER

**Reference Number:** C/79/A/142

**Description:** Change of use from former telephone exchange to messroom, toilet and store for school grounds staff on 0.3 ha

**Status:** PER

**Reference Number:** A/78/A/415

**Description:** Erection of a County High School on 10. 88 hectares (approx. 26 acres) of land. As amended by plans received on 4/1/1979

**Status:** NONCCZ

**Reference Number:** A/77/A/347

**Description:** Construction of new High School and the laying out of school playing fields on approximately 12 hectares (29 acres) of land. As amended by memorandum dated 20 April 1978 and plan, and memo and plan dated 4th of May 1978.

**Status:** PER

#### 4. Consultee Responses

Amble Town Council	Support.  Concerns re protection of trees, height of boundary fencing for safeguarding, pedestrian and vehicular access and neighbouring amenity.
Climate Change Team	No response received.
County Archaeologist	Further information required. Following receipt of this information no objections are raised subject to condition.

County Ecologist	Further information required. Following receipt of this information no objections are raised subject to conditions and informatives.
England Athletics	Analysis shows a justification for an additional track within the study area. This calculation is supported by consultation summaries from clubs, stating that a lack of available facilities is leading to a large amount of unmet demand. Note: There had been recent discussions about a MiniTrack / training track, but these did not progress.
Fire & Rescue Service	The Fire Service have no objection in principle to the above proposals.
Highways	Further information required. Following receipt of this information no objections are raised subject to conditions and informatives.
Lead Local Flood Authority (LLFA)	Further information required. Following receipt of this information no objections are raised subject to conditions and informatives.
Natural England	No response received.
Northumbria Ambulance Service	No response received.
Northumbrian Water Ltd	At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. The submitted drainage schemes also show sports pitch drainage, we would like to remind the applicant that Northumbrian Water do not accept this. A pre-commencement condition is therefore requested to secure a detailed scheme for the disposal of foul and surface water from the development.
Planning Strategy	Advice provided
Police Architectural Liaison Officer	No objection. Recommendations provided in respect of security.
Public Protection	No objection subject to conditions.
Sport England	No objection subject to a condition.
Strategic Estates	No response received.
Secretary Of State	No response received.

## 5. Public Responses

## Neighbour Notification

Number of Neighbours Notified	69
Number of Objections	1
Number of Support	0
Number of General Comments	3

## Notices

General site notice, posted 21st June 2023

Press Notice - Northumberland Gazette, published 15th June 2023

## Summary of Responses:

4no representations have been received from members of the public with 3no being neutral and 1no being an objection. The points raised are summarised as follows,

### Objection -

Agree with the need for new school however I object to losing the running track. There are running groups in the area who could make use of dedicated running facilities if they were accessible and available at a reasonable cost. It is understood that approaches have been made previously regarding access and the state of the track. The number of football pitches proposed is unnecessary. Access to sports facilities should be agreed before planning permission is granted. NCC would be negligent if they did not look at this aspect of the sports facilities for all, when this new development is planned.

### Representations -

Great to see educational facilities being upgraded, however the loss of the running track will be detrimental to the future of athletics in the area. There is a vibrant and active community of runners and triathletes (who compete at an international level) who would benefit from a training facility such as this.

Whilst I fully support the whole idea of a new school campus, the plans totally neglect sports facilities in Amble for school children and the public. There is a fit for purpose sports hall which could be used much more by community groups and for winter use, which is set to be demolished and not replaced. Where are users to go during the winter months and why has the running track been removed from the original plans? Schools should be working more closely with community groups to encourage children to participate in sports. Amble is one of the only larger towns in the county that have no community sports facilities. The plans should be more inclusive of all sports and community groups to ensure the success of sports in the town. There has to be a mutual user policy for the school fields and parking.

Not replacing the old running track with a new all-weather running track (which was previously proposed) seems like a huge backwards step. This would have been a huge benefit to the school, it's pupils and the community as a whole. Amble has been crying out for years for investment in leisure and sports facilities.

