

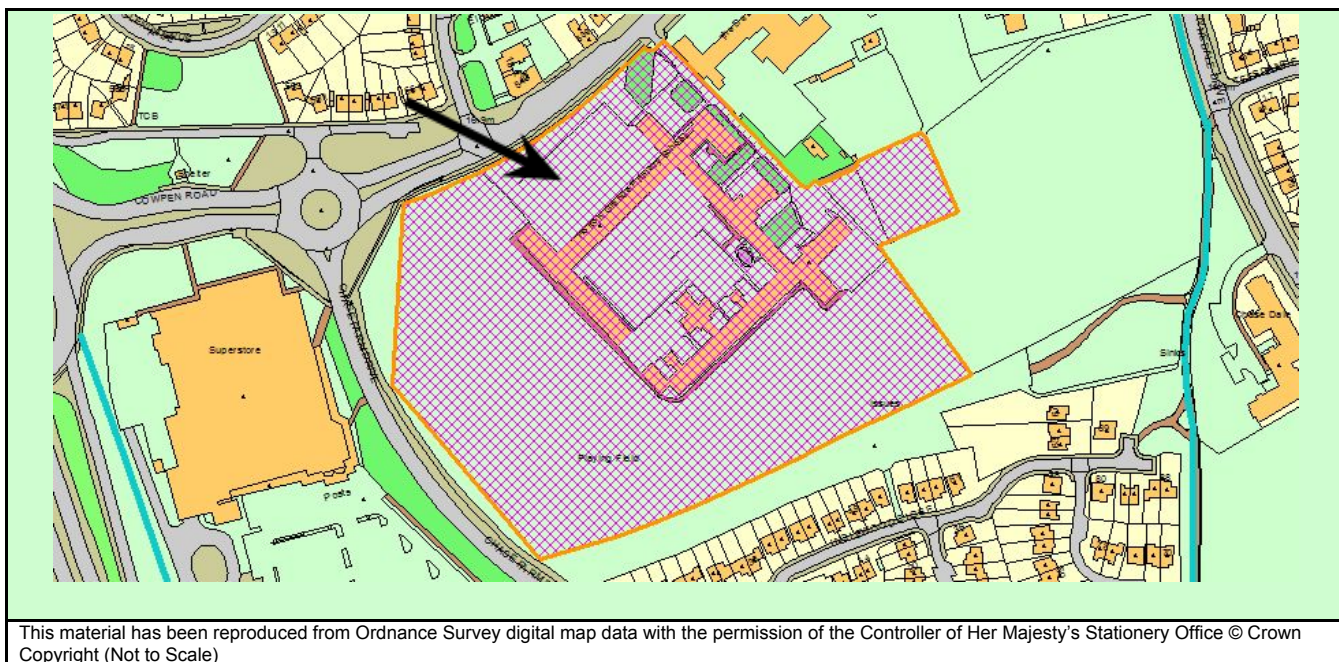


Northumberland County Council

Strategic Planning Committee 2nd April 2019

Application No:	18/04141/CCD		
Proposal:	Proposed classroom extension including sanitary accommodation to the north facing corridor.		
Site Address	Horton Grange Primary School, Cowpen Road, Blyth, Northumberland NE24 4RE		
Applicant:	Northumberland County Council, County Hall, Loansdean, Morpeth, Northumberland NE61 2EF	Agent:	Mr Max Bertin Albany Court, Monarch Road, Newcastle, Tyne And Wear, NE4 7YB
Ward	Kitty Brewster	Parish	Blyth
Valid Date:	3 December 2018	Expiry Date:	28 January 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



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 involves a County Council development on Council owned land, with Northumberland County Council the registered applicant.

2. Description of the Proposals

- 2.1 Planning permission is sought for the construction of a single storey classroom extension at Horton Grange Primary School, Cowpen Road, Blyth.
- 2.2 The proposed extension would be situated upon the North West facing elevation of the existing building, measuring 24.1 metres in length by 19.8 metres in width. A slightly sloped flat roof would be incorporated upon the addition, measuring 2.9 metres in height with a central roof light protruding a further 0.5 metres from the roof slope.
- 2.3 The proposal would be constructed using brick and white rendered walls, a single ply membrane roofing and aluminium fenestration with the palette of materials chosen to match the existing school.
- 2.4 The proposed addition to the school is to facilitate the need to expand teaching space at the site for the upcoming 2019/2020 school year to accommodate an additional 100 pupils.

