

APPLICATION NO: 22/00447/KMBC1 **CASE OFFICER:** Mark Quinn
WARD: Whitefield **PARISH:**
LOCATION: Millbrook Community Primary School, Kirkby Row, Westvale
PROPOSAL: ERECTION OF 1 NO. SINGLE STOREY MODULAR CLASSROOM BUILDING.

Site Description

The application site relates to an existing primary school and associated playing fields located off Kirkby Row, Kirkby. The site is bounded by existing residential dwellings to the north and west of the site, to the east is open space (Millbrook Park – Millennium Green).

To the south of Kirkby Row is existing residential development and Holy Angels Catholic Primary School.

Proposal

It is proposed to site a single storey modular classroom on a grassed area to the south of the car park in close proximity to the part of the existing school building. The building would be sited approximately 90m from the highway at Kirkby Row.

The building would accommodate a classroom, calming room, lobby and WC's.

There would be an additional 32 pupils as a result of the proposal and an additional 3 members of staff (1 teacher and 2 teaching assistants).

Consultations

United Utilities Water Ltd - No objections in principle
Merseyside Fire And Rescue Authority - No objections in principle.
Education - No comments
Asset Management - No comments
Arboricultural Officer - No objections providing trees to be removed are replaced on a 1:1 basis.
Highway Authority - No objections subject to conditions
Environmental Health - No objections subject to conditions

Representations

This application has been publicised by letters sent to 38 neighbours. No representations have been received.

Planning History

APP. NO: 11/00565/KMBC1
PROPOSAL: ERECTION OF A NEW MODULAR TEACHING BLOCK TOGETHER WITH REPOSITIONING OF EXISTING 2.4M HIGH BOUNDARY FENCING

DECISION: PER
DECISION DATE: 25 January 2012

APP. NO: 15/00371/KMBC1
PROPOSAL: ERECTION OF EXTENSION TO EXISTING CLASSROOM SITUATED TO REAR OF SCHOOL TOGETHER WITH NEW SECURITY FENCING & GATES.

DECISION: PER
DECISION DATE: 10 August 2015

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that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear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.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development
CS7 - Transport Networks

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

DQ4 - Trees and Development

National Planning Policy Framework

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

The proposed building would be sited at least 85m from the closest dwelling at Sefton Cottage, 95m from the existing dwellings to the north and 115m from the existing dwellings to the west.

Given these separation distances the proposed modular classroom would not be detrimental to the amenity of neighbouring occupiers.

The modular building which has a 25 year warranty would be finished in red and grey cladding panels to ensure it is a similar appearance to the materials used of the adjacent school building. (which is red and white cladding). The appearance of the building is considered acceptable for its location.

The proposal involves the introduction of a modular classroom which will allow the school to accommodate an additional 32 pupils, plus 1 class teacher and 2 teaching assistants.

Concerns often exist around school expansions arising from the potential for an increase in the number of cars visiting the area for the purposes of pick up and drop off and a consequential exacerbation of parking problems arising from inconsiderate drivers. However, the proposed increases in the number of pupils will not be matched by an equivalent increase in the number of vehicular journeys to the school, as schools (primary in particular) have high numbers of siblings, and not all pupils travel to school by car.

The introduction of a new classroom requires 2 additional car parking spaces according to the KMBC 'Ensuring a Choice of Travel' SPD. Whilst no formal parking spaces have been proposed as part of the application, it is clear that at least 2 informal spaces exist within the current car park layout which will cater for the additional demand.

During the construction period disturbance can often be caused to local residents and adjacent occupiers. Any disturbance can be mitigated by a construction management plan and also in the interests of public safety construction vehicles shall not enter or leave the site during the morning and afternoon drop off and pick up times. These can be secured by planning condition.

A tree survey has been submitted to support this application. Two mature sycamore trees are proposed to be removed as a result of the proposal. The arboricultural team have advised that this tree loss is acceptable provided the trees are replaced on a 1:1 basis at 20-24cm girth (the tree replacement can be secured by planning condition).

Conclusion

The proposed modular building would be acceptable in terms of appearance subject to approval of materials. The proposal would not result in any significant highway safety issues and the tree loss is considered to be acceptable. The proposal would be in compliance with the Local Plan policies listed above.

Recommendation

That Planning Permission be granted subject to the following conditions:-

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 following plans
Proposed Site Plan Ref 002
Proposed floor plans and elevations 171 22 01 Rev S-1
Location Plan 001
Arboricultural Method Statement Ref August 2022

Reason: For the avoidance of doubt.

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building and ramp including the railing have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials The development shall be carried out only in accordance with the agreed schedule of materials

Reason: In the interests of visual amenity and to comply with Policy CS19 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework.

4. No part of the development hereby permitted, including any works of demolition, shall be commenced until a Construction Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority. This shall include the following:
 - a) Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which will operate overnight.
 - b) Methods for dust control and suppression.
 - c) Control of transfer of mud out of the site - details of wheel washing facilities including location and type.
 - d) The areas for the storage of plant and materials.
 - e) A programme of works, including phasing
 - f) Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements.
 - g) Scheme for recycling/disposal of waste resulting from demolition and construction works
 - h) Proposed hours of construction (the following is usually acceptable: 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and not at all on Sundays/Public Holidays).
 - i) Details of relevant pest control measures to be taken during the construction phase
 - j) Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction. Note reversing on the highway is not permitted without a Banksman.

All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with 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 the National Planning Policy Framework; Policies CS2 and CS19 of the Knowsley Local Plan Core Strategy adopted January 2016; Policy WM9 of the Merseyside and Halton Joint Waste Local Plan 2013 and saved Policies H5 and ENV2 of the Knowsley Replacement Unitary Development Plan adopted June 2006.

5. No construction vehicles can access or egress the site between the hours of 08:15 to 09:00 and 14:30 to 15:30 during school term time.

Reason: To avoid school pick-up and drop-off times and potential vehicle conflicts in the interests of highway safety and to ensure compliance with policy CS7 of the Knowsley Local Plan Core Strategy adopted January 2016.

6. Prior to the removal of trees from the site a scheme for replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include tree replacements on a 1:1 basis with a minimum girth of 20-24cm. The scheme should include the location, size and species of the replacement trees.

The tree planting shall be wholly implemented in its finally approved form in accordance with the approved scheme within the first available planting season following the substantial completion of development. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

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.

Signed Case Officer: Mark Quinn

Signed Authorising Officer: Alan Kilroe

Date: 28 November 2022

Informatives

1. See letter from United Utilities.
2. See letter from Merseyside Fire Authority.

Appendix 1 – Site Photographs











