

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

12th July 2022

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

22/0887/FUL

Outwood Academy Bishopsgarth, Harrowgate Lane, Stockton-on-Tees

Erection of two storey classroom block, demolition of existing classroom block, creation of new car parking spaces and associated external alterations.

Expiry Date 13 July 2022

SUMMARY

The Outwood Academy school is situated to the west of Harrowgate Lane, within the northern part of Stockton. At present a series of open field surround the school site to the north, south and west, although these are allocated for future housing under West Stockton Strategic Urban Extension (WSSUE).

Planning Permission is sought for the erection of two storey classroom block, the demolition of an existing classroom block, the creation of new car parking spaces and associated external alterations. The need for further accommodation is driven by expected future increases in pupils in Central Stockton at Secondary school level, which will equate to an increase in 60 pupils per year group (a total increase of 300 pupils).

The application comes before Members as it falls outside of the definition of 'minor development' due to the overall floor area proposed within the extension exceeding 500 sqm. No objections to the proposed development have been received.

The site has a series of buildings ranging from single and two storey scale and the proposal would not have an adverse impact on the overall character of the site or the surrounding area.

Given the nature of the proposed development, and the degree of separation to those existing properties on Harrowgate Lane to the east (in excess of 50 metres), the main impacts of the scheme on residential amenity are on those which are proposed to the south of the application site. However a total separation of approximately 21 metres would be achieved and the proposed extension is not judged to have such a significant impact on resident's amenity that it would justify a refusal of the application.

Sufficient car parking will be provided to meet any potential demand associated with the new classrooms, so there are no highway safety implications, nor will the proposals affect any useable parts or potentially useable parts, of a playing pitch. The application is therefore recommended for approval subject to those condition set out in the report below

RECOMMENDATION

That planning application 22/0887/FUL be approved subject to the following conditions and informatives;

Approved Plans

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

Plan Reference Number	Date Received
A10891 - 101	7 April 2022
A10891 - 102	7 April 2022
A10891 - 103	7 April 2022
A10891 - 104	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-00001_P2	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-00002_P2	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-20001_P6	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-20100_P4 S2	19 May 2022
OAB-AHR-ZZ-ZZ-DR-A-20102_P1	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-20200_P2	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-20300_P1	7 April 2022
OAB-AHR-ZZ-ZZ-DR-A-27001-P5-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90001-P2-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90002-P1-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90003-P2-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90004-P1-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90005-P1-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90006-P1-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90007-P1-D2	24 May 2022
OAB-AHR-ZZ-ZZ-DR-L-90008-P1-D2	24 May 2022

Reason: To define the consent.

Materials:

- 02 Notwithstanding any description of the materials in the application, precise details of the materials to be used in the construction of the external walls and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the above ground construction of the external walls and roofs of the buildings.

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

Site and floor levels:

- 03 Notwithstanding the information submitted as part of the application details of the proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of any above ground construction

Reason: To define the consent

Construction Traffic Management plan

- 04 The hereby approved development shall be carried out in accordance with those details provided on drawing OAB-AHR-ZZ-ZZ-DRL-90008 for the entirety of the construction period.

Reason: In the interests of highway safety and the amenity or neighbouring occupiers

Drainage:

- 05 Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Philosophy" dated "7th April 2022". The drainage scheme shall ensure that foul flows discharge to the private foul sewer and ensure that surface water discharges to the private surface water sewer. The surface water discharge rate shall not exceed the available capacity of 3 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF

Construction Hours:

- 06 Construction activity 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.

Unexpected Land Contamination:

- 07 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: To ensure that risks from potential land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Construction/demolition Dust Monitoring and Management

- 08 Notwithstanding the submitted information, prior to the commencement of the development (including demolition) a dust monitoring and management plan for the control of dust during the demolition and construction phase of the development shall be submitted to and be agreed in writing by the Local Planning Authority. Such as scheme shall allow for dampening down, dust screens and wheel washers.

The proposed development shall be carried out in full accordance with the agreed details thereafter.

Reason: To prevent nuisance from dust in the interests of residential amenity. The details are required to be submitted and approved in advance of works commencing on site to ensure the development is undertaken in a to protect residential amenity.

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 gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

SITE AND SURROUNDINGS

1. The Outwood Academy School is situated to the west of Harrowgate Lane, within the northern part of Stockton. At present a series of open field surround the school site to the north, south and west, although these are allocated for future housing under West Stockton Strategic Urban Extension (WSSUE).
2. The school buildings sit towards the front of the site facing Harrowgate Lane (east), whilst the associated playing fields sit to the rear of those buildings (west). The site has an overall area of approximately ten hectares.

