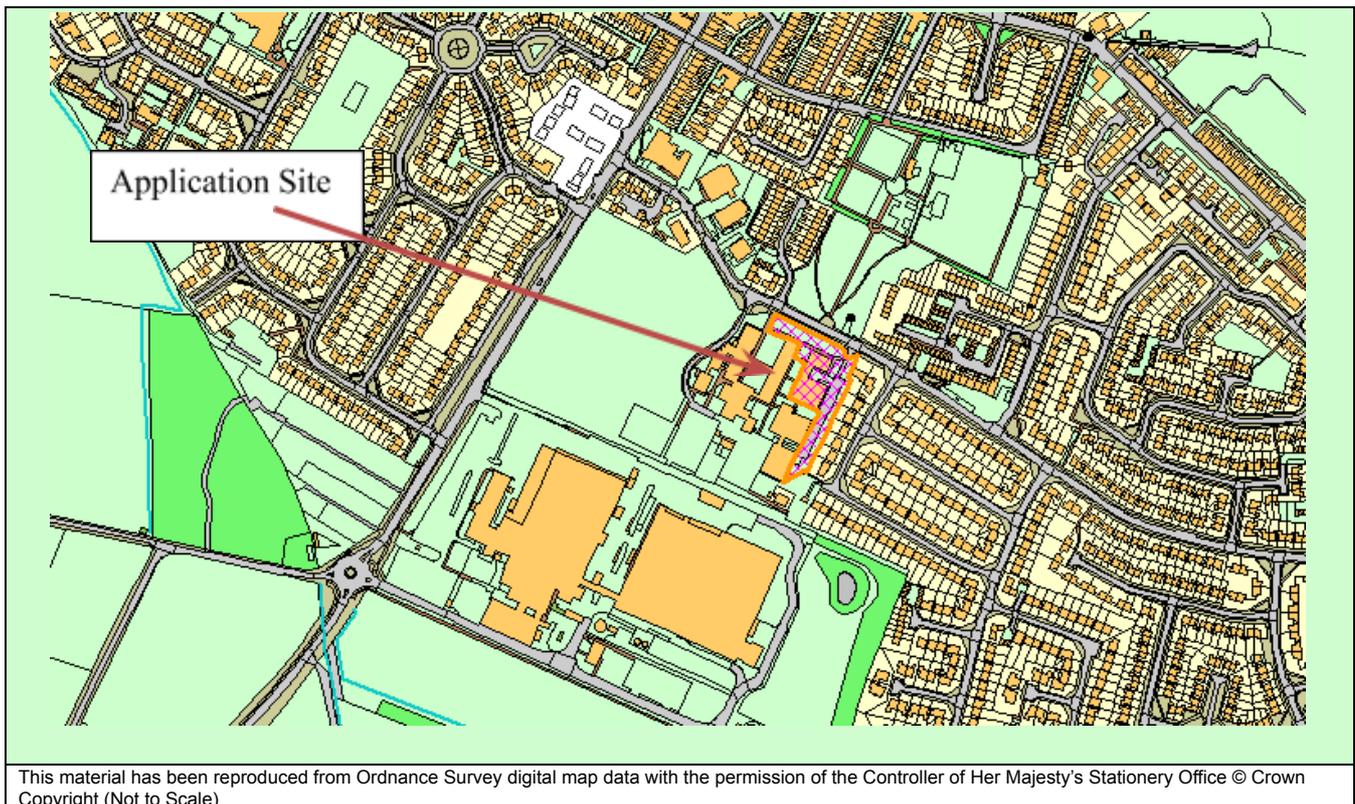




Northumberland County Council

CRAMLINGTON, BEDLINGTON & SEATON VALLEY LOCAL AREA COUNCIL 19TH SEPTEMBER 2018

Application No:	18/02196/CCD		
Proposal:	Provision of 2 no. modular classrooms (single storey) including covered walkways (part retrospective).		
Site Address	Whytrig Community Middle School, Elsdon Avenue, Seaton Delaval, Whitley Bay, Northumberland, NE25 0BP		
Applicant:	Northumberland County Council County Hall, Morpeth, Northumberland, NE61 2EF	Agent:	Mr Max Bertin Albany Court , Monarch Road , Newcastle , NE4 7YB
Ward	Holywell	Parish	Seaton Valley
Valid Date:	27 June 2018	Expiry Date:	21 September 2018
Case Officer Details:	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		



1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application is being reported to the Local Area Council as it involves a County Council development on Council owned land.

2. Description of the Proposals

2.1 Retrospective planning permission is sought for the installation of 2no. modular classrooms at Whytrig Middle School, Seaton Delaval. The classrooms were under construction at the application site in early August 2018, hence the retrospective nature of the application although the proposed works to the canopy and walkways have not commenced. The extension to the school is required for additional teaching space since the school relocated from their original site in 2014.

