

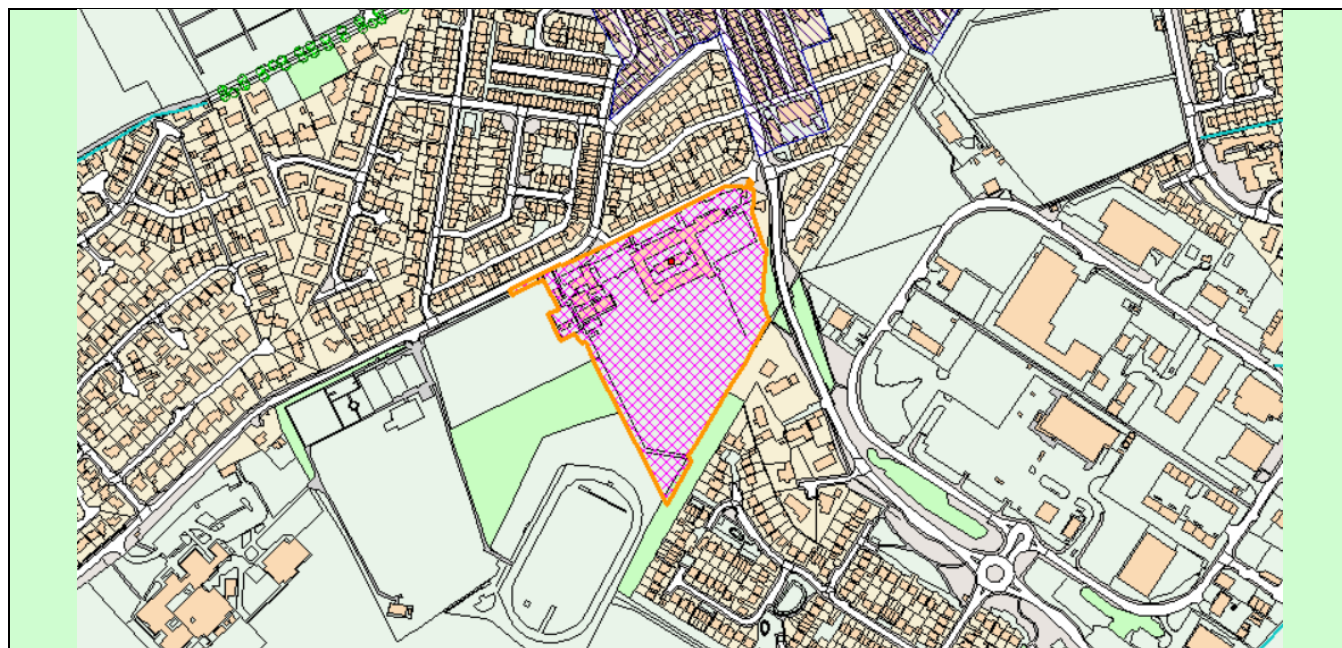


Northumberland County Council

Strategic Planning Committee 7th November 2023

Application No:	23/01680/CCD		
Proposal:	Demolition of former caretakers cottage and existing outbuildings, external alterations and extensions to the existing buildings, amended access and parking arrangements and associated landscaping		
Site Address	James Calvert Spence College, South Avenue, Amble, Morpeth Northumberland NE65 0ND		
Applicant:	C/O DPP	Agent:	Nicola Crowley DPP, Studio 012, Haylofts, St Thomas' St, Newcastle upon Tyne NE1 4LE
Ward	Amble West With Warkworth	Parish	Amble By The Sea
Valid Date:	5 June 2023	Expiry Date:	10 November 2023
Case Officer Details:	Name: Mr Jon Sharp Job Title: Senior Planning Officer Tel No: 07966331971 Email: Jon.Sharp@northumberland.gov.uk		

Recommendation: That this application be GRANTED permission subject to conditions.



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1. Introduction

1.1 This application falls to be determined by Strategic Planning Committee as it relates to a County Council Development.

2. Description of the Proposals

2.1 Full planning permission is sought for the demolition of the former caretaker's cottage and existing outbuildings, external alterations and extensions to existing buildings, amended access, parking arrangements and associated landscaping at James Calvert Spence College (JCSC) (Lower Site), South Avenue, Amble.

2.2 The proposed works are related to the wider redevelopment of the JCSC site which includes the demolition and rebuilding of the upper school site, which is being assessed under application reference 23/01677/CCD.

