

**Planning Statement  
And  
Sequential Test**

**Darlington Community Sports Village  
&  
Education Centre**

-

**May 2007**

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## 1. INTRODUCTION

- 1.1 This planning supporting statement has been prepared on behalf of Darlington Football Club (DFC) in support of an Outline and Full planning application for the redevelopment of part of the grounds of the 96.6 TFM Darlington Arena and the provision of new training and leisure facilities.
- 1.2 The Darlington Arena is the home of the 'Quakers' Darlington FC. The Stadium is owned by Darlington Investments Ltd. The Stadium was built in 2003.
- 1.3 Darlington football club was formed during July 1883. The Club has always played an important part in the town being held in high affection by its residents. Part of its history and the evidence of how important the club is to the town is outlined below.
- 1.4 Feethams became the home for the new club. The ground was on lease from John Beaumont Pease in 1866 and the first turf came from the Park ground cricket pitch.
- 1.5 Darlington were one of the original founder members of the Northern League in 1889 winning the title twice in 1896 and again in 1900. The club turned professional in 1908 and joined the recently formed North Eastern league. Later the club started to apply for entry into the second division of the football league.
- 1.6 The war had a big impact on Darlington and the club ran into money problems. A works side called Darlington Forge Albion bailed them out. Their chairman, Mr J.B Haw paid off the debts and finished building the east stand at Feethams.
- 1.7 The war finally ended and in 1920 the club finished as runners up in the North Eastern league and won the Durham Senior Cup. The following season Darlington went one better and won the North Eastern league. The club also won election to the third division north of the football league. In the first season the club finished as runners up. The next season Darlington remained unbeaten at home all season and in the third season in the league finished first and was promoted to the second division.
- 1.8 Their second season in the second division was not as good and the club was relegated back to the third division North. The club remained in the third division until the war.

- 1.9 The sixties saw a couple of improvements to Feethams. Floodlights were installed. They were used on the 10th of November 1960. However an electrical problem set the West stand on fire. The stand was gutted. It was later rebuilt in the exact same style. The tin shed also had a roof put on it during this time and soon after the town end got the name it still has today. The tin shed.
- 1.10 Between the 1969/70 and the 1979/80 seasons Darlington had to apply for re-election to the football league no less than five times! Every time the team was successful. The eighties once again saw the club in financial distress. The club was forced to raise £50,000 in just six weeks or face the risk of being removed from the league. The fans and people of the town rallied round and the money was raised to save the club. In 1985 the team won promotion to the third division and stayed there for two years. The 88/89 season the club finished bottom of the fourth division and were relegated to the Conference. Brian Little lead the club back into the league at the first attempt and the season after that the club was promoted again as champions. However the promotion celebrations were short lived and relegation followed the next season.
- 1.11 Things were again quiet until 1996. Darlington rounded off a good year for North East clubs by making it to the third division play-off final.
- 1.12 Until 1997, the east stand at Feethams, which had stood for many years, was eventually knocked down and a new one built in its place. The construction of the stand however did not fare well for the clubs accounts. George Reynolds, a local businessman came in and saved the club in 1999. He paid off the debts which were rumoured to in the region of £5 million pounds and started construction of a new 25,000 all seater ground on the edge of the town now known as the Darlington Arena and the subject of this application.
- 1.13 At the end of the 2002/03 season the club said goodbye to its home at Feethams and moved into the new ground at Neasham road in time for the start of the 2003/04 season. The new ground was eventually named the Reynolds Arena after chairman George Reynolds.
- 1.14 The Arena's opening match saw Darlington take on Kidderminster Harriers and a large crowd of 11,600 people attended the game. Darlington never managed to hold on to the fans that came on the opening day and attendances went back to normal. The Arena was clearly too much for Darlington and the financial aspects of the building work were massive. As many had been predicting Darlington went into administration on the 23rd of December 2003.

- 1.15 After a few false hopes Darlington's main creditors became the club's rescuer. The Sterling Consortium had agreed to loan George Reynolds a substantial sum of money to finish the ground. Rather than lose their investment they attempted to take over the club. However things were not quite so simple. Sterling started legal action to have the chairman declared bankrupt.
- 1.16 The new owners following the above took the club out of receivership but continue to invest heavily acting as benefactors. The Club is currently nearly £2million in debt with running costs in excess of £0.8 million per annum. Expenditure is far in excess of income levels fall.
- 1.17 The new development proposals are necessary to ensure the future of the Football Club. The proposals will stabilise its business position. The Lack of income coupled with increasing costs means that inaction is not an option. A solution has to be found.
- 1.18 To assist in securing the future of the club the development proposals have evolved over the last two years following detailed discussion with Planning Officers and representatives of the Highways Agency. The Club has undertaken a lengthy and significant public consultation exercise with the local community, the Local MP, Supporters and many other stakeholders.
- 1.19 The development proposals will safeguard the future of the club and as shown in supporting documentation will provide much needed and desired facilities for the use of the community. The development as a whole excluding the actual stadium will generate between 180 – 220 equivalent full time jobs. This is major boost to the economy in this part of Tees Valley and will be welcome economic boost for the town.
- 1.20 Each element of the proposals seeks to complement the Club, its use of the site and the community. For instance the Hotel is ancillary feature associated with the club. The Hotel will be a training facility used by Darlington College. The College who train students in the adjacent hotel will use the Classrooms to educate sports graduates. The Café will act as a congregating common room area for the students. The sporting facilities promote the village as a Centre of Excellence where its users and staff will have access to a range of on site services.
- 1.21 The development proposals will provide necessary and significant investment in the club to provide facilities that are complimentary to the current use as follows:

- Training Pitches and Facilities
- Indoor 6-A-Side pitches
- 100 Bed 3.5 – 4\* Hotel with leisure ancillary club
- Educational Facilities/Leisure Centre (including 12 lane bowling alley)
- Farm Shop
- 4No. Restaurants & Family Fun Pub
- A stand alone 929 sq m (10,000 sq ft) Office Block

1.22 DFC has assembled an experienced professional team in order to meet their objectives in delivering a well-designed sustainable development. This Planning Supporting Statement provides an overview of the development proposals and details the main planning issues. It should be read in conjunction with reports and details prepared by:

- Mr Steve Jobey, & Mr Darren Kitchener, Wardell Armstrong – Transport Assessment & Travel Plan.
- Elissa Fletcher, Wardell Armstrong – Environmental Information.
- Mr Kevin Rooney, WSP – Drainage and Flood Risk Assessments.
- Mr Ian Holmes – B3 Burgess Architects – Plans and presentation materials including Design and Access Statement.
- Mr Michael Jones, Sanderson Weatherall – Retail Impact and Needs Assessment

1.23 The proposals should importantly be viewed in the context of the Business Plan included with the application and prepared and approved by the Chief Executive and Board of Directors. This document provides the context for the need for the development project. It demonstrates, as does this Planning Supporting Statement that without approval for the development the life of the Club will be short. In simple terms it will not survive without this investment. Other business models fail to provide sufficient income to sustain Darlington FC.

1.24 A request for a Screening Opinion was requested of the Council by letter from Wardell Armstrong dated 22<sup>nd</sup> August 2006 to consider whether an Environmental Impact Assessment would be required. Darlington Borough Council's screening opinion dated 31<sup>st</sup> August 2006 (**Appendix 1**) confirmed that an EIA is not required.

1.25 Subject to the grant of planning permission, it is anticipated that the development will commence with the provision of the Training Pitches in October/November 2007.

- 1.26 The aims of this statement are to present the reasons for the submission, need for the built elements of the development, and to address the planning policy issues pertinent to this scale and nature of development.
- 1.27 The statement includes a sequential test of the sites location. This should be read in conjunction with the report prepared by Sanderson Weatherall as respects the need for the development as main town centre uses defined by PPS6, and the impact that the development will have on Darlington Town Centre.
- 1.28 Transport Impact Assessments have been prepared and importantly accompany this application. The Assessment details the sustainability of the location and the measures proposed to enhance more efficient public transport travelling to and from the site.

## 2. SCOPE OF THE PROPOSALS

2.1 The following matters are the subject of this section as follows:

- The application proposals;
- Additional information – requests and submission;
- Community Consultation;
- Issues to Address in Planning Statement
- Structure of Statement

2.2 We will now consider each of the above in turn.

### **The Application Proposals**

2.3 The proposal seeks Outline and Full Permission Planning Permission for the following:

#### Detailed Planning Consent

New Training Pitches  
10No. Indoor 6 A Side Pitches/facilities  
Club training Building  
Infrastructure  
Flood Lighting

#### Outline Planning Consent

100 Bed Hotel  
4No Restaurants  
1No. Public House  
1 No. Farm Shop & Café  
929 sq m Office Block  
Educational Building (with internal leisure facilities)  
New Car Parking Layout & New Internal Access Provisions



2.4 As part of the proposals new access arrangements are proposed to allow for more effective arrangements recognising the scale and nature of the development.

2.5 An illustrative Masterplan has been prepared and submitted with the application. A copy is included with **Appendix 2**. The Master Plan although indicative sets the development within its context relative to the existing urban form. The Masterplan as included indicates the possible disposition of the proposed land uses, key access points and links into and out of the site by various means.

*10 Indoor 6-a-side pitches*

2.6 The aim of this facility is to provide the community with a venue to be used all year round. Research shows demand is extremely high for this type of facility. The pitches will be available free of charge to schools and colleges by day (during school term) with a commercial element during the evening.

2.7 The pitches will be housed in a building similar in style and character to a sports barn. Materials and landscaping associated with the development will be agreed with the LPA.

*Children's Nursery*

2.8 From the interest already shown there is strong demand for well-run and modern nurseries. It is anticipated that this facility will be of great benefit to the working community and employees based on site.

*Educational Day/Leisure centre*

2.9 This building has been specifically planned for, due to the increase in demand for a home to educate the under privileged and the excluded. NVQ delivery will be the main objective for this centre. It will deliver sports based courses ancillary to the club to assist in increasing the size of its Centre of Excellence to take up to 60 scholars. There will be a mix of leisure facilities, to include a 12-lane bowling alley on the ground floor for the occupiers of the venue. The facilities will also be made available to the public in the evening as a commercial venture. This facility will work in close partnership with a training provider and the clubs own Football in the community program.

