

The application is for planning permission for the erection of two extensions and the refurbishment and remodelling of the existing building.

The application site lies within the Newcastle Urban Area on the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expired on the 27<sup>th</sup> September 2016. The applicant has agreed to extend the statutory determination period to the 14<sup>th</sup> October 2016.**

### **RECOMMENDATION**

**(A) That, in accordance with the requirements of the Town and Country Planning (Consultation) (England) Direction 2009, the Secretary of State be advised that Council is minded to PERMIT the application, contrary to the advice of Sport England, subject to conditions relating to the following:-**

- 1. Approved drawings.**
- 2. Time Limit.**
- 3. Prior approval of all external facing materials.**
- 4. Prior approval and implementation of a Construction Method Statement.**
- 5. The works are completed in accordance with the arboricultural information required which shall include the wider drainage installation works.**
- 6. The prior approval and implementation of an Arboricultural Method Statement.**
- 7. Trees shown as retained shall be retained and protected throughout the construction period.**
- 8. Prior approval of details of mechanical ventilation.**
- 9. That no community use is granted (for the avoidance of any doubt).**

**(B) Subject to the Secretary of State not calling in the application when notified, planning permission be issued subject to the conditions set out at (A).**

### **Reason for Recommendation**

The scale and appearance of the sports hall and classroom extensions are not considered to be harmful to the character of the area provided that the external facing materials are agreed by condition. In addition it is also considered that the scale and appearance of the extensions would not adversely affect the living conditions within neighbouring properties. There is to be no community use of the proposed facilities and no increase in staff or pupil numbers and as such it is not anticipated that there would be any significant impact on highway safety arising from the proposal itself. Visually significant boundary trees close to the classroom extension and further afield lining neighbouring boundaries can be adequately safeguarded by planning condition.

As Sport England have objected to the application, in accordance with the requirements of the Town and Country Planning (Consultation) (England) Direction 2009, the Secretary of State must be consulted before planning permission is granted.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and subject to conditions no amendments are considered necessary.

## **Key Issues**

The application is for planning permission to erect two extensions as follows:

- To provide a multifunctional sports hall measuring 19.1 metres by 10.9 metres by 8.8 metres in overall height sited on the south elevation of the building adjoining the sports field.
- To provide additional teaching space measuring 21.5 metres by 33.8 metres in maximum width and length and 4 metres in maximum roof height sited on the east side of the building .

The refurbishment and remodelling of the existing building is also proposed. No increase in staff or pupil numbers would arise from the development.

There are no policy objections, in principle, to extending existing schools and as such it is considered that the key issues in the determination of the application are:-

1. Is the principle of using part of the existing sports field serving the school for a new building acceptable?
2. Is the design of the extensions and the impact on the character of the area acceptable?
3. Can visually significant trees be adequately safeguarded?
4. Is the impact on the living conditions of surrounding occupiers acceptable?
5. Are there any significant highway safety concerns?
6. An overall conclusion of the merits of the proposal.

### 1. Is the principle of using the sports field acceptable?

The proposed extensions encroach onto the school sports field and this has resulted in an objection from Sport England who advise that the reduction would limit the range of sporting activity for the school by constraining the summer and winter pitch layouts (illustrated by aerial photos which show the extent of the extensions).

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless certain exceptions apply. Sport England advise that the proposal does not meet any of their policy exceptions and no information has been provided to justify the loss.

It is noted that Sport England have incorrectly sited the extension on the aerial photos, and as such they show the extensions encroaching further into the sports field and shows a greater impact and loss than would be the case. It is however, still the case that the extensions will encroach onto the marked football pitch resulting in only a mini soccer pitch for under 7/8 year olds being able to fit onto the space and would also be very close to the running track.

Whilst no supporting information has been provided within the application discussions have taken place with the applicant's agent. The applicant has considered alternative options but it is clear that there is limited space available to extend the school. The only other alternative location for the sports hall space would be to the front of the school in the form of a detached building but that would result in the loss of existing car parking space and loss playground area which would be unacceptable. This alternative location would also involve a more visually dominant scheme.

