

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

16 March 2022

**REPORT OF DIRECTOR OF FINANCE,
DEVELOPMENT AND BUSINESS SERVICES**

21/2991/FUL

Bishopton Centre, Marsh House Avenue, Billingham

Erection of new 1.5 storey linked extension to two existing buildings to include external alterations to existing windows and doors of existing buildings. Construction of new Multi Use Games Area, service access area and associated landscaping.

Expiry Date: 23 February 2022

SUMMARY

The application seeks planning permission for the erection of a new 1.5 storey linked extension to two existing buildings to include external alterations to existing windows and doors of existing buildings. Construction of new Multi Use Games Area, service access area and associated landscaping. The Multi-Use Games Area (MUGA) and 'mini-soccer pitch' are to be sited to the southeast of the application site.

There have been no letters of objection or support and the application comes before Members as it falls outside of the scheme of delegation due to its overall floorspace exceeding 'minor' development threshold of 500 sqm.

In summary, it is considered that the nature and scale of the development is acceptable and will not have a significant detrimental impact on the street scene or character of the area. It is considered that the development will not have any significant undue impact on the amenity of neighbouring occupiers and would not lead to any significant levels of noise and disturbance during its construction or its subsequent use. The proposed development is therefore recommended for planning approval subject to conditions as set out below;

RECOMMENDATION

That planning application 21/2991/FUL be approved subject to the following conditions and informative:

01 Time Period for Commencement

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 plan(s);

Plan Reference Number	Date Received
A10977-BGP-00-XX-DR-C-52-00101	25 January 2022
A10977-BGP-00-XX-DR-C-52-00130	25 January 2022
A10977-BGP-00-XX-DR-C-52-00131	25 January 2022
A10977-BGP-00-XX-DR-C-52-00135	25 January 2022
A10977-BGP-00-XX-DR-C-52-00136	25 January 2022
A10977-BGP-00-XX-DR-C-52-00137	25 January 2022
A10977-BGP-00-XX-DR-C-90.4-00110	25 January 2022
A10977-BGP-00-XX-DR-C-90.4-00111	25 January 2022
A10977-BGP-00-XX-DR-C-90.4-00115	25 January 2022
A10977-10-01	3 December 2021
A10977-10-02	3 December 2021
A10977-10-03	3 December 2021
A10977-10-04	3 December 2021
A10977-27-01	3 December 2021
A10977-20-02	3 December 2021
A10977-20-03	3 December 2021
A10977-20-01	3 December 2021
A10977-90-03	3 December 2021
A10977-90-01	3 December 2021
A10977-90-02	3 December 2021
A10977-90-70	3 December 2021
A10977-90-71	3 December 2021
A10977-90-72	3 December 2021
A10977-90-73	3 December 2021

Reason: To define the consent.

03 Construction Hours

Working hours on site including deliveries to and from the site, shall be restricted to between the hours of 08:00-18:00 on Mondays- Fridays, 09:00-13:00 on Saturdays and at no any time on Sundays or Bank holidays.

Reason: In the interests of the amenity of the occupiers of the neighbouring properties.

04 Construction Management Plan

The development hereby approved, shall be built in full accordance with the submitted and approved plans for the phasing and construction at the application site.

Reason: In the interests of highway safety and residential amenity.

05 Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved "Flood Risk Assessment" dated 3 December 2021 by Billingham George & Partners and the proposed mitigation measures detailed. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

06 Site Drainage

The development hereby approved, shall be built in full accordance with the submitted and approved plans for the disposal of foul and surface water.

Reason: To ensure that satisfactory details are submitted to prevent the increased risk of flooding from any sources in accordance with the NPPF.

07 Tree Protection

All works carried out to trees and hedgerows shall be carried out in accordance with the "Arboricultural Method Statement" dated 21 December 2021 by Elliott Consultancy LTD. This must be in close accordance to:

1. BS5837 – Trees in relation to design, demolition, construction and the appointment of a Project Arborist to ensure that on and off-site trees are fully considered during the development process.
2. The tree works detail within Section 5 & 6 of the "Arboricultural Method Statement".
3. No trees shrubs or hedges within the site which are shown as being retained shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior consent in writing of the local planning authority

Reason: To protect the all existing trees on and immediately adjacent to the site (within 10 metres), to preserve amenity and to be in accordance with British Standards.

08 No-dig construction

Prior to the commencement of development, all no-dig construction methods for hard surfacing indicated within the approved plans must be implemented on site.

