

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16th January 2019

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

18/2413/FUL

**Our Lady and St Bede Catholic Academy, Bishopton Road West, Stockton-on-Tees
Application for the erection of new sports hall and changing provisions, single storey extension to front to form new entrance to include installation of ramp access and associated landscaping.**

Expiry Date : 31 January 2019

SUMMARY

This application seeks full planning permission for the erection of a single storey new school block to provide a new sports hall and changing facilities, single storey extension to front to form new entrance to include installation of ramp access and associated landscaping.

The single storey Sports Hall would have a flat roof and be of a scale which would complement the appearance of the existing school. The proposed facility will enhance the facilities the school is able to offer its pupils. Externally the building would be constructed from a combination of facing brick and curtain walling at low level and modular cladding at high level. 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 site. Full details have been given and therefore it is not deemed necessary to impose a condition in relation to the materials.

The proposed reception extension will improve safeguarding to the site as well as emphasising the main reception which is currently difficult to identify. It too would have a flat roof and be constructed from a combination of brickwork and cladding as well as incorporating large panes of glazing.

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

The proposed developments are considered to be an appropriate form of development in terms of character, form, scale and siting. The developments would be seen within the wider context of an existing educational facility when viewed within the wider street scene and public vantage points.

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. The proposal is therefore considered to be in line with general planning policies set out in the Development Plan.

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

RECOMMENDATION

That planning application 18/2413/FUL be approved subject to the following conditions and informatives detailed below;

01 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
A10861-100-02 REV P3	11 December 2018
A10861-100-01	16 October 2018
A10861-100-04	16 October 2018
A10861-100-05	16 October 2018
A10861-100-06	1 November 2018
A10861-100-07	16 October 2018
A10861-100-08	16 October 2018
A10861-100-09	16 October 2018
A10861-100-10	1 November 2018
A10861-100-11	1 November 2018
A10861-100-12	16 October 2018
A10861-100-13	16 October 2018
A10861-100-14	16 October 2018
A10861-100-15	16 October 2018
A10861-100-16	16 October 2018
A10861-100-17	1 November 2018
A10861-100-18	23 October 2018

Reason: To define the consent.

02 Working hours for all Construction/Demolition operations including delivery/removal of materials on/off site be restricted to 08:00 - 18:00Hrs on weekdays, 09.00 - 13:00Hrs on a Saturday and no Sunday or Bank Holiday working.

Reason: In the interest of protecting the residential amenity of the occupiers of the neighbouring properties.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions.

Informative: Community Use Agreements

Should the applicant wish to participate in a Community Use Agreement Guidance is available from Sport England. <http://www.sportengland.org/planningapplications/>

BACKGROUND

Previous planning permissions for the Site include;-

02/1697/P – Erection of 2.4 m high palisade fencing and gates, approved September 2002

04/2592/FUL-Erection of 2.4m high steel palisade security fence and gates, approved September 2004

09/1619/APC-Application to discharge condition nos. 1 - 6 of planning approval 06/3113/FUL for Erection of sports changing facility, with associated classroom and toilets, drama/dance studio and cafeteria. Erection of 3m high weld mesh type fence around building and football pitches, approved August 2009

12/1158/FUL-Window replacement in two teaching blocks, approved July 2012

14/0913/FUL - Partial window replacement in 2.no blocks (East and West Hall), approved May 2014

14/2975/FUL - Proposed extension to existing car park, approved 9 January 2015

SITE AND SURROUNDINGS

1. The application Site is Our Lady & St Bede Catholic Academy which is located within a predominantly residential area with residential properties along Bishopton Road West being located along the northern boundary and residential properties along Castle Close located along the western boundary. The southern boundary of the Site is shared with Grangefield School and the eastern boundary is shared with Stockton Sixth Form.
2. The Site is classified as Flood Zone 1, low probability of flooding, as defined by the Environment Agency.

PROPOSAL

3. Planning permission is being sought for the erection of a sports hall and changing provisions, single storey extension to front to form new entrance to include installation of ramp access and associated landscaping.
4. The new reception would provide 29sqm of single storey accommodation. The proposed sports hall would provide 755sqm of sports hall and changing accommodation. Whilst the sports hall would be single storey it would have an external height of 11m to give sufficient internal height for various sports.
5. The proposals will improve PE accommodation and safeguarding through improved entrance arrangements. The project will also replace some of the original façades to improve thermal performance.
6. Further to initial comments from the Highway Transport and Design Manager an additional 3 car parking spaces are to be created along the eastern boundary of the Site on an existing area of hard surfacing.
7. It is noted that this application will not result in an uplift in pupils.

CONSULTATIONS

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

School Place Planning

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

Highways Transport & Design Manager

Following the receipt of revised plans the proposed development is acceptable.

SBC Flood Risk

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

Councillors

I have no problems with this planning application and I am happy to see it come to fruition.

Sport England

Thank you for re-consulting Sport England following the submission of a revision to the application site boundary.

The amended application site boundary does not raise any issues which would result in an amendment to or the alteration of our initial consultation response, which is copied below. The points raised and our conclusions remain relevant.

Sport England

The full response can be viewed on the public access.

Conclusion

*This being the case, Sport England offers its in principle **support** for this this application, however it is considered that the lack of storage area should be addressed and that community use should be encouraged.*

Condition: Use of the sports hall shall not commence [or no development shall commence or such other timescale] until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to [describe facilities forming part of the development] and include details of pricing policy, hours of use, access by non-[educational establishment] users [non members], management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.*

Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/>

Environmental Health Unit

Comments

I have checked the documentation provided, have found no grounds for objection in principle to the development.

