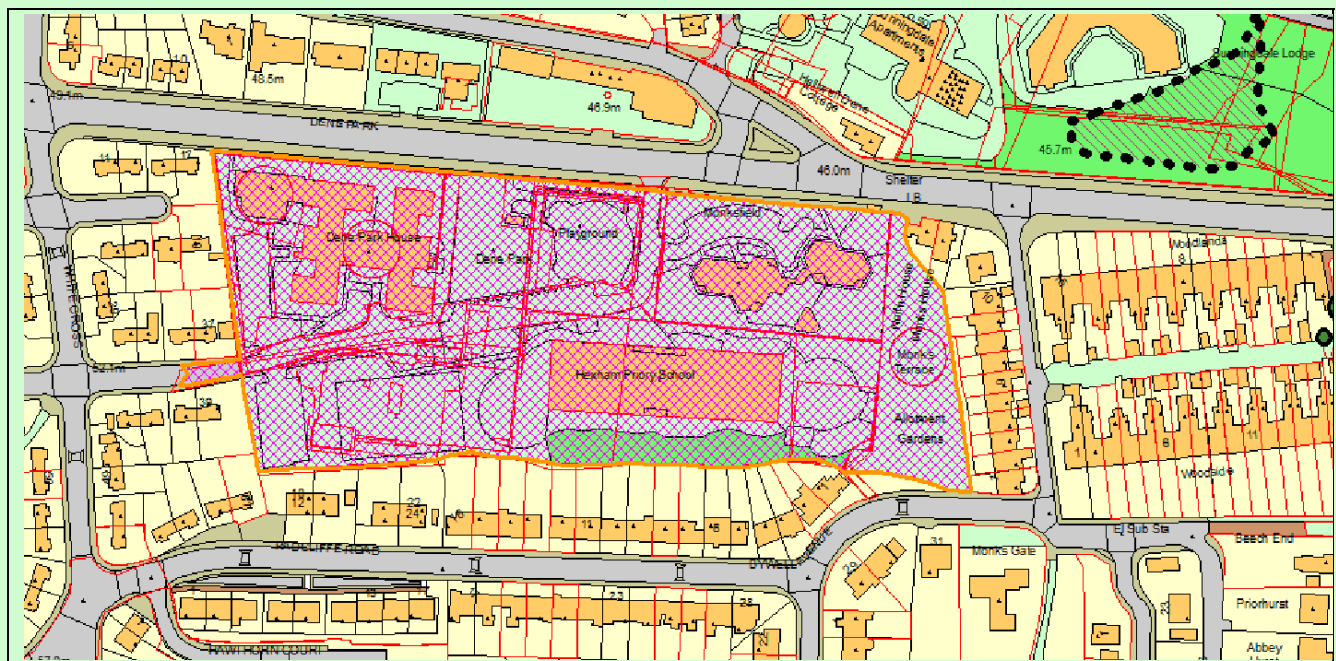




# Northumberland County Council

## Tynedale Local Area Council Planning Committee 26 September 2018

<b>Application No:</b>	18/02176/FUL		
<b>Proposal:</b>	Placement of new back stop nets to line of existing fence on boundary of football pitch.		
<b>Site Address</b>	Hexham Priory School, Corbridge Road, Hexham, Northumberland NE46 1UY		
<b>Applicant:</b>	Mr Michael Thompson Hexham Priory School, Corbridge Road, Hexham, Northumberland NE46 1UY	<b>Agent:</b>	Mr Edmund Mapplebeck 5 Leazes Park, Hexham, Northumberland, NE46 3AX
<b>Ward</b>	Hexham East	<b>Parish</b>	Hexham
<b>Valid Date:</b>	25 June 2018	<b>Expiry Date:</b>	28 September 2018
<b>Case Officer Details:</b>	Name: Ms Marie Haworth Job Title: Planning Officer Tel No: 01670 623787 Email: Marie.Haworth@northumberland.gov.uk		



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## **1. Introduction**

1.1 This application falls to be determined by members of the Tynedale Local Area Council Planning Committee, in accordance with the Council's current Scheme of Delegation, as the land is owned by Northumberland County Council.

## **2. Description of the Proposals**

2.1 The application seeks planning consent for the placement of new back stop nets to line of existing fence on boundary of football pitch to Hexham Priory School, Corbridge Road, Hexham.

2.2 The proposal will consist of three 3.7 metre high 80mm OD reinforced aluminium and powder coated green posts set at 5 metre intervals. The netting will be 120mm thick mesh with 2.5mm thick HPDE netting and will be operated by a pulley, cleat and hauling rope so the netting can be simply raised and lowered when required by hand.