3. Planning History

Reference Number: C/E/C/027

Description: Surplus education land

Status: Reply sent

Reference Number: C/02/00004/CCD

Description: Formalisation of car park

Status: Permitted

Reference Number: B/02/00026/CPO

Description: Formalisation of car park in school playground

Status: No objection

Reference Number: C/04/00190/CCD

Description: Construction of external ramp

Status: Permitted

Reference Number: C/09/00073/CCD

Description: Creation of car park on existing hard surface and erection of pedestrian gates and entrance to Cowpen Road

Status: Permitted

Reference Number: C/09/00134/DISCON

Description: Discharge of condition 3 relating to details and colours for the canopy, ramp and railings pursuant to planning permission 09/00073/CCD

Status: Permitted

Reference Number: C/10/00183/DISCON

Description: Discharge of condition 10 (Traffic Management Scheme) pursuant to planning permission 09/00073/CCD

Status: Permitted

Reference Number: 11/01984/CCD

Description: Installation of solar photo voltaic panels on the buildings roof

Status: Permitted

Reference Number: 13/01371/CCD

Description: Proposed placing of modular building onto the playground area the the front of the school.

Status: Permitted

Reference Number: 13/03122/DISCON

Description: Discharge of conditions 1 and 3 relating to planning permission 13/01371/CCD (Proposed placing of modular building onto the playground area at the front of the school)

Status: Permitted

Reference Number: 18/01523/CCD

Description: Proposed extension and alterations

Status: Withdrawn

4. Consultee Responses

Blyth Town Council	No response received.
Strategic Estates	No comment.
Highways	No objection subject to conditions and informatives.
The Coal Authority	No objections.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	33
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice, 13th December 2018

No Press Notice Required.

Summary of Responses:

None received

6. Planning Policy

6.1 Local Planning Policy

Blyth Valley District Local Plan (1999, saved policies 2007) (BVDLP)

Policy C10 – Educational facilities

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

Policy DC1 – General development
Policy DC12 – Community facilities
Policy DC27 – Design of new developments

Blyth Valley Core Strategy (2007) (BVCS)

SS1 – Regeneration and renaissance of Blyth Valley
SS3 - Sustainability Criteria
ENV2 - Historic and Built Environment
Policy C1 – Educational facilities

6.2 National Planning Policy

National Planning Policy Framework (2019) (NPPF)
National Planning Policy Practice Guidance (2018) (NPPG)

6.3 Other Documents/Strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLPPD)

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
Policy TRA 2- Effects of development on transport network
Policy TRA 4 – Parking provision in new development
Policy POL 1- Unstable and contaminated land

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 District Local Plan (BVDLP), Blyth Valley Development Control Policies Document (DPD) 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 impacts;
- Coal risk.

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 Northumberland Local Plan Publication Draft Plan (regulation 19) can therefore be given some weight in the assessment of this application.

Principle of development

- 7.2 The NPPF, specifically paragraph 94, in part advises that Local Planning Authorities should give "great weight to the need to create, expand or alter schools". In turn, this is reflective of the "great importance" that Central Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and is also consistent with the proactive, positive and collaborative approach that local planning authorities should take in seeking to satisfy Central Government's aim and in terms of development that will widen choice in education.
- 7.3 Fundamentally, with regard to the development in this application, it is considered that this is wholly consistent with the principal aim of Central Government and with the approach advised to be exercised by a Local Planning Authority. Importantly, the development will significantly contribute to the overall provision of a sufficient choice of school places being made available to meet the needs of existing and new communities. It is further considered that the Council's overall approach, again entirely consistent with the approach advocated in NPPF paragraph 94, has been proactive, positive and collaborative.
- 7.4 Moving on to local planning policies, policy DC1 of the Blyth Valley DPD, read in conjunction with the Local Plan proposals map, outlines that development should be situated within recognised settlements. The application site is situated within the designated settlement boundary for Blyth and proposes works upon an already developed site.
- 7.5 Taking the above into consideration, it is therefore officer opinion that the principle of development on site is considered acceptable, in accordance with relevant national and local planning policies detailed above.

Design and visual character

- 7.6 Policy DC27 of the DPD notes that new development will be expected to achieve a high standard of design, whilst incorporating sustainable construction measures and reflecting local distinctiveness. The provisions of this policy are closely mirrored within the NPPF which at paragraph 124 recognises good design as a key aspect of sustainable development. Paragraph 127 of the NPPF goes on to note that developments should 'function well and add to the overall quality of the area' whilst being 'sympathetic to local character and history, including the surrounding built environment and landscape setting'.
- 7.7 Policy QOP 1 of the NLPPD is also relevant in the assessment of this proposal which details that developments should 'create or contribute to a strong sense of place and integrate the built form of the development with the

site overall, and the wider local area' whilst incorporating 'high quality aesthetics, materials and detailing'.

