

BOROUGH OF KETTERING

Committee	Full Planning Committee - 06/09/2016	Item No: 5.3
Report Originator	Sean Bennett Senior Development Officer	Application No: KET/2016/0474
Wards Affected	Ise Lodge	
Location	Kingsley School, Churchill Way, Kettering	
Proposal	Full Application: Erection of two storey modular classroom	
Applicant	Portable Building Sales	

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 development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below.

REASON: In the interest of securing an appropriate form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary prior to the commencement of development in the interests of the visual amenities of the area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. 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 in accordance with Policy 6 of the North Northamptonshire Joint Core Strategy

5. Works audible at the site boundary will not exceed the following times unless with the written permission of the LPA 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: In the interest of residential amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

Officers Report for KET/2016/0474

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

3.0 Information

Relevant Planning History

KET/2014/0193 - One and a half storey side extension – Approved – 23/05/2014

KET/2012/0637 - Roof over courtyard to provide a therapy room - Approved 14/11/2012

KET/2012/0608 - Temporary 10-section single storey modular classroom building - Approved - 09/11/2012

KET/2011/0486 - Northamptonshire County Council - Installation of 2 no. external air handling units of kitchen flat roof - No objection - 12/08/2011 - Approved by NCC 30/09/2011

KET/2009/0384 - Northamptonshire County Council - Replacement canopy structure - No objection 06/07/2009 - Approved by NCC 22/07/2009

KE/00/0758 - Northamptonshire County Council - Erection of a single storey pitched roof extension to provide teaching accommodation - No objection - 22/11/2000

KE/74/0207C - Northamptonshire County Council - Caretakers House - No objection - 12/06/1974

KB/73/1019 - Northamptonshire County Council - Caretakers House – Approved - 10/06/1974

Site Description

Officer's site inspection was carried out on 27/07/2016 and 25/08/2016

The application site is an established school premise located to the east of Kettering in the middle of the Ise Lodge residential estate. The school currently accepts 110 pupils and also operate a children's nursery from the site that accepts 66 children, with 33 in the morning and 33 in the afternoon. As such the school at any one time would have up to 143 pupils in attendance at any one time.

The application site is an extended single storey flat roofed brown brick school building which is accessed from Churchill Way. The school is set back approximately 25 metres from the highway with playing fields to the east and Millbrook Infant and Junior Schools to the south. Residential development surrounds the school the north and west, with further residential properties to the east of the playing fields.

Proposed Development

The application seeks full planning permission for the erection of a two storey modular classroom located to the east of the existing school buildings currently comprising an area of hardstanding. The proposed building measures 24m x 12m to an eaves height of approximately 6.2m with a shallow pitched roof giving a ridge height of 6.5m. The external materials consist of brickwork to the ground floor elevations with blue coloured profile sheeting at first floor under a metal roof.

The classroom would see an increase in capacity of 24 pupils which together with the children's nursery would see up to 167 pupils on site at any one time.

Any Constraints Affecting the Site

None

4.0 Consultation and Customer Impact

KBC – Environmental Health: *No objection* stated subject to the imposition of a condition limiting the hours of construction and an unexpected contamination condition.

Neighbours: One third party ***objection*** received from the occupiers of a nearby neighbour at 15 Harding Close on the basis of the additional noise disturbance that would be caused.

5.0 Planning Policy

National Planning Policy Framework

Policy 4 - Promoting sustainable transport

Policy 7 - Requiring good design

Policy 8 - Promoting healthy communities

National Policy Statement on Planning for Schools Development

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1 – Presumption of sustainable development

Policy 5 – Water environment, resources and flood risk management

Policy 7 – Community services and facilities

Policy 8 – Place shaping

Policy 11 – The network of urban and rural areas

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The principle of the development
2. Impact on the character and appearance of the area
3. Impact on residential amenities
4. Impact on highway safety and convenience
5. Impact on flooding and drainage
6. Impact of possible ground contamination

1. The principle of the development

The Government's Policy Statement on Planning for Schools Development and Chapter 8 of the National Planning Policy Framework (NPPF) are supportive of the expansion and alteration of schools in order that there is a sufficient choice of school places to meet the needs of existing and new communities.

The application site is located within an established residential area within the settlement boundary of Kettering and is a long established school providing special educational facilities and in close proximity to other schools. The school provides currently provides education for 110 special needs children principally located in Northamptonshire but also takes children from further afield including Rutland and Leicestershire plus provides a children's nursery for 66 pupils throughout the day. It is clearly a valued facility within Northamptonshire and surrounding areas and therefore the provision of such a facility and its enhancement should be considered to hold significant weight.

Policy 11 of the North Northamptonshire Joint Core Strategy (JCS) seeks to direct new development to existing urban areas and particularly the Growth Town of Kettering, amongst other places. This approach is further supported by Policy 7 of the North Northamptonshire Core Spatial Strategy which also encourages the enhancement of existing community facilities.

The building is proposed because the school is currently at maximum capacity and therefore is required to alleviate overcrowding within the existing school buildings and to comply with health and safety legislation and also to enable the school to accept up to 24 additional children with Northamptonshire County Council having identified a growing need for such school places. In particular the Academy caters for autistic needs and therefore requires more specialised areas that the existing buildings do not deliver. It is envisaged that the additional purpose built classrooms would provide a modern teaching environment and assist in facilitating quality education. There is no reason to dispute these claims in justification for the proposal.

