

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H12-0310-24 **Applicant:** Bowmer + Kirkland & Department for Education

Proposal: Demolition of existing school buildings and redevelopment to provide a new three storey building for educational purposes (Use Class F1), revised internal vehicular and pedestrian circulation routes (including creation of revised vehicular drop off / pick up areas for buses and cars), sports and informal recreational spaces, landscaping, drainage, parking areas (including temporary parking provision during the construction phase) and all associated works

Location: University Academy Long Sutton 84 Little London Long Sutton

Terminal Date: 28th June 2024

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
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

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4. Decision-making
8. Promoting healthy and safe communities
9. Promoting sustainable transport
10. Supporting high quality communications
11. Making effective use of land
12. Achieving well-designed and beautiful places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	0	4
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT**Proposal**

The proposal is for the demolition of existing school buildings and redevelopment to provide a new three storey building for educational purposes (Use Class F1), revised internal vehicular and pedestrian circulation routes (including creation of revised vehicular drop off / pick up areas for buses and cars), sports and informal recreational spaces, landscaping, drainage, parking areas (including temporary parking provision during the construction phase) and all associated works.

The application proposes the replacement of the main complex of educational buildings within the site and which have a Gross Internal / External floor area of 6292m² / 6626m². The proposed development is made up of the following:

- The new school building would provide space for up to 750 pupils within a three-storey block containing all required teaching, administration, social and ancillary accommodation.
- There are 64 car parking spaces, including disabled parking bays and electric vehicle charging facilities, are proposed in the front north western corner of the site with the bus parking area and a separate parent drop off / pick up point to the south of this, directly adjacent to the main in-out access drive
- The Peele Leisure Centre and Rainbow Nursery buildings would remain in their current form and are to remain in use throughout the redevelopment of the wider site.

- The small school building that is proposed for retention is located just east of the Nursery buildings.
- A new Multi Use Games Area is proposed on part of the footprint of the existing school buildings
- The majority of the existing school playing fields to the east of the site would remain (including the marked pitches, cricket field and running track), with an additional grassed area and a habitat garden created between the new school building and the southern access drive / Leisure Centre. Additional areas of landscaping are also proposed, with the majority of existing trees retained and areas of new planting to compensate for any existing trees that are proposed for removal.

The applicant has also provided a an extensive schedule of supporting documents that would support the submission, though not exhaustive these include; landscaping and site layout plans, BNG matrix and associated reports, Transport assessment and school travel plan, arboricultural impact assessment and further tree information (removal, protection and retention), external lighting plan, location of solar PV, energy strategy report, archaeological and heritage survey, noise impact report, flood risk assessment, drainage strategy, construction management plan and land contamination surveys (Phase II assessment).

Site Description

The application site is located to the north of Long Sutton, but within the settlement boundary fronting Little London. The existing site which is the base of university academy Long Sutton contains a 3 storey building that heavily fenestrated, a number of associated brick built outbuildings, car parks, nursery building, leisure centre and playing fields.

Little London itself is made up of a broad mix of dwelling types, which form frontage development along the road away from the core of Long Sutton. To the south is the existing butterfly park where an extant permission for a residential development is located, there is also a pending application on this site.

The application site is shown by the SFRA Hazard maps to be in a location 'danger for some', the application site is within the settlement boundary ad playing fields are allocated by the policies map.

History

H12/0091/24 Erection of mobile classroom (retrospective) - approved under H12-0133-19 - Modification of Condition 2 to allow the retention of the mobile classroom for a further 5 years. Approved 3.04.24

H12/1046/21 Siting of Play Group Building - approved under H12-0006-17. Modification of Condition 1 to retain the building for a further 5 years Approved - 3rd November 2021

H12-1190-19 - Replace external end of life window walling to main school building with energy efficient aluminium replacement units. Approved 12-02-20

H12/0529/22 Demolition of existing modular classrooms and replace with double single storey modular classroom Approved - 15th July 2022

H12/0133/19 Erection of mobile classroom (retrospective) - approved under H12-0067-14 - Modification of Condition 2 to allow classroom to be retained fora further period of time. Approved 13th March 2019