*100 Bed Hotel and Leisure Club*

- 2.10 It is anticipated that the Club will manage the hotel. There are plans to name the hotel “The Darlington Football Club Hotel”. The Hotel will cater for visitors to the Club including away fans travelling from different parts of the country. Its location will be advantageous in that it will provide easy access for travellers departing from Durham Tees Valley International Airport.
- 2.11 The Darlington College wish to use the Hotel as a training facility to potentially induct chefs, kitchen assistants, sommeliers, and hotel management staff. This provides an added link to the educational resources to be provided on site that will already be provided by the College.
- 2.12 The Leisure club will not be open to the public and will be for the use of the hotel residents only.

*Training pitches and all weather pitch and classroom*

- 2.13 The provision of this facility has been a subject close to the heart of the club for some time. Darlington football club needs specialized training facilities. This year the club has struggled to find an exclusive facility which is vital if the club is to prove to be successful in the long term. It is planned to use these high quality pitches to allow the first team productive training facilities. In addition these pitches will be available for community use on a managed basis. A planned restructure will also see a new Centre of Excellence located from these facilities.
- 2.14 One of the pitches will be installed with floodlights to be used in the darker evening periods only. It is proposed that the floodlights and their use be terminated at a time to be agreed with the LPA.

*Restaurants and Fun Pub*

- 2.15 The restaurants will serve the facilities proposed in this location as well as consolidating the entire Club/Entertainment venue for match day events. A total of 4No. restaurants are proposed with a traditional family fun pub. As the Club and the village venue is one that attracts large numbers of people, these on site facilities will add to the sustainability of the entire development project.

*Farm Shop & Coffee House*

- 2.16 The farm shop although not directly related to the operations of the site is an essential element to the attractiveness of this scheme. The facility will be run for farmers and those in the agricultural produce market. It is expected that 80% of the produce will originate within a 50-mile radius of the site.
- 2.17 The Coffee shop although part of the Farm Shop and its facilities will make provision for an area to be used by employees of the on site Hotel, The Office block and the educational facilities. It will importantly act as a common room/gathering place for students using the classrooms avoiding their need to travel off site during college hours.

*Office Accommodation*

- 2.18 The proposal is to construct 10,000 sq ft of prime accommodation. Whilst it would be of financial benefit to take a rent on the whole of the office facility the club is in need of approx 5,000sq ft for itself. The Commercial Team working alongside the new Affinity Team will relocate to these facilities. The remainder is proposed for use by the Clubs commercial partners who work alongside the club in the delivery of and support for their services.

*Classrooms and Changing Facilities*

- 2.19 The classrooms have been designed to cater for Darlington Collage who has an over demand for their sporting courses. Detailed discussions on the college use have taken place.
- 2.20 The applicant is agreeable to the imposition of conditions and the completion of a legal S106 Agreement pertaining to the use of the pitch facilities by the community, and the requirements for highway works envisaged as part of this an other minded to approve proposals.
- 2.21 The Masterplan envisages uses separated but connected via a network of footpaths. Structured landscaping is proposed to follow a conceptive model. The proposal relates sympathetically to the character and urban form of Darlington by seeking to juxtapose land uses and provide linkages, fundamentally important in the success of the development in its aim to support and assist in the creation of sustainable communities.

- 2.22 The application is submitted by Ward Hadaway acting as agent on behalf of Darlington Football Club. The Submission includes the Masterplan, Supporting Statements, and Site Investigations.

### **Additional Information – Requests and Submission**

- 2.23 The area of the site to be developed as detailed in the Outline application is a hard surfaced car park and is previously developed land. It is bounded to its northeast by a balancing pond and to the north of this by trees, and open fields. The nature and character of the area necessitated assessment of the ecological value of the site in its current form and an assessment of the impact of the development and mitigation as required. As part of this assessment the impact on the local environment during construction is also detailed and appropriate mitigation proposed.
- 2.24 The works are of a scale as detailed in PPS25 that require an assessment to be made of the on site drainage and off site impacts.

### **Community Consultation**

- 2.25 As part of the application process the needs and views of the Community in Darlington were sought. A consultation exercise commencing on the 22<sup>nd</sup> March lasting 4 weeks revealed strong support for the development of this Community Sporting Village.
- 2.26 Included with **Appendix 3** is a copy of the questionnaire that respondees were requested to comment upon. The results of that consultation show that the majority of replies indicate overall support for the development concept.
- 2.27 The majority of respondees welcomed the support that the development proposals would bring to the community in Darlington and considered that the development proposals would be a welcomed and much needed addition for the benefit of the Town. Some respondees made specific comment about the form of development that have resulted in change to the position of the playing pitches and indoor 6-a-side facilities relative to existing neighbouring uses.

### **Issues to Address in Planning Statement**

- 2.28 When preparing this statement the agents and the applicant were mindful of the impact that this development proposal can have in this location. As such the input of various parties was necessary in order to address primary concerns,

such as the impact of the proposals relative to national and local planning policy, and importantly the impact of the development of the local highways network.

2.29 From discussions with the statutory agencies and the Council the following were considered those that must be addressed in this Statement include:

- Matters of sustainability;
- The accessibility of the site;
- The relationship between planning policy and the development proposal;
- Whether the development of the site sequentially is the best location or would materially affect the development of other areas and the weight to be attached to such considerations;
- What implications are there for not developing the site;
- What benefits are there in developing the site for the purposes identified in the application

### **Structure of Supporting Statement**

2.30 At Section 3.0 of this report the site and its surroundings is described.

2.31 At Section 4.0 the history of the site and the context within which permission for the stadium was granted is outlined, in particular with reference to the existing legal agreement and its requirements.

2.32 At Section 5.0 a relevant recent decision of the Secretary of State is examined and the similarities to this development proposal as regards the national planning context examined.

2.33 At Section 6.0 the applicant examines the Key Issues associated with a development of this type and scale. An assessment of the development proposals conformity to National, Regional and Local planning policy is made.

2.34 At Section 7.0 a summary of the proposals conformity to other local policy documents is made

- 2.35 At Section 8.0 concluding comments and a summation of the need for the development is given.
- 2.36 Appendices bound in a separate document support the statement.

### **3. THE SITE AND ITS SURROUNDINGS**

3.1 The site is home to Darlington Football Club and is currently used as a football stadium and grounds. Ancillary uses exist such as the Stadiums catering facilities, car parking and necessary infrastructure.

3.2 The following are important aspects to be considered in the determination of the application.

- The site is previously developed land
- The site is accessed by a primary road network
- A railway line bounds the site with residential development beyond to its northwest.
- The site is bounded by the A66 (T) Road to its east and the Neasham Road to its west.
- To the northwest is a Caravan traveller's site and the open land the subject of the detailed element of this planning application for training pitches to its immediate east exist. A railway line lies to the north of the proposed training pitches with residential development beyond that.
- The Football Ground a 27000-seat stadium with associated infrastructure, car parking and lighting currently dominates the site. The permission for the stadium permits restricted capacity and use. Occasional entertainment events will be part of the ongoing use that the club is committed to. An application for such was the subject of a 'minded to approve' decision by the Council subject to the finalisation of S106 Legal Agreement. This Agreement is the subject of discussion between the Council, The Club, and Ward Hadaway.

3.3 The Darlington Arena is the home of Darlington football Club. It is the only principal sports stadium in the town. It occupies a location immediately south of the residential estates situated between Neasham Road and the A66. It is read as being part of the urban form. It is not semi rural or rural. It is an area that is not defined as urban fringe. Such a definition would include rural and urban uses mixed together on one site.

- 3.4 Included with **Appendix 4** is a map showing the application site in its wider context relevant to its position within Darlington, and its location and proximity to the road network.
- 3.5 The application site is located on Neasham Road on the southeastern edge of Darlington. The site is situated circa 6.2km from Darlington Tees Valley International Airport, 1.7km from Darlington Station, and circa 2 Km from the Town Centre.
- 3.6 The existing Darlington Arena site curtilage comprises 24.65ha in area (See site plan with application) and includes the main stadium that was built in 2003. Surrounding the stadium is a sea of car parking.
- 3.7 There are vehicular access points to the stadium from the Neasham Road with an emergency access directly onto the A66 (T) Roundabout. The main entrance is the primary entrance and exit point during match days



## 4. RELEVANT BACKGROUND INFORMATION & HISTORY

4.1 This application relates to the activities of Darlington Football Club and as such it is appropriate to outline the history of the development of the Darlington Arena.

4.2 A request is made that the LPA also bear in mind that statement prepared in submissions associated with previous applications entitled '*Plan for Success*'. Its content is relevant in that the decision of the Authority to permit occasional concerts was one of 'minded to approve' subject to the completion of a legal S106 Agreement. That Agreement and its content make reference to a Travel Plan. That travel plan is still relevant to the determination of that application and should be read as a stand-alone document pending the determination of the development proposals presented with this application.

4.3 The relevant planning history of the site is

- 99/00494/FUL – Construction of 25,000 capacity all seater stadium. Approved 15<sup>th</sup> June 2000. The Consent referred to the application submitted on the 26<sup>th</sup> July 1999 that was accompanied by an EIA, amended site plan, options appraisal, and final TIA.

In all 22 conditions were imposed on the approval.

A related S106 Agreement was also entered into on 18<sup>th</sup> September 2000 between (1) Darlington Borough Council and (2) Darlington Football Club Limited. The Agreement and the permission both have conditions that impact upon the ongoing use of the property and the running of the football club there from.

The S106 Agreement contains planning obligations based on the following:

- Highway works – various improvement works to Neasham Road were required to be done before the stadium was brought into use.
- Subsidised bus services – there is a continuing obligation on the owner of the property to make arrangements with the bus operators to procure that bus services are provided to transport spectators both from and to the stadium. Specific details are given within the

S106 Agreement as to the departure and arrival times etc and the fares that must be available to passengers.

- Parking on the property – A car park management plan was to be provided to the Council for approval before the stadium was constructed.
- Off site parking orders and controls – there is an ongoing obligation to pay to the council all costs incurred in making and bringing into operation of orders relating to parking controls. There is a further obligation for the owner of the property to fund in full the costs of any signs and/or road makings which either the Council or the Highways Agency or other Highway Authority deem from time to time to be necessary to ensure that visitors to the stadium do not park on the verges of the A66 or in designated lay-bys on the A66.
- Additional public transport measures – there is an ongoing obligation that requires the owner of the property to actively promote public transport as the preferred means of access to the stadium and the obligation to develop the use of sustainable transport to the stadium. Such an obligation requires the owner of the property to expend funds to advertise the use of public transport.
- Monitoring of transport usage and further action – the owner of the property is required from time to time to undertake at its own expense a survey to measure the proportions of those attending the stadium who are travelling by various available transport modes. In the event that the survey reveals that the “car-borne proportion” exceeds 65% then further measures are to be taken to develop and increase the use of alternative sustainable transport modes.
- Stadium capacity restrictions – at no time should the owner of the property admit or permit the admission of more than 10,000 people to the new stadium.
- Contribution to improvements of public rights of way and nature reserve – this was essentially an obligation to pay to the Council a sum of £10000.
- Percent for public art contribution – this was essentially an obligation to pay to the Council a sum of £25000.

