Item: **06**

Reference: **11/00423/FUL**

Applicant: **Governors Of St Martins High School**

Location: **St Martins Catholic School Hinckley Road Stoke Golding**

Proposal: **ERECTION OF MOBILE CLASSROOM**

Target Date: **26 July 2011**

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it new development for an institutional use.

Application Proposal

This application seeks full planning permission for the erection of a unit containing a single classroom space. The mobile will be sited adjacent to the rear entrance of the school. The unit has a height of 3.4 metres to the ridge and a footprint measuring 7 metres x 9 metres.

The Site and Surrounding Area

The site is situated to the eastern side of the village of Stoke Golding, within the open countryside. The site is well screened by mature landscaping and is relatively flat. The main entrance is off Stoke Road. The school is constructed on the northern edge of the site. There are hard surfaced play areas to the south and west of the school and a large car park and playing fields further south. There is an existing mobile classroom to the north of the school, adjacent to the driveway of the old convent. To the north of the site there are residential properties and a farm, to the east is the former convent site, which has planning permission for residential development and to the west there is residential properties and farm land. The remainder of the site is surrounded by farmland.

Technical Document submitted with application

A Design and Access Statement was submitted with the application. This describes the proposal and concludes that the need for the additional accommodation within the school grounds has been determined on educational grounds and to a large degree the existing layout of the buildings dictates the location of the temporary unit. This fits with the operational requirements and brings the school buildings up to an appropriate standard.

Finally it states that the development can be carried out within the context of the existing school buildings, without detriment to neighbouring uses.

History:-

10/00820/FUL	Extension and Alterations to School	Approved	21.12.10

08/00772/FUL	Replacement windows and Formation of fire escape	Approved	16.09.08
03/0122/FUL	Extension to saint Martins Roman Catholic School	Approved	08.12.03
99/01024/TEMP	Retention of Mobile Classroom	Approved	07.01.00



© Crown copyright. All rights reserved Hinckley & Bosworth Borough Council LA00018489 Published 2006

Consultations:-

No objection has been received from:-

Stoke Golding Parish Council
Head of Community Services (Pollution).

No objection subject to a note to applicant has been received from the Head of Community Services (Land Drainage).

At the time of writing the report no comments have been received from:-

Stoke Golding Heritage Group
Ward Members
Neighbours.

Policy:-

National Policy Guidance

Planning Policy Statement 1 - Delivering Sustainable Development sets out the Government's objectives for the planning system. The document states that high quality and inclusive design should be the aim of all those involved in the development process.
Planning Policy Statement 9 - Biodiversity and Geological Conservation sets out planning policies on protection of biodiversity and geological conservation through the planning system.

Planning Policy Statement 23 – Planning and Pollution Control sets out national planning guidance on pollution of land, air and water.

Planning Policy Guidance Note 24 – Planning and Noise guides Local Authorities on the use of planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

Regional Policy Guidance

The Court of Appeal, in May 2011, gave judgment on an appeal by CALA Homes in relation to their continuing challenge to the SoS's proposal to abolish regional strategies. The Court confirmed that the Government's proposal to abolish regional strategies is a material planning consideration, but that it is up to the LPA to decide what weight to give to the proposal in considering planning applications. The Localism Bill is still going through the Parliamentary process and the SoS has now confirmed that the actual revocation of any regional strategy will be subject to a Strategic Environmental Assessment. The view taken currently is that little if any weight should be given to the proposal to abolish regional strategies. This advice may change as the Bill progresses and officers will monitor the progress and report appropriately to committee.

East Midlands Regional Plan 2009

This is the Regional Spatial Strategy for the East Midlands and provides a broad development strategy for the East Midlands. The following relevant policies apply to this proposal:

Policy 2 promotes better design including highway and parking design that improves community safety.

Policy 3 directs development towards urban areas with priority being given to making the best use of previously developed land.

Local Development Framework Core Strategy 2009

None applicable.

Hinckley and Bosworth Local Plan 2001

The site is outside the settlement boundary of Stoke Golding as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1: Design and Siting of Development of the adopted Hinckley and Bosworth Local Plan states that planning permission for development proposals will be granted where they: complement or enhance the character of the surrounding area; ensure adequate highway visibility and parking standards; do not adversely affect the amenities of neighbouring properties; incorporate landscaping to a high standard; and would not be prejudicial to the comprehensive development of a larger area of land of which the development forms part.

