

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-1181-22 **Applicant:** University Academy Holbeach

Proposal: Construction of detached portal frame double height building & associated works

Location: University Academy Holbeach Park Road Holbeach

Terminal Date: 13th February 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
05	Meeting Physical Infrastructure and Service Needs
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a new detached portal frame double height building & associated works to include additional parking.

The external walls of the building would have red and blue bricks and grey metal cladding sitting under composite roof panels fixed into a steel deck with grey anthracite upvc doors and windows and anthracite grey rainwater goods.

Site Description

The site lies within the University Academy Holbeach which is located to the west of Park Road and to the south of the A17, within the Holbeach settlement boundary. There are existing university campus buildings to the east, south and west of the development site. To the north is Park Road.

History

H09-1226-18 - O/A - Demolition of existing temporary classroom block and erection of a new 16 classroom block with associated car parking - Approved

H09-0437-12 - Modification of condition 2 of H09-0094-12 to allow relocation of building previously approved under dwg. no. DC/217U3 (retrospective) - Approved

H09-0094-12 - Proposed temporary building (10 years) for Cross Phase Food Manufacturing and Apprenticeship Training Centre - Approved

H09-0523-06 - Extension forming vocational, teaching and changing room accommodation, together with re-modelling of existing changing rooms to form vocational changing and ICT Suite, additional parking and replacement hard play area - Approved

H09-1312-06 - Extension, additional parking and relocation of double mobile classroom unit - Approved

Consultation Responses

Holbeach Parish Council

Supports the scheme.

Cllr F Biggadike

Supports the development as it would enable the Academy to be able to absorb pupils from the local future housing growth now taking place and educate them to the high standard now being delivered.

South Holland Internal Drainage Board

It is noted that the applicant intends to discharge surface water to a mains sewer. It is recommended that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location. No objections subject to compliance with the Board's

Bylaws.

SHDC

No objections.

Local Highway and Lead Local Flood Authority

No objections subject to the submission of a Construction Management Plan and Method Statement.

Planning Considerations

Principle of development

Section 38 (6) of the Town and Country Planning Act, 1990, as amended by the 2004 Act, indicates that determination must be made in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Holbeach Settlement Boundary as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The site is inside Holbeach Settlement Boundary and the proposal would provide additional educational facilities that would help support Holbeach's role as a service centre and help sustain existing facilities. No objections are therefore raised in principle.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed classroom block would be sited on an existing area of hardstanding, the majority of which is currently occupied by a temporary building which would be demolished. The site consists of hard core covered surface, a small area of grass land and a foot path from the pavement to the fence line that is not used. There are some self-seeded trees on it and a boundary fence.

The Design and Access Statement indicates that the scale and form of the building has very much been driven by the existing established site aesthetic, and as being part of the same teaching requirement it is proposed to be of matching materials to the adjacent skills building, linking the two buildings together in appearance as well as location. The density of the development has very much been dictated by the need for expansion, into larger quality building stock for these in demand trades ancillary services have been kept to a minimum whilst still maintaining a functional education facility.

The main inspiration for the external appearance and overall aesthetic of the new Skills block has been heavily influenced by the adjacent skills block to the south on the new proposal. The external walls treatment will reflection a combination of the red brick older school buildings to the east and west and the blue brick and composite metal insulated cladding afforded to the newer development to the south. Red bricks will be used up to the ground floor roller shutter head height and above this the new building will be clad with a silver micro rib type panel finish to complement the general site aesthetic. Other metal work elements such as gutters RVPs and the canopy will be finished in a contrasting Anthracite grey as shown on the drawings.

To minimise the overall mass of the building, whilst maintaining the geometry of the existing school buildings, the new skills block is designed as a mono-pitched roof sloping away towards the site

boundary at the road front to back. The roof material will take the form of a composite roof panel fixed into a steel deck, in-keeping with existing buildings on site.

It is considered that the external facade offers visually strong and pure aesthetics which are sympathetic with the surrounding area.

Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The nearest residential properties are situated to the north of the site, on the opposite side of the A47. The proposed building would be located a significant distance from these dwellings (at least 110 metres from the nearest residential boundary). This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. There are no concerns of additional noise disturbance given there are existing Academy buildings in closer proximity to these dwellings and there are relatively high background noise levels from the A47.

As such the proposal is not considered to result in unacceptable impact on residential amenity and therefore accords with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway Safety

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class.

