

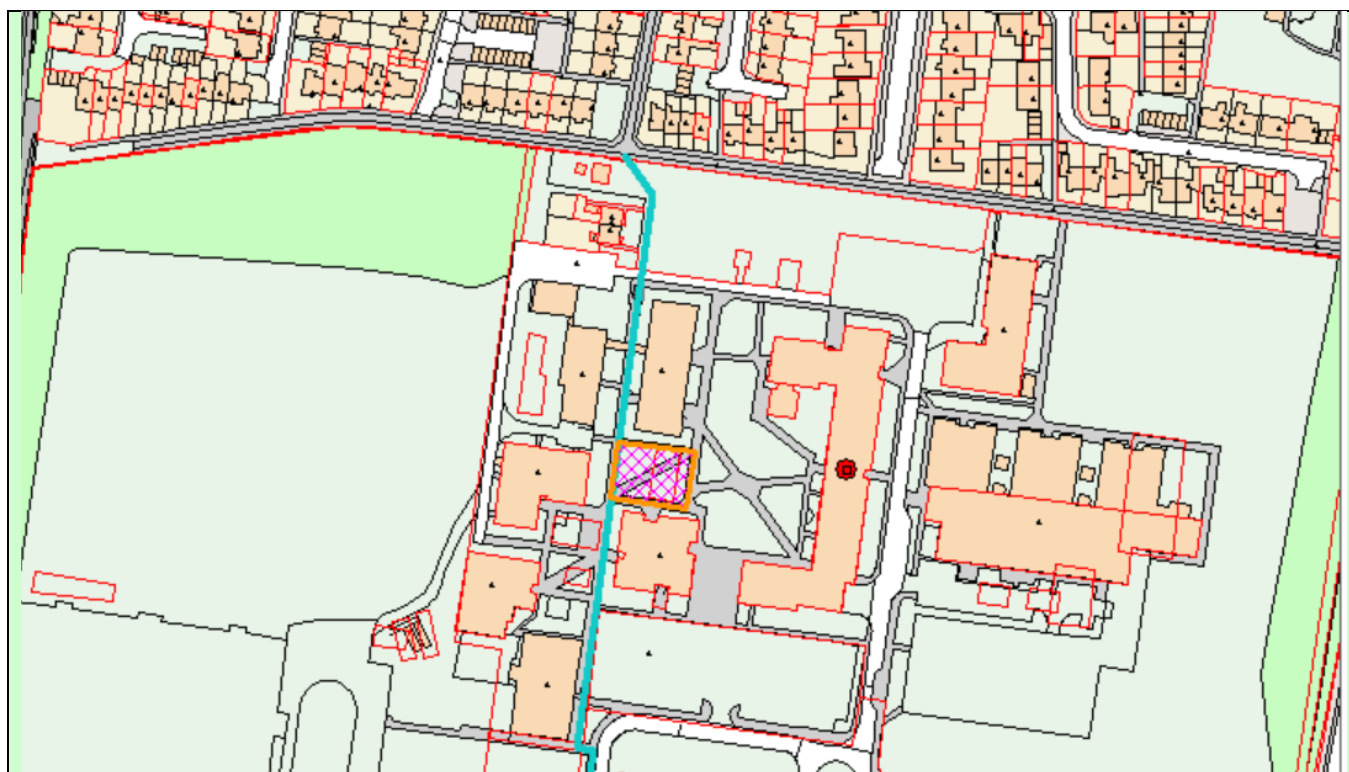


# Northumberland County Council

## Cramlington, Bedlington and Seaton Valley Local Area Planning Committee 23<sup>rd</sup> August 2023

<b>Application No:</b>	23/02232/CCD		
<b>Proposal:</b>	Temporary (max 2 years) single storey, double classroom building to aide teaching whilst the works to construct a new school will be undertaken		
<b>Site Address</b>	Land Within Cramlington Learning Village , Cramlington, Northumberland, NE23 6BN		
<b>Applicant/ Agent</b>	Mr Richard Hawkins New Lane, Huntingdon, York, YO32 9PT		
<b>Ward</b>	Cramlington Village	<b>Parish</b>	Cramlington
<b>Valid Date</b>	26 June 2023	<b>Expiry Date</b>	28 August 2023
<b>Case Officer Details</b>	Name: Miss Ashleigh Rossiter Job Title: Planning Officer Tel No: 0781407514 Email: Ashleigh.Rossiter@northumberland.gov.uk		