2.3 The proposals form part of the wider masterplan to move to a two-tier system of education in Amble. This element involves the relocation of Amble First School and the accommodation of children up to 11 years of age (from the existing Middle School) into the refurbished JCSC Middle School building. The resulting facility would provide a 210-place primary school, a 26-place nursery and a 50-place SEND satellite provision for Barndale Special School, (which is based in Alnwick).

2.4 The application documents state that combining these three elements into one building (with separate entrances for each) would maximise opportunities within the site. While the proposed combined facility would be almost entirely a refurbishment of the existing 2,900sqm building, there would be modest flat roof extensions (less than 200sqm) to each end of the central block and to the Primary School entrance. The scheme would also involve the demolition of the former caretaker's cottage and other outbuildings at the western end of the site, with a new 50no space car park proposed to be accommodated on this part of the site. An existing car park, at the eastern end of the site, would be retained and there would be 8no E.V. charging points across the two car parks.

2.5 The application site is approximately 3 hectares in area (including playing fields) and is situated within the settlement boundary of Amble, approximately half a kilometre from Amble town centre, which lies to the north-east. The western end of the site abuts the B6345 Acklington Road, from which vehicular access is gained via South Avenue. There are residential areas on the opposite (north-west) side of Acklington Road, to the east of the site (beyond the main A1068), and to the south-east. To the south-west is the site of the intended secondary school building and its associated field area. Beyond this is open countryside, although some of this is subject to extant planning permission for residential development under application reference 16/04305/OUT. This essentially means that the school area will become increasingly subsumed within the built-up area of Amble, (rather than being relatively peripheral, as it now is). Beyond the A1068, to the east, is Coquet Enterprise Park, which now includes a supermarket. Acklington Road is served by an hourly bus service which provides access to Alnwick, Morpeth and Newcastle.

3. Planning History

Reference Number: C/E/A/001

Description: Conversion of secondary school to Amble North county first school

Status: REPLY

Reference Number: 11/00173/CCD

Description: Demolition of 2no buildings, 1no music block and 1no block of 4no classrooms including toilet facilities. Provision of 2no mobile units (relocated from Morpeth Road Primary School) To provide 4no Class rooms including toilet facilities, and 1no mobile unit (relocated from Eastlea First School) To provide a new music room
Status: PER

Reference Number: 13/01678/RENE

Description: Installation of two 10kW micro wind turbines 23.5m to tip
Status: WDN

Reference Number: A/91/A/163

Description: Lattice Mast (213m),
Status: REF

Reference Number: A/99/A/381

Description: Portacabins x 2,
Status: PER

4. Consultee Responses

Amble Town Council	Supports. Concerns re number of protection of trees, height of boundary fencing for safeguarding, pedestrian and vehicular access and neighbouring amenity.
Climate Change Team	No response received.
County Archaeologist	Further information was initially requested in respect of the proposed extent of groundworks. Following receipt of this information no objections are raised and no archaeological work is required.
County Ecologist	Further information was initially requested in respect of protected species and landscaping. Following receipt of this information no objections are raised subject to conditions.
Fire & Rescue Service	The Fire Service have no objection in principle to the above proposals
Highways	Further information was initially requested in respect of highway safety. Following receipt of this information no objections are raised subject to conditions and informatives.
Lead Local Flood Authority (LLFA)	The LLFA initially objected, requesting further information in respect of drainage and flooding. Following receipt of further information this objection was withdrawn subject to conditions and informatives.
Natural England	No response received.
Open Spaces - North Area	No response received.
Planning Strategy	Advice provided
Public Protection	Public Protection has no objection to this application subject to conditions

Police Architectural Liaison Officer	No objection. Recommendations provided in respect of security
Environment Agency	No response received.
Secretary Of State	No response received.
Strategic Estates	No response received.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	64
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

General site notice, posted 21st June 2023

Site Notice - Northumberland Gazette, published 15th June 2023

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//applicationDetails.do?activeTab=summary&keyVal=RU70RXQSHHG00>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan (2022)

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

ECN 1 - Planning strategy for the economy (Strategic Policy)

QOP 1 - Design principles (Strategic Policy)

QOP 2 - Good design and amenity

QOP 4 - Landscaping and trees

QOP 5 - Sustainable design and construction

TRA 1 - Promoting sustainable connections (Strategic Policy)

TRA 2 - The effects of development on the transport network

TRA 4 - Parking provision in new development

ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)

