

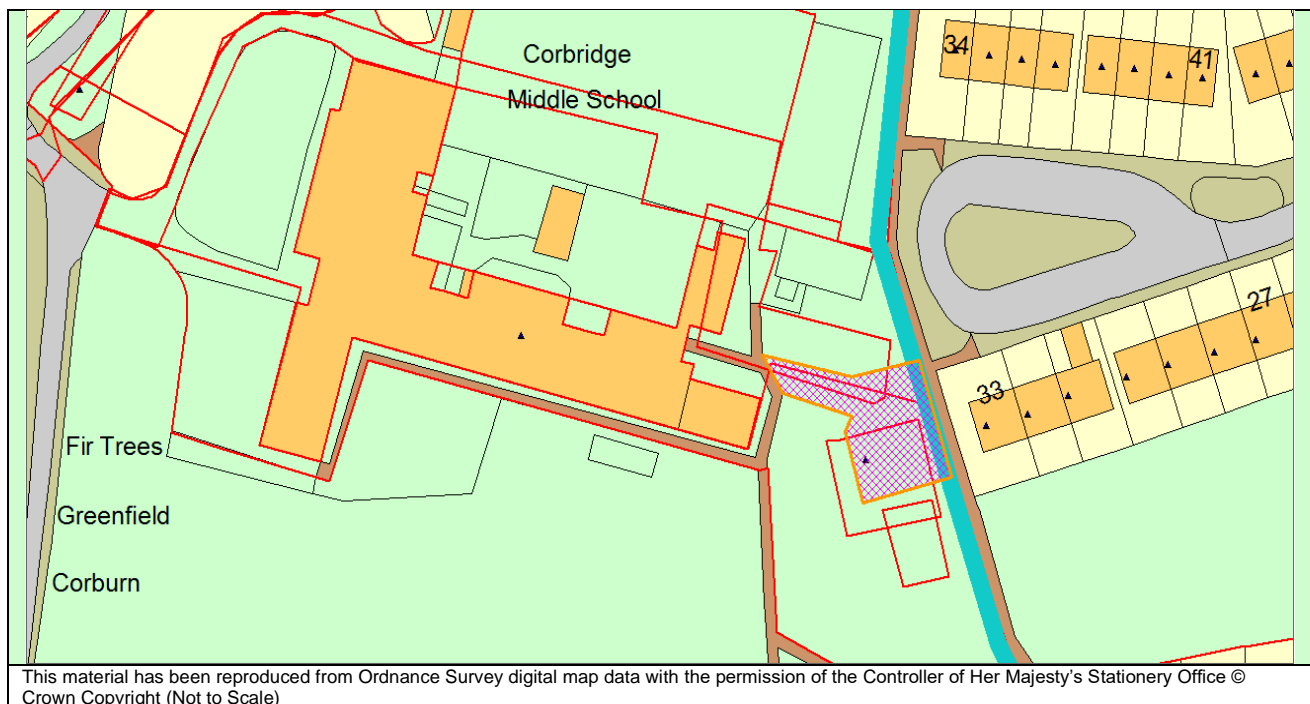


Northumberland County Council

Tynedale Local Area Council Planning Committee 14 September 2021

Application No:	21/02542/CCD		
Proposal:	Provision of single storey modular classroom		
Site Address	Corbridge Middle School, Cow Lane, Corbridge, Northumberland, NE45 5HY		
Applicant:	Miss Sara Whitaker, Northumberland County Council, County Hall, Morpeth, Northumberland NE61 2EF	Agent:	None
Ward	Corbridge	Parish	Corbridge
Valid Date:	20 July 2021	Expiry Date:	17 September 2021
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



1. Introduction

1.1 The applicant is Northumberland County Council and in accordance with the Council's current Scheme of Delegation, the application has been referred to the Director of Planning together with the Chair and Vice Chair of the Tynedale Local Area Council Planning Committee for consideration to be given as to whether the application should be referred to a Planning Committee for determination. This matter has been duly considered under these provisions and it has been confirmed that the application should be determined by the Committee.

