

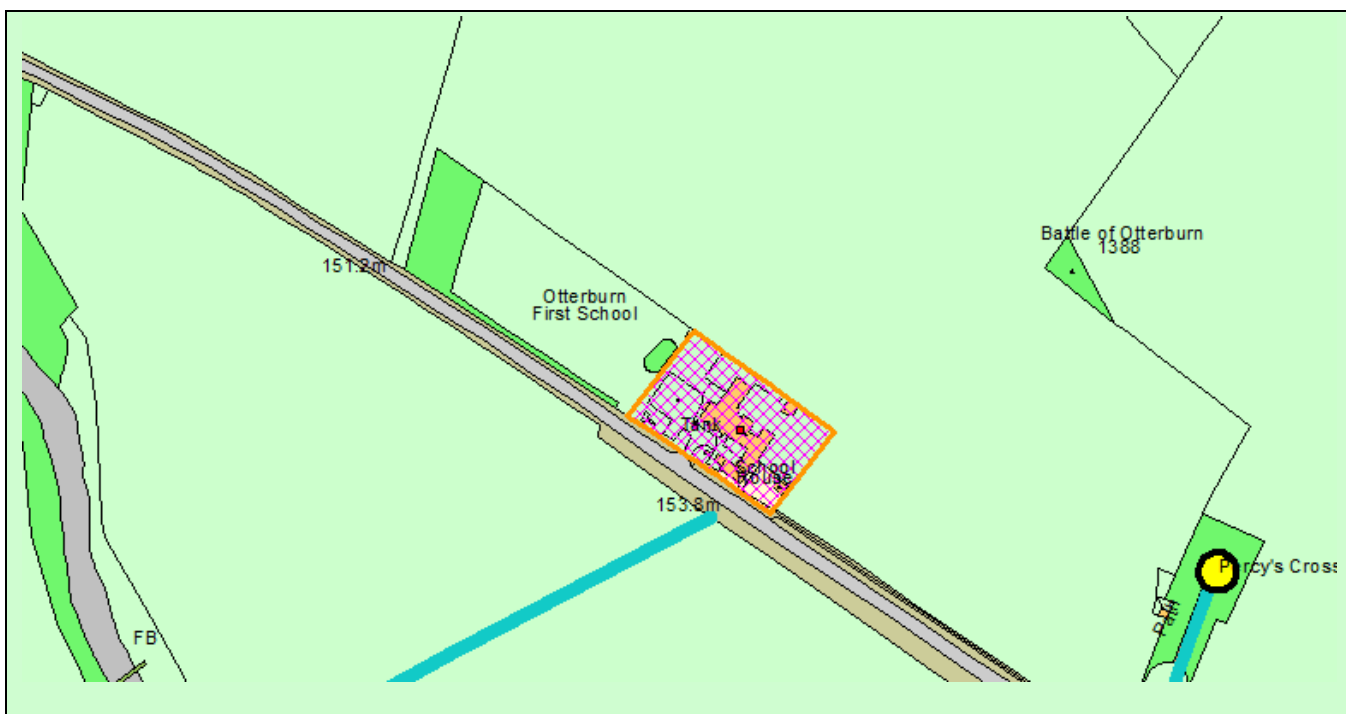


Northumberland County Council

Tynedale Local Area Council Planning Committee 15 January 2019

Application No:	18/03820/CCD		
Proposal:	Rear single storey extension to the eastern elevation of existing school buildings.		
Site Address	Otterburn First School, Otterburn, Newcastle Upon Tyne, Northumberland NE19 1JF		
Applicant:	Mr Mark Elliott County Hall, Morpeth, NE61 2EF,	Agent:	Ms Tanja Smith NE40 Studios, Main Road, Ryton, NE40 3GA
Ward	Bellingham	Parish	Otterburn
Valid Date:	29 October 2018	Expiry Date:	18 January 2019
Case Officer Details:	Name: Ms Marie Haworth Job Title: Planning Officer Tel No: 01670 623787 Email: Marie.Haworth@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission



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1. Introduction

1.1 This application is brought to the Planning Committee for determination under the Council's Scheme of Delegation as the Council is the applicant.

2. Description of the Proposals

2.1 This application seeks full planning permission for the construction of a single storey extension to the eastern elevation of the existing school building.

2.2 The site is located one mile north-west of the village of Otterburn and is surrounded on all sides by agricultural fields. The school is accessed from the A696 highway, which runs along the southern boundary of the school.