ENV 2 - Biodiversity and geodiversity

ENV 7 - Historic environment and heritage assets
WAT 3 - Flooding
WAT 4 - Sustainable Drainage Systems
POL 1 - Unstable and contaminated land
POL 2 - Pollution and air, soil and water quality
MIN 4 - Safeguarding mineral resources (Strategic Policy)
MIN 5 - Prior extraction of minerals
INF 5 - Open space and facilities for sport and recreation

6.2 National Planning Policy

NPPF - National Planning Policy Framework (2023)

6.3 Neighbourhood Planning Policy

N/A

6.4 Other Documents/Strategies

PPG - Planning Practice Guidance (2021, as updated)

7. Appraisal

7.1 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 (NLP). The National Planning Policy Framework (NPPF) (2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

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

Principle of the Development
Design and Visual Impact
Impact on open space
Amenity
Highways
Ecology
Archaeology
Environmental Protection
Mineral Safeguarding
Water Management
Sustainable Construction

Principle of the Development

7.3 Policy STP 1 of the NLP sets out a spatial strategy for the County, which seeks to direct the majority of development towards established settlements. Amble is identified as a Main Town in the settlement hierarchy, which will be a main focus for employment, housing, retail and services.

7.4 Policy STP 2 sets out the presumption in favour of sustainable development, whilst STP 3 defines the principles that development proposals will be expected to adhere to in order to deliver against the economic, social and environmental objectives of sustainable development.

7.5 One of the principles of sustainable planning set out in Policy STP 3 is to provide opportunities to enhance social and cultural wellbeing for all and provide the infrastructure necessary for improvements in the quality of life of individuals and communities. This is echoed in Policy STP 5 on community health and wellbeing, in which the importance of community cohesion is emphasised. Good schools are central to successfully integrated communities. In terms of the importance of fit-for-purpose schools to the economy, strategic Policy ECN 1 sees the importance, not only of further developing the County's key infrastructure, but also of upskilling its workforce which, by definition, will include its future workforce.

7.6 This is also backed up by paragraph 95 of the NPPF which supports development that will widen choice in education, stating that great weight should be given to the need to create, expand or alter schools through decisions on applications.

7.7 The proposals at hand form part of the plans for the wider refurbishment of the JCSC Lower School and the demolition and redevelopment of the JCSC Upper School sites. This application relates specifically to the primary/SEND school elements, providing an establishment with a designed capacity of 24 staff and 236 pupils for the primary school (including nursery) and 40 staff and 50 pupils for the SEND school.

7.8 The reconfiguration, renovation and redevelopment of these schools meets planning policy principles on community provision and community wellbeing and can also be seen as an investment in the future of the Northumberland economy. On this basis the principle is acceptable in accordance with the NLP and the NPPF.

Design and Visual Impact

7.9 Design considers the appearance of the development independently and as part of the immediate streetscene. Policy QOP 1 of the NLP sets out design principles and seeks to support development which respects its surroundings. The preamble to the policy states that the assessment of design against Policy QOP 1 should be proportionate, taking into account the type, scale and context of the development. Amongst a range of criteria the policy states that development proposals should make a positive contribution to local character and distinctiveness.

7.10 Policy QOP 2 goes on to say that the physical presence and design of development proposals should preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development should not be oppressive and the best outcomes for outlook are achieved wherever possible.

7.11 In addition to the overarching design principles set out in Policy QOP 1, Policy QOP 3 states that, where relevant, the design of the public realm will be expected to:

- Create diverse, vibrant buildings and spaces which contribute to supporting a range of public activity;
- Be physically and socially accessible and inclusive;
- Be clearly defined from private spaces;
- Have a clear hierarchy of routes and spaces, which are faced by active frontages and maximise natural surveillance;

- Prioritise pedestrian and cycle movement and facilitate access to public transport wherever possible;
- Avoid dominance of vehicles and ensure that parking, where included, is sensitively integrated;
- Maximise urban greening, including the use of street trees and other vegetation as appropriate;
- Respond to opportunities to incorporate public art where possible; and
- Incorporate appropriate street furniture, lighting and surface materials.

7.12 The proposed demolition of the former caretaker's cottage would provide space for the proposed new car park and the removal of this tired and redundant building would help to improve the overall visual appearance of the site.

7.13 Additional demolitions would include the link corridors at either end of the block within the central courtyard of the school and a small offshot to the western elevation of the building. The link corridors would be replaced with small extensions matching the width and height of the central block, providing additional useable space within the building, whilst the offshot would be replaced by a new extension which would accommodate the entrance and reception area for the new Primary School. These extensions would be in keeping with the existing buildings and would be negligible in scale compared to the overall size of the school.

