

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE**

**31 JULY 2019**

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

**18/2563/FUL**

**All Saints Church Of England Academy, Blair Avenue, Ingleby Barwick  
Erection of 2no. two storey extensions to north-east elevation and south-east elevation  
comprising 7no. classrooms, drama studio and other ancillary spaces.**

**Expiry Date: 31 July 2019**

**SUMMARY**

This application seeks full planning permission for the erection of two storey and first floor extensions comprising 7 classrooms, a drama studio, a science laboratory and toilet and storage facilities.

Externally the building would be constructed from a combination of facing brick and through coloured render. The two storey building would have a mono-pitched and flat roof design and would be of a scale which would complement the appearance of the existing school building.

The development is required to support the need for secondary school provision within the wider surrounding area.

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 from the surrounding area.

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 18/2563/FUL be approved subject to the following conditions and informative:**

**01 Commencement of Development**

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

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

**02 Approved Plans**

The development hereby approved shall be in accordance with the following approved plans:

<b>Plan Reference Number</b>	<b>Date on Plan</b>
<b>A10857-100A</b>	<b>5 November 2018</b>
<b>A10857-108A</b>	<b>5 November 2018</b>
<b>A10857-105A</b>	<b>5 November 2018</b>
<b>A10857-106A</b>	<b>5 November 2018</b>
<b>A10857-107A</b>	<b>5 November 2018</b>
<b>A10857-109A</b>	<b>5 November 2018</b>
<b>A10857-111A</b>	<b>15 March 2019</b>

**Reason: To define the consent.**

**03 Materials**

Notwithstanding any description, samples of the exact colour of the through render finish hereby approved shall 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 the finished details of the proposed development.

**04 Tree Protection Measures**

Prior to the commencement of the development hereby approved, the tree located to the south-east of the proposed extension, shall be protected during construction works in accordance with a scheme to be first submitted and approved in writing by the Local Planning Authority. The scheme shall outline the tree protection zones and detail any pruning works required. The protective fencing shall be established prior to any equipment, machinery or materials are brought on to the site for the purposes of the development. No construction materials shall be stored or placed within any fenced area nor shall the ground levels within this area be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority.

Should the tree be seriously damaged or die as a result of site works, it shall be replaced with a tree of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

Reason: In the interests of the preservation of the on-site tree which is considered to contribute to the attractive and the character of the area in accordance with the principles of Local Planning Policy SD8.

**05 Construction Management Plan**

The proposed development shall be carried out throughout the construction period in full accordance with the submitted and approved Construction Management Plan (A10857 / 109 Rev A Submitted 05 November 2018).

Reason: In the interests of highway safety and to safeguard the amenities of the surrounding area.

#### **06 Construction/Demolition**

No construction/demolition works or deliveries shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

#### **07 Potential Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority prior to resumption of the works. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted in writing and approval by the Local Planning Authority.

Reason: in the interest of Health and Safety

#### **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.

#### **SITE AND SURROUNDINGS**

1. The application site relates to All Saints Church of England Academy, located along Blair Avenue within Ingleby Barwick. To the north of the site is highway of Blair Avenue and to the east are commercial properties located within Myton Park Local Centre. To the south and south-west is a large playing field serving the school and beyond this are residential properties. The Proposed Classroom would be located at the most eastern area of the school.

#### **PROPOSAL**

2. The application seeks planning consent for the erection of two storey and first floor extensions to the east elevations comprising 7 classrooms, a drama studio and other ancillary spaces. The proposed development would also reconfigure the boundary fence and access gates and relocate the existing cycle shelter.

#### **CONSULTATIONS**

3. The following Consultations were notified and any comments received are set out below (in summary):-

##### **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. 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.

## **Highways Transport & Design Manager**

### General Summary

Subject to the conditions set out below the Highways, Transport and Design Manager has no objections to the proposed erection of 2no two storey extensions to north-east elevation and south-east elevation comprising of 7no classrooms, drama studio and other ancillary spaces.

### Highways Comments

The proposed application seeks to extend All Saints Church Of England Academy to provide additional teaching space by providing 7 classrooms, a drama studio and other ancillary spaces.

### Layout / Car Parking

In order to meet the additional car parking demand, associated with the proposed school expansion, the car park serving the school has been re-configured to provide a further 6 spaces which is considered to be acceptable.

### Construction Management Plan

A Construction Management Plan would be required in order to ensure that construction works do not have a detrimental impact on the highway.

There are no highways objections to the proposal.

### Landscape & Visual Comments

There is an attractive mature tree on the edge of the site to the south east, close to the proposed new location of the cycle shelter. There are no landscape and visual objections to the proposals provided a scheme of tree protection is submitted detailing measures to protect the mature tree during the works, and describing any pruning works required to the tree canopy to allow construction of the new 2m high fence. This information may be secured by condition.

## **Conditions**

Construction Management Plan

Tree Protection

### **Environmental Health Unit**

I have no objection in principle to the development, subject to the imposition of the following advisory conditions:

Construction/ Demolition Noise

### **Contaminated Land Officer**

I have reviewed the historical environmental records held by this Local Authority and have found no grounds for objection in principle to the application.

Unexpected land Contamination

### **PUBLICITY**

4. Neighbours were notified and no comments have been received.

### **PLANNING POLICY**

5. 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 Stockton on Tees Borough Council Local Plan 2019.

6. 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 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**

7. 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.

8. 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.

### **Local Planning Policy**

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

### **Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy**

3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve.

