

The application seeks full planning permission for a large extension to the existing school with associated new playground/net ball space, revised car parking provision and access arrangements, new fencing and landscaping. A new sports pitch is also proposed.

The existing school is split over two sites and the proposed development would allow the two sites to amalgamate onto the application site on Gloucester Road.

The application site is primarily located within the urban area but the proposed development encroaches onto land designated as Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

**The 8 week period for the determination of this application expired on the 11<sup>th</sup> December 2019 and the applicant has agreed various extension of time to the statutory determination period with the latest being to the 24<sup>th</sup> August 2020.**

### **RECOMMENDATIONS**

**A. Subject to the receipt of no objections from the Highways Authority by the date of the Committee meeting and no new material objections being received from Kidsgrove Town Council, Sport England and neighbouring occupiers by the 31<sup>st</sup> August, then the Head of Planning be given the delegated authority to determine the application, and**

**B. Subject to the applicant first entering into a Section 106 obligation by the 1st September 2020 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 the application subject to conditions relating to the following matters:-**

1. Standard time limits for the commencement of development;
2. Approved plans;
3. Sample facing materials;
4. Boundary treatments;
5. Hardsurfacing materials;
6. Implementation of soft landscaping scheme;
7. Updated tree survey and tree removal;
8. Community Use Agreement;
9. Assessment of plant noise;
10. Provision of a Kitchen Ventilation System and Odour Abatement;
11. Approval of external lighting;
12. Electric charging provision for onsite staff parking;
13. Highway & Environmental Construction and Demolition Management Plan (CMP)
14. Cycle parking provision
15. Implementation of off site highway works
16. Land contamination investigations and mitigation measures;
17. Intrusive coal mining site investigations and remedial works implementation;
18. Recommendations as per the submitted ecological report

**C. Should the matters referred to in (B) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.**

### **Reason for Recommendation**

Subject to no significant concerns being raised by the Highways Authority that cannot be overcome through the imposition of conditions and a S106 obligation to secure a travel plan, the proposed development is considered acceptable. The proposed development would not harm the openness of the Green Belt and the principle of the redevelopment of this school which is located in the urban area is acceptable. The design of the scheme, the impact on trees, playing field/ sports pitch provision, land stability, contamination and coal mining risk, are all considered acceptable, subject to conditions. On this basis the proposed development is a sustainable form of development that accords with the development plan policies identified and the guidance and requirements of the National Planning Policy Framework and should be approved.

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

Detailed pre application advice was given and further opportunity was given to the applicant to address fundamental concerns with the proposals. Information has been submitted for consideration and approval.

### **Key Issues**

This application is for full planning permission for a large extension to the existing school with associated new playground/netball space, revised car parking provision and access arrangements, new fencing and landscaping. A new sports pitch is also proposed.

Amended and additional information has been submitted during the planning application and the proposals now include significant off site highway works.

The existing school is split over two sites and the proposed development would allow the two sites to amalgamate onto the application site on Gloucester Road.

The application site is primarily located within the urban area but the proposed development encroaches onto land designated as Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

The land is located within a High Risk Coal Mining area and the Coal Authority raises no objections subject to the imposition of conditions to secure intrusive site investigations and any appropriate remedial works.

The key issues in the determination of the development to consider are:

- Is the part of the development that is located within the Green Belt appropriate or inappropriate development?
- The principle of the development,
- The parking provision and the impact on highways safety,
- The design of the proposals and the impact on the visual amenity of the area,
- The impact on trees
- Impact on neighbouring residential amenity levels, and
- If inappropriate development, do the very special circumstances exist to overcome the harm to the Green Belt?

### **Is the development appropriate development in the Green Belt?**

Paragraph 133 of the NPPF details that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”.

The proposal is for a large extension to the existing school which is primarily located within the urban area but the proposed development also encroaches onto land designated as Green Belt.

The proposals have been designed to ensure that the new buildings do not encroach onto land designated as Green Belt. However, the associated landscaping, hardsurface playing area provision and sports pitches would be located on land designated as Green Belt.

Paragraph 146 of the NPPF advises, amongst other things, that engineering operations are not inappropriate development within the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

The hardsurfaced areas are considered to represent engineering operations that would primarily preserve the openness of the Green Belt. They would also not conflict with the purposes of including land within the Green Belt.

