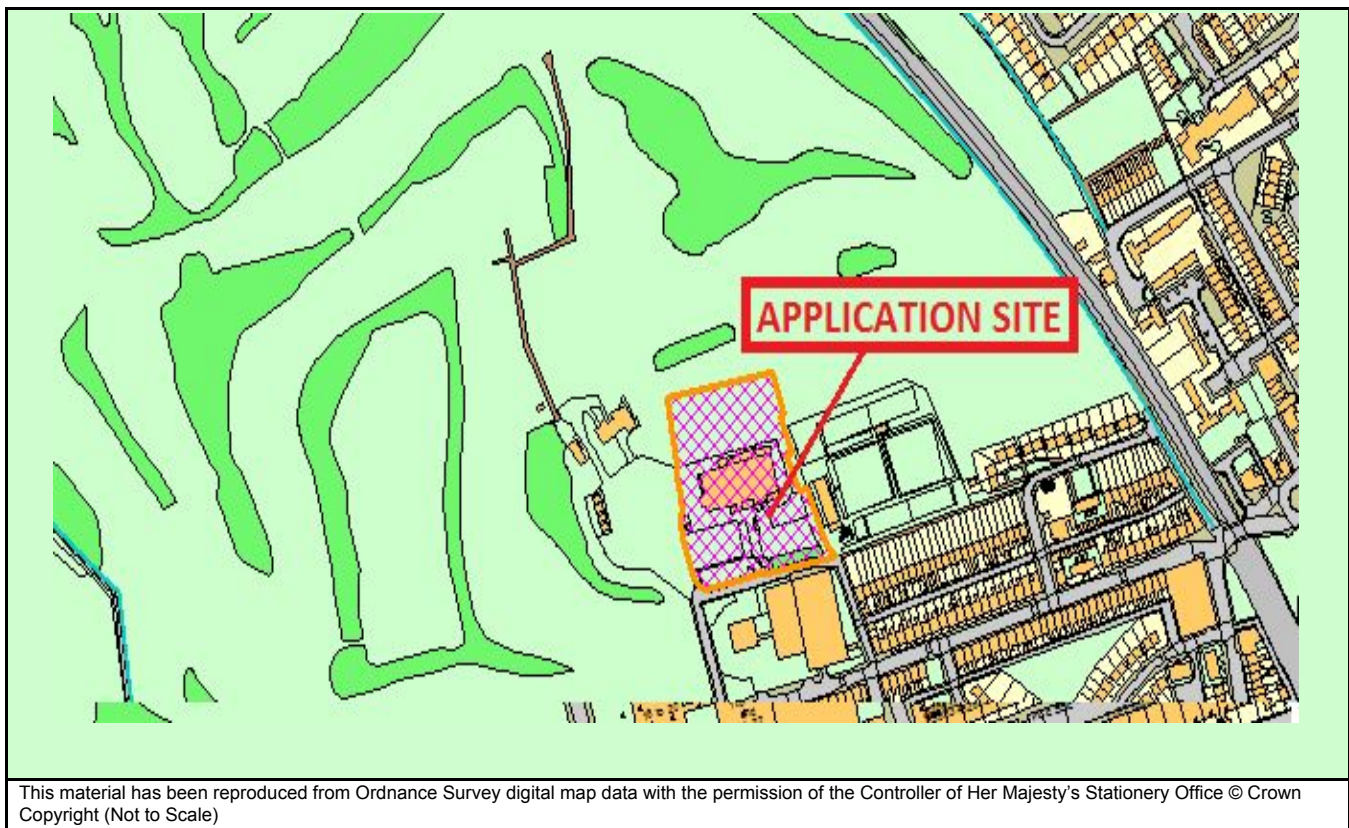


Northumberland County Council

Strategic Planning Committee 05 February 2019

Application No:	18/03806/CCD		
Proposal:	Single storey flat roof extension to existing primary school providing three additional teaching spaces with relocated reception and offices as amended by plans received 12/12/18 and supplemented by Construction Management Plan received 17/12/18.		
Site Address	New Delaval Primary School , Beatrice Avenue, Blyth, NE24 4DA		
Applicant:	Mr Mark Elliott County Hall, Morpeth, NE61 2EF	Agent:	Mr Chris Allan NE40 Studios, Main Road, Ryton, NE40 3GA
Ward	Newsham	Parish	Blyth
Valid Date:	21 November 2018	Expiry Date:	16 January 2019
Case Officer Details:	Name: Mr Malcolm Thompson Job Title: Planning Officer Tel No: 01670 622641 Email: Malcolm.Thompson@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Strategic Planning Committee as it would involve a County Council development on Council-owned land.

2. Description of the Proposals

2.1 The application has been submitted on behalf of the County Council's Education Directorate and seeks Planning Permission for the erection of a single storey extension flat roof extension measuring 24 metres x 15 metres upon the front of the existing building at this fairly modern primary school located in Beatrice Avenue, Blyth.

2.2 New Delaval Primary School is located to the South and West of Blyth town centre with close proximity of access to the A189 main arterial route. There are residential properties to the immediate south with the remainder of the school being enclosed by Blyth Golf Course.

