

<u>APPLICATION NO:</u>	24/00006/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Page Moss	<u>PARISH:</u>	
<u>LOCATION:</u>	Hope Primary School , Lordens Road, Huyton		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY MODULAR BUILDING TO REAR OF EXISTING SCHOOL, INCORPORATING 3NO. CLASSROOMS, W.C FACILITIES, CALM ROOM AND SENSORY ROOM FOR PUPILS WITH SPECIALIST EDUCATION REQUIREMENTS		

Site Description

The application site is located off Lordons Road, Huyton. The site comprises of a rectangular, modern building and is situated within an area which is allocated as Urban Greenspace and Education Land in the Development Plan.

The site features playgrounds and associated playing fields to the North. The rest of the plot is encircled by green space and fields.

To the North of the school building is an area for allotments / planters and sheltered seating. These feature trees on this area and also adjacent boundary treatment to the edge of the curtilage of the site. These planters and sheltered seating (together with 4 trees) would be removed due to their disrepair and dilapidated conditions and would provide a space for the proposal.

Proposal

The application seeks permission for the erection of a single storey detached, modular outbuilding. This will provide 3 classrooms, comprising wheelchair facilities, calm room, sensory room.

The outbuilding will be situated to the North of the existing school building approximately 15m away. It will be rectangular in shape. The proposed development would have a width of 28.5m and a depth of 8.8m. This would be served by a shallow, mono-pitched roof, which would measure at a height of 2.5m at the eaves and 3.49m at its tallest. The North-West facing elevation would feature a canopy at a projection of roughly 5m.

The proposal would feature 4 accesses, 2 on the front elevation and 1 on each side elevation and a variety of fenestration across all elevations.

The proposed development would not see the increase in existing staff and student levels, instead, it is to create dedicated space to accommodate SEN pupils and ensure they can remain in mainstream education but to allow for focused teaching to meet any specialist requirements. This was affirmed by email correspondence.

The scheme has seen minor amendments to the position of the outbuilding, this was brought forward by 2m from the original submission, replacement tree planting was also incorporated into the scheme.

Consultations

Merseyside Fire And Rescue Authority – No objection, subject to informative attached to the Decision Notice
Environmental Health – No objections, subject to agreed conditions attached.
Highway Authority – No objections, subject to conditions attached.
Arboricultural Officer – No objections received.
United Utilities Water Ltd – No objections received, subject to conditions attached.

Representations

This application has been publicised by letters sent to 55 neighbours. No representations have been received.

Planning History

No relevant recorded planning history.

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

The site is identified as a site allocated for Urban Greenspace and Education Land in the adopted Unitary Development Plan. As such, an incidental, additional module building within the curtilage of the existing school site would be considered acceptable in principle, subject to compliance with local planning policy and guidance.

Regarding the adopted Development Plan policies, the proposed application has regard to policies CS2, CS19 and CS21 of the adopted Local Plan Core Strategy (2016) and saved policies OS7 and DQ4 of the Replacement Unitary Development Plan (2006).

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

OS7 - Educational Uses and Sites

DQ4 - Trees and Development

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

Saved Policy OS7 in the Replacement Unitary Development Plan states that development for Educational Uses and Sites will be permitted provided that:

1. Proposals for the development of new schools, colleges or other training facilities, or for alterations or extensions to existing educational or training facilities will be granted planning permission provided that they are located and designed in a way which is convenient and accessible to pupils, students and other members of the community which they are intended to serve.
2. The extended and community use of educational buildings and land for wider community purposes and activities (either within existing or new educational facilities) will be encouraged where this is practicable and would not conflict with educational needs, the security of the students or residential amenity.

The proposed development would be constructed off site as a modern modular build and delivered to site to minimise any disruption to the school environment and highway and transport networks, whilst construction is underway.

Design

The proposed development would be timber cladding faced (cedar) on all elevations, along with bright coloured panels to integrate with the existing school aesthetic whilst offering a sensitive contrast to appear visually attractive. This was confirmed via email with the agent that the brightly coloured panels would be orange, yellow and green to foster harmony and cohesion between the proposal and the existing school site and incorporate the established school colours.

The fenestration would comprise spray painted hardwood frames. The roof would be constructed from an insulated steel roof. The arrangement of fenestration is acceptable and features predominantly full height windows, that are in line with access doors to the building, with a few square-shaped windows. These are considered acceptable and do not harshly contrast to the existing.

