

DELEGATED

AGENDA NO
PLANNING COMMITTEE

13 JANUARY 2010

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

09/2823/LA

St Pauls R C Primary, Wolviston Mill Lane, Billingham

Erection of new detached childcare facility and car park extension, new external lighting and erection of new 1.8m high boundary fencing.

Expiry Date 20 January 2010

SUMMARY

Approval is sought for the erection of a detached childcare facility located to the south of the existing St Pauls R C Primary school building. The proposal also includes a new car park which will utilise the existing access to the west of the site, from Wolviston Mill Lane. The proposed development also includes the erection of 1.8m fencing to part of the site, 1.5m fencing around the proposed car park, and external lighting in the car park area.

The application is being reported for determination by the Planning Committee due to the floor area of the proposed building being above the threshold for determination under delegated powers.

One letter of concern has been received from a neighbouring resident, largely expressing concern concerns over traffic issues.

RECOMMENDATION

Planning application 09/2823/LA be Approved subject to the following conditions:-

- 01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
90	18 November 2009
93	18 November 2009
01	18 November 2009
02	18 November 2009
91	18 November 2009
92	18 November 2009
94	18 November 2009
95	18 November 2009

Reason: To define the consent.

- 02. Construction of the external walls and roof shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To enable the Local Planning Authority to control details of the proposed development.

- 03. No development shall commence on site until full details of hard surfacing materials for the provision of car parking have been submitted to and approved in writing by the Local Planning Authority. Such materials shall either be permeable or provision shall be made to direct run off to a permeable or porous area or surface within the curtilage of the dwelling and these works shall be carried out as approved.**

Reason: To ensure a satisfactory form of development for surface water disposal.

- 04. Notwithstanding the proposals detailed in the submitted plans no development shall commence until full details of proposed hard landscaping has been submitted to and approved in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority according to the approved details within a period of 12 months from the date on which the development commenced or prior to the occupation of any part of the development. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.**

Reason: To enable the LPA to control details of the proposed development, to ensure a high quality hard landscaping scheme is provided in the interests of visual amenity which contributes positively to local character of the area.

- 05. No development shall commence until full details of Soft Landscaping has been submitted to and approved in writing by the Local Planning Authority. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed unless otherwise agreed with the LPA in writing in the first planting season following:**
- a) commencement of the development**
 - b) or agreed phases**
 - c) or prior to the occupation of any part of the development**
- and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.**

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

- 06. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with the approved plans, without the written authorisation of the Local Planning Authority Any tree, shrub or hedge or any tree/shrub or hedge planted as a replacement that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.**

During fencing works the post holes should be hand dug carefully and if any roots greater than 25mm or numerous smaller fibrous roots are encountered the hole should be back filled with the existing soil and a new position for the post holes located where few roots or no roots are found.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority considers to be an important visual amenity in the locality and should be retained and appropriately maintained.

- 07. In order to protect all the existing hedgerows and trees on site sufficient space must be assigned for all site activities and indicated on a site plan. No works will be allowed in the root protection area of any retained tree without agreement with the Local Planning Authority. Consideration needs to be given to following:**

- a) Construction and /or Demolition zones**
- b) Site access**
- c) Location of site signage**
- d) Material storage**
- e) Parking for the duration of the works**
- f) Space for temporary construction buildings (offices)**
- g) Installation of underground services**
- h) Grading and storage of soil**
- i) Use of temporary fencing**

Reason: To protect the existing hedgerows and trees on site that the Local Planning Authority consider to be an important visual amenity in the locality which should be retained and appropriately maintained.

- 08. A soft landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the**
- a) development**
 - b) or approved phases.**

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the LPA is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season unless the Local Planning Authority gives written consent to any variation.

Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period

followed by a long-term management plan for a period of 20 years. The landscape management plan shall be carried out as approved

Reason: To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

- 09. *All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.***

Reason: To protect the amenity of neighbouring residents

- 10. *Details of all external lighting of the buildings and car-parking areas shall be submitted to and agreed in writing with the Local Planning Authority before such lighting is erected.***

Reason: In the interests of the visual amenities of the area.

INFORMATIVES

The proposed scheme has been considered against the policies and documents identified below. It is considered that the scheme accords with these documents as the proposal does not lead to a loss of privacy or amenity for neighbouring residents. It is also considered that the proposal is in keeping with the existing building and does not create an incongruous feature within the surrounding area. There are no material planning considerations, which indicate that a decision should be otherwise, therefore the application is recommended for approval.