PROPOSAL

3. Planning Permission is sought for the erection of two storey classroom block, the demolition of an existing classroom block, the creation of new car parking spaces and associated external alterations.
4. The new building would provide a new dining area, kitchen and toilets, whilst a series of classroom spaces would be created at first floor. It would measure approximately 50.7m (l) x 18m (w) x 9m high. The need for further accommodation is driven by expected future increases in pupils in Central Stockton at Secondary school level, which will equate to an increase in 60 pupils per year group (a total increase of 300 pupils)
5. A series of materials are proposed including brickwork, aluminium double glazed windows, and louvered panels

CONSULTATIONS

6. The following Consultations were notified and any comments received are set out below (in summary):-
7. **Sport England** - does not wish to raise an objection to this application. They have considered the application in light of the National Planning Policy Framework (particularly Para 97) and against its own playing fields policy.

Sport England is satisfied that the proposed development meets exception 3 of their playing fields policy, as the proposed development affects only land incapable of forming part of a playing pitch.

8. **Northern Gas Networks** - No Objection
9. **Northumbrian Water Limited** - No objections, subject to an adherence to the submitted drainage philosophy and conditions below;

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Philosophy" dated "7th April 2022". The drainage scheme shall ensure that foul flows discharge to the private foul sewer and ensure that surface water discharges to the private surface water sewer. The surface water discharge rate shall not exceed the available capacity of 3 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF

10. **Tees Archaeology** - Thank you for the consultation on this application. The site immediately south of the proposed development was determined to be of low archaeological potential following a geophysical survey and trial trenching; the proposed development site should not significantly impact on any known heritage assets, and we have no objection.

11. Highways Transport & Design Manager – No objections

Highways comments

There are no highways objections to the proposals. The site plan demonstrates that additional car parking will be provided that is considered to be sufficient to meet any potential demand associated with the new classrooms.

A Construction Traffic Management plan, has also been provided which is considered to be acceptable and should be secured by condition.

Landscape & Visual Comments

No objections to the proposed extension.

12. **Environmental Health Unit** – No objections, I have checked the documentation provided and note the construction management plan submitted. This does not include the dust management plan and as such would request this is provided prior to demolition of the buildings. I am satisfied with the proposed hours for deliveries or use of plant equipment at the site and that the acoustic strategy shall meet the required criteria for sound insulation in schools.

I would recommend the following are imposed due to the close proximity of residential properties which may be impacted during the construction and demolition phases.

- Construction/ Demolition Noise
- Demolition and Dust Emissions

Contaminated Land

I have reviewed the Desk Top Study (Ref S220135, March 2022) and note the testing results submitted, I am satisfied the risks to health have been adequately addressed, and no further mitigations are required. In the event of unexpected contamination, I would recommend the following condition is imposed;

- Unexpected Land Contamination

PUBLICITY

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

PLANNING POLICY

14. 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.
15. 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

16. 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.

17. 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

18. 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.

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;
- 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.

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;

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

b. Support proposals of education, training and health care providers to meet the needs of

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.

MATERIAL PLANNING CONSIDERATIONS

19. Given the application site is already an existing school, the principle of an extension is acceptable subject to the relevant material planning considerations. The main planning considerations therefore surrounding the associated impacts on the character of the area, amenity of neighbouring occupiers, highway safety, impacts on playing pitches and features of archaeological interest.

Character of the area

20. Currently the application site sits as a semi-isolated school, surrounded by fields to the north, south and west, with residential estates of Bishopsgarth situated to the east. The site has a series of buildings ranging from single and two storey scale. The predominate building materials on the school site consist of dark brown brickwork and areas of cream render.
21. The proposed two storey extension would be sited on the southern boundary of the site, which in time will see housing developments comes forward and mask a degree of views from the south, towards the site. Nevertheless, the proposed building is consistent in size and scale with those already present on the site and the proposal would be seen within the overall context of the Outwood school.
22. The two-storey extension has been designed so that it does not replicate the style of the existing buildings having a more contemporary appearance. It would however integrate reasonably well with the existing building whilst still reading as a new addition. A planning condition is recommended with regards to materials and given the above factors the proposal would not have an adverse impact on the overall character of the site or that of the surrounding area.
23. The submitted landscape plan indicates a new hedge with tree planting to the southern boundary of the site and the Council's Landscape Architect has no objections to the proposed extension and alterations. As the relevant drawings have been submitted they will form part of the approved plans and a separate condition is not required. In view of all these considerations, it is judged that the proposed development will not have any significant impacts on the visual amenity so as to adversely affect the character of the surrounding area.