- Restrictions on use – this obligation restricts the use of the property and any part thereof solely for the staging of association football matches and parking ancillary thereto.
- Study support centre - this provision identifies the intended collaboration between the owner of the property and the Council in the development of proposals for a study support centre.
- Community use of new stadium and/or Feethams – this provision provides the Council with the opportunity to require the owner of the property to make the playing pitch available for such matches as the Council should specify which will include local cup finals, women’s football matches and school matches.
- 01/00085/CONDIT – On the 5<sup>th</sup> February 2001 an application to vary the planning permission referred to above was submitted to alter the design of the main stand. The application was approved on the 26<sup>th</sup> March 2001.
- 01/00079/CONDIT – A variation of the original planning permission to provide new access to Neasham Road/A66 roundabout, revised car parking and service arrangements, revised location of balancing pond and amended site boundary was approved on the 18<sup>th</sup> April 2001.
- 02/00635/FUL – Variation of Condition No.5 attached to planning permission ref 99/00494/FUL to permit revisions to club shop, supporters bar, lounge bar and two restaurant units. Approved 26<sup>th</sup> September 2002.
- 03/01098/FUL – Temporary permission for one year to use the car park for the holding of a car boot fair approved 21<sup>st</sup> January 2004.
- 06/00214/FUL – Application under S73 and S106B of the Town & Country Planning Act to vary planning conditions and the Section 106 Agreement under planning permission ref 99/00496/FUL to permit ancillary uses at the football stadium and revised capacity constraints and off site highway works. This application is the subject of a minded to approve decision subject to the completion of a new S106 Agreement. That Agreement is the subject of discussion with the Council.

4.4 In summary the history includes:

- The development of the football stadium, ancillary facilities including a bar and restaurants.
- The development of the car park.
- The restrictions on its use including the capacity of the stadium.
- The potential for the use of the stadium and grounds as an entertainment venue.

## 5 RELEVANT DECISIONS OF THE SECRETARY OF STATE

- 5.1 The applicants fully appreciate that no two planning decisions are the same. However we consider it useful to the determination of this application to consider how the Secretary of State and a Planning Inspector has recently ruled on development proposals that relate to the re-development of football grounds for recreation, tourism and office developments as a part enabling project used to sustain the life and longevity of a community and cultural asset. Having analysed the reports of the relevant Inspector and letters of the Secretary of State relating to the case, we consider that, whilst the details are, as ever, different, clear guidance emerges on how national policy and material considerations are applied to developments such as the application site.
- 5.2 The appeal proposals, which were allowed, are now considered. It related to proposals for a new 20000 seat sports stadium with associated integrated facilities including a 208 bedroom hotel, gym, free standing non-food bulk retail development of 21,367 sq m, and associated transport infrastructure at Salford City Reds Stadium in Manchester. A copy of the Secretary of State's letter and the Inspectors report is provided with **Appendix 5**.

### **Salford City Reds**

- 5.3 This was a called-in Inquiry into a "minded to grant" application for full planning permission by the Salford Reds to the new stadium and recreational and tourism facilities.
- 5.4 In July 2006 The Secretary of State agreed with the Inspector's recommendation to grant permission.
- 5.5 In particular, the following comments of the Secretary of State are noted:
- The Secretary of State considered that as the application site fell within an area covered by RSS policy relating to regeneration given its location it was appropriate to propose development on the application site that seeks to regenerate the area. She also considered that the proposal complies with the UDP in that it provides economic investment and growth into the Western Gateway area of Manchester (Para 13). This shows that economic led development that seeks to promote sustainable inclusive communities in an identified regeneration area is appropriate. The similarities of this to the application proposal will be drawn upon in the statement but it should be noted that the Darlington Football Club

application site is within that area identified in the draft Core Strategy as being part of the most deprived wards in Darlington. The RSS also designates Darlington a regeneration area.

- The Secretary of State confirmed that the proposal did not fully comply with the development plan as respects PPS6; retailing and town centre uses but sought to consider whether other material considerations supported the proposal (Par1 15 and 16). The current application derives support from policy in a number of ways. However if the Council conclude that the proposal conflicts with elements of PPS6 or current retail policy their attention will be drawn to strong material considerations that should be assessed and appropriate weight attributed in the decision making process.
- The SoS agreed that given the economic development led approach the development sought in terms of regeneration, the application proposals should not be disaggregated such that smaller elements fit within smaller sites closer to the centre (Para 23, -25). The application proposal is similar within this context in that as will be shown in this statement the development proposals are needed in there entirety to secure a lifeline for the future of the football club and thus should not be disaggregated to smaller more sequentially preferable sites closer to the town centre.
- The SoS stated that there was no strong quantitative or qualitative need for the retail element of the proposals but given the evidence showing that there would be little impact on the town centre or other locations that the proposal should be supported in line with comments made about the potential for economic regeneration.
- Physical, regeneration, employment, social inclusion, and economic growth are material considerations in assessing this type of development proposal (Para 29).
- The inclusion of retail and tourism uses as a form of enabling development to support the retention of the sports club is appropriate and is a material consideration within the determination of the authority (Para 31). The development proposed for Darlington is an essential element in securing the future of the Football Club.
- The importance of sport and a club of this scale is a material consideration in the determination and the benefits that the proposals brought to the

community and the local economy arising from the scheme were a material consideration (para 32).

- That despite the fact that the proposal would increase the use of the private motor vehicle, proposals to incorporate a series of measures that would help to minimise extra car journeys ameliorated any concern or conflict as respects PPG13. With the current application presented to the Authority significant work has been undertaken with public transport operatives who have confirmed that new services will be implemented. Other appropriate measures will also be introduced and are discussed in detail in the application. Such measures will be the subject to a S106 legal Agreement to secure such services.

5.6 The issues considered in this appeal proposal are of relevance in that the application proposals seek to introduce what PPS6 defines as town centre development in an edge of town location. Evidence is provided with this application in the form of a sequential test, impact, needs statement and transport assessment as to the proposals compliance with National, Regional and local policy as regards retailing and town centres.

5.7 The applicants consider that the above decision provides clear and very useful guidance and is of relevance as to how matters that have emerged as key to this proposal should be considered, particularly the clear message from the Secretary of State that:

- Deprived and under served areas identified in policy documents are appropriate locations to locate economic development led schemes
- Whilst PPS6 advises that disaggregation should be looked at in the context of sequentially preferable sites it can be appropriate to retain a development proposal in tact in terms of the economic benefits that would be derived.
- PPS6 requires the need in quantitative and qualitative terms to be assessed. If a proposal fails this test but the impact on a local or town centre is negligible then the development can be supported.
- The difference between a scheme of this scale being approved or refused (given the level of private vehicular traffic that will be generated) can be the implementation of schemes to support and enhance public transport and any other such positive measures.

- Importantly enabling development that secures and acts as a life line for the social, cultural and community facility of this type is a strong material consideration in the determination of applications of this nature and scale.



## 6. KEY ISSUES

6.1 In considering the proposals certain key issues can be identified in relation to the development. These are:

1. The relationship of the proposals to the Development Plan;
2. The sustainability and Accessibility of the site and the proposals
3. Whether the development of the site sequentially is the best location or would materially affect the development of other areas and the weight to be attached to such considerations?
4. Is there a need for the development?
5. What will the impact from the development be on the highways network?
6. Material considerations & benefits in developing the site for the purposes identified in the application
7. What implications are there for not developing the site?

### **Key Issue 1 - The relationship of the proposals to the Development Plan**

6.2 For the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the Development Plan against which this application is to be considered comprises of the following:

- Regional Spatial Strategy for the North East (formerly RPG1 – November 2002)
- The Approved Tees Valley Structure Plan 2003
- The Adopted Darlington Local Plan 1997

6.3 Emerging development plan documents that are material considerations include the Submission Draft RSS (June 2005) and the RSS Panel Report published on the 4<sup>th</sup> August 2006. The comparative weight that we consider should be attributed to this document in determining this application is commented upon below.

6.4 We will consider each of the key policies of the development plan below:

Regional Spatial Strategy for the North East (formerly RPG1, November 2002)

6.5 The RSS Key Diagram shows Darlington as being a Regeneration Area, a Main Retail / Commercial / Leisure Centre. It is also shown as being on the principal road network, with the A1 and the A66 passing close by and also on the passenger railway network.

6.6 The RSS policies of relevance include DP1 (The Sequential Approach to Development), DP2 (Sustainability Criteria), T1 (Location of Development), T2 (Design of Development and Promoting Mixed Use Development), T5 (Public Transport), TC1 (Town Centres), TC2 (Hierarchy of Town Centres), TC3 (Function of Centres), RD1 (Retail Development), LD1 (Urban Commercial Leisure Development), SR1 (Sport & Recreation), SR3 (Sport & Recreation Development in the Green Belt and Urban Fringe), SR4 (Sport & Recreation in Urban Areas), and TOUR1 (Sustainable Tourism).

6.7 The applicant considers the key policy considerations in this strategic document to be policies DP1 and DP2 (**Appendix 6**).

6.8 Policy DP1 refers to the sequential approach to development in the northeast and provides a priority order of locations for new development. The first priority location set out in policy DP1, and within which the applicants consider the site falls, is 'suitable previously developed sites and buildings within urban areas'. It is noted that the LPA may not agree with this comment in particular with reference to the Draft Core Strategy that excludes the site from the urban area. However the applicant would contend this position given the fact that this is a major brownfield site on the edge of this urban area that is clearly read by its residents as being part of the town. It cannot be defined as urban fringe. Such a definition would mean that the site has to include both rural and urban uses. The Stadium is an urban use

6.9 A further requirement of Policy DP1 is that sites are, or will be, well related to homes, jobs and services by all modes of transport, in particular public transport, walking and cycling. Included with **Appendix 4** is a location plan indicating the position of the application site relevant to the urban form and the road transport network.

6.10 The application site more than adequately complies with Policy DP2 of the RSS which sets out sustainability criteria when assessing the suitability of land for

development in accordance with the sequential approach of Policy DP1. The Policy sets out 9 criteria addressed below:

**The nature of the development and its location requirements**

- 6.11 The proposals are mixed use in nature and are located within an existing urban area where they can connect to existing infrastructure including services, jobs, shops, and public transport.
- 6.12 The development proposals are for a project that feeds into and from the Football Club. The facilities will be used by the club and will act in promoting the Centre for Excellence that the club has worked so hard to achieve.

