

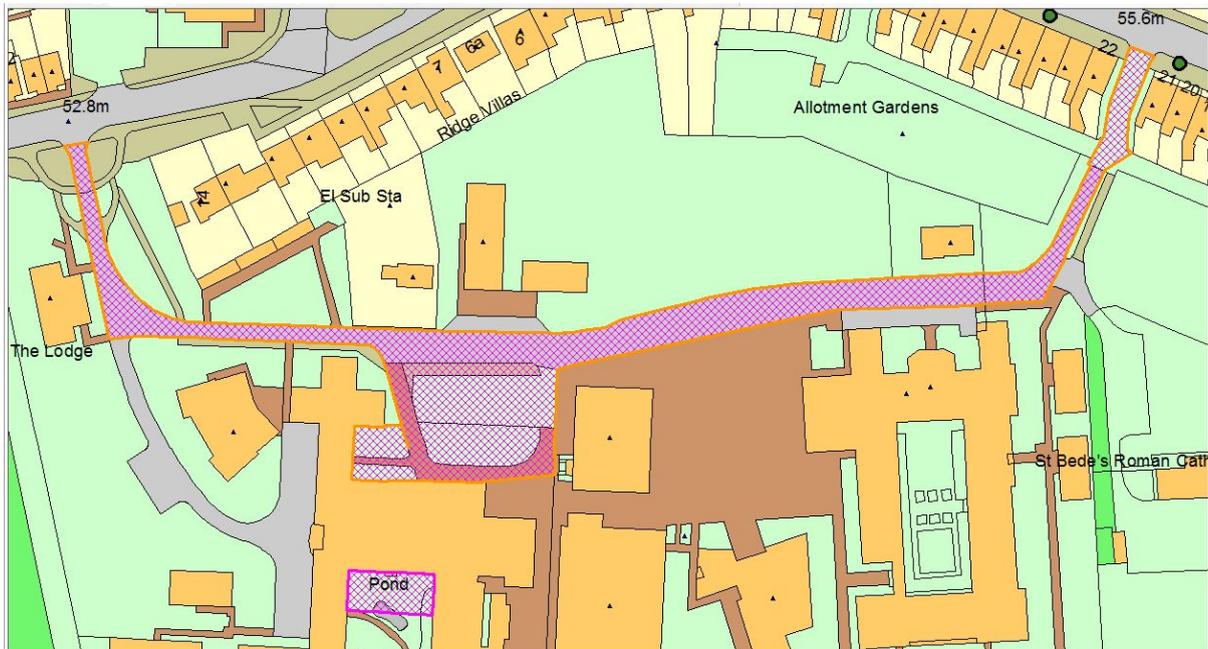


Northumberland County Council

Virtual Strategic Planning Committee 18th August 2020

Application No:	20/01711/CCD		
Proposal:	Single storey extension to the existing academy hall		
Site Address	St Benet Biscop Catholic Academy, Ridge Terrace, Bedlington, Northumberland, NE22 6ED		
Applicant/ Agent	Mr. Mark Lee 2 Riverside Way, Whitehall Waterfront, Whitehall Road, Leeds, LS1 4EH		
Ward	Bedlington West	Parish	West Bedlington
Valid Date	19th June 2020	Expiry Date	19th August 2020
Case Officer Details	Name: Mr. James Blythe Job Title: Planning Officer Tel No: 01670 625551 Email: james.blythe@northumberland.gov.uk		

Recommendation: That Members GRANT planning permission for the proposed development, subject to recommended conditions.



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1. Introduction

- 1.1 Objections have been received from the Parish Council raising concerns with the proposed development. Following referral to the Director of Planning, the Chair and Vice Chair of the Strategic Planning Committee under the Covid 19

delegation scheme, it was agreed on 15th July 2020 that this application raises sufficient interest within the wider community to be considered by Members of the Virtual Strategic Planning Committee.

- 1.2 It is suggested that this proposal and the proposal listed under 20/01693/CCD, also on this agenda, are read in conjunction with each other.