The above is a summary of the comments. The full written text is available on our website at: <http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=RU6XY0QSHH900>

## **6. Planning Policy**

### 6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)  
STP 2 - Presumption in favour of sustainable development (Strategic Policy)  
STP 3 - Principles of sustainable development (Strategic Policy)  
STP 4 - Climate change mitigation and adaptation (Strategic Policy)  
STP 5 - Health and wellbeing (Strategic Policy)  
ECN 1 - Planning strategy for the economy (Strategic Policy)  
QOP 1 - Design principles (Strategic Policy)  
QOP 2 - Good design and amenity  
QOP 3 - Public realm design principles  
QOP 4 - Landscaping and trees  
QOP 5 - Sustainable design and construction  
QOP 6 - Delivering well-designed places  
TRA 1 - Promoting sustainable connections (Strategic Policy)  
TRA 2 - The effects of development on the transport network  
TRA 4 - Parking provision in new development  
ICT 2 - New developments  
ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)  
ENV 2 - Biodiversity and geodiversity  
ENV 3 - Landscape  
ENV 7 - Historic environment and heritage assets  
WAT 2 - Water supply and sewerage  
WAT 3 - Flooding  
WAT 4 - Sustainable Drainage Systems  
POL 1 - Unstable and contaminated land  
POL 2 - Pollution and air, soil and water quality  
MIN 4 - Safeguarding mineral resources (Strategic Policy)  
MIN 5 - Prior extraction of minerals  
INF 1 - Delivering development related infrastructure (Strategic Policy)  
INF 2 - Community services and facilities  
INF 5 - Open space and facilities for sport and recreation  
INF 6 - Planning obligations

### 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2023)

### 6.3 Neighbourhood Planning Policy

N/A

### 6.4 Other Documents/Strategies

PPG - Planning Practice Guidance (2021, as updated)

NMDC - National Model Design Code (2021)

NDG - National Design Guide (2019)

## 7. Appraisal

7.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the development plan comprises the Northumberland Local Plan 2016-2036 (NLP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 The main issues for consideration in the determination of this application are:

Principle of the Development  
Design and Visual Impact  
Open Space & Sports Facilities  
Amenity  
Highways  
Ecology  
Archaeology  
Environmental Protection  
Mineral Safeguarding  
Water Management  
Sustainable Construction

### Principle of the Development

7.3 Policy STP 1 of the NLP sets out a spatial strategy for the County, which seeks to direct the majority of development towards established settlements. Amble is identified as a Main Town in the settlement hierarchy, which will be a main focus for employment, housing, retail and services.

7.4 Policy STP 2 sets out the presumption in favour of sustainable development, whilst STP 3 defines the principles that development proposals will be expected to adhere to in order to deliver against the economic, social and environmental objectives of sustainable development.

7.5 One of the principles of sustainable planning set out in Policy STP 3 is to provide opportunities to enhance social and cultural wellbeing for all and provide the infrastructure necessary for improvements in the quality of life of individuals and communities. This is echoed in Policy STP 5 on community health and wellbeing, in which the importance of community cohesion is emphasised. Good schools are central to successfully integrated communities. In terms of the importance of fit-for-purpose schools to the economy, strategic Policy ECN 1 sees the importance, not only of further developing the County's key infrastructure, but also of upskilling its workforce which, by definition, will include its future workforce.

7.6 This is also backed up by paragraph 95 of the NPPF which supports development that will widen choice in education, stating that great weight should be given to the need to create, expand or alter schools through decisions on applications.

7.7 The proposals at hand form part of the plans for the wider redevelopment and refurbishment of James Calvert Spence College, with this application relating specifically to the demolition of the existing high school and its replacement with a new school building on land to the east of the current site.



7.8 The project is necessitated through the need for significant capital investment to facilitate the move to a two-tier system in Amble, while improving the teaching and learning environment for current and future pupils of the school, including on-site sporting and community facilities that would also benefit the wider community. The redevelopment of the school meets planning policy principles on community provision and community wellbeing and can also be seen as an investment in the future of the Northumberland economy. Amble is a Main Town and, as a result of the proposal, will (as it should) continue to offer all tiers of school education.

7.9 On this basis the principle is acceptable in accordance with the NLP and the NPPF.

### Design and Visual Impact

7.10 Design considers the appearance of the development independently and as part of the immediate streetscene. Policy QOP 1 of the NLP sets out design principles and seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness.

7.11 Policy QOP 2 goes on to say that the physical presence and design of development proposals should preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development should not be oppressive and the best outcomes for outlook are achieved wherever possible.

