

Item 7

SEDGEFIELD BOROUGH COUNCIL

PLANNING APPLICATIONS - COUNTY MATTERS

1. 7/2008/0394/CM

APPLICATION DATE: 10 July 2008

PROPOSAL: DEVELOPMENT OF SCHOOL GARDEN INCLUDING GLASSHOUSE, BIRD HIDE, BOARD WALK AND POND

LOCATION: OX CLOSE PRIMARY SCHOOL SPENNYMOOR CO DURHAM

APPLICANT: Mr Charles Mercer
Durham County Council, Estate Division, Corporate Services, Room 1/56
County Hall, Durham

CONSULTATIONS

1. SPENNYMOOR TC
2. Cllr. B.M. Ord
3. Cllr. Liz Maddison
4. Cllr. Elizabeth
5. ENGINEERS
6. ENV. HEALTH
7. LANDSCAPE ARCH
8. Countryside Team
9. Rodger Lowe

This application is for development by Durham County Council and will therefore be dealt with by the County Council under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon the proposal as a consultee.

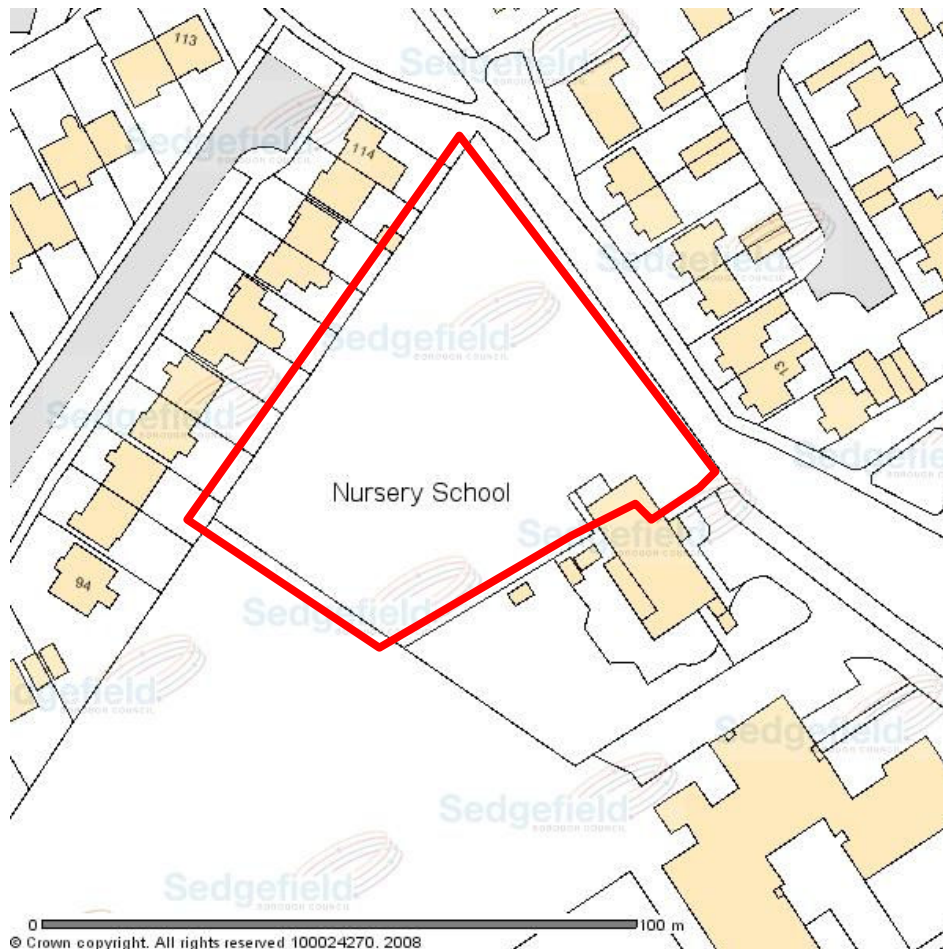
THE PROPOSAL

Planning permission is being sought for the creation of a new school garden facility comprising the following works, to be created in unused scrubland to the immediate north of Oxclose Nursery School, Spennymoor:

- New footpaths,
- Planting,
- Glasshouse (2.44m x 1.83m),
- Pond (15m x 6m x 600mm approx depth), margins planted with native species encouraging the introduction of frogs and toads, to also include a dipping platform (4m x 3m, approx 300mm high), and to be surrounded by as 1.5m wooden palisade fence,
- Bird hide (1.8m x 1.8m x 1.8m) to be constructed from wooden posts and willow weave panels. No roof,
- Picnic benches,
- Mounds (1m high)
- Timber planters (500mm high)
- Benches,