The following policies of the Adopted Stockton on Tees Plan and associated documents are considered to be relevant to the determination of this application.

Saved Policy GP1- General Principles

PROPOSAL

1. The application is for the erection of a new detached childcare facility located to the south of the existing school building at St Pauls RC Primary School, Wolviston Mill Lane, Billingham. The proposed external footprint of the building is 264m² with an approximate length of 20m and a depth of 14.5m, the maximum height will be approximately 4.2m. The proposed facility will house a maximum of 48 children aged 3-11 at any one time.
2. The proposal also includes alterations to the existing car park. The car park is to be expanded in order to allow for additional car parking at the site. A section of land to the north of the site that forms part of the Northfield Comprehensive School site is to be transferred to St Pauls RC Primary and is to be levelled off to provide additional parking.
3. The proposal also includes the erection of a 1.8m high fence around the perimeter of the site along Thames Road and Wolviston Mill Lane; the fencing will also enclose land surrounding the proposed new building. The 1.5m palisade fencing along Thames Road will be re-used to enclose the proposed car parking area. There will also be new external lighting in the car park area.

CONSULTATIONS

The following Consultations were notified and any comments received are set out below:-

4. Parish Council
No comments received
5. Councillors
No comments received
6. Acting Head Of Technical Services
I refer to your memo dated 2 December 2009
Reference drawing no plan 93 and 95

General Summary

We have no objections to this application subject to the comments below

Highways Comments

The proposed car park would alleviate parking problems along Wolviston Mill Lane by allowing staff to park within the site and mitigate any increase in staff serving the proposed children's centre therefore we would raise no objections.

Landscape & Visual Comments

Regarding the development I make the following comments:

The line of the proposed new car park should follow the line of the existing car park to allow for the retention of the existing hedge on the western site boundary. The hedge must be protected during any sites works as outlined in the suggested condition wording in the informative section at the end of this memo.

The use of palisade fencing at the rear of the site around the car park is acceptable in this location as this matches other sections of this fence style around the school. In this location the fence is also set behind the existing hedge on the western boundary which helps mitigate the appearance of the fence. Care must be taken during the erection of the fence to minimise damage to the existing planting particularly the existing trees where any tree roots are encountered. Appropriate wording for protection of the hedge and trees is attached in the informative section below.

Hard and soft landscape details are requested and these must include for new tree planting to the front of the site on the southern boundary to provide screening for the house opposites on Thames Road. Appropriate wording for Hard & Soft landscape conditions is attached in the informative section below.

7. Environmental Health Unit

I have no objection in principle to the development, however, I do have some concerns and would recommend the conditions as detailed be imposed on the development should it be approved.

Construction Noise

All construction operations including delivery of materials on site shall be restricted to 8.00 a.m. - 6.00 p.m. on weekdays, 9.00 a.m. - 1.00 p.m. on a Saturday and no Sunday or Bank Holiday working.

8. Northumbrian Water Limited
NWL has no objections to the proposed development at St Pauls R C Primary

9. Northern Gas Networks

No objections

10. CE Electric UK

No comments received

11. Sport England

Sport England have comment that they would normally oppose any planning application which would lead to the loss of any part of a playing field unless it is considered that one of the specific circumstances applies. It is considered that the development meets one of the exceptions, in that the proposed development affects only land incapable of forming, or forming part of, a playing pitch.

PUBLICITY

12. Neighbours were notified and any comments received are below (if applicable):-

Mr L Wadey

7 Humber Grove Billingham

I would like more information on the application. The building extension is capable of housing some 48 children. Does that mean that the number of pupils or nursery children will increase? We, in Humber Grove suffer great inconvenience from inconsiderate car parking by parents or carers of pupils before and after the school day. In fact the whole area near the school is a traffic nightmare especially at about 3.15 pm each school day. There is a serious risk of accident and injury at this time. The application would suggest that as there are no more teachers there would be no more children but this could change in the future. Can the council add a provision that the building extension must not be used to increase pupil numbers now or in the future without careful consideration of the consequences to traffic and congestion?

PLANNING POLICY

13. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans is the Adopted Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RRS).

14. The following saved planning policy is considered to be relevant to the consideration of this application:-

15. Policy GP1

Proposals for development will be assessed in relation to the policies of the Stockton on Tees Local Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;

- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

SITE AND SURROUNDINGS

16. The application site is St Pauls RC Primary School located on Wolviston Mill Lane, Billingham. The site is bounded to the north by Northfield Comprehensive playing fields, to the east is Northfield School, to the south is the highway of Thames Road with residential properties beyond and to the west is the highway of Wolviston Mill Lane with open fields beyond.
17. There is an existing mature hedge located along Wolviston Mill Lane to the west of the site and further tree planting to the south along Thames Road.