Furthermore, it is acknowledged that the early years hard informal and social area to the side of the proposed extension includes a canopy but the harm is limited due to its small size.

It is considered that the proposed development would preserve the openness of the Green Belt and it does not conflict with the purposes of including land within it. On this basis the proposed development comprises appropriate development within the Green Belt and it accords with paragraph 146 of the NPPF. Therefore there is no requirement to demonstrate very special circumstances.

#### The principle of the development

The existing school is split over two sites and the proposed development would allow the two sites to amalgamate onto the application site on Gloucester Road.

The other site is located on The Avenue in Kidsgrove town centre and the application indicates that the building is in a poor structural condition and that the site is constrained by its size. Therefore, the logical conclusion was to combine the two sites on to the Gloucester Road site, thus creating a single campus primary school with 234 pupil capacity.

As discussed, the Gloucester Road site is primarily located within the urban area but the proposed development encroaches onto land designated as Green Belt.

The preference would have been for the two sites to be combined onto The Avenue site because of its highly sustainable location within the town centre with good links to public transport but it has to be accepted that the site is constrained and not capable of redevelopment.

The Gloucester Road site is constrained by the Green Belt and the proposed redevelopment seeks to ensure that the new buildings do not encroach into the Green Belt. However, this results in the proposed buildings being located on the existing school playground.

Sport England (SE), in their initial consultation response, indicated that the proposal will result in the loss of useable playing field land.

The NPPF emphasises the importance of high quality open spaces and opportunities for sport and physical activity as an important contributing factor to the health and well-being of communities. It further states in paragraph 97 that existing open space, sports and recreational buildings, including playing fields, should not be built on unless 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.

The applicant subsequently submitted an amendment to the proposed playing field, along with a draft community use agreement (CUA, which will enable community access to the outdoor sports facilities and indoor changing/wc. This satisfied the concerns of SE, subject to a condition which secured a final CUA.

The scheme has now been amended further and a proposed car parking area which was previously proposed, and resulted in the loss of useable playing field, is no longer proposed. SE have been consulted on the amended scheme but it is likely that they will raise no objections because this element of the site now remains as existing. In all other respects the scheme remains as it did when SE previously commented on the development proposals.

In consideration of the above, it is accepted that the proposed development would not be contrary to paragraph 97 of the NPPF, subject to conditions.

Your officers support the principle of a single campus primary school on the site and the benefits that this would achieve, subject to other matters being considered acceptable.

#### The parking provision and the impact on highways safety

The NPPF indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The NPPF states that in assessing specific applications for development, it should be ensured, amongst other things that;

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

As set out, the proposed development would result in the Gloucester Road site being a single campus primary school with 234 pupil capacity.

The Avenue site currently accommodates 89 pupils and the Gloucester Road site accommodates 110 pupils. Therefore, 199 pupils will be amalgamated onto the Gloucester Road site with a planned capacity of 234 pupils and 18 full time staff, should the redevelopment works be approved.

The preference would have been for the two sites to be combined onto The Avenue site because of its highly sustainable location but it has to be accepted that the site is constrained and not capable of redevelopment.

It is clear that the proposed development provides a number of benefits, as emphasised by the letters of support for the planning application. However, the proposed development should not be approved if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Your officers and the Highways Authority (HA) have continued to raise concerns about the impact of the amalgamation of the school onto the Gloucester Road site during detailed pre application discussions and throughout the planning application. HA have objected to the application on the grounds that the development fails to make adequate provision for the parking of vehicles during the morning drop-off and afternoon pick-up times for pupils, which will result in the exacerbation of on street parking issues and an increase in the likelihood of highway danger to all road users due to vehicles being parked and manoeuvring on the carriageway, footways and verges. These issues would result in an increase in highway danger for drivers and pedestrians.

This has resulted in amended plans and additional supporting technical highways information being submitted in an attempt to address the concerns, which now results in significant off site highway works being proposed on Gloucester Road. The works include, amongst other things;

- A new/ additional zebra crossing and upgrades to the existing zebra crossing,
- Upgraded and additional speed cushions and road markings,
- Remodelling of the existing access, and
- Existing grass verges made to half layby's for pull in's

The school also proposes staggered start and finish times for pupils depending on their age, which includes a breakfast club starting at 7.30am and an after school club that finishes at 5.45pm

A mode shift stars travel plan is also proposed which has an aim of encouraging travel by sustainable modes including walking, cycling and scooting in order to minimise private car use.