**Recommendation:** That this application be GRANTED permission.



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### 1. Introduction

1.1 This application was referred to the Director of Planning and Chairs of the relevant Local Area Council committee for a decision on how the application was to be determined for the reason it raises issues of strategic, wider community or significant County Council interest. It was confirmed that the application should be referred to members for a Local Area Council committee decision

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

2.1 Planning permission is sought for a temporary (max 2 years) single storey, double classroom building to aide teaching whilst the works to construct a new school will be undertaken

2.2 This will provide necessary extra teaching space that is needed during the 2 year period.

2.3 The site is not within Greenbelt or Open Countryside however is within the Cramlington Neighbourhood Plan boundary and is therefore subject to the Cramlington Neighbourhood Plan policies.

## **3. Planning History**

**Reference Number:** C/00/CCD/C/001

**Description:** Construction of sports hall, car parking, all-weather pitch, tennis courts, floodlighting and playing fields at

**Status:** REPLY

**Reference Number:** C/97/CC/101

**Description:** Retention of two double mobile classroom units

**Status:** Approved

**Reference Number:** C/93/CC/053

**Description:** Renewal of existing rotting window units with polyester powder coated aluminium glazed curtain walling system to craft block

**Status:** Approved

**Reference Number:** C/88/C/188

**Description:** Renewal of temporary approval 83/C217, 84/C/291 & 84/C/244 for the siting of 3 no. double classroom units and 2 no. single mobile classroom units

**Status:** Approved

**Reference Number:** C/92/C/267

**Description:** Renewal of rotton timber infill glazed units with polyester coated aluminium glazed units to selected elevations on Admin block (A)

**Status:** Approved

**Reference Number:** C/01/00206/CCDDET

**Description:** Details of landscaping scheme pursuant to condition 5 of 01/00079/CCD

**Status:** Approved

**Reference Number:** C/03/00066/CCD

**Description:** Construction of canopy over entrance

**Status:** Approved

**Reference Number:** B/03/00213/CPO

**Description:** Construction of canopy over entrance ramp (03/00066/CCD)

**Status:** No objection

**Reference Number:** C/07/00024/CCD

**Description:** Construction of a two-storey building and demolition of existing Stonelaw Middle School

**Status:** Approved

**Reference Number:** B/07/00087/CPO

**Description:** Construction of a two-storey building and demolition of existing Stonelaw Middle School (07/00024/CCD)

**Status:** NBBVBC

**Reference Number:** C/07/00103/CCD

**Description:** Extension of Cramlington junior learning village as permitted under planning permission 07/00024/CCD to create a bio science garden

**Status:** Approved

**Reference Number:** B/07/00390/CPO

**Description:** Extension of Cramlington Junior Learning Village as permitted under planning permission 07/00024/CCD to create a Bio Science Garden.

**Status:** NBBVBC

**Reference Number:** C/08/00043/CCD

**Description:** Variation to condition 7 of planning permission 07/00024/CCD at Cramlington Junior Learning Village

**Status:** Approved

**Reference Number:** B/08/00143/CPO

**Description:** Amend condition 7 of planning permission 07/00024/CCD to extend the time limit for the new playing fields to be laid and planted to September 2009.

**Status:** NBBVBC

**Reference Number:** 11/02782/CCD

**Description:** The installation of solar photo voltaic panels on the school roof

**Status:** Permitted Development

**Reference Number:** 12/01385/FUL

**Description:** Increase height of existing galvanized twin-bar weld mesh fence from 3m to 5m behind the goals on the artificial football pitch and an extension behind 4 of the goals to create a recess for goal storage.

