



Committee and date

South Planning Committee

12 February 2019

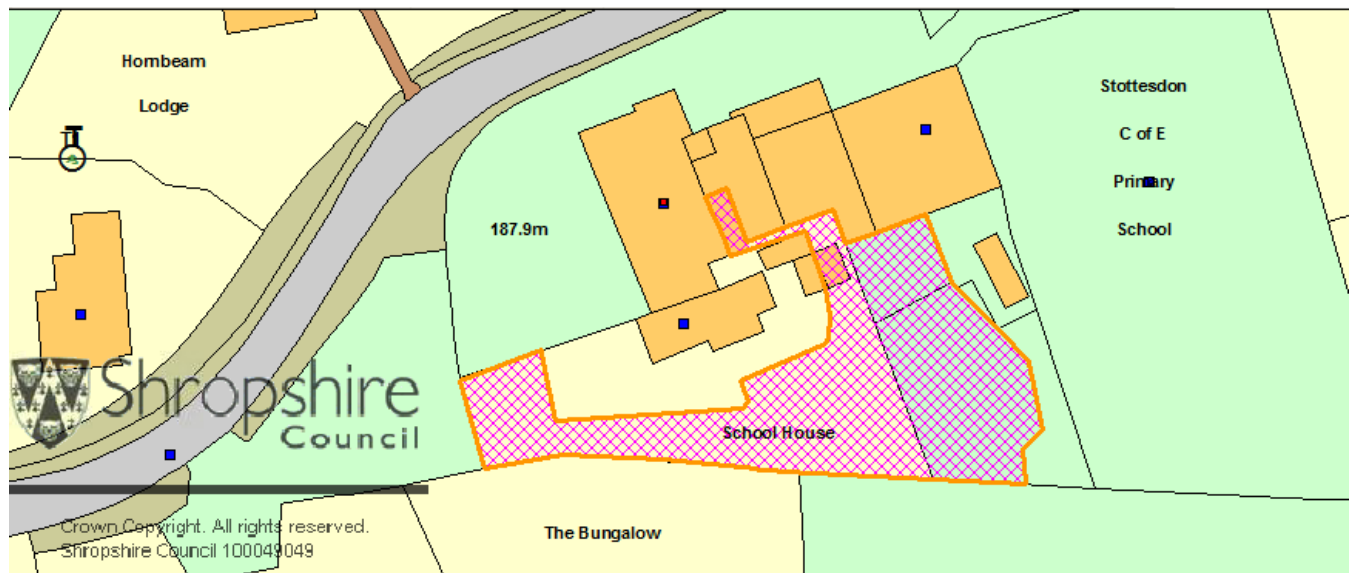
Development Management Report

Responsible Officer: Tim Rogers

email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 18/04323/FUL	Parish:	Stottesdon
Proposal: Erection of a new school hall building		
Site Address: Stottesdon C E Primary School Stottesdon Kidderminster Shropshire DY14 8UE		
Applicant: Mrs K Jones		
Case Officer: Mandy Starr	email: planningdmsw@shropshire.gov.uk	



Recommendation:- that permission be GRANTED subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL –

1.1 The proposal is for the erection of a new school hall building to be used for assemblies, as a dining hall with attached kitchen facilities, for P E, after-school clubs, music, drama, art, space for special educational needs children to be managed and space for parent/staff and pupils to meet.

1.2 This application is a revised scheme to 16/00604/FUL which was granted on 11 July 2016 for the erection of a new school hall building and demolition of stone wall near adjacent car park. This scheme cannot be implemented due to lack of capital and because of the presence of a Severn Trent main sewer running across the School Garden.

2.0 SITE LOCATION/DESCRIPTION

2.1 Stottesdon C of E Primary School is situated on the south side of the village opposite the Rectory and Old Police House. It is not a listed building, but is a prominent building in the Conservation Area. The Victorian stone and brick building c 1892 is sited on western side of the school site and has a dual frontage. There have also been a succession of more recent temporary timber clad buildings being added to the east of the main school. Behind the school is small formalised garden area with planted trees, planted beds, a pond and benches and it is this area where much of this Hall building is proposed. Beyond this is a mature hedge some 2.5m high which forms the southern boundary of the school. On the other side of part of this hedge is the curtilage of a detached dwelling known as the Bungalow.

