

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 07/04/2015</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Duncan Law Development Officer</b>	<b>Application No: KET/2014/0868</b>
<b>Wards Affected</b>	<b>William Knibb</b>	
<b>Location</b>	<b>St Marys C Of E VA Primary School, Fuller Street, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Creation of upper first floor level and extensions to upper ground and lower ground floor levels</b>	
<b>Applicant</b>	<b>Mr J Gardiner</b>	

### **1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### **2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the existing building.

REASON: In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority. The Statement shall detail the following:

- the parking and turning of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for waste minimisation and recycling/disposing of waste resulting from the construction works.
- design of construction access
- hours of construction work
- measures to control overspill of light from security lighting

REASON: In the interests of highway safety and residential amenity in accordance with Policy 13 of the Core Spatial Strategy.

4. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy

5. No development shall take place on site until a Travel Plan and Transport Statement is submitted to and approved in writing by the Local Planning Authority. The Travel Plan and Transport Statement shall identify proposals to achieve a reduction in the need for car borne traffic to/from the site, measures for implementation and mechanisms and timings for review. The development shall not be carried out other than in accordance with the approved Travel Plan and Transport Statement.

REASON: In the interests of sustainability in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

6. No development shall commence on site until a Sustainability Appraisal and Energy Statement has been submitted and approved by the Local Planning Authority. The submissions should include details of how sustainable construction and energy efficiency techniques are to be used. Development shall not be carried out other than in accordance with the approved Sustainability Appraisal and Energy Statement.

REASON: In the interests of energy efficiency and sustainable construction in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

7. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the development and neighbouring land are minimised

8. Prior to commencement of development, full details and drawings of measures to protect the root system of all trees on site both during and after construction, shall be submitted to and approved in writing by the Local Planning Authority. The proposed measures shall include details of temporary fencing to be used under the canopy of the tree. Throughout the whole construction period there shall be no works carried out or storage of any materials of any description within the temporarily fenced off canopy area. The works should be carried out in accordance with all relevant provisions of BS 5837:2012 British Standard Construction in relation to Trees to secure good arboricultural practice

REASON: To ensure the continuity of amenity value afforded by the trees in question and to ensure the protection of trees to be retained, and in particular to avoid unnecessary damage to their root systems.

## **Officers Report for KET/2014/0868**

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

### **3.0 Information**

#### **Relevant Planning History**

KET/2014/0029 Extensions to upper ground / lower first floor levels on South, North East and North West Elevations. Creation of additional classrooms and staff room on new upper first floor level - WITHDRAWN

KET/2004/0689 Erection of canopy to rear/side of school building - APPROVED 27/8/04

KET/2003/0247 Construction of fence on side boundary - APPROVED 20/5/03

KET/2001/0886 Construction of single storey classroom extension to front elevation APPROVED 8/1/02

KET/2001/0877 Retention of fence on side boundary REFUSED 5/2/02

KET/1993/0533 Extension to school to form library APPROVED 6/9/93

KET/1990/0701 Changing existing tile cladding to Tyrolean rendered finish on north and west elevations APPROVED 9/8/90

KET/1985/0561 Retention of temporary classroom APPROVED 6/9/85

KET/1981/0671 Erection of re-locatable classroom APPROVED 26/8/81

KE/1975/724 School APPROVED 30/6/75

KE/1975/599 School REFUSED 19/6/75

#### **Site Description**

Officer's site inspection was carried out on 20/02/2015

The original school on this site was founded in 1899 and was a two-storey brick building. The current building was opened in 1977. The school is on the same location as its predecessor, with floors on 'half' levels, the school hall, offices and staff room being on a level halfway between the lower infant (key-stage 1) area and the upper junior (key-stage 2) area. More recently, the building has been extended to the north beyond the school hall to provide a community area. The flat roof design of the building is typical of its time with strong linear emphasis on the fenestration and wood panel detailing. Boundary treatments consist of hedge and fencing along Fuller Street, fence along Mill Road and 2m high brick wall onto Mill Road Park. The 0.36 hectare site has residences to the north, east and south and Mill Road Park to the west. Landscaping consists of a grass buffer to the east and south that contains 6 trees and there are tarmac playgrounds to the north and west.

#### **Proposed Development**

Creation of upper first floor level and extensions to upper ground and lower ground floor levels. The proposal is seeking to expand and reconfigure the current layout to improve internal circulation and increase capacity by 2 class rooms.