4. To ensure residents' needs for community infrastructure are met, where the requirement is fully justified and necessary, the Council will support planning applications which:

- a. Provide for the expansion and delivery of education and training facilities.
- b. Provide and improve health facilities.
- c. Provide opportunities to widen the Borough's cultural, sport, recreation and leisure offer.

### **Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles**

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
- h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.

2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.

### **Transport and Infrastructure Policy 2 (TI2) - Community Infrastructure**

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
- b. Work with partners to ensure existing deficiencies are addressed; and
- c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

4. To ensure needs for community infrastructure are met, the Council will:

- a. Support opportunities to widen the cultural, sport, recreation and leisure offer;
- b. Support proposals of education, training and health care providers to meet the needs of communities;
- c. Encourage the multi-purpose use of facilities to provide a range of services and facilities within one accessible location;

6. Development on existing sports and recreational buildings and land, including playing fields will be resisted, unless:

- a. An assessment has been undertaken which has clearly shown the buildings or land as surplus to requirements; or
- b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location; or
- c. The development is for an alternative sports and recreational provision, the needs for which clearly outweigh the loss.

### **Policy ENV 1 – Energy Efficiency**

### Non Domestic

4. All new non-residential developments up to and including 499 sq m of gross floor space will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

### **MATERIAL PLANNING CONSIDERATIONS**

10. The main planning considerations of this application are the principle of development, the impacts of the development on the character of the area; the impacts on the amenity of the neighbouring occupiers and highway safety related matters.

#### **Principle of Development**

11. The application site relates to an educational facility located within the limits to development. The submitted Design and Access Statement identifies that there is a need to provide additional pupil places within the surrounding area. The proposal seeks extensions to the existing facilities to provide an additional 200 children's places that would take the school to a capacity of approximately 900 children. The proposed extensions would provide additional teaching spaces, a drama studio, a science laboratory and toilet and storage facilities.

12. The NPPF sets out in Para 94 that Local Planning Authorities should take a proactive, positive and collaborative approach 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. With reference to Local Planning Policy, Point 4 of planning policy SD6 states that the Council will support planning applications which provides for the expansion and delivery of education and training facilities.

13. A small area of the proposed works would take place on land allocated as school playing field. Sport England have assessed the marginal encroachment and consider that the area of playing field is incapable of forming part of a playing pitch and it would not prejudice the use of an existing playing pitch and therefore does not object to the proposed scheme.

14. Having regard to the requirement for additional school places within the area, which would be provided at an existing school facility, taking account of both Local and National Policy, and with no objections received from Sport England, the principle of development is considered to be acceptable subject to further material considerations as considered below.

#### **Impact on the Character and Amenity of the Surrounding Area**

15. Planning Policy SD8 states that the Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the character and sensitivity of the surrounding buildings. Planning Policy SD8 also seeks to provide sufficient levels of privacy and amenity for all existing and future occupants of land and buildings.

16. The proposed two storey extensions would be located at the rear of the main school building, which is set back from the Highway of Blair Avenue. Views onto the proposed extensions from the front would largely be screened by the existing school building and the leisure centre building, which is currently under construction. The proposed works would be constructed from matching brick and a render finish and the proposed extensions are considered to be in keeping with the scale and appearance of the existing school building.

17. Between the proposed extension and the residential properties to the west and south-west is the school playing field, and the proposed extensions would have a separation distance in excess of 170 metres from these residential properties. To the front (north), the proposed extensions would be at a distance of approximately 140 metres from Roseville Care Home and

to the south (rear), residential properties on Thirwall Drive and Rochester Court would be in excess of 300 metres from the proposed development. To the east, adjacent to the location of the proposed extensions, are commercial properties located within Myton Park Local Centre.

18. Considering the distance and relationship with the surrounding neighbouring residential and commercial properties, the proposed development is considered not to result in any significant loss of privacy and amenity and the proposed works are considered acceptable in this respect. With respect to temporary construction activity, the Environmental Health Unit have recommended a condition to control the hours of construction works and a construction management plan has been submitted with the application. Subject to the respective conditions in relation to these matters, the proposal is considered to be acceptable.

### **Highway Safety Related Matters**

19. The proposed extensions would provide an additional 7 classrooms. In order to meet the additional vehicular parking demand, the existing car park serving the school would be re-configured to provide an additional 6 vehicular parking spaces. The Highways Transport and Design Manager has considered the proposed scheme and subject to the spaces being provided in accordance with the submitted plans and construction management plan, raises no objections in respect to highway safety and vehicular parking provision. The proposal is therefore considered to be acceptable in this respect.

### **Sustainable Construction Measures**

20. With respect to sustainable construction measures, the proposed extension would provide building fabric insulation values greater than the Building Regulations requirements together with the use of all LED lights and energy efficient control systems for both lighting and heating. The Councils Environmental Officer has considered the measures proposed and is satisfied with the sustainable construction contributions and the development is considered acceptable in this respect.

### **CONCLUSION**

21. Overall it is considered that the nature and scale of the development, including the parking provision 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 and The National Planning Policy Framework.
22. The application is therefore recommended for approval subject to the conditions outlined earlier in this report.

**Director of Economic Growth and Development**

**Contact Officer Kieran Campbell Telephone No 01642 528551**

### **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Ingleby Barwick West</b>
<b>Ward Councillors</b>	<b>Councillor Ken Dixon</b>
<b>Ward Councillors</b>	<b>Councillor Ross Patterson</b>
<b>Ward Councillors</b>	<b>Councillor Kevin Faulks</b>

### **IMPLICATIONS**

**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 National Planning Policy Framework  
Stockton-On-Tees Local Plan (Adopted 30 January 2019)