7.14 The general refurbishment and reuse of the buildings is to be welcomed in terms of sustainability and there are no concerns regarding these works in terms of design, scale or visual impact. The highways aspects of the proposed car parking are discussed further below, but from a visual impact point of view this would be acceptable in the context of the site.

7.15 On this basis the proposals are acceptable in accordance with Policies QOP 1 of the NLP and the NPPF.

Impact on Open Space

7.16 The principle that open space should not be built upon underpins the Council's approach to the protection of open space, including land used for sport and recreation, through Policy INF 5. All of the open space designated for protection in the Local Plan sits within a recognised open space typology and serves at least one of the recognised functions of open space.

7.17 The Council recognises, however, that there may be circumstances where the loss of open space is appropriate. It is acknowledged that the new car park and reception extension would encroach upon the designated area associated with the existing playing fields and therefore result in a very slight loss of protected open space, however it is clear that the qualitative improvements to the school would compensate for this minor loss.

Amenity

7.18 Policy QOP 2 of the NLP seeks to ensure that development would not result in unacceptable adverse impacts on the amenity of neighbouring land uses. Paragraph 130 of the NPPF seeks to ensure that developments will create places with a high standard of amenity for existing and future users.

7.19 The site location is such that there would be no substantive concerns regarding neighbouring amenity. The proposal would not give rise to significant concerns in

respect of overlooking, overbearing, loss of light or privacy and the use of the site as a school would not change from that which has been in situ for a significant time. As such the proposal is acceptable in accordance with Policy QOP 2 of the NLP and the NPPF.

Highways

7.20 Policy TRA 1 of the NLP promotes sustainable connections and states that the transport implications of development must be addressed as part of any planning application. Policy TRA 2 seeks to ensure that all development will minimise any adverse impacts upon the highway network. Policy TRA 4 sets out requirements for parking provision in new development.

7.21 Paragraph 111 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.22 Paragraph 112 goes on to say that within this context, applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second - so far as possible - to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.23 The Local Highway Authority responded to initial consultation requesting further information in respect of the existing Traffic Regulation Orders (parking restriction schemes) within the vicinity of the site, which would need to be updated to effectively manage the estimated vehicular traffic generated from the school facility and to enable safe and suitable access, especially for pedestrians walking to/from the site. Further information was also requested in respect of vehicular access to the site and parking. Following receipt of further information no objections have been raised subject to the conditions and informatives recommended below.

7.24 On the basis of the revised proposals the development may be considered to be acceptable in accordance with Policies TRA 1, TRA 2 and TRA 4 of the NLP and the NPPF.

Ecology

7.25 Policy ENV 2 of the Local Plan relates to ecology and seeks to ensure that development proposals will minimise their impact upon and secure net gains for biodiversity.

7.26 Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural environment based on detailed principles.

7.27 The County Ecologist responded to initial consultation requesting further information in respect of how bat populations would be maintained during the demolition and construction operations. Following receipt of this information no objections are raised subject to conditions as recommended below.

7.28 Recent case law has shown that where a planning application is likely to have implications for European protected species, explicit consideration must be given to the three tests enshrined in Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).

7.29 The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS). Notwithstanding the licensing regime, the LPA must also address its mind to these three tests when deciding whether to grant planning permission for a development which could harm an EPS.

7.30 The "derogation tests" are as follows;

- that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
- that there is no satisfactory alternative; and
- that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

7.31 Regarding the first of these, the test of imperative reasons of overriding public interest seems to be considered to have been satisfied if a proposal meets an identified development need. This is a matter that needs to be considered as part of the determination of this application but is obviously a planning matter rather than an issue requiring ecological advice. It is officer opinion that the proposals do indeed meet an identified need as demonstrated by the submission of the application for the refurbishment of the school.

7.32 The second concerns whether the development need which the application is seeking to meet can be met in any other way which has no or a lesser impact on the species concerned. There are two strands to this test;

- a) whether the development need could be met in a different way than through this particular application.

7.33 This is clearly an important matter to be considered as part of this application, but again is primarily a planning matter rather than an issue requiring ecological advice. It is feasible that the development need could be met in a different way, for example avoiding the need to demolish parts of the buildings which may represent favourable habitats for bats, however as these elements have been included in the scheme, it is assumed they are necessary to the overall outcome of the development proposals and as such the development need would not otherwise be met.

- b) whether the development proposal itself could be re-configured or undertaken in such a way that it meets the same development need while having a lower impact on the population of protected species concerned.

