



Northumberland

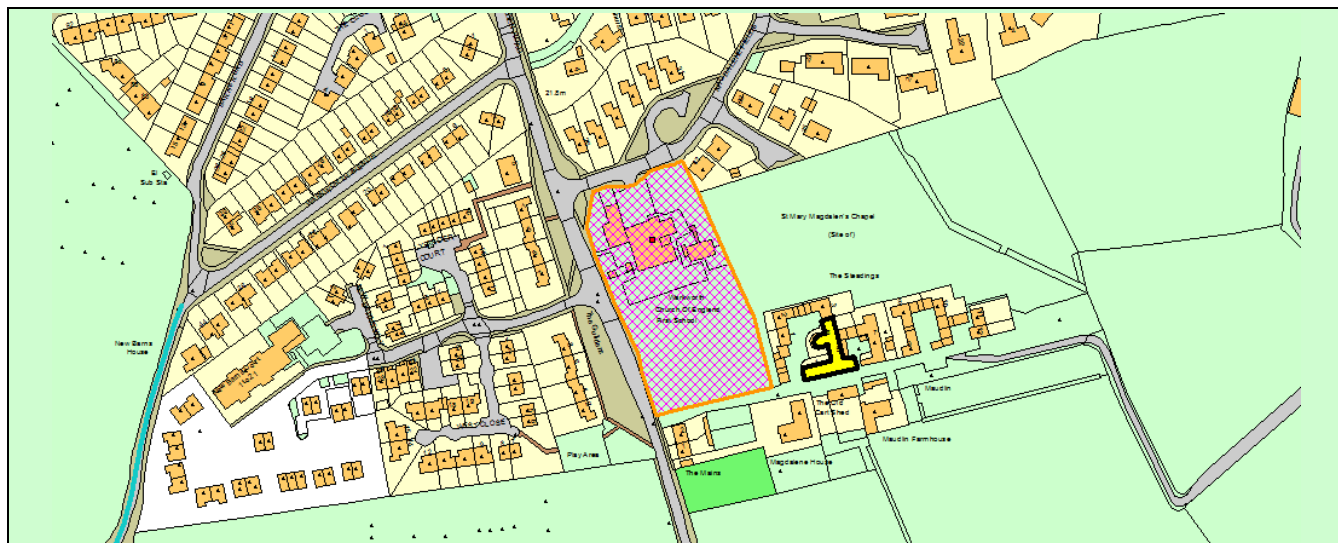
County Council

North Northumberland Local Area Council Planning Committee

21st May 2019

Application No:	19/00669/CCD		
Proposal:	Proposed new build timber frame classroom block to east of existing car park		
Site Address	Warkworth C Of E First School, Guilden Road, Warkworth, Morpeth Northumberland NE65 0TJ		
Applicant:	Ms Laura Ritson Guilden Road, Warkworth, Northumberland NE65 0TJ	Agent:	Mr Richard Sullivan Fourways 2, Dilston Terrace, Amble, Morpeth, Northumberland NE65 0DT
Ward	Amble West With Warkworth	Parish	Warkworth
Valid Date:	26 February 2019	Expiry Date:	28 May 2019
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



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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 erection of a timber framed classroom block to the east of the existing car park at Warkworth Primary School, Guilden Road, Warkworth.

2.2 The proposed building would have a maximum height of approximately 3 metres and would have a footprint of approximately 190sqm. It would be constructed with timber clad facing walls under a mineral felt covered flat roof, with upvc windows and doors. Works of this nature would ordinarily constitute permitted development under Schedule 2, Part 7, Class M of the Town and Country Planning (General Permitted Development) Order 2015, however as the proposed building is in excess of 100sqm, explicit planning permission is required.

2.3 The application site is within the built up area of Warkworth with residential development to the north, south and west and open ground to the east. It is not within the Warkworth Conservation Area or the Northumberland Coast AONB but is within the setting of St Mary Magdalene's medieval chapel and associated earthworks which is a Scheduled Monument.

3. Planning History

Reference Number: 17/00892/FUL

Description: Single storey extension to front of school to form new secure entrance lobby and reception office

Status: Permitted

Reference Number: A/2009/0351

Description: Proposed two classroom additions to the north and west of the existing school

Status: Permitted

Reference Number: A/2007/0637

Description: Extension of carpark, new pedestrian access and new shelter.