H12/0006/17 Siting of playgroup building - approved under H12-0990-13 - Modification of Condition 2 to allow a further time period Approved - 26th January 2017

H12/0067/14 Erection of mobile classroom (Retrospective) Approved - 18th February 2014

H12/0990/13 Retain playgroup building 5th December 2013 - Approved

H12/0873/12 Siting of two classrooms (retrospective) Approved-19th November2012

H12/0406/10 Create additional car park and hardstanding Approved18th June 2010

H12/0047/09 Proposed Stable Block Withdrawn - 24th February 2009

H11/0061/86 Erect a 'chance to share' facilities comprising kitchenette, covered ways, new room and sports hall store. Approved - 6th March 1986

H11/0467/86 Retain a mobile home No objections raised - 29th May 1987

H11/0537/73 Extension to Peele School Playing field off Little London, Long Sutton (Parish of Lutton). Permitted - 9th October 1973

H11/0157/70 Alterations and extensions to school buildings at Peele School, Long Sutton (Parish of Lutton). 13th May 1970

Consultation Responses

Anglian Water

Regards surface water:

The proposed method of surface water management does not relate to Anglian Water and the submitted drawings indicate that surface water discharge from this site runs to an attenuation pond and ultimately discharges to a ditch. We would like to advise that Anglian Water has no designated surface water sewers in the area of the proposed development therefore and on this basis, Anglian Water can confirm this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency.

Regards the used water network:

Design and Access Statement dated March 2024 and Urban Water-Flood Risk Assessment Reference: 445 FRA-v2-Dated Mar-24 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Environment Agency

No objection subject to a condition that would enforce finished floor levels of the proposed building to be set no lower than 1.0 metre above the existing ground level

Historic Environment Officer

If permission is granted, I recommend there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of investigation followed by archaeological mitigation work should it be necessary. This will initially comprise, but may not be limited to, a level 3 historic building recording of the main school building block EFAA, in accordance with Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice', a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work, which may be required if archaeological remains are identified in the evaluation. This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 200 and 211. Finally, due to its significance, the main school building block EFAA should be included in the HER local list as a non-designated heritage asset. I also recommend consulting the Conservation officer and the 20th Century society about this proposal.

Highways

The proposal is for the demolition of existing school buildings and redevelopment to provide a new three storey building for educational purposes (Use Class F1), revised internal vehicular and pedestrian circulation routes (including creation of revised vehicular drop off / pick up areas for buses and cars), sports and informal recreational spaces, landscaping, drainage, parking areas

(including temporary parking provision during the construction phase) and all associated works.

Highways have no objections to the proposal subject to off-site improvement works. This relates to 2 no tactile crossing points should be installed onto the public highway at the main access/egress points where footways are present.

LLFA

The ground floor level of the new building has been set at the flood resilience level of 4.8m (0.3m above the design flood level - approximately 1.3m above the general ground level). Part of the site is currently discharging to the existing infiltration basin on site and then to the southern ditch and this will remain. The proposal does not increase the amount of impermeable area. Therefore, there will be no increase to flood risk on the site. The discharge rate will be 2l/s, there will be rain gardens, swales, permeable paving and an open attenuation pond to temporarily store the water before discharging to the ditch.

Lincolnshire Bat Group

Thank you for consulting Lincolnshire Bat Group on this application, with reference to the ecology and bat survey reports. We note that Building 1 is considered to have high roost potential and further surveys need to be carried out in summer 2024. See section 6 of the Preliminary Roost Report. We would also add that there is an additional record for the school building when a female brown long-eared bat was found roosting in a porch in the main building in June 2023, which was fed up and released back at the school a week later. It should be noted that brown long-eared bats are widespread in Long Sutton, being present roosting in the church and a number of other suitable buildings

Crime Protection Advisor

The designing out crime officer has made comments in relation to fencing and boundary control, CCTV at main entrance and reception, drawn reference to Secured by Design New Schools 2014, Access control, W/C facilities, windows, curtain walling, signage and layout.

