

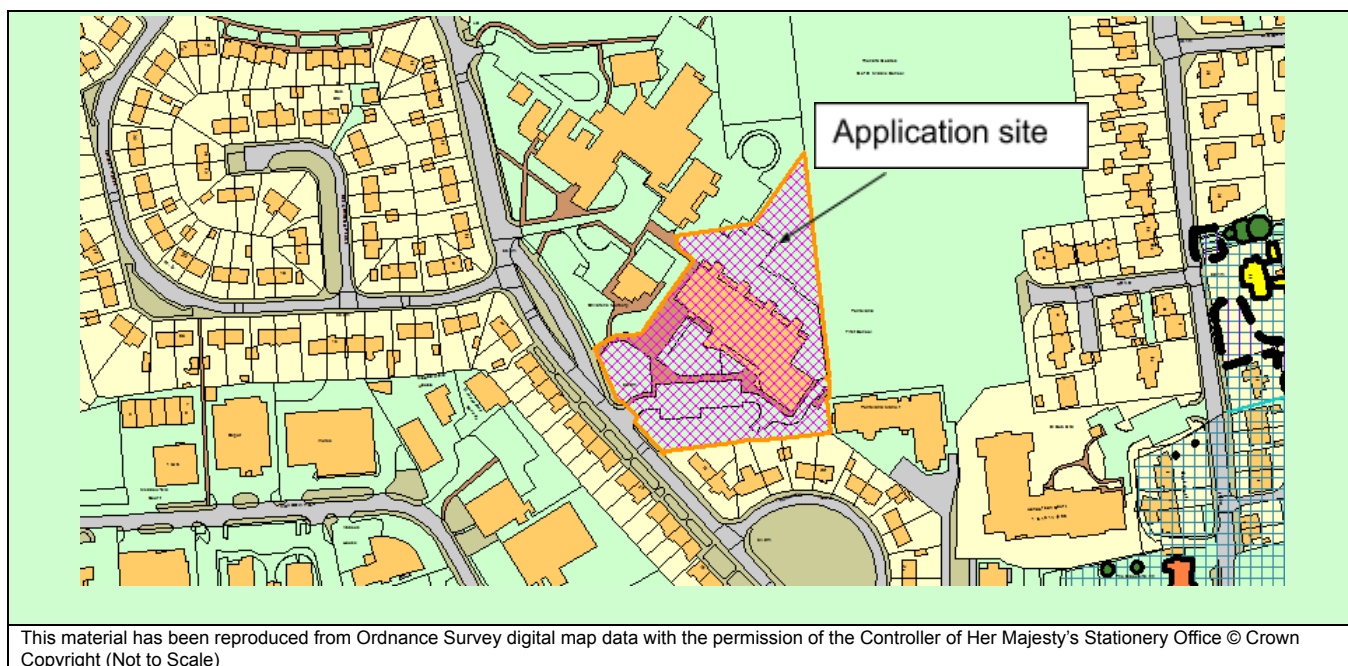


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Northumberland County Council

CASTLE MORPETH LOCAL AREA COMMITTEE 10th SEPTEMBER 2018

Application No:	18/02453/CCD		
Proposal:	Installation of Modular Classroom to provide 2 classrooms		
Site Address	Ponteland Primary School, Thornhill Road, Ponteland, Newcastle Upon Tyne, Northumberland, NE20 9QB		
Applicant:	Mrs Sue Aviston County Hall, Morpeth, NE61 2EF	Agent:	Elisa Berry 4 Old Elvet, Durham, DH1 3HL
Ward	Ponteland North	Parish	Ponteland
Valid Date:	27 July 2018	Expiry Date:	21 September 2018
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Local Area Council as it involves a County Council development on Council owned land.

2. Description of the Proposals

2.1 Retrospective planning permission is sought for the installation of a temporary modular classroom at Ponteland Primary School, Thornhill Road, Ponteland.

The classroom was erected at the application site in early August 2018, hence the retrospective nature of the application.

- 2.2 The modular classroom is situated to the rear of the main building upon the site and measures 18.1 metres in length by 8.65 metres in width incorporating a flat roof that measures 3.5 metres to the highest point with PV array protruding a further 0.3 metres. A walkway bounded by a timber fence provides access to the unit which would incorporate 2no classrooms with store rooms and WC's also included internally. The modular classroom is finished with a plastic coated outer covering.
- 2.3 The modular classroom is to only be a temporary addition to the overall site with the applicant requesting permission until 30th September 2020.

3. Planning History

Reference Number: 11/01726/CCD

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

Status: Permitted

4. Consultee Responses

Ponteland Town Council	No comment.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	17
Number of Objections	0
Number of Support	0
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

None received

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PBND6QSHPS00>

6. Planning Policy

6.1 Development Plan Policy

Ponteland Neighbourhood Plan (made version November 2017)

PNP1 - Sustainable Development Principles

PNP2 - High Quality and Inclusive Design

Castle Morpeth District Plan 2003 (saved policies (2007))

C1 – Settlement Boundaries

PC1 - Ponteland Settlement boundary

6.2 National Planning Policy

National Planning Policy Framework, 2018

National Planning Practice Guidance, 2014 (as updated)

7. Appraisal

7.1 The main issues relating to this application are:

- Principle of development;
- Visual impact;
- Residential amenity impact;
- Traffic/parking implications.