## **4.0 Consultation and Customer Impact**

### **Highway Authority**

#### **Travel Plan**

Travel Plan team will visit the school to bring the TP up to current standards and are comfortable if dealt with by planning condition, which will allow the document to be updated prior to the discharge of such a condition.

#### **Transport Statement**

Despite the content of the TS and the apparent need for some more work to be completed to bring it up to a certain level of completeness, it is clear that the substantive issues have been adequately dealt with in the application. The situation in relation to on-site parking cannot be made better, the streets have a certain amount of spare capacity within a reasonable walking distance of the school and the fact that a large proportion of the parents already walk their children to school leaves very little else to be achieved.

The main concerns appear to revolve around teachers parking on the streets during the day, reducing the effective capacity of the roads during the critical arrival and departure times. So, rather than concentrating on getting more parents to walk, which is laudable in itself, more effort must be made to encourage the teaching staff to modify their travel habits to alleviate the on-street parking issues. I am confident that this can be successfully tackled via the Travel Plan and so a robust set of targets needs to be agreed to bring the numbers down and assist the locality in terms of parking.

#### **Conclusion**

No objection subject to improvements to the travel plan to tackle the parking issues. If this can be captured in a condition then this would be acceptable.

#### **Environmental Health**

no objection to the application subject to the following conditions being applied

- Construction management plan
- Contaminated land – unexpected contamination

#### **Neighbours**

3 neighbour objections based on:

- Parking and traffic concerns especially staff parking
- Noise
- reduction on natural daylight
- air pollution

## **5.0 Planning Policy**

### **National Planning Policy Framework:**

Policy 8 – Creating Sustainable communities – paragraph 72

### **Local:**

Core Spatial Strategy policies

1 (Strengthening the network of settlements)

13 (General sustainable development principles)

14 (Energy efficiency and sustainable construction)

### **Supplementary Planning Guidance:**

Sustainable Design SPD

Open Space SPD

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of development
2. Design, character and appearance
3. Landscape Impact
4. Parking and highways
5. Residential amenity
6. Sustainable construction & design
7. Contaminated Land

### **1. Principle of development**

St Marys Church of England Primary school is an existing school within the town boundary of the growth town of Kettering to which Policy 1 of the CSS directs development. There are no local policies which specifically relate to school development however Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Therefore local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted. The principle of development for this proposal is

therefore established subject to the fulfilment of the development plan criterion as below.

## 2. Design, character and appearance

The NPPF, in Policy 7, calls for development to be of good design as this is seen as a key aspect of sustainable development. Policy 13 of the CSS requires new development to raise standards through design and architecture; to respect and enhance the character of its surroundings; and to create a strong sense of place by strengthening distinctive historic qualities and townscape through its design. The surrounding area is dominated by Victorian residential terraced properties of local red brick under slate or concrete tile roofs. The current building was constructed in the 1970's and is characterised principally by flat roofs, large linear windows and a wooden clad band running throughout which is not reflective of the Victorian residences in the local area. As a result the school can be said to have its own sense of place as it is set back away from residences within its own bordered grounds. Accordingly the proposal respects the form and function of the existing school. Much of the redevelopment involves internal reconfiguration and will not increase the footprint other than a new build element to the south east of the host property. This addition has been designed to reflect the design of the existing building in terms of cladding, materials, roof and window design and will appear as a natural extension without raising the roof height or eroding the overall character of the site. A neighbour objection commented that there will be a loss of natural daylight as a result of the proposal however when considering the path of the sun, the additions will cause a minimal increase in shadowing but only to the school itself.

The proposals will coalesce the roofscape that, due to the sites development over time, is varied as it will reduce the height disparities to a single step that echoes the site contours without increasing the overall height.

The proposed materials and fenestration will match that of the existing property and the development would therefore achieve an appropriate visual appearance within its setting. It is therefore considered to accord with the design-related policies of the NPPF and the CSS

## 3. Landscape Impact

Policy 13(o) of the North Northamptonshire Core Spatial Strategy requires that developments conserve and enhance the landscape character of the environment making reference to the Environmental Character Assessment and Green Infrastructure Strategy

There are no proposals for additional landscaping however there are 6 existing trees on the site that are to be retained and a condition will be applied to include details of these trees and secure their protection during construction.