Sport England

The consultee concludes:

Based on the above assessment, on balance, it is considered that the proposal would generally meet exception 4 of Sport England's Playing Field Policy through the replacement of playing field land and would not reduce the sporting capacity of the playing field or result in the loss of other sporting provision or ancillary facilities provided. This being the case, Sport England has no objections to this application as it is considered to accord with exception 4 and paragraph 103 of the NPPF provided the following conditions are attached to the decision notice if the Council is minded to approve the planning application to ensure that the land where the demolished buildings have been sited and the land affected by the construction activity is restored back to playing field land and that the proposed MUGA is built to a good standard for sport

Tree Officer

The 'Site Landscaping Plan Existing', shows a red line delineating the site, rather than the existing landscaping. (no. 48 on file.) The proposed development involves the removal of a limited number of trees, and the replanting of further trees. Important to ensure that those existing trees to be retained, are fully protected from before site clearance commences to British Standard 5837:2012. If encroachment in the Root Protection Area cannot be avoided, a ground protection product should be used to prevent ground compaction.

Soil levels must not be altered in the Root Protection Area. All roads/footpaths should use no-dig methods of construction should they be proposed in the Root Protection Areas of trees (British Standard 5837:2012), the resulting surface to be permeable and load bearing as appropriate for its situation.

Environmental Protection

Recommend ensuring MUGA boundary and assembly hall roof constructed in accordance with

advise in noise assessment to reduce unwanted noise interference to nearby properties. with regards to CMP, ensure any out of normal hours working and piling operations suitably communicated to nearby residents and Environmental Protection provided with contact information for constructors

Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, A letter of representation and one objection has been received.

A representation has been received which requests the LPA to consider the loss/retention of mature trees on site. Also light pollution is also suggested should be a consideration as well as broader environmental factors.

An objection has also been received those states *Entrance Path planned to be moved directly in front of our property, causing congestion with cars dropping students off and the forming of groups in mornings and afternoons. Possibility making the access to the school from the entrance for the Peele Gym. Are there any plans to provide lighting on the MUGA at a later date, this would affect wildlife and also provide light pollution to the residential property's on little London. Dust and dirt created from the building works especially during the demolition phase with the chance of asbestos air born particles, issue with the increased traffic with workers, lorry's and heavy plant. Is there going to be a restriction on working hours* AND the noise report is far from complete with a lot of non-clarified data, I have covered comments relating to construction but I would like to increase this objection to cover the MUGA, in the report it is clear to see that there will be infringements on DB levels for local residents on Little London. We are already impacted by noise and light pollution from the Hockey Pitch on the same facility and the proposed new MUGA is far closer than this. It is also worth mentioning that there is extensive wildlife in the trees around the proposed MUGA area, has a thorough wildlife study taken place?

Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The main issues and considerations in this case are (but are not limited to):

- Principle of Development
- Sports & Recreation
- Highway Safety & Sustainable Transport
- Historic Environment
- Character & Landscape
- Environmental Issues & Amenity
- Ecology
- Flood Risk & Drainage
- Land Contamination
- Climate Change
- Planning Balance

Principle of Development

The application site is located within the settlement limits for Long Sutton and relates to an existing educational facility. Long Sutton is described as a Main Service Centre under SELLP Policy 1, in these areas support is given for:

Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) 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 proposal relates to the regeneration and renovation of an existing, well-established educational facility. The proposal therefore is acceptable in regards the spatial strategy.

SELLP Policy 5 is concerned with 'Meeting physical infrastructure and Service needs' it states that: *Planning permission will be granted for new development provided that developers can demonstrate that there is, or will be sufficient physical infrastructure and service needs capacity to support and meet the needs of the proposed development.*

The proposal is for a replacement of existing infrastructure, the proposal seeks to increase the capacity of the school to 750 student places. SELLP states that education provision (secondary and primary) are anticipated in Long Sutton, the school provide education for those in secondary years. Therefore, the intensification of the school, is both furcate and likely acceptable (subject to further assessment later in this report).

NPPF Paragraph 99 relates to promoting health and safe communities. It states that:

It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted..

This proposal seeks to ensure that a sufficient choice of school places is available and the alteration of the facility through regeneration is compliant with a national policy approach to achieve these aims.

On this basis and subject to an assessment against the impact upon the locality the proposal is considered acceptable in principle in terms of both local and national planning policy.