7.12 In addition to the overarching design principles set out in Policy QOP 1, Policy QOP 3 states that, where relevant, the design of the public realm will be expected to:

- Create diverse, vibrant buildings and spaces which contribute to supporting a range of public activity;
- Be physically and socially accessible and inclusive;
- Be clearly defined from private spaces;
- Have a clear hierarchy of routes and spaces, which are faced by active frontages and maximise natural surveillance;
- Prioritise pedestrian and cycle movement and facilitate access to public transport wherever possible;
- Avoid dominance of vehicles and ensure that parking, where included, is sensitively integrated;
- Maximise urban greening, including the use of street trees and other vegetation as appropriate;
- Respond to opportunities to incorporate public art where possible; and
- Incorporate appropriate street furniture, lighting and surface materials.

7.13 The proposed design of the new school buildings would appear to offer many benefits in terms of its functional qualities, visual appearance and sustainability and the final design has been arrived at following extensive consultation. The result of this is that the proposed building has quite a traditional feel, with its rectangular components and alignment with the road frontage, while clearly including many elements of sustainable design aimed towards a low-carbon outcome for the site as

a whole. Factors such as security and how people move around the site have been addressed too.

7.14 The removal of the existing buildings would also help to improve the overall visual appearance of the site, whilst erecting the new buildings closer to the existing lower school buildings and the built form of the settlement more generally, would provide a betterment in the sense that the grouping together of the buildings would help to provide a more cohesive layout to the school site.

7.15 On this basis the proposals are acceptable in accordance with Policies QOP 1, QOP 2 and QOP 3 of the NLP and the NPPF.

### Open Space & Sports Facilities

7.16 The principle that open space should not be built upon underpins the Council's approach to the protection of open space, including land used for sport and recreation, through Policy INF 5. All of the open space designated for protection in the Local Plan sits within a recognised open space typology and serves at least one of the recognised functions of open space.

7.17 The Council recognises, however, that there may be circumstances where the loss of open space is appropriate. It is acknowledged that there would be a temporary loss of open space during the construction phase, however there would be no loss overall once the development is complete.

7.18 It is however acknowledged that the proposed plans do not include the provision of an all-weather running track to replace the existing redgra track to the rear of the site. A number of comments have been received from local residents highlighting disappointment with this, especially as there would appear to be a surfeit of football pitches proposed instead. Comments received from England Athletics do highlight an underlying need for new athletics facilities in the area (the only dedicated facilities in the county are at Morpeth and Hexham) however Sport England has responded to consultation raising no objection to the proposals.

7.19 Sport England subsequently confirmed that they do not disagree with England Athletics' response, (drawn as it was from the findings of the Northumberland Playing Pitch Strategy Assessment), that there is probably justification for an additional artificial track in Northumberland. However, it is understood that collaborative work between the Council, National Governing Bodies and Sport England on tackling the recommendations and action plan section of the PPS has not yet happened. Whilst it is right that England Athletics raise the matter (given the proposal will result in the loss of the redgra track at the application site) and query whether a suitable replacement could be included within the application, given the lack of progress on the PPS Action Plan, on this and other matters, the loss of the redundant redgra track does not warrant a statutory objection from Sport England, as it is not clear that this site would be the optimal location for such a facility.

7.20 Sport England consider that the proposals broadly meet their policy requirements, subject to confirmation of the extent of playing field drainage and flood lighting of the proposed MUGA. Conditions are recommended below in this respect. The Council's Sports Development Manager has also confirmed that discussions on options for Amble to host a track at the school site have taken place, including the option of a hybrid track/path alternative, however, the school were unable to commit to the management of any track, as the proposed income would not create a viable

business case. Even with the loss of the redundant redgra track, it is clear that the overall qualitative improvements to the school would compensate for this loss.

### Amenity

7.21 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.22 The site location is such that there would be no substantive concerns regarding neighbouring amenity. The proposal would not give rise to significant concerns in respect of overlooking, overbearing, loss of light or privacy and the use of the site as a school would not change from that which has been in situ for a significant time. As such the proposal is acceptable in accordance with Policy QOP 2 of the NLP and the NPPF.

### Highways

7.23 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.24 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.25 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.26 The Local Highway Authority responded to initial consultation requesting further information in respect of the existing Traffic Regulation Orders (parking restriction schemes) within the vicinity of the site, which would need to be updated to effectively manage the estimated vehicular traffic generated from the school facility and to enable safe and suitable access, especially for pedestrians walking to/from the site. Further information was also requested in respect of vehicular access to the site and parking. Following receipt of further information, no objections have been raised subject to the conditions and informatives recommended below.

7.27 On the basis of the revised proposals the development may be considered to be acceptable in accordance with Policies TRA 1, TRA 2 and TRA 4 of the NLP and the NPPF.

