

Planning permission is sought for the remodelling of the existing sports hall to provide a new construction teaching workshop and the construction of a new sports hall, two classrooms and supporting accommodation at Newcastle-Under-Lyme College.

The site lies within Newcastle Town Centre as indicated on the Local Development Framework Proposals Map. The Newcastle Town Centre Supplementary Planning Document identifies the site as lying within the College Approaches.

This application was reported to Committee on the 7<sup>th</sup> December but a decision was deferred to allow additional drainage information to be submitted and the views of the Lead Local Flood Authority to be obtained.

**The 13 week period for the determination of this application expired on 18<sup>th</sup> October but an extension of time has been agreed to 4<sup>th</sup> March.**

### **RECOMMENDATION**

**Subject to the Lead Local Flood Authority not raising objections that cannot be resolved through conditions, the Head of Planning be being the delegated authority to Permit, subject to conditions relating to;**

- i. Time limit condition**
- ii. Approved plans**
- iii. Materials**
- iv. Construction Environmental Management Plan**
- v. Provision of cycle spaces**
- vi. Tree protection**
- vii. Drainage conditions**

### **Reason for Recommendations**

The principle of the development is acceptable and it is not considered that there would be any adverse impact on the character and appearance of the area. Subject to the imposition of conditions, there would be no impact on trees, highway safety or residential amenity. Discussions have been held regarding a drainage strategy for the site and it is likely that an acceptable solution can be found.

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

The LPA has requested further information during the consideration of the application to address concerns. Following the submission of further information the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

### **Key Issues**

Permission is sought for the remodelling of the existing sports hall to provide a new construction teaching workshop and the construction of a new sports hall, two classrooms and supporting accommodation.

The site lies within Newcastle Town Centre as indicated on the Local Development Framework Proposals Map. It is not considered that the application raises any issues of impact on residential amenity or trees and therefore the key issues in the determination of this planning application are:

- Is the principle of the proposed development on the site acceptable?
- Is the scale and design of the building acceptable?
- Is the level of car parking proposed acceptable and would there be any adverse impact on highway safety?
- Has an acceptable drainage strategy been provided?

Is the principle of the proposed development on the site acceptable?

The proposed facilities are located on a grassed area to the rear of the existing Sports Hall.

Paragraph 99 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 they have considered the application in light of paragraph 99 of the NPPF and against their 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 sports hall in part is sited on playing field land which is incapable of accommodating a playing pitch due to the constraints of the car park and footpath. Additional information submitted by the applicant clarifies that a route from the sports hall changing rooms to the existing 3G pitch will be retained and that the existing changing facilities will be kept in use throughout for both indoor and outdoor sports. Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 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.

On this basis, Sport England does not object to the application and therefore it is not considered that an objection could be sustained on the grounds of loss of part of the playing field.

Is the scale and design of the building acceptable?

Paragraph 126 of the National Planning Policy Framework (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.

Paragraph 130 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.

CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent'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.

The proposed building would be situated immediately to the north of the existing Sports Hall towards the rear of the Campus. It would measure 10m in height to match the height of the existing building and the design, which would also match that of the existing, would be simple and contemporary. The use of a contrasting palette of materials comprising anthracite grey cladding with through-coloured render for the smaller scale stores and class-bases, would be in keeping with the current development and would help to break down the monolithic form of the sports hall building, adding interest and visual cohesion between old and new.

In conclusion, it is considered that the siting and design of the proposed development is acceptable and that the proposal would meet the guidance and requirements of the development plan and the NPPF.

Is the level of car parking proposed acceptable and would there be any adverse impact on highway safety?

The NPPF states that safe and sustainable access to the site should be achieved for all users. It advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would result in the loss of 9 existing parking spaces. The car parking standards in the Local Plan recommend a maximum parking requirement of 1 space per 5 full-time equivalent students, these spaces being available to both students and staff. The maximum number of students expected on site (allowing for the extra activity) is 2,950. This gives a maximum parking requirement of 590 spaces but as part of the initial planning approval, the College undertook to develop and implement a Travel Plan to reduce car dependency, and 510 spaces were provided.

The application states that the additional space being applied for is for 16-19 year old students, for whom car use is inevitably reduced as a proportion of all students due to their age. The College continues to encourage staff and students to use alternative modes of transport, including the provision of subsidised bus passes, and promoting rail savers, provision of secure cycle storage and motorcycle spaces. The applicant's agent asserts that the existing parking facilities are more than sufficient with a number of spaces always available and as a result the small reduction in spaces is considered appropriate.

The Highway Authority raises no objections to the loss of spaces subject to conditions, stating that the site is in a sustainable location with two bus stops in close proximity and although there will be a slight reduction in car parking provision, an increase in cycle parking provision (20 no. spaces) is to be provided.

Given the sustainable location of the College within easy walking distance of the shops, services and bus station in the town centre, it is not considered that the loss of 9 parking spaces would have any adverse impact on highway safety.

Has an acceptable drainage strategy been provided?

A Flood Risk Assessment and a Drainage Strategy have been submitted but Staffordshire County Council as Lead Local Flood Authority (LLFA) states that there is insufficient detail to fully demonstrate that an acceptable drainage strategy is proposed. Although additional information has been submitted, the LLFA requires still further details. A meeting with relevant parties has been held and it is likely that

an acceptable solution can be found. Additional information is expected and the further comments of the LLFA will be reported.

### Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

## **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 ASP4: Newcastle Town Centre Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change  
Policy CSP5: Open Space/Sport/Recreation

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

Policy T16: Development – General Parking Requirements

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

[National Planning Policy](#)

[National Planning Policy Framework](#) (2021)

[Planning Practice Guidance](#) (2018)

[Supplementary Planning Guidance/Documents](#)

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

### **Relevant Planning History**

06/01180/OUT New college, sports facilities, Superstore, Petrol Filling station, offices, housing, parking, landscaping and associated engineering works – Approved

07/01005/REM External appearance of the new College, siting and external appearance of the Sports Hall and landscaping – Approved

08/00801/FUL New College building (amended scheme to that approved under planning permissions 06/01180/FUL and 07/01005/REM to accommodate additional floorspace for a Higher Education Centre) – Approved

08/00825/FUL Building to house a construction and engineering centre – Approved

### **Views of Consultees**

**Sport England** raises no objections on the grounds that the proposal accords with Exception 3 of their policy subject to the imposition of a condition regarding phasing of the development.

The **Highway Authority** has no objections subject to conditions requiring the submission of a Construction Environmental Management Plan and details of additional cycle parking.

The **Landscape Development Section** has no objections subject to a condition requiring tree protection for the duration of the construction period.

The **Lead Local Flood Authority** objects on the grounds that insufficient detail has been submitted to demonstrate an acceptable drainage strategy.

No comments have been received from the **Environmental Health Division**, the **Waste Management Section** or the **Newcastle South Local Area Partnership**. Given that the period for comment has ended it must be assumed that they have no comments to make.

#### Representations

None received.

#### Applicant/agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Noise Impact Assessment
- Sustainability Statement
- Ecological Appraisal
- Flood Risk & Drainage Statement

All of the application documents can be viewed on the Council's website via the following link:

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/21/00705/FUL>

#### **Background papers**

Planning files referred to

Planning Documents referred to

#### **Date report prepared**

16 February 2021