DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0529-22**	**Applicant:**	**University Academy Long Sutton**
Proposal:	Demolition of existing modular classrooms and replace with double single storey modular classroom		
Location:	University Academy Long Sutton 84 Little London Long Sutton		
Terminal Date:	15th July 2022		

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

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development
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	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission to demolish the existing modular classrooms and replace with a double single storey modular classroom. The building would measure 15.1 metres x 10 metres and stand at 3 metres in height. It would have a firestone FR EPDM black roof membrane, anthracite plastisol steel to main body, corner posts and skirt walls, anthracite plastic rainwater goods and anthracite powder coated doors/windows.

Site Description

The site is part of the Long Sutton University Academy. It is situated off Little London, within the defined settlement boundary of Long Sutton. There are open fields to the east of the Academy, with a variety of mostly detached residential development to the west of Little London. The Peele Leisure Centre is situated to the south of the Academy.

History

H12-0873-12 - Siting of two classrooms (retrospective) - Approved

H12-0625-16 - Siting of classroom (retrospective) - Approved

Consultation Responses

Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

North Level District Internal Drainage Board

No objections subject to compliance with the Boards Bylaws.

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.

Policy 1 indicates that within the settlement boundaries of the Main Service Centres, 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 Long Sutton Settlement Boundary as defined in the South East Lincolnshire Local Plan (SELLP), 2019. The proposal would help sustain the existing school facilities therefore there is no objection in principle.

Design and impact on the character of the area

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 building would replace the existing temporary buildings located adjacent to the main school building. The proposed building is considered to be an improvement to the existing temporary structures as these have deteriorated over time and the new building would have a better quality finish. The proposed structure would be sited in a similar position to the existing buildings

and would be largely hidden from the main public realm given its siting towards the rear of the site. There may be glimpsed views from the fields/open countryside to the rear of the site, however, given the modest height of the structure it would not appear overly prominent.

The proposed structure would appear as a relatively minor addition to the overall site. Its design and materials are of contemporary nature and whilst not necessarily matching the existing school building, they are not considered to conflict with the overall character and appearance of the site or the wider character.

Given the materials/temporary nature of the building it is deemed appropriate to allow the building to be retained on the site for 5 years after which its condition can be assessed.

As such it is considered that the building would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Neighbouring amenity

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

The replacement building would be sited well within the site and would be in a similar position to the existing buildings. In addition, the building would be relatively modest in footprint and height. As such no unacceptable new impact is considered to result from the replacement building.

With regards noise impacts, no new activities are proposed nor would there be any increase in pupil/staff numbers therefore it is not considered that any additional noise nuisance would result from the proposed development.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Drainage

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).

South Holland Internal Drainage Board has advised that the applicant has indicated that they intend to dispose of surface water via infiltration (the installation of soakaways to the front and rear of the property), however the viability of the proposed drainage strategy has not been evidenced. It is recommended that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the South Holland Internal Drainage Board's byelaws (specifically byelaw 3). Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the Board Maintained watercourse DRN201G4403 (K44 Monmouth) adjacent to the site boundary, consent would be required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure). Should the applicant's proposals change to include works to alter the Board Maintained watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4). Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been appended to this effect advising the applicant of the drainage boards bylaws.

Given the above 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 and drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

In light of consideration above, the proposal complies with Policies 1, 2, 3 and 4 of South East Lincolnshire Local Plan, 2019 as well as Sections 2, 12 and 14 of National Planning Policy Framework, 2021.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 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.