

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Unitary Development Plan - current status

The Unitary Development Plan for Sunderland was adopted on 7th September 1998. In the report on each application specific reference will be made to those policies and proposals, which are particularly relevant to the application site and proposal. The UDP also includes a number of city wide and strategic policies and objectives, which when appropriate will be identified.

STANDARD CONDITIONS

Sections 91 and 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 require that any planning application which is granted either full or outline planning permission shall include a condition, which limits its duration.

SITE PLANS

The site plans included in each report are illustrative only.

PUBLICITY/CONSULTATIONS

The reports identify if site notices, press notices and/or neighbour notification have been undertaken. In all cases the consultations and publicity have been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010

LOCAL GOVERNMENT ACT 1972 – ACCESS TO INFORMATION

The background papers material to the reports included on this agenda are:

- The application and supporting reports and information;
- Responses from consultees;
- Representations received;
- Correspondence between the applicant and/or their agent and the Local Planning Authority;
- Correspondence between objectors and the Local Planning Authority;
- Minutes of relevant meetings between interested parties and the Local Planning Authority;
- Reports and advice by specialist consultants employed by the Local Planning Authority;
- Other relevant reports.

Please note that not all of the reports will include background papers in every category and that the background papers will exclude any documents containing exempt or confidential information as defined by the Act.

These reports are held on the relevant application file and are available for inspection during normal office hours at the Office of the Chief Executive in the Civic Centre or via the internet at www.sunderland.gov.uk/online-applications/

Janet Johnson
Deputy Chief Executive

Reference No.: 14/01703/LP4

Proposal: **Demolition of the existing school and the redevelopment of the site to provide replacement school premises, parking, landscaping and sports facilities.**

Location: Shiney Row Primary School South View Shiney Row
Houghton-le-Spring DH4 4QP

Ward: Shiney Row

Applicant: Miller Construction (UK) Ltd

Date Valid: 23 July 2014

Target Date: 22 October 2014

PROPOSAL:

Planning permission is sought for the demolition of the Shiney Row Primary School and the redevelopment of the site to provide a replacement school premises, parking, landscaping and sports facilities.

The site is located off Rear South View, Shiney Row, Houghton le Spring with the site currently accommodating the existing school. The site is split between two levels with the main buildings to the west of the site and the playing fields to the east set up approximately 1m.

The School complex is made up of two main blocks comprising a two storey building for the Juniors and Infants whilst there is also a separated single storey Nursery block linked to a portacabin structure installed onsite in circa 2005 used for Reception students with a total floor area of 2194sq m. Car parking and hard play areas are provided within the site whilst sports playing fields are situated to the East of buildings.

Although the school is architecturally impressive the school is not listed or situated within a conservation area. The school is built from red brick with ashlar details to quoins, cill bands, copings and window surrounds. The roofs are pitched Welsh blue slate with small chimneys. Internally the school is less impressive and has been significantly altered over time.

The surrounding area predominately consists of fields to the east and southeast whilst residential housing is located directly to the south, west and northern boundaries. In addition, there are allotments located to the front (north) of the school playing fields.

The site is to be redeveloped as part of the North East Priority Schools Building Programme which consisted of a standardised approach to the design and delivery of six primary schools. The scheme set up to address the needs of schools most in need of urgent repair. Shiney Row Primary School has been identified as demonstrating issues which are typical of buildings reaching the end of their serviceable life, including poor physical condition, deteriorating structural

fabric, leaks and poor thermal insulation, hence the intention to demolish and replace the existing buildings.

It is proposed to redevelop the site to provide a modern school, with up to date facilities. This would include demolition of existing school and rebuild on existing hard play areas to east of the existing buildings to provide a new two storey infant school building with approximately 2,200sq m of floor space. The school would have a maximum two storey height of 7.8m with plant above and dispersed to the centre of the roof. The building would have a maximum length of 65.4 and width of 25.8m.

The existing school buildings would remain in operation until the new school building is completed. It is anticipated that the replacement school would achieve a BREEAM 'Very Good'.

The design has arisen in order to provide low maintenance flat roofs with roof lights to provide natural daylight into the building. The building is also to be constructed from steel to provide long term adaptability with an absence of load bearing walls between classrooms allows flexibility of layout. The building is to be constructed from red brick with proposed elevations designed with curtain walling to the hall, dining areas, circulation spaces and entrances whilst separate entrances are to be provided for staff vehicles, drop off, services layby and pedestrians onto the main boulevard approach. The proposed car park is to provide 34 spaces inclusive of 2 disabled spaces.

The car park is to be access through new arrangements via a separate entrance and exit. Parking is to be predominately provided to the centre of the circulation road with a drop off point also to be installed adjacent to the proposed building. A cycle parking area would also be provided close to the school building for 16 no. cycles. An external bin store is to be created adjacent to this drop off area.

The proposed building is to be surrounded by a mixture of hard and soft play with the extensive playing fields retained to the east of the site. The play areas are to be separated into Key Stage 1, Key Stage 2 and foundation play areas. Hard games courts, space and pitches are also to be provided. The proposal does not result in any loss of playing fields and actually results in an increase from 10,340sq m to 10,885sq m which is an increase of 545sq m.

