DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0748-22**	**Applicant:**	**South Lincolnshire Academies Trust**
Proposal:	Construction of new single storey performing arts centre with associated works and parking reconfiguration		
Location:	Spalding Academy Neville Avenue Spalding		
Terminal Date:	9th September 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Spalding Academy, Neville Avenue, Spalding for construction of a new single storey performing arts centre with associated works and parking reconfiguration. The proposal seeks to provide a building in the north-eastern corner of the site that measures 36 metres in width, 26 metres in length and has a maximum height of 7.89 metres.

The arts centre will contain two drama teaching rooms, three stores, two control rooms, a stage, three stage stores, a plant room, m & e services distribution room, ladies wc, mens wc, a disabled wc and retractable seating. The proposed car park reconfiguration will provide 81 places. Current parking provision is 76 places. Works elsewhere in the site outside of the red line boundary are taking place to provide additional parking spaces. Materials of construction will be a mixture of brick and cladding.

With regard to site drainage, the submitted information states:

"The proposal will not increase the intake of pupils to the Academy, meaning there will not be an increase of foul disposal from site and the proposed WC facilities will connect and discharge into the existing system which currently exists on site.

- The existing relationship between the ground surface and water will not be significantly different in the new carpark area as existing as the finishing materials are to be the same. Likewise the existing drainage runs currently serving the carpark area will be retained - the site is surrounded by deep open drains which collect runoff from the site and discharge it to the Coronation Channel via the Clay Lake Pumping Station. With regards to the proposed building, the development will replace existing surfaced car parking with a building, there will consequently be no significant increase in impermeable area and no corresponding increase in surface water flood risk."

SITE DESCRIPTION

The proposal site is within defined settlement limits and has a car park to the north with dwellings beyond. To the east The Priory School is sited, with the bulk of Spalding Academy buildings to the south and west. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres plus on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this instance.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No objections.

"The proposal is for the construction of a new single storey performing arts centre with associated works and parking reconfiguration and it does not have an impact on the Public Highway or Surface Water Flood Risk.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application. The Local Planning Authority should be advised that the applicant has responded to our interim response and provided details of the

proposed disposal of surface water of which the Highway and Lead Local Flood Authority are satisfied with."

South Holland District Council - Environmental Protection

No objection.

South Holland Internal Drainage Board

Requests submission of a drainage strategy - This matter can be addressed by condition.

Anglian Water

Requests submission of a drainage strategy - This matter can be addressed by condition.

Members of the public - 2

The behaviour of school visitors on Neville Avenue - The matter does not carry material planning weight. Five additional on site parking spaces are being provided.

Disturbance during construction - This matter does not carry material planning weight.

Loss of property value - This matter does not carry material planning weight.

Highway safety - In this scenario this matter does not carry material planning weight. Additional on site parking is provided and no additional pupils or staff will be catered for by this building.

Drainage - This matter would be addressed by condition.

Visual amenity

Noise

PLANNING CONSIDERATIONS

Principle of development

The proposal is within the defined settlement limits of the largest settlement in the district, and is for expansion of an educational establishment on land assigned for school use. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

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

1. The size, scale and layout is considered to be commensurate with other buildings on site. No trees will be removed to facilitate this proposal with existing trees trimmed back to maximise car parking provision. There is not considered to be a material impact on character and appearance of

the area as a result of this proposed arts centre.

2. The design is modern and the orientation of fenestration seeks to minimise heat loss. This sustainability feature is supported by the NPPF.

3. Materials of construction will be a mixture of brick and cladding. The proposed materials are considered to be in keeping with the other more modern buildings on site and do not materially impact the visual amenity of the surrounding area.

4. The existing access is not being altered, pupil numbers are not increasing, and the number of parking spaces in the red line boundary will be increased from 76 to 81.

5. The capacity of existing community services and infrastructure is not impacted as a result of this proposal.

6. There is not considered to be a material noise, odour or disturbance increase as a result of the siting of the building which will primarily be utilised internally. With regard to visual intrusion the following can be observed:

Overdevelopment - Ample space remains at the south of the site beyond the existing school buildings.

Overshadowing - The maximum height of this building is comparable with the two storey dwellings to the north and other school buildings in the vicinity. When right to light lines are drawn no other buildings or dwellings are materially impacted by a loss of light.

Overlooking - There are no north facing windows directly facing neighbouring properties and existing boundary treatment at properties on Neville Avenue prevents overlooking from ground level. The windows on the east, south and west face existing school buildings and are not considered to offer a material overlooking aspect.

7. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres plus on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this instance. Surface water will addressed by existing drains and the building will be sited on an existing impermeable car park.

This site accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;

10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

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

1. The size, scale and layout is considered to be commensurate with other buildings on site. No trees will be removed to facilitate this proposal with existing trees trimmed back to maximise car parking provision. There is not considered to be a material impact on a sense of place, character and appearance of the area as a result of this proposed arts centre.

5. Ample space remains on site for bin and cycle storage. The existing access is not being altered, pupil numbers are not increasing, and the number of parking spaces in the red line boundary will be increased from 76 to 81.

11. There is not considered to be a material noise, odour or disturbance increase as a result of the siting of the building which will primarily be utilised internally. With regard to visual intrusion the following can be observed:

Overdevelopment - Ample space remains at the south of the site beyond the existing school buildings.

Overshadowing - The maximum height of this building is comparable with the two storey dwellings to the north and other school buildings in the vicinity. When right to light lines are drawn no other buildings or dwellings are materially impacted by a loss of light.

Overlooking - There are no north facing windows directly facing neighbouring properties and existing boundary treatment at properties on Neville Avenue prevents overlooking from ground level. The windows on the east, south and west face existing school buildings and are not considered to offer a material overlooking aspect.

12. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres plus on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this instance. Surface water will addressed by existing drains and the building will be sited on an existing impermeable car park.

PLANNING BALANCE

The proposed building can be accommodated on site without materially impacting the character and amenity of the surrounding area, and will not increase surface water as the arts centre will be sited on impermeable car park land. This application is considered to accord with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.