Sports & Recreation

SELLP Policy 32 is concerned with Community, Health and Well-being. South Holland's Playing Pitch Strategy was produced in 2019 and provides the evidence base for the need for sport and recreation facilities in the District and opportunities for new provision as required under paragraph 102 of the NPPF. SELLP Policy 32 in part states:

The redevelopment or change of use of an existing community facility will be permitted only if:

1. an assessment has been undertaken which has clearly shown that the facility is:

a. surplus to requirements; or

b. not economically viable; or

c. unfit for purpose; and

d. in the case of recreational open space, does not make an important contribution in amenity, visual or nature conservation terms; or

2. the loss resulting from the proposed redevelopment or change of use will be replaced by equivalent or better provision (in terms of quantity and quality) in a suitable nearby location; or

3. (in the case of sports facilities or recreational open space) the redevelopment or change of use is for alternative sports or recreational provision, the need for which clearly outweighs the loss.

Exception 4 and paragraph 103(b) of the NPPF

Exception 4 of the Sport England's Playing Fields Policy states:

'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

·of equivalent or better quality, and

·of equivalent or greater quantity, and

·in a suitable location, and

·subject to equivalent or better accessibility and management arrangements.'

The planning application submission is accompanied by Drw No: SRP1155-ONE-ZZ-ZZ-D-L-0017 Rev P02 (Existing and Proposed Playing Field) The pitch layout plans in this drawing show how the existing pitches have been marked out on the site and how the displaced 11 v 11 football pitch would be relocated to the south of the site and the 9 v9 pitch would be located next to the proposed building. The plan demonstrates that the remaining playing field land could accommodate three football pitches to meet the FA's dimensions and inclusive of safety run off areas. The existing cricket wicket would be retained and would continue to be used for junior cricket which would meet the ECB's technical guidance.

An area of new playing field would also be created to the west of the existing long jump pits following the demolition of buildings. This area would create circa 0.2 hectares of useable playing field which could be used for summer sports and for providing further grid markings. The existing athletics track, running straights and training grids would be accommodated on the remaining playing field

To provide further compensation for the loss of playing field, the applicant has listed enhancements to the sporting provision proposed on the site in their Planning Statement. One of these enhancements includes the construction of a MUGA as an outdoor sports facility. Measuring some 55 x 34 m, the proposed markings on this MUGA (as shown on Drw No: SRP1155-ONE-ZZ-ZZ-D-L-0017 Rev P02) would accommodate three netball courts overmarked with three tennis courts and be orientated in the preferred orientation of north -south. Further details should be provided on the design and surfacing of this MUGA so that it does provide a suitable surface for these sports. Sport England have been consulted and have no objections to the proposed development subject to a number of planning conditions. These include:

- a written pitch construction specification and programme of implementation and a playing field maintenance schedule for a five year period from commencement of use
- Prior to work commencing above foundation level of the new school building hereby approved, a written construction specification including elevation drawings and a programme of implementation for the Multi Use Games Area (MUGA)

The proposals given the compensatory values of the MUGA are considered to accord with SELLP Policy 32, Sports England Exception 4 as well as the paragraphs of the NPPF outlined in this section. The proposal therefore subject to the aforementioned mitigation is considered acceptable.

Highway Safety & Sustainable Transport

SELLP Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

SELLP Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. It advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposal is for the demolition of existing school buildings and redevelopment to provide a new three storey building for educational purposes (Use Class F1), revised internal vehicular and pedestrian circulation routes (including creation of revised vehicular drop off / pick up areas for buses and cars), sports and informal recreational spaces, landscaping, drainage, parking areas (including temporary parking provision during the construction phase) and all associated works

Highways have been consulted and have stated the following:

There will be no change to staff numbers, there will be additional students but within the school's capacity. There will be no additional service/delivery trips. There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
 - The level of provision of alternative transport modes
 - Whether the level of queuing on the network causes safety issues
- In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

The authority have also stated that the travel plan that has been submitted is acceptable. Off-site works are sought by the authority that would see the improvement and safety for pedestrians with 2no tactile crossing points installed onto the public highway at the main access/egress points where footways are present. This will be secured through S106 between the developer and LCC Highways. The authority have requested that any permission includes a condition that would ensure details (and provision) of these improvement works are laid out prior to the first use of the new building.