2.3 The proposed flat roof extension would measure 9 metres in length by 9.6 metres in width and have a roof height of 3.4 metres at its highest point. It would be constructed of materials that will match the existing building and have a white render facing. The roof will be constructed of single ply membrane with grey UPVC windows installed.

2.4 The following documents have been submitted in support of the application;

- Design and Access Statement

3. Planning History

Reference Number: C/08/00105/CCD

Description: Replace existing window with a door opening, construct new ramp with canopy and provide a fenced off play area

Status: PERMITTED

Reference Number: 11/00802/CCD

Description: Car park access alterations - widening of access from A696 and installing line marking to car park.

Status: PERMITTED

Reference Number: 11/02671/CCD

Description: Installation of solar photovoltaic panels on the school roof

Status: PERMITTED DEVELOPMENT

Reference Number: T/20080829

Description: Northumberland County Council (08/00105/CCD) - Replace existing window with a door opening, construct new ramp with canopy and provide a fenced off play area

Status: NO OBJECTION

Reference Number: T/20070173

Description: Construction of pedestrian footbridge over the River Rede

Status: PERMITTED

Reference Number: T/20010914

Description: Councyl Council - 01/00233/CCD - Construction of car parking area at

Status: NO OBJECTION

4. Consultee Responses

Sport England	No comment
Highways England	No objection
Otterburn Parish Council	Support the application
County Ecologist	No objection subject to recommended conditions
County Archaeologist	No objection and no archaeological works required
Highways - Development Management	No comment
Hlstric England	No comment

5. Public Responses

Neighbour Notification

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

Notices

General site notice - 15th November 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:

6. Planning Policy

6.1 Development Plan Policy

GD1 Locational policy setting out settlement hierarchy - Tynedale LDF Core Strategy

GD4 Principles for transport and accessibility to increase sustainable access and minimise the need for journeys - Tynedale LDF Core Strategy

NE1 Principles for the natural environment - Tynedale LDF Core Strategy

BE1 Principles for the built environment - Tynedale LDF Core Strategy

CS1 Principles for community services and facilities - Tynedale LDF Core Strategy

GD2 Design Criteria for development, including extensions and alterations - Tynedale Local Plan

GD4 Range of transport provision for all development - Tynedale Local Plan

GD6 Car parking standards outside the built-up areas of Hexham, Haltwhistle, Prudhoe and Corbridge - Tynedale Local Plan

NE26 Protection of habitats of special importance to wildlife - Tynedale Local Plan

NE27 Protection of Protected Species - Tynedale Local Plan

BE27 Regional and Locally important archaeological sites and settings - Tynedale Local Plan

BE28 Archaeological assessment - Tynedale Local Plan

6.2 National Planning Policy

National Planning Policy Framework (2018)

National Planning Practice Guidance (2014, as updated)

7. Appraisal

7.1 Planning law requires 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. The "saved" Policies of the Tynedale Core Strategy and the Tynedale Local Plan remains a statutory component of the development plan and the starting point for determining applications as set out at paragraph 47 of the NPPF.

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

Principle of the development

Design and visual impact

Impact on amenity

Impact on the natural environment

Impact on Registered Battle Field

Highway safety, access and parking

Principle of Development

7.3 The application site is located outside of the settlement of Otterburn and within the open countryside.

7.4 Tynedale Core Strategy Policy GD1 states that in the open countryside development is limited to the re-use of existing buildings. Tynedale Core Strategy Policy GS1 seeks to address deficiencies in services and facilities and facilitate improvements in their level of provision, quality and accessibility. The application seeks permission for the construction of a single storey extension to provide additional classroom space to an existing school in order to meet the uplift of anticipated pupil numbers as it develops into a primary school, and as such is considered acceptable in principle having regard to the development plan and NPPF.

Design and Visual Impact

7.5 Tynedale Core Strategy BE1 seeks to ensure that development is of a high quality design that will maintain and enhance the distinctive local character of the District's towns, villages and countryside. Saved Policy GD2 of the Tynedale District Local Plan requires developments to respect the positive characteristics of the built environment stating that the design should be appropriate to site, surroundings and existing buildings.

7.6 The proposed works are considered necessary and will provide an additional classroom to the first school in order to facilitate its transition into a primary school. The proposed extension will result in an increase of 85.6sqm, which provides an additional classroom and breakout space with new external exit to the yard. The size and scale of the proposed extension is considered to be acceptable and the flat roof will be set lower than the roofline of the existing building, and as such will appear subservient to the host building. The proposed materials will in the main match those of the existing building. Therefore, the proposal is considered acceptable in terms of design in accordance with Policy GD2 of the Tynedale District Local Plan, Policy BE1 of the Tynedale LDF Core Strategy and the NPPF.

