

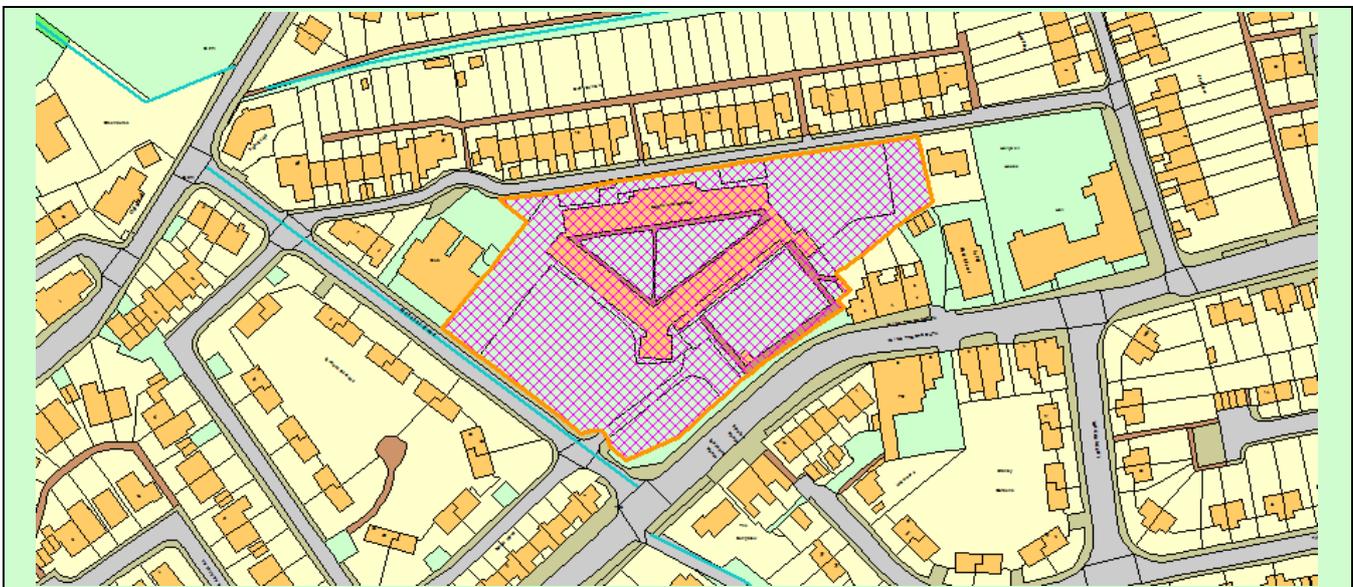


Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council 17th July 2019

Application No:	19/01613/CCD		
Proposal:	Proposal to remove existing metal boundary fencing, brickwork pillars and section of wall. Erect 1.8m boundary fencing, set into the existing playground and aligned behind the retained dwarf wall.		
Site Address	Seghill County First School, Main Street North, Seghill, Cramlington Northumberland, NE23 7SB		
Applicant:	Mr Darren Todd Northumberland County Council, Morpeth, Northumberland, NE61 2EF	Agent:	Mr Darren Todd Morpeth, Northumberland, NE61 2EF
Ward	Seghill With Seaton Delaval	Parish	Seaton Valley
Valid Date:	29 May 2019	Expiry Date:	24 July 2019
Case Officer Details:	Name: Mr Ryan Soulsby Job Title: Planning Officer Tel No: 01670 622627 Email: Ryan.Soulsby@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

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

2. Description of the Proposals

- 2.1 Planning permission is sought for alterations to the existing boundary treatments located at Seghill County First School, Main Street North, Seghill.
- 2.2 The proposed amendments of which planning permission is applied for consist of:
- Removal of existing metal boundary fencing, brickwork pillars and section of wall.
 - Erection of 1.8 metre 'V-mesh' security fencing aligned behind the retained dwarf wall.
 - Creation of new pedestrian access gate.

The proposed new fencing would be situated around the existing playground area to the east of the main school building with a new pedestrian access gate to the North East of the site.

- 2.3 The application site is situated within a built up residential area of Seghill and is readily visible from the A190 public highway that runs adjacent to the south of the site.

