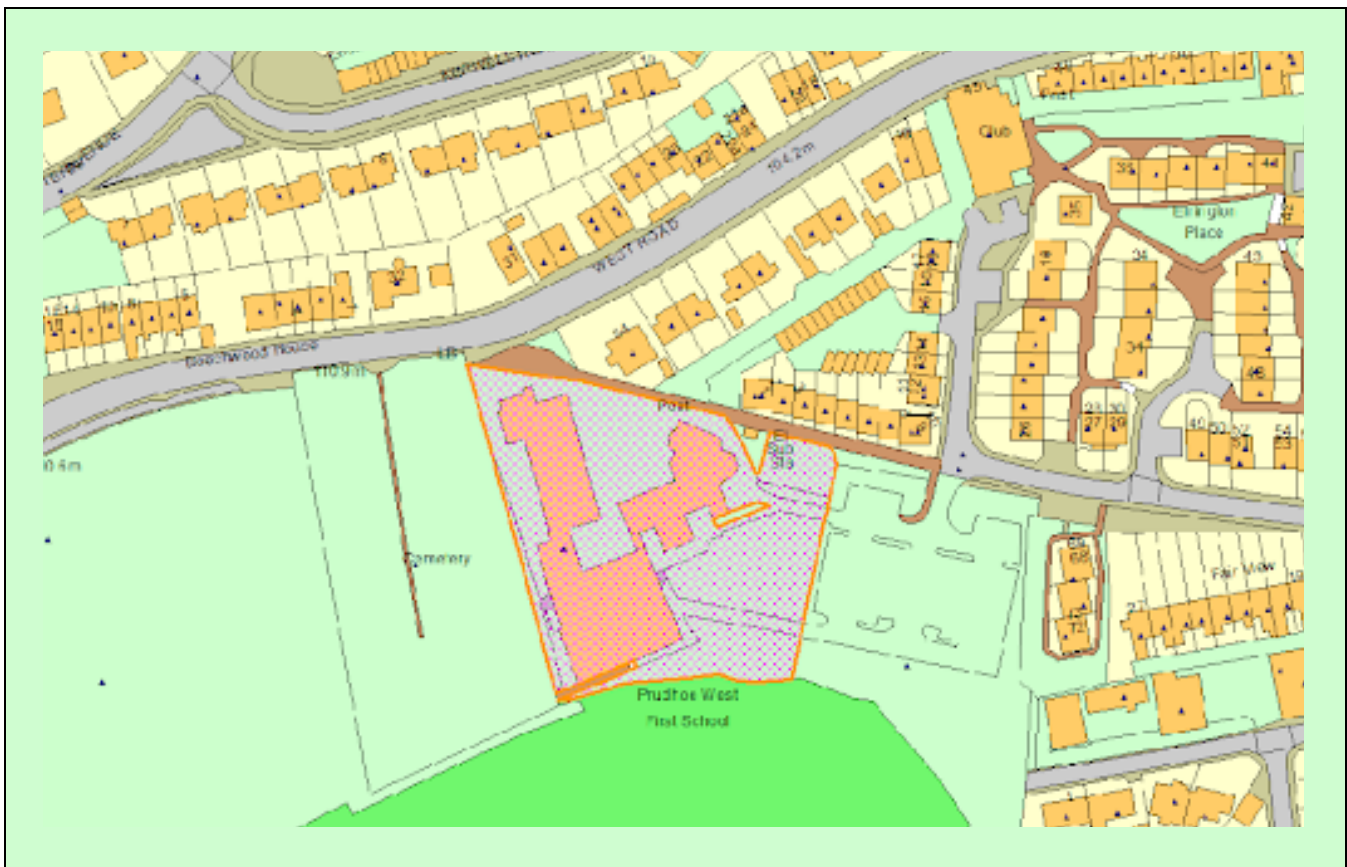




# Northumberland County Council

Tynedale Local Area Council Planning Committee  
26 September 2018

<b>Application No:</b>	18/02065/FUL		
<b>Proposal:</b>	Loft conversion to provide new staff room, combining 4no. existing rooms to provide 2no. enlarged classrooms and new external stair (As amended 30/07/2018)		
<b>Site Address</b>	Prudhoe West First School , West Road, Prudhoe, NE42 6HR		
<b>Applicant:</b>	Zoe Carr WISE Academies Head Office, Borodin Avenue, Sunderland, SR5 4NX	<b>Agent:</b>	Benjamin Kinch Peterel Field Business Village, Dipton Mill Road, Hexham, NE46 2JT
<b>Ward</b>	Prudhoe North	<b>Parish</b>	Prudhoe
<b>Valid Date:</b>	12 June 2018	<b>Expiry Date:</b>	12 September 2018
<b>Case Officer Details:</b>	Name: Mr Callum Harvey Job Title: Planning Officer Tel No: 01670 623625 Email: Callum.Harvey@northumberland.gov.uk		



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## 1. Introduction

- 1.1 The application site is Council owned land which is leased to the applicant. The application is therefore brought before the West Local Area Council committee for determination in accordance with the current scheme of delegation.