7.34 This application is to re-configure and extend an existing middle school into a primary school with a special needs department. This requires specific building requirements for this purpose, and this can still be undertaken without a reduction in population of the bats, as long as measures are taken to ensure the bats are protected and alternative roosts are provided.

7.35 With regards to the third test, the conservation status of species will be taken as 'favourable' when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

7.36 The building currently supports a number of day roosting Common Pipistrelle (bats which are common and widespread throughout the UK). These roosts are spread over two separate buildings and in six separate locations within these two buildings. Non-breeding day roosts of widespread and abundant species are, in accordance with accepted guidance (Wray et al 2010), of local importance and of lower conservation significance.

7.37 The requirement for a European Protected Species Mitigation Licence (EPSML) will prevent any direct harm and the provision of integrated roosting features in the converted building will maintain roosting opportunities on site. Therefore, the third test of maintaining favourable conservation status of the species is met.

7.38 On the basis of the above the proposals are acceptable in accordance with Policies ENV1 and ENV2 of the NLP and the NPPF in this respect.

Archaeology

7.39 Policy ENV 7 of the NLP states that development proposals which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, will require an appropriate desk-based assessment and, where necessary, a field evaluation.

7.40 Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It goes on to say that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 205 goes on to say that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

7.41 The County Archaeologist responded to initial consultation requesting additional information regarding the extent of proposed groundworks required, in order to scope out the need for intrusive investigations prior to determination of the application. Following receipt of this information no objections are raised subject to a programme of archaeological mitigation being undertaken in association with the development works. This work can be secured by condition in line with paragraphs 56 and 205 of the NPPF and Policy ENV 7 (7) of the Northumberland Local Plan.

Environmental Protection

7.42 Policy POL 1 of the NLP states that development proposals will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented by ensuring the development is appropriately located and that measures can be taken to effectively mitigate the impacts.

7.43 Policy POL 2 seeks to ensure that development proposals are not put at an unacceptable risk of harm from or are adversely affected by pollution by virtue of the emissions of fumes, particles, effluent, radiation, smell, heat, light, noise or noxious substances.

7.44 Paragraph 183 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

7.45 The Council's Environmental Protection team has responded to consultation stating that they have no objections to the proposals subject to conditions in order to protect public health and prevent loss of amenity.

7.46 On this basis the proposals are acceptable in accordance with policies POL 1 and POL 2 of the NLP and the NPPF.

Mineral Safeguarding

7.47 The whole site lies within a Minerals Safeguarding Area for coal. Policies MIN 4 and MIN 5 require consideration to be given to the prior extraction of minerals where practical and viable, however given the site location and the nature of the proposals prior extraction of coal would not be an option and there are no reasonable alternative options which would avoid or minimise the sterilisation of the minerals. Furthermore, the overall social, economic and environmental benefits of the proposed development would likely outweigh the potential loss of the mineral resource.

Water Management

7.48 Policy WAT 3 of the NLP relates to flooding and states that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources. Policy WAT 4 relates to Sustainable Drainage Systems and states that water sensitive urban design, including Sustainable Drainage System(SuDS) will be incorporated into developments whenever necessary, in order to separate, minimise and control surface water run-off, in accordance with national standards and any future local guidance.

7.49 The LLFA responded to initial consultation objecting to the proposal, requesting further information in respect of drainage proposals, construction and maintenance

details. Following receipt of the requested information the objection has been withdrawn subject to the conditions and informatives recommended below.

7.50 On this basis the proposals are acceptable in accordance with Policies WAT 3 and WAT 4 of the NLP and the NPPF in this respect.

Sustainable Construction

7.51 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.52 Policy QOP 1 of the NLP sets out a number of design principles stating that proposals will be supported where, amongst other criteria buildings are functional for future uses, incorporates green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.53 Policy QOP 5 relates to sustainable design and construction and states that In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.54 The documents which accompany the application do not provide any information with respect to sustainable design and construction. It is therefore appropriate to attach a condition to any granting of permission in order to ensure that the proposal will be constructed in accordance the requirements of Local Plan Policies QOP 1 and QOP 5.

Other Matters

7.55 The comments received from the Town Council are noted and have been taken into consideration in the assessment of the application.

Procedural Matters

Equality Duty

7.56 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

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

Human Rights Act Implications

7.58 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.

7.59 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.

7.60 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 main planning considerations in determining this application have been set out above, stating accordance with the relevant Development Plan Policies. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the NLP and the NPPF on the matters of relevance in this case.

8.2 The proposal has addressed the main considerations, accords with relevant planning policies and legislation and is considered to be acceptable.