### Ecology

7.28 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.29 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.30 The County Ecologist responded to initial consultation requesting further information in respect of how bat populations would be maintained during the demolition and construction operations. Following receipt of this information no objections are raised subject to conditions as recommended below.

7.31 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).

7.32 The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS). Notwithstanding the licensing regime, the LPA must also address its mind to these three tests when deciding whether to grant planning permission for a development which could harm an EPS.

7.33 The "derogation tests" are as follows;

- that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
- that there is no satisfactory alternative; and
- that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

7.34 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. This is a matter that needs to be considered as part of the determination of this application but is obviously a planning matter rather than an issue requiring ecological advice. It is officer opinion that the proposals do indeed meet an identified need as demonstrated by the submission of the application for the demolition and rebuilding of the school.

7.35 The second concerns whether the development need which the application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this test;

- a) whether the development need could be met in a different way than through this particular application.

7.36 This is clearly an important matter to be considered as part of this application, but again is primarily a planning matter rather than an issue requiring ecological advice. It is feasible that the development need could be met in a different way, for example avoiding the need to demolish parts of the buildings which may represent favourable habitats for bats, however as these elements have been included in the scheme, it is assumed they are necessary to the overall outcome of the development proposals and as such the development need would not otherwise be met.

- b) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

7.37 This application is for the demolition of the existing school buildings and construction of a new secondary school with outside sport and educational facilities. This requires specific building requirements and this can be undertaken without a reduction in population of the bats, as long as measures are taken to ensure the bats are protected and alternative roosts are provided.

7.38 With regards to the third test, the conservation status of species will be taken as 'favourable' when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

7.39 One of the buildings currently supports a small number of day roosting Common Pipistrelle bats (which are common and widespread throughout the UK). Non-breeding day roosts of widespread and abundant species are, in accordance with accepted guidance (Wray et al 2010), of local importance and of lower conservation significance.

7.40 The requirement for a European Protected Species Mitigation Licence (EPSML) will prevent any direct harm and the provision of integrated roosting features in the converted building will maintain roosting opportunities on site. Therefore, the third test of maintaining favourable conservation status of the species is met.

7.41 On the basis of the above the proposals are acceptable in accordance with Policies ENV1 and ENV2 of the NLP and the NPPF in this respect.

### Archaeology

7.42 Policy ENV 7 of the NLP states that development proposals which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment and, where necessary, a field evaluation.

7.43 Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It goes on to say that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning

authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 205 goes on to say that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

7.44 The County Archaeologist responded to initial consultation requesting additional information regarding the extent of proposed groundworks required, in order to scope out the need for intrusive investigations prior to determination of the application. Following receipt of this information no objections are raised subject to a programme of archaeological mitigation being undertaken in association with the development works. This work can be secured by condition in line with paragraphs 56 and 205 of the NPPF and Policy ENV 7 (7) of the Northumberland Local Plan.

### Environmental Protection

7.45 Policy POL 1 of the NLP states that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.

7.46 Policy POL 2 seeks to ensure that development proposals are not put at an unacceptable risk of harm from or are adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances.

7.47 Paragraph 183 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.48 The Council's Environmental Protection team has responded to consultation stating that they have no objections to the proposals subject to conditions in order to protect public health and prevent loss of amenity.

7.49 On this basis the proposals are acceptable in accordance with policies POL 1 and POL 2 of the NLP and the NPPF.

### Mineral Safeguarding

7.50 The whole site lies within a Minerals Safeguarding Area for coal. Policies MIN 4 and MIN 5 require consideration to be given to the prior extraction of minerals where practical and viable, however given the site location and the nature of the proposals prior extraction of coal would not be an option and there are no reasonable alternative options which would avoid or minimise the sterilisation of the minerals. Furthermore, the overall social, economic and environmental benefits of the proposed development would likely outweigh the potential loss of the mineral resource.

### Water Management

7.51 Policy WAT 3 of the NLP relates to flooding and states that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. Policy WAT 4 relates to

Sustainable Drainage Systems and states that water sensitive urban design, including Sustainable Drainage System (SuDS) will be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance.

7.52 The LLFA responded to initial consultation objecting to the proposal, requesting further information in respect of drainage proposals, construction and maintenance details. Following receipt of the requested information the objection has been withdrawn subject to the conditions and informatives recommended below.