The views of HA have been sought and their comments are awaited but it is now clear that the off site highway works are significant and would ensure highway safety improvements. The implications of increased pupil numbers accessing the site in the peak drop off and pick up times remains a concern, particularly because the Gloucester Road site is a steep hill and the school catchment area makes it challenging for pupils and parents to use sustainable travel modes.

Electric vehicle charging is also required to make the development acceptable and 10% of staff spaces should be provided with fully operational dedicated electric vehicle charging point(s). An additional 10% of remaining parking spaces shall be provided with passive wiring to allow future charging point connection. This should also include disabled spaces.

Subject to HA raising no objections to the application with suitably worded conditions which mitigate against highway safety implications and the securing of a S106 obligation for a mode shift stars travel plan, your officers are satisfied that the proposed development would not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be so severe to justify a refusal.

#### The design of the proposals and the impact upon the Area of Landscape Restoration

Paragraph 124 of the 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. Furthermore, paragraph 127 of the 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 Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The application site is located on Gloucester Road which rises steeply from west to east. The site has an existing single storey building and mobile building on the eastern edge of the site. The site also has associated playgrounds and playing fields to the side and front of the buildings.

The existing buildings have limited views from any main vantage points due to the single storey scale and the position on a significantly lower level than the road.

The proposed extension would be two storey in height and have a large footprint. It would sit next to and dominate the existing single storey buildings. However, due to the change in levels on the site the impact on the Gloucester Road street scene would be limited, albeit there would be some distance views of the side/ west elevation from further down Gloucester Road.

The proposed extension would have a functional design that has the appearance of a modern school building with a palette of different facing materials that would add interest to the buildings, which include facing red brick, render, a decorative grey brick, dark window frames and coloured feature panels.

There are some concerns with the mix of different facing materials, in particular the coloured feature panels, which create a cluttered appearance. However, it is not considered that an objection to the design of the proposed building on this basis can be raised and the proposed development, whilst large, represents an appropriate design that would not significantly harm the visual amenity of the area.

Soft landscaping has also been proposed to soften the appearance of frontage car parking and hardstandings within the site. These will ensure that the proposed development does not adversely harm the appearance of the street scene.

The off-site highway works will also result in the loss of grass verges many of these have been churned up from vehicles parking on them currently and no significant concerns are raised in this regard.

An objection has been received indicating that the proposed development will result in the loss of a view. This is not a material planning consideration and no weight can be given to the objection in the determination of the planning application.

On the basis of the above the design of the proposed development is considered acceptable and accords with policy CSP of the CSS, the guidance of the urban design SPD and the guidance and requirements of the NPPF.

#### The impact on trees

NLP 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 the tree loss and the loss cannot be avoided by appropriate siting or design. N12 also states that 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.

The proposed change in ground levels to accommodate the size of sports pitch required is likely to result in tree loss on the northern boundary and the Councils Landscape Development Section (LDS) have raised concerns about the level of tree loss to this small wooded area.

Japanese Knotweed removal will also result in tree loss.

The application is supported by a tree survey which identifies that “the woodland area to the north of the site is very prominent in the landscape and provides shelter to the school site as well as habitat and connectivity for wildlife. As the trees here are mature and form an established landscape feature this area should be excluded from future development proposals.”

The removal of these trees will have a large impact on the existing landscape which is unfortunate but the removal of the additional frontage car parking is likely to result in no changes to the existing playing field and it is likely that additional tree loss can now be avoided. It is considered that any tree loss can be mitigated by replacement tree planting and on this basis the proposed development is in accordance with policy N12 of the local plan.

#### Impact on neighbouring residential amenity levels

Paragraph 127 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The NPPF further states at paragraph 180 that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. The aim is to mitigate and reduce the potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The existing school is split over two sites and the proposed development would allow the two sites to amalgamate onto the application site on Gloucester Road. This will increase pupil numbers to over 200 with a 234 capacity.

Noise, air, odour and light pollution will also be caused by the proposed development which includes a kitchen and plant and machinery. However, the application has satisfactorily addressed concerns

and the Environmental Health Division has raised no objections subject to conditions which will mitigate any impact on neighbouring residential amenity levels. On this basis the proposed development is likely to maintain existing amenity levels in accordance with the guidance and requirements of the NPPF which is considered acceptable.