The proposed development is single storey and would have an acceptable scale. It would be situated behind the main school building and would be prominently screened by this; The application site itself is situated in a fairly remote location. It is

considered that the proposal would feature an acceptable design and would not harshly contrast to the existing building.

The proposed modular building would be erected on a permeant basis. As modular outbuildings in school premises are usually short-term workarounds for capacity or internal space etc, it is necessary to enquire further details about the maintenance and upkeep of the structure and its appearance. Therefore, it was discussed that there should be a warranty / guarantee document supplied to support the application and its determination. The agent confirmed that the modular building will come with a 20-year structural warranty, which on appointment of the successful contractor will be provided. This was not provided at point of submission of the application, as the contractor was not finalised. This will be provided once contractor is on board. In the interest of this being complied, this can be secured by a condition (which has been agreed with the agent).

Overall, the proposed development would be considered to respond positively to the application site and would not be considered to detract from the original design or cause any adverse harm. Additionally, it would be in accord with CS2, CS19, CS21 and OS7.

Residential Amenity

Policy CS19 requires that to maintain a good standard of amenity for all existing and future occupants, development proposals will be required to avoid unacceptable impacts on existing residents, business occupiers, and future occupiers.

The accompanying guidance of Saved Policy OS7 states that, an important factor of any proposal is the relationship with the adjacent area, particularly in terms of visual amenity and impact on neighbours. The proposal by its nature, would not be considered to contravene with this guidance.

Given the siting of the proposed modular building, it would not be considered to result in any adverse harm to residential amenities and would not be readily visible from the highway leading to the school site. The closest residential dwellings are situated to the North/North-East of where the proposal would be sited at a distance of 100m+ and consequently, would not be considered to suffer any adverse harm to residential amenities.

As the proposal would be constructed off site and subsequently harm to residential amenities, the immediate school environment and the highway network are reduced, it would not be necessary for a Construction Management Plan to be submitted. Furthermore, no condition on construction vehicles and their access on / off site during school hours would be considered relevant for this application, given the limited and short-term impact that the proposed development would have.

Overall, the proposed development would not pose any significant harm to the residential amenity to the occupiers of the nearby residential properties and would be in accord with Saved Policy OS7 and Core Strategy Policies CS2, CS19 and CS21.

Highways

Access to the site is obtained via Lordons Road, located to the front curtilage of the site. The proposed development would not introduce any additional or alternative access to the site.

The Local Highway Authority were consulted on the proposed development and have not raised any objections.

The Design and Access Statement outlines that the proposal is to make provision for SEN pupils and that the school is already at capacity. Therefore, the proposal is not to accommodate for any additional pupils or staff numbers and subsequently there would be no requirement for additional or replacement parking.

Overall, the proposed development would not be considered to have any unacceptable impact on highway safety or parking conditions. The proposal would be in accord with Saved Policy OS7 and Core Strategy Policies CS2, CS19 and CS21.

Other Issues

Trees

The proposed site area, as outlined earlier contains four trees, which will be removed to accommodate the proposal. The original submitted Existing and Proposed Site Plan indicated that four trees would be removed and highlighted that four trees would be planted to the West of the proposed site area in their replacement.

No Tree Survey or Landscape Plan has been submitted in support of the application.

DQ4 of the Replacement UDP states that, where the Council accepts that tree loss will be unavoidable the applicant will be required to make adequate provisions for their replacement, normally including two new trees for each tree lost. Replacement planting will take into account the number; size and species of trees lost and should contribute to the extension of tree and woodland cover across the Borough.

The Council's Arboricultural Officer has advised that the submitted plans be amended to make provision for replacement tree planting on a 2:1 basis. Having reviewed the amended Existing and Proposed Site Plans, the Council's Arboricultural Officer is satisfied that sufficient replacement tree coverage has been secured and would be in line with the requirements of Saved Policy DQ4.

Additionally, there are mature trees to the North-East of the proposed site of development, which would not be immediately affected or require removal in order to facilitate the development. However, they are within close proximity to the site area. A condition will be applied to the Decision Notice to ensure that any trees or other planting that is lost, felled or harmed detrimentally, as a result of the proposed development, within a period of 5 years, will be replaced in kind at the next available planting season. This was to ensure that the nearby trees are protected and safeguarded, and that the proposal would be in accord with Saved Policy DQ4 and Core Strategy Policy CS21 (Trees and Development).