2.2 Whytrig Middle school occupies the former block C block of Astley high school located to the grassed area to the north east of the site and be 1.2m from the boundary on Elsdon Avenue. The classrooms would measure 16.6m x 10.1m with a maximum ridge height of 3.1m and provide accommodation for a maximum of 30 children per classroom. The single storey structure would be constructed with a flat roof covered in a single ply membrane. External walls shall be prefinished aluminium panels. The works would require the removal of 6 mature trees.

2.3 The main entrance is via the existing access to the school and new covered walkways link to the main blocks of Whytrig Middle School and Astley High School. The existing fence and gate shall be relocated alongside the newer tarmac footpath which is used by pupils from Astley High. By relocating the fence and gate will maintain security and segregation between both schools.

2.4 New perimeter tarmac footpaths shall be provided around the new modular buildings and graded to provide level access and egress. Covered walkways are to be provided using pre-finished galvanised steelwork and clear plastic canopy coverings arranged between the existing covered walkway and new modular.

2.5 The modular classrooms are to only be a temporary addition to the overall site with the applicant requesting permission for 3 years.

3. Planning History

Reference Number: 13/00184/CCD

Description: Proposed installation of a radio repeater and antenna

Status: Permitted

4. Consultee Responses

Highways	No objections
Public Protection	No comment

Seaton Valley Parish Council	No response received.
County Ecologist	No objections subject to condition

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	16
Number of Objections	0
Number of Support	0
Number of General Comments	2

Notices

General site notice 4th July 2018

No Press Notice Required.

Summary of Responses:

There has been two comments from local residents neither objecting nor supporting the application. Concerns have been raised however, regarding the additional parking issues on surrounding residential streets.

The Highways Authority has been consulted on the application.

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PAMN2WQS0J400>

6. Planning Policy

6.1 National Planning Policy

National Planning Policy Framework (2018)

National Planning Policy Guidance (updated, 2018)

6.2 Development Plan Policy

Blyth Valley Core Strategy (2007)

SS1 Regeneration and Renaissance of Blyth Valley 2021

SS2 The Sequential Approach and Phasing

ENV2 Historic and built environment

C1 Educational Facilities

Blyth Valley Development Control policies (2007)

DC1 General Development

DC12 Provision of Community Facilities

DC27 Design of New Developments

7. Appraisal

7.1 The main issues relating to this application are:

- Principle of development;
- Visual impact;
- Residential amenity impact;
- Traffic/parking implications.

Principle of development

7.2 The NPPF, specifically paragraph 94, in part advises that Local Planning Authorities should give "great weight to the need to create, expand or alter schools". In turn, this is reflective of the "great importance" that Central Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and is also consistent with the proactive, positive and collaborative approach that local planning authorities should take in seeking to satisfy Central Government's aim and in terms of development that will widen choice in education.

7.3 Fundamentally, with regard to the development in this application, it is considered that this is wholly consistent with the principal aim of Central Government and with the approach advised to be exercised by a Local Planning Authority. Importantly, the development will significantly contribute to the overall provision of a sufficient choice of school places being made available to meet the needs of existing and new communities. It is further considered that the Council's overall approach, again entirely consistent with the approach advocated in NPPF paragraph 94, has been proactive, positive and collaborative.

7.4 The application site is located within the settlement boundary of Seaton Delaval as defined within the Blyth Valley Local Plan Proposals Map and the Blyth Valley Core Strategy. Policy SS1 and SS2 of the Blyth Valley Core Strategy, 2007 more generally states that the majority of new development should be directed towards the main towns of Blyth and Cramlington and to a lesser extent the secondary centres such as Seaton Delaval. It further highlights that there is a need to ensure that new development is directed to previously developed locations which reduces the need to travel and which are accessible by a range of modes of transport in order for Seaton Delaval to fulfil its role as a secondary centre.

7.5 The new classrooms would provide a much improved facility for the school and therefore the wider community who attend. This is also in accordance with saved Policy C1 of the Blyth Valley Borough Council Core Strategy which states that proposals should protect existing school sites in line with the County Council's strategy for education provision in the district to ensure that access to education is maximised.

7.6 The proposal is for the re-use of a vacant property on a previously developed site within Seaton Delaval that comprises everyday services and facilities and public transport connections. The sustainable location is essential for the nature of the proposed use and together with the use of an existing building and educational

requirements, the application is in accordance with policies SS1, SS2 of the Blyth Valley Core Strategy, DC1 and C1 of the Blyth Valley Development Control Policies DPD and the NPPF.

Visual Impact and Residential Amenity

7.7 Policy ENV2 of the Blyth Valley Core Strategy states that new developments which in visual terms would cause significant harm to the surrounding environment will be refused. The application is for a change of use and the principle of the design and layout has already been established with their former use. Policy DC1 of the Blyth Valley Development Control Policies DPD states that proposals should have no impact on the amenities of residents of nearby properties.

