

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

14 OCTOBER 2013

Report of the Acting Strategic Director – Environmental Services

2 PROPOSAL TO DEVELOP A SINGLE-STOREY CLASSROOM AT HORSLEY CHURCH OF ENGLAND PRIMARY SCHOOL, CHURCH STREET, HORSLEY
APPLICANT: DERBYSHIRE COUNTY COUNCIL
CODE NO: CD6/0613/53

6.1027.11

(1) **Purpose of the Report** To enable the Committee to determine the application.

(2) **Information and Analysis** This application proposes a new purpose built classroom at Horsley Church of England (C of E) Primary School, Church Street, Horsley.

The proposed single-storey, pitched roof classroom would match the existing school building. The classroom would measure approximately 12.0 metres by 6.0 metres, and would be located along the northern edge of the school to the rear of the existing school.

The application states that the proposed classroom would reduce overcrowding in the existing classrooms, as well as segregating different year groups who currently have to share classroom space. The proposal would not increase either pupil numbers or teaching staff.

Consultations

Local Member

Councillor Buttery has been consulted with a request to make any comments by 9 September 2013.

Amber Valley Borough Council and Horsley Parish Council

Any comments were requested by 9 September 2013.

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Publicity

The application has been advertised by site notice with a request for observations by 9 September 2013.

As a result of the publicity, two letters of objection have been received raising the following:

- Why does Horsley School need more space for more pupils when there are only a handful of local kids who attend?
- All staff and pupils come to the school from out of the village.
- This school is oversubscribed as is for the size of the village and anymore designer pupils attending with the traffic it brings will make living here very undesirable.
- Already far too much traffic and not enough extra parking.
- The adjoining 'Dovecote', and nearby roads are busy and are a health and safety risk at school opening and closing times.
- Where would all the construction traffic park?
- I suggest a public meeting is held before the application is considered.

Comment: The points raised from the consultation which are valid planning considerations are considered below.

Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In relation to this application, the relevant policies of the development plan are contained in the saved policies of the Amber Valley Borough Local Plan and the National Planning Policy Framework (March 2012).

The key planning considerations for this application are:

- Need for the development.
- Landscape and visual impact.
- Highways and parking.

Need for the Development

The application states that the proposal is required to reduce crowding in the existing classrooms with a view to improving the teaching space for pupils across different age ranges. I note the application does not propose any increase in the numbers of either pupils or teaching staff.

Landscape and Visual Impacts

I consider that the proposal is appropriate in terms of its proposed use, layout, and scale, and it would not adversely affect local visual amenity. I consider

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that the proposal would adhere to Amber Valley Borough Local Plan Policy LS3 in relation to good design.

Highways and Parking

I note the objections in relation to the existing problems with parking on adjoining roads, however, I am satisfied that the application does not propose any increases in pupil or staff numbers. I am therefore satisfied that the application would not exacerbate existing parking arrangements.

I note the concerns regarding the parking of construction traffic. With this in mind, I have recommended a planning condition for a scheme to identify the location of a site compound and onsite parking areas during the development.

There are no highway objections to the proposal and no rights of way would be affected.

Conclusion

Subject to the recommended conditions, I consider that the proposal would not have an adverse impact on amenity of nearby neighbours and conforms to the national and local planning policies identified below. Therefore, it is recommended for approval.

(3) **Financial Considerations** The correct fee of £385 has been received.

(4) **Legal Considerations** This is an application under the terms of the Town and Country Planning General Regulations 1992 for development which the Authority itself proposes to carry out.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property and transport considerations.

(6) **Background Papers** File No 6.1027.11
Application documents received from the Director of Property dated 24 June 2013.

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(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission be **granted** subject to the imposition of the following conditions:

- 1) The development shall be begun before the expiration of three years from the date of the decision notice.

Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the application documents dated 23 January 2013.

Reason: To clarify the details approved.

- 3) The development shall not be commenced until a scheme has been approved in writing by the County Planning Authority identifying:
 - space within the site curtilage for site accommodation,
 - storage of plant and materials;
 - parking and manoeuvring of site operatives' and visitors' vehicles; and
 - loading/unloading and manoeuvring of goods vehicles.

The scheme shall be maintained free from impediment throughout the duration of construction works.

Reason: In the interests of safety and local amenity.

Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the Authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

Reasons for Approval

The planning application has been determined in accordance with the development plan as is required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the National Planning Policy Framework (NPPF) published by the Department of Communities and Local Government on 27 March 2012.

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There are no other material considerations which indicate that the application should be determined otherwise than in accordance with the development plan.

The development under the planning permission with the conditions above is in accordance with the relevant policies of the development plan, which are listed below:

Policies

The principal planning policies relevant to this grant of planning permission are:

National Planning Policy Framework

Chapter 7: Requiring good design.