The application has been accompanied by a number of supporting documents inclusive of a Phase 1 Habitat Survey, a Heritage Statement, a Bat Risk Assessment and Activity Survey, a Flood Risk and Outline Drainage Strategy Study, a Phasing Plan, Transport Statement, Travel Plan, Design and Access Statement, Planning Statement, a Community Consultation Statement, a Geo-Environmental Assessment and a Coal Mining Risk Assessment.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Shiney Row - Ward Councillors Consultation
Network Management
Environmental Health
Natural England
Environment Agency
Sport England
Fire Prevention Officer
Parks
Nexus
Disability Support Group NE
Force Planning And Police Architectural Liaison Officer

Final Date for Receipt of Representations: **01.09.2014**

REPRESENTATIONS:

Public consultation - Upon the expiry of the neighbour consultation period (22.08.2014), the site and press notices (28.08.2014 and 01.09.2014) no objections or representations were received.

Nexus - has no objections to the planning application.

Environment Agency (EA) - No objection was offered to the application, but it is noted that surface water will be discharged to the Northumbrian Water (NWL) sewer. As such drainage details should be agreed with NWL and should there be any alterations to this proposal the EA wish to be re-consulted. In terms of foul sewage it is stated the Sewerage Undertaker (NWL) should be consulted to ensure there is sufficient capacity to accommodate additional flows generated as a result of the development without causing pollution.

Northumbrian Water (NWL) - Having assessed the proposed development against the impact of the proposed development on NWL assets and the capacity within the network to accommodate and treat the anticipated flows arising from the development it is stated the planning application does not provide sufficient detail with regards to the management of surface water from the development. As such it is stated the applicant must demonstrate other methods of discharging surface water with NWL requesting a condition be attached to any planning approval for a scheme for the disposal of surface water to be submitted and approved by the Local Planning Authority (LPA) and NWL.

Sport England has noted that the proposed development is to be erected on the school's playground with the playing field untouched save for an access ramp to replace the existing stepped access from the school. The playing field's ability to accommodate playing pitches is unaffected, and the proposed ramp is considered to improve access to the playing field. As such, the proposal is considered to meet exception E3 of Sport England's playing fields policy which 'Only affects land incapable of forming a pitch'.

Sport England does not wish to raise an objection to the scheme subject to condition that a community use agreement be prepared in consultation with Sport

England in relation to the playing fields, Multi Use Games Area (MUGA) (and ancillary facilities) and include details of pricing policy, hours of use, access by non-school users, management responsibilities and a mechanism for review on any planning permission granted.

Natural England - No objection was offered in relation to the impact of the proposal on statutory nature conservation sites. The application site is in close proximity to the Herrington Site of Special Scientific Interest (SSSI) however Natural England is satisfied that the proposed development, being carried out in accordance with the details submitted alongside the application, will not damage or destroy the interest features for which the site has been notified.

POLICIES:

In the Unitary Development Plan the site is subject to the following policies;

B2 Scale, massing layout and setting of new developments
HA8 Allocation of land for educational purposes
CF5 Provision for primary and secondary schools
CF8 Encouraging the wider community use of land and buildings used for education
CN15 Creation of the Great North Forest
CN18 Promotion of nature conservation (general)
CN22 Developments affecting protected wildlife species and habitats
L7 Protection of recreational and amenity land
EN12 Conflicts between new development and flood risk / water resources
R1 Working towards environmentally sustainable development
T14 Accessibility of new developments, need to avoid congestion and safety problems arising
T22 Parking standards in new developments

COMMENTS:

ISSUES TO CONSIDER

The National Planning Policy Framework (NPPF) provides the current Government planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out a series of 12 'core planning principles' which should underpin plan-making and decision-taking and are considered to contribute to the over-arching aim of delivering sustainable development. Particularly relevant in this case are the principles that development should:

- encourage the effective re-use of previously-developed land and existing buildings;
- always seek to secure a high quality design and a good standard of amenity;
- take account of the different roles and character of different areas;
- contribute to conserving and enhancing the natural environment;
- take full account of flood risk and climate change;

Section 8 of the NPPF, meanwhile, advises that the Government places great importance to ensuring that a sufficient choice of school places is available and that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

These core principles of the NPPF feed into policies B2, HA8.1, CF5, CF8, CN15, CN18, CN22, L7, EN12, R1, T14 and T22 of the Council's adopted Unitary Development Plan (1998), which are relevant to the consideration of this application.

With reference to the above, it is considered the key issues to consider in relation to the determination of the application are:

- The principle of the land use.
- The appearance and layout of the development.
- The impact upon neighbouring properties.
- The implications of development in relation to ecology.
- Environmental Considerations.
- Highways Issues.

LAND USE

The site is allocated for educational purposes through policy HA8.1 whilst policy CF5 is concerned with the provision of primary and secondary education facilities and states that such needs will be accommodated primarily on existing sites or those identified in the UDP.

Policy CF8 states in all educational developments, the city council will encourage the provision of facilities to enable the wider community use of both land and buildings without prejudicing educational interests, where their impact on the amenities of the neighbouring area is acceptable and the traffic generated can be safely accommodated

All school playing fields are afforded special protection from development and are subject to the provisions of Policy L7. This states that land allocated for open space or outdoor recreation as shown on the proposals map, will be retained in its existing use. The policy includes playing fields attached to schools or other educational establishments. Permission for other uses on these sites will only be granted if alternative provision, of an equivalent scale, quality and accessibility is made or the development is for educational purposes and there would be no significant effect on the amenity, recreational and wildlife habitat value of the site. The approach of policy L7 is generally consistent with the aims and objectives of paragraph 74 of the NPPF, which states that existing open space, including playing fields, should not be built on unless it is surplus to requirements, or the loss will be replaced by an equivalent or better provision or the development is for alternative sports and recreational provision.