2. Description of the Proposals

2.1 Planning permission is sought for the provision of a single storey modular classroom at Corbridge Middle School, Cow Lane, Corbridge.

2.2 Corbridge Middle School is accessed from Cow Lane to the west, with residential properties to the west, south and east of the school grounds. To the north is a recently implemented residential development scheme, which is accessed from Cow Lane.

2.3 The proposed modular building would be located within the existing school grounds on an existing grassed area, to the east of existing buildings and to the west of residential properties located on The Riggs and Chantry Estate. The site area is bound to the east by an existing high hedge, school buildings to the west, bike storage areas and hard surfaced play areas to the north and a grassed area to the south. Planning permission was granted on the 17 June 2021 under application reference number 21/00357/FUL for the siting of three garden room teaching pods, which would be located to the north of the proposed building.

2.4 The proposed modular building would have an overall measurement of approximately 8.05 metres extending to 12.25 metres in depth by 10 metres extending to 16.3 metres in width and would have a height from ground level of approximately 3.8 metres reducing to 3.5 metre to the rear of the building. The building would be of modular construction with clad walls which would be of coated steel in a Goosewing Grey (BS 10A05) and mono pitch warm roof, rubber membrane roof sheeting; the building would contain white uPVC double glazed windows and composite GRP steel doors with white uPVC frames (BS 00E55) and would have external lighting.

3. Planning History

Reference Number: 11/00107/CCD

Description: Installation of 114.7m² of solar panel on the southern elevation

Status: PERMITTED

Reference Number: 20/01424/CCD

Description: Form new pupil entrance to East and new tarmac pavement, with altered 2.4m high fence and gates. Form new bike park. Replacement of farmers gate to West of yard, with 2.4m oblong mesh set of gates. Erection of 2.4m high oblong mesh fence and gates between central brick outbuilding and caretakers house fence. Construction

of 4 new parking spaces in grasscrete type surface. Form new tarmac pavement from West side entrance to school main field.

Status: PERMITTED

Reference Number: 21/00357/FUL

Description: Installation and siting of 3 x garden room teaching pods, measuring 3.5m x 3.5m in floor area and a height of 2.8m

Status: PERMITTED

Reference Number: T/20100211

Description: Provision of a modular building for use by Corbridge Youth Initiative

Status: PERMITTED

Reference Number: T/20090617

Description: Provision of a modular building for use by Corbridge Youth Initiative

Status: PERMITTED

4. Consultee Responses

Corbridge Parish Council	No objection.
Highways	No objection subject to recommended planning conditions.
Countryside/ Rights of Way	No objection on the condition that Public Footpaths No.8 is protected throughout.
Sport England	No objection.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	2
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

Site Notice - Public Right of Way: 29th July 2021

Press Notice - Hexham Courant: 29th July 2021

Summary of Responses:

None received.

6. Planning Policy

6.1 Development Plan Policy

Tynedale LDF (Local Development Framework) Core Strategy 2007 (TCS)

GD1 Locational policy setting out settlement hierarchy

GD4 Principles for transport and accessibility
NE1 Principles for the natural environment
BE1 Principles for the built environment
CS1 Principles for community services and facilities, including schools

Tynedale District Local Plan 2000 (Saved Policies 2007) (TDLP)

GD2 Design Criteria for development
GD3 Accessibility of buildings for people with impaired mobility
GD4 Transport and accessibility criteria
GD6 Car parking provision outside of the main towns of Tynedale
NE33 Trees, hedgerow, and woodland
BE18 Development outside of a Conservation Area
LR19 Safeguard existing and promotion of new public rights of way
LR3 Protection of open space facilities
TP27 Public Right of Way

6.2 National Planning Policy

National Planning Policy Framework (2021) (NPPF)
National Planning Practice Guidance (2018, as updated) (NPPG)

6.3 Emerging Planning Policy

Northumberland Local Plan - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021) (NLP)