Adopted Amber Valley Borough Local Plan

LS1: Sustainable Development.

LS3: Design.

Footnotes

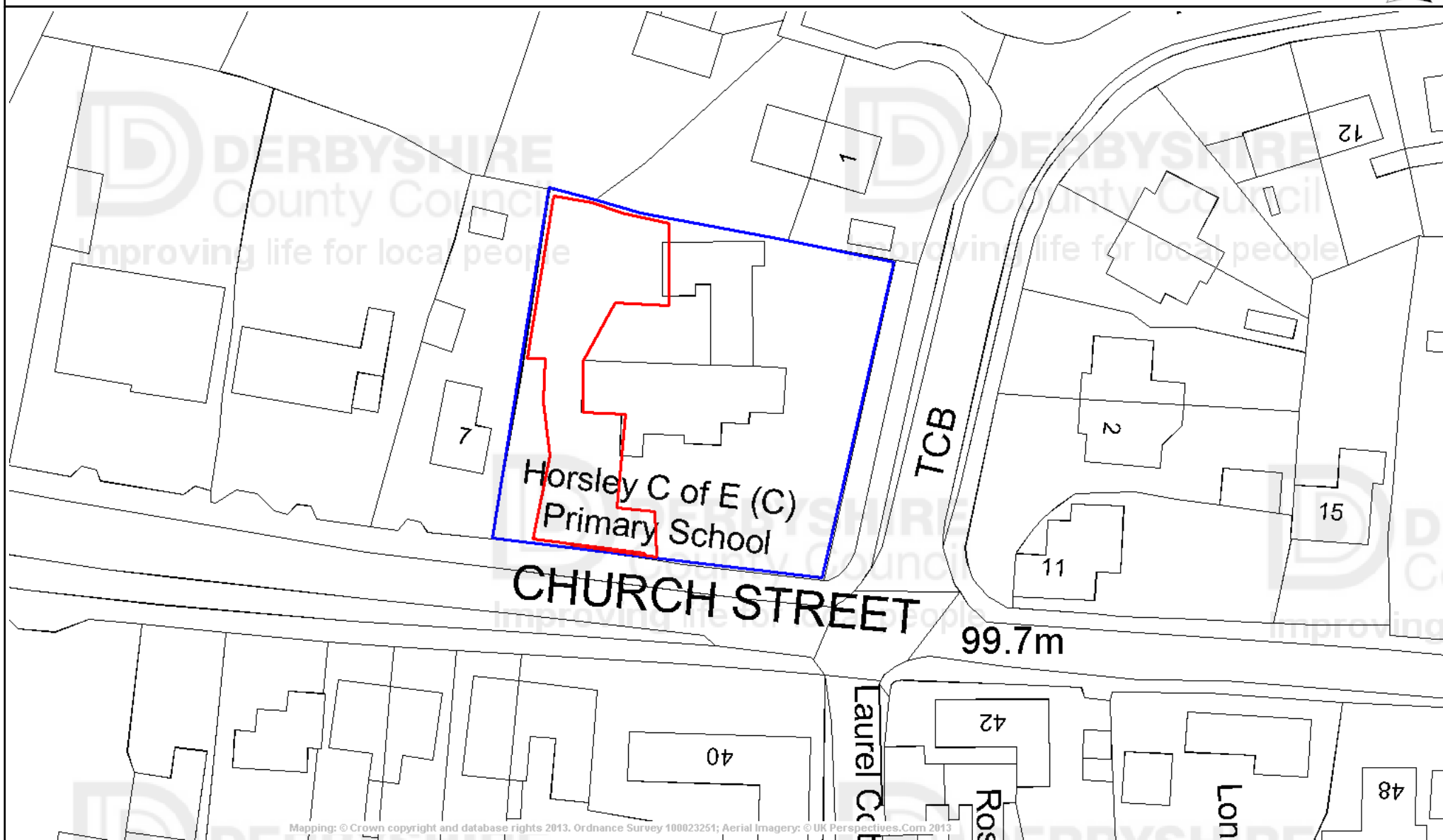
- 1) This permission, granted under the terms of Regulation 3 of the Town and Country Planning General Regulations 1992, is for the sole benefit of Derbyshire County Council and can only be implemented by that Authority.
- 2) In accordance with the requirements of Section 76 of the Town and Country Planning Act 1990, attention is drawn to:
 - i) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970; and
 - ii) Building Bulletin 91 'Access for Disabled People to School Buildings, Management and Design Guide' published in 1999 or any prescribed document replacing that code.

Signed Date

Mike Ashworth
Acting Strategic Director – Environmental Services

Title

Horsley Primary School CD6-0613-53



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