7.53 Northumbrian Water has also responded to consultation requesting a condition in respect of foul drainage and surface water drainage.

7.54 On this basis the proposals are acceptable in accordance with Policies WAT 3 and WAT 4 of the NLP and the NPPF in this respect.

### Sustainable Construction

7.55 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.56 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.57 Policy QOP 5 relates to sustainable design and construction and states that In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.58 The documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to any granting of permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

### Other Matters

7.59 The comments received from the Town Council are noted and have been taken into consideration in the assessment of the application.

7.60 The comments received in respect of the loss of the existing running track are also noted and have been addressed in the preceding paragraphs.

7.61 Comments were also received outwith the planning application consultation in respect of potential improvements to pedestrian access into and around the site, particularly to the south of the site where a recent housing estate has incorporated a

pedestrian cut to the former railway line along the southern boundary of the school site, but which is currently blocked off. Given the proposals to build more housing to the south of the site, it has been suggested that the school be future proofed to allow pedestrian access from these new developments. Despite being raised with the applicant, no amendments have been made to incorporate this suggestion however, whilst not ideal, it would not be sufficient to warrant refusal of the application.

## Procedural Matters

### *Equality Duty*

7.62 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

### *Crime and Disorder Act Implications*

7.63 These proposals have no implications in relation to crime and disorder.

### *Human Rights Act Implications*

7.64 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.65 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.66 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**



8.1 The main planning considerations in determining this application have been set out above, stating accordance with the relevant Development Plan Policies. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable.

## 9. Recommendation

9.1 That this application be GRANTED permission subject to the following conditions:

### Conditions/Reason

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

### 02. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans and documents.

1. Drawing No JCS-ONE-ZZ-XX-DR-L-0001-P04 - Location Plan
2. Drawing No JCS-ONE-ZZ-XX-DR-L-0005-P04 - Proposed Site Plan
3. Drawing No JCS-ONE-ZZ-XX-DR-L-0402-P04 - Site Sections
4. Drawing No JCS-ONE-ZZ-XX-DR-L-0802-P04 - Fencing and Security Strategy
5. Drawing No JCS-ONE-ZZ-XX-DR-L-0803-P03 - Planting Strategy
6. Drawing No JCS-RYD-00-00-DR-A-3000-S2-P6 - GA Proposed Ground Floor Plan
7. Drawing No JCS-RYD-00-01-DR-A-3001-S2-P6 - GA Proposed First Floor Plan
8. Drawing No JCS-RYD-00-RF-DR-A-3002-S2-P6 - GA Proposed Roof Plan
9. Drawing No JCS-RYD-ZZ-ZZ-DR-A-3600-S2-P3 - GA Elevations Sheet 01
10. Drawing No JCS-RYD-ZZ-ZZ-DR-A-3601-S2-P3 - GA Elevations Sheet 02
11. Drawing No JCS-RYD-ZZ-ZZ-DR-A-3800-S2-P2 - GA Sections Sheet 01
12. Drawing No JCS-RYD-ZZ-ZZ-DR-A-3801-S2-P2 - GA Sections Sheet 02
13. Drawing No JCS-BGP-ZZ-ZZ-D-C-1130\_P04 - Proposed Drainage GA (1 of 6)
14. Drawing No JCS-BGP-ZZ-ZZ-D-C-1131\_P04 - Proposed Drainage GA (2 of 6)
15. Drawing No JCS-BGP-ZZ-ZZ-D-C-1132\_P04 - Proposed Drainage GA (3 of 6)
16. Drawing No JCS-BGP-ZZ-ZZ-D-C-1133\_P04 - Proposed Drainage GA (4 of 6)
17. Drawing No JCS-BGP-ZZ-ZZ-D-C-1134\_P04 - Proposed Drainage GA (5 of 6)
18. Drawing No JCS-BGP-ZZ-ZZ-D-C-1135\_P04 - Proposed Drainage GA (6 of 6)
19. Drawing No JCS-BGP-ZZ-ZZ-D-C-1136\_P03 - Proposed Drainage GA Overall
20. Drawing No JCS-BGP-ZZ-ZZ-D-C-1138\_P02 - Attenuation Basin Details
21. Drawing No JCS-BGP-ZZ-ZZ-D-C-1139\_P02 - Flood Exceedance Plan
22. Drawing No JCS-BGP-ZZ-ZZ-D-C-1140\_P02- Manhole Schedules
23. BGP Civil & Structural Consultants Report "Drainage Philosophy – James Calvert Spence (JCS), James Calvert Spence College, Amble, Morpeth, Northumberland" Project number 19T2152, Issue 004, dated 04/10/2023.

