

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0642-22 **Applicant:** Infinity Academies Trust

Proposal: Erection of a detached annex for use as an accessible space that houses two nursery spaces, staff facilities and a kitchen space

Location: Spalding G M Primary School Woolram Wygate Spalding

Terminal Date: 24th March 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Spalding GM Primary School, Woolram Wygate, Spalding for the erection of a detached annex for use as an accessible space that houses two nursery spaces, staff facilities and a kitchen space. The building would be located to the western rear of the site and

measure 20.92 metres in width by 11.81 metres in depth. The building would have a maximum height of 3.742 metres, and be constructed from Western Red Cedar timber cladding, single Ply membrane system - IKO Armourplan or similar for the roof, with grey aluminium windows and doors. A flat roof canopy would cover the western side elevation where the two entrance doors are located. Atop the roof slope photovoltaic panels would be sited. Finer details of the panel specification would be addressed by condition.

SITE DESCRIPTION

The site is within the defined settlement limits of Spalding and would not be visible from residential properties due to established trees along the southern and western rear boundaries of the site. The site is in Environment Agency Flood Zone 3, and partially subject to "Low Flood Hazard", with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The area in which the proposed building would be sited is not subject to increase flood depth.

RELEVANT HISTORY

H16-0445-07

Full - Proposed replacement mobile classroom - Approved - 15 June 2007.

H16-0179-10

Section 73 Continuation - Modification of Condition 1 of H16-0445-07 to allow extended time period - Approved - 11 May 2010.

H16-0191-12

County Council Reg 3 - Proposed building providing additional classrooms, hall, kitchen, office etc and incorporating associated external works - Refused - 14 May 2012.

H16-0219-13

Section 73 Continuation - Modification of Condition 1 of H16-0179-10 to allow extended time period - Approved - 17 June 2013.

H16-0229-14

County Council Reg 3 - To build a two classroom extension with ancillary spaces and the removal of an existing double classroom mobile unit - Approved - 22 April 2014.

H16-0970-18

County Council Reg 3 - Provision of replacement of existing portacabins with permanent building for use as classrooms and the retention of existing portacabins until completion of proposals to ensure continuity of nursery spaces - Approved - 26 October 2018.

H16-0331-22

Full - Retention of existing portacabins to house nursery provision - Approved - 09 August 2022.

REPRESENTATIONS

Lincolnshire County Council - Highways & SUDS Officer

"Please ask the Applicants to provide details of the facilities for staff car parking for both the proposed development, the advised existing nursery facility and of the whole school site. The issues on the roads around the Spalding GM Primary School, particularly at the beginning and end of the school day during term time, are well known and recorded. Whilst to an extent, parental parking around many schools is a transient problem, for which it can sometimes be possible to put in place local management plans to mitigate some of the issues, staff parking their vehicles all day on neighbouring residential roads does not constitute a sustainable car park management strategy. The school is presently in the summer holiday recess so it is not possible to witness how extensive

the issues currently are at this school. It is therefore requested that no decision is made on this Application until after the school holidays end and normal travel/parking patterns are resumed."

Councillor Gambba-Jones

"This site is already over developed in respect of its daily uses. It has been expanded by the operators to the point where car parking over flows into nearby residential streets. There appears to be regular training courses taking place on the school premises. This requires external candidates to attend adding further to the pressure on the already inadequate car parking.

The situation is made even worse to the point of becoming intolerable when children are being dropped off and collected.

The school itself makes what efforts it can to control driver behaviour, but these are of no benefit to the residents.

Adding two more nursery classes will put even more pressure on the already inadequate staff parking.

This will push more parking into the surrounding residential streets. The current aggravations suffered by nearby residents due to the unacceptable and sometimes illegal behaviour of some parents is likely to be increased. It is also likely to spread into other residential streets as parking places become even more difficult to find. On behalf of those residents currently experiencing daily and unacceptably inconveniences and sometime abuse from drivers, I request this application be determined by the planning committee."

"Having reviewed the revised application document I note that the number of available onsite car parking places is 25. Having reviewed the revised application document I note that the number of available onsite car parking places is 25. However, total staff numbers travelling by car are recorded as 45. It is unfortunate that this continues the over-subscription of staff to onsite parking spaces.

