

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

15th AUGUST 2018

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT**

18/1227/LA

Junction Farm Primary School, Butterfield Drive, Eaglescliffe

Single storey side extension comprising of 2no. SEN classrooms, a sensory room and other ancillary spaces. Extension to existing car park to create 4no. additional car parking spaces.

Expiry Date; 20 August 2018

SUMMARY

This application seeks full planning permission for a single storey extension comprising of 2No. SEN classrooms, a sensory room and other ancillary spaces. Extension to existing car park to create 4No. additional car parking spaces accessed from Abbeyfield Drive.

There is an identified need to address rising pupil numbers in the locality and the proposed works are designed to address this issue.

One letter has been received which is principally raising concern over the management of the grass and how this will be maintained following the extension of the carpark.

The principle of the development is supported by Local and National Planning Policy. Whilst the development would result in a loss of land designated as playing field Sports England have not raised any objection to the proposed development. No objections have been received from any Technical Consultees.

The proposed extension is considered to be an appropriate form of development in terms of character, form, scale and siting. The development will be seen within the wider context of an existing educational facility when viewed within the wider street scene.

It is considered that due to the size and location of the developments there will not be a significant detrimental impact on the amenity of neighbouring occupiers or the visual amenity of the area. The proposal is therefore considered to be in line with general planning policies set out on the Development Plan.

Members are therefore recommended to approve the application in line with the recommended conditions and informative.

RECOMMENDATION

That planning application 18/1227/LA be approved subject to the following conditions and informative detailed below;

- Approved Plans:**
01 The development hereby approved shall be in accordance with the following approved plans;

Plan Reference Number	Date on Plan
A10918-100	25 May 2018
A10918-104	25 May 2018
A10918-107	25 May 2018
A10918-105	25 May 2018
A10918-106	25 May 2018

Reason: To define the consent.

- Tree Protection:**
02. Notwithstanding the submitted information, no development shall commence until a scheme for the protection of trees BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations Section 5.5 and NJUG Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) - Operatives Handbook 19th November 2007 has been submitted to and approved in writing by the Local Planning Authority. Any such scheme agreed in writing by the Local Planning Authority shall be implemented prior to any equipment, machinery or materials being brought to site for use in the development and be maintained until all the equipment, machinery or surplus materials connected with the development have been removed from the site.

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

- Soft Landscaping:**
03. Notwithstanding the information submitted prior to the commencement of any soft landscaping works, full details of Soft Landscaping shall be 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: commencement of the development or agreed phases 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

- Materials:**
04. Notwithstanding any description, samples of the exact colour of the vertical panel cladding and entrance canopy hereby permitted should be submitted to and approved in writing by the Local Planning Authority prior to installation. 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.

Construction Hours:

05. **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 ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

BACKGROUND

1. The school has extended over the years via numerous application for both temporary and permeant buildings. These extension have been as a result of growing demand on school places. The following application is the most relevant to this application;
2. 12/2867/LA. Various single storey extensions and remodelling of school including the provision of special educational needs facility, associated external works, new car park and extension to school playing field. Approved with Conditions.

SITE AND SURROUNDINGS

3. The school site is located in Eaglescliffe; Stockton on Tees and the school is located on Butterfield Drive, which is off Durham Lane. The school is bounded to the north and west by residential properties; to the south is a contractor's hotel. The existing southern boundary will also be extended into an existing area of open space. There will be open space remaining to the southern boundary and there are residential properties beyond this open space. To the east of the school are existing playing fields with dense planting along the boundary and the railway line beyond.

PROPOSAL

4. Planning permission is being sought for a single storey extension comprising 2No. SEN classrooms, a sensory room and other ancillary spaces. An extension to the existing car park to create 4No. additional car parking spaces is also proposed.
5. The Review of Special Educational Needs (SEN) provision was approved at Cabinet in June 2017. This recognised the need for a new model of service. A consultation process agreed the rationalisation of provision and established schools with specialisms that would become enhanced schools. Subsequently the September Cabinet approved funding to support this process. Junction Farm was awarded the Communication & Interaction Hub for both Key Stage 1 and Key Stage 2 in the south of the Borough. The school currently have a Key Stage 1 base and the proposed new build will provide teaching accommodation for Key Stage 2 with some space for Key Stage 3 pupils who are transitioning.

6. The addition 4 No. car parking space are required to accommodate the proposed increase in staff numbers.

CONSULTATIONS

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

SBC Flood Risk - At the time of writing no written representations had been received.

Tree & Woodland Officer - At the time of writing no written representations had been received.

Environmental Health Unit - At the time of writing no written representations had been received.

Councillors - At the time of writing no written representations had been received.

Highways Transport & Design Manager -

General Summary

The Highways Transport and Design Manager has no objections to the proposal, but recommends a tree protection condition be applied.