Due to the close proximity of residential premise there is the potential for the short-term impact on residents resulting from site operations and vehicles accessing the site. This may include noise, dust and vibration. I would therefore recommend the following condition with respect to construction activities be imposed on the development;

Construction/ Demolition Noise

I would recommend that working hours of all construction/demolition operations including delivery/removal of materials on/off site shall be restricted to 08:00 ' 18:00Hrs on weekdays, 09.00 ' 13:00Hrs on a Saturday and no Sunday or Bank Holiday working. Should works need to be undertaken outside of these hours the developer should apply for consent under Section 61

Control of Pollution Act 1974. This would involve limiting operations on site that cause noise nuisance.

Principal Environment Officer

The Principal Environment Officer has confirmed that *the nature of this development would render it difficult to follow BREEAM route so there's no need to apply the requirements of Emerging Policy ENV1, and the location means there's no need to apply Policy ENV3 around decentralised energy.*

PUBLICITY

9. Neighbours were notified, no comments had been received at the time of writing.

PLANNING POLICY

10. 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 Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

11. Section 143 of the Localism Act came into force on the 15 January 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 Planning Policy Framework

12. 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.

13. 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-date, 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.

14. 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

15. 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

All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREAM) 'of Very good' up to 2013 and thereafter a minimum ratings of 'excellent'.

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.

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

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.

All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter.

MATERIAL PLANNING CONSIDERATIONS

16. 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 and highway safety.

Principle of Development

17. 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 area of hard play surface to the east of the existing sport and swimming block. The Site the subject of this application is not designated as Outdoor Playing Space within the Local Plan, although the playing field south of the Site is.
18. 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.
19. 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.
20. Sports England have *offered it's in principle support for this application*. They have however raised a query over the proposed level of storage. The applicant has confirmed that *meetings have taken place with the school and storage arrangements agreed. Full details have been discussed with regard to the specific equipment that can be stored in these spaces. The equipment (nets, balls and mats etc.) relating to the games/sports the sports hall has been designed for can be accommodated into the new stores being provided in the hall. The school have been involved in the whole design process*. It is considered that the level of associated storage is appropriate given the applicants justification. Sports England have suggested a condition in relation to *Community Use Agreements*. Sports England's standing advice states;

In undertaking its planning application consultee role there may be instances when we will require a CUA to be submitted, approved and implemented to overcome its potential objection to an application. These instances may include where securing and/or enhancing community use is proposed, as one of the measures to provide adequate replacement provision and/or mitigation where existing playing field land or other sports facilities may be affected. This mitigation may be required in order for us not to formally object/withdraw our objection to a proposed development.
21. Sports England are supportive of the principle of the development and the condition is not required to overcome an objection nor does the proposed development relate to a designated playing field. To impose the recommended condition would therefore be contrary to the NPPF and NPPG as it would fail to meet the 6 tests. Rather it is proposed that an informative is attached to a Decision advising the applicant of the option to participate in a Community Use Agreement.
22. 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

23. The proposed sports hall would be situated to the south of the existing schools boundary adjacent to the existing sports hall and swimming pool block and would provide an enhanced PE accommodation with changing facilities. The single storey development would have a flat roof and be of a scale which whilst large would complement the appearance of the existing built form of the school.
24. Externally the sports hall building would be constructed from a combination of facing brick and curtain walling at low level and modular cladding at high level. 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 site.
25. The proposed reception extension would also have a flat roof and be constructed from a combination of brickwork and cladding, with large panes of glazing. The current reception is well screened by the surrounding built form, particularly for visitors unfamiliar with the Site. The proposed development would provide a more readable entrance to the school whilst ensuring it still sits within the context of the surrounding built form.
26. It is not considered that the proposed developments would cause any adverse impacts upon the visual amenity of the site or surrounding area. The proposed development is therefore considered to be in compliance with the NPPF and Core Strategy Policy 3.

Amenity of neighbouring occupiers

27. 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.
28. The formation of the proposed developments within the curtilage of an existing education facility is not considered to be an unacceptable form of development and due to the separation distances would not have an adverse impact on the occupiers of the surrounding residential properties in terms of overbearing, loss of light and loss of privacy.
29. Environmental Health have not requested the imposition of any operation hours, however they have suggested operational hours in terms of the construction. In the interest of protecting the amenity of the occupiers of the neighbouring properties it is recommended that the condition is attached to the approval.
30. 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 Framework.

Car Parking, access and highway safety

31. The proposed development will provide full access internally and all new external footpaths will be compliant with the relevant regulations and standards. The proposed development would not result in increase of staff or pupil numbers. The Highways Transport and Design Manager requested an additional 3 car parking spaces be provided. A revised plan was received on the 11th December 2018 showing the additional car parking being provided and it has since been confirmed that the parking provision is acceptable.
32. The Highway Officers have been consulted and raised no objections to the proposed development. 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.

Other Matters

33. Notwithstanding the requirements of Policy CS3 (2), it is considered that given the scheme is for an extension to an existing school and with the reliance on existing infrastructure it is not

deemed practical to impose the energy efficiency requirements of the policy. The new sports hall heating and ventilation strategy has been designed in accordance with 'Building Bulletin 101 Ventilation, Thermal Comfort and Indoor Air Quality of School Buildings'.

34. The Principal Environment Officer has confirmed that the nature of this development would render it difficult to follow BREEAM route so there's no need to apply the requirements of Emerging Policy ENV1, and the location means there's no need to apply Policy ENV3 around decentralised energy.

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 **Grangefield**
Ward Councillors **Councillor Carol Clark**
Ward Councillors **Councillor Stephen Richardson**

IMPLICATIONS

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Financial Implications: n/a

Legal Implications: n/a

Environmental Implications: n/a

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:

The Town and Country Planning Act 1990.
National Planning Policy Framework
Stockton on Tees Local Plan Adopted Version June 1997
Core Strategy Development Plan Document March 2010