The use of the site as a school and associated playing fields will remain unchanged as a result of the proposal whilst the net built floor area will be reduced. Play provision will be improved and formalised with an increase of 545sq m. Sport England, the statutory consultee for schemes affecting playing fields, has not objected to the proposal and as such, the redevelopment of the site is considered to comply with policies HA8.1, CF5, CF8 and L7, subject to

there being no adverse effect on residential amenity, highway safety and the wildlife habitat value of the site, all of which are considered below.

THE APPEARANCE AND LAYOUT OF THE DEVELOPMENT

The design and access statement which accompanies the proposal helps to explain the design philosophy behind the layout and how the site and its constraints have informed the final design.

The location of the new building has been selected to ensure the continual running of the existing school during construction works. The development is to be located to the east of the current building and set back further within the site from South View, than the current arrangement, maximising spacing standards.

The proposed school has also been orientated as such that it reflects the layout of the existing two storey element of the existing building. The built form is to be linear on a north south arrangement with the northern elevation comprising a gable elevation. As such, the level of built form adjacent to the frontage of the residential dwellings on South View is kept to a minimum. The main entrance is to be provided to the west elevation.

The height of the proposal has been kept to a minimum by constructing a flat roof. The proposal is to provide approximately 2,200sq m of floor space with a maximum two storey height of 7.8m, a length of 65.4m and width of 25.8m.

The building is to be constructed from red brick which will match the nearby residential properties whilst adding interest to the proposed elevations with curtain walling to the hall, dining areas, circulation spaces and entrances which break up the extent of brickwork required.

Externally, the existing boundary fence is to be retained whilst parking, circulation routes, and play provision is to be retained and improved.

The existing playing field to the east of the site is to be supplemented by a new MUGA to the southwest of the site with informal play also wrapping around the proposed building. A clearly defined pupil and visitor entrance is to be provided towards the centre of the development site separating parking provision and the school building.

The proposal consolidates the array of school buildings into one cohesive structure and would result in an overall reduction in its scale and massing. The sensitive repositioning of the school building also allows the increase of its distance from adjacent dwellings to approximately 37m, in excess of the distances ordinarily stipulated by the LPA. The flat roof development set back within the site also ensures that it does not dominate the surrounding residential dwellings.

In light of the above the proposal is considered to comply with policy B2 of the UDP, which requires that the scale, massing, layout or setting of new developments and extensions to existing buildings should respect and enhance the best qualities of nearby properties and the locality and retain acceptable levels of privacy; large scale schemes, creating their own individual character, should relate harmoniously to adjoining areas.

IMPACT ON NEIGHBOURING PROPERTIES

The applicant has submitted a Statement of Community Involvement with the application. This states that a public community consultation event was held at the school 7th July 2014, prior to the application being submitted. The event was open to all, including local residents and Councillors. Further to the community consultation and following the expiry of the consultation period, no letters of objection have been received.

It is considered that the proposed location of the new school building would not significantly affect the amenities of existing neighbouring properties. The development has been relocated further away from occupiers to both the northern and southern boundaries, sited further to the east than the current buildings. As such the proposed building achieves in excess of the Council's current spacing standards.

In addition, the layout being in a north to south arrangement limits the level of development fronting residential occupiers. Therefore the location, design and appearance of the development would not be to the detriment of outlook, light or privacy of neighbours in accordance with policy B2 of the UDP.

Furthermore, the access arrangements generally remain similar to the current situation due to the constraints of the site although minor improvements have been incorporated. The main entrance and car park is to be located to the western most part of the site which minimises the number of residential dwellings which are required to be passed in order to access the site. This in turn will limit potential disturbance to neighbouring occupiers.

The creation of a MUGA and informal play to the southwest of the site in an area not previously formalised for play is noted, however, the impact to the occupiers of Bamburgh Crescent is considered to be limited given the spacing standards, the boundary treatment and the tree belt which all provide a level of screening and sound buffering. In addition the formalisation of play is unlikely to result in the generation of significantly greater levels of noise than that currently experienced, particularly as the numbers of children to be accommodated are similar to that of the existing school.

In terms of the community accessing the proposed facilities and implications to neighbouring occupiers, it should be noted Sport England has requested that a condition be attached to the decision relating to a community use agreement. This will further safeguard neighbouring occupiers as hours of use, access by non-school users and management responsibilities can all be assessed and restricted.

In light of the above the proposal is considered to be accord with policies B2 and EN5, which seeks to ensure that development does not increase significantly ambient sound levels in residential areas.

IMPLICATIONS OF DEVELOPMENT IN RELATION TO ECOLOGY

The application has been accompanied by a Phase 1 Habitat Survey and a Bat Risk Assessment and Activity Survey, both prepared by E3 ecology. These matters are currently been given further consideration by the Natural Heritage

Team and it is expected that comments will be provided prior to the meeting of the Sub-Committee. The comments and implications will be reported by way of a Supplement to this report.

Notwithstanding the above the relevant policies that relate to the site from a nature conservation perspective are detailed below:

Section 11 of the NPPF sets out a general strategy for the conservation and enhancement of the natural environment, and it advises that the planning system should recognise the wider benefits of ecosystem services and minimise impacts on biodiversity and provide net gains in biodiversity where possible.

Policy CN18 - The promotion of the interests of nature conservation will be sought throughout the city; the council will work together with neighbouring authorities and other agencies in regard to aspects affecting the wider area. Areas of nature conservation interest, particularly those of national importance, will be protected and enhanced; measures will include:-

- The appropriate management of City Council owned land
- Encouraging landowners and occupiers to adopt management regimes sympathetic to nature conservation, especially in wildlife corridors
- Making provision in development proposals for preservation of habitats or creation of compensatory habitats;
- Seeking opportunities in development proposals or other schemes for new habitat creation on both public and private land;
- Improving access and providing interpretation to appropriate sites of wildlife interest; and
- Refusing inappropriate development.