2. Description of the Proposals

- 2.1 Planning permission is sought for a single storey extension to the existing academy hall within the grounds of St Benet Biscop Catholic Academy, Ridge Terrace, Bedlington as described above and as set out in the plans submitted to the local planning authority.
- 2.2 The proposal indicates a single storey extension measuring the full width of the existing hall with an approximate project of 8.8 metres, to provide an additional floor space of 184 square metres.
- 2.3 St Benet Biscop Catholic Academy is located on the west side of Bedlington to the south of Ridge Terrace (B1331). The site comprises a number of school buildings, predominantly of brick construction with playing fields to the south. The school is accessed via a one way system with entry from Ridge Terrace to the east and exit onto Netherton Lane to the west of the site and the nearest residential properties are located on Ridge Villas to the north of the application site.

3. Planning History

The application site had a relatively large planning history and the most relevant applications in relation to the proposal as listed below:

Reference: 15/03091/PA

Description: Installation of 134Kw solar PV system to roof

Status: Prior Approval not required

Reference: 18/00564/FUL

Description: Proposed alterations including demolition of 2 existing teaching blocks, part demolition and refurbishment of existing Sports Hall building and new extension to St Wilfrids providing 6 classrooms, circulation and stairwell and associated landscaping works.

Status: Permitted

Reference: 19/01828/DISCON

Description: Discharge of condition 3 (ground condition investigations) in relation to approved planning application 18/00564/FUL.

Status: Permitted

Reference: 19/01840/DISCON

Description: Discharge of condition 4 (demolition method statement) pursuant to planning permission 18/00564/FUL

Status: Permitted

Reference: 20/00130/NONMAT

Description: Non-material amendment pursuant to planning permission 18/00564/FUL to revise external ductwork design

Status: Permitted

Reference: 20/01693/CCD

Description: Demolition of swimming pool building and construction of 2 storey modular classbase building comprising 6 classrooms, toilets and circulation space

Status: Pending Consideration

4. Consultee Responses

West Bedlington Town Council	<p>West Bedlington Town Council OBJECT, on the grounds of highway safety and loss of privacy for residents of Ridge Villas.</p> <p>The site of St Benet Biscop's has been accessed for a number of years from the main road via the Ridge Terrace Entrance. Local Residents and the Town Council have on a number of occasions raised this matter with Northumberland County Council requesting a turning circle be installed within the school grounds to remove this unsafe access via the ridge terrace entrance.</p> <p>This application proposes to accommodate 210 extra pupils for St Benet Biscop's, this means there is the potential for no less than 2 Double decker buses or 4 coaches if all 210 extra pupils are all from outside the Bedlington area.</p> <p>We would therefore formally request that a condition is attached, which requires a turning circle to be installed within the schools grounds and would like to suggest the site of the former Health and Social care block (two portable building which were burnt down in an arson attack in October 2017) for a turning circle and that all school traffic enter and exit the school grounds via the Netherton Lane entrance/exit in future.</p> <p>The Town Council also feels there could be a loss of privacy for residents of Ridge Villas and would request measures are put in place to prevent any loss of privacy by this application.</p> <p>We would also like to request that as a result of the loss of the swimming pool which has historically been Bedlington's only public leisure facility that applicant either provide a replacement facility or contribute to a new facility within the West Bedlington parish area.</p>
Education and Skills Group	<p>While neither application in themselves will contribute to the growth of pupil numbers in Bedlington, in fact both applications support the need to grow places in Year 7 and Year 8 in the Bedlington Area as a result of the change of organisation of Meadowdale Middle Academy from a middle academy to a primary academy with effect from September 2020.</p> <p>Therefore Education and Skills Group supports the approval of both application 20/01711/CCD and 20/01693/CCD.</p>
Local Highways Authority	<p>No objection subject to the imposition and implementation of a condition and informatives required to ensure acceptability. The requested condition relates to a Construction Method Statement (including Plan). The requested informatives relate to no material, equipment, mud, debris or rubbish on the highway.</p>
NCC Strategic Estates	<p>No response received.</p>
NCC Public Protection	<p>No comments/objections.</p>

The Coal Authority	Based upon the information submitted and the professional opinions set out therein, the Coal Authority wishes to raise no objection to the planning application.
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The above is a summary of the consultee responses received. The full written text is available on our website at:

<https://publicaccess.northumberland.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QBM7B5QSGRH00>

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	15
Number of Objections	0
Number of Support	0
Number of General Comments	0

Notices

No Site Notice required.

No Press Notice required.

Summary of Responses:

None received.