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- Compost bins,
- Weather station,
- Bird tables/feeders,
- Willow tunnel,
- Water butt,
- Willow den,



The aim of this newly created landscape garden area is to assist in extending the scope of teaching pupils of the adjacent school in science, ecology, environmental issues, recycling and meteorology, also being used for social activities, passive play and the 'hidden curriculum' activities. This area has been designed following consultation between the 'School Grounds Development Project', school pupils, staff and parents, with the chosen design developed from a 'wish list' expressed by these parties. Material choices have been selected to maintain the ecological sensitivity of the site, with all existing trees, shrub and hedging to be retained, and with appropriate tree protection measures to be implemented during site works (BS5837).

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Access to the site will be via the south and west, with accessibility throughout the site to remain fully inclusive, and with all materials to be used carefully selected to give a blend of different textures, whilst maintaining an accessible surface for all.

CONSULTATION AND PUBLICITY

- Spennymoor Town Council have raised no objections to this proposal,
- The Sedgfield Borough Landscape Architect has raised no objections to this proposal,
- The Sedgfield Borough Arboriculture Officer has not commented on this application,
- The Sedgfield Borough Highways Engineer has raised no objections to this proposal,
- The Sedgfield Borough Environmental Health team have not commented on this application,
- The Sedgfield Borough Countryside Officer recommends a Great Crested Newt survey of the site be undertaken owing to the naturally damp/wet nature of the site, its proximity to a known population of Great Crested Newts, and the good foraging habitat and connecting corridors.

The County Council were recently notified of this advice and advised that they are already aware of the situation,

No other comments were received in response to this consultation exercise.

PLANNING CONSIDERATIONS

This application needs to be considered in accordance with the requirements of adopted Local Plan Policies L11 (*Development of new or improved leisure and community buildings*) and D1 (*General principles for the layout and design of new developments*) which together seek to encourage improvements to leisure and community facilities throughout the Borough, which will improve the range and quality of facilities available providing there is no resulting harm to the living conditions of nearby residents, is appropriate in scale and location to the character of the surrounding area, and makes provision for parking and access. Such development should adopt a comprehensive approach which takes account of the sites natural and built features and its relationship to adjacent land uses and activities, paying attention to the design of open spaces, landscaping and boundary treatment.

On this occasion, it is noted that this site presently comprises a poorly kept, unmanaged area of undeveloped scrubland, with the proposed school garden works to deliver massive benefits to this site in terms of aesthetics, environmental improvements and improved community facilities, helping restore pride and ownership to this unused area. This garden area will remain enclosed to the north and east, ensuring no adverse impact on nearby properties which overlook the site, with accessibility to and throughout the site inclusive to all.

With no objections raised, this application is considered acceptable, in accordance with the requirements of Local Plan Policies L11 and D1 and should therefore be recommended for planning approval (subject to the submission of and adherence to the mitigation details as outlined within a Great Crested Newt Survey of the site – *see countryside comments*).

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HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

RECOMMENDATION

It is recommended that the Council raise no objections to this proposal, subject to the submission of a Great Crested Newt site survey, and approval of Natural England, and adherence to any mitigation details outline therein.



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2. 7/2008/0397/CM

APPLICATION DATE: 21 July 2008

PROPOSAL: PROPOSED DEMOLITION OF OUTBUILDINGS IN SCHOOL GROUNDS AND CONSTRUCTION OF NEW MUSIC AND EXPRESSIVE ARTS BLOCK AND FORMATION OF MINIBUS PARKING AREA

LOCATION: THE MEADOWS PRIMARY SCHOOL WHITWORTH LANE
SPENNYMOOR CO DURHAM

APPLICANT: Mr George Harris
The Meadows Primary School, Whitworth Lane, Spennymoor, Co Durham

CONSULTATIONS

1. SPENNYMOOR TC
2. Cllr. B.M. Ord
3. Cllr. Liz Maddison
4. Cllr. Elizabeth M Wood
5. BUILDING CONTROL
6. ENGINEERS
7. ENV. HEALTH
8. Rodger Lowe
9. LANDSCAPE ARCH