The current proposal is therefore considered the most feasible option available to the school. Whilst there is an encroachment into the rear sports field area it is of a very marginal nature that would in the loss of about 180m<sup>2</sup> of the total area of about 4,350 m<sup>2</sup> (about 0.04% of the total). The vast majority of the sports field would still be able to be used by school pupils although its use for football would be limited.

In addition it is noted that a sports hall, with associated changing rooms and PE stores, are to be provided within one of the proposed extensions, over and above the existing main hall which is to be retained. Therefore much improved indoor sporting facilities are to be provided that would, in the opinion of your Officer, more than compensate for the limited loss of sports field arising from the proposals, as the floor area of the sport hall at 167 m<sup>2</sup> is similar in scale to the amount of sports field that would be lost and could be used all year round. Regard also needs to be paid to nature of the

school which is for children with disabilities and that the school are of the view that the proposal will allow them to best serve their students.

On balance it is considered that in this case there is justification for the loss of sports field and that the application can be supported.

## 2. Is the design of the extensions and the impact on the character of the area acceptable?

Paragraph 56 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. The policy is consistent with the Framework.

The Council's Urban Design Supplementary Planning Document provides further detailed advice as to how design should be assessed to complement to Policy CSP1.

The lower part of the sports hall extension is to be constructed in brown bricks matching the existing school and the upper section is to be clad in smooth dark grey cladding panels. The other extension is to be constructed, predominantly, in brown facing bricks. The scale of the sports hall at around 9 metres is considerably taller than the other existing parts of the school which are around 4-6 metres in height. Given its dimensions the new sports hall will be a prominent addition to the existing school building. The classroom additions proposed which are situated on the eastern boundary of the school shared with the cemetery are not as tall and would not be as prominent in the local area. Those other particular additions and alterations have also been designed replicating the scale and architecture of the existing school building.

Objections from surrounding residents in relation to the height and design of the proposed sports hall have been taken into account. The applicant's agent has submitted that the design and scale of this extension is based on guidance for multifunctional sports spaces appropriate for schools by Sport England. A reduction in the height of the building would reduce the benefits of the sports hall and would conflict with the school's needs.

The view taken is that the extensions proposed are of an appropriate scale and design and whilst the sports hall is to be partially clad in a metal cladding, which is not a material on the existing building, the choice of a dark, recessive grey is appropriate and acceptable. Overall subject to planning condition controlling external facing material use the impact on the character of the area is acceptable.

## 3. Can visually significant trees be adequately safeguarded?

Saved Local Plan policy N12 states that the Council will resist development that would involve the removal of any visually significant tree, shrub, or hedge, whether mature or not, unless the need for the development is sufficient to warrant tree loss and the loss cannot be avoided by appropriate siting or design. Where exceptionally, permission can be given and trees are to be lost through development, replacement planting will be required on an appropriate scale and in accordance with a landscaping scheme. Where appropriate developers will be expected to set out what measures will be taken during the development to protect trees from damage.

The Landscape Development Section of the Council has no objections to the proposal subject to the imposition of tree protection conditions. It is noted that additional concerns have been raised by residents in relation to the installation of new drainage on surrounding trees but that can also be addressed against by an appropriately worded planning condition.

#### 4. Is the impact on the living conditions of surrounding residents acceptable?

SPG (Space Around Dwelling) provides guidance on privacy, daylight standards and environmental considerations. The sports hall extensions is the closest to the rear of residential properties on Abbots Way but at a distance of approximately 54m or more from the rear elevations of such properties and about 35m or more from the rear boundary it is considered that the extension would not have any adverse impact on daylight or result in an overbearing impact. There are no windows on the elevation facing towards the rear of such properties that would affect amenity.

The relationship between the proposed development and other neighbouring dwellings is therefore compliant with the advice of the SPG. In conclusion there is no significant adverse impact to neighbouring living conditions.

#### 5. Are there any significant highway safety concerns?

Local residents have highlighted existing car parking and vehicle circulation problems along Abbots Way and within the school grounds which coincide with morning and evening drop off and pick up times. The access road leading down to the school from Abbots Way is narrow and the number of vehicles using the entrance alongside pupils requiring assistance when being dropped off results in traffic circulation problems on Abbots Way.