Policy CN22 - Development which would adversely affect any animal or plant species afforded special protection by law, or its habitat, either directly or indirectly, will not be permitted unless mitigating action is achievable through the use of planning conditions and, where appropriate, planning obligations, and the overall effect will not be detrimental to the species and the overall biodiversity of the city.

ENVIRONMENTAL CONSIDERATIONS

Policy EN14 of the UDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The environmental issues are currently been given further consideration by the Environmental Health Team and it is expected that comments will be provided prior to the meeting of the Sub-Committee. The comments and implications will be reported by way of a Supplement to this report.

Flood Risk and Drainage

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Policy EN12 of the UDP seeks to ensure that new development will not impede the flow of flood water or increase the risk of flooding elsewhere, nor adversely affect the quality of ground or surface water or other waters.

The development is located within Flood Risk Zone 1, i.e. land at the lowest risk of flooding. The submitted Flood Risk Assessment (FRA) assess two element (foul water and surface water) and notes there are currently some minor surface water flooding at the entrance to the site however the new drainage system will be designed to current standards for up to 100 year plus climate change and as such will mitigate any issues. It is also observed that any increase in surface water discharge to Herrington Burn may increase flood risk to Chester Le Street. In this respect it is proposed to continue to discharge surface water to the public combined sewer.

In summary the FRA concludes surface water drainage is to be reduced with flow control and storage for extreme circumstances, to ensure flood risk is not increased by the development. The development site is at low risk of flood from rivers and sea, low risk of flooding from surface water and that the foul and surface water drainage proposals will not increase flood risk either on site or off site.

In response to consultation, the Environment Agency has not objected to the application and stated drainage details should be agreed with Northumbrian Water as they are the relevant sewerage undertaker. In this respect Northumbrian Water has requested the imposition of a condition pertaining to surface water drainage.

In accordance with the above, it is considered the proposed development is generally acceptable in terms of flood risk and drainage subject to the agreement of Northumbrian Water in terms of surface water drainage for which it is recommended a condition be attached to the application. As such the proposal is considered to be generally compliant with the requirements of policy EN12 of the UDP and the core principles and relevant paragraphs of the NPPF.

HIGHWAYS ISSUES

Policy T14 of the UDP states that new development proposals must not give rise to conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated parking.

In relation to these matters, the Council's Network Management team has offered a number of observations. It is requested that conditions are imposed on any grant of planning permission stating that entry and exit gates to the school drop-off area and car park remain open during school hours, clear entry/ exit signs and road markings are displayed and the monitoring and review of the school Travel Plan objectives.

In addition clarification is sought with respect to the proposed vehicle movements and swept path to ensure vehicles can enter the site unimpeded whilst confirmation with regard to bus drop areas are sought. These matters remain outstanding with additional information pending from the agent. It is anticipated the additional information will be reported by way of a Supplement to this report.

Notwithstanding the above it should be noted that no objection has been offered to the development from Nexus, the Tyne and Wear Passenger Transport Executive.

CONCLUSION

For the reasons set out above, it is considered that the proposed development is acceptable in principle, given that it sees the continued use of an established educational site and maintains the playing field and sports pitch provision at the site. In addition, the implications of the development proposals in respect of residential amenity and visual amenity are considered to be generally acceptable. Furthermore, the proposals raise no significant concerns in relation to highway and pedestrian safety, flood risk and drainage.

The proposal therefore complies with the requirements of the core principles and relevant parts of the NPPF and policies B2, HA8.1, CF5, CF8, CN15, CN18, CN22, L7, EN12, R1, T14 and T22 of the Council's adopted Unitary Development Plan (1998).

Consideration is still being given, however, to the implications of the development in relation to environmental issues, ecology and biodiversity whilst additional information is required in terms of vehicle swept paths and bus drop off areas. It is anticipated that full consideration of these matters will be completed prior to the Committee and will be reported on a Supplementary Report. The Supplementary report will also provide a recommended decision and details of suggested conditions.

RECOMMENDATION: Deputy Chief Executive to Report

Reference No.: 14/01704/LP4

Proposal: **Demolition of the existing school and redevelopment of the site to provide replacement school premises, parking, landscaping and sports facilities.**

Location: Hetton School North Road Hetton-le-Hole Houghton-le-Spring DH5 9JZ

Ward: Hetton

Applicant: Miller Construction (UK) Ltd

Date Valid: 25 July 2014

Target Date: 24 October 2014

PROPOSAL:

Planning permission is sought for the demolition of the existing school and redevelopment of the site to provide replacement school premises, parking, landscaping and sports facilities at Hetton School, North Road, Hetton-le-Hole, Houghton-le-Spring, DH5 9JZ.

The proposed development affects Hetton School, a large secondary school occupying extensive grounds (approximately 11ha in area) on the western edge of Hetton-le-Hole. The school grounds are bordered by the B1284 North Road to the east, Moorsley Road to the south and Hazard Lane to the north, which provides the main vehicular access. The opposite sides of North Road and Moorsley Road are flanked by residential dwellings, whilst the land to north and west of the school is primarily open and agricultural.

The existing school comprises a range of single- and two-storey blocks, which are predominantly of 1960's and 70's construction and linked by various walkways and corridors. The school buildings are located fairly centrally within the site, with the outer areas of the site predominantly taken up by playing fields. The site slopes gently downhill from the south-east to the north-west, with the school buildings occupying higher ground.