Overall, the proposed development would be considered to have an acceptable impact on trees and, through amendments made to the scheme and the condition applied, the proposal would be considered to be acceptable and in accord with Saved Policy DQ4 of the UDP and Core Strategy Policy CS21.

Environmental Health

Environmental Health were consulted on the application. No objections were received, but (3) suggested conditions were provided. These included a

contaminated land advisory note and reporting of unexpected, contaminated land, importation of soil/material and hours of construction.

Following further discussions with Environmental Health, it has been agreed that the suggested conditions in relation to contaminated land and its reporting and the importation of soil/material could be included as Informatives rather than as conditions.

However, it was requested that Condition 1 (in relation to hours of construction) remain as a condition of development and therefore will remain as this.

The above has been discussed and agreed with Environmental Health.

Overall, the proposed development would not be considered to have any unacceptable impact on Environmental Health grounds and would be in accord with Saved Policy OS7 and ENV2 and Core Strategy Policies CS2, CS19 and CS21.

United Utilities

A consultation response was received that outlined that a 600mm public sewer crosses the site and following this, requested some conditions that would be attached to any Decision Notice.

These related to details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted to the Local Planning Authority and approved in writing, prior to commencement of development.

A second condition was proposed by United Utilities for the management and maintenance of Sustainable Drainage Systems (SuDS). The condition instructs that Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing.

These Conditions from United Utilities have been agreed in writing by the applicant and would be attached to any Decision Notice which would grant Planning Permission for the application. The applicant is in ongoing discussions concerning the 'buildability' of the scheme as to how United Utilities would access the sewer, however, this would not be considered relevant to the determination of the planning application and United Utilities have raised no objections.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highway impacts. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

- 4) Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - (i) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
 - (ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

- 5) Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged as a result of the proposed development hereby granted, within a period of five years beginning from the date of determination, shall be replaced in kind during the first available planting

season following the date of loss or damage, these trees will be of the same species and girth of any felled trees.

Reason: In the interests of visual amenity and to ensure the development complies with Saved Policy DQ4 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 6) No construction work shall take place outside the hours of 08:00 - 18:00 hours Monday to Friday, 08:00- 13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

Reason: To ensure the satisfactory development of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016 and Saved Policy ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

- 7) Before the approved building is first occupied details of how the appearance of the modular building will be maintained over its lifetime shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full.

Reason: To ensure the guarantee of the structure modular and in the interests of satisfactory design and to comply with Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
10/01/2024	-	-	DESIGN AND ACCESS STATEMENT
10/01/2024	7273-HPR-CUN-XX-XX-DR-A-1000	-	LOCATION PLAN
10/01/2024	7273-HPR-CUN-XX-XX-DR-A-2100	-	PROPOSED ELEVATIONS
10/01/2024	7273-HPR-CUN-XX-XX-DR-A-2010	-	PROPOSED FLOOR PLANS
19/02/2024	7273-HPR-CUN-XX-XX-DR-A-1200	P02	EXISTING AND PROPOSED SITE PLANS

Signed Case Officer¹: Reece Black

Signed Authorising Officer²: K Foster

Date: 14 March 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

1 see letter from Merseyside Fire Authority.

2 See letter from United Utilities.

3 Contaminated Land Advisory Note

Based on the information available to this division we are not aware of any contamination on this site. However, the responsibility to properly address contaminated land issues lies with the owner/developer of the site, irrespective of any involvement by this Authority. The applicant/developer is advised to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should contamination be encountered during the development of the site.

If contaminated material is encountered the applicant/developer is advised to dispose of the contaminated arisings appropriately. They should also be aware of their health and safety responsibilities to workers in respect of handling such materials. The developer should also ensure that no pathways are created by which any contamination may either migrate off-site or affect site users.

The applicant should have regard to the following statement in Planning Policy Statement 23 (section 2.51) "As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

Reporting of Unexpected Contamination

If contamination is found at any time when carrying out the approved development that was not previously identified it is advisable that the applicant report immediately to the Local Planning Authority. Development on the part of the site affected may have to halt until a risk assessment is completed and submitted to the Local Planning Authority.

4 It is advised that soil should not be imported to the site unless it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to the Local Planning Authority.