2.3 Hexham Priory School is located within the built up area of Hexham, to the east of the town centre.

## **3. Planning History**

**Reference Number:** C/78/E/883

**Description:** Erection of a special school development to cater for approx 60 severely educationally subnormal (ESN) pupils on 0.39 ha

**Status:** PER

**Reference Number:** C/79/E/0246

**Description:** Landscaping proposals for Hexham ESN School submitted pursuant to condition no. 3 of planning permission 78/E/883 in respect of construction of an ESN school

**Status:** PER

**Reference Number:** C/02/00092/CCD

**Description:** Construction of extension

**Status:** PER

**Reference Number:** C/02/00230/CCD

**Description:** Construction of single storey extension

**Status:** PER

**Reference Number:** C/04/00096/CCD

**Description:** Construction of extension

**Status:** PER

**Reference Number:** C/06/00114/CCD

**Description:** Siting of a temporary mobile unit

**Status:** PER

**Reference Number:** C/08/00033/CCD

**Description:** Demolition of the existing Hexham Priory School and the construction of a new two storey special educational needs school with associated car parking and community facilities

**Status:** PER

**Reference Number:** C/09/00149/DISCON

**Description:** Discharge of condition 14 relating to an invasive species report pursuant to planning permission 08/00033/CCD

**Status:** PERMITTED

**Reference Number:** C/10/00053/CCD

**Description:** Removal of existing sprinkler tanks and construction of a rectangular water tank with timber enclosure

**Status:** PERMITTED

**Reference Number:** C/10/00080/CCD

**Description:** Retrospective planning application for the retention of 24, 6 metre lighting columns and 4, 6 metre high CCTV columns

**Status:** PERMITTED

**Reference Number:** C/10/00207/DISCON

**Description:** Discharge of conditions 3 (Materials) and 13 (Asbestos) pursuant to planning permission 08/00033/CCD

**Status:** PERMITTED

**Reference Number:** 11/01904/CCD

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

**Status:** PERMITTED

**Reference Number:** 13/02848/CCD

**Description:** Addition of 2No. aluminum framed glass canopies to North side of existing school building. Installation of additional matching fencing to enclose second canopy, joining to existing fencing, and also incorporates re-positioning of playground swing.

**Status:** PERMITTED

**Reference Number:** 18/00320/FUL

**Description:** First floor infill extension to provide additional classrooms, offices and ancillary accommodation as well as an external fire escape stair.

**Status:** PERMITTED

**Reference Number:** 18/01582/DISCON

**Description:** Discharge of conditions 5 (Construction Method Statement) relating to Planning application 18/00320/FUL.

**Status:** PERMITTED

**Reference Number:** T/20080222

**Description:** Demolition of the existing Hexham Priory School and the construction of a new two storey special educational needs school with associated car parking and community facilities

**Status:** NO OBJECTION

**Reference Number:** T/20021052

**Description:** 02/00230CCD Construction of single storey extension

**Status:** NO OBJECTION

**Reference Number:** T/20020433

**Description:** County Council - 02/00092/CCD - Construction of extension at

**Status:** NO OBJECTION

#### 4. Consultee Responses

Hexham Town Council	No objection.
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#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	60
Number of Objections	0
Number of Support	0
Number of General Comments	0

##### Notices

No Site Notice Required.

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:

## **6. Planning Policy**

### 6.1 Development Plan Policy

Tynedale LDF Core Strategy (2007)

GD1 – General Location of Development  
BE1 – Principles for the Built Environment

Tynedale District Local Plan (2000)

GD2 – Design Criteria for Development

### 6.2 Neighbourhood Plan Policy

Draft Hexham Neighbourhood Plan

(at Regulation 14 stage and can be afforded no weight at present)

### 6.3 National Planning Policy

National Planning Policy Framework (NPPF) (2018)

National Planning Practice Guidance (NPPG) (as amended 2018)

### 6.4 Other documents/strategies

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

## **7. Appraisal**

7.1 The main considerations in the determination of this application are:

Principle of the development;  
Design and amenity

### *Principle of the Development*

7.2 The NPPF maintains that the starting point for the determination of planning applications remains with the development plan, unless material considerations indicate otherwise. The Policies within the Tynedale District Core Strategy and Tynedale Local Plan provide the starting point for assessing development proposals, with Policy GD1 of the Core Strategy establishing a settlement hierarchy with Hexham identified as a main town and a main focus for new development. Accordingly, the proposed development within the existing school site in the town is acceptable in accordance with GD1.

## *Design and amenity*

7.3 The existing school building is of a modern design, with previous alterations and extensions reflecting the architectural influence of the building. This application proposes to install a back net to the rear of the goal on the eastern end of the existing 5-a-side football pitch and will not be visible from the wider streetscene. The netting will be 3.7 metres in height and 10 metres in width and will be secured by three reinforced aluminium posts finished in powder coated green. The design is typical of a sporting net and consistent with those used in many outdoor sporting facilities.

7.4 The closest neighbouring properties are those to the southern aspect of the site on Radcliffe Road whose rear gardens face on to the application site. The netting will be located to the east of the site and it is considered that the proposed back stop netting would not have a negative impact on the amenity of local residents. It is considered to be consistent with the overall character of the site, and is acceptable in accordance with the aims of Policy BE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale Local Plan and the aims of the NPPF.

## *Other Matters*

### Equality Duty

7.5 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

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

### Human Rights Act Implications

7.7 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.

7.8 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.

7.9 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 principle of development is accepted. The design is acceptable. There is no impact on neighbouring amenity and would accord to Policy BE1 of the Tynedale Core Strategy, Policy GD2 of the Tynedale Local Plan and the aims of the NPPF.

## **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 other than in complete accordance with the following approved plans:

Location Plan  
Site Plan – Stop nets  
Elevation Plan – Stop nets  
Product information

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

**Date of Report: 7 Sept 2018**

**Background Papers:** Planning application file(s) 18/02176/FUL