Those local concerns have been taken into account by the Highway Authority. But as no increase in staff or pupil numbers are proposed as a result of the extensions applied for there are no significant highway safety issues arising from the proposal.

Concerns have also been raised in relation to the possibility of the sports hall being used for community evening uses which would have a local highways impact. The school have confirmed the proposal will not be used in that capacity. The Highway Authority has no objections to the proposal and taking into account the specific nature of the development applied for significant highway safety detriment cannot be justified.

#### 6. Overall conclusion

Whilst the encroachment into the existing sports field evident is contrary to the advice of Sport England the level of encroachment is of a very marginal nature leaving the vast majority of the remaining part of the field would be open and usable for a variety of outdoor sporting activity. There are no other remaining concerns to the scheme which cannot be overcome by way of appropriately worded planning conditions. Taking into account the limited encroachment into the sports field evident alongside the particular needs of the school involved it is not considered that permission should be refused.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out applicable criteria and arrangements that must be followed for consulting the Secretary of State once a local planning authority has resolved to grant planning permission for certain types of development that are set out in the Direction. The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application and make the decision on the application instead of the local planning authority.

The Planning Authority cannot grant permission on the application until the expiry of 21 days beginning with the date which the Secretary of State notifies the local planning authority that the consultation has been received and he has all the information necessary to consider the matter.

## APPENDIX

### Policies and proposals in the approved development plan relevant to this decision:-

#### Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development – General Parking Requirements  
Policy N17: Landscape Character – General Considerations  
Policy N12: Development and the Protection of Trees

### Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)  
National Planning Practice Guidance (PPG) (2014)

#### Supplementary Planning Guidance/Documents

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Supplementary Planning Document (2010)

#### Relevant Planning History

05/01212/CPO	the rear of the site, new classroom extension, staffroom extension and new access ramp at entrance	Permitted	2006
00/00040/CPO	Erection of garage	Permitted	2000
93/00740/CPO	Double classroom mobile unit	Permitted	1993
92/00373/FUL	Extension to classroom	Permitted	1992
N6238	New headmasters office	Permitted	1978
N7477	The erection of a garage	Permitted	1979

#### Views of Consultees

**Sport England** objects to the development on the basis it would encroach into an existing sportsfield the reduction of which would limit potential sporting activity to an acceptable degree.

**Landscape Development Section** comment that they have no objections to the proposal subject to conditions requiring:-

1. The works are completed in accordance with the arboricultural information required.
2. The prior approval and implementation of an Arboricultural Method Statement.
3. Trees shown as retained shall be retained and protected throughout the construction period.

The **Environmental Health Division** has no objections.

The **Highway Authority** has no objections to the development subject to conditions requiring:-

1. The submission, agreement and implementation of a Construction Method Statement.

They also comment that their advice is based on the following:-

- Pupils and staff numbers not increasing.
- The existing car park will not be affected by the development.
- The proposed sports hall is to be used solely by the school and the facility will not be available to be used by the local community.

#### Representations

The neighbour notification period expires on the 27<sup>th</sup> September.

A total of 44 objections, including a letter from **Paul Farrelly MP** and from **Cllr Mark Holland**, have been received raising the following concerns:-

- Aggravation of existing traffic problems in the area.
- The visual impact of the development is considered harmful due to its disproportionate height, scale and materials compared to the existing school building.
- The design basis for the proposal is questionable and allows for the height of the sportshall to be reduced.
- The extension works will harm visually important trees in the vicinity.
- The proposal could be used for evening community use which would cause parking and traffic problems and other disruption to local amenity.
- There is already an oversupply of community sports facilities in the Newcastle under Lyme area as evidenced by Sport England.
- The reduction of outdoor sports field space is unacceptable (as supported by Sport England).
- Consultation with residents has not been carried out and a decision should be undertaken with transparency.

#### Applicant's/Agent's submission

The application documents are available for inspection at the Guildhall and via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00626/FUL>

#### Background papers

Planning files referred to  
Planning Documents referred to

#### Date report prepared

27<sup>th</sup> September 2016.