Status: Permitted

Reference Number: A/92/A/115

Description: Mobile Classroom Unit,

Status: Permitted

4. Consultee Responses

County Archaeologist	No objections subject to condition requiring a scheme of archaeological works to be carried out.
County Ecologist	No objections subject to condition and advisory notes in respect of trees, planting and protected species
Education - Schools	No response received.
Highways	It is considered that this development will not have a severe impact on highway safety, and there are no objections in principle to the proposal subject to certain off-site works being undertaken. The imposition of conditions and informatives with regards to introduction of drop kerb crossings, traffic management incorporating double yellow lines on a section of Guilden Road, Framework School Travel Plan, Full School Travel Plan cycle storage, details of surface water management to manage runoff

	onto private land and the impacts during the construction phase will address any concerns with the proposed development.
Historic England	<p>Historic England has concerns regarding the application on heritage grounds. To allow us to consider the potential impact of the proposal on potential medieval archaeology associated with the chapel to the east we have to request further information from the applicant:</p> <p>Details of the depth and extent of foundations required for the classroom; Details of any services, their locations and depths, that are needed to make the classroom usable.</p> <p>This will allow us to provide further informed advice. Once this further information has been provided we would be happy to comment further, but until this stage we have to advise against the determination of this application.</p>
Historic England (reconsult)	We note the further information submitted by the Agent for this proposal. In light of this further information we would agree with the advice you have received from Karen Derham from the County Archaeology Service - provided suitable conditions are attached to ensure the archaeological excavation of all features that will be disturbed by the development then we have no objection to this development.
North Trees And Woodland Officer	No response received.
Strategic Estates	No response received.
Warkworth Parish Council	No comment

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	11
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice, posted 18th March 2019

Press notice - Northumberland Gazette, published 4th April 2019

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=PNHANCQSM9K00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy (2007)

S1 Location and scale of new development
S2 The sequential approach to development
S3 Sustainability criteria
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and enhancing biodiversity and geodiversity
S15 Protecting the built and historic environment
S16 General design principles

Alnwick District Wide Local Plan (1997)

TT5 Controlling car parking provision (and Appendix E)
APPENDIX E Car parking standards for development

6.2 National Planning Policy

National Planning Policy Framework (2019)
Planning Practice Guidance (2018, as updated)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019, updated February 2019)

STP1 Spatial Strategy
QOP1 Design Principles
QOP2 Good Design and Amenity
TRA1 Promoting Sustainable Connections
TRA2 Effects of Development on the Transport Network
TRA4 Parking Provision in New Development
ENV1 Approaches in Assessing the Impact of Development
ENV2 Biodiversity and Geodiversity

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,
Emerging policy,
Scale, design and visual impact,
Residential amenity,
Highways,
Ecology, and
Heritage Assets.

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 saved policies of the Alnwick District Wide Local Plan (1997) (ALP) and the Alnwick LDF Core Strategy (2007) (ACS). The Local Plan policies referred to in this report are considered to be in accordance with the NPPF and can therefore be given due weight.

7.4 Policies S1, S2 and S3 of the ACS seek to ensure that the location and scale of new development is appropriate. Warkworth is identified in Policy S1 as a Sustainable Village Centre where development will be permitted that is well related to the scale and function of the settlement. Development within Warkworth would generally have good access to services and facilities and can be considered a sustainable location for development and is therefore considered to be acceptable in principle.

Emerging Policy

7.5 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.

7.6 The emerging Northumberland Local Plan - Publication Draft Plan (Reg 19) (NLP) was published for consultation on 30th Jan 2019. The policies contained within this document carry some weight in the determination of planning applications at this stage. Policy STP1 of the emerging NLP seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets. Warkworth is identified in the emerging plan as a Service Village which will accommodate development that supports the provision and retention of local retail, services and facilities.

Scale, Design & Visual Impact

7.7 Policy S16 of the ACS sets out criteria against which new development shall be assessed.

7.8 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.

7.9 The proposed works would be modest in scale and would be in keeping with the school setting 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 S16 and the NPPF in this respect.

7.10 Policy QOP1 of the emerging Northumberland Local Plan (NLP) echoes this and seeks to support development which respects its surroundings. Policy ENV1 of the same document states that the character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by taking an ecosystem approach to understanding the significance and sensitivity of the natural resource. Meanwhile Policy ENV3 states that proposals affecting the character of the landscape will be expected to conserve and enhance important elements of that character. The proposal is considered to be in general accordance with these policies, however little weight can be attributed to them at this time.

Amenity

7.11 Paragraph 127 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.12 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.

7.13 Policy QOP2 of the emerging NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. It is considered that the proposal is in accordance with this, however little weight can currently be given to this policy.

Highways

7.14 Policy S11 of the ACS sets out criteria to assess the extent to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated. Saved Policy TT5 and Appendix E of the ALP set out car parking standards for new development.

7.15 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.

7.16 The proposed works would not have a substantive impact upon the public highway. The location of the site is away from the highway to the rear of the school site and there is sufficient parking within the school grounds to ensure that no materials or operatives vehicles would block the highway. The Local Highway Authority has responded to consultation raising no objections subject to the imposition of conditions and informatives. It is therefore considered that the proposal is in accordance with highways policy and the NPPF in this respect.

7.17 Policy TRA2 of the emerging NLP seeks to ensure that all development will minimise any adverse impacts upon the highways network. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Ecology

7.18 Policy S12 of the ACS states that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the area.

7.19 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.20 The County Ecologist has responded to consultation raising no objection subject to conditions and informatives in respect of protected species mitigation and ecological enhancement. On this basis it is considered that the proposal is in accordance with Policy S12 of the ACS and paragraph 170 of the NPPF.

7.21 Policy ENV2 of the emerging Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity. The proposal is considered to be in accordance with this, however little weight can currently be given to this policy.