2.3 The extension is shown as providing three new classrooms together with ancillary accommodation. A new entrance area together with revised parking is also proposed.

2.4 The supporting information accompanying the application offers that the County Council has identified the school as requiring additional capacity so as to meet a projected increase in pupil numbers in the next few years. The proposed extension will provide that additional capacity for both pupils and staff.

3. Planning History

Reference Number: C/75/C/110

Description: Erection of nursery unit

Status: Approved

Reference Number: B/01/00418/CPO

Description: Proposed extension

Status: Approved

Reference Number: C/02/00162/CCD

Description: Classroom extension

Status: Approved

Reference Number: B/02/00372/CPO

Description: Proposed classroom extension (C/02/00162/CCD)

Status: No objection

Reference Number: C/06/00041/CCD

Description: Siting of one temporary unit

Status: Approved

Reference Number: B/06/00122/CPO

Description: Siting of one temporary unit

Status: NBBVBC

Reference Number: C/08/00029/CCD

Description: Demolition of the existing New Delaval first school and construction of a new school to accommodate 210 pupils

Status: Approved

Reference Number: B/08/00112/CPO

Description: Demolition of the existing New Delaval First School and construction of a new school to accommodate 210 pupils.

Status: NBBVBC

Reference Number: C/09/00151/CCDDET

Description: Discharge of conditions 3, 4, 6, and 30 pursuant to planning permission 08/00029/CCD

Status: Approved

Reference Number: C/09/00204/DISCON

Description: Discharge of condition 19, provision and location of sheltered secure cycle parking facilities pursuant to planning permission 08/00029/CCD

Status: Approved

Reference Number: C/10/00047/DISCON

Description: Discharge of condition 9 relating to replanting scheme pursuant to planning permission 08/00029/CCD

Status: Approved

Reference Number: 11/01907/CCD

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

Status: Approved

Reference Number: 14/02234/CCD

Description: Construction of separate new building to the front of the existing school for the provision of early years learning

Status: Approved

Reference Number: 15/00380/DISCON

Description: Discharge of condition 3 relating to planning permission 14/02234/CCD (Construction of separate new building to the front of the existing school for the provision of early years learning)

Status: Approved

Reference Number: 15/00405/NONMAT

Description: Non-material amendment from application 14/02234/CCD (construction of separate new building to the front of the existing school for the provision of early years learning).

Status: Approved

4. Consultee Responses

Highways	No objection - condition and informatives offered.
County Ecologist	No objection - informative offered.
Highways	No response received.
Blyth Town Council	No response received.
The Coal Authority	No objection.
Strategic Estates	No comment.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	18
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice, 22nd November 2018

No Press Notice Required.

Summary of Responses:

None.

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=PH5WM2QSJVN00>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Core Strategy 2007:
ENV2 - Historic and Built Environment
C1 - Educational Facilities

SS3 - Sustainability
ENV1 - Natural Environment & Resources
ENV2 - Historic & Built Environment

Development Control Policies Document 2007:
DC1 - General Development
DC12 - Provision of Community Facilities
DC27 - Design of New Developments

6.2 National Planning Policy

National Planning Policy Framework 2018 (NPPF)
National Planning Policy Guidance (NPPG) 2014

6.3 Other documents/strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19)

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

7. Appraisal

7.1 The main considerations in assessing this proposal are:

- principle of development;
- visual impact;
- ground condition;
- ecology;
- parking; and
- amenity.

Principle of development

7.2 The NPPF operates under a presumption in favour of sustainable development and states that development proposals, which accord with the development plan should be approved without delay. The adopted Development Plan for the area within which the application site is located comprises the Blyth Valley Core Strategy, Blyth Valley District Local Plan and the Northumberland Draft Local Plan (Reg 19).

7.3 The proposed extension will provide additional capacity so as to meet a projected increase in pupil numbers in the next few years, thereby complying with policy DC12 of the Blyth Valley DPD and the relevant policies of the Northumberland Draft Local Plan. There are no in-principle objections to the works and they are therefore in accordance with the objectives of the NPPF.

Visual impact

7.4 In terms of the visual impact of the proposed extension, although it would be located to the front of the school and near the access road, it would remain subservient to the main school. The extension itself is not proposed to be of great proportions. Materials are proposed to match those of the existing school building(s) therefore in visual terms it is considered that the proposal complies with policies ENV2 and DC27.

Ground condition

7.5 Policy SS3 of the Blyth Valley Borough Council Core Strategy requires the Council to be satisfied before granting planning permission for new development, there would be no physical or environmental constraints on the development of the land as a result of contamination, flood risk, and/or land instability which could not be resolved without a detrimental impact on the environment.

7.6 Records produced by The Coal Authority and held by the Council indicate that the application site falls within the defined "Development High Risk Area. There are coal mining features and hazards in the immediate area which need to be considered in relation to this proposal. The application has been accompanied by an appropriate Phase 1: Desk Top Study & Coal Mining Risk Assessment prepared by a specialist in such matters and in response to formal consultation, The Coal Authority agrees with the findings and recommendations therein. The site is considered unlikely to be at risk from surface instability arising from past coal mining activity and no further assessment or investigations are required. No objections are raised to the proposal. Officers consider that the proposal complies with policy SS3 of the Core Strategy.