9. Recommendation

9.1 That this application be GRANTED permission subject to the following conditions:

Conditions/Reason

General

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. Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following approved plans and documents.

1. Drawing No SAP-ONE-ZZ-XX-DR-L-0001-P04 - Location Plan
2. Drawing No SAP-ONE-ZZ-XX-DR-L-0003-P03 - Proposed Site Plan
3. Drawing No SAP-ONE-ZZ-XX-DR-L-0402-P02 - Site Sections
4. Drawing No SAP-ONE-ZZ-XX-DR-L-0802-P03 - Fencing and Security Strategy
5. Drawing No SAP-ONE-ZZ-XX-DR-L-0803-P02 - Planting Strategy
6. Drawing No SAP-RYD-MB-ZZ-DR-A-0500-S2-P4 - Demolition GA Plans
7. Drawing No SAP-RYD-MB-ZZ-DR-A-0501-S2-P2 - Demolition GA Roof Plan
8. Drawing No SAP-RYD-MB-ZZ-DR-A-3001-S2-P13 - GA Plan Level 00
9. Drawing No SAP-RYD-MB-ZZ-DR-A-3002-S2-P3 - GA Plan Level 01
10. Drawing No SAP-RYD-MB-ZZ-DR-A-3003-S2-P4 - GA Plan Roof Level
11. Drawing No SAP-RYD-MB-ZZ-DR-A-3610-S2-P8 - GA Elevations
12. Drawing No SAP-RYD-MB-ZZ-DR-A-3611-S2-P6 - GA Elevations (Courtyard)
13. Drawing No SAP-BGP-ZZ-ZZ-D-C-1130_P02 - Proposed Drainage GA (1 of 3)
14. Drawing No SAP-BGP-ZZ-ZZ-D-C-1131_P02 - Proposed Drainage GA (2 of 3)
15. Drawing No SAP-BGP-ZZ-ZZ-D-C-1132_P02 - Proposed Drainage GA (3 of 3)
16. Drawing No SAP-BGP-ZZ-ZZ-D-C-1138_P02 - Attenuation Basin Details
17. Drawing No SAP-BGP-ZZ-ZZ-D-C-1139_P02 - Flood Exceedance Plan
18. Drawing No SAP-BGP-ZZ-ZZ-D-C-1140_P02 - Manhole Schedules
19. BGP Civil & Structural Consultants Report "Drainage Philosophy – South Avenue Project (SAP), James Calvert Spence College, Amble, Morpeth, Northumberland" Project number 19T2152, Issue 004, dated 05/10/2023.
20. BGP Civil & Structural Consultants Report "Flood Risk Assessment – South Avenue Project (SAP), James Calvert Spence College, Amble, Morpeth, Northumberland" Project number 19T2152, Issue 003, dated 10/08/2023.

Reason: In the interests of good planning and to ensure that the approved development is carried out in complete accordance with the approved plans.

03. Materials

The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy QOP 1 of the NLP.

04. Sustainable Construction

Notwithstanding the details submitted with the application, prior to the construction of any building above damp proof course level, a scheme to demonstrate how the development will minimise resource use, mitigate climate change and ensure proposals are adaptable to a changing climate to achieve sustainable design and construction in the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The development and measures shall thereafter be implemented in accordance with the approved details and shall be retained thereafter.

Reason: To achieve a sustainable form of development, and in the interests of the satisfactory appearance of the development upon completion, the character and appearance of the site and surrounding environment and the amenity of surrounding

residents, in accordance with Policy QOP 5 of the Northumberland Local Plan and the National Planning Policy Framework.

Highways

05. Demolition and Construction Method Statement (including Plan) - Pre-Commencement

Development shall not commence until a Demolition and Construction Method Statement, together with a supporting plan has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Method Statement shall be adhered to throughout the construction period and 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
- vi. Construction traffic management strategy which covers timing and numbers of movements.

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

06. Details of New Pedestrian Crossing

The development shall not be occupied until the applicant has submitted a technical appraisal, in accordance with Chapter 6 of the Traffic Signs Manual, to assess requirements for a new crossing point on Acklington Road, with subsequent mitigation measures to be delivered under agreement pursuant to the Highways Act 1980. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety, in accordance with the National Planning Policy Framework and Policy TRA 2 of the Northumberland Local Plan.

07. Details of scooter parking

The development shall not be occupied until details of scooter parking have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented in accordance with the approved details and thereafter retained in accordance with the approved plans and kept available for the storage of scooters at all times.