The figures detailed under this heading: All Types of Development: Non-Residential Floorspace, indicate a net gain of some 235 sq metres. However, there is still no explicit undertaking anywhere in either application document that the old building will be demolished. Even the original application document only refers to 'erection of detached annex' not the 'replacement of an existing annex'. Although there is a passing reference to the existing being 'temporary' in the text. I remain concerned that without a legal undertaking to demolish the existing building as part of any new permission, the old building could eventually be brought back into use through the back door. This would lead to a potential net increase in both staff and parents increasing further the problem experienced by residents at drop off and pick up times."

Welland & Deepings Internal Drainage Board

"In line with current recommendations, the use of SUDS (Sustainable Urban Drainage Systems) should be considered as a first approach to dealing with surface water run-off. Lincolnshire County Council, as lead local flood authority, will have a key input into any SUDS or surface water disposal strategy. I would advise early engagement of discussions with them."

Public

No comments.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for school development on an established school site within defined settlement limits. The site was subject to a similar previous proposal under reference H16-0970-18 which was approved and received no objections. The site history shows a number of approved permanent buildings for the site. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the development is modest, with a sensible layout best serving the needs of the site. No trees will be removed to facilitate this proposal. Due to the established boundary trees there is not considered to be an impact on the character and appearance of the surrounding area.
2. The design and orientation is considered to be appropriate.
3. The building would be constructed from Western Red Cedar timber cladding, single Ply membrane system - IKO Armourplan or similar for the roof, with grey aluminium windows and doors. The proposal materials are considered to be appropriate for the site and compliment the surrounding buildings and landscaping.
4. The existing access would not be altered. Following a request from the Highways Officer a staff travel survey and a car parking appraisal have been submitted. As well as a supporting statement and school / nursery staffing numbers. The current temporary nursery portacabins would be replaced by this permanent building.

Supporting information states "Spalding Primary Academy now fully manage the Nursery within the school site following a recent transfer of ownership and the staffing in April 2022. The Nursery can currently accommodate 52 children at any one time and there are 78 registered children who attend over each week. Staffing has been static since the transfer with a reduction in staff in July from 16 to 15. This role is to be replaced taking the staffing back up to 16 members of the team. A review of the efficiency of the setting has been completed and will ensure that the site can run with the current numbers of staff and these have been carefully budgeted for the forthcoming academic year. The new nursery space will not increase the staffing capacity and therefore there would be no increase in the number of staff at the site, number of car parking spaces being used or an increase to traffic on the surrounding roads accessing the site."

As there is not considered to be an increase in staffing numbers or overall capacity of the site there is not considered to be an increase in traffic as a result of the proposal. Should the application be approved, a condition will be imposed stipulating that the existing portacabins must be demolished prior to first use of the new nursery buildings.

5. The capacity of existing community services and infrastructure is not considered to be impacted by this proposal for replacement of temporary nursery buildings.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the site cannot be viewed from outside the site and therefore there is not considered to be an overdevelopment, overlooking or overshadowing impact.
7. The site is in Environment Agency Flood Zone 3, and partially subject to "Low Flood Hazard", with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The area in which the proposed building would be sited is not subject to increase flood depth.

This application is considered to accord with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the development is modest, with a sensible layout best serving the needs of the site. No trees will be removed to facilitate this proposal. Due to the established boundary trees there is not considered to be an impact on the character and appearance of the surrounding area. Due to the secluded nature of the proposal and the proposed design, there is not considered to be a material impact on a sense of place.
4. The site can be easily accessed by public transport, bicycles or on foot.
5. There is ample space on site for cycle and bin storage. The existing access will not be altered. Following a request from the Highways Officer a staff travel survey and a car parking appraisal have been submitted. As well as a supporting statement and school / nursery staffing numbers. The current temporary nursery portacabins will be replaced by this permanent building.

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As there is not considered to be an increase in staffing numbers or overall capacity of the site there is not considered to be an increase in traffic as a result of the proposal. Should the application be approved, a condition will be imposed stipulating that the existing portacabins must be demolished prior to first use of the new nursery buildings.

10. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the site cannot be viewed from outside the site and therefore there is not considered to be an overdevelopment, overlooking or overshadowing impact.

11. The site is in Environment Agency Flood Zone 3, and partially subject to "Low Flood Hazard", with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The area in which the proposed building would be sited is not subject to increase flood depth.

This application is considered to accord with SELLP Policy 3.

Planning Balance

The proposal is for replacement of a temporary nursery building and will not lead to an increase in floorspace, traffic or staff numbers. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

This application is considered to accord with Policies 1, 2 and 3 of South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 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

Delegated approval.