Hetton Primary School is located to the south of the secondary school buildings, but this is not affected by the current planning application and stands outside its red line boundary. In addition, a recently constructed health and fitness centre, which comprises a multi-use games area, changing facility/pavilion and car park and is available for community use outside of school hours, is situated immediately to the west of the school (application refs. 04/02021/LAP, 04/02855/LOU and 06/00521/LRE). Although the facility shares the school's access, it is situated outside the red line boundary of this application and is not affected by the current proposals.

The school currently provides for 780 students aged 11-16, although this number is anticipated to increase to 900 by the 2017/2018 academic year.

The application essentially seeks planning permission for the demolition of the existing school buildings and the construction of a new school, together with associated parking, landscaping and sports facilities. The new school building is intended to be erected immediately to the north-west of the existing buildings, which will allow for the new building to be constructed whilst the existing school remains in operation. The site of the new school building is currently utilised as playing fields.

The new building is predominantly two-storeys in scale and is roughly 'E'-shaped, with three blocks projecting eastward from the main north-south spine. The blocks are standardised but flexible and easily expandable and provide classrooms, a learning resource centre and services for art, design, technology and science, whereas the main spine houses the 'large volume' facilities, such as halls, sports facilities, drama and activity studios, dining and kitchen areas and plant areas. The new building will have a total internal floorspace of approximately 7000 sq. metres.

The palette of materials to be used in the new build is intended to be low-maintenance and sustainably sourced. The new building is proposed to be finished with facing brick (type and colour to be agreed), with aluminium curtain walling, windows and roof-lights with integrated aluminium louvers.

Access to the school will continue to be taken from Hazard Lane to the north, with the west-facing elevation providing its 'civic frontage' and staff, pupil and visitor entrances. An existing pedestrian access from Moorsley Road to the south will be maintained and improved. The main school car park will be located immediately to the north of the new building, whilst a pick-up/drop-off facility and turning area will be located adjacent to its south-west corner at the end of the access road.

Adjacent to the new building, including in between the projecting blocks, will be areas of hard surfacing to provide informal play facilities and spaces for pupils to relax during break times. More formal sports facilities includes the existing hardstand tennis courts/multi-use games areas to the south of the site of the new building and a series of grass pitches, which can be utilised for a number of sports, including athletics, cricket and rounders, arranged around the outer areas of the school grounds. The development proposals effectively seek to replace the existing playing field and pitch facilities at the school with equivalent or better provision within the site.

The hard and soft play and sports facilities will be complemented by areas of hard and soft landscaping, which aim to provide a safe, attractive and interesting environment, with new planting using predominantly native tree and shrub species to encourage biodiversity. Meanwhile, existing trees around the perimeter of the site are to be retained and protected during the construction of the new school.

The application has been submitted by Miller Construction Ltd. on behalf of the Education Funding Agency (EFA). It forms part of the Priority Schools Building Programme (PSBP), a centrally-managed scheme set up to address the needs of schools most in need of urgent repair. Hetton School has been identified as demonstrating issues which are typical of buildings reaching the end of their serviceable life, including poor physical condition, deteriorating structural fabric,

leaks and poor thermal insulation, hence the intention to demolish and replace the existing buildings.

The application has been accompanied by a Phase 1 Habitat Survey, a Bat Risk Assessment and Activity Survey, a Flood Risk and Outline Drainage Strategy Study, a Phasing Plan, Transport Statement, Travel Plan, Design and Access Statement, Planning Statement, a Community Consultation Statement, a Geo-Environmental Assessment and a Coal Mining Risk Assessment.

TYPE OF PUBLICITY:

Press Notice Advertised
Site Notice Posted
Neighbour Notifications

CONSULTEES:

Hetton - Ward Councillor Consultation

Hetton Town Council
Network Management
Environment Agency
Northumbrian Water
Fire Prevention Officer
NE Ambulance Service NHS Trust
Sport England
Force Planning And Police Architectural Liaison Officer
Nexus
Environmental Health

Final Date for Receipt of Representations: **01.09.2014**

REPRESENTATIONS:

Public consultation - one letter of representation received in response to public consultation, from the occupier of 23 North Road, Hetton-le-Hole. The letter concerns an 'on-going' problem with a longstanding playing field embankment opposite nos. 19-25 North Road which, it is suggested, causes these dwellings to suffer a loss of view and privacy, increased traffic noise, downdraughts, poor TV reception and nuisance from pupils on the embankment. It is requested that the embankment is re-graded as part of the current planning application and it has been indicated that the matter was raised during the public consultation event undertaken in respect of the application.

As noted above, the embankment is a longstanding feature (seemingly dating from at least the 1970's) and consequently, there are not considered to be grounds for the City Council, as Local Planning Authority, to insist on it being modified as part of this planning application. Nevertheless, the applicant (Miller Construction) is examining the possibility of re-grading the embankment, with the removed material then deposited elsewhere within the school site. Discussions

are on-going in respect of this matter, and it may transpire that a separate planning application proposing a re-grading scheme is submitted shortly.

Nexus - has no objections to the planning application, having welcomed the intention to provide additional cycle storage facilities and noted the submission of a Travel Plan.

Environment Agency - does not object to the application, but requests that two conditions, relating to compliance with the mitigation measures detailed in the Flood Risk Assessment submitted with the application and the submission of a scheme for surface water management, are imposed on any planning permission granted.

Sport England - has advised that the proposed development is considered to meet exception E4 of Sport England's playing fields policy, and is therefore acceptable, subject to conditions covering replacement playing fields and community use being imposed on any planning permission granted. The three conditions requested require the submission of an assessment of ground conditions on land proposed for replacement playing fields; the submission of a community use agreement and the submission of a transitional pitch access plan.