**The availability and location of previously developed land and buildings**

- 6.13 Darlington is a town that has grown in recent decades and is characterised by inter war and mid to late 20<sup>th</sup> Century housing. The Town although being a major growth hub for the surrounding area has in part suffered in recent decades with the changes to industry and evolving land uses. This has been reacted too with the introduction of new modern estates, and local shopping centres in such locations as Morton Park, and in places such as Lingfield Point and Faverdale East. The new development at West Park is characteristic of the needs and priorities of the town. Such developments are in peripheral areas.
- 6.14 The majority of previously developed sites are scattered throughout what can be deemed to be a relatively compact town. Historically the town has grown to its north and east to the point that the majority of development in such locations is more distant from the centre than the application site.
- 6.15 The sequential test included with this statement addresses those sites that are both previously developed and within accessible distances from the town centre.

**The accessibility of the development sites to homes, jobs and services and by all modes of transport, in particular public transport, walking and cycling, the potential to improve such access**

- 6.16 A full assessment of the sustainability of the site is undertaken under **Key Issue 2** of this statement. However the applicants consider that in brief, the application site is accessible by walking and cycling to homes at the adjoining estates to the north of the railway. Public transport services adjoin the Football Club. The report prepared by Wardell Armstrong indicates the very significant and

important changes to the current arrangements that are proposed and how these will be implemented.

- 6.17 There will be significant improvements for access to the site as a result of the proposals. Such improvements to accessibility and public transport provision are further substantiated in the statement of Wardell Armstrong.

**The capacity of existing infrastructure including public transport, the highway network, utilities and social infrastructure to accommodate such development**

- 6.18 There is sufficient capacity in the existing infrastructure to accommodate the application proposals. However, as set out above the application proposals will improve existing infrastructure including public transport penetration through the site. There will be improvements to the internal access network within and adjoining the site and utilities will be upgraded to serve the development accordingly.

- 6.19 Social infrastructure will be improved with links between the application site and the residents of Darlington by making provision for the use of the on site facilities including the new leisure and recreation opportunities provided in the bowling alley, restaurants, public house, café and farm shop. Other improvements include the provision of formal recreation in the form of 6 a-side pitches and landscaped open space.

**Physical constraints on the development of the land including the level of contamination, flood risk and land stability**

- 6.20 The application site is not currently constrained in terms of contamination and land stability.
- 6.21 The application site is not constrained in respect of flood risk. Included with the application submission is a report prepared by WSP detailing the environmental issues as respects Flood Risk and surface water run off.

**The impact that the development of sites will have on the regions natural resources, environment and cultural assets, and the health of local people**

- 6.22 Included, as part of the application is an Ecological survey/walk over detailing findings relevant to biodiversity and associated issues including mitigation and amelioration.

- 6.23 A public footpath dissects the site separating the outline element of the proposal on its northern side from the proposed recreation, and training pitches beyond. The impact of the development on this footpath is not considered to be detrimental. It will continue in its current line with enhancements being made if required and necessary.

#### **The economic viability of the development of the site**

- 6.24 The business plan included with the application details the need for the development and the economic benefits that will derive from approving the development in its current form.
- 6.25 Whilst enabling development is not a policy principle this comprehensive proposal will produce benefits in the form of usable and serviced recreational and tourism employment opportunities.

#### **The suitability of the site for mixed-use development**

- 6.26 As set out above, the site is suitable for mixed-use development. It is currently used for leisure and recreation activities. The new development will continue this theme.

#### **The contribution that development might make to the strengthening of local communities**

- 6.27 The proposal is for the redevelopment of the grounds to support Darlington Football Club and its status in the community.
- 6.28 As a club at the heart of the community the proposals are proposed to be sympathetic to the existing use of the site in terms of what the Club can provide for the community.
- 6.29 The proposals are driven with the desire of supporting this cultural asset whilst at the same time seeking to support the community by making provision for a form of development that will be used by and will be for the benefit of the community. The opportunities it makes provision for include employment, recreation and ultimately social inclusion. A series of community benefits are proposed to be enshrined in a legal agreement to be prepared securing rights of subsidised use over the sports facilities

- 6.30 The proposal is entitled Darlington Community Sporting Village to show the direction of the development and the aims of the club.
- 6.31 The application is presented to the Council following community consultation.
- 6.32 Further policies of relevance are now addressed.
- 6.33 Policy TC1 is concerned with the protection of existing Town Centres encouraging such locations as the focus for most activities associated with retailing. An assessment of the development proposal relative to its impact on the town centre and in line with that advocated by PPS6 as respects a sequential test forms part of this statement. It is however worthy of note that this policy does advocate the use of district and local centres for smaller scale facilities such as restaurants, and public houses.
- 6.34 Policy TC2 advises that Darlington is an important district centre. It should be the focus of economic, social, and cultural activities, as well as the focus of new major retail development. The development project recognises this aim and focuses this development to include retail/leisure opportunities in Darlington in close proximity to the population it services.
- 6.35 Policy TC3 advises that the existing Town Centre in Darlington should be the focus for the **“majority”** of new retail development. This policy recognises that it is not always possible to focus all new development opportunities of this kind in the town centre. Indeed the policy further states that Councils should recognise the potential for new district or local centres and develop policy based criteria for considering possible locations for such development.
- 6.36 Policy RD1 follows the pattern set in the former PPG6 in promoting retail development in Town Centre locations. It further advises that sites for such development opportunities should be identified where possible. In instances where sites cannot be identified the sequential approach to development opportunities should be followed. It further advises that the ‘need’ for development in line with national advice is a prerequisite for any decision to be taken on a development proposal.
- 6.37 Part of the remit of policy RD1 is to ensure that retail development opportunities are located where they will reduce the need to travel and are easily accessible by modes of transport other than the motor car. Such has been a priority in the formulation of this application proposal. The Travel Plan prepared by Wardell Armstrong advises that bus routes can currently be found adjacent to the site.

However such services do not run during peak hours and make infrequent stops adjacent to the site. As such discussions have been ongoing with Stagecoach whereat agreement is now reached that the Service 20 or 24 enters the development through the southern access. Once inside the development it would use a dedicated bus lay-by to be provided outside the proposed restaurants. An internal traffic management and manoeuvring arrangement will be implemented to aid the turning of the bus before it returns to its previous route. The new service is proposed to operate throughout the day, including an increased service during peak hours.

- 6.38 Policies SR1, SR3, and SR4 discuss the potential for Sport and Recreation. The policies advise that Development Plans and there respective administrative controllers should recognise the vital role that locations such as that the subject of this application play in the provision of sports and recreation facilities. Development plans are to be prepared recognising the potential for enhancing and improving such facilities.
- 6.39 Policy TOUR1 requires development plans to promote Tourism and seek to achieve the balance between the development of facilities and the protection of the environment.

Submission Draft RSS (June 2005) the RSS Panel Report

- 6.40 The applicant considers that the Draft RSS and Panel Report (4<sup>th</sup> August 2006) should be afforded significant weight in determining this application given that its policies reflect more up to date national planning policy and has been through an in initial formal consultation process.
- 6.41 An Examination in Public of the Submission Draft RSS was held in March 2006. A Panel Report was published on the 4<sup>th</sup> August 2006.
- 6.42 The applicant considers some of the most relevant policies of the submission Draft RSS to be Policy 2 and 3, which will supersede policies DP1 and DP2 of current RSS (**Appendix 6**).
- 6.43 Policy 2 refers to sustainable development and Policy 3 to the sequential approach to development.
- 6.44 Policy 2 sets out that LDF's should support sustainable development by following a set of environmental, social and economic objectives. The development proposals have been formulated with this policy at its heart. Of the

objectives criterion f, j, l, m, r, s, t, u, v, w, and x are enshrined within the development potential. Some minor changes have been recommended to this policy as a result of the publication of the Panels Report on the 4<sup>th</sup> August 2006.

- 6.45 A number of the social objectives relate to the application proposals with respect to providing the opportunity to ensure that there is good accessibility for all to jobs, facilities, goods and services using public transport, and by cycling and walking. In economic terms the application proposals will provide employment opportunities on previously developed land equating to 180 – 220 equivalent full time jobs.
- 6.46 Policy 3 provides an updated sequential approach to development. As with Policy DP1 of current RSS, the application site would fall within the **first** category of locations for new development; *'(a) suitable previously developed sites and buildings within urban areas, particularly around public transport nodes'*. The public transport enhancements included with this application place this development within this top tier of sequentially preferable development locations.
- 6.47 The RSS Panel Report proposes minor modifications to Policy 3, but the sequential approach to the choice of sites remains the same.
- 6.48 This is important to acknowledge because the site being previously developed land should be developed for its intended purpose before greenfield sites that may have already been identified in the adopted development plan. Such greenfield sites include Faverdale, Morton Palms, and land north of Morton Park.
- 6.49 The Panel appointed to consider the Interim RSS Submission Draft of 2005 made recommendations to Policy 13 that deals with the matter of Brownfield Mixed Use Development. The Panel suggested that a more generic policy would be appropriate that does not just relate to 'regional' brownfield sites but also brownfield sites that may come forward during the plan period. The panel has also suggested amendments to the wording of this policy *'to encourage local planning authorities to give more favourable consideration to large mixed use developments on previously developed land whenever opportunities arise in sustainable locations.'* (Page 65, EiP, Panel Report, July 2006).
- 6.50 In relation to Policy 27 it is submitted that the development proposal cannot be considered retail or leisure attractions of 'significance' and thus it does not fall to



be assessed against this policy. However worthy of note is the content of the text accompanying the policy in assessing application for such projects. It states:

***‘The size, function and nature of major leisure facilities like water sports lakes, parks and theme parks may require land to be made available outside city, town and rural centres. These functions will need to be considered and fully justified through the sequential approach and locational strategy as part of the production of local development frameworks. Where these leisure and recreation functions are judged to require an out-of-town location they should preferably be on previously developed land and will need to be well connected to the nearest centres and public transport hubs by new or improved high quality public transport services, and cycling and walking facilities.’***

6.51 It is possible that the application proposals, given their location require assessment relevant to the spirit and context within which this paragraph has been drafted. As such the application proposals presented herein have been the subject of Sequential, Needs, and Impact assessments. Such assessments have concluded that the site is sequentially preferable, a need for the development exists, and the impact on Darlington Town and District Centres is negligible. Taking the assessment a stage further the public transport connections to the site are to be substantially improved. Such enhancements will be the subject of control through the imposition of either appropriate conditions or a legal agreement as necessary.