**Status:** Approved

**Reference Number:** B/82/C/440

**Description:** Renewal of temporary approval for footpath linking Barns Park with the High School and development to the north

**Status:** NONCCZ

**Reference Number:** B/83/C/217

**Description:** Detailed application for the erection of 1 single and 1 double mobile classroom

**Status:** NONCCZ

**Reference Number:** B/84/C/244

**Description:** Detailed application for temporary siting of a double mobile classroom unit

**Status:** NONCCZ

**Reference Number:** B/84/C/291

**Description:** Detailed application for temporary siting of one single and one double mobile classroom unit

**Status:** NONCCZ

**Reference Number:** 15/00170/FUL

**Description:** Erection of a new cricket clubhouse.

**Status:** Approved

**Reference Number:** 15/03907/FUL

**Description:** Proposed installation of 2no portacabins

**Status:** Approved

**Reference Number:** 15/03928/FUL

**Description:** Installation of two portacabin structures, each measuring 9.7m x 3m, on the edge of a cricket field to serve as changing, shower and toilet facilities for cricket teams. We initially won approval for a larger project (ref 15/00170/FUL) on the same site but that project has been abandoned and replaced with this one.

**Status:** Application Returned

**Reference Number:** 21/03734/CLEXIS

**Description:** Certificate of existing lawful development for sections of new/replacement 1.8m high perimeter fencing

**Status:** Approved

**Reference Number:** B/92/C/267

**Description:** Renewal of window panels

**Status:** NONCCZ

**Reference Number:** B/88/C/188

**Description:** Renewal of approval for the temporary siting of three double mobile classroom units and two single mobile classroom units

**Status:** NONCCZ

**Reference Number:** B/88/C/500

**Description:** Single Storey Extension

**Status:** Approved

**Reference Number:** B/93/CC/53

**Description:** Renewal of existing rotting window units with polyester powder aluminium glazed curtain walling system to 'Craft Block'

**Status:** Approved

#### 4. Consultee Responses

County Ecologist	No objection.
The Coal Authority	Does not fall within the defined Development High Risk Area
Public Protection	No comments/ objection.
Highways	Imposition and implementation of condition (s): Required to ensure acceptability
Cramlington Town Council	No response received.
Climate Change Team	No response received.
Strategic Estates	No response received.
Countryside/ Rights Of Way	No objection subject to condition.

#### 5. Public Responses

##### Neighbour Notification

Number of Neighbours Notified	1
Number of Objections	0
Number of Support	0
Number of General Comments	0

##### Notices

Public Right of Way 14<sup>th</sup> July 2023

News Post Leader 7<sup>th</sup> July 2023

##### Summary of Responses:

Non received

#### 6. Planning Policy

##### 6.1 Development Plan Policy

Northumberland Local Plan - 2016 - 2036 (Adopted March 2022)

STP 1 - Spatial strategy (Strategic Policy);  
STP 2 - Presumption in favour of sustainable development

QOP 1 - Design principles (Strategic Policy)  
QOP 2 - Good design and amenity  
QOP 3 - Public realm design principles  
QOP 6 - Delivering well-designed places

TRA 1 - Promoting sustainable connections  
TRA 2 - The effects of development on the transport network

Cramlington Neighbourhood Plan March 2020 (CNP)

CNP1: The sustainable development of Cramlington  
CNP3: Promoting good quality design in new development

## 6.2 National Planning Policy

NPPF - National Planning Policy Framework (2021)  
NPPG - National Planning Practice Guidance (2021, as updated)

## **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 amenity**  
**Highways**  
**Ecology**  
**Public Rights of Way**

7.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan 2016-2036 (adopted March 22) and the Cramlington Neighbourhood Plan (2020). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application

### **Principle of the development**

7.3 The application proposes works that are within the curtilage of the site and is located within a recognised settlement boundary. The site does not lie within Greenbelt, Open Countryside or Protected Open Space however is within the Cramlington Neighbourhood Plan Boundary. The principle of development is acceptable and in accordance with STP1 of the NLP, and the NPPF

### **Design**

7.4 Northumberland County Council have chosen Portakabin to provide this temporary modular building to be located within the site of the existing school (as shown on the site block plan provided) and adjacent to existing buildings on site.