Northumbrian Water - raises no issues in respect of the application, provided the application is approved and carried out in strict accordance with the submitted Flood Risk Assessment, and namely its assertion that surface water will be discharged into the local watercourse rather than into the public sewerage network. It is therefore requested that the Flood Risk Assessment forms part of the approved set of plans and documentation.

Hetton Town Council - no objections or observations.

POLICIES:

In the Unitary Development Plan the site is subject to the following policies;

EN5 Protecting sensitive areas from new noise/vibration generating developments

EN10 Proposals for unallocated sites to be compatible with the neighbourhood

EN12 Conflicts between new development and flood risk / water resources

L7 Protection of recreational and amenity land

CF5 Provision for primary and secondary schools

CN13 Protection and enhancement of important views

CN22 Developments affecting protected wildlife species and habitats

R1 Working towards environmentally sustainable development

B2 Scale, massing layout and setting of new developments

HA19 Protection and enhancement of important views

T14 Accessibility of new developments, need to avoid congestion and safety problems arising

T22 Parking standards in new developments

COMMENTS:

ISSUES TO CONSIDER

The National Planning Policy Framework (NPPF) provides the current Government planning policy guidance and development plans must be produced, and planning applications determined, with regard to it. The NPPF sets out a series of 12 'core planning principles' which should underpin plan-making and decision-taking and are considered to contribute to the over-arching aim of delivering sustainable development. Particularly relevant in this case are the principles that development should:

- encourage the effective re-use of previously-developed land and existing buildings;
- always seek to secure a high quality design and a good standard of amenity;
- take account of the different roles and character of different areas;
- contribute to conserving and enhancing the natural environment;
- take full account of flood risk and climate change;

Section 8 of the NPPF, meanwhile, advises that the Government places great importance to ensuring that a sufficient choice of school places is available and that Local Planning Authorities should give great weight to the need to create, expand or alter schools.

These core principles of the NPPF feed into policies EN5, EN10, EN12, L7, CF5, CN13, CN22, R1, B2, HA19, T14 and T22 of the Council's adopted Unitary Development Plan (1998), which are relevant to the consideration of this application.

With reference to the above national and local planning policy background, it is considered that the main issues to examine in the determination of this application are as follows:

- the principle of the proposed development, including in respect of playing field provision;
- the implications of the proposals in respect of residential amenity, visual amenity and design;
- the impact of the proposed development on highway and pedestrian safety;
- the implications of the proposed development in respect of flood risk and drainage;
- the implications of the proposed development in respect of biodiversity and ecology;
- the implications of the proposed development in respect of land contamination.

Principle of development

The development site is not allocated for a specific land use on the proposals map of the adopted UDP and as such, policy EN10 therein is applicable. This advises that where there is no specific land use allocation, the existing pattern of land use is intended to remain; new development proposals must respect the prevailing land uses in the neighbourhood.

As detailed in the first section of this report, the proposed development essentially involves the replacement of the existing school buildings and as such, the proposed development does not introduce any new land uses to the application site. Consequently, the existing pattern of land use in the locality will remain and accordingly there is not considered to be any conflict with aforementioned policy EN10's aims and objectives.

The proposed development is also considered to comply with the requirements of policy CF5 of the UDP, which supports the accommodation of educational needs on existing, established sites.

Also relevant is policy L7 of the UDP, which seeks to protect land in use as school playing fields, or capable of being used as playing fields, from inappropriate development. Planning permission will only be granted for other uses on such sites if an alternative provision, of an equivalent scale, quality and accessibility, is made, or the development is for educational purposes and there would be no significant effect on the amenity, recreational and wildlife habitat value of the site. The approach of policy L7 is generally consistent with the aims and objectives of paragraph 74 of the NPPF, which states that existing open space, including playing fields, should not be built on unless it is surplus to requirements, or the loss will be replaced by an equivalent or better provision or the development is for alternative sports and recreational provision.

Sport England is the statutory consultee on development proposals affecting school playing fields, and to provide a detailed policy framework with which to consider such proposals, it has produced a Planning Policy Statement, entitled 'A Sporting Future for the Playing Fields of England - Policy on planning applications for development on playing fields'. Sport England's general position is that it will oppose development which results in the loss of playing fields, in all but exceptional cases where one of a list of specific circumstances outlined in the policy statement is applicable.

In this case, the new school building is to be constructed just to the north of the existing school buildings on land currently utilised as playing field, but the scheme seeks to offset this loss elsewhere within the site and to maintain and improve upon the school's existing playing field and pitch provision. As detailed in the 'Representations' section of this report, Sport England has formally advised that it considers the development to meet exception E4 of its policy statement, which requires that playing fields lost are 'replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development'.

Sport England's consultation response requests that conditions requiring the submission of an assessment of ground conditions on land proposed for replacement playing fields, the submission of a community use agreement and the submission of a transitional pitch access plan are included on any planning permission granted. In the event Members are minded to grant planning permission for the proposed development, it is advised that the conditions requested by Sport England are imposed in order to ensure its policies in respect of development affecting playing fields are satisfactorily addressed.

With regard to the above comments, it is considered that the land use implications of the proposed development are acceptable, in that the scheme

maintains the existing pattern of land use and makes full and effective use of an established school site, in accordance with the requirements of policies EN10 and CF5 of the UDP and the core principle of the NPPF which seeks the effective use of previously-developed land. In addition, the implications of the development in relation to playing field provision are acceptable, subject to the imposition of the conditions requested by Sport England, in accordance with the requirements of policy L7 of the UDP, paragraph 74 of the NPPF and Sport England's Planning Policy Statement.