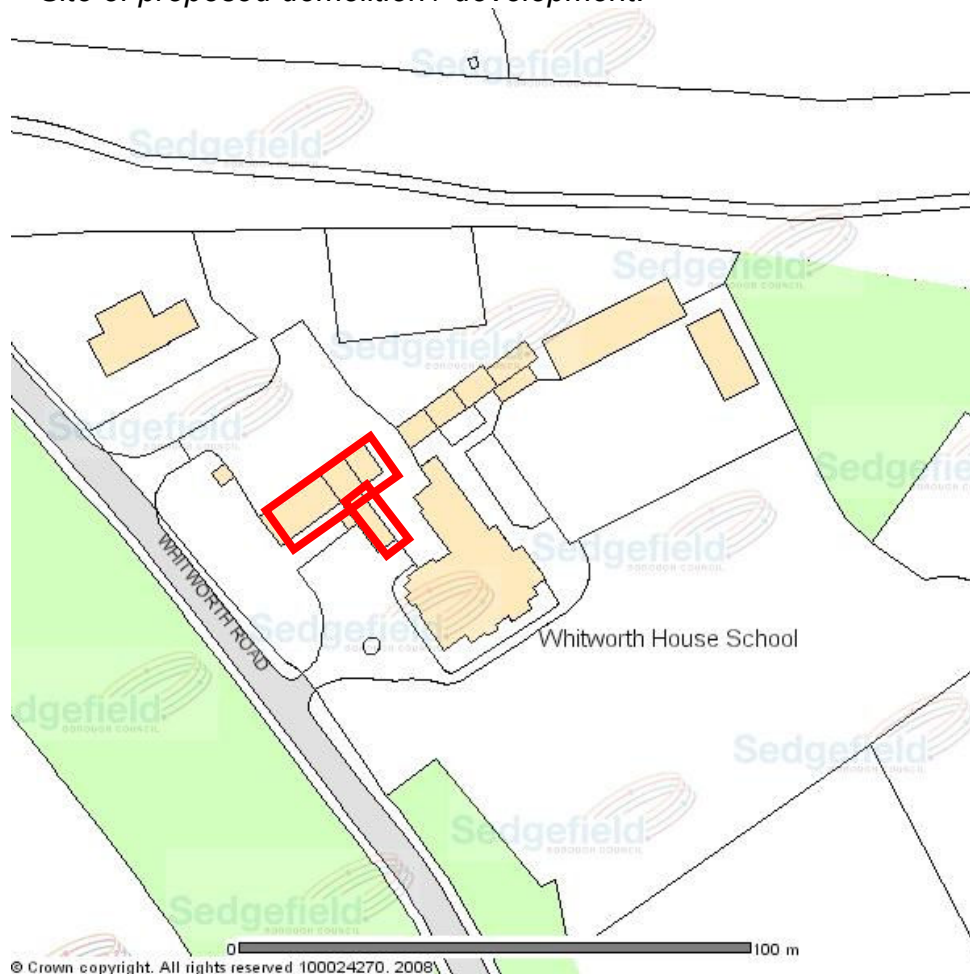
This application is for development by Durham County Council and will therefore be dealt with by the County Council under Regulation 3 of the Town and Country Planning General Regulations 1992. The views of the Borough Council have been sought upon this proposal as a consultee.

THE PROPOSAL

Planning permission is being sought for the erection of a new music and expressive arts block and minibus parking area within the grounds of the Meadows Day Special School, Whitworth Lane Spennymoor. Such works will involve the demolition of existing outbuildings within the school grounds (single storey monopitch roof building, single storey duo pitch roof building and double storey duo pitched building) which are found to be structurally unsafe. This new structure will be built in the place of these demolished structures to the immediate North West of the main school building, measuring 13,410mm in length, 5310mm in width and 4800mm in pitched roof height. It is anticipated that this new block will be constructed from reclaimed stone and slate tile (providing sufficient material can be salvaged from the structures to be demolished), with UPVC window frames to match the remainder of the school building (at the applicants request). Doors will be made from timber to allow for easier maintenance.

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Site of proposed demolition / development:



The Meadows Day Special School is presently attended by children with emotional/behavioural disorders, with this proposed new music block to be used directly for the benefit and education of these children, but will also be open to the community for music and art activities. The main entrance to this structure will be located at the nearest point of the main school building due to the nature of the pupils via an access ramp, with window sizes and window positions carefully selected to maximise light intake, whilst avoiding any 'goldfish bowl' effect or disturbance from outside pupils. Accessibility to the site will remain inclusive to all potential users with sufficient parking provision adjacent to the proposed development. Presently minibuses are stored in the 2-storey block to be demolished, and following development will be parked on the footprint of the demolished building, surrounded by a green mesh fence similar to others on this site. These minibuses will access the main carriageway via a separate, existing vehicular access at the northern end of the site, away from the main entrance to the school building.