STP 1 Settlement Boundaries
STP 2 Presumption in favour of sustainable development (Strategic Policy)
STP 3 Principles of sustainable development (Strategic Policy)
QOP 1 Design principles (Strategic Policy)
QOP 2 Good design and amenity
QOP 5 Sustainable design and construction
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)
INF 2 Community Services and Facilities

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 comprises policies in the Tynedale LDF Core Strategy (TCS) and the Tynedale District Local Plan (TDLP) as identified above. The National Planning Policy Framework (NPPF) (July 2021) and Planning Practice Guidance (PPG) are material considerations in determining this application.

7.2 Paragraph 48 of the NPPF states that weight can be given to policies contained in emerging plans dependent upon three criteria: the stage of preparation of the plan; the extent to which there are unresolved objections to policies within the plan; and the degree of consistency with the NPPF. The Northumberland Local Plan - Publication Draft Plan (Regulation 19) (NLP) was submitted to the Secretary of State

for Ministry of Housing, Communities and Local Government on 29 May 2019, and is currently going through the examination process.

7.3 On 9 June 2021, the Council published for consultation, a Schedule of proposed Main Modifications to the draft Local Plan which the independent Inspectors examining the plan consider are necessary to make the plan 'sound'. As such the plan is at an advanced stage of preparation, and the policies in the NLP - Publication Draft Plan (Regulation 19) (Jan 2019) as amended by proposed Main Modifications (June 2021), are considered to be consistent with the NPPF. The NLP is a material consideration in determining this application, with the amount of weight that can be given to specific policies (and parts thereof) is dependent upon whether Main Modifications are proposed, and the extent and significance of unresolved objections.

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

- Principle of the development
- Design and visual impact
- Impact on school playing fields
- Public rights of way
- Amenity
- Highway safety

Principle of the development

7.5 The application site is located within the built-up area of Corbridge. Corbridge is defined by TCS Policy GD1 as a local centre and to a lesser extent the focus for development. The policy also states that in all cases the scale and nature of development should respect the character of the town or village concerned and take into account the capacity of essential infrastructure.

7.6 TCS Policy CS1 seeks to address deficiencies in services and facilities and facilitate improvements in their level of provision, quality and accessibility.

7.7 NLP Policies STP1 and STP 2 advocate a presumption in favour of sustainable development. NLP Policy STP 3 sets out the principles for sustainable development subject to certain criteria, which includes Policy STP 3(c) that supports development which contributes to improving the health, social and cultural wellbeing for all, and where it provides the infrastructure which is required to enhance the quality of life of individuals and communities.

7.8 The application seeks consent for the installation of a modular building within the existing school grounds. The building is required to replace an existing modular building that is dilapidated and close to its end of life expectancy. The proposed modular building is an existing building within the ownership of NCC and as such the re-use and re-siting of this building would be considered sustainable development and acceptable in principle in terms of supporting existing education provision and facilities in Corbridge.

Design and visual impact

7.9 TCS Policy 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. TDLP Policy GD2 requires developments to respect the positive characteristics of the built environment stating that the design should be appropriate to site, surroundings and existing buildings. NLP Policy QOP 1 sets out the design criteria for development subject to certain criteria which includes (a) that design proposals make a positive contribution to local character and distinctiveness of an area, (c) incorporates high quality aesthetics, materials and detailing, (e) ensures that buildings and spaces are functional and adaptable for future uses and (g) supports health and wellbeing and enhances quality of life.

7.10 The application site is outside of the Corbridge Conservation Area, which is centred around the historic core of the settlement, and located to the south of the site. It is considered that due to the distance from the Conservation Area boundary, and the layout of the site, the proposed building would have no impact on the character setting or views into or out of the Corbridge Conservation Area.

