

The application is for an extension to the school to form 6 additional classrooms, a library and toilet facilities. The extension would measure 685m<sup>2</sup> in area and would be single-storey.

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

**The 8 week period for the determination date expired on the 8<sup>th</sup> February 2019 but the applicant has agreed to extend the statutory period until 29<sup>th</sup> March 2019.**

### **RECOMMENDATION**

**A) Subject to the applicant first entering into a Section 106 agreement by 26<sup>th</sup> April 2019 to secure a financial contribution of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme to promote and encourage sustainable access to the school,**

**PERMIT subject to conditions relating to the following:-**

- 1. Approved drawings**
- 2. Time Limit**
- 3. External facing materials**
- 4. Environmental Management Plan**
- 5. External lighting**
- 6. Control of noise**
- 7. Access, parking, servicing and turning areas**
- 8. Secure weatherproof cycle and scooter parking**
- 9. Submission of a Travel Plan**
- 10. Tree protection plan**

**B) Should the above Section 106 obligation not be secured within the above period, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of a secured planning obligation the development would fail to ensure sustainable development outcomes; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.**

### **Reason for Recommendation**

Given the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. The scale and appearance of the extension is not considered to be harmful to the character of the area and there are no highway safety concerns raised by the proposal.

### **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**

Full planning permission is sought for an extension to form 6 additional classrooms, a library and toilet facilities at Bursley Primary School. Additional parking is proposed on an existing hard play area. The school is to provide an additional half form entry (75 pupils) to respond to the need for primary school places in the area.

The site is located within the urban area of the Borough as well as within an area of Landscape Regeneration, as indicated in the Local Development Framework Proposals Map.

Any impact on residential amenity that arises from the development could be addressed through appropriate condition. The conditions recommended by the Environmental Health Division are largely considered appropriate. As the proposed development does not involve any alteration to the main school kitchen and only a very small food tech area is included in the proposed extension some distance from the nearest residential property the requirement to provide a kitchen ventilation system and odour abatement would be unreasonable and unnecessary.

The main issues for consideration in the determination of this application are as follows:-

- The principle of the development
- The design and impact on the character and appearance of the area
- The implications for parking and highway safety
- What financial contributions, if any, are required?

#### The principle of the development

The proposed extension would be sited on part of the existing playing field.

Paragraph 97 of the NPPF states that 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.

Sport England has been consulted on the application and has responded to say that that they have considered the application in light of paragraph 97 of the NPPF and against its own playing fields policy which states:

‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field

unless in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions’.

Sport England states that the proposed development results in a minor encroachment onto the playing field however having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. Consequently they are of the view that the proposal broadly meets exception E3 of their playing fields policy in that:

The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or

- prejudice the use of any remaining areas of playing field on the site.

Sport England does not object to the application and it is not considered that an objection could be sustained on the grounds of loss of the playing fields.

#### Design and impact upon character of the area

Paragraph 124 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the revised framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the adopted Newcastle under Lyme and Stoke on Trent Core Spatial Strategy (CSS) details that new development should be well designed to respect the character, identity and context of the area.

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

The school is accessed off Bursley Way with Clayhanger Close to the north and west and Riceyman Road to the east. The existing flat roofed school buildings comprise buff brown facing bricks with blue and white cladding panels and large windows. The proposed extension would be sited to the front of the existing buildings. The materials would comprise alternating brick panels and standing seam cladding and projecting windows would be finished in blue to complement the school colours. The articulation proposed in the elevations and the variation in the materials would provide interest and break up the massing of the extension and the scale, massing and design of the extension is considered appropriate in the context of the school grounds.

#### Car parking and any highway safety implications

There are two existing vehicular accesses to the school site and currently, the main access is to the front of the school buildings with a secondary access to the play area to the west. It is proposed to use the current main entrance solely for accessible parking, maintenance and some deliveries, and to use the entrance to the west of the school buildings for access to a new staff and visitor's car park providing 42 spaces. The former parking and redundant play areas would be used for hard play and recreation.

The Highway Authority has no objections to the proposal subject to conditions and the securing of a financial contribution which will be discussed in detail in the next section of this report.

Parking is currently very limited at the school and therefore the proposals would be an improvement on the existing situation. It is not considered that the proposed development would have any adverse impact on highway safety.

#### What financial contributions, if any, are required?

Any developer contribution to be sought must be both lawful, having regard to the statutory tests set out in Regulation 122 and 123 of the CIL Regulations, and take into account guidance. It must be:-

- Necessary to make the development acceptable in planning terms
- Directly related to the development, and
- Fairly and reasonably related in scale and kind to the development.

The Highway Authority has requested a financial contribution towards the preparation and monitoring of a Mode Shift Stars scheme for the School. Given that the development would facilitate an additional 75 pupils at the School, it is important to encourage and promote sustainable access to the

school to seek to address the additional demands that the development would place on the surrounding highway network. The contribution is considered necessary to make the development acceptable in planning terms, it is directly related to this development and is fairly and reasonably related in its scale and therefore it complies with CIL Regulation 122.

For the avoidance of doubt it can be confirmed that the obligation would not be contrary to Regulation 123 either.

## 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 SP3: Spatial Principles of Movement and Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP10: Planning Obligations

#### [Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy T16: Development – General Parking Requirements  
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

### Other Material Considerations include:

[National Planning Policy Framework \(NPPF\) \(2019\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Community Infrastructure Levy Regulations \(2010\)](#) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

### Relevant Planning History

There have been numerous permissions for extensions to the school but the most recently approved is as follows:

14/00098/CPO	Construction of a new single-storey classroom block extension to the rear of the existing school building	Approved
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### Views of Consultees

The **Environmental Health Division** has no objections subject to conditions relating to an Environmental Management Plan, a kitchen ventilation system, external lighting and control of noise.

The **Highway Authority** has no objections to the development subject to conditions regarding access, parking, servicing and turning areas, secure weatherproof cycle and scooter parking and submission of a Travel Plan. It is requested that the developer enters into a Section 106 agreement to secure a sum of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme for Bursley Primary School to promote and encourage sustainable access to the school.

The **Landscape Development Section** has no objections subject to submission of a detailed Tree protection Plan for the construction phase.

**Sport England** states that the proposed development results in a minor encroachment onto the playing field however having considered the nature of the playing field and its ability to accommodate

a range of pitches, it is not considered that the development would reduce the sporting capability of the site. On this basis, they do not wish to raise an objection to the application.

The **Waste Management Section** states that the applicant would need to ensure that collections of refuse and recyclables continue to be possible during the building work without compromising collection staff safety, increasing bin movement distances or affecting collection vehicle access. If the bin store falls within the secured area of the school, then bins will need to be presented outside it or staff given access.

#### Representations

One letter of objection has been received raising concerns regarding impact on traffic, road access and parking resulting from an additional 75 places.

Five letters of support have been received stating that the plans will benefit both the children at the school and the community, and stating that concerns about congestion will be alleviated by improved parking facilities and the walking bus proposal.

#### 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/18/00990/FUL>

#### Background papers

Planning files referred to

Planning Documents referred to

#### Date report prepared

13<sup>th</sup> March 2019