An objection has been received in terms of highway safety and congestion, however following specialist advice from the highway authority, and considering the existing scenario, this impact is considered acceptable.

On the basis of the above it is considered that the proposal would accord with SELLP Policies 2 and 3 as well as section 9 of the National Planning Policy Framework.

Historic Environment

NPPF Paragraph 200 requires developers to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

NPPF Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

SELLP Policy 29 is concerned with the historic environment, it states that "Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced. Opportunities to identify a heritage asset's contribution to the economy, tourism, education and the local community will be utilised"

Part F is concerned with non-designated heritage assets. It states:

Where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made to its setting, it should be informed by proportionate historic environment assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) that:

1. identify all heritage assets likely to be affected by the proposal; South East Lincolnshire Local Plan 2011-36
2. explain the nature and degree of any effect on elements that contribute to their significance and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated;
3. provide a clear explanation and justification for the proposal in order for the harm to be weighed against public benefits; and
4. demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.

A Preliminary Archaeology and Heritage Survey, prepared by Mott MacDonald and dated December 2022, has been submitted as part of this planning application. It is of note that this report suggests that the school building should be considered a non-designated heritage asset. The report states (of the building) it represents a good example of a system-built school, constructed during the post war era of the school rebuilding programme, to meet a growing population and to replace the 20% that were lost or damaged during the war.

Lincolnshire County Historic Places team have been consulted and have stated in regards to archaeology that:

I recommend there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of investigation followed by archaeological mitigation

work should it be necessary. This will initially comprise, but may not be limited to, a level 3 historic building recording of the main school building block EFAA, in accordance with Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice', a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work, which may be required if archaeological remains are identified in the evaluation.

In terms of the loss of the building (described as a non-designated heritage asset) the officer recommends consultation with the conservation officer and the 20th Century society. However the building has been identified for demolition, the assessment therefore needs to be weighed against NPPF Paragraph 209 in that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Given that this application weighs significantly within the public interest and that the building despite being designed by Sir Anthony Wakefield Cox the submitted heritage statement the main school building has been altered and has lost original fabric and detailing through replacement, maintenance and updating of facilities. It does not represent an innovative or well-preserved example of its type. The main school building (block EFAA) therefore would not meet the criteria for listing but is considered as a non-designated heritage asset and worthy of inclusion on a local list, This gives us a true representation of the historic value.

Demolition of this building is therefore not ideal as it would result in total loss, however the significance of the building is weakened by it being diluted by other built form associated with the school. The building is not worthy of designation. Therefore should broader weight be given to the planning merits of the scheme result in the recommendation of approval, a recording condition would likely be the only mitigation that could be applied.

Therefore in weighing the application a balanced judgement is that its loss is justified given the overriding public interest of the proposed development.

Character & Landscape

SELLP Policy 3 relates to the design of new development and in part it states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

NPPF Paragraph 180a & b are relevant, they state that planning policies and decisions should contribute to and enhance the natural and local environment by:

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*

The proposed replacement building is located further into the site on the norther boundary. It is set away from the existing properties that front Little London. The proposed school building is to be built across 3 floors. The general arrangement shows that this is an L shaped building made up of a flat roof construction. Elevation Plan have been provided that show the building is made up of metal cladding and is heavily fenestrated.

A MUGA is proposed to be located in the proximate position of the existing main school building, car parking is extended but retained in a similar position. A running track and marked football pitches are also shown on site plans. The Leisure Centre is shown to be retained as are two existing nursery buildings. An area of habitat is created in the centre of the site, south of the proposed MUGA. There is existing SuDs and a landscaping area to the fore of the site a coach pick up and drop off point is also located to the front (west of the site) along with parent drop off.

On the whole the landscaping is extensive, with planting more dense along the boundaries, a central habitat area with pond softens the scheme and would site centrally within the site. The applicant proposed to retain many of the existing trees, those that are lost are commented.

In terms of mitigation as the applicant is not explicit with regards to the materials proposed these will

be conditioned. Also due to the potential character impacts from proposed boundary treatment these will be conditioned too, this includes the treatment for the MUGA. Landscaping will be reinforced through compliance condition (i.e. carried out in accordance with the approved plans) and relevant planting schedule will be applied.

