



Northumberland County Council

North Local Area Council Planning Committee 22nd November 2018

Application No:	18/02478/CCD		
Proposal:	Addition of new concrete ramp with up hand and steel handrails to entrance to swimming pool within school grounds		
Site Address	Glendale Middle School, 15 Brewery Road, Wooler, Northumberland NE71 6QG		
Applicant:	Mr Darren Todd County Hall, Morpeth, Northumberland, NE61 2EF	Agent:	None
Ward	Wooler	Parish	Wooler
Valid Date:	19 July 2018	Expiry Date:	23 November 2018
Case Officer Details:	Name: Mr Jon Sharp Job Title: Planning Officer Tel No: 01670 623628 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation:

That this application be GRANTED permission subject to conditions.



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1. Introduction

1.1 This application falls to be determined by the North Northumberland Local Area Council planning committee as it is a County Council Development. It is being recommended for approval.

2. Description of the Proposals

2.1 Planning permission is sought for the construction of a disabled access ramp to provide improved access to an existing swimming pool building within the grounds of Glendale Middle School, Brewery Road, Wooler.

2.2 The proposed works would ordinarily be considered to be permitted development under Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) Order 2015, however as the development would be within 5 metres of the boundary of the curtilage of the premises, planning permission is required.

2.3 The site is located towards the eastern edge of Wooler and is accessed from the public highway (Brewery Road) which passes along the southern boundary of the site.

3. Planning History

Reference Number: C/74/B/031

Description: Extension to form toilet blocks to existing youth block

Status: Permitted

Reference Number: C/93/B/436

Description: Multi-use play area

Status: No Objection

Reference Number: N/94/B/0392/P

Description: Erection of new gp farm building.

Status: Permitted

Reference Number: 13/01766/FUL

Description: Provision of a biomass boiler and associated plant, including an 8m silo.

Status: Permitted

Reference Number: 18/01518/CLPROP

Description: Certificate of lawful development for a proposed use: swimming pool with stairs, we are adding a ramp.

Status: Withdrawn

4. Consultee Responses

Wooler Parish Council	No response received.
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Highways	Following submission of construction method statement, request for condition no longer necessary. No objection subject to informatives.
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5. Public Responses

Neighbour Notification

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

Notices

General site notice, posted 31st July 2018

No Press Notice Required.

Summary of Responses:

None received

6. Planning Policy

6.1 Development Plan Policy

Berwick upon Tweed Local Plan

F1 Environmental Wealth

F3 Tweed Valley, Kylee Hills, Glendale Areas of High Landscape Value

F31 Social and Economic Welfare

6.2 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2014, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan - Draft Plan for Regulation 18 Consultation (2018)

6.4 Other Documents/Strategies

None relevant

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies, other material planning considerations and the advice of statutory consultees. In assessing the application the key considerations are;

- Principle of development,

- Scale, design and visual impact,
- Residential amenity, and
- Highways.

Principle of the development

7.2 The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise. This forms the basis of the Framework's presumption in favour of sustainable development. Applications for new development should be considered in the context of this presumption in favour of sustainable development.

7.3 Paragraph 213 of the NPPF advises that weight should be given to relevant policies in existing plans according to the degree of consistency with the NPPF i.e. the closer a policy in a local plan accords with the NPPF, the greater the weight that may be given to them. The adopted development plan for the area the application site is located in comprises the policies of the North Northumberland Coast Neighbourhood Plan (2018) and the saved policies of the Berwick Local Plan (1999) (BLP). The policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Paragraph 48 of the NPPF states that weight may also be given to the policies in emerging plans, depending on the stage of preparation of the plan, the extent to which emerging policy aligns with the NPPF and the extent of unresolved objections to the emerging plan. The emerging Northumberland Local Plan - Draft Plan for Regulation 18 Consultation was published on 4th July 2018. The policies contained within this document carry minimal weight in the determination of planning applications at this stage.

7.5 Policy F1 of the BLP seeks to ensure that "primary importance will be given to sustaining and enhancing the Borough's environmental wealth". Policy F3 of the same document seeks to ensure that any development, within the areas of high landscape value, accords with its surroundings, in terms of scale, mass, materials etc. and sets out locational requirements for development. Meanwhile Policy F31 seeks to ensure that, in applying Framework policies, appropriate 'weight' is given to the degree to which proposals enhance the quality of life of communities or complement the range of their social and economic functions.

7.6 Development in Wooler would have good access to a range of services and to public transport links and can be considered a sustainable location for small scale development. The proposed development would improve access to local facilities and in this context it is therefore considered that the principle of the proposal is acceptable.

Scale, Design & Visual Impact

7.7 Policy F3 of the BLP sets out the criteria against which new development shall be assessed. This includes the impact on adjacent land uses in terms of scale, massing, materials, etc and sets out locational requirements for development. Paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is a key aspect of sustainable development, creates better

places in which to live and work and helps make development acceptable to communities.

7.8 The proposed works would be modest in scale and would be in keeping with the existing building and its surroundings. It is therefore considered that the proposal is acceptable in terms of its scale, design and appearance and is in accordance with Policy F3 of the BLP and the NPPF in this respect.

Amenity

7.9 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users. Due to the site location, it is considered that there would not be any substantive impacts on amenity resulting from the proposal in terms of loss of light, outlook or privacy. As such the proposal is considered to be in accordance with the NPPF in this respect.

Highways

7.10 Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.11 The Local Highway Authority have assessed the proposal based on the information submitted and raised no objections, subject to the imposition of a condition requiring the submission of a Construction Method Statement. This information has been submitted prior to determination and the Highways Officer has confirmed that it is acceptable. On this basis it is therefore considered that the proposal is acceptable in Highways Policy terms and is in accordance with the NPPF in this respect.

Equality Duty

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

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

Human Rights Act Implications

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.

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.

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 It is considered that the proposal is appropriate in relation to the host property and represents an appropriate form of development that would not have a significant adverse impact on the appearance of the property, the street scene or the amenity of nearby residents. It is therefore considered that the proposal is in accordance with national and local planning policies and accordingly it would be unreasonable to withhold planning permission.

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. The development hereby permitted shall not be carried out other than in complete accordance with the following approved plans:

1. Location Plan;
2. Drawing No SC171023 (0)02 - Proposed Plan;
3. Drawing No SC171023 (0)03 - Existing & Proposed Side Elevation.

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

Date of Report: 13.09.2018

Background Papers: Planning application file(s) 18/02478/CCD