

Agenda Item No. 3.1

DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE

5 November 2018

Report of the Strategic Director – Economy, Transport and Environment

- 1 PROPOSED INSTALLATION OF ONE FREESTANDING MULTI-WALLED, POLYCARBONATE MONOPITCHED CANOPY AND THREE NEW METAL ‘EXPANDA STORE’ SHEDS AT FIRFIELD PRIMARY SCHOOL, FIRFIELD AVENUE, BREASTON**
APPLICANT: DERBYSHIRE COUNTY COUNCIL
CODE NO: CD8/0718/29

8.717.18

Introductory Summary The proposal is for the installation of a freestanding metal framed canopy within an internal courtyard area and the installation of three metal storage sheds at Firfield Primary School, Firfield Avenue, Breaston. Concerns have been raised by local residents in letters of representation in relation to noise. Residents are concerned that the proposal could generate additional noise from the school site. However, I am satisfied that the installation of the canopy and sheds would not significantly increase the levels of noise from this school site. The installation of a canopy would provide an outdoor teaching area which would enhance the teaching facilities at the school. I consider that the proposed development accords with the development plan and it is therefore recommended for approval.

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

(2) **Information and Analysis**

Site and Surroundings

Firfield Primary School is located within a predominantly residential area on the southern side of the village of Breaston. The main access to the site is off Firfield Avenue which forms the eastern boundary of the school site. Pedestrian access is from Sawley Road which forms the western boundary. The school is bounded by residential properties to the north and a public right of way to the south.

The Proposal

The application seeks permission for the installation of a canopy to provide outdoor teaching and learning space and the erection of three storage sheds.

Two existing sheds would be removed. The new sheds are required to increase storage capacity at the School.

The canopy would be located over an enclosed soft play area adjacent to the internal facing elevations of the western classroom block. The canopy would be constructed using a metal frame supporting a monopitch polycarbonate roof. The canopy would incorporate aluminium guttering and downpipes. The canopy frame would be coloured Holly Green (BS4800) with an opal polycarbonate roof finish. The canopy would measure 6 metres (m) by 4m by 2.2m to 2.9m high.

Three new storage sheds are also proposed to be erected along the southern boundary of the school site adjacent to the school boundary wall. Two of the existing sheds are to be removed. Each of the proposed new metal sheds would be coloured green and would measure 3m by 2.1m by 2.1m high.

Consultations

Local Member

Councillor Parkinson (Breaston) has been notified.

Erewash Borough Council (Planning)

Raised no objections to the proposal.

Erewash Borough Council (Environmental Protection Officer)

Raised no objections to the proposal.

Beaston Parish Council

Raised no objections to the proposal.

Publicity

The application has been advertised by site notices with a request for observations by 30 August 2018. Three representations, all objecting to the proposals, have been received as a result of the publicity.

The concerns raised in the letters of representation can be summarised as follows *“the existing noise levels being generated by the school would potentially be further increased with the proposed canopy.”*

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

Erewash Core Strategy (ECS) (March 2014). Other material considerations include statements of Government policy in the National Planning Policy Framework (2018) (NPPF).

The principal planning policies relevant to this application are:

Erewash Core Strategy

Policy 2: The Spatial Strategy.

Policy 10: Design and Enhancing Local Identity.

The key planning considerations for this application are:

- Need for development.
- Design and appearance.
- Impact of noise on local amenity.

Need for the Development

The application states that the canopy would provide outdoor learning space and a designated play zone for pupils at the school. The canopy would facilitate pupil's outdoor learning and development in accordance with the school's curriculum. The storage sheds would provide the school with additional storage provision to meet the school's storage requirements.

The provision of a canopy to provide improved outdoor play provision at the school, in compliance with national curriculum guidelines and additional facilities to improve storage facilities at the school, is considered to be a justified need.

Design and Appearance

The proposed canopy, to be positioned adjacent to the south and western elevation of the detached reception school block, would be subordinate to the school building in terms of its proposed scale, siting, layout, height and proportions. The materials proposed with metal frame and polycarbonate roof would complement the existing buildings and the canopy would not have a significant impact on the appearance of the school building. The storage sheds would be positioned adjacent to the southern boundary wall and adjacent to the existing storage sheds. The sheds would be screened from view and would be subordinate to the school buildings in terms of their scale and proportions and the steel construction and green colour would match in with the existing storage sheds located on the school site.

On the basis of the above, I am satisfied that the proposed canopy and storage sheds would accord with the requirements of the ECS Policy 10.

Noise

Concerns have been raised by local residents about the potential impact of noise from the proposed developments at the school. The applicant has advised that the number of pupils attending the school has not changed significantly over the last 15 years; there are currently 413 pupils attending the school and pupil numbers are not proposed to be increased as a result of this development. The canopy would be positioned outside the reception block over a section of the receptions enclosed outdoor play area. This would enable the pupils to access part of the outdoor learning area in all weathers, the outdoor area would not be extended as a result of the installation of the canopy.

The applicant has advised that an Environmental Health Officer (EHO) has attended the school site to measure the noise levels generated from the school which were considered to be within acceptable limits. This monitoring was carried out in response to a noise complaint received in 2016. The County Council's Education Development has also visited the school to observe noise levels and activities conducted at the school site and the applicant advises that no communications or complaints have been received from local residents recently regarding noise.

Whilst I acknowledge the concerns of residents, I am of the view that the installation of the canopy would be unlikely to result in any significant increase in the number of pupils using the play area or the times when the play area would be utilised. The canopy would be situated within the internal enclosed area of the school away from residential properties and would be screened by existing buildings.

I therefore do not consider that the installation of a canopy would lead to any significant increase in noise levels generated from this school site over and above the existing levels. I am satisfied that the canopy would not have an adverse impact on the amenity of nearby residents would accord with the requirements of the ECS Policy 10.

Conclusion

The proposed canopy and storage sheds are considered to be of an appropriate design and scale, and would be positioned so as not to have an adverse impact on the school site.

The canopy would provide a designated outdoor classroom and sheltered play area for the pupils. The storage sheds would provide additional storage capacity to meet the school's on going storage requirements. The design of the canopy and storage sheds are considered to be appropriate for the location and setting, and I do not consider that this development would have an adverse impact on residential amenity, the character of the locality or on the wider landscape in visual terms.

I am satisfied that the proposal would not conflict with the policies of the adopted ECS and, therefore, this application is recommended for approval, subject to conditions.

(3) **Financial Considerations** The correct fee of £234 has been received.

(4) **Legal Considerations** This is an application submitted 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.

Other Considerations

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

(6) **Background Papers** File No. 8.717.18
Application documents from the Director of Property dated 1 August 2018.
Correspondence from Breaston Parish Council dated 17 August 2018 and Erewash Borough Council dated 18 and 20 August 2018.

(7) **OFFICER'S RECOMMENDATIONS** That the Committee resolves that planning permission is **granted** subject to the following conditions:

Commencement

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2) Notice of the commencement of the development shall be provided to the County Planning Authority at least seven days prior to the start of works on site.

Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area.

Approved Details

- 3) The development shall take place in accordance with the details in the 1APP form dated 1 August 2018, the Design and Access Statement and the accompanying drawings (Drawing No's – PBS18/08/BS/01, PBS18/08/BS/02).

Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015

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.

Footnote

- 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.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Committee Plan CD8/0718/29