The overall result would be that the school would take a less aggressive position in relation to the existing building which looms over Little London. The building is proposed to be set back and softened with an extensive landscaping scheme, the result would be that a green respite from the ribbon development of residential properties with the main body of built form being located towards the boundaries.

The submission is detailed in terms of landscaping and tree protection and so compliance with these plans through their approval is sufficient approach.

The proposal are therefore considered to accord with SELLP Policies 2 & 3 and NPPF paragraph 180.

Environmental Issues & Amenity

NPPF Paragraph 135 of the National Planning Policy Framework (December, 2021) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

SELLP Policy 2 sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

SELLP Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

The main building is located to the northern boundary set back within the site. It is located to the east of properties fronting Little London, meaning that limited impacts would arise in relation to overshadowing. Furthermore, due to the separation distance the impacts from overbearing are mitigated to an acceptable level. This distance also helps dilute overlooking impacts, which to the main would result from the upper floors on the west elevation. Whilst the rear of some properties will be visible from the proposed building the impact is made acceptable by the separation distance. All other buildings and structures are considered to carry only limited impacts upon neighbouring amenity. The car parking area is to be located where the existing car park is, whilst the use may intensify it is not at a level that would warrant refusal. Furthermore, on the overall use, given that the application site already functions as a education facility the impacts are likely to be acceptable.

The main impact to residents will come from construction activities. The proposal seeks to retain the use while building/construction is ongoing. The applicant has provided an updated Construction Management Plan from Bowmer and Kirkland this details hours of operation, control of noise, dust and vibration, storage compounds and access (amongst other things). Environmental Protection have been consulted on this and have no objections.

In terms of noise Environmental Protection recommend that a condition is attached that would ensure that the development is carried out in accordance with the recommendation of the noise report, especially in relation to MUGA surfacing and boundary treatment. It is also recommended that a condition 'prior to the use of the Muga' submits the proposed operating hours of the facility.

The applicant has provided an external lighting 'philosophy' but this fails to show the positioning of lighting on site and also is devoid of illuminance type. Therefore, a condition will be proposed that requires information on all external light to be submitted to and agreed in writing with the local planning authority.

Therefore, subject to a compliance condition requiring works to be carried out in accordance with these document the proposal would meet with SELLP Policies 2 & 3.

Ecology

NPPF Paragraph 186 sets out a criteria-based approach for LPAs to apply when considering development proposals. The criteria in part includes methods to protect and encourage bio-diversity

as well as preventing development resulting in the loss of priority habitats.

NPPF Paragraph 180d is also relevant requiring net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, Point 2 is concerned with Nationally or locally-designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

Protected Species

The applicant has submitted a primary ecological appraisal dated January 2024, carried out by Middlemarch. Three recommendations result from this report, they are firstly for further ecological surveys, secondly a scheme design that is in accordance with the ecological mitigation hierarchy as set out in the National Planning Policy Framework and lastly construction ecological management plan.

The report states that Birds, Terrestrial mammals amphibians and bats all have potential to be a material consideration. In terms of birds the report states *The buildings, scrub, trees, hedgerows and woodland on site all offer potential nesting opportunities for birds. All nesting birds afford protection under the Wildlife and Countryside Act 1981 (as amended) whilst in nest.* In relation to amphibians there was nothing site specific, the closest pond that may contain amphibians is 500m north of the site. In terms of mammals the report concludes that No evidence of badger was recorded on site and although suitable habitat was present in the broadleaved woodland, scrub and grassland, no setts were recorded on or adjacent to the site. Due to the presence of suitable habitats, it is possible that badger could occasionally forage through the site and they are a material consideration.

The recommendation was for a further two emergence surveys in relation to bats, A Preliminary Bat Roost Assessment was undertaken on site in August 2023, with the results detailed in Report RT-MME-159518. This report was then updated in January 2024 and it is considered that there is potential for bats to be roosting in the main school building (B1 shown on plan).