Ecology

7.7 As mentioned above, and despite being a "Brownfield" site, the application site is bounded to the north and west by Blyth Golf Course which despite being essentially reclaimed/restored land, contains a number of trees and hedgerows. Policy ENV1 of the Core Strategy requires the natural environment and biodiversity, land, water and air resources will be protected and enhanced.

7.8 The application is accompanied by a Design & Access Statement which contains correspondence from the Council's Ecologist in which it is noted that a "pre-application" site visit was undertaken in October. It was noted then that the existing building is very tightly sealed and there are no potential roost features (PRF's) for bats or openings which could be utilised by nesting birds. Nevertheless, it was offered at that time that any works should be avoided during the period March - August unless a suitably qualified ecologist has confirmed nests are absent given the protection afforded to nesting birds under the Wildlife and Countryside Act. It was also offered that all persons working on the site should be fully briefed of their legal responsibilities and the need to stop work immediately and seek advice if any bats or nesting birds are discovered during works.

7.9 Upon receipt of the application, the County Ecologist was formally consulted and in response notes that a bat risk assessment has been undertaken and the building is very well sealed being of modern construction. Accordingly there is negligible risk of bats using the building. There is a risk that birds nests will be damaged upon the commencement of works during the breeding season (typically

mid-March to mid-August). All wild birds and active nests are protected and it is an offence to intentionally destroy nests or dependent young when on or near the nest, or to kill or take them. As such, developers should be made aware 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 of this risk. Accordingly, and given that there is a small risk of nesting birds using the site, an appropriate informative is proposed in the event of planning permission being granted.

Parking

7.10 As a result of the extension, six additional full time staff would be employed. There is parking within the school grounds and unrestricted parking within the surrounding streets. Additional educational facilities are encouraged by the Council in line with Policies CF1 and DC12, however, the impact on the potential number of vehicles arriving at the school to drop off and collect children needs to be considered.

7.11 The Highways Engineer has assessed the site and considers there to be no increased risk to the health and safety of pedestrians and children as a result of the proposal. In response to consultation and despite the significant increase in the level of traffic in the immediate area has risen significantly in recent years given the neighbouring Golf Club and the recently constructed dwellings at Fairway Drive (site of the former Plessey Road Workshops), the Highways Engineer considers that the development would not affect the existing parking and manoeuvring space and vehicular access. An additional 8 parking spaces are shown as being provided which is considered acceptable for this size of development.

7.12 Following initial comments the applicant has since provided a construction method statement identifying access routes to the site, vehicle cleaning facilities, parking for site operatives, and storage/loading and unloading areas. The proposed site also layout includes provision for a relocated cycle storage area. The Highways Officer raises no objections to the proposal and considers the proposal to be in keeping with the NPPF. However, it is offered that appropriate pre-occupation conditions be imposed in any planning permission granted requiring the consolidation of the parking area the submission of details in respect of surface water drainage.

Amenity

7.13 To the north and west of the site is the golf club and golf course. To the south is Fairways Avenue, a recently constructed residential development comprising 38 dwellings for which planning permission was granted in 2015.

7.14 The proposed extension would sit between the original school completed in 2008 and a detached Early Years facility for which planning permission was granted in late 2014. A separation distance of approximately 40 metres would be retained between the proposed extension and the nearest dwelling in Fairways Avenue therefore it is considered that the closest residents to this site would not experience any disturbance from the new building. As such, the proposal complies with policy DC1 of the Blyth Valley Development Control Document 2007

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 well-being 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 application has been assessed against national and local plan policies and no issues have been raised. The proposal is therefore recommended for approval, subject to conditions.

8.2 The main considerations in determining this application have been set out and considered above whilst having regard to the appropriate local plan policies. The

application has also been considered against the relevant sections within the Blyth Valley District Local Plan, Blyth Valley Core Strategy, and the National Planning Policy Framework 2018 (NPPF), and there is not considered to be any conflict on the matters of relevance in this case. The proposed development would ensure the provision of long-term educational facilities for the immediate area.

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 facing materials and finishes to be used in the construction of the hereby approved extension(s) and / or alteration(s) shall match the corresponding materials of the existing building in respect of colour, size, shape and texture.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Blyth Valley policy DC27.

03. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown in the following drawings and documents:

Proposed Site Plan - Drawing no. 200-01 (Revision 04) dated 11/12/18;
Proposed Site Landscape - Drawing no. 200-04 (Revision 02) dated 11/12/18;
Construction Management Plan - Drawing no. 200-05 (Revision 03) dated 11/12/18;
Proposed Floor Plan - Drawing no. 210-01 (Revision 09) dated 07/12/18;
Proposed Roof Plan - Drawing no. 210-02 (Revision 04) dated 11/12/18; and
Proposed Elevations - Drawing no. 220-01 (Revision 07) dated 07/12/18.

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

04. 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.

Date of Report: 28 December 2018

Background Papers: Planning application file(s) 18/03806/CCD