Whilst the proposal will extend into an outside area used for play, it is hard-paved and there exists a similarly surfaced area adjacent and elsewhere on the site together with the retention of the existing and significantly sized grassed area (approx. 400sqm). As such it is considered that the proposal will not compromise areas of the site set aside for outdoor play.

It is therefore considered that the principle of the proposal is considered to be acceptable and complies with development plan policy and the NPPF in support of a valued community facility not only within the Borough but the County as a whole and also to other districts.

2. Impact on the character and appearance of the area

Policy 8 of the JCS requires new development to reflect the character of its surroundings, which is consistent with the Chapter 7 of the NPPF in requiring good design.

The proposal would be largely screened from the streetscape of Churchill Way as it is sited behind the existing school and a significant highway edge hedgerow to the front of the site. There would however be some glimpses of the building given its height and particularly from the cul-de-sacs to the north of the site at Harding Close and Anderson Drive, although there is some vegetative screening. In addition the proposal would be seen from surrounding residential properties in those streets and also from the upper floor rear elevations of the dwellings to the east which front St. Anthony's Road.

Whilst the proposal would increase the developed nature of the site the site remains spacious and in particular retains a good separation with surrounding residential properties and therefore would not result in overdevelopment of the site. The proposal would be seen in the context of the existing school and whilst the design is simple and functional it is equally inoffensive and consistent with other buildings on site with a community building appearance. In addition the building is set in a hollow approximately 1-2 lower than the surrounding land and also would be partially screened by a number of mature trees that would surround the proposal. This would assist in reducing the visual prominence of the building. The external materials will be approved by condition.

As such the proposal is considered to sit comfortably within the site and is sympathetic to the character and appearance of the area in accordance with the parts of Policy 8 of the JCS that concerns itself with visual impact.

3. Impact on residential amenities

Policy 8 of the JCS also requires new development not to result in an unacceptable impact on the amenities of neighbouring properties.

The closest property to the proposed building is 15 Harding Close (the objector) and 34 Anderson Drive which are 50m away to the north and having facing windows. The closest St. Anthony Road dwelling is approximately 66m from the proposal to the east. Whilst the proposal is two storeys in height this is considered to be ample separation distance to ensure that the proposal does not result in adverse harm to neighbour's amenities as a result of overlooking, overshadowing or loss of outlook (overbearing). Any impact is reduced further because of the building being sited on a lower ground level than the surrounding buildings and also the screening provided by mature trees approximately 6-8m in height and also the schools associated play paraphernalia. The building has been carefully sited to keep any impacts towards neighbours to a minimum and it is considered that this has been successfully achieved.

The objection received relates to the increased disturbance that would be caused through intensification of the school use, which it is highlighted is also used through the school holidays, weekends and mornings. In particular the ground for objection is the increased noise disturbance that would be caused. The school is increasing its capacity by 24 children, which is a significant number on top of the existing 110 pupils. Given, however that the school has an established use there is no reason to believe that this increase to the number of children accepted would result in significantly more noise than the current situation so as to become adverse to the amenities of surrounding residential dwellings.

Any significant impacts arising from the construction of the proposal to neighbours amenities will be safeguarded through the imposition of a condition restricting the hours of construction

Thereby and with no objection from the Council's Environmental Health Officer the proposal is considered to be acceptable in this regard and ensures the amenities of surrounding residents.

4. Impact on highway safety and convenience

Policy 8 of the JCS also requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring, and not to have an adverse impact on highway safety.

The proposal would result in an increase in the number of children (24) accepted at the school and therefore would be used more intensively. There are no changes proposed to the existing parking and access arrangements. The majority of the children however arrive in Northamptonshire County Council arranged mini-buses rather than individual private cars. This reduces the increased overall proposed number of trips, that may have been created, to an amount that would not be a significant increase to the existing trips given that it would be likely that a good number of the additional children would arrive at the school in a mini-bus that would take existing pupils to the school in any event. As a result and with no reason to believe that the existing arrangements are not performing satisfactorily the proposal would not result in an adverse impact to highway safety over and above any existing risk. As such the proposal is considered to be acceptable in this respect.

5. Impact on flooding and drainage

Policy 5 of the JCS seeks development to reduce the risk of flooding and to protect the quality of the water environment.

As the proposal site currently comprises an area of hardstanding the surface water run-off would not increase as a result of the proposal and may improve with the building employing standard drainage techniques that would connect to existing infrastructure.

As such and as the proposal is not located in a flood sensitive area the development would not result in an increased flood risk and therefore is considered to be acceptable in this respect.

6. Impact of possible ground contamination

Policy 6 of the JCS requires development to have no significant impact on either future users or on ground and surface waters as a result of contamination.

Whilst there is no reason to believe, given the history of the site, that the site would be subject to contamination, any potential risk is safeguarded through the imposition of an expected contamination condition as recommended by the Council's Environmental Health Officer. As such the proposal is considered to be acceptable in the regard.

Conclusion

Subject to the imposition of relevant conditions the proposal accords with Development Plan policies and with no material consideration that would justify a different approach the application is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Sean Bennett, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

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