MATERIAL PLANNING CONSIDERATIONS

18. The material planning considerations in assessing this application are the potential impact upon the amenity of neighbouring properties, in terms of loss of privacy and appearing overbearing and potential implications for highway safety. Also the impact of the design of the proposal in relation to the existing building and the character of the surrounding area.
19. One letter of concern has been received from the neighbouring resident at number 7 Humber Grove on the basis that there is an existing traffic problem at busy times owing to illegal and inconsiderate parking. Whilst acknowledged the application states no more teachers will be employed the resident asks if the council can add a provision that the building must not be used to increase pupil numbers.

Amenity of neighbouring properties

20. There are residential properties to the south of the application site. Due to the siting of the proposed extension the school building will project closer towards the neighbouring properties to the south.
21. However, there will be a separation distance of approximately 70 metres to the closest neighbouring property to the south which front on to Thames Road. As such it is not considered that the proposed development will result in a detrimental impact upon the amenity of this neighbouring property in terms of overlooking or appearing overbearing.
22. The proposed car park is to be located to the rear of the school building and as such it is not considered there will be a detrimental impact on the amenity of neighbouring occupiers.
23. The Environmental Health department have requested that a condition be placed limiting the hours of construction operations in order to protect the amenity of neighbouring residents.(Condition 9)

Highway Safety

24. The proposed children's centre is to house facilities that are currently located within the main school building. As such the number of staff and children attending the site will not increase. Furthermore the additional car parking area will increase the parking provision within the site; the Acting Head of Technical Services has raised no objections to the

proposal as it would help to alleviate parking problems along Wolviston Mill Lane by allowing staff to park within the site. Therefore it is not considered that the proposal will result in an adverse impact upon highway safety.

25. The letter of representation received from an occupier of a nearby property expresses concern over the traffic problems. As there will be no additional staff or pupils as a result of the proposal and additional car parking will be provided, it is not considered that the proposal will result in any significant adverse impact on highway safety.

Character of the surrounding area

26. The design of the proposal is of a contemporary design than the traditional design of the existing building and due to its location will be visible from the surrounding area. However, it is considered that the contemporary design will complement the existing building and will enhance the visual amenity of the surrounding area.
27. There is existing hedging and trees on site that are to be retained and these will provide some screening of the proposed building. The Council's Landscape Architects have recommended various conditions regarding landscaping and retention of existing trees within the site. In addition, as the existing use of the site is education and consists of a school building it is not considered that the proposed building will result in a detrimental impact upon the character of the surrounding area.
28. The materials to be used in the construction of the building will be controlled via planning condition and will be agreed before development commences, this will ensure a satisfactory form of development.
29. The proposed car park is located to the rear of the building and will be located adjacent to the existing car park. The existing hedging along Wolviston Mill Lane will also provide screening. It is considered that due to the location of the proposed car park and the screening that is provided from the hedge there will not be a detrimental impact on the character of the surrounding area.
30. The proposed 1.8m fencing will be highly visible from the surrounding area. The Council's Landscape Architect has commented that the fence design is considered acceptable. The existing palisade fencing that encloses part of the site will be removed and re-used to enclose the car parking area; the Council's Landscape Architect has no objection to this as this matches other sections of this fence style around the school. The proposed new location of the palisade fencing is in a less prominent area than its current location.

Other material Considerations

31. Sport England have commented that they would normally oppose any planning application which would lead to the loss of any part of a playing field unless it is considered that one of the specific circumstances applies. It is considered that the development meets one of the exceptions, in that the proposed development affect only land incapable of forming, or forming part of, a playing pitch. This being the case, Sport England does not raise an objection to this application.

CONCLUSION

32. Overall it is considered that the proposed works will not result in a detrimental impact upon the amenity of the neighbouring properties or upon the character of the surrounding area. Furthermore it is considered that the proposal will not result in an adverse impact upon highway safety and will result in Educational benefits for the Community. The proposal

therefore accords with saved policy GP1 of the adopted Stockton on Tees Local Plan and as such is considered to be acceptable.

Corporate Director of Development and Neighbourhood Services
Contact Officer Miss Ruth Hindmarch Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward **Northern Parishes**
Ward Councillor **Councillor J Gardiner**

IMPLICATIONS

Financial Implications: As report

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: Stockton on Tees Local Plan, Saved Policy GP1