#### 4. Parking and highways

CSS policy 13 parts (d), (e), (k) and (n) requires that developments have a satisfactory access and parking, increase modal shift away from the private car, allow travel to school on foot, by cycle and by bus, and do not have an adverse impact on the highways network or prejudice highway safety. Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

3 neighbour objections were received from local residents that focussed on the impact the increase in pupil and staff numbers will have on the immediate road network. These focussed on arrival and departure times of pupils and off site staff parking throughout the day.

A survey undertaken by the school during 2014's autumn term revealed that 29% of pupils arrived by car so it is accepted that the increased pupil numbers would cause an increase in traffic. However with regard to the drop off/collection times Northants Highways Authority, through consultation, concluded that there is sufficient on street capacity to assimilate the increase in numbers during drop off/collection times and that a high degree of parents walk their children to school.

The Northants Highways Authority summarised that they had no objection to the proposal subject to the imposition of a condition that will address the concerns of the residents through a robust Travel Plan. This should include a robust set of targets to require the teaching staff to modify their travel habits in order to alleviate the on-street parking issues and encourage parents to make a modal shift away from cars. In addition, there will be an on-site increase in parking spaces from 9 to 18 which should also alleviate the staff parking on the highway. The travel plan should be based on evidence of the anticipated transport impacts of development and will assess and mitigate the negative transport impacts of the proposal by setting measures to promote and encourage sustainable travel (such as promoting walking and cycling).

Through the imposition and subsequent implementation of the travel plan which will be tailored to the particular local circumstances, the proposal will accord with Paragraph 36 of the National Planning Policy Framework and CSS policy 13 parts (d), (e), (k) and (n)



## 5. Residential amenity

Paragraph 17 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupiers of land and buildings. Policy 13 (l) of the CSS states that development should not result in an unacceptable impact on the amenity of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The nearest properties are 42 Fuller Street to the north, 53-83 Fuller Street and 153 Mill Road to the east, 160-178 Mill Road to the south. Mill Road recreation ground abuts the site to the west. The proposal will not impact on the privacy of the nearest neighbours to the east to any greater degree than they are already overlooked. The setback location of the school within its own grounds results in existing sufficient separation distances of 42m to the north, 15m to the east, 19m south and 79m west which are considered more than sufficient to prevent adverse impacts on neighbouring residential amenity.

Nevertheless, the extent to which these properties are overlooked will not be materially increased, the existing trees that are to be retained in the grounds of the school will minimise potential overlooking and indeed no neighbour comments were received to this regard. One comment was received concerned about increased fuel emissions caused by the potential increase in cars but the increase in cars is not considered sufficient enough to increase emissions to such a degree to be of concern. KBC's Environmental Health department were consulted and foresaw no issues with emissions.

Overall it is considered that the proposal would have an acceptable impact on the amenity of neighbouring properties in accordance with Policy 13 of the CSS. The layout, scale, mass and design is such that no unacceptable negative impacts in terms of overlooking, overbearing, loss of light or loss of privacy should occur. The impacts are considered reasonable and appropriate to the context and character of the area and conform to policy 13(l) of the North Northamptonshire Core Spatial Strategy and Paragraph 17 of the NPPF.

## 6. Sustainable construction & design

Policy 14 of the North Northamptonshire Core Spatial Strategy states that development should meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. All developments should incorporate techniques of sustainable construction and energy efficiency, provide for waste reduction/recycling and water efficiency and recycling. As a result, a condition will be applied that will require the submission of an Energy Efficiency Statement and a sustainability appraisal that should set out a clear method for achieving these aims.

The submission of such documents will allow the proposal to meet the requirements of policy 14 of the CSS

7. Contaminated Land

A consultation response from KBC's Environmental Health department raised no objection to the application subject to conditions securing submission and approval of contaminated land survey and for a construction method statement prior to development starting on site.

**Conclusion**

The proposal is in accordance with the National Planning Policy Framework and policies of the North Northamptonshire Core Spatial Strategy. There would be no unacceptable impacts and there are no material planning considerations that would indicate against approval. The proposal is, therefore, recommended for approval.

**Background Papers**

Title of Document:

Date:

Contact Officer:

**Previous Reports/Minutes**

Ref:

Date:

Duncan Law, Development Officer on 01536 534316