7.11 The proposed works are considered necessary to support the existing school; the development would replace an existing building that would be removed from site once the new building is in situ. The new modular building cannot be sited in the same location as the building it would replace as the school needs to maintain the current level of capacity, therefore the existing building cannot be removed from site until the new modular building is in place. The modular building, albeit in a different location, would provide much needed classroom facilities for the school. The proposed materials are considered acceptable and are not dissimilar to those of other prefabricated buildings in situ within the site. The building would be located within the existing school grounds on existing grassed land; the closest building would be set in from the site boundary and would not be highly visible from the street scene with the high hedge boundary, and trees beyond the site, providing additional screening along its eastern aspect. Therefore, the proposal is considered acceptable in terms of layout, scale and design and in accordance with local and national planning policy in this respect.

Impact on school playing fields

7.12 The NPPF at paragraph 99 states that *“existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”*. The proposed building would be sited on an existing grassed area within the school grounds. Sport England has been consulted in relation to the proposed development in relation to the potential loss of playing field and have raised no objection to the proposed development stating that *“the proposed development does not fall within either our statutory remit”*. It is considered that the proposed development of this part of the school site would not result in a loss of playing field and as such is acceptable in principle.

Public Rights of Way

7.13 The Parish of Corbridge Public Footpath No.8 passes adjacent to the east of the proposed development site. The Countryside Rights of Way Officer has been consulted and has raised no objection subject to Public Footpath No.8 being

protected throughout.

7.14 The development would not directly impact on the Public Right of Way and the proposal is considered to be in accordance with TDLP Policies LR3, LR19 and TP27; NLP Policy TRA 1 and the aims of the NPPF.

Amenity

7.15 The proposed modular building would be set into the boundary of the school site by approximately 2.5 metres. The nearest residential property at No. 33 The Riggs, is located approximately 8 metres to the south-east. It is acknowledged that the development would be closer to residential properties than the existing school buildings, however, the development should be considered in the context of being located on an existing school site and supporting the existing education facilities. The proposal has been assessed and is not considered to have a significant or harmful impact on the residential amenity of neighbouring properties over and above that which already exists. The proposals are therefore considered acceptable in this respect, in accordance with TDLP Policy GD2, NLP Policy QOP 2 and the aims of the NPPF.

Highway safety

7.16 The proposed development seeks consent for the installation of modular building within an existing school site. The County's Highways Development Management Team has been consulted and has raised no objection to the development. The proposal is therefore considered in accordance with Tynedale LDF Core Strategy Policy GD4, Tynedale District Local Plan Policies GD4 and GD6, Northumberland Local Plan (Draft Plan) Policies TRA 1, TRA 2 and TRA 4 and the aims of the NPPF.

Other considerations

Equality Duty

7.17 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

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

Human Rights Act Implications

7.19 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.

7.20 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.

7.21 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 application has been considered above against the relevant local planning policies and the NPPF; it is considered that the proposed development is appropriate in the context of its location and would not be detrimental to the character of the site and wider area, the amenity of neighbours or the surrounding area and would be in accordance with the development plan and the NPPF.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan: Drawing No. SC210001 (L) 01 A
Elevation Plans: Drawing No. EG09583-301 Revision C
Layout Plans: Drawing No. EGO9583-101 Revision L
Site Plan: Drawing No. SC210001 (0) 02

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Tynedale Local Plan Policy GD2 and the National Planning Policy Framework.

04. Notwithstanding the details shown on the submitted plans, prior to the installation of the building, full details showing the proposed finished ground and floor levels of the hereby approved development and the existing ground and floor levels, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the approved details.

Reason: In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment and the amenity of adjacent residents, in accordance with the provisions of Tynedale Core Strategy Policy BE1, Tynedale District Local Plan Policy GD2 and the aims of the NPPF.

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

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

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with Tynedale District Local Plan Policy GD4 and the NPPF.

Informative

01. A Public Right of Way passes close to or through the site. No action should be taken to disturb the surface, obstruct the path or in any way prevent or deter public use without the necessary legal diversion or closure Order having been made, confirmed and an alternative route provided.

Background Papers: Planning application file(s) 21/02542/CCD