Impact on Amenity

7.7 The school is located approximately 105 metres to the west of Otterburn and just off the A696. The nearest residential property is that of the Old School House, which is located approximately 20 metres to the south east of the proposed development. The proposal has been assessed and is not considered to have any significant or harmful impact on the residential amenity of the occupants of this property. The proposals are therefore considered acceptable in this respect, in accordance with Tynedale District Local Plan Policy GD2 and the NPPF.

Impact on the Natural Environment

7.8 The NPPF advocates that the planning system should contribute to and enhance the natural and local environment minimising impacts on biodiversity where possible and seek to conserve or enhance biodiversity however the presumption in favour of sustainable development (paragraph 11) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

7.9 Policies NE26 and NE27 of the Tynedale District Local Plan seek to protect wildlife habitats and protected species. A Bat Risk Assessment has been submitted in support of the application. The County Ecologist has been consulted and no

objection to the proposals on ecological grounds are raised on condition that the avoidance, mitigation and enhancement measures detailed in the report are carried out in full and suggested conditions to maintain the favourable conservation status of protected species, to protect nesting birds and to maintain and protect the landscape value of the area and to enhance the biodiversity value of the site. The proposal is considered in accordance with Tynedale District Local Plan Policies NE26 and NE27.

Impact on Registered Battle Field

7.10 Policy BE1 of the Tynedale Core Strategy seeks to Conserve and where appropriate enhance the quality and integrity of Tynedale's built environment and its historic features including archaeology, giving particular protection to listed buildings, scheduled monuments and conservation areas. Policies BE27 and BE28 of the Tynedale District Local Plan seeks to protect locally important archaeological sites or their settings. The application site is located within the Registered Battlefield for the Battle of Otterburn, and therefore the proposed development has been considered for its potential indirect (visual) impact on the setting of the Registered Battlefield and its potential direct (physical) impact on potential below ground archaeological remains. Historic England and the County Archaeologist have been consulted as part of this application process and raise no objection to the proposed extension and as such the proposal is considered to accord to Tynedale Core Strategy Policy BE1 and Policies BE27 and BE28 of the Tynedale District Local Plan.

Highway Safety, Access and Parking

7.11 The proposed development seeks consent for the construction of a single storey extension to the eastern elevation of the existing school building. The proposal will result in 1 additional classroom to meet the uplift of anticipated pupil numbers as it develops into a primary school. The school currently has 20 car parking spaces. Advice has been sought from Highways England and the County's Highways Development Team in respect of this application and they have no comment or objection to make regarding the proposal and as such the proposal is considered to accord with Tynedale Local Plan Policies GD4 and GD7.

Other Matters

Equality Duty

7.12 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

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

Human Rights Act Implications

7.14 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.

7.15 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.

7.16 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 is acceptable in principle in this location in order to improve facilities at an existing school and in terms of its layout, scale and design. It would not have any adverse effect on adjacent land uses, protected species or highways safety. Furthermore, the proposal would not have any adverse impacts on the natural environment, on neighbouring amenity or the Registered Battlefield and as such accords with local and national planning policy.

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, Drawing No 100:01
Site Plan, Drawing No 200:01
Proposed Ground Floor Plan, Drawing No 210:01
Proposed Ground Floor Extension Plan: Drawing No. 210:02
Proposed Roof Plan, Drawing No. 210:03
Proposed Context Elevation, Drawing No 220:01
Proposed Extension Elevations, Drawing No 220:02

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

03. "No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('Bat Risk Assessment, Otterburn First School, Northumberland. October 2018. Northumberland County Council") and this condition, including, but not restricted to;

1. Adherence to 'Bat Conservation Trust. Guidance Note 08/18. Bats and artificial lighting in the UK Bats and the Built Environment series'
2. No works shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no birds nests that are being built or are in use, eggs or dependent young will be damaged or destroyed.
3. Works to be overseen by a Suitably Qualified Ecologist.
4. Installation of a minimum of No.10 swallow nest cups on the gable end.

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with Tynedale District Local Plan Policy

Informative

01. The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works.

All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note 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 that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk

Background Papers: Planning application file(s) 18/03820/CCD