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

08. Deliveries and Servicing Management Strategy

The development shall not be brought into use until a Deliveries and Servicing Management Strategy has been submitted to and approved in writing by the Local

Planning Authority. The approved Deliveries and Servicing Management Strategy shall be adhered to in perpetuity and must include:

- i. details of the access, routes and vehicles associated with the site;
- ii. details of the timings for deliveries and servicing of the site;
- iii. details of the annual numbers of HGV's associated with the deliveries/servicing of the site;
- iv. a plan for monitoring and reviewing the effectiveness of the Deliveries and Servicing Management Strategy; and
- v. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 1 of the Northumberland Local Plan.

09. Surface water drainage

Prior to occupation, details of surface water drainage to manage run off from the development site shall be submitted to and approved in writing 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 highway safety, the amenity of the area and to protect the integrity of the highway in accordance with the National Planning Policy Framework.

10. Full School Travel Plan

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 and Policy TRA 2 of the Northumberland Local Plan.

11. Car Parking Management Strategy

The development shall not be brought into first use until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Car Parking Management Strategy shall be adhered to in perpetuity. This Car Parking Management Strategy must include:

- i. details of community access to the car parks outside of school hours and ongoing monitoring of its effectiveness;
- ii. details of the provision, and management of, Electric Vehicle Parking and Infrastructure for staff;
- iii. details of management and mitigation measures to ensure no overspill car parking associated with the development occurs within nearby residential streets;
- iv. a plan for monitoring and reviewing the effectiveness of the Car Parking Management Strategy; and
- v. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework and Policy TRA 4 of the Northumberland Local Plan.

12. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking and EV 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 and Policy TRA 4 of the Northumberland Local Plan.

13. Implementation of cycle parking

The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity, and sustainable development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

14. Implementation of Electric Vehicle Charging

Prior to occupation the Electric Vehicle Charging points shown on the approved plans shall be implemented. Thereafter, the Electric Vehicle Charging Points shall be retained in accordance with the approved plans and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Policy TRA1 of the Northumberland Local Plan.

Ecology

15. Bat Mitigation

Works to the buildings likely to affect known roosts shall not in any circumstances commence unless the local planning authority has been provided with either:

- a. licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b. confirmation that the site is registered on a Bat Mitigation Class Licence issued by Natural England; or
- c. written justification by a suitably qualified ecologist confirming why a licence is no longer required

The development shall then only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the report (Working Method Statement-Bats James Calvert middle school, OS ecology 2023) which details the methods for maintaining the conservation status of common pipistrelle bats, unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

The development shall conform to the Lower School Bat Box Plan, (OS ecology 2023).

Reason: To maintain the favourable conservation status of a European protected species and maintain the biodiversity value of the site in accordance with Policy ENV2 of the Northumberland Local Plan and the NPPF.

16. Landscape Ecological Management Plan

Prior to the removal of any vegetation from the site, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be based on the Proposed Biodiversity Strategy Plan Document (JCS-ONE-ZZ-XX-DR-L-0201 Rev PO2) and on the recommendations of the Ecological Impact Assessment (OS Ecology 2023). The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Location and specification of all other species features to be included (10 integrated swift bricks, 10 other bird nest boxes and 5 hedgehog hibernacula)
- c) Ecological trends and constraints on site that might influence management.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. Thereafter the approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the development results in a net gain for biodiversity in accordance with paragraph 174d of the NPPF and policy ENV 2 of the Northumberland Local Plan

17. Construction Environmental Management Plan

No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) to address potential impacts on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be proportionate and tailored to the specific works but include the following considerations.

1. Assessment of potentially damaging construction and activities including potential impacts to retained habitats, trees and hedges and species such as Great crested newt, breeding birds and mammals.
2. Inclusion of an appropriate plan identifying the sensitive habitats/species on or adjacent to the site to inform contractors working on site.
3. Practical measures (both physical measures such as warning signs and sensitive working practices and method statements) to avoid or reduce impacts during construction.
4. Details for storage and disposal of any waste arising from the works (e.g., excavated soil).
5. Details of remediation works and methods, e.g., making good ground disturbed during construction.
6. Responsible persons and lines of communication.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure protected species, habitats and retained trees and hedges are not harmed during the construction of the development.

Environmental Protection

18. Dust Management

The development shall not commence including any works of demolition or site stripping of top soil) until a written Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The agreed plan shall be implemented for the duration of the site works and shall include measures for the control and reduction of dust emissions associated with demolition, earthworks, construction and trackout, dealing with complaints of dust and arrangements for monitoring air quality during construction. The development shall be carried out in accordance with the plan so agreed.