Under the previous planning permission for the maths block, 44 parking spaces were required to be created on the land in question. The current scheme proposes 24 parking spaces with an additional 35 spaces previously approved west of the site therefore there would be an overall increase in the number of parking spaces. Given there is no increase in staff numbers proposed, the development is considered to meet the current parking standards.

A Travel Plan has been submitted setting out measures to promote healthy and safe travel to school and help reduce reliance on motor vehicles. LCC Highways have requested a condition that the Academy be managed in accordance with the Travel Plan, which indicates that it will be reviewed annually. Highways has also requested a condition requesting a Construction Management Plan and Method Statement to ensure that the construction of the proposed development is undertaken with the least impact upon the safety and the free passage of those using the adjacent public highway. Conditions have been appended to this effect.

LCC Highways Authority has advised that the principle of the proposed development is acceptable in highway terms as the use of the proposed teaching building, within the campus of the established University Academy would not be expected to have an unacceptable impact upon highway safety or a residual cumulative impact upon the capacity of the local highway network. Much of the application site is already occupied by a temporary building. Whilst there is clear evidence of the relatively new estate road lying to the north of the site being used for the parking of private cars and buses, this road has not been adopted as a highway that is maintainable at the public expense. This road does however have a high quality junction with the Public Highway, Park Road, that also includes a Ghost Island Right-turn Lane.

Highways has also requested details of surface water run-off which will be covered by the Construction Management Plan and Method Statement condition.

Taking into account the proposed parking within the site and the details within the submitted Travel Plan, the proposal would not result in increased parking demand or highway safety concerns. It therefore complies with Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019.

Flood Risk/Drainage

The site is located within Flood Zone 3a of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken.

The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

This is a less severe category and the proposal is an extension of an existing community facility. There are not more suitable sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the National Planning Policy Framework) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the NPPF and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

It is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The NPPF and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, sustainability issues within South East Lincolnshire are addressed within the South East Lincolnshire Local Plan, 2019. In this respect, the site is within Holbeach Settlement Boundary and the proposal constitutes an extension of an existing educational facility. The development is required to sustain the existing community. The proposal scores positively against the aims and objectives of the Local Planning Authority's sustainability appraisal and would provide wider sustainability benefits to the community that outweigh flood risk. This includes the provision of additional educational/community facilities, as required by the National Planning Policy Framework.

Concerning the second element, the submitted FRA indicates that subject to mitigation measures such as raised floor levels there would be low or no risk of flooding. Finished floor levels shall be set no lower than 300mm above Ordnance Datum (AOD). Flood resilient construction shall be set no lower than 300mm AOD. The applicants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service. The development passes the Sequential Test and Exception Test and is therefore suitable for the proposed location.

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The applicant proposes to discharge surface water to a sewer. South Holland Internal Drainage Board has advised that this is the least sustainable method of surface water disposal within the drainage hierarchy therefore it has advised that the Council satisfies itself that this proposal is in line with the drainage hierarchy and is viable in this location. It is noted that the applicant intends to dispose of foul water to a main sewer. Should the applicant's proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3. There is a Board Maintained watercourse (DRN206G1701- P17 Gas House) adjacent to the southern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are

proposed at any time in the future, consent would be required under Byelaw 10. An informative has been attached to the planning decision advising the applicant of the drainage boards bylaws.

Given the above and subject to the suggested mitigation measures within the submitted Flood Risk Assessment the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on flood risk and drainage.

Planning Balance

The site is inside Holbeach Settlement Boundary and the proposal would provide additional educational facilities that would help support Holbeach's role as a service centre and help sustain existing facilities. No objections are therefore raised in principle.

The building is sympathetic in terms of design and the proposal would not harm the amenity of nearby residents to such an extent as to justify refusal taking into consideration the community benefits of the scheme.

LCC Highways/SUDs has raised no objections on highway safety grounds, subject to the Academy being managed in accordance with the submitted School Travel Plan and provided a Construction Management Plan and Method Statement are secured via a condition. Additional car parking is to be provided which exceeds the number of spaces proposed under the outline application for the site. The proposal would provide wider sustainability benefits to the community that outweigh flood risk, subject to mitigation measures.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking the above into account, the scheme is considered to comply with Policies 1, 2, ,3 ,4, 5, 32, 36 and Appendix and Sections 2, 4, 8, 9, 12 and 14 of the NPPF, 2021.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that

may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

RECOMMENDATION

The application can be approved under delegated powers.