Implications of development in relation to residential amenity, visual amenity and design

Policy B2 of the UDP requires new development proposals to respect and enhance visual amenity, encouraging a high standard of design to new buildings, and to maintain acceptable standards of amenity for existing residential dwellings. Also relevant are policies CN13 and HA19, which seek to protect and enhance important public views, including from the high ground at High Moorsley to the south of the application site.

In addition to the above, policy EN5 of the UDP states that where development is likely to lead to increased noise levels in sensitive areas, an appropriate assessment should be carried out, with mitigation measures incorporated into the development where necessary.

At the outset, it should be noted that the applicant undertook a community consultation event ahead of the submission of the planning application, which took place at the school on 26th June 2014. Over 30 local residents attended the event, with approximately half returning a questionnaire, with the majority of respondents providing positive feedback in relation to the development proposals. Furthermore, only one representation was received in response to the Council's statutory public consultation exercise in respect of the planning application.

In this instance, it is considered that the new school development will not result in any significant harm to the amenity of the dwellings surrounding the school's grounds, in comparison to the existing situation. The new building is to be erected relatively centrally within the school site, approximately 150 metres from the dwellings fronting North Road to the east and over 250 metres from the dwellings fronting Moorsley Road to the south and south-east, and as such, the new development will not cause any of these properties to suffer a loss of outlook, privacy or experience any overshadowing.

With regard to noise and disturbance, it is considered that any nuisance to nearby residential dwellings would most likely to be generated by use of the school playing fields. In general, there is little change to the existing playing field arrangement at the school, with the existing multi-use games area being retained in its existing location and grassed pitches primarily arranged around the perimeter of the school's grounds. As such, it is considered that the typical school use of pitches will not give rise to any amenity concerns.

However, Sport England requires the school to enter into a Community Use Agreement, to allow for community use of the sports facilities at the school outside of normal school hours. The condition suggested by Sport England to

secure the Agreement will give a degree of control over the nature and hours of community use and as such, may be sufficient to ensure that community use of the school's facilities outside of normal school hours will not be of detriment to residential amenity in relation to noise and disturbance. This matter is, however, still being considered in more detail, in conjunction with the Council's Environmental Health section. It is anticipated that a final view on the implications of the community use of the sports facilities at the school will be completed ahead of the Committee meeting and a conclusion provided on a Supplementary report.

The representation received from the occupier of 23 North Road concerns the longstanding playing field embankment close to the eastern boundary of the site and requests its re-grading as part of this application. Proposals to re-grade the embankment were not included as part of the current application and it is not considered to be an issue which the City Council, as Local Planning Authority, can necessarily insist is addressed given that it involves an existing, longstanding feature of the school's grounds. Rather, it is an issue for the school and Miller Construction to consider and, as advised in the 'Representations' section of this report, discussions are on-going as to the course of action to be taken.

With regard to visual amenity, it is considered that in general, the new school building is of an acceptable scale, design and appearance. The overall form of the building and its position within the site is acceptable and will not result in any significant visual intrusion within the locality and wider landscape (including in views from the high ground at High Moorsley to the south). Indeed, the proposed redevelopment scheme will secure the replacement of the rather unsightly and dated range of existing buildings at the site with a more contemporary, attractive form of development which is complementary to its surroundings, especially given the sympathetic range of materials proposed to be used in its construction. The landscaping of the site, including the intention to retain the majority of the existing trees around the perimeter of the school's grounds, is also considered to be acceptable. As such, it is considered that broadly speaking, the development will result in the visual amenity of the locality being improved.

There is some concern, however, in respect of the treatment of the southern section of the 'spine' of the proposed new building, which accommodates the sports hall. This is proposed to be finished entirely in facing brick, without any relief provided by windows, openings, design features or a variety of materials. Discussions with the applicant are on-going in relation to the improvement of the finish to the exterior of this section of the building, with a likely outcome being the introduction of areas of coloured banding, potentially in render or rain-screen material, in order to provide some relief and visual interest. It is anticipated that this matter will be satisfactorily addressed ahead of the Committee meeting and details of the finish agreed will be provided on a Supplementary Report.

Meanwhile, policy R1 of the UDP states that the Council will work towards achieving environmentally sustainable development, whilst paragraph 95 of the NPPF states that to support the move to a low carbon future, Local Planning Authorities should plan for new development in ways which reduce greenhouse gas emissions, supports energy efficiency improvements and, when setting local requirements for building sustainability, do so in a manner consistent with the Government's zero carbon buildings policy and nationally prescribed standards.

In respect of the new development, the applicant has advised that their approach is to ensure the new buildings are as energy efficient as possible through fabric measures, natural ventilation and the use of heat recovery units and to this end, the Education Funding Agency sets very strict energy efficiency targets to be met. As such, although there are no sources of renewable energy proposed with the development, it is anticipated that the new buildings will exceed the energy efficiency requirements of Part L of Schedule 1 to the Building Regulations, perhaps by as much as 20%. This approach is considered to be appropriate and will ensure the new development is acceptable in relation to its sustainability and energy efficiency, in accordance with the requirements of policy R1 of the UDP and paragraph 95 of the NPPF.

With regard to the above comments, it is considered that the implications of the proposed development in respect of residential amenity, visual amenity and design are generally acceptable. In addition, it is considered that the new building is acceptable in relation to achieving a high standard of sustainability and energy efficiency. The proposed development therefore accords with the requirements of policies B2, R1, CN13 and HA9 of the UDP and the core principles and paragraph 95 of the NPPF in this regard.