6. Planning Policy

6.1 Development Plan Policy

Wansbeck District Local Plan (adopted 2007) (WDLP):

GP1 - Location of development;
 GP22a - Land instability;
 GP23 - Development causing pollution and nuisance;
 GP24 - Development in proximity to sources of pollution;
 GP25 - Noise generating development;
 GP26 - Development exposed to noise;
 GP29 - Land contamination;
 GP30 - Visual impact of development;
 GP31 - Standards of urban design;
 T3 - Provision for Cyclists;
 T4 - Provision for Walking;
 T6 - Traffic implications of new development;
 T7 - Parking provision; and
 CF2 - The provision of new community facilities.

6.2 National Planning Policy

National Planning Policy Framework (2019) (NPPF); and

National Planning Practice Guidance (2019, as amended) (NPPG).

6.3 Other Documents/Strategies

Northumberland Local Plan Publication Draft Plan (Regulation 19) (NLPPD) and proposed minor modifications, submitted on 29 May 2019:

STP 1 - Spatial strategy (Strategic Policy);
STP 2 - Presumption in favour of sustainable development;
STP 3 - Sustainable development;
STP 5 - Health and wellbeing (Strategic Policy);
QOP 1 - Design principles (Strategic Policy);
QOP 2 - Good design and amenity;
TRA 1 - Promoting sustainable connections (Strategic Policy);
TRA 2 - The effects of development on the transport network;
TRA 4 - Parking provision in new development;
POL 1 - Unstable and contaminated land;
POL 2 - Pollution and air, soil and water quality; and
INF 2 - Community services and facilities.

Wansbeck Design Guide Supplementary Planning Document (July 2007).

7. Appraisal

7.1 The main issues for consideration in the determination of this application are:

- Principle of the development;
- Design and visual impact;
- Impact on neighbouring land users and residential amenity;
- Impact upon highway and pedestrian safety; and
- Land instability and contaminated land.

7.2 In accordance with paragraph 48 of the NPPF, local planning authorities (LPA's) may also give weight to relevant policies within emerging plans depending on the stage of preparation, extent of unresolved objections and the degree of consistency with the NPPF. The emerging Northumberland Local Plan was submitted to the Planning Inspectorate for examination in May 2019, along with a schedule of Minor Modifications (May 2019) following public consultation and is currently being Examined. The Authority are therefore affording appropriate weight to policies contained within the emerging plan which form a material consideration in determining planning applications alongside Development Plan Policies.

Principle of the Development

7.3 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.

- 7.4 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.
- 7.5 The National Planning Policy Framework (NPPF) states that planning authorities should ensure that established facilities are able to develop and modernise for the benefit of the community.
- 7.6 At a local level, Policy CF2 of the WDLP and Policy INF 2 of the emerging NLPPD state support for the provision of community services and facilities with education listed as an example of such services and facilities
- 7.7 It is noted that the Parish Council comments refer to the community facility of the swimming pool. Whilst the comments are noted, the swimming pool has not been in use for a number of years and has more recently been condemned. The submitted details indicate works within an existing school curtilage situated within a recognised settlement boundary and The submitted planning statement identifies the need for the proposal (i.e. to meet the forecast need/number of admissions for children in the locality and so thus discharging the Local Authority's statutory duty), therefore the principle of development is acceptable and in accordance with Policies GP1 and CF2 of the WDLP and the principles of the NPPF. Furthermore, it is considered the proposal would accord to the principles of Policies STP1, STP 2, STP 3, STP 5, and INF 2 of the emerging NLPPD in regard to the principle of development.

Design and Visual Impact

- 7.8 The proposal would be screened from view by the existing school buildings and would remain subservient in scale. Therefore, the proposal would be of an acceptable scale and would not create a prominent feature in the landscape. In general, the design of the proposal would be similar to a number of school sites across the County. Therefore the design and visual impact is considered acceptable.
- 7.9 As such, it is considered that the proposal would not detract from the character of the school site nor the surrounding area and is therefore considered to accord with Policies GP30 and GP31 of the WDLP and the provisions of the NPPF. Furthermore, it is considered the proposal would accord to the principles of Policy QOP 1 of the emerging NLPPD in terms of design and visual impact.