- 7.8 Due to the siting of the extension upon the North West facing elevation of the existing primary school, the proposed works would be heavily visible within the public domain with the A193 public highway running adjacent to the school frontage. The use of matching materials upon the extension to that of the existing school is welcomed to ensure that the character of the original building is retained despite the addition whilst also not detracting from the character of the site in general. The single storey nature of the extension along with the form and massing ensure that it is viewed as a subordinate addition to the school with fenestration appropriately sited upon the build in a uniform design. The site specifics allow for this extension upon existing hardstanding without resulting in overdevelopment of the site with it recognised by the officer a separation distance of approximately 23.4 metres would still be retained from the extension to the existing northern boundary fence.
- 7.9 It is therefore officer opinion that the proposed works accord with policy DC27 of the Blyth Valley DPD, the NPPF and policy QOP 1 of the NLPPD in terms of high quality visual appearance and design.

Residential amenity impact

- 7.10 Whilst recognising that the proposed classroom would be visible within the public domain, the nearest residential properties are situated approximately 40 metres from the development, with a public highway separating the two sites. As such, there would be no detrimental impact upon residential amenity caused by the proposal, in accordance with the NPPF and policy QOP 2 of the NLPPD.

Highways impacts

- 7.11 Consultation was carried out with the local authority's highways team in relation to the application to allow an assessment upon the highways safety at the application site. Following initial discussions between the highways team with the applicant and agent, further information was provided in relation to a travel plan, transport statement and existing and proposed parking numbers. The submission of this further information allowed a detailed assessment to be carried out.
- 7.12 Within the consultation response provided by the highways authority, it was confirmed that they would raise no objection to the proposal following the submission of this updated information. Parking provision at the site is considered acceptable to accommodate the additional pupil, and therefore staffing, levels at the school with an overspill area at the site providing another 13no spaces to the existing 42no.
- 7.13 To reduce the amount of conditions attached to any decision if the LPA were seeking to approve, a construction method statement and logistics plan were provided as part of the additional details. An assessment of these documents has been carried out by highways DM who have determined the submitted

information as acceptable to ensure there would be no detrimental impacts upon highways safety during construction works at the application site. A condition is to be attached to any approval outlining that the details within this construction method statement must be adhered to at all times.

- 7.14 It is therefore considered that following the submission of further information, highways DM are satisfied that the proposal can be implemented at the site without resulting in any adverse impacts upon highways safety. As such, the proposed development is considered acceptable in accordance with the NPPF in relation to highways safety, subject to relevant conditions being attached to any approval.

Coal risk

- 7.15 The application site is recognised as being situated within a high risk development area, therefore, a coal risk assessment along with further site investigation reports form part of the submitted details to allow consultation with The Coal Authority. A consultation response was provided by The Coal Authority in which they raised no objection against the proposal following assessment of these submitted details, recommending a condition be attached to any approval that the site investigations as detailed within the phase 2 report be carried out prior to the commencement of development at site. The applicant has agreed to the attaching of this condition to any permission if the LPA are seeking to approve the application.

Equality Duty

- 7.16 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

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

Human Rights Act Implications

- 7.18 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.

- 7.19 For an interference with these rights to be justifiable the interference (and 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.
- 7.20 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 development would accommodate the increase in pupils at the school from the 2019/20 school year with the principle of development upon an existing school site considered acceptable. The planning officer is of the opinion that the development would not have a significant adverse impact on visual or residential amenity with technical matters in regards to highways safety and ground stability appropriately addressed as part of the application. It is therefore recommended that planning permission be granted.

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 otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan (received 3rd December 2018)
2. Proposed elevations drawing no. FG002 (received 3rd December 2018)
3. Part proposed plan and playground context drawing no. FG008 (received 3rd December 2018)
4. Proposed roof plan drawing no. FG003 (received 3rd December 2018)
5. Proposed site layout drawing no. FG006 (received 3rd December 2018)

6. Phase 2 site investigation report S181039/SI (received 19th December 2018)
7. Construction method statement (received 11th March 2019)
8. Construction method statement logistics plan (received 11th March 2019)
9. Proposed parking layout drawing no. FG011 (received 12th March 2019)

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

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

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

04. Prior to the commencement of development, further site investigations as outlined within the Phase 2 Site Investigation Report (S181039/SI, dated November 2018) prepared by Solmek must be carried out in accordance with the report details in order to inform the extent of remedial works required . A log of these investigations must be retained by the applicant following the works.

Reason: To ensure adequate ground stability at the application site in accordance with policy POL1 of the Northumberland Local Plan Publication Draft (regulation 19) and National Planning Policy Framework .

05. The approved Construction Method Statement and plan shall be adhered to throughout the construction period of the development.

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

06. The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

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

07. 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.

08. 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.

09. 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.

Informatives

- 1) 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) 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) In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.
- 4) Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area

our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:
<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>.

Date of Report: 14th March 2019

Background Papers: Planning application file(s) 18/04141/CCD