## 2. Description of the Proposals

- 2.1 Planning permission is sought for the conversion of an existing loft space above a classroom to be used as a staff room, the installation of 5 velux roof windows for the proposed staff room, the combination of 4 existing classrooms into 2 classrooms, and the construction of an external staircase to the eastern elevation of the Octagonal classroom at Prudhoe West First School.
- 2.2 The proposed staff room would be located within the existing loft space above Classroom 1. The proposal includes the installation of 5 velux roof lights to provide natural sunlight to this new room. The openings would feature white upvc frames to match existing window frames on the building. Aside from the addition of these openings no further amendments are proposed to the existing roof.
- 2.3 The proposed staircase would be located to the eastern elevation of the Octagonal classroom, to improve access to the building from the yard outside. The precast concrete staircase would measure 1m in height and would feature a metal hand rail. A new doorway would be created in the side elevation of the building for the staircase. The dimensions of the staircase would allow sufficient space for an emergency vehicle between it and the site boundary fence.

## 3. Planning History

**Reference Number:** C/00/CC/56

**Description:** Construction of replacement kitchen / dining hall

**Status:** Permitted

**Reference Number:** C/99/CC/35

**Description:** Construction of extension to form additional classroom

**Status:** Permitted

**Reference Number:** C/74/E/654

**Description:** Erection of a nursery unit

**Status:** Permitted

**Reference Number:** C/01/00147/CCD

**Description:** Construction of multipurpose hall

**Status:** Permitted

**Reference Number:** C/03/00042/CCD

**Description:** Extension and resurfacing of car parking

**Status:** Permitted

**Reference Number:** C/03/00107/CCD

**Description:** Construction of extension to provide additional staffroom accommodation

**Status:** Permitted

**Reference Number:** C/06/00111/CCD

**Description:** Construction of conservatory entrance

**Status:** Permitted

**Reference Number:** T/20090325

**Description:** Construction of outdoor playground equipment and wooden shelter for parents

**Status:** Permitted

**Reference Number:** T/20060883

**Description:** Northumberland County Council (Ref 06/0111/CCD) Construction of conservatory entrance

**Status:** No Objection

**Reference Number:** T/74/E/654

**Description:** Erection of a Nursery Unit all as shown on drawings No's. E/353/2 & 3 and 1/500 site plan.

**Status:** Permitted

**Reference Number:** T/20030688

**Description:** County Council: 03/00107/CCD - Construction of extension to provide additional staffroom accommodation

**Status:** No Objection

**Reference Number:** T/20030313

**Description:** County Council: 03/00042/CCD - Extension and resurfacing of car park

**Status:** No Objection

**Reference Number:** T/990484

**Description:** Construction of extension to form additional classroom

**Status:** No Objection

**Reference Number:** T/20010601

**Description:** County Council (01/00147/CCD) Construction of multipurpose hall (As amended) at

**Status:** No Objection

**Reference Number:** T/20000847

**Description:** 00CC56 - Replacement kitchen/dining hall at

**Status:** No Objection

#### 4. Consultee Responses

Prudhoe Town Council	Support
Education - Schools	The proposal is not residential and does not result in additional pupils so no Education contribution is required

Public Protection	Consultation returned without comment as it falls below the risk appetite for Public Protection.
County Ecologist	No response received.
Highways	No objection, subject to the use of recommended conditions and informatives.

## 5. Public Responses

### Neighbour Notification

Number of Neighbours Notified	10
Number of Objections	0
Number of Support	0
Number of General Comments	0

### Notices

General site notice displayed on 21<sup>st</sup> June 2018  
No Press Notice Required.

### 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>

## 6. Planning Policy

### 6.1 Development Plan Policy

*Tynedale LDF Core Strategy 2007*

GD1 Locational policy setting out settlement hierarchy  
GD4 Principles of transport and accessibility  
BE1 Principles for the built environment

*Tynedale District Local Plan 2000*

GD2 Design Criteria for development, including extensions and alterations  
GD4 Accessibility and safety of the highway network  
CS19 Development which could give rise to environmental problems

### 6.2 National Planning Policy

6.3 Other documents/strategies

Northumberland Local Plan – Draft Plan for Regulation 18 Consultation (July 2018)

**7. Appraisal**

7.1 The main issues for consideration in the determination of this application are:

Principle of the development  
Design and visual impact  
Impact on residential amenity  
Highways  
Coal Mining Risk Area

Principle of the development

7.2 The application site lies within the town of Prudhoe. Policy GD1 of the Tynedale Core Strategy states that main towns of Tynedale will be the main focus of development. It is considered that the proposed alterations to the existing building would be appropriate development in this location and is therefore acceptable in accordance with Policy GD1 of the Tynedale Core Strategy and the NPPF.