Impact on Neighbouring Land Users and Residential Amenity

- 7.10 The Town Council's comments are acknowledged. A site visit was carried out by the officer to assess the proposal and any potential impact upon the

amenity of neighbouring residents. The proposal relates to a single storey extension to the existing academy hall and the proposal would be screened from view by the existing school buildings and would not be located in the vicinity of any residential properties. Therefore, due to the location of the development and the screening provided by the existing school buildings, the proposal would not have an adverse impact loss of light, outlook, overshadowing, privacy of any neighbouring land user or residential property.

- 7.11 Taking the above into consideration, the proposal is considered acceptable and in accordance with Policies DP23, DP24, DP25 and DP26 of the WDLP and the principles of the NPPF. Furthermore, it is considered the proposal would accord to the principles of Policies QOP 1, QOP 2 and POL 2 of the emerging NLPPD in terms of impact upon neighbouring land users and the amenity of neighbouring land users and residential amenity.

Impact upon Highway and Pedestrian Safety

- 7.12 It is acknowledged that the Town Council response objects to the application due to the impact of the proposal upon highway and pedestrian safety stating that the existing access is not fit for purpose. The applicant has submitted documentation to confirm that the increase in pupil number is as a result of the change of organisation of Meadowdale Middle Academy from a middle academy to a primary academy with effect from September 2020. They have also confirmed that the majority of the 122 pupils (not 210) live within the Bedlington area and therefore, would walk to school rather than create any additional demand on the existing bus system. Indeed, no application has been made for school transport for the small number of pupils living outside of the catchment area, which is thought to be around 5 of the 122. A construction phase plan has also been submitted in support of the application. The application was subject to consultation with the Local Highway Authority and response received states no objection subject to conditions relating to a condition method statement (which has been submitted) and informatives relating to no material, equipment, mud, debris or rubbish on the highway. In consideration of the above, it is considered that the proposal, subject to the recommended informatives would not have a significant adverse impact upon highway or pedestrian safety and is therefore acceptable and in accordance with Policies T3, T4, T6 and T7 of the WDLP and the principles of the NPPF. Furthermore, it is considered the proposal would accord to the principles of Policies TRA 2 and TRA 4 of the emerging NLPPD in regard to highway safety and parking provision.

Land Instability and Contaminated Land

- 7.13 It is acknowledged that the application site is within the identified Coal Working Referral Area. The application was subject to consultation with the Council's Public Protection Team and The Coal Authority. The responses received on the 23rd June and 24th July 2020 state that Council's Public Protection Team and The Coal Authority have no objections to the application. Therefore, the proposal is considered acceptable and in accordance with Policy GP22a of the WDLP and the provisions of the NPPF. Furthermore, it is considered the proposal would accord to the principles of Policies POL 1 and

POL 2 of the emerging NLPPD in terms of land instability and contaminated land.

Equality Duty

- 7.14 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

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

Human Rights Act Implications

- 7.16 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.
- 7.17 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.
- 7.18 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 main planning considerations in determining this application have been set out and considered above stating accordance with the relevant Development Plan Policy. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.2 The proposal has addressed the main considerations and would accord with relevant policy and is considered acceptable. The proposal is therefore recommended for approval.

9. Recommendation

- 9.1 That this application be GRANTED permission subject to the following:

Conditions/Reasons

Time Limit for Implementation

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Documents and Plans

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved documents and plans.

The approved documents for this development are:-

1. Application Form, Dated 05th June 2020;
2. Design And Access Statement, Ref. DAS02, Dated June 2020;
3. Combined Phase I & II Geotechnical and Geoenvironmental Assessment, Ref. 1015380.RPT.GL.001, Received 19th June 2020; and
4. Construction Phase Plan, Version 3.0, Dated 24th June 2020.

The approved plans for this development are:-

1. Boundary Plan, Drawing No. PL01, Rev. A, Dated 16th June 2020 (1:2500);
2. Proposed Plan, Drawing No. PL04, Dated 28th May 2020 (1:100); and
3. Proposed Elevations, Drawing No. PL5, Dated 28th May 2020 (1:100).

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

Informatives

Coal Mining Development Referral Areas

01. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and

previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Reminder to Not Store Building Material or Equipment on the Highway

02. Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

Reminder to Not Deposit Mud/Debris/Rubbish on the Highway

03. In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

Date of Report: 31st July 2020

Background Papers: Planning application file(s) 20/01711/CCD