6.52 In summary the applicants consider that the application proposals are in accordance with the strategic policies set out within emerging RSS. The draft RSS has benefited from being given weight in the determination of appeals by appointed Inspectors and the SoS. Since the release of the Panels Report on the 4<sup>th</sup> August 2006 we would suggest that the draft RSS should be given significant weight in determining this application.

#### Tees Valley Structure Plan

6.53 On the Structure Plan Key Diagram Darlington is shown as being a centre for development. The A66T, A167 and A1 (M) are shown as being Primary Roads. Additionally the passenger railway network is shown. The area to the south and to the east of Darlington is shown as being a Strategic Wildlife Corridor.

6.54 Structure Plan policies of relevance include STRAT1 (Spatial Strategy), EMP2 (Economic Regeneration), EMP3 (Office Development and Use), ENV13

(Control of Urban Development), ENV17 (Maintaining and Enhancing the Character and Quality of the Environment), ENV18 (Maintaining and Enhancing the Character and Quality of the Environment), ENV21 (Urban Environment), T1 (Transport Policy), T21 (Roadside Services), T24A (Transport), T25 (Transport requirements for New Development), T27 (Transport Assessments), TC1 (Maintaining and Enhancing the Vitality and Viability of Town and District Centres), TC3 (Centre Hierarchy), TC4 (The Sequential Approach to Retail Development), TC5 (Retail & Leisure Developments), L1 (The Location of Leisure, Recreation and Tourism Developments), L2 (Demand Generated/Ancillary Leisure), L3 (Leisure Developments), L9 (Making Maximum Use of Existing Resources), L11 (Tourism in the Tees Valley) and L12 (Sustainable Tourism).

- 6.55 It is not intended to drill through all the listed Structure Plan policies. It will be submitted that those policies most important to the determination are TC4, TC5, L1, L2, and L3.
- 6.56 Primarily the Local Plan and its content are considered more relevant to the determination of this application. Importantly PPS6 and national policy contained in PPS1 is noted to be more up to date than adopted development plan policy. As such it is suggested the content of such is a material consideration that outweighs development plan policy.

#### Darlington Local Plan

- 6.57 On the Adopted Local Plan Proposals Map the site is shown as being outside the Development Limits of Darlington. The A66 which passes to the south of the site is shown as being part of the Main Road Network, as is Neasham Road which passes to the west of the site. Further to the north and to the west of the site are the routes of Passenger Railways.
- 6.58 Local Plan policies of relevance include E2 (Development Limits), E16 (Appearance from Main Travel Routes), E29 (The Setting of New Development), R1 (Designing for All), R9 (Protection of Playing Pitches), R14 (Recreation Development in the Countryside), R20 (New Sports and Recreation Development), R24 (Leisure Facilities), EP15 (Development outside Employment Areas), S1 (New Shopping Development), S2 (Safeguarding the Town Centre) and S18 (Food and Drink Uses Outside the Town Centre), TO1 (Tourist Attractions), and TO4 (Hotels and Guest Houses).

6.59 An assessment of relevant policies pertaining to the principle of development will be made in turn. Those policies pertaining to the design and form of the development are not commented upon in whole given the fact that the majority of the new built development is submitted as an Outline application. However the Design & Access Statement included with the application addresses this context.

*Policy E2 – Development Limits*

6.60 The reason for this policy is worthy of examination. The text accompanying the application advises of the need for settlement boundaries:

***‘The Council has defined development limits, within which most new development will be located, with the intention of maintaining these well-defined boundaries and safeguarding the character and appearance of the countryside’***

6.61 Clearly settlement boundaries are used as a tool to differentiate between the built form and the open countryside beyond. It is a tool that seeks to define character without inherently saying so.

6.62 Importantly it must be remembered that the policy defining the built limit or settlement boundary for Darlington was identified prior to the development proposals for the Darlington Arena being formulated or the stadium being built. At that time the land the subject of this application albeit sandwiched between the town and the A66 (T) would have been open land. Since that time the stadium has become a major part of the built fabric of the town and is viewed in this context. It is no longer open land but rather a previously developed brownfield site.

6.63 The land to the north of the stadium is open land. This land is to be used for sports and recreation purposes. Some physical development in the form of structures and buildings is proposed. The local plan says of land adjacent to settlement boundaries:

***‘Development may also be appropriate for countryside-based sport, recreation and tourism uses, or where it would help to maintain or enhance the environment’***

6.64 It is submitted that the development proposals are appropriate in this context.

*Policy R14 – Recreation Development in the Countryside*

- 6.65 Although the playing pitch site is officially within the open countryside the proposals for new training facilities are intrinsically linked with the development proposals of the club. The proposals being on land adjacent to the club are a sequentially preferable location for such opportunities. Policy R20 it is submitted is that more appropriate to this development.
- 6.66 This policy is concerned with the impact a development will have on the character of the open countryside. The policy advises the test is one as to whether the harm is '**significant**' or not. It is submitted that the significance of any harm attributable to the sports pitch and training element of the project will be that associated with the new structures, and floodlighting proposed on one of the playing pitches. Again the Design & Access statement seeks to address the impact of such elements of the proposals. Careful design has resulted in a development proposal that blends well with its setting and landscape. Appropriately worded conditions can be imposed on any consequent approval to secure a comprehensive form of development.

*Policy R20 - New Sports and Recreation Development*

- 6.67 Policy R20 like R14 is concerned with the impact a development has on the locality, but more so relevant to the amenity of surrounding residents.
- 6.68 The nearest residents live at the traveller's site to the immediate west of the new 6-a-side building. This is a well-maintained site that affords a level of amenity for its occupants. Ongoing discussions with this group have resulted in the new structures being repositioned relative to the potential impact on their amenity.
- 6.69 Other residences beyond this site are those to the north of the rail line. The rail line separates this land from the local estates. The rail line acts as a visual buffer mitigating any potential for detrimental impact. The structures that may be visible from some of the residences will be the floodlighting columns. The columns are to be positioned distant from the nearest residences set behind a high-level railway line.
- 6.70 The Design & Access Statement addresses the visual impact of the lighting columns.

- 6.71 The impact of traffic associated with the sports development is negligible. The majority of traffic is confined to those areas internal to the site. The site is heavily screened from the surrounding vantage and viewing areas.

*Policy R24 – Leisure Facilities*

- 6.72 This policy supports the Club as a cultural asset in what it provides to the town of Darlington. The policy seeks to maintain and promote leisure activities for the benefit of the inhabitants of not just Darlington but also the sub-region. The policy specifically states that larger facilities attracting customers from a town wide or larger catchment area will be permitted elsewhere within the urban area subject to criteria. The club, the stadium, its facilities and those now proposed are all ancillary to the club and its presence in this location. The restaurants, bar, and leisure facilities complement the primary use of the site. Each use feeds off the club and vice versa.

- 6.73 Whilst the policy supports the development of leisure facilities whether consent should be permitted or not is based upon the tests advocated in PPS6 and Policy 25 of the Interim RSS, Policies TC4, and TC5 of the Tees Valley Structure Plan and Policies S1, S2, and S18 of the adopted Darlington Local Plan. This set of policies is at the crux of the decision on this application proposal and are commented upon throughout this statement.

*Policy EP15 - Development Outside Employment Areas*

- 6.74 This policy predates the publication of PPS1, PPS6, and PPG13. It is however beneficial to examine its content relevant to the development proposals compliance. Additionally the policy draws in other policies relevant to elements of the development proposal such as the Offices.
- 6.75 The policy promotes the provision of uses falling within Use Class B1, B2, and B8 of the Use Classes order. The Office element of the proposal falls within use class B1.
- 6.76 It is noted that the policy is positive in its context. It states that development that does not have an adverse effect on amenity or highway safety will be approved. It caveats this by stating that the proposals must comply with other policies such as EP13.
- 6.77 Policy EP13 states that Office development will be permitted provided that it is well served by public transport, and that the offices are ancillary to the main use

of the parent development. In this instance the parent or primary use of the site is the Darlington Football Club. Darlington Football Club will occupy at least 50% of the Office space. The remainder is potentially to be occupied by companies related to the activities of the Club. Included with **Appendix 7** are letters from the said companies advising of their specific interest in occupying office accommodation at this location.

*Policies S1, S2, and S18*

6.78 The identified policies pre-date the publication of PPS6. However their content is in line with the spirit of PPS6. The policies still contain the essential tests advocated by national, regional and structure policy being:

- The impact that the development will have on the vitality and viability of the Town Centre;
- The need for the development and the element that make up the development.
- Whether any other sequentially preferable locations for such development exist.

*Policies TO1 and TO4*

6.79 The referenced policies were developed prior to the publication of PPS6 as regards the application of the sequential test to town centre development. The policies do however acknowledge the importance of the tourism sector to the economy and seek to provide guidance on the potential for hotels and other such tourist developments.

6.80 The policies are primarily concerned with the impact that a tourist development may have on residential amenity and the character of a surrounding area.

6.81 As the hotel and the other tourist uses are not immediately adjacent to residential properties the developments impact on such is considered negligible.

6.82 The development as proposed is outside the currently defined built limits of the town (Policy ED2). The site is however as submitted in this statement a leisure and entertainment venue that has been deemed to be an appropriate location for such uses and is clearly read as part of the built form of the town. Under the assessment of policy ED2 the development proposals would have little impact

on the character of the open countryside outside the settlement limit because the application site is not part of the open countryside. It is a built previously developed brown field site in an urban location with excellent and to be improved access to the rest of Darlington.

- 6.83 Other material considerations of relevance include the content of National Policy that in many instances supersedes that found in the RSS and the Local Plan.

PPS1: Delivering Sustainable Development (2005).

