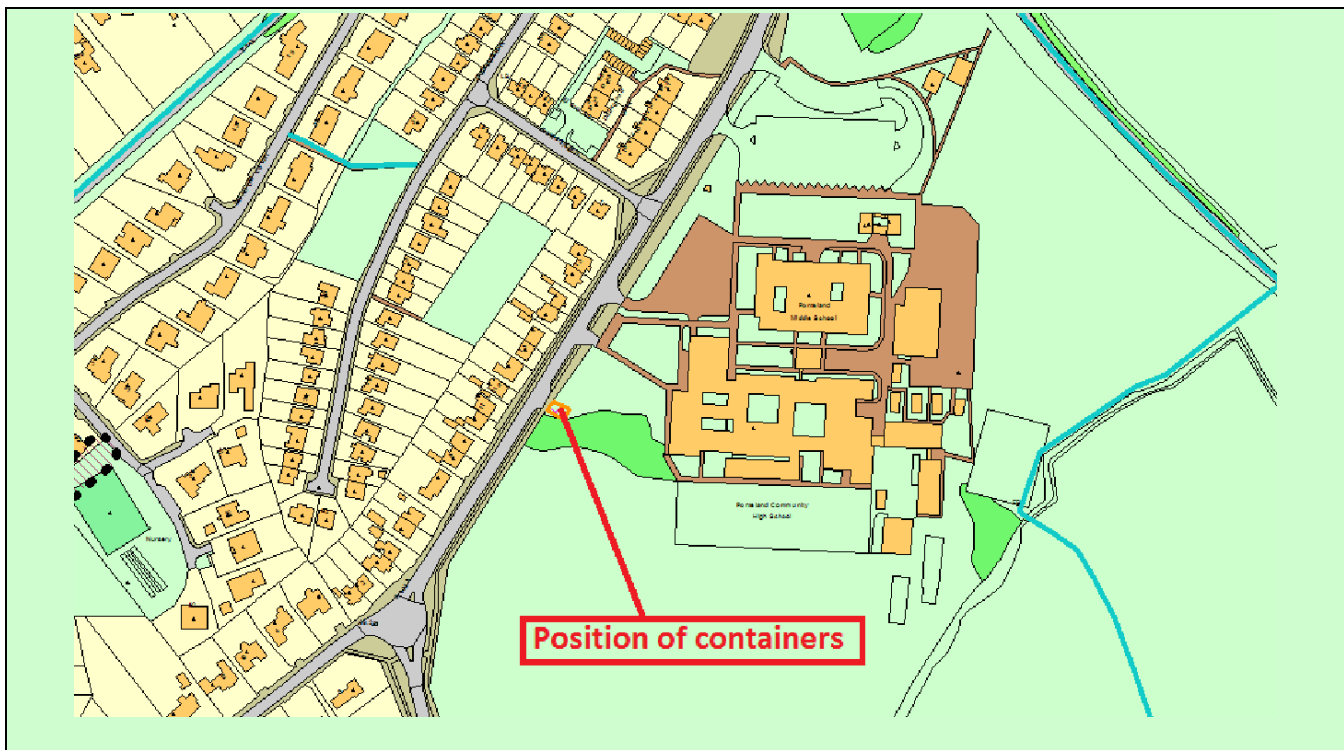




Northumberland County Council

Strategic Planning Committee 4 September 2018

Application No:	18/01772/CCD		
Proposal:	Retrospective: Temporary siting of 2no. steel storage containers for sports equipment		
Site Address	Ponteland High School, Callerton Lane, Ponteland, Northumberland NE20 9EY		
Applicant:	Northumberland County Council County Hall, Morpeth, Northumberland, NE61 2EF	Agent:	Mr Max Bertin Albany Court, Monarch Road, Newcastle Upon Tyne, NE4 7YB
Ward	Ponteland East And Stannington	Parish	Ponteland
Valid Date:	25 May 2018	Expiry Date:	20 July 2018
Case Officer Details:	Name: Mr Malcolm Thompson Job Title: Planning Officer Tel No: 01670 622641 Email: Malcolm.Thompson@northumberland.gov.uk		



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1. Introduction

1.1 Under the Council's Scheme of Delegation, the application falls to be referred to the Strategic Planning Committee as Northumberland County Council are the owner of the site and applicant.

2. Description of the Proposals

2.1 The application relates to the siting of 2 steel containers used for the storage of sports equipment and this school located on Callerton Lane, Ponteland, approximately 700 metres south of the town centre.

2.2 A site visit has shown the containers as already being in position and therefore, this application is deemed to be retrospective.

2.3 The containers are each shown as measuring 6.1 metres x 2.4 metres. They are located along the eastern boundary of the school and parallel to Callerton Lane. The two containers sit alongside each other and to the north west of the United Sports Pitch.