24. BGP Civil & Structural Consultants Report “Flood Risk Assessment – James Calvert Spence (JCS), James Calvert Spence College, Amble, Morpeth, Northumberland” Project number 19T2152, Issue 003, dated 10/08/2023.

Reason: In the interests of good planning and to ensure that the approved development is carried out in complete accordance with the approved plans.

### 03. Materials

The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy QOP 1 of the NLP.

### 04. Sustainable Construction

Notwithstanding the details submitted with the application, prior to the construction of any building above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

### *Highways*

#### 05. Demolition and Construction Method Statement (including Plan) - Pre-Commencement

Development shall not commence until a Demolition and Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period and shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. Construction traffic management strategy which covers timing and numbers of movements.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

## 06. Details of New Pedestrian Crossing

The development shall not be occupied until the applicant has submitted a technical appraisal, in accordance with Chapter 6 of the Traffic Signs Manual, to assess requirements for a new crossing point on Acklington Road, with subsequent mitigation measures to be delivered under agreement pursuant to the Highways Act 1980. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

## 07. Details of scooter parking

The development shall not be occupied until details of scooter parking have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented in accordance with the approved details and thereafter retained in accordance with the approved plans and kept available for the storage of scooters at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework.

## 08. Deliveries and Servicing Management Strategy

The development shall not be brought into use until a Deliveries and Servicing Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to in perpetuity. This Deliveries and Servicing Management Strategy must include:

- i. details of the access, routes and vehicles associated with the site;
- ii. details of the timings for deliveries and servicing of the site;
- iii. details of the annual numbers of HGV's associated with the deliveries/servicing of the site;
- iv. a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy; and
- v. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

## 09. Surface water drainage

Prior to occupation, details of surface water drainage to manage run off from the development site shall be submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

#### 10. Car Parking Management Strategy

The development shall not be brought into first use until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Car Parking Management Strategy shall be adhered to in perpetuity. This Car Parking Management Strategy must include:

- i. details of community access to the car parks outside of school hours and ongoing monitoring of its effectiveness;
- ii. details of the provision, and management of, Electric Vehicle Parking and Infrastructure for staff and details of measures to encourage car sharing for staff and students who drive;
- iii. details of management and mitigation measures to ensure no overspill car parking associated with the development occurs within nearby residential streets;
- iv. a plan for monitoring and reviewing the effectiveness of the Car Parking Management Strategy; and
- v. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 4 of the Northumberland Local Plan.

#### 11. Completion of Highway Works

The development shall not be occupied until details of the proposed highway works, including vehicular and pedestrian access from Acklington Road, appropriate signage, streetlighting, road markings, parking restrictions and boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans. Thereafter, the vehicular access(es) shall be retained in accordance with the approved details.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

#### 12. Implementation of cycle parking

The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA 1 of the Northumberland Local Plan.

#### 13. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking and EV spaces contained

therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 4 of the Northumberland Local Plan.

#### 14. Implementation of Electric Vehicle Charging

Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA 1 of the Northumberland Local Plan.

#### 15. Full School Travel Plan

Within six months of first occupation of the development details of a Full School Travel Plan including action plan shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full School Travel Plan shall be implemented in accordance with the approved details. This Full School Travel Plan must include:

- i. details of and results from an initial travel to school survey;
- ii. clearly specified ongoing targets for pupils and staff travel mode shares
- iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

#### *Ecology*

#### 16. Bat Mitigation

Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:

- a. licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b. confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
- c. written justification by a suitably qualified ecologist confirming why a licence is no longer required

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report (Working Method Statement-Bats James Calvert middle school, OS ecology 2023) which details the methods for maintaining the conservation status of common pipistrelle bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The development shall conform to the Secondary School Bat Box Plan, (OS ecology 2023).

Reason: To maintain the favourable conservation status of a European protected species and maintain the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

## 17. Landscape Ecological Management Plan

Prior to the removal of any vegetation from the site, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be based on the Proposed Biodiversity Strategy Plan Document (JCS-ONE-ZZ-XX-DR-L-0201 Rev PO2) and on the recommendations of the Ecological Impact Assessment (OS Ecology 2023) The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Location and specification of all other species features to be included 10 integrated swift bricks, 10 other bird nest boxes and 5 hedgehog hibernacula (Please note that these features are recommended in the Ecology report as enhancements for both schools combined).
- c) Ecological trends and constraints on site that might influence management.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure the development results in a net gain for biodiversity in accordance with paragraph 174d of the NPPF and policy ENV 2 of the Northumberland Local Plan.