## 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

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

Policy S3: Development in the Green Belt  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character - General Considerations  
Policy N21: Area of Landscape Restoration  
Policy T16: Development – General Parking Requirements  
Policy IM1: Provision of Essential Supporting Infrastructure and Community Facilities

### **Other Material Considerations include:**

#### National Planning Policy

#### [National Planning Policy Framework](#) (February 2019)

#### [Planning Practice Guidance](#) (March 2014)

#### Supplementary Planning Guidance/Documents

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

#### Relevant Planning History

01/00645/FUL     Erection of temporary classroom     Permit  
07/00168/FUL     Single storey extension     Permit  
16/01032/FUL     New classroom extension to replace existing mobile classroom     Permit

#### Views of Consultees

**Kidsgrove Town Council** have not responded by the due date of the 6<sup>th</sup> November 2019 and it is assumed that they have no observations to make on the application.

**Landscape Development Section** raises concerns with the level of tree loss to accommodate the sports pitch to the north of the site which is very prominent in the landscape and is not only an important visual feature but provides shelter to the school and pitch area. The AIA shows more than a third of the trees growing on the embankment in this area will be lost. It is also unlikely that earthmoving to form the 1:2 slope would be possible in the restricted area that has been allowed. It would be better to relocate the parking area to enable retention of the embankment trees.

It is also considered that the proposed parking areas have a poor relationship with Gloucester Road. The sections of beech hedging shown on the frontage will help to screen the cars but the minimal planting is weak and does little to satisfactorily integrate the scheme.

**Sport England** raises no objections subject to a condition which secures a community use agreement to secure well managed safe community access to the sports facility/facilities and to



ensure sufficient benefit to the development of sport. However, they have not been consulted on the amended proposals which remove the additional car parking area adjacent to the playing field.

The **Environmental Health Division** raises no objections subject to conditions which secure the following matters;

- Construction environmental management plan;
- Assessment of plant noise;
- Provision of a Kitchen Ventilation System and Odour Abatement;
- Approval of external lighting; and
- Electric charging provision for onsite staff parking.

The **Highways Authority** have objected to the on the grounds that the development fails to make adequate provision for the parking of vehicles during the morning drop-off and afternoon pick-up times for pupils, which will result in the exacerbation of on street parking issues and an increase in the likelihood of highway danger to all road users due to vehicles being parked and manoeuvring on the carriageway, footways and verges. These issues would result in an increase in highway danger for drivers and pedestrians.

However, following the submission of amended plans and information which include significant off-site highway works, the indication is that the development will be acceptable subject to conditions which secure mitigation measures and a mode shift stars travel plan. Their formal consultation comments are awaited.

Following the submission of further coal mining risk information, the **Coal Authority** now remove their strong objections, subject to conditions which secure intrusive site investigations and a remediation scheme to be submitted for approval prior to any works commencing on site.

**United Utilities** raises no objections subject to conditions regarding surface water drainage scheme and foul and surface water being drained on separate systems.

Staffordshire County Council as the **Minerals and Waste Planning Authority** advises that they have no comments to make on this application.

#### Representations

**Eighty Three** representations have been received on the application, which include **Eighty One** letters of support. The letters of support highlight the benefits that the proposed development would bring to pupils, parents and staff who live in the local area, in particular highlighting the problems of a school spread over two sites and the challenges that this presents. .

A letter of support has also been received from **Jonathan Gullis, the Member of Parliament for Stoke-on-Trent North, Kidsgrove and Talke**, who emphasises the wide ranging benefits the scheme will bring and address a number of existing issues that the school has

The **Two** representations which raise concerns and objections highlight the following issues with the proposed development;

- Surface water flooding would increase;
- Loss of a view; and
- Unacceptable and dangerous parking problems would be increased.

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

The application is accompanied by a Design and Access Statement, Transport and Highways Statement, Draft Community Use Agreement, Flood Risk Assessment, an Ecology Report, Air Quality Impact Assessment and a Phase 2 Ground Investigation Report, including a Coal Mining Risk Assessment.

All of the application documents can be viewed on the Council's website using the following link:  
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/19/00804/FUL>

Background papers

Planning files referred to  
Planning Documents referred to

Date report prepared

7<sup>th</sup> August 2020