Principle of development

7.2 The NPPF, specifically paragraph 94, in part advises that Local Planning Authorities should give "great weight to the need to create, expand or alter schools". In turn, this is reflective of the "great importance" that Central Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and is also consistent with the proactive, positive and collaborative approach that local planning authorities should take in seeking to satisfy Central Government's aim and in terms of development that will widen choice in education.

7.3 Fundamentally, with regard to the development in this application, it is considered that this is wholly consistent with the principal aim of Central Government and with the approach advised to be exercised by a Local Planning Authority. Importantly, the development will significantly contribute to the overall provision of a sufficient choice of school places being made available to meet the needs of existing and new communities. It is further considered that the Council's overall approach, again entirely consistent with the approach advocated in NPPF paragraph 94, has been proactive, positive and collaborative.

7.4 Policy C1 of the Castle Morpeth District Local Plan identifies settlements within the former district, recognising that development should be focused within these areas. These defined settlements are indicated on the Castle

Morpeth District Local Plan inset maps with the application site clearly shown as lying in the settlement of Ponteland.

- 7.5 Policy PNP1 of the Ponteland Neighbourhood Plan closely accords with the provisions of the NPPF in seeking to support sustainable development. This policy seeks to take a positive approach to new development. The location of the site, within a recognised settlement such as Ponteland with good links and access, recognises the application site as being situated within a highly sustainable area and accessible area for development.
- 7.6 Considering the above, it is therefore the opinion of the officer that the works accord with policy C1 of the Castle Morpeth District Local Plan, policy PNP1 of the Ponteland Neighbourhood Plan and the provisions of the NPPF in regards to the principle of development.

Visual Impact

- 7.7 Policy PNP2 of the Ponteland Neighbourhood Plan recognises the importance of high quality and good design within development detailing that all new development should make 'a positive contribution to their surroundings'. This aligns with provisions detailed within paragraph 124 (part 12) of the NPPF which notes that 'good design is a key aspect of sustainable development'.
- 7.8 The submitted details show a modest sized building that is clearly viewed as a subordinate addition to the site when compared against the main school building. The design is simple and appropriate for the function of the structure with the use of materials such as a plastic coated outer covering to the walls considered acceptable, ensuring that it is not viewed as a harsh or incongruous addition within the landscape. Fenestration has been appropriately sited upon all 4no elevations to allow sufficient light into the 2no classrooms the building will serve. An overall footprint of the building of 78sqm confirms that the building would not result in overdevelopment of the site with significant open space and hardstanding still existing to the rear of the school.
- 7.9 It is therefore the opinion of the officer that the works demonstrate accordance with policy PNP2 of the Ponteland Neighbourhood Plan as well as part 12 of the NPPF which seeks to achieve well-designed places.

Residential amenity impact

- 7.10 Due to the siting of the modular classroom building to the rear of the main school building, there are not considered to be any adverse impacts upon residential amenity caused by the works. The nearest residential properties are situated to the South West of the application site and would have no views of the structure which would be screened by an existing boundary fence and the main school building itself. Whilst recognising the building would be situated upon the Northern boundary of the site, Richard Coates Middle School bounds the site to this elevation with no adverse impact to be caused to this site in terms of overbearing or privacy impacts.
- 7.11 Considering the above, is therefore the view of the officer that the works accord with policy PNP2 of the Ponteland Neighbourhood Plan which seeks to

ensure any development 'will not have an unacceptable adverse impact on the amenities of occupiers of nearby properties'.

Traffic/parking implications

- 7.12 Correspondence was held between the planning officer and Highways Development Management Team in regards to any highways impacts that may be caused from the building. It was recognised that due to the scale of the building and adequate parking provision at the site at present, there would be no adverse impact on parking provisions at the application site nor would there be any concerns on highways safety or traffic flow onto the immediate highway network. It was however, recognised that the school is currently in transition to a primary school and would therefore, be accommodating more students in the coming year than had previously been attending the site. Highways Development Management are currently assessing these impacts and members will be updated accordingly at the Local Area Council when it is expected a full assessment from Highways will have been undertaken.

Other matters

Equality Duty

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

Crime and Disorder Act Implications

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

Human Rights Act Implications

- 7.15 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 7.16 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is

proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

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

8. Conclusion

- 8.1 The development would provide improved facilities in terms of education at an existing school site. Officers are of the opinion that the development would not have a significant adverse impact on visual or residential amenity. It is therefore recommended that planning permission be granted.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-
- 1) Location Plan drawing no. 1001 (received 24th July 2018)
 - 2) Proposed site plan drawing no. 1003 (received 24th July 2018)
 - 3) Proposed plans and elevations drawing no. CL-DCTD684-101 C (received 27th July 2018)

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

02. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of PNP2 of the Ponteland Neighbourhood Plan.

03. The modular building hereby granted planning permission shall be removed in entirety on or before 30 September 2020 unless the Local Planning Authority

is in receipt of a further valid application for planning permission to extend the temporary period.

Reason: In order to retain proper control over the development as the containers are unsuitable for permanent retention in this location.

Date of Report: 21st August 2018

Background Papers: Planning application file(s) 18/02453/CCD