7.8 It is accepted that the location of the structure is within a prominent and highly visible location on Elsdon Avenue. Whilst the design and use of materials may not enhance the setting of the street scene, a modest scale is clearly viewed as a subordinate addition to the site when compared against the main school buildings which are also of a flat roof design. There are also a mixture of other building styles and uses on approach from Elsdon Avenue. The siting of the proposal also avoids any loss of open playing/sports fields. The structure would therefore, not appear overly incongruent in its location.

7.9 The design is simple and appropriate for the function of the structure with the height of the building to be less than the main school blocks and also have a flat roof covered in a single ply membrane. External walls shall be prefinished aluminium panels for robustness and coloured grey to help blend in with the immediate surroundings. Fenestration has been appropriately sited upon all 4no elevations to allow sufficient light into the 2no classrooms the building will serve. An overall footprint of the building of 162sqm confirms that the building would not result in a significantly large structure. The proposed canopy and walkways would be sited within the internal walkways of the school and not highly visible from the public domain. Due to the nature and scale of the works, this aspect of the application would not present a detrimental impact to visual amenity.

7.10 The overriding educational need for the classrooms has been taken into consideration and it must be noted that temporary consent is being sought. This may address any potential design concerns at such a prominent location.

7.11 The proposal also has regrettably, removed 6 mature trees on site but the location was cited as the only practical solution with discussions between the applicant and Astley High School. A condition will be placed to provide re-planting and general ecological enhancements.

7.12 Due to the siting of the modular classroom building and separation distances to residential properties, there are not considered to be any adverse impacts upon residential amenity caused by the works.

7.13 It is therefore the opinion of the officer that the works demonstrate accordance with policy ENV2 of the Blyth Valley Core Strategy, DC1 of the Blyth Valley Development Control Policies DPD as well as part 12 of the NPPF which seeks to achieve well-designed places.

Highways

7.14 This supporting documentation within the application states that the proposed modular classrooms will have a maximum of 30 children per class and that there are 118 designated staff car parking bays that are positioned to the south west of the site and shared with Astley. There are currently 60 staff employed at Whytrig and the proposed expansion will potentially add 4 new teaching staff.

7.15 Based on the number of additional pupils and staff, the existing parking facilities and road restrictions, there has been no objection from the Highways Authority to this application. The additional traffic during the daily drop off and pick up times in the morning and afternoon, is not considered to cause a severe impact to highway safety or significantly exacerbate the current situation. Regarding the surface water drainage, the new surface water gullies are to be connected to the existing drainage, this arrangement is considered to be acceptable. Overall, the application is considered to be in accordance with the NPPF.

Ecology

7.16 There has been 6 sycamore mature trees removed as part of the construction of the modular classrooms and the comments from the County Ecologist were not based on the retrospective nature of the application. There has been no objections to the application however, the recommended avoidance and mitigation measures are no longer relevant in relation to nesting birds. As part of biodiversity enhancement however, a condition to submit an appropriate trees re-planting scheme will be imposed subject to the application gaining approval. It is considered therefore that the application is in accordance with paragraphs 8,118 and 170 of the NPPF.

Equality Duty

7.17 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.18 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.19 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's

peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.20 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.21 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The development would provide improved education facilities at an existing school site. Officers are of the opinion that the development would not have a significant adverse impact on visual or residential amenity. It is therefore recommended that planning permission be granted.

9. Recommendation

That this application be GRANTED (part retrospective) planning permission subject to the following:

Conditions/Reason

01. The development hereby permitted shall remain and continue to be built out in complete accordance with the approved plans. The approved plans for this development are:-

Site Location Plan 5133347 Drawing No.001 received 27th June 2018
Proposed Site Layout 5133347 Drawing No: 003 received 24th July 2018
Proposed Elevations C01 0002 – received 24th July 2018
Canopy Elevations BXMW-COV-CAN-5000-1.00 Rev B
Proposed Roof and Canopy Layout 5133347 Drawing No. 4

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans.

02. The modular building and associated canopies hereby granted planning permission shall be removed in entirety on or before 30 September 2021 unless the Local Planning Authority is in receipt of a further valid application for planning permission to extend the temporary period.

Reason: In order to retain proper control over the development as the containers are unsuitable for permanent retention in this location.

03. Within 3 months from the date of the approved application, a landscaping scheme for trees and shrub planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter this planting shall be implemented in the first planting season following commencement of development or within such other time as may be approved with the Local Planning Authority in writing beforehand. The planting shall be maintained in accordance with a maintenance schedule which shall first be approved in writing by the Local Planning Authority and any trees or shrubs which are removed or found to be dead, dying or diseased shall be replaced with similar species during a period of five years following the completion of the screen planting scheme.

Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion, and in accordance with the provisions of the NPPF.

Date of Report: 03.09.2018

Background Papers: Planning application file(s) 18/02196/CCD