## 18. Construction Environmental Management Plan

No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) to address potential impacts on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be proportionate and tailored to the specific works but include the following considerations.

1. Assessment of potentially damaging construction and activities including potential impacts to retained habitats, trees and hedges and species such as Great crested newt, breeding birds and mammals.
2. Inclusion of an appropriate plan identifying the sensitive habitats/species on or adjacent to the site to inform contractors working on site.
3. Practical measures (both physical measures such as warning signs and sensitive working practices and method statements) to avoid or reduce impacts during construction.
4. Details for storage and disposal of any waste arising from the works (e.g., excavated soil).
5. Details of remediation works and methods, e.g., making good ground disturbed during construction.
6. Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure protected species, habitats and retained trees and hedges are not harmed during the construction of the development.

### *Environmental Protection*

#### 19. Noisy Working Hours

During the demolition and construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours:

Monday to Friday - 0800 to 1800,  
Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise

#### 20. Construction Delivery / Collection hours

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the following hours:

Monday to Friday - 08:00 to 18:00  
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

#### 21. Ground Gas Protection

No building shall be constructed above damp proof course level until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings) has been submitted to and approved in writing by the Local Planning

Authority. The aforementioned report must also detail, to the Local Planning Authority's satisfaction, how the annulus of service ducts will be sealed to prevent gas ingress into the buildings. Furthermore, the report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties, in accordance with Policy POL 2 of the NLP.

## 22. Validation and Verification of Ground Gas Protection

No building shall be brought into use or occupied until a validation and verification report to the approved methodology in Condition 20 as been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the development.

## 23. Potentially Contaminated Land - Pre-commencement

The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been undertaken by a competent and qualified consultant then submitted to and approved in writing by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement in writing:

- a) A site investigation (Phase 2) shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority without delay upon completion.
- b) Thereafter, a written Method Statement (or Remediation Strategy) detailing the remediation requirements for the land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the Local Planning Authority, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without express written agreement of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the development are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

## 24. Contaminated Land Verification Report

Prior to the development being brought into use a full closure (Verification Report) report shall be submitted to and approved in writing by the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post



remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

## 25. Contamination not Previously Discovered

If during redevelopment contamination not previously considered within any statement / report that has received the approval of the Local Planning Authority is identified, then a written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. The written method statement must be written by a competent person. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out.

[Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

“Competent Person” has the same definition as that within the National Planning Policy Framework (NPPF) 2023.

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

## 26. Dust Management

No development shall commence; including any works of demolition or site stripping of topsoil, until a written Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and track out, dealing with complaints of dust and arrangements for monitoring air quality during construction and the development shall be carried out in accordance with the approved plan.

Reason: To ensure a commensurate level of protection against windblown dust and debris, in accordance with Policy POL 2 of the NLP.

## 27. Floodlighting Times

The approved floodlighting must not emit any light outside of the following days and times:

Monday - Friday – 07:00 - 23:00

Saturday, Sunday and Bank Holidays – 07:00 - 23:00

Reason: To protect residential amenity and provide a commensurate level of protection against light in accordance with Policy QOP 2 of the NLP.

## 28. Lighting Verification

Within one month of the approved lighting being installed and utilized as part of the development, the applicant must submit for approval to the Local Planning Authority, a verification assessment to verify that the measured lighting levels are as predicted within the following approved plans: "External Lighting Assessment Report – Desco - JCS-DES-ZZ-XX-RP-E-6301 Lighting Assessment Report 9th May 2023" The verification report must determine the measured impact of lighting levels upon surrounding internal and external residential amenity areas. Should the results of a verification assessment show that the measured light levels exceed those as set out within the Institution of Lighting Professionals (ILP) Guidance notes of the reduction of obtrusive light 01/21 – Zone E3, a mitigation proposal must be provided for approval to the Local Planning Authority. Once approved the mitigation measures must be installed and retained in perpetuity.

Reason: To protect residential amenity and provide a commensurate level of protection against intrusive light in accordance with Policy QOP 2 of the NLP.