Highways Comments

This proposal includes additional car parking commensurate with proposed staff numbers. A construction management plan has been submitted and is acceptable. A new pedestrian entrance is proposed to include a suitable barrier in the footway. There are no highway objections.

Landscape & Visual Comments

There are no landscape and visual objections to the proposed extension. A number of trees require removal to facilitate the development, but these are proposed for replacement on the site. No details regarding the location of tree protection fencing have been provided and therefore it is recommended that a tree protection condition be applied to any condition.

Sport England -

Thank you for consulting Sport England on the above application.

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and against its own playing fields policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- *all or any part of a playing field, or*
- *land which has been used as a playing field and remains undeveloped, or*
- *land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

www.sportengland.org/playingfieldspolicy

The proposal is for a single storey side extension comprising of 2no. SEN classrooms, a sensory room and other ancillary spaces to the front of the school on an area of grass which due to its size, shape and the surrounding landscaping is incapable of forming part of a pitch. The other part of the application is for an extension to existing car park to create 4no. additional car parking spaces. The proposed carpark extension is partially on an area of the playing fields which due to the existing carparking and boundary is unusable for sport, and partially on a section of the neighbouring land, which although it is a grassed area, there is no history of this field being marked out with pitches. Therefore, it is not considered to constitute playing field land.

Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch*
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*
- result in the loss of other sporting provision or ancillary facilities on the site; or*
- prejudice the use of any remaining areas of playing field on the site.'*

This being the case, Sport England does not wish to raise an objection to this application.

If you would like any further information or advice please contact the undersigned at the address below.

PUBLICITY

8. Neighbours were notified and comments received are set out below :-

Mr Stephen Latheron - 28 Butterfield Drive Eaglescliffe

Having studied the proposed plan view of the school and its proposed car park extension.

I feel that an access problem has been created to the remaining grass land which will cause a disruption of a vital service provided by the council. whose contractors maintain the grass area with a large tractor mounted cutter.[During summer months] To do this they ENTER the grass field via Abbeyfield drive.

You are proposing a car park which it is assumed will have fencing and a repositioned gate the same specification as the original car park. The new carpark will cover a part of the field that is currently fenced [pallisade type]

Are you proposing to have an EXTRA gate out of the back or side of the carpark wide enough for the large tractor/ mowing machine and to provide the contractor with a key for access during holiday periods. Perhaps an alternative would be to remove some of the trees that are in the front of the new car park, Giving the grass cutter un hindered access without a need for key access.

PLANNING POLICY

9. 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 Plans for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.
10. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

National Policy and Guidance

11. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
12. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11) which for decision making means;
 - approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
13. In terms of education the NPPF (para 94) places significant emphasis on how important it is that there are a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted

Local Planning Policy

14. The following planning policies are considered to be relevant to the consideration of this application.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. Additionally, in designing new development, proposals will:
 - Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
 - Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
 - Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
 - Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Core Strategy Policy 6 (CS6) - Community Facilities

1. Priority will be given to the provision of facilities that contribute towards the sustainability of communities. In particular, the needs of the growing population of Ingleby Barwick should be catered for.
3. The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document.
4. Support will be given to the Borough's Building Schools for the Future Programme and Primary Capital Programme, and other education initiatives, the expansion of Durham University's Queen's Campus, and the provision of health services and facilities through Momentum: Pathways to Healthcare Programme.
5. Existing facilities will be enhanced, and multi-purpose use encouraged to provide a range of services and facilities to the community at one accessible location, through initiatives such as the Extended Schools Programme.

Saved Policy REC1 of the adopted Stockton on Tees Local Plan

Development which would result in the permanent loss of playing space will not be permitted unless:

- i. Sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site, or

- ii. Alternative provision of equivalent community benefit is made available, or
- iii. The land is not required to satisfy known local needs.

MATERIAL PLANNING CONSIDERATIONS

15. The main planning considerations of this application are compliance with planning policy and the impacts of the development on the character of the area; the amenity of the neighbouring occupiers; car parking, access and highway safety.

Principle of Development:

16. The application site lies within the limits to development and has a permitted educational use. The proposal seeks an extension to the existing educational facilities and also the expansion of the school site into an open space area to the south of the site. The entirety of the site is identified within the Local Plan as Outdoor Playing Space. Therefore, Policy REC1 of the Local Plan is material in the determination of the application.

17. The NPPF (2018) sets out in Para 94 that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Great weight should be given to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

18. Point 3 of Core Strategy Policy 6 'Community Facilities' states that "The quantity and quality of open space, sport and recreation facilities throughout the Borough will be protected and enhanced. Guidance on standards will be set out as part of the Open Space, Recreation and Landscaping Supplementary Planning Document." This policy and point 3 of Core Strategy policy CS10 are material in the determination of the application.