Design and visual impact

7.3 The proposal seeks to install 5 velux roof windows to the roof of an existing loft space which is proposed to be converted into a staff room. The proposed scale, positioning and appearance of these openings are typical velux windows. The proposed use of white upvc frames would match the existing window frames on the building. The proposed windows are considered sympathetic to the appearance of the existing building and the streetscene.

7.4 The proposal also seeks to construct a 1m high precast concrete external staircase. The staircase itself would feature painted graffiti wall art to match the existing elevations of the building. The design of the proposed metal handrail is typical of this type of development. The staircase would be visible from public vantage points to the north east of the application site though its location and scale would not be adversely prominent within the streetscene.

7.5 The proposed works would not have a significant adverse impact on the visual amenity of the existing building or street scene. The proposal is therefore considered acceptable in terms of design in accordance with Policy BE1 of the Tynedale LDF Core Strategy, Policy GD2 of the Tynedale District Local Plan and the NPPF.

Impact on residential amenity

7.6 The proposed openings would be visible from public vantage points, though it is considered that the openings would not lead to overlooking on neighbouring properties to the north of the application site. The proposal has been assessed and

is not considered to have an adverse impact on the residential amenity of nearby dwellings. The proposals are therefore considered acceptable in this respect, in accordance with Tynedale LDF Core Strategy Policy BE1, Tynedale District Local Plan Policy GD2 and the NPPF.

### Highways

- 7.7 The Highways Authority have been consulted on the application, and have raised no objection subject to the use of recommended conditions and informatives. Highways Development Management recommended the use of a condition requiring details of a Construction Method Statement to be submitted for consideration and approval prior to works commencing. The Highways Authority also consider that the proposed conversions of the existing classrooms would not lead to a significant increase in number of pupils at the school, however an updated Travel Plan would still be required for consideration. A condition ensuring this is submitted within a reasonable time frame has therefore been recommended to be imposed.
- 7.8 Subject to the use of conditions as set out above, it is considered that the proposed works would not lead to an unacceptable increase in traffic on the local road network, would maximize the use of sustainable transport and would not lead to a highway safety risk. The proposals are therefore in accordance with Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan and the NPPF.

### Coal Mining Risk Area

- 7.9 The site lies within the High Risk Coal Working Area as identified by the Coal Authority.
- 7.10 It is considered that the proposed works would not require a Coal Mining Risk Assessment to be submitted, and that the proposal would not lead to a safety or stability risk in respect of shallow coal mining risks across this site. The works are therefore considered acceptable in this respect, in accordance with Policy CS19 of the Tynedale District Local Plan, subject to a relevant informative.

### Other Matters

#### *Equality Duty*

- 7.11 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*

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

### *Human Rights Act Implications*

- 7.13 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.
- 7.14 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.
- 7.15 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 proposed works are acceptable in principle within the town of Prudhoe. The proposal would be sympathetic to the appearance of the existing building and the streetscene, and would not impact the residential amenity of neighbouring properties. Subject to the use of recommended conditions as set out in the above report, the works would be acceptable in respect of public highway. The works would also not lead to a safety or stability risk in respect of shallow coal mining risks across this site. The proposal is therefore considered acceptable in accordance with the identified policies in the development plan and the NPPF.

## **9. Recommendation**

That this application be GRANTED planning 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 be carried out in complete accordance with the following approved plans:

Site Location Plan - received 11.06.2018

Dwg. No. A 10 001 Revision E Existing and Proposed Site Plan - received 01.08.2018

Dwg. No. A 30 001 Revision C Proposed Sections - received 30.07.2018

Dwg. No. A 30 002 Revision C Proposed Floor Plans - received 30.07.2018

Dwg. No. A 31 003 Revision C Proposed Sections - received 30.07.2018

Dwg. No. A 30 001 Revision C Proposed North and East Elevations - received 30.07.2018

Dwg. No. A 30 004 Revision C Proposed West and South Elevations - received 30.07.2018

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. Development shall not commence until a Construction Method Statement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. 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

04. Within six months of first occupation of the development details of an updated 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 Policy GD4 of the Tynedale Core Strategy, Policy GD4 of the Tynedale District Local Plan and the National Planning Policy Framework.



## **Informatives**

### *Reminder to not store building material 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

### *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

### *Development in a Coal Mining Risk Area*

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider. If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further

information is available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## **EIA**

The proposal has been assessed and is not considered to fall under any category listed within Schedules 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The proposal is not considered to be EIA development and therefore does not require screening.

**Date of Report:** 22.08.2018

**Background Papers:** Planning application file(s) 18/02065/FUL