## 29. Noise Management Plan (MUGA & Sports Pitches)

Prior to the use of the hereby approved Multi Use Games Areas (MUGAs) and Sports pitches for the playing of sport, a Noise Management Plan must be submitted and approved in writing by the Local Planning Authority. The Plan must detail how noise from the use of the facility (both players / participants and spectators) including the non-school community use, will be managed to prevent noises nuisances to surrounding residential amenity. The Plan must state start and end times for the use of all facilities and outline the process as to how a noise complaint would be investigated and any remedial actions verified to ensure that they were effective at resolving the noise hazard. Once approved the requirements of the plan must be adhered to for the lifetime of the development unless varied in writing by the Local Planning Authority.

Reason: In order to protect residential amenity from noise in accordance with Policy QOP 2 of the NLP and paragraph 185 of the NPPF.

## *Archaeology*

### 30. Written Scheme of Investigation

A programme of archaeological work is required in accordance with the NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 11/10/23). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

- a) No development or archaeological mitigation shall commence on site until a Written Scheme of Investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved Written Scheme of Investigation.

- c) The programme of analysis, reporting, publication and archiving, if required by NCCCT Standards and Site-Specific Requirements documents, must be completed in accordance with the approved Written Scheme of Investigation.

Reason: The site is of archaeological interest.

### *LLFA*

#### 31. Surface Water Disposal

Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

#### 32. Drainage Verification

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional, shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc.);
- Construction details (component drawings, materials, vegetation);
- Photographs of the surface water system being installed as per the agreed scheme including flow controls, storage structures and any other SuDS components.
- Health and Safety file; and
- Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

#### 33. SuDS Adoption & Maintenance

Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed in writing by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development, shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

### *Northumbrian Water*

#### 34. Foul and Surface Water Disposal

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority, in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

### *Sport England*

#### 35. Details of MUGA & AGP to be submitted

Within 6 months of the commencement of development details of the design, construction, floodlighting and layout of the proposed MUGA and AGP shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England). Thereafter the MUGA and AGP shall be constructed in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy of the INF 5 NLP.

#### 36. Certification of AGP

Prior to first use of the development, the following details shall be submitted to and approved in writing by the Local planning Authority.

- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
- (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits in accordance with Policy INF 5 of the NLP.

#### 37. Ground Condition Assessment

Within 6 months of the demolition of the redundant school buildings the following documents shall submitted to and approved in writing by the Local Planning Authority (in consultation with Sport England):

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing fields, which identifies constraints which could adversely affect playing field quality; and
- (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the approved scheme.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits in accordance with Policy INF 5 of the NLP.

### 38. Community Use Agreement

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

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy INF 5 of the NLP.

### **Informatives**

#### 1. Agreement and works in adopted highway

The applicant is advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. Please contact Highways Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) to progress this matter.

#### 2. Highway condition survey

Please note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey please contact Highway Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk).

#### 3. Highway works under Agreement

The following highway works will be agreed under the terms of an Agreement:

Amended and new site access/egress arrangements, new delivery/servicing access/egress, drainage, pedestrian connectivity works in the form of dropped kerbs and tactile paving, amendments to, and provision of new, Traffic Regulation Orders, road markings, new signage, streetlighting and all other associated works. Please contact Highways Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) and the Highways Area Office at: [northernareahighways@northumberland.gov.uk](mailto:northernareahighways@northumberland.gov.uk).

#### 4. Contact Traffic Management

The applicant is advised to contact the Council's Traffic Management Section at [streetworks@northumberland.gov.uk](mailto:streetworks@northumberland.gov.uk) before and during the construction

period in respect of any required temporary traffic management measures to allow access to the site.

5. Reminder to not store building material or equipment on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

6. Technical Approval of Highway Structures

Please note that Technical Approval of Highways Structures is required. Please contact Highways Development Management at [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk)

7. Framework and Full School Travel Plans

Completion of the plans shall be through the Modeshift STARS scheme. Schools should have achieved bronze level by the end of year 1 of occupation. Please contact the School Travel Plan Advisor on 07989 167522 for further information.

8. Reminder to not deposit mud/ debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway

9. Road Safety Audits

Please note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. Please contact [highwaysplanning@northumberland.gov.uk](mailto:highwaysplanning@northumberland.gov.uk) for further information.

10. Sport England Community Use Agreements

Guidance on preparing Community Use Agreements is available from Sport England at [www.sportengland.org/planningapplications/](http://www.sportengland.org/planningapplications/) For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

**Date of Report:**