Heritage Assets

7.22 Policy S15 of the ACS seeks to conserve the former district's built and historic environment.

7.23 Paragraph 199 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

7.24 The application site sits adjacent to the St Mary Magdalene medieval chapel and associated earthworks which are a Scheduled Monument. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

7.25 Historic England responded to initial consultation requesting further information about the extent of the foundations for the proposed building and raising concerns about the potential impact of the proposed building, stating that although the site of the proposed classroom is outside of the area protected as a scheduled monument, important archaeological remains associated with the scheduled chapel could extend into the school site.

7.26 Following receipt of additional information the County Archaeologist responded to consultation recommending that an archaeological monitoring condition be attached to any approval in line with paragraph 199 of the NPPF. Historic England

concurs with this view. On this basis it is considered that the proposal is acceptable and in accordance with the NPPF in this respect.

Equality Duty

7.27 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

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

Human Rights Act Implications

7.29 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.

7.30 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.

7.31 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. Approved Plans

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

1. Drawing No. 19010 101 - Location Plan;
2. Drawing No. 19010 201 - Plans and Elevation as Proposed;
3. Drawing No. 19010 202 - Site Plan as Proposed.

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

03. Traffic and Parking Management Plan

The development shall not be occupied until details of a traffic management and parking plan extending 200 metres around the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the traffic management and parking plan shall be implemented and constructed in accordance with the approved plans before occupation.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and saved Policies S11 Maximise Accessibility and Minimise Impact From Travel, TT4 Ensuring Additional Traffic Can Be Accommodated, TT5 Controlling Car Park Provision and TT12 Development of Small Public Car Parks To Avoid Congestion in Villages of the Local Plan.

04. Completion of highway works before occupation (Drop crossings at C105 Guilden Road and U3149 Magdalene Fields)

Development shall not commence until details of the proposed highway works, including dropped kerb crossing on Guilden Road (C105) and at the School vehicular access radii on Magdalene Fields (U3149), together with tactile paving and bollards, have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of pedestrian safety and encouraging sustainable trips, in accordance with the National Planning Policy Framework.

05. Details of cycle parking to be submitted

The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is occupied. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

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

06. Surface water drainage (Private Land)

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

Reason: In order to prevent surface water run off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework.

07. Framework School Travel Plan

The development shall not be occupied until details of a Framework School Travel Plan on the application site have been submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Framework Travel Plan shall be implemented in accordance with the approved details. This Framework Travel Plan must include:

- i. the contact details of a suitably qualified Travel Plan Co-ordinator; - ie Headteacher or member of senior management team
- ii. an implementation programme;
- iii. an on-site assessment including details of transport links to the site, on-site facilities and any transport issues and problems;
- iv. clearly defined aims and objectives in relation to travel modes; and
- v. clearly defined senior management and staff responsibilities and roles in the implementation of the Framework Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

08. Full School Travel Plan

Within six months of first occupation of the development details of a Full School Travel Plan including action plan shall be submitted to and approved in

writing by the Local Planning Authority. At all times thereafter the approved Full School Travel Plan shall be implemented in accordance with the approved details. This Full School Travel Plan must include:

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

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework.

09. Construction Method Statement

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 demolition/ 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.

10. Archaeological Works Required

A programme of archaeological work is required in accordance with NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 21/3/19). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

- a) No development or archaeological mitigation shall commence on site until a written scheme of investigation based on NCCCT Standards and Site Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.
- c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Reason: The site is of archaeological interest.

11. Tree Planting Plan

A planting plan, including the planting of a minimum of 2no locally native trees and/or shrubs of local provenance on site, shall be submitted to and agreed in writing by the Local Planning Authority with the planting to be fully implemented during the first full planting season (November March inclusive) following the commencement of development.

Reason: To maintain and protect the landscape value of the area and to enhance the biodiversity value of the site

12. Development in accordance with Tree Protection Plan

No development shall be carried out other than in accordance with the guidance set out in BS5837:2012 Trees in Relation to Design, Demolition and Development: Recommendations British Standards Institution, 2012 and the tree protection plan as shown on Arboricultural Impact Assessment Tree Protection Plan, Woodsman Arboricultural Consultancy, Drawing No.: TPP.Warkworth.No1.

Reason: To maintain and protect the existing landscape and biodiversity value of the site.

Informatives

1. Reminder to not store building materials or equipment on the highway

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

2. Contact Lighting Section

You are advised to contact the Council's Lighting Section on HighwaysStreetLighting@northumberland.gov.uk before and during the construction period with respect of street lighting to ensure sufficient illumination levels of the public highway.

3. Framework and Full school travel plans

Completion of the plans shall be through the Modeshift STARS scheme. Schools should have achieved bronze level by the end of year 1 of occupation. You can contact the School Travel Plan Advisor on 01670 624117

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

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

5. Ecology Advisory Notes

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low but there remains a small risk that individual animals may be encountered during works.

All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

Date of Report: 03.05.2019

Background Papers: Planning application file(s) 19/00669/CCD