3. Planning History

Reference Number: C/03/00027/CCD

Description: Erection of steel fencing

Status: Withdrawn

Reference Number: C/03/00068/CCD

Description: Erection of 2m round top steel fencing

Status: Permitted

Reference Number: B/03/00082/CPO

Description: Erection of new steel fencing

Status: No objection

Reference Number: B/03/00214/CPO

Description: Erection of round top steel fencing

Status: No objection

Reference Number: 12/00486/CCD

Description: Alterations to form new visitor car parking spaces adjacent to main school entrance, including one no. disabled space, alterations to main entrance door to provide level access and formation of enclosed bin storage area

Status: Permitted

4. Consultee Responses

Seaton Valley Parish Council	No response received.
Strategic Estates	No response received.
Highways	No objection subject to conditions and informatives.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	39
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site notice - Public Right of Way, 7th June 2019

News Post Leader, 6th June 2019

Summary of Responses:

None received

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Development Control Policies Document (2007) (DPD)

Policy DC1 - General development

Policy DC27 - Design of new developments

Blyth Valley Core Strategy (2007) (BVCS)

ENV2 - Historic and Built Environment

6.2 National Planning Policy

National Planning Policy Framework (2019) (NPPF)

National Planning Practice Guidance (amended, 2018) (NPPG)

6.3 Other documents/strategies

Northumberland Local Plan - Publication Draft Plan (Regulation 19) and proposed minor modifications (May 2019) (NLPPD)

Policy STP 2 Presumption in favour of sustainable development
Policy STP 3 Principles of sustainable development
Policy QOP 1 Design Principles
Policy QOP 2 Good design and amenity

7. Appraisal

7.1 In assessing the acceptability of any proposal, regard must be given to policies contained within the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration and states that the starting point for determining applications remains with the development plan, which in this case contains policies from the Blyth Valley Development Control Policies Document (BVDPD) and Blyth Valley Core Strategy (BVCS). The main considerations in the assessment of this application are:

- Principle of development;
- Design and visual character;
- Residential amenity;
- Highways safety.

In accordance with paragraph 48 of the NPPF, local planning authorities (LPA's) may also give weight to relevant policies within emerging plans depending on the stage of preparation, extent of unresolved objections and the degree of consistency with the NPPF. Policies contained within the NLPPD (including proposed minor modifications May 2019) can therefore be given some weight in the assessment of this application.

Principle of development

7.2 Policy DC1 of the BVDPD stipulates that development proposals will be expected to be situated within settlement boundaries as shown on the Local Plan proposals map. The application site is shown as being located within the settlement boundary for Seghill with the proposed works seeking to improve an already developed site. As such, the principle of development is considered acceptable, in accordance with relevant local and national planning policies.

Design and visual character

7.3 Policy DC27 of the BVDPD details that new development will be expected to achieve a high standard of design. This mirrors the provisions of policy ENV 2 of the BVCS which references that high quality design will be expected in all new developments and that development which in visual terms would cause harm to the environment will be refused.

7.4 Paragraph 124 of the NPPF recognises good design as a key aspect of sustainable development with paragraph 127 going on to note that developments should function well and add to the overall quality of the area whilst being visually attractive. Policy QOP 1 of the NLPPD can also be given

some weight within this assessment, recognising development should make a positive contribution to local character.

- 7.5 The proposed amendments to the site are considered acceptable and would not cause harm to the visual appearance of the site or surrounding area. The use of appropriate materials is welcomed with it recognised by the local planning authority that the proposed type of fencing is prevalent at schools within neighbouring towns and villages without resulting in any visual harm. Taking the above into consideration, it is therefore the opinion of the local planning authority that the proposal accords with local and national planning policies in terms of design.

Residential amenity

- 7.6 The proposed works would not result in any adverse impacts upon the amenity of neighbouring residents by way of outlook, overbearing impacts or loss of light.

Highways safety

- 7.7 Consultation was carried out with the local highways authority who raised no objection to the proposal, subject to appropriate conditions being attached upon any approval. As the amendments result in the relocation of the existing school gate, 'keep clear' markings upon the highway would need to be relocated to reflect this amended location with a construction method statement also requested by the highways authority to ensure highways safety during the carrying out of the works. It is considered that through the attachment of these conditions, appropriate levels of highways safety can still be controlled by the local planning authority.

Equality Duty

- 7.8 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

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

Human Rights Act Implications

- 7.10 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.

- 7.11 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.
- 7.12 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

- 8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and the Northumberland Local Plan Publication Draft (NLPPD) and there is not considered to be any conflict between these documents.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

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

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

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on plans:

- 1) Location plan drawing no. (L)01 (received 29th May 2019)
- 2) Proposed new fencing plan drawing no. (O)01 (received 29th May 2019)
- 3) Proposed new fencing plan drawing no. (O)02 (received 29th May 2019)

- 4) Proposed new fencing plan drawing no. (0)03 (received 29th May 2019)
- 5) Proposed new fencing section detail drawing no. (0)04 (received 29th May 2019)
- 6) Proposed new gate elevation drawing no. (0)05 (received 29th May 2019)

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

03. Within 3 months of planning permission being granted, a scheme for the removal of redundant School 'Keep-Clear' zig-zag markings at the former entrance, together with installation of new markings at the new gated entrance, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme of works shall be implemented in accordance with a timescale to be approved by the Local Planning Authority.

Reason: In the interests of highway safety.

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

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

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

Date of Report: 3rd July 2019

Background Papers: Planning application file(s) 19/01613/CCD