Prior to submitting this application for the attention of Sedgefield Borough Council, extensive consultation has taken place with Durham County Planning Department, the County Estates Officer, Landscape Architect, NWL, Zurich Insurance and Highways Engineers. No objections have been raised to this proposal, with a bat survey of the site undertaken on the advice of the County Ecologist. It is appreciated that works will involve the removal of a yew tree close to the proposed demolition/development site which has no TPO, and although worthy of retention, may affect natural light to the new structure and any foundations. It is therefore agreed that this tree may be removed.

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Yew tree to be removed:



Structures to be demolished:



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CONSULTATION AND PUBLICITY

- Spennymoor Town Council have raised no objections to this proposal,
- The Sedgefield Borough Design officer has commented on the historical value of the buildings to be demolished, citing these to be older than the main school building itself. However, these buildings have been left to fall into disrepair, leaving only one elevation of worthy retention. This officer therefore reluctantly agrees to see the removal of these buildings on the condition that their replacement is sensitively designed, using traditional materials and construction methods. The inclusion of UPVC windows is strongly discouraged,
- The Sedgefield Borough Environmental Health Team have raised no objections to this proposal, although have identified the need for a survey of the site with regard to the presence of asbestos-based material,
- The Sedgefield Borough Highways Engineer has raised no objections to this proposal,
- The Sedgefield Borough Landscape Architect has raised no objections to this proposal,
- The Sedgefield Borough Arboriculture Officer notes the lack of consideration which has been given to a number of trees which could be damaged by development (not just the one Yew tree referred to in the submitted application). These trees provide valuable screening from the adjacent road. The Yew tree identified is presently growing in a hostile environment adjacent to the hardstand of the adjacent car park and within close proximity of nearby buildings. This tree is only in a fair condition, with the root system hemmed in. Retention of this tree alongside the proposed building works would only further compromise its future prospects, with this officer of the opinion that excessive consideration not be given to this tree, but more to do with the other trees on site. It is noted that there appears to be no mitigation for the loss of any tree, with a tree replacement scheme welcomed.

No other comments have been received in response to this consultation exercise.

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PLANNING CONSIDERATIONS

In its essence this proposal will provide a valuable community facility and improved educational facility for the pupils of the Meadows Day Special School in accordance with the requirements of adopted Local Plan Policy L11 (*Development of new or improved Leisure and Community Buildings*), D1 (*General principles for the layout and design of new developments*) and D3 (*Design for access*), which encourage well designed community facilities such as this where they:

- Will not significantly harm the living conditions for nearby residents,
- Are appropriate in scale and character to the surrounding area, and
- Make adequate provision for car parking, manoeuvring and access, whilst minimising conflict between pedestrians, cyclists and motor vehicles,

In considering the merits of this application, it is noted that this proposal will involve the creation of a new community/educational facility within existing school grounds, set well away from nearby properties (the nearest being over 200metres away to the southwest behind dense landscaping screening and a busy road). This proposed development will be of an acceptable scale and design which will complement and integrate into the main school building, utilising reclaimed materials to maintain the character of its setting. Furthermore, this proposal will not impact parking provision, with more than adequate off-road provision provided elsewhere on site.

As explained, slight concerns have been raised by the Borough Landscape Architect, Design Officer and Environmental Health Team with regard to other trees surrounding the site, the installation of UPVC windows and possible asbestos-based materials. These concerns are reflected in the officer's recommendation below. In conclusion, it is considered that the proposed development meets many of the requirements of the Sedgefield Borough Local Plan, being considered to comply with Local Plan Policies L11, D1 and D3. It is not considered that the objections which have been raised carry sufficient weight to justify any recommendation other than one of conditional approval on this occasion.

HUMAN RIGHTS IMPLICATIONS

It is considered that in general terms, the provisions of the Human Rights Act 1998 have been taken into account in dealing with the above application.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

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RECOMMENDATION

It is recommended that the Council raises no objections to this proposal subject to:

1. Appropriate tree protection and mitigation schemes being followed as per the findings of a full arboricultural site assessment,
 2. The use of more traditional window materials and designs as requested by the Borough Design officer, not UPVC windows,
 3. A site survey being undertaken with regard to the possible presence of asbestos-based materials, identifying suitable mitigation measures should asbestos be present,
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