No further work has been provided and without the emergence surveys it is not possible to rule out the presence of bats in this building. It should be acknowledged that this proposal is in the significant public interest and no other options other than demolition are available to the applicant given the substandard nature of the building. Therefore, if bats are to be found a bat mitigation licence would be required. Therefore, a suitably worded condition will be imposed that should the presence of bats be identified following further survey work, then the applicant needs to provide evidence to the LPA that a bat mitigation licence has been granted on site, and compensation measures outlined within the information presented.

Bio-diversity

The applicant has also provided a BNG metric calculation as well as biodiversity survey and report. The metric shows that over 10 net gain will be overachieved on site, in relation to habitat, hedgerow and watercourse units. These documents along with the landscaping which visually represents these feature will be condition to be carried out on site. A further condition relating to management will also be attached.

It is therefore considered that subject to conditions relating to both protected species as well as BNG the proposal is considered acceptable.

Flood Risk & Drainage

SELLP Policy 4 sets out the districts approach to flood risk, it states that Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: a. demonstrate that the vulnerability of the proposed use is compatible with the flood zone

The site already functions as a secondary school and this proposal is for its replacement. There is therefore no change in flood risk vulnerability brought about by the proposal, and in principle flood risk terms is considered acceptable.

The applicant has provided an FRA by Urban Water as well as a drainage strategy report by Morgan Structural Limited. The report outlines that the ground floor level of the building would be set at 4.8m AOD (300mm above design flood level and 1.3m above existing ground levels). Given the ground conditions it is considered that mechanisms to attenuate are in place, this would also allow a restricted flow back to the watercourse.

The Environment Agency have been consulted and state that they have no objections subject to a condition reaffirming that the finished floor levels are set at 4.8m AOD. In their role as LLFA Lincolnshire County Council have not made any objections to the proposed drainage strategy. The IDB have not made any comment. However, the existing solution is to direct attenuated surface water to the watercourse and on this basis the proposal is considered acceptable. The applicant however would require consent from the IDB to achieve this. In terms of foul water waste, it is evident that mechanisms are already in place and it is considered that a suitable network already exists that would be able to receive the flows created.

On this basis it is considered that the proposal is considered acceptable in flooding terms, and that due to the consenting process the surface water strategy is mitigated outside of planning. Any permission will be linked to the drainage documents and FRA as well as finished floor levels.

Land Contamination

SELLP Policy 30 is concerned with pollution, it states that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon land quality and condition;.

The applicant has provided a ground investigation report as well as environmental report from Geosphere. The supporting information outlines the existing ground conditions, methodology for construction works as well as mitigation. Environmental Protection have been consulted and have not raised any objections.

Therefore any permission secured would be linked to these two documents and the approach by the developer regarding land contamination. On this basis it is considered that the proposal would accord with SELLP Policy 30.

Climate Change

SELLP Policy 31 relates to Climate Change and renewable and low carbon energy. Part B is relevant, it states that:

With the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:

1. visual amenity, landscape character or quality, or skyline considerations;
2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
3. highway safety (including public rights of way);
4. agricultural land take;
5. aviation and radar safety;
6. heritage assets including their setting; and
7. the natural environment.

The applicant proposed to install solar PV on the roof of the proposed building, this makes a combined area of circa 1500 sqm. The solar would allow the school to make use of renewable energy technologies. It is considered that the solar which is unlikely to have a character effect given its location on the building would meet with the points outlined by SELLP Policy 31.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed development would result in the loss of a non-designated heritage asset. When applying a balanced judgement it is considered that despite its complete loss the significant public benefits of this new school far outweigh the heritage impacts, especially given that the building has been diluted over the years. A building recording condition will be attached.

Also the presence of bats cannot be ruled out, however once again the weight attributed to the significant public interest of this development and that there is no option to retain the building (due in part to flood risk requirements and its condition), then compensation measures are likely to be the only solution should the presence of bats be found.

The proposal would result in the much-needed improvement to the existing educational facility. It would allow for a greater capacity and a higher quality of teaching and sports infrastructure. Conditions discussed within this report would mitigate many of the externalities brought about by the change.

On balance therefore the proposal is considered to represent a sustainable form of development.

Conclusion

The proposal is recommended for approval subject to the conditions outlined within this report.

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.