19. Sports England have not raised an objection to the proposed development as the proposed development only affects land which is incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch
- result in quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'
- the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their

20. Taking the above into account it is considered that overall the principle of development is acceptable subject to the criteria set out in policy CS6 of the Core Strategy, Saved Policy REC1 of the Local Plan and the NPPF (2018).

Impact on the character of the area:

21. The new extension is proposed to the south west of the school and will provide teaching and ancillary spaces, as well as enabling some internal reconfiguration. The single storey extension would have a flat roof, and be of a scale which would complement the appearance of the existing building.

22. Externally the extension will be constructed from brickwork and curtain walling, and feature cladding to the front entrance elevation facing Butterfield Drive. The addition of the feature cladding is deemed to be an acceptable design feature, in principle, when viewed in the context

of the wider use of the building. However, at the time of writing the final treatment of the cladding had not been confirmed, it is therefore recommended that a condition is attached to an approval requiring the final treatment of the cladding to be submitted and agreed in writing prior to the installation, to ensure that the development would not be to the detriment of the wider street scene.

23. In order to facilitate the proposed extension there will be some trees lost to the frontage of the Site, whilst regrettable, the proposal does include the planting of replacement trees elsewhere on the site. Subject to the recommended conditions by the Landscape Officers it is considered that the proposed treatment of new and existing trees is acceptable.
24. The additional car parking spaces and extension of the balustrade fencing again is considered to be an acceptable form of development within the wider site context and character of the area. The proposed treatment of the exterior of the extension, boundary treatment and car parking is all detailed on the proposed plans, it is therefore not considered necessary to impose an additional condition relating to materials to the extension of the car park.
25. It is therefore considered that the proposal would not cause any adverse impacts upon the visual amenity of the host building and the surrounding area. The proposed development is therefore considered to be in compliance with the NPPF and Core Strategy Policy 3.

Amenity of neighbouring occupiers:

26. The National Planning Policy Framework states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, the impact on the amenity of neighbouring occupiers is considered below.
27. The formation of two additional classroom and sensory room within the curtilage of an existing education facility is not considered to be an unacceptable form of development and would not have an adverse impact on the occupiers of the Abbey House to the south which is a Bed and Breakfast accommodation for contractors. The closest residential properties are east of Butterfield Drive, this development will not significantly alter their existing relationship with the School.
28. No revisions have been sought from the mitigation measures put in place to protect neighbouring properties in the 2012 permission and this development is not considered to impact on those mitigation measures already in place. This development would not increase the level of use to such a degree that any compensatory mitigation is required over and above that of the existing.
29. The proposed single storey rear extension would not due to the; scale, orientation, ground levels and existing boundary treatments result in a loss of light, have an overbearing presence or result in a loss of privacy to any of the occupiers of the neighbouring properties.
30. At the time of writing no written representations had been received from Environmental Health, Members will be updated if any consultation response is received.
31. Overall, it is considered that there will not be a significant detrimental impact on the amenity of neighbouring properties and the development is therefore considered to be in accordance with the principles contained within the National Planning Policy Statement.

Car Parking, access and highway safety

32. The Highway Officers have been consulted and deem that the additional proposed 4No. staff car parking spaces is commensurate with the proposed extension. The construction Management Plan is deemed to be acceptable as is the new pedestrian entrance with barrier.

33. The development is considered acceptable in terms of car parking, access and Highway safety and there is no requirement for any additional conditions or informatives.

Residual Matters

34. The concerns raised from the neighbour in terms of grass cutting is not a material planning consideration and cannot be addressed as part of this application.

CONCLUSION

35. Overall the nature and scale of the development is considered to be acceptable and the parking provision and access is satisfactory. It is considered that the developments will not have any significant undue impact on the amenity of neighbouring occupiers and will not have a significant detrimental impact on the street scene or character of the area. The proposal is therefore considered to be in line with general planning policies set out on the Development Plan

36. The application is therefore recommended for approval subject to the conditions outlined earlier in this report.

Director of Economic Growth and Development
Contact Officer Helen Boston Telephone No 01642 526080

WARD AND WARD COUNCILLORS

Ward	Eaglescliffe
Ward Councillors	Councillor Phillip Dennis
Ward Councillors	Councillor Stefan Houghton
Ward Councillors	Councillor Laura Tunney

IMPLICATIONS

Financial Implications: n/a

Legal Implications: n/a

Environmental Implications:

The assessment of the application has taken into account the impacts on the character and appearance of the area as well as impacts on adjoining properties and it is considered that there would be no significant impacts as detailed within the 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:

National Planning Policy Framework
Core Strategy Development Plan Document
Application file 12/2867/LA