Policy T5: Highway Design and Vehicle Parking Standards of the adopted Hinckley and Bosworth Local Plan refers to the application of appropriate standards for highway design and parking provision for new development.

Policy NE5: States that the countryside will be protected for its own sake. Planning permission will be granted provided that the development proposed is for the extension of existing buildings and only where the proposal does not have an adverse effect on the character and appearance of the landscape; is in keeping with the scale and character of existing buildings and the general surroundings, is effectively screened by landscaping and will not generate traffic likely to exceed the capacity of the highway network or impair road safety.

Supplementary Planning Guidance/Documents

None relevant.

Appraisal:-

The main considerations with regards to this application are the principle of the development, impacts on the visual amenity and charterer of the countryside, design, residential amenity and other issues.

Principle of Development

Although the site is situated within the open countryside, where there is a presumption against new development, the application seeks further development of an existing facility, as such it accords with Policy NE5 in principle providing the policy criteria are met.

Visual Amenity and Character of the Countryside

By virtue of its siting, the proposed mobile classroom will not be visible from any public vantage point. The mobile unit will be situated on an open area of land adjacent to the rear and side elevations of the school. The height of the existing school buildings are in excess of 2 meters higher than the proposed mobile unit, thus screening it from the north and west. The mix of gray and brown materials will further assimilate the development into its surroundings. There may be some views of the development from the countryside to the east and south east of the site, however as the development will be seen against the backdrop of the existing buildings, there will no material impacts upon the visual amenity of the area. Accordingly there are considered to be no adverse impacts on the visual amenity of the area or character of the countryside.

Residential Amenity

The nearest residential properties are Convent Lodge, which is 70m from the proposal and 135 Hinckley Road which is 112m from the proposal. Accordingly

resultant of the separation distances, the screening offered by existing buildings and the fact that the site is an existing school, additional noise generated from the proposal would not be of a material level; and would not therefore have a detrimental impact on the residential amenity of surrounding properties.

Design

The design and construction proposed is directly related to the development type. Although the development of a more permanent, well designed building would be preferable in terms of appearance, the long term need and justification for a building of this type cannot be confirmed at this time. The design of the building would not be compliant with Policy BE1 of the Local Plan, however in this case due to the overriding educational need for the building, a condition restricting the siting of the building to a temporary period of three years will be imposed.

Other Issues

Need

Within the Design and Access Statement the applicant has stated that teaching space within the existing school is inadequate, insofar as rooms not designed for teaching purposes, such as the library are being used for such. It is further stated that the siting of the existing mobile classroom is inappropriate and results in safety issues for the students. This said the long term need for the proposal cannot be justified due to the yearly changes in student numbers. Accordingly at this stage it would not be possible to request a building of more permanent construction.

Impact upon Highway Network

The mobile unit will provide additional teaching space within the existing school, however, this will not result in additional pupils but will re-distribute teaching space as discussed above. As such it is considered that the proposal will not result in an increase of traffic that would exceed the highway network capacity.

Conclusion

Based on the need, the proposed siting and specified circumstances identified, the erection of this mobile classroom is considered justified and its design and construction acceptable. Accordingly there are considered to be no material impacts on either visual or residential amenity or on the character of the countryside. The development is therefore acceptable and compliant with policies BE1, NE5 and T5 of the adopted Hinckley and Bosworth Local Plan.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan. By virtue of the justification provided and the siting and design proposed the proposal is considered to have no material impacts in terms of visual or residential amenity or on the character of the countryside and is therefore considered acceptable.

Hinckley and Bosworth Borough Council Local Plan (2001):- Policies BE1, NE5 and T5.

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drg Ref: 'Promap' scale 1:1250 and Drg No: 1296/04 received by the Local Planning Authority on the 26 May 2011.

3 The building hereby permitted shall be removed and the land restored to its former condition on or before 19 July 2014 in accordance with a scheme of work previously submitted to and approved in writing by the Local Planning Authority.

Reasons:-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

3 The design and materials of the building fail to respect the character of the area and therefore do not comply with the requirement of policy BE1 of the adopted Hinckley and Bosworth Local Plan and therefore make it unsuitable for permanent permission. The development has only been deemed acceptable due to the current educational need of the school.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Eleanor Shaw Ext 5680