Reason: To protect the ground and any tree roots around the site.

09 Noise

The development hereby approved, shall be built in full accordance with the Noise Impact Assessment dated 3 December 2021 by Apex Acoustics.

Reason: In the interest of protecting the residential amenity of neighbouring properties and in compliance with the NPPF and Policy SD8 of the Local Plan.

10 MUGA Restricted hours of use

The Multi-Use Games Area (MUGA) hereby approved as detailed on the approved to which this permission relates shall be restricted to the hours of use of 0800 hours - 2100 hours.

Reason: To ensure that surrounding residential properties are not adversely affected by the development and comply with the provisions of the NPPF.

11 Energy and Sustainability

Prior to above ground construction, an Energy Statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction shall be submitted to and approved in writing by the Local Planning Authority. The building shall be constructed accordance with the approved report.

Reason: In order to minimise energy consumption in accordance with Stockton-on-Tees Local Plan Policy ENV1.

12 Unexpected Land 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 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.

Informative : Waste Collection

There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained, and located so that access to them by vermin and unauthorised persons is prevented and arrangements shall be made for the regular lawful disposal of their contents.

BACKGROUND

1. The Bishopton Centre operates as a referral unit and provides educational programmes for pupils of secondary school age who are at risk of exclusion or who have been permanently excluded and are unable to be transferred to another school.
2. The application site currently comprises two separate units, the smaller to the north was constructed in the 1970s as a City Learning Centre and now serves Key Stage 3 learning. The larger southern building was constructed in the early 2000s to house technology teaching spaces and now serves Key Stage 4 learning.

SITE AND SURROUNDINGS

3. The proposed site is located within northern Billingham and lies on a residential/community boundary; with two primary schools, two sports centres and a sixth form college within close proximity.
4. The site is bounded by Marsh House Avenue to the west, the community sports centre to the north, The Skills Academy on the east and Bede Sixth Form College to the south. Vehicular

access to the site is currently from the north, whereas there is additional existing pedestrian access from Marsh House Avenue.

5. The application site is partially concealed from Marsh House Avenue by mature trees and high hedge planting which lines the pedestrian walkway along the east of the site; there are existing pedestrian and vehicular accesses to the Bishopton Centre from multiple northern and eastern entrances to the site along Marsh House Avenue.

PROPOSAL

6. The aims of the application are to unify the two buildings by erecting a 1.5 storey extension to linking the two buildings and to updating their external aesthetics and functionality to allow the Bishopton Centre to function as one cohesive school building.
7. The additional facilities proposed would comprise a Multi-Use Games Area and 'mini-soccer pitch' which would be sited in an area of open space grassland, bound between the existing Key Stage 4 building and the boundary of the site bordering Marsh House Avenue.

CONSULTATIONS

8. The following consultation responses have been received as set out below (in summary):-
9. **Environmental Health Unit** – No objections to the proposal in principle, subject to the imposition of the following conditions:

Unexpected Land 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.

Construction/ Demolition Noise

I am concerned about the short-term environmental impact on the surrounding dwellings during construction/demolition, should the development be approved. My main concerns are potential noise, vibration and dust emissions from site operations and vehicles accessing the site. I would recommend 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.

Noise disturbance from access and egress to the premises

The opening hours should be limited to ensure that adjacent premises are not adversely affected by either customers using the premises or from vehicles servicing the premises at unsocial hours.

Light Intrusion

Before the commencement of the development hereby permitted, a scheme for the protection of the proposed dwellings and the neighbouring premises from light intrusion shall be submitted to and approved in writing by the Local Planning Authority. All works, which form a part of such a scheme, shall be completed before any of the permitted dwellings are occupied. The scheme should detail the type of luminaries and their Lumen levels, locations, heights, angles plus the level of light trespass in lux.

Dated:23/12/2021

I have reviewed the submitted ground investigation report (Ref: 21-903, Dec 2021) by Arc Environmental.

I am satisfied that the risks posed by soil, gas and water contamination have been adequately assessed and undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" guidance (2020), CIRIA C665 and BS87576: Guidance in investigations for ground gases.

Based on the findings of the ground investigation, there is a low risk posed by the development and no further remediation is required.

It should be noted that a final gas risk assessment is still being undertaken. As the initial results show that no gas protection measures are required, I have no objection to the results being submitted as an addendum letter to this report. I also have no objection to approving the phase 2 Report.