There is no additional staff required for the building. The existing school cycle / car park is sufficient for the proposal – no new spaces required.

7.5 The new accommodation will comprise of 1 no. 140.6m<sup>2</sup> building which will contain two classrooms with storage and an entrance lobby. The building is to be non-recessed and situated in the space between two existing buildings. The access to the building will be via steps & a ramp, and the accessible facilities are provided elsewhere within the existing school.

7.6 Construction of the building is a Portakabin pre-constructed unit constructed of five modules. The external wall panels of the building are constructed from a composite panel. The panel comprises of pre-finished steel sheet to the external side of the panel with a layer of plasterboard on the internal face.

7.7 The proposals are necessary and are also not permanent therefore will not cause any lasting impacts, however, serve a required purpose to allow for the continued function of the school. As they are within the school grounds and also surrounded by existing school buildings they will not have a negative impact on the existing street scene or character of the surrounding area while also remaining subservient to the site. The proposed modular building will be finished in Moorland Green as to be inkeeping with the current school and represent a smart yet simple addition.

7.8 Overall, the proposal is deemed compliant and in accordance with policies QOP 2 and QOP 1 of the Northumberland Local Plan, CNP 3 of the Cramlington Neighbourhood Plan and the NPPF, in terms of design.

### **Amenity**

7.9 The proposal has been assessed and it is considered that there would be no adverse impact on neighbouring properties in terms of overshadowing, loss of light or privacy due to the positioning of the cabin within the school site and its distance from the nearest residential property. The proposal is therefore considered acceptable in terms of amenity in accordance with Policies QOP 2 of the Northumberland Local Plan, the CNP and the NPPF.

### **Highway Safety**

7.10 Paragraph 111 of the NPPF states *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*.

7.11 Consultation was undertaken with Highways DM who raised no objections to the application proposals subject to condition. As such the proposal can be considered acceptable in highways terms in accordance with the provisions of the NPPF as the proposals do not have an adverse impact on highway safety, nor do they negatively impact on the operation of the highway at these locations.

### **Ecology**

7.12 The County Ecologist was also consulted on the application and had no objections. The proposed development will not impact on protected or notable

species, designated nature conservation sites or priority habitat. No conditions or advisories have been proposed.

### **Public Rights of Way**

7.13 Public Rights of Way have no objection to the proposed development on the condition that Public Footpath No. 155 is to be protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided. To ensure this, this will be conditioned.

### **Equality Duty**

7.14 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**

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

### **Human Rights Act Implications**

7.16 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.

7.17 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.

7.18 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 proposal represents an acceptable form of development in accordance with both local and national planning policy. The application is therefore recommended for approval subject to conditions.

## **9. Recommendation**

That this application GRANTED permission subject to the following:

### Conditions/Reason

0.1 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 approved plans. The approved plans for this development are:-

1. Drawing number: PKR A1 00 DR A 2001, REV: P02, titled: Elevations (received 26<sup>th</sup> June 2023)
2. Drawing number: PTK A1 00 DR A 1802, REV: P01, titled: Proposed Site Plan (received
3. Unnumbered drawing, titled: Location Plan (received 16<sup>th</sup> June 2023)
4. Application form (received 16<sup>th</sup> June 2023)

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

03. Construction Method Statement (not including plan)

Development shall not commence until a Construction Method Statement 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 shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. 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

and Policy TRA2 of the Northumberland Local Plan.

04. Public Footpath No. 155 is to be protected throughout. No action should be taken to disturb the path surface, without prior consent from ourselves as Highway Authority, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.

Reason: In the interests of public amenity.

**Date of Report: 4<sup>th</sup> August 2023**

**Background Papers:** Planning application file(s) 21/03198/CCD