3. Planning History

Reference Number: C/94/CC/009

Description: Extension to sixth form unit

Status: Approved

Reference Number: C/94/CC/054

Description: Temporary access in connection with proposed extension to sixth form unit

Status: Approved

Reference Number: C/94/CC/045

Description: Temporary access from Callerton Lane in connection with proposed extension to sixth form unit

Status: Approved

Reference Number: C/94/CC/044

Description: Details of landscaping submitted pursuant to condition no. 4 of planning permission 94/CC/9 in respect of extension

Status: Approved

Reference Number: C/74/D/454

Description: Erection of youth block

Status: Approved

Reference Number: C/74/D/454A

Description: Renewal of temporary permission 74/D/454 for youth block

Status: Approved

Reference Number: C/76/D/493

Description: Erection of phase II on 0.06 ha

Status: Approved

Reference Number: C/10/00057/CCD

Description: Construction of a modular building. Ponteland High School, Callerton Lane, Ponteland, Newcastle upon Tyne, NE20 9EY.

Status: Approved

Reference Number: C/10/00112/DISCON

Description: Discharge of condition 3 (External Materials) pursuant to planning permission 10/00057/CCD

Status: Approved

Reference Number: 18/01074/CCD

Description: Installation of two storey temporary classroom building containing 10No. classrooms with associated staircases and WC facilities

Status: Pending consideration

Reference Number: CM/04/D/231/CC

Description: Alterations to main entrance to form enclosed draught lobby.

Status: No objection

4. Consultee Responses

Ponteland Town Council	No comment.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	0
Number of General Comments	0

Full details can be found at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OHEVTWQS0CR>

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

None.

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

PNP12 - Green Approach

Castle Morpeth District Plan, 2003

PC1 - settlement boundary

C4 & PC4 - Landscape corridor

C16 and C17 - Green Belt

6.2 National Planning Policy

National Planning Policy Framework, 2018

National Planning Practice Guidance, 2014 (as updated)

7. Appraisal

7.1 The main considerations in assessing this proposal are considered to be:

- Principle of development
- Impact within the green belt

Principle of Development

7.2 The main issues relating to the principle of the acceptability of the development are the extent to which the development accords with the neighbourhood plan and existing development plan for the area and their policies for development as well as the extent to which the development is consistent with the NPPF.

7.3 It is a requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration. Those policies contained within the recently "Made" version of the Ponteland Neighbourhood Plan (PNP) together with those "saved" policies of the Castle Morpeth District Local Plan are the starting point for determining applications as set out at paragraph 12 of the NPPF. However, the NPPF advises at paragraph 215 that local planning authorities (LPAs) are only to afford existing Local Plans material weight insofar as they accord with the NPPF.

7.4 Policy PNP1 of the PNP supports a presumption in favour of sustainable development in determining proposals. It seeks to ensure that development would minimise the impact on the amenity of residents and would protect or enhance the significance of heritage assets among other things.

7.5 The steel containers are sited within the grounds of the school and shielded by boundary hedging. In this respect, no concerns are raised with regards to any negative impact on the residents of Callerton Lane. The siting of the containers has also ensured there is no impact on biodiversity therefore the proposal is fully compliant with PNP1.

7.6 PNP2 seeks high quality and inclusive design in development. Clearly, with a proposal of this nature, the design is something very standard and fit for purpose. However, PNP2 requires that development respects the character of the site and its surroundings in terms of layout and location, massing, height, size and scale, none of which are considered to be compromised by this proposal given the siting of the containers within the school grounds.

7.7 PNP12 stipulates that development proposal affecting the Green Approaches identified on the Policies Map of the PNP should not significantly affect the character and amenity created by grass verges, trees and hedgerows in these areas. It is not considered that the two containers affect this Green Approach and the proposal therefore complies with this policy.

Impact on Green Belt

7.8 The school boundary forms the settlement boundary for Ponteland as provided-for in the Neighbourhood Plan and the Castle Morpeth Local Plan. As such, the application site lies within the Green Belt.

7.9 The NPPF does not allow for inappropriate development within the Green Belt. In considering appropriate forms of development, paragraph 145 (b) stipulates that the provisions of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation will be acceptable.

7.10 The containers have been sited behind the existing mature boundary hedge that forms the Green Approach as identified in policy PNP4 of the Ponteland Neighbourhood Plan "Made version" and also the landscape corridor as identified in policy PC4 of the Castle Morpeth District Local Plan. The hedge is approximately 1.8 metres in height and is flanked by a small woodland area within the site. Given that the containers have a dark colour finish and as they are only 2.1 metres in height, they are barely visible from within the adjacent public realm, especially with the large school buildings as a back-drop when viewed from within the public domain.

7.11 The containers have been positioned a sufficient distance behind the hedgerow so as not to impact on their root systems, nor indeed those of the nearby trees. "Saved" policy C17 of the Local Plan allows for the development within the green belt provided they are essential for outdoor sports and recreation. Although the containers have been placed for the benefit of the school, they provide secure storage for sports equipment and as such, it could be reasonably argued that their siting does not conflict with the Local Plan policy or indeed that within the Neighbourhood Plan, or the NPPF.

Other matters

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 The main planning considerations in determining this application have been set out and considered above whilst having regard to the appropriate neighbourhood plan and local plan policies. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the aforementioned policies and the NPPF on the matters of relevance in this case.

9. Recommendation

That this application be GRANTED retrospective planning permission subject to the following:

Conditions/Reason

01. The containers hereby granted planning permission shall be removed in their entirety on or before 31 December 2021 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.

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown in drawing numbers 002 dated 12.05.2018 and 003 dated 25.05.2018.

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

Date of Report: 11th July 2018

Background Papers: Planning application file(s) 18/01772/CCD