- 6.84 This Planning Policy Statement sets out the Governments national planning policy on delivering sustainable development. The PPS notes that sustainable development is the core principle underpinning planning. It continues to set out four aims for sustainable development and in turn six key principles that should be applied to ensure that development plans and decisions taken on planning applications contribute to the delivery of sustainable development. At paragraph 27 the PPS details a general approach to the delivery of sustainable development. Issues of relevance include;

- promoting national, regional, sub-regional and local economies by providing, in support of the Regional Economic Strategy, a positive planning framework for sustainable economic growth to support efficient, competitive and innovative business, commercial and industrial sectors (PPS1 para 27 criterion i);
- promoting mixed use developments for locations that allow the creation of linkages between different uses and can thereby allow the creation of more vibrant places (PPS1 para 27 criterion ii);
- focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development (PPS1 para 27 criterion vi);
- reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges (PPS1 para 27 criterion vii);

- 6.85 PPS1 para 28 goes on to note that planning decisions should be taken in accordance with the development plan unless other material considerations indicate otherwise.
- 6.86 The above commentary reveals that the aims of Government in the development of policy require that a development of this scale and type be located within existing centres. This commentary is not suggesting that 'centres' mean the centre of a town but rather centres that are the focus of development within a district. Darlington is one such centre. PPS6 concentrates its requirements to an assessment as to whether such development can be positioned centrally within a town, particularly adjacent to its commercial centre.
- 6.87 The development rationale for the redevelopment and training facilities as proposed is enshrined in the Governments planning policy statement, inter alia to contribute to sustainable economic development, provide high quality development through good and inclusive design and efficient use of resources, whilst ensuring that the development will provide a development that the community have good access to.

PPS6: Planning for Town Centres

- 6.88 PPS6 is concerned with planning for town centres. It restates the core principle underpinning planning that is 'sustainable development'. The PPS sets out a number of key objectives for town centres and provides guidance on promoting growth and managing change.
- 6.89 In respect of development control the PPS states that planning authorities should require applicants to demonstrate;
- the need for the development;
  - that the development is of an appropriate scale
  - that there are no more central sites for the development
  - that there are no unacceptable impacts on existing centres
  - that locations are accessible.
- 6.90 The PPS continues that in general local planning authorities should assess planning applications on the basis of the above key considerations and the



evidence presented. As a general rule, the development should satisfy all the considerations referred to above and in making their decisions local planning authorities should also consider relevant local issues and other material considerations.

6.91 The evidence provided with this statement and that detailed by Sanderson Weatherall, and Wardell Armstrong shows that:

1. the development is needed;
2. the development is of an appropriate scale;
3. there are no more central sites that can accommodate this development;
4. the impact on the existing centre is indiscernible;
5. the accessibility of the site will be significantly enhanced with the new transport measures proposed.

PPG13: Transport

6.92 The overriding objective of PPG13, as set out in its paragraph 4, is to integrate planning and transport at the national, strategic and local level. Key principles include;

- Promoting more sustainable transport choice
- Promoting accessibility to jobs and leisure facilities by public transport, walking and cycling.

6.93 These are the under lying principles to the sustainable transport measures proposed by the applicant through the Travel Plan prepared by Wardell Armstrong.

PPG17: Planning for Open Space, Sport and Recreation 2002

6.94 The emphasis of PPG17 is the retention of open space and sports and recreational facilities, and ensuring that such facilities are easily accessible by walking and cycling in locations well served by public transport.

- 6.95 With regard to the provision of new facilities, the emphasis is on good design, mixed-use development (such as commercial or industrial areas), adding to or enhancing the quality of existing facilities, meeting the regeneration needs of areas using brownfield in preference to greenfield sites (Paragraph 20), all of which are consistent with the development proposals.
- 6.96 The guidance makes specific reference to the provision of stadia and major development proposals, stating that such should only be granted in areas of good public transport (paragraph 22). It would be submitted that given the fact that the existing stadium was approved that it was intended that it be served by good public transport. Indeed the S106 Agreement attached to the approval supports this thought.
- 6.97 To accord with PPG17 the proposals will enhance and make a more efficient use of the site for sports and recreation thereby sustaining the stadium and the football club for future generations to enjoy. The site is currently served by public transport. However this is to be enhanced in the provision of directly accessed facilities with public transport entering the site, which it currently does not do. This will enable spectators and operators of the commercial development to significantly benefit from modes of transport other than the private motorcar.

**Key Issue 2 - The Sustainability of the Site**

- 6.98 PPG13, Transport (March 2001) sets out guidance on transport and accessibility of new development. It recognises within paragraphs 46 and 47 that local planning authorities should promote development that is linked to public transport with particular emphasis placed on the importance of reducing the need to travel by the private car. Therefore the applicant considers it imperative that public transport connections to this site as currently exist should not simply be supported but indeed should be enhanced. By providing future users a range of travel options to access facilities this will reduce the need to use the private car and in turn establish the sustainability of the site.
- 6.99 PPG13, establishes within paragraphs 75-79 that walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly under 2 kilometres and that cycling has the potential to substitute for short car trips, particularly those under 5 kilometres and to form part of a longer journey by public transport.
- 6.100 Accordingly the applicant considers that the base level standard for assessing the sustainability of the application site is to consider whether in providing

facilities at this location they will be within a 2,000 walking distance and a 5,000m cycling distance of homes and residents within the business catchment area.

- 6.101 The plan included with **Appendices 4 and 8** highlights the proximity of the application site to residences and the accessibility of the site in relation to Darlington. The report provided by Wardell Armstrong discusses this issue in detail. The evidence is clear that the proposed services and facilities are available well within the 2,000m walking distance and 5,000m cycling distance for local residents.
- 6.102 The applicant concludes that the site performs well in respect of the indicators set out within PPG13 where this proposed range of everyday facilities are within a walking distance of 2,000m and within a cycling distance of 5,000m.
- 6.103 In addition to the guidance set out in PPG13 the applicant considers that other nationally and regionally recognised guidance provides a further and more detailed assessment of the sustainability of the site.
- 6.104 The Department for Transport publication entitled 'Guidance on Accessibility in Local Transport Plans' sets out thresholds for accepted travel times to a range of services. Unfortunately recreation, leisure and tourism uses are not primarily identified in terms of accessibility and sustainability. However as the proposals constitute town centre uses as defined by PPS6 it may be appropriate to measure the accessibility of the restaurant, and leisure uses relevant to their proximity to the end users i.e. the residents within Darlington.
- 6.105 As such the applicant has used threshold guidelines applicable as if this were an application for new housing and whether new residents of such housing have a decent level of access using public transport or by walking to access employment uses or basic services such as schools. This means that the accessibility of the site works in reverse, i.e. how long does it take the end user, i.e. the existing residents, existing schools and existing college to access the facilities and the employment opportunities now proposed either by walking or utilising public transport. A selection of such is included in the assessment. We set out the results in the table below. The actual travel time from the various schools, colleges and residential areas have been calculated by using the plan in **Appendix 4**, the Transport Direct web site ([www.transportdirect.info](http://www.transportdirect.info)) and by using an average walking speed of 1.4m per second as established within paragraph 3.30 of the Institute of Highways and Transportation document; 'Guidelines for Providing Journey Times on Foot, 2000':

User	Department for Transport Low Threshold	Department for Transport High Threshold	Actual User	Actual Travel time to site (walking)	Actual Travel Time (walk+bus)
Primary School	15mins	30mins	St Johns	11 mins	19 mins
			Firthmoor	12 mins	16 mins
			Dodmire	14 mins	17 mins
			Skerne Park	16 mins	No direct route
Sec School	20mins	40mins	Eastbourne	24 mins	29 mins
			Polam	25 mins	33 mins
Further Ed	30mins	60mins	Darlington College	26 mins	34 mins
Train Station			Bank Top	18 mins	18 mins
Park East Ward	15mins	40mins	Centre of Ward	16 mins	No direct route
Eastbourne South Ward	15mins	40mins	Centre of Ward	8 mins	10 mins
Eastbourne North Ward	15mins	40mins	Centre of Ward	17 mins	14 mins
Lascelles Ward	15mins	40mins	Centre of Ward	12 mins	17 mins

6.106 The above table demonstrates that the site performs very well in respect of being in a location accessible by the majority residents, school children and college students of administrative/political wards in Darlington. Residents and persons using the services to be provided on site will be able to access the facilities mostly within the lower threshold travel times as recommended by the Department of Transport. Indeed the site when accessed by walking is favourably close to the identified wards.

6.107 To understand why this is the case the content of a more recently produced Provisional Second Local Transport Plan 2006-2011 States in relation to Darlington and its accessibility:

***'Darlington is a compact town with an existing pattern of sustainable travel behaviour'***

6.108 As part of the strategy it identifies specific aims that the applicant can comfortably conclude the development proposals comply with, namely being:

- reduce the proportion of trips of less than 2 miles made by private car;

- increase the proportion of trips of less than 4 miles made by bicycle;
- increase the proportion of trips of 1 mile or less made on foot; and
- increase the number of bus passenger trips in the Borough.

6.109 The Travel Plan prepared by Wardell Armstrong identifies that the development proposals are easily accessible to the population of southern Darlington, by walking and by the majority of the population in Darlington by Cycling.

6.110 The application site and the facilities it provides for persons beyond Darlington will include the Hotel, and Office Block. The rail station is less than 2km walk from the application site. This equates to a walking time of less than 20 minutes.

6.111 The applicant concludes from the above assessment that the site is in a sustainable location for such a development.

**Key Issue 3 - Whether the development of the site sequentially is the best location or would materially affect the development of other areas and the weight to be attached to such considerations**

6.112 The sequential assessment has been carried out for the development of the land adjacent to the existing stadium.

6.113 The proposals are functionally related to the main use of the site. The site currently provides for sports, recreation and leisure opportunities. The proposal seeks to enhance such provision to accord with the primary approved use.

6.114 Alternative sites have been considered on the basis that a typical operator would require a site of an equivalent and comparative size together with parking and service areas. However these requirements have not been assumed as rigid and a reasonable degree of flexibility has been applied in this assessment in accordance with the guidance in PPS6 “planning for Town Centres”

6.115 This assessment has been carried out in order to satisfy the requirements of Planning Policy Statement No.6. The key objective of PPS6 is to promote the vitality and viability of Town Centres. To this end paragraph 3.13 to 3.19 of the statement describe the application of the sequential approach to site selection in development control decision-making. This advice should be applied for all sites not in an existing centre nor allocated in an up to date development plan

document. The PPS states that developers and operators should adopt a flexible approach to considering alternative sites in or on the edge of centres, in terms of scale and format of development, car parking provision and the scope for disaggregation. It also states that where sequentially preferable sites are not considered to be appropriate applicants must demonstrate why they are not practicable alternatives in terms of their availability, suitability and viability.