Amenity

24. Given the nature of the proposed development, and the degree of separation to those existing properties on Harrowgate Lane to the east (in excess of 50 metres), the main impacts of the scheme on residential amenity are considered to be those on future properties that would be to the south of the application site.
25. With regards to the new development to the south, there is currently a reserved matters application pending consideration and is yet to be determined. Nevertheless consideration has been given to currently proposed layout and the relationship between the two developments.
26. The proposed school extension is approximately 10 metres from the southern boundary, whilst the proposed dwellings would be approximately 11 metres from the same boundary, giving a total separation of approximately 21 metres. Whilst recognising the scale of the proposed school building, given it would be located to the north of the proposed dwellings it is not considered to have any significant impacts with regards to potential loss of light and given the degree of separation and similar scale to the proposed dwellings in terms of height, it is also considered that it would not be unduly overbearing.
27. In terms of the potential for overlooking the Council's minimum separation distance of 21 metres would be met, and given it serves a school building it is not considered that the degree of overlooking would be significantly worse given it is unlikely to be occupied in a similar manner to a residential dwelling. As a result, the associated relationship is considered to be acceptable and the privacy of the future residents of the residential development to the south will not be adversely affected by the proposals.
28. It is noted that a school kitchen would be situated in the southern part of the proposed school extension, following discussions with the applicant it has been clarified that the kitchen is not able to be relocated due to the safeguarding risk of children in close proximity to delivery vehicles. In addition they have advised that;
 - Outwood Grange Academies Trust operate a healthy meal offering and as such there is less likelihood of strong odours being emitted from this operation - For example, they do not have deep fat fryers or charring equipment with equipment limited to combination ovens and induction ranges
 - The kitchen extract canopy above the cooking areas will also contain filters. There will be a requirement for mechanical ventilation and extract/ intake in the kitchen to ensure that a comfortable working environment is available.
 - The fans associated with this provision emit a sound power level of 55dB at a distance of 3m. To give this some context, this level of noise is equivalent to that of a residential street or a standard conversation between two people. so beyond the site boundary this noise level will be quieter.
 - In terms of hours of operation, this will be limited to standard term times and school hours so no out of hours use or weekends.
 - The kitchen staff will undertake cooking activities generally between the hours of 8am and 1.30pm. Outside of these hours' activities such as cleaning and prepping will take place.
 - Vehicle movements in terms of deliveries are encouraged to avoid the busy times that would coincide with the start and finish of the school day when pupil movements and traffic in and around the school site are at their highest.
29. In view of the above considerations and limited operational nature of the school kitchen, it is considered that on balance it would not have a significantly adverse impact on the overall level of amenity of the future neighbouring residential dwellings.

30. Whilst the proposed extension to the school will bring about an increase in the overall pupil numbers, it is not considered that the resultant impacts of the proposal would be such that it would generate any significant increase in noise and disturbance over and above that which already occurs during term time.
31. It is recognised that there will be some short/medium term impacts during construction, particularly with regards to noise, disturbance and dust a planning condition is recommended in order that these impacts can be limited and reasonable levels of residential amenity preserved.
32. Planning conditions are imposed with respect to unexpected land contamination, construction hours and details regarding dust management plan

Highway safety

33. The Highways Transport & Design Manager has considered the proposed development and sufficient car parking will be provided to meet any potential demand associated with the new classrooms. Consequently, there are no highways objections to the proposals.
34. A planning condition is also recommended to control the construction management activities.

Impacts on playing pitches

35. Paragraph 99 of the National Planning Policy Framework sets out that playing fields should not be built upon unless it can be justified through being surplus, replaced by better or equivalent provision or is for alternative sports provision. Local Policy TI2(6) also reflects that approach.
36. Sport England have considered the proposals and are satisfied that the proposals will not affect any useable parts or potentially useable parts, of a playing pitch and therefore their own exemption criteria is met. Consequently, they raise no objections to the proposal and the scheme accords with guidance within the NPPF and Local Plan and does not impact upon any playing pitches.

Features of an archaeological interest;

37. Tees Archaeology have commented that the site immediately south of the proposed development was determined to be of low archaeological potential following a geophysical survey and trial trenching. Consequently, they consider that this site should also not impact on any known heritage or archaeological assets.

CONCLUSION

38. For the reasons stipulated in the report above, the proposed development would not have an adverse impact on the overall character of the area or the amenity of either existing or future neighbouring occupiers.
39. Sufficient car parking will be provided to meet any potential demand associated with the new classrooms, so there are no highway safety implications, nor will the proposals affect any useable parts or potentially useable parts, of a playing pitch.
40. The application is therefore recommended for approval subject to those conditions detailed above.

Director of Finance, Development and Business Services
Contact Officer David Richards Telephone No 01642 526058

WARD AND WARD COUNCILLORS

Ward	Bishopsgarth and Elm Tree
Ward Councillor	Councillor David Minchella
Ward Councillor	Councillor Hugo Stratton

IMPLICATIONS

Financial Implications:

None known

Environmental Implications:

The associated environmental impacts with regards to appearance, noise and odours/air pollution are considered within the report. It is not considered that they will result in an significant or harmful implications.

Human Rights Implications:

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

Community Safety Implications:

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

Background Papers

Stockton on Tees Local Plan Adopted 2019

Supplementary Planning Documents

SPD1 – Sustainable Design Guide

SPD3 – Parking Provision for Developments