Reason: To ensure a commensurate level of protection against windblown dust and debris in accordance with Policy POL2 of the Northumberland Local Plan.

19. Noisy Working Hours

During the demolition and construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the following hours:

Monday to Friday - 0800 to 1800,
Saturday - 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policies POL2 and QOP2 of the Northumberland Local Plan.

20. Construction Delivery/Collection hours:

Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the following hours:

Monday to Friday - 08:00 to 18:00

Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity and provide a commensurate level of protection against noise in accordance with Policies POL2 and QOP2 of the Northumberland Local Plan.

Archaeology

21. Written Scheme of Investigation

A programme of archaeological work is required in accordance with the NCC Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site-Specific Requirements document (dated 11/10/23). The archaeological scheme shall comprise three stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged.

- a) No development or archaeological mitigation shall commence on site until a Written Scheme of Investigation based on NCCCT Standards and Site-Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site-Specific Requirements documents must be completed in accordance with the approved Written Scheme of Investigation.
- c) The programme of analysis, reporting, publication and archiving, if required by NCCCT Standards and Site-Specific Requirements documents, must be completed in accordance with the approved Written Scheme of Investigation.

Reason: The site is of archaeological interest.

LLFA

22. Surface Water Disposal

Details of the disposal of surface water from the development through the construction phase shall be submitted to and agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the risk of flooding does not increase during this phase and to limit the siltation of any on site surface water features.

23. Drainage Verification

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer, or a suitably qualified professional, shall be submitted to

and approved in writing by the Local Planning Authority, to demonstrate that all sustainable drainage systems have been constructed as per the agreed scheme. This verification report shall include:

- As built drawings for all SuDS components - including dimensions (base levels, inlet/outlet elevations, areas, depths, lengths, diameters, gradients etc.);
- Construction details (component drawings, materials, vegetation);
- Photographs of the surface water system being installed as per the agreed scheme including flow controls, storage structures and any other SuDS components.
- Health and Safety file; and
- Details of ownership organisation/adoption details.

Reason: To ensure that all sustainable drainage systems are designed to the DEFRA non-technical standards.

24. SuDS Adoption & Maintenance

Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed in writing by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development, shall be composed within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to dispose of surface water operates at its full potential throughout the development's lifetime.

Informatives

1. Alterations to vehicle crossing points

Please note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) please contact the Highways Area Office at: northernareahighways@northumberland.gov.uk

2. Agreement and works in adopted highway

The applicant is advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. Please contact Highways Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

3. Highway condition survey

Please note that a highway condition survey should be carried out before the commencement of demolition and construction vehicle movements from this site. To arrange a survey please contact Highway Development Management at highwaysplanning@northumberland.gov.uk.

4. Highway works under Agreement

The following highway works will be agreed under the terms of an Agreement:

Amended and new site access/egress arrangements, pedestrian connectivity works in the north-eastern entrance for a new footpath, drainage, dropped kerbs and tactile paving, amendments to, and provision of new, Traffic Regulation Orders, road markings, new signage, streetlighting and all other associated works. Please contact Highways Development Management at highwaysplanning@northumberland.gov.uk and the Highways Area Office at: northernareahighways@northumberland.gov.uk.

5. Contact Traffic Management

The applicant is advised to contact the Council's Traffic Management Section at streetworks@northumberland.gov.uk before and during the construction period in respect of any required temporary traffic management measures to allow access to the site.

6. 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.

7. Technical Approval of Highway Structures

Please note that Technical Approval of Highways Structures is required. Please contact Highways Development Management at highwaysplanning@northumberland.gov.uk

8. Framework and Full School Travel Plans

Completion of the plans shall be through the Modeshift STARS scheme. Schools should have achieved bronze level by the end of year 1 of occupation. Please contact the School Travel Plan Advisor on 07989 167522 for further information.

9. 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

10. Road Safety Audits

Please note that Road Safety Audits are required to be undertaken. Northumberland County Council offers this service. Please contact highwaysplanning@northumberland.gov.uk for further information.

11. Bat Mitigation

In accordance with guidance issued by Natural England in bat mitigation licensing please note that breathable roofing membranes must not be installed into a roof used by bats. If the use of roof membranes is necessary, only

Bitumen type 1F felt with a hessian matrix will be permitted under licence. In this case the bat population is such that NO ROOFS in this development should use breathable roofing felt, as completely sealing older buildings from bats is unlikely to be possible throughout the life of the roof.

Date of Report: 20.10.2023