- 6.116 The relevant development plan consists of the Borough of Darlington Local Plan adopted in 1997. The relevant provisions include policy R24, S1, S2, and S18.
- 6.117 The application site is in an urban location being separated from the open countryside beyond by the primary road system. Although currently identified as being outside the settlement boundary identified in the adopted Local Plan, it is part of the built form of Darlington. It is situated approximately 2.0km from the town centre. It is also a brownfield site.
- 6.118 By comparison and very importantly a proper sequential test is that which is undertaken relative to comparables. As such it may only be appropriate to assess sites that are brownfield and preferably within 2km of the town centre. Other sites further than 2km from the centre and not previously developed land would fail a true sequential test. In this regard only those sites allocated for similar specific purposes outside these parameters (i.e. land at the Airport) that might be capable of development, i.e. beyond 2km radius, and not brownfield sites are assessed also. For the benefit of the reader the map at **Appendix 8** identifies the location of the application site and those within a radius of approximately 2km being the distance the application site is from the town centre.
- 6.119 The information included at **Appendix 9** details those sites within the above criteria that have been identified as sequentially less preferable, i.e. not brownfield and further than 2km from the town centre. The information included with **Appendix 10** details those sites that may be considered to be sequentially to be on a par with the development site, i.e. within 2km of the town centre, on previously developed land, and/or allocated.
- 6.120 The study has comprised a preliminary map based site identification exercise followed by a comprehensive drive-by recording and initial appraisal, allowing all potential sites to be identified. This has informed part of a comprehensive assessment based upon guidance within PPS6. This requires developers to consider alternative sites in terms of their availability, suitability, and viability.

- 6.121 The information included with **Appendix 11** is an assessment of each site. The sites are then appraised in terms of the aforementioned criteria, i.e. availability, suitability, and viability. The order in which the sites are considered generally relates to their location, with the sites that are closest to the town centre of Darlington being assessed first.
- 6.122 In assessing whether sequentially preferable sites exist certain criteria pertinent to the type of development also has a bearing on the acceptability of various sites and differing locations. Such include:
- The Hotel:
    - The Hotel requires positioning close to its attractions to provide access in a 'joined-up' way. The hotel will be used by the club in accommodating its and away fans visiting to watch matches. It will importantly also be used as a conference venue providing accommodation for those using its conference facilities.
    - The Hotel is situated close to the A66 (T) that makes it a choice location for persons using Durham Tees Valley International Airport.
    - Hotels require to be situated on prime road frontage locations with easy access to rail stations, airports, and the primary road network. Sites within exiting estates or within unattractive locations are not feasible locations for this type of venue. A business based in such inaccessible locations would be unviable and financially unfeasible.
  - The Office Block:
    - As already explained the Office development will serve the club and its business partners. To locate the office block in any other location would by itself be unsustainable because its end users would have to travel greater distances to reach the Stadium - the main business base for its occupiers.
    - Again Offices, commercially, have to be in accessible locations with easy access to primary road networks. The location of the Office adjacent to the A66 (T) provides an attraction to the end user to be able to access the services provided by Durham Tees Valley International Airport. The Offices would also provide easy access the Darlington Station and the main rail services connecting the rest of the country.

- The Restaurants & Public House:
    - The restaurants as well as the public house as commercial business feed from passing trade associated with other end users at the Office, Hotel and those visiting the Stadium. The facilities as already detailed are within a 10 -15 minute walking distance from the majority of the population in southern Darlington as well as the majority of the population in the town using public transport services.
  - The Crèche/Nursery
    - There is a strong demand for a quality facility of this type in Darlington. Normally such business thrive on being located adjacent to other business where parents can drop off their children whilst at work at the on site employment facilities. The development proposals aim to create between 180 – 220 equivalent full time jobs. Many of the employees on site will utilise this facility.
- 6.123 The entire on site facilities will complement the use of the Arena as a sporting, cultural and entertainment venue.
- 6.124 An issue arising from PPS6 and the assessment as to whether the development is in line with national policy or not is the potential for the development proposals to be disaggregated. The policy expects applicants to demonstrate flexibility about their proposed business model when applying the sequential approach to site selection in terms of scale and format of development. The purpose of such an approach is to examine whether elements of the development proposal could be hived off from the site and might fit in more central and sequentially preferable locations.
- 6.125 The applicants being aware of the above approach submit that for economic reasons and those reason identified in this statement the development cannot be disaggregated. It is a single development where each element thrives and relies on the existence of the other.
- 6.126 Despite the above the applicant as explained has applied a rigorous and detailed sequential search to identify other sites that can accommodate either elements of or the development as a single entity. Other sites have been identified that might accommodate either elements or the development as a whole. However none of the sites or premises would be both suitable and



available within a reasonable timescale to accommodate all the range of uses and quantity of floor space proposed on the application site.

- 6.127 Some sites as referenced could accommodate the development. However the sites are sequentially less preferable, either being greenfield or further distant from the town centre than the application site being in out of centre locations.
- 6.128 In support of this submission with respect to disaggregation the LPA would be referred to the Appeal decision discussed in Section 5 and included with **Appendix 5**. In particular the attention is drawn to the SoS decision and her paragraphs 22- 25, and the Inspectors report, his paragraphs 9.24 – 9.29, and paragraphs 9.51 – 9.54 with regard to the enabling development submission.

**Key Issue 4 - Is there a need for the development?**

- 6.129 As part of the requirements of PPS6 the applicant has undertaken a needs and impact assessment relative to those elements considered to be town centre uses. Sanderson Weatherall has prepared a detailed report included with this application addressing this matter.
- 6.130 The needs assessment details the availability of similar facilities in and around Darlington and draws conclusions confirming that the impact on the town centre will be negligible.
- 6.131 The services proposed are complementary to the running of the football club and are not intended to compete or draw custom away from the town centre. The development has been specifically formulated with this in mind. For example the Office and Hotel are very much associated uses in that the visitors and employees of the Club will have a direct relationship with the use of the offices and the hotel. The hotel is strategically positioned to promote the Club as a cultural and entertainment venue whilst importantly being located close to Durham Tees Valley International Airport. This location allows persons leaving and entering through this Airport hub to have easy access to the airport but at the same time have easy access to the facilities on offer on site and in the Darlington as a whole. It will also afford easy access to the surrounding region and the tourist attractions on offer.
- 6.132 There is a quantitative need for the commercial elements of the development. The package of development as detailed throughout this statement and within supporting materials is promoted as an integrated development where each element feeds off the other and from and to the football club.

- 6.133 The identification of the need does not necessarily equate with no impact and thus as detailed in the Sanderson Weatherall report a requirement to assess any impact of the proposal on the viability and vitality of existing centres was made. It clearly shows that as the facilities as proposed being restricted to specific uses means the impact on the town or other district centres is also restricted. No direct competitive retailing is proposed. The facilities as proposed attract a different market from the town centre user.

**Key Issue 5 – What will the impact from the development be on the highways network?**

- 6.134 B3 Architects working on behalf of Darlington Football Club commissioned Wardell Armstrong, to undertake an assessment of the transport issues associated with the planning application.
- 6.135 The Transport Assessment has identified the following problems at junctions within the study area:

*The Neasham Road / B6280 Yarm Road Roundabout (Junction 3).*

- 6.136 There do exist operational problems at the junction. The continued growth in traffic on the road network irrespective of the development proposals will compound these problems. Improvements to all 3-arms of the roundabout will be required if this junction is to cope with the predicted increase in traffic growth, however this is not related to the development.

*The A66 (T) / B6280 Yarm Road Roundabout (Junction 5).*

- 6.137 It is predicted that by 2008 the A66 (T) / B6280 Yarm Road Roundabout will be operating above capacity, with or without the development. However the Darlington Eastern Transport Corridor is designed to remove a vast majority of the traffic from this junction. Taking the reduction in traffic due to the DETC into account, it is not proposed that improvements to any arm of the roundabout will be required.

*The A66 (T) / A167 Blands Corner Roundabout (Junction 6).*

- 6.138 Similar to Junction 5 above, it is predicted that by 2008 the A66 (T) / A167 Blands Corner Roundabout will be operating above capacity, with or without the DCSV development. As this junction will require future improvement work to

accommodate the natural increase in traffic, and that the impact of the development is relatively small, it is not proposed that improvements to any arm of the roundabout will be required as part of the development.

- 6.139 It would not be equitable for a development to provide funding for offsite improvements to resolve operational problems that are clearly either already inherent within the existing network, or that are predicted to be caused by developments other than that proposed at the development.
- 6.140 It is recommended therefore that Darlington Borough Council consider the junctions highlighted and the Highways Agency to determine the works required as part of their normal improvement regime, and not as part of the development proposals.
- 6.141 Although more sustainable transport links are not currently in place scope for these to be improved has been examined and found to be achievable. Consultation with the local bus companies has produced a positive result, with a revised bus service proposed through the development site, and the potential for increasing the frequency of another. A Travel Plan has been drawn up to promote sustainable travel to the site and accompanies this report. A Section 106 agreement will ensure that the future residents of the site comply with its proposals.
- 6.142 It is therefore concluded that the Darlington Community Sporting Village site affords the opportunity for a development that embraces the Local Transport Plan objectives relating to accessibility by cycling, walking and public transport. The development will offer viable alternative modes of transport to the private car making it accessible by all sections of society and it's very nature will encourage healthier pastimes for residents and visitors to Darlington.

**Key Issue 6 - Material considerations & benefits in developing the site for the purposes identified in the application**

- 6.143 Sport is acknowledged as a key driver in regeneration. In this region sport makes a positive contribution to economic regeneration and social inclusion. The Darlington Arena is recognised as having a particular role in terms of the space that it can provide and the ways that it can be used to engage communities.
- 6.144 The Darlington Arena is situated within close proximity and indeed is part of the 6 most deprived wards in Darlington.

- 6.145 The developments location has the ability to encourage more people to participate in a healthy lifestyle.
- 6.146 The benefits of the development proposals are very clear. The facilities have been formulated to complement the current use of the site and to importantly provide facilities that will enhance and support the services provided by other agencies such as Darlington College.
- 6.147 Each element of the development seeks to complement the Club, its use of the site and the community. For instance the Hotel is ancillary feature associated with the club. The Hotel will be a training facility used by Darlington College. The College who train students in the adjacent hotel will use the Classrooms to educate sports graduates. The Café will act as a congregating common room area for the students. The sporting facilities promote the village as a Centre of Excellence where its users and staff will have access to a range of on site services.
- 6.148 In all the proposals have been designed to provide a sustainable range of services where the occupier/user will have little need to travel off site to attain recreation, leisure, food, or to entertain guests.
- 6.149 The proposals importantly have been developed in conjunction with the '*Plan for Success*' document prepared and submitted on behalf of the Club to promote the Stadium as a national entertainment venue.
- 6.150 A key primary benefit to the community will be in the provision of jobs. The application site is situated within and adjacent to some to some of the most deprived wards in Darlington. It is estimated the equivalent of 180 – 220 full time jobs will be created by the development proposals.
- 6.151 The economic multiplier effect will also prevail. The spend at the development will be taken by employees and in turn spent in the use of other services in the town and in the provision of home improvements.
- 6.152 Importantly and significantly the proposals assist the applicants in its aim to make the Club self-sustaining. The consequences of not providing this level of support to the club have been detailed in the business plan. Continuing losses in excess of £1.5million per year cannot be sustained. There is a severe risk that the club will again go into receivership and in turn be relegated from the football league without the level of support attained through this development proposal.