10. Sport England – No objections to the proposal.
11. Northumbrian Water Limited – No comments to make following a re-consultation of the proposed works.
12. Billingham Town Council – General comments of support were made for the application.
13. Highways Transport & Design Manager – No objections to the proposal provided a condition is implemented for a no dig construction for hard surfacing and works close to the tree are carried out in accordance with the submitted proposals.
14. Northern Gas Networks – No objections to the application.

PUBLICITY

15. Publicity has been given to the planning application through a site notice and neighbour notification letters. No letters of objection or support for the application have been received.

PLANNING POLICY

16. 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.
17. 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

18. 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.
19. 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.

Paragraph 93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

Paragraph 95. It is important that 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 school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Paragraph 99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

Local Planning Policy

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

Policy SD1 - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable

development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

Policy SD6 – Transport and Infrastructure Strategy

3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that contribute towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard Sustainable Settlement and West Stockton Sustainable Urban Extension.

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.

Policy 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;
- c. Need to protect and enhance ecological and green infrastructure networks and assets;
- d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
- e. Privacy and amenity of all existing and future occupants of land and buildings;
- f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
- 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.

3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.

4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.

Policy 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

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).
5. All new non-residential developments of 500 sq m and above of gross floor space will be required to:
 - a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction; and
 - b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

Policy ENV6 - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

3. The Council will protect and enhance open space throughout the Borough to meet community needs and enable healthy lifestyles. The loss of open space as shown on the Policies Map, and any amenity open space, will not be supported unless:
 - a. it has been demonstrated to be surplus to requirements; or
 - b. the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c. the proposal is for another sports or recreational provision, the needs for which, clearly outweigh the loss; or
 - d. the proposal is ancillary to the use of the open space; and
 - e. in all cases there would be no significant harm to the character and appearance of the area or nature conservation interests.

Policy ENV7 – Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

MATERIAL PLANNING CONSIDERATIONS

21. The main material planning considerations of this application are the compliance of the proposal with national and local planning policy, the impacts upon the character and appearance of the area, the impact on the privacy and amenity of neighbouring residents, the impact on the highway network and highway safety, flood risk, contaminated land, noise, and other material planning considerations.

Principle of the Development

22. The application site relates to an educational and sports facility located within the limits to development. The proposed works would improve the quality and effectiveness of the Bishopton Centre by providing buildings and associated infrastructure fit for the modern operational function of a contemporary educational facility.

23. The NPPF sets out in Paragraph 95 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 4a of planning policy SD6 states that the Council will support planning applications which provides for the expansion and delivery of education and training facilities.

24. The application also seeks to include provision of a MUGA to the south of the application site. At national level, paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

25. With reference to local planning policy TI2, this echoes the aims of national planning policy and seeks that 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 the development is for an alternative sports and recreational provision, the needs for which clearly outweigh the loss.

26. Sport England were consulted on the application and raised no objections to the proposals. Consideration for the proposed MUGA has also been weighed against the points made in local plan policy ENV6 and as the proposed MUGA is to be used for another sports or recreational provision the overall impact on the open is considered limited given it involves the loss of a small area and will be ancillary to the wider use of the open space. The MUGA is considered to adhere to the requirements of planning policy as there is a clear and justifiable reason for the loss of green open space which outweighs this loss.

27. The proposed extension and MUGA will provide much-needed resources for the school, and it is considered that it complies with national and local planning policy. The principle of development is acceptable subject to further material considerations as considered below.

Impact on the Character of the surrounding area

28. 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.
29. The extensions scale and appearance is appropriate within the context of the surrounding area and provides an attractive architectural design. The buildings form gives presence and a sense of place as it would create a cohesively designed and fully operational school. It is therefore considered that the proposed layout has been designed with adequate distances and designed to negate any overlooking and would not be visually intrusive or overbearing.
30. It is considered that there would be no significant harm to the character and appearance of the area as much of the MUGA will be screened by the existing boundary treatment at the boundary of Marsh House Avenue.
31. Overall, there are no landscape and visual objections to the proposals. Works close to the tree are to be carried out in accordance with the submitted proposals and have been controlled by a condition. No dig construction hard surfacing as indicated on the submitted and approved drawings is to be partially implemented prior to commencement of any works on site to protect the ground and any tree roots.