However, the implications of the community use of the sports facilities are still being considered and a final agreement on the external treatment of the southern section of the new building is awaited. Details of the conclusions in relation to these matters will be provided on a Supplement to the main report.

Impact of development on highway and pedestrian safety

Policy T14 of the UDP states that new development proposals must not give rise to conditions which are prejudicial to highway and pedestrian safety, whilst policy T22 requires new development to be afforded an appropriate level of dedicated parking.

In relation to these matters, the Council's Network Management team has offered no objections to the proposed development, noting that there are no changes to the pedestrian and vehicular entrances, whilst the sheltered storage for cycles is welcomed. It is, however, requested that conditions, to require that any entry and exit gates to the school drop-off area and car park remain open during school hours and the monitoring and review of the school Travel Plan objectives, are imposed on any grant of planning permission. It is recommended that in the event Members are minded to grant consent to the application, conditions to this effect are imposed.

In addition, as noted in the 'Representations' section of this report, there is no objection to the development from Nexus, the Tyne and Wear Passenger Transport Executive.

With regard to the above, it is considered that the highway and pedestrian safety, access and parking arrangements at the site are acceptable, subject to the aforementioned conditions. The proposed development therefore complies with the requirements of policies T14 and T22 of the UDP.

Flood risk implications of proposed development

In relation to flooding, paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Policy EN12 of the UDP seeks to ensure that proposals would not be likely to impede materially the flow of flood water, or increase the risk of flooding elsewhere, or increase the number of people or properties at risk from flooding (including coastal flooding).

The Flood Risk Assessment (FRA) submitted with the application advises that the development site is located within Flood Risk Zone 1, i.e. land at the lowest risk of flooding. The FRA advises that as the new site drainage system involves two separate elements (i.e. foul water and surface water), and as surface water will be reduced and have adequate flow control and storage for extreme events, it can be considered that flood risk will not be increased. The FRA essentially concludes that the development site is at low risk of flood from rivers and sea, low risk of flooding from surface water and that the foul and surface water drainage proposals will not increase flood risk either on site or off site.

As set out in the 'Representations' section of this report, the Environment Agency has no objection to the proposed development, subject to the imposition of conditions requiring compliance with the mitigation measures detailed in the Flood Risk Assessment submitted with the application and the submission of a scheme of surface water management. In the event Members are minded to grant consent for the proposed development, it is recommended that conditions to this effect are imposed.

In addition, it should also be recognised that Northumbrian Water offered no objection to the development, on the basis that surface water will not discharge into the public sewerage network.

Given the above, it is considered that the proposed development is compatible with this location in terms of flood risk and that the development will not materially increase the risk of flooding elsewhere. Nor does the proposed change of use of the building raise any specific drainage concerns. As such, the proposal is considered to be compliant with the requirements of policy EN12 of the UDP and the core principles and relevant paragraphs of the NPPF in this regard.

Implications of development in relation to ecology

Section 11 of the NPPF sets out a general strategy for the conservation and enhancement of the natural environment, and it advises that the planning system should recognise the wider benefits of ecosystem services and minimise impacts on biodiversity and provide net gains in biodiversity where possible. Meanwhile, policy CN22 of the UDP states that development proposals which would adversely affect any animal or plant species afforded special protection by law, or its habitat, will not be permitted unless mitigating action is achievable.

The application has been accompanied by a Phase 1 Habitat Survey and a Bat Risk Assessment and Activity Survey, both prepared by E3 Ecology. The content and conclusions of the risk assessment and surveys are still being considered by the Council's Natural Heritage officer. It is anticipated that this assessment will be

concluded prior to the Committee meeting and details of the Natural Heritage officer's remarks, together with a summary of the position in relation to biodiversity and ecology, will be provided on a Supplement to this report.

Implications of development in relation to land contamination

Policy EN14 of the UDP states that where development is proposed on land where there is reason to believe is contaminated or potentially at risk from migrating contaminants, the Council will require the applicant to carry out adequate investigations to determine the nature of ground conditions below and, if appropriate, adjoining the site. Where the degree of contamination would allow development subject to preventative, remedial or precautionary measures within the control of the applicant, planning permission will be granted subject to conditions specifying the measures to be carried out.

The application has been accompanied by a Phase 1 Geo-Environmental Site Assessment; however, the content and findings of the report are still being considered by the Council's Environmental Health section. It is anticipated that this assessment will be concluded prior to the Committee meeting and details of the Environmental Health section's remarks, together with a summary of the position in relation to land contamination, will be provided on a Supplement to this report.

CONCLUSION

For the reasons set out above, it is considered that the proposed development is acceptable in principle, given that it sees the continued use of an established educational site and maintains the playing field and sports pitch provision at the site. In addition, the implications of the development proposals in respect of residential amenity and visual amenity are considered to be generally acceptable. Furthermore, the proposals raise no significant concerns in relation to highway and pedestrian safety and flood risk and drainage.

The proposal therefore complies with the requirements of the core principles and relevant parts of the NPPF and policies EN10, L7, CF5, CN13, R1, HA19, T14 and T22 of the Council's adopted Unitary Development Plan (1998) in regard to these matters.

Consideration is still being given, however, to the implications of the development in relation to ecology and biodiversity and land contamination. The implications of the community use of the sports facilities at the school are also still being considered, whilst an amendment to the scheme is required in order to improve the treatment of the external walls of the south-west section of the new school building. It is anticipated that full consideration of these matters will be completed shortly and will be reported on a Supplementary Report. The Supplementary report will also provide a recommended decision and details of suggested conditions.

RECOMMENDATION: Deputy Chief Executive to Report