6.153 Included with the application is a business plan prepared by the Club. It details the need for this development. As to the weight the LPA give to the retention of the Football Club as an asset to Darlington is for them to decide. The applicants would however refer the LPA to the comments of the SoS in determining the appeal referenced in Section 5.0

**Key Issue 7 – What implications are there for not developing the site?**

6.154 The Clubs business plan sets the facts pertinent to the survival of the Club. The ‘*Plan for Success*’ at its page 13 details the implications of the loss of the football club.

6.155 Such issues may not be deemed to be appropriate in the decision making process. However it is submitted that the disbenefits of not granting consent have a significant bearing on the use of this brownfield site and the implications for its future.

6.156 The fact is that the Stadium exists and that the land being previously developed being in an urban location in a sub-regional centre means that an end redevelopment and user would have to be found if the club as a business failed. At this time this is a significant and reasoned possibility.

6.157 The following are suggested development options if the club as a business fails:

- An end user for a stadium of this size is found. This is unlikely. No other cultural or sporting business could sustain a stadium of this size without some form of enabling development or end re-use.
- The pressure that would be brought to bear is that the site would likely be divided and applications for new type of development that do not support the community or provide the public transport enhancements proposed herein would materialise.
- The brownfield element of the site would be sold for housing. A site of this size would generate development potential in excess of 500 homes. A development of this size to be sustainable would have to be supported by some form of mixed-use development, such as shops, offices, and restaurants.
- The site would be come derelict on a very prominent open approach on the A66 (T). The dereliction and potential visual and environmental

contamination that would result would be a devastating blow to the town of Darlington.

- 6.158 In all of the above it has to be acknowledged that whether the development as proposed is permitted to support and act as a lifeline for the club or whether it is not the site **will not** remain in its current form. An end development of a differing form, type and scale will materialise. The question is what will that development be as opposed to will it ever get consent?
- 6.159 This application presents what is a carefully considered proposal that complements the existing use as opposed to the introduction of a completely different use at odds with planning policy.

## 7. OTHER ASPECTS OF LOCAL POLICY

- 7.1 This section will detail the commentary pertinent to this development project and the support it derives from those documents that are considered to be part of the joined process of the determination of the application.

### *The North East Tourism Strategy 2005 – 2010*

- 7.2 One North East published the North East Tourism Strategy in 2004. It identifies that Tourism is a key component of the region's economy currently supporting over 10% of jobs. Realising Our Potential, the North East's Regional Economic Strategy, highlights the key contribution that the tourism sector plays in boosting our prosperity.

- 7.3 As part of its strategy in relation to tourism the following direct quotes from the document can be said to achieved by the application proposals:

- We will continuously invest in creating a skilled workforce, as this is key to improving the quality of our tourism offer and assist our regional businesses in becoming world-class.
- We will expand our tourism industry without putting our natural environment and built heritage at risk and in a way that contributes positively to the sustainable development of the North East.
- We will promote excellence in the quality of the North East tourism product to meet the high quality of services and facilities that visitors demand.
- We recognise that tourism will play an important role in enhancing local pride, community cohesion and inward investment.

- 7.4 The document then sets its challenges that can be said to be directly related to the development proposals:

- Encourage tourism businesses to work in partnership to promote combined offers in terms of accommodation, attractions and events
- Better understand the nature of demand for accommodation to create a wider range of quality accommodation and increase bed space capacity.

- Increase the number of bed spaces in various price ranges in our urban areas, as demand dictates.

7.5 The proposals in the provision of a quality grade hotel, and restaurants within a town recognised by the Structure Plan and RSS as being a key location for the majority of new development meets the aims of promoting Tees Valley as a tourist area.

#### Darlington Retail Study 2004

7.6 The Council commissioned this report in 2004. As respects the town centre it concluded that it performs well and has good vitality and viability. The same is said of many of the District and Local Centres.

7.7 It should be noted that the document concentrates its content on actual retail provision as opposed to linked town centre uses such as bars, restaurants and offices.

7.8 The Retail study identifies primary concerns being:

- The town centre is a poor quality food-shopping destination.
- Although demand is not as high as it was the record of inward investment by retailers is healthy.
- Bulky goods retailing is moving out of town
- The centre has low vacancy levels
- The town centre already offers established entertainment functions.
- The town centre offers a limited office market.

7.9 From the above it is concluded that the development proposals at the Arena do not conflict with the aims identified. It does not seek to promote the type of development from which the town centre would be seen to offer.

#### Draft Core Strategy Oct 2005

7.10 The Core Strategy sets the aims and vision for Darlington for the next 15 years. In summary it proposes:



- Over the next 15 years or so, Darlington will continue to develop as the physical and economic gateway to North East England and as a key link in the chain of economic opportunity identified in the Northern Way.
- A range of previously developed and greenfield sites, within and on the periphery of its compact urban area, coupled with the Borough's accessibility and quality of life, will make Darlington an attractive location for a growing number of entrepreneurs building local businesses, and for relocating businesses keen to tap into a highly skilled local workforce.
- The Borough will also continue to carve out its own unique identity as an increasingly important player in the regional and sub-regional economic, retail and cultural landscape.
- Past disparities in local environmental quality, economic, social and recreational opportunities will be significantly reduced.

7.11 The Core Strategy updates the development strategy for the Town in line with national policy guidance. Important to this assessment is its comment that the Council

***“will provide for an increasingly diverse and modestly growing population and seek to enhance the Borough’s attributes as a place in which to live, move, work and relax in an economically, environmentally and socially sustainable way, through....”***

***“development of the Borough’s cultural, retail, service and tourism functions (also strengthening the local economy)”***

7.12 As part of its locational strategy it advises that:

***“Development, which would strengthen the role of the town and other centres, or development, which helps to deliver significant benefits in the most disadvantaged wards (eg health, education, regeneration) will be encouraged.”***

7.13 The application site is adjacent to 4 out of 6 of the most deprived wards in Darlington, namely being Park East, Lascelles, Eastbourne South, and Eastbourne North. It is within 20 – 30 minutes walk or 10 minute using public

transport of the Central Ward that is also within the 6 most deprived wards in Darlington.

7.14 The development proposals will importantly make provision for significant employment opportunities of between 180 – 220 full time equivalent jobs as well as sustaining the life of the club and its employees. It will make provision for community facilities in terms of providing for sports, recreation and cultural services promoting the quality of life and health in these communities.

7.15 As regards employment provision Preferred Options Policy CP4.1 states that the Council will:

***“explore the potential to promote and facilitate economic development within the communities of Darlington:”***

***“to meet the needs of wards targeted for regeneration...”***

7.16 Clearly the development proposals being a brownfield site within 2km of the town centre and as recognized above being within in adjacent to the most deprived wards in Darlington should be given priority over other greenfield sites more distant from the town centre.

#### Darlington Town Centre Development Strategy

7.17 The strategy was prepared by Darlington Council in conjunction One North East to guide development within Darlington. The strategy identifies two aims:

- To expand the service sector; and
- To regenerate the town centre.

7.18 The strategy seeks to bring town centre uses within the ring road and looks to identify the development sites to increase the town centres critical mass so as to raise Darlington’s position to compete with other centres that attract more business. Amongst its aims it seeks to attract specific types of retail development namely being:

- The representation of multiple specialist retailers
- Larger shop units
- To address gaps in what the centre offers

- 7.19 With regard to this strategy it identifies sites that may add to this potential including Commercial Street, and Abbots Yard. Feethams West/Beaumont Street is identified for leisure development. Feethams East is identified for leisure or office based development.
- 7.20 As Commercial Street and Abbots yard seek to attract specific retailing uses the development proposed at Darlington Arena would not be of this type. Both sites are not of an appropriate size to locate the leisure development as proposed. Indeed Commercial Street is subject to a planning permission by the Councils preferred development partner.
- 7.21 Colliers CRE in assessing the potential of Feethams and Beaumont Street advised the Council that as Commercial Street effectively takes up the leisure provision and no large food retailer is proposed in the planning permission the Beaumont Street site would be the best location for the new large food store. As such this site may not now be available for leisure or indeed any tourism use.

## **8. SUMMARY AND CONCLUSIONS**

- 8.1 This supporting statement and sequential test has been prepared to accompany the outline and full application for the redevelopment of the football stadium car park and land to the north of the Darlington Arena. This assessment considers both the elements of the proposal, one being elements that are considered to be main town centre uses in accordance with the guidance set out in PPS6 and the other being sports and educational facilities to be established to the north of the stadium.
- 8.2 Darlington Football Club cannot operate indefinitely in its current business state given the financial and operational issues associated with its current condition not least of which is the subsidy being invested by benefactors.
- 8.3 The development as proposed acts, as enabling development to provide a holistic appropriate and more efficient use of the land where the income derived from the differing uses would sustain the future of the club for the foreseeable future. That enabling development is however as shown in this and those supporting statements accompanying the application acceptable on its own merits within the local context and will generate additional community benefits including a substantial amount of employment.
- 8.4 The proposals have been formulated after identifying specific needs and to ensure that the development form, and use is appropriate to the overall use of the site as a sporting and cultural venue.
- 8.5 The application is accompanied by a number of documents, listed at paragraph 1.22 of this report discusses the detailed assessment of the aspects of the proposals.
- 8.6 The development as proposed will make a major contribution to the sporting success of Darlington. The enabling development is essential to secure the continuing existence and future of the club.
- 8.7 The proposals are underpinned by National, Regional and Local Policy which place an emphasis on the re-use of previously developed sites and on the use of town centre locations provided sites for such uses are available. An assessment of the scale of the proposals, the need for the differing elements and the availability of other sites has been made. A need for the development and the differing elements is confirmed, and importantly no other sequentially preferable sites have been found to accommodate a development of this nature and scale.

- 8.8 Not to be found wanting a detailed Traffic Assessment has been made and a new Travel Plan prepared. New bus services are submitted as part of this proposal that will place the development site sequentially above other locations more distant from the town centre.
- 8.9 The applicants commend this application to the Council and invite them to grant permission for this scheme subject to appropriate conditions and were relevant a S106 legal agreement.