Impact on the amenities of the surrounding sites

32. The Skills Academy to the east of the application site is the closest sensory receptor to the proposed extension of the school buildings. It is considered that given the limited height of the proposal at 1.5 storeys and a minimum separation distance between the proposed extension and the neighbouring building of approximately 25 metres is sufficient. The MUGA is to be completely screened by the proposed extension and is not considered to affect the Skills Academy's amenity.
33. The extension of the school is to be sited approximately 115 metres due east of the closest neighbouring dwelling on Marsh House Avenue. Given the existing screening, separation distance, limited projection in height and the existing built form at the site; the proposed development is considered to have a minimal impact on the neighbouring dwellings.
34. It is acknowledged that the provision of a MUGA could have some impact on neighbouring residents on Marsh House Avenue. There are residential properties adjacent to the eastern boundary of the site but there would be a degree of screening between these neighbouring dwellings and the proposed MUGA. The site is reasonably well screened by a belt of landscaping and the MUGA would sit comfortably within the site without any significant adverse visual impacts due to its low-lying form. The screening at the site is to be retained and a condition implemented to secure the existing landscaping.
35. The Environmental Health Service has considered the proposal and offered no objection subject to planning conditions to regulate external lighting, associated noise from plant and machinery and potential land contamination.
36. Environmental Health has assessed the noise report and believe that the report is satisfactory and also advise that they do not consider that the car park area and vehicle movements would cause an adverse impact upon nearby residents resulting in a loss of amenity.

37. The noise pollution emitted from the MUGA and 'mini-soccer' pitch will be around 51dB when in use, which exceeds noise tolerance guidance by 1dB-2dB during evening hours. Environmental Health consider that the exceedance of 1-2dB will not be perceivable and would not have a significant adverse impact on the closest noise sensitive receptors located on Marsh House Avenue.
38. The application does not include the provision of external flood lighting associated with the MUGA and therefore the site's operational hours would be naturally controlled especially during winter months. A condition has been recommended so that the MUGA would cease use from 9pm, to secure the surrounding resident's amenity particularly during the summer months.
39. The proposal represents a sizeable development in an area that is close to housing. A condition is therefore proposed which seeks to control noise limits associated with the construction process and to control the construction management at the site.

Flood Risk

40. A flood risk assessment and drainage philosophy have been submitted with the application. The application site sits within Flood Zone 1 and flooding of the site is considered to have a low probability of less than 1 in 1000 annual probability of river or sea flooding in any one year. Stockton-on-Tees Borough Council have been consulted and have not provided a comment on the flood risk assessment. The Flood Risk Assessment has been considered and no objections have been raised, therefore a condition has been recommended with regards to implementing the mitigation methods proposed within the submitted Flood Risk Assessment.

Energy Efficiency

41. The proposed extension will be approximately 550m² in gross floor area. The local plan policy ENV1 states that all new non-residential developments of 500m² and above of gross floor space will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction and be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).
42. The applicant has not provided an energy statement in accordance with local plan policy ENV1, however its submission has been recommended as a condition prior to above ground construction commencing on site. Due to the context of the extension which will link the two existing school buildings, the applicant has not provided a BREEAM assessment in relation to the sustainability of the project. However, there is limited scope for energy efficiency measures and whilst it would have been welcomed it is not considered that the imposition of a condition to prove sustainability credentials is needed to make the application acceptable in this instance.

Highway Safety

43. The Highways Transport and Design Manager has considered the proposed scheme and comments there are no objections to the application subject to a condition to ensure that no dig construction surfacing is secured which is recommended.
44. A condition has also been recommended with respect to specific construction management phasing plans in order to manage the deliveries in and out of the site. This has been done in the interests of the end users of the school and to ensure that the school can remain safe whilst the works are carried out.
45. It is considered that the proposed development would, in the context of the NPPF, have a negligible impact on the highways network and parking provision is surplus to requirements.

The proposals are therefore considered to be acceptable and there are no objections in respect to highway safety.

CONCLUSION

46. Overall, it is considered that the nature and scale of the development is acceptable. It is considered that the development 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.
47. The application is therefore recommended for approval subject to the conditions outlined earlier in this report.

Director of Finance, Development and Business Services
Contact Officer Joe Port. Telephone No. 01642 524362

WARD AND WARD COUNCILLORS

Ward	Billingham East
Ward Councillor	Councillor M Stoker
Ward Councillor	Councillor Evaline Cunningham

IMPLICATIONS

Financial Implications: N/A

Environmental Implications: Matters relating to visual impacts, including the retention of trees/landscaping and noise/disturbance have been considered in the report above, In this instance, there are not significant harmful implications

Background Papers:

National Planning Policy Framework
Stockton on Tees Local Plan Adopted 2019