2.2 Almost immediately to the west of this garden area beyond an existing close boarded fence and somewhat higher than this garden is the curtilage of Old School House. This two bedroom dwelling is built of the same materials as the school and has the same character and appearance too. However unlike the School its primary elevation faces south and much of its former garden has now been fenced off so as to provide the access to what would have been the permitted school building. This previously agreed reduction in curtilage was part of the sale particular when the building was sold.

2.3 Since the original application was submitted this property is now occupied. The land beyond the fence line has been partially cleared, but some existing shrubs and trees have not yet been removed that are sited beyond the fence line at the eastern end of the Old School House garden.

2.4 In addition and of great significance is the fact that when the last scheme was considered is that there is a Severn Trent mains sewer pipe (150mm diameter at

5m deep) running across the School garden at an angle with an inspection chamber which it has now been established cannot be built over. The original building would have built over this Inspection Chamber and this was not acceptable to Severn Trent.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Parish Council and the Shropshire Council Ward Members have requested that this application be considered at Committee due to the mixed feelings that this application has generated. The Chair and Vice Chair of the South Planning Committee, in consultation with the Principal Officer, consider that material planning considerations are raised which warrant determination by the South Planning Committee.

4.0 Community Representations

- Consultee Comments

4.1 **Stottesdon Parish Council:** Concern expressed regarding the width of the access drive to the new hall. Vehicles will have to either reverse up or down this lane when delivering school meals etc as there is insufficient turning space and this was considered dangerous as the car park is normally very full.

The drive has not been measured/marked as per neighbour's request.

Cllrs also request that the 'KEEP CLEAR box' is re-painted at the entrance to The Bungalow as disabled access is required. There was always a white line from this box down the car park adjacent to the hedge to prevent parking and therefore allowing free access along here to the School house and The Bungalow. It is important that these are re-painted as due to the amount of vehicles parking here during the school day access for delivery/emergency vehicles is often obstructed.

Cllrs assume that Bridgnorth Highways will be consulted regarding the use of the access drive. Emergency vehicles needing to access this new hall was also questioned due to the narrow width of the drive.

Cllrs request that due to there being mixed feelings in the Community that this application is determined by committee.

4.2 SC Archaeology

We have no comments to make

4.3 SuDS

Recommend Informatives

4.4 SC Trees

Recommend conditions and informatives

4.5 SC ECOLOGY

Recommend conditions and informatives

4.6 SC Highways

It is considered unlikely that the addition of a new school hall here will significantly affect highway safety or local conditions.

4.7 SC Conservation

The proposed design of the new hall building is fairly simple and functional but due to its scaled back nature it is considered to be acceptable in this instance.

4.8 - Public Comments

6 letters have been received objecting on the following grounds:

- ☐ This is not the best compromise position and a better location should be found, so whilst it would suit the School, it does impinge on the neighbours and disregards the impact on these neighbours.
- ☐ Occupiers of Old School House purchased the property in 2015 and were aware of the Schools Plans for the new hall and the position that it was to be built
- ☐ The original plans for a two storey building were not of any concern as the building would have been sited at the end of the garden with only one obscured window facing the house.
- ☐ New building although fairly sympathetically designed would be somewhat visually imposing, in a position directly to the front of the house
- ☐ Appreciate the need for further accommodation for the school, however the proposed change of position of the hall right in front of our house is unacceptable. The new building should be relocated as far from the school house as possible to lessen the visual impact, noise disturbance and loss of amenity and privacy of any occupants of The School House.
- ☐ This cannot be addressed in any other way than by repositioning the building. This objection to this plan is made in the strongest of terms and cannot be ignored. The plans are detrimental to our quality of life.
- ☐ Request that is determined by the Planning Committee.

Amenity issues

- ☐ Adjoining neighbours have tried to assist with the process and in consultation with their own architect have presented the School with other positions that the hall could be sited. These plans would have avoided the sewer and would have enabled the car turning space to be retained.
- ☐ We suggested a design that turned the hall round 90 degrees into the original position where the previous planning permission had been granted.

- ☐ In this orientation, the building would then have been closer to the classrooms, provided more playground and green space because it would have retained more of the garden area than the previous scheme and lessen the amount of canopies required thereby lowering the costs than the current proposed siting.
- ☐ It is understood that the previous turn around space was mentioned as being 'dead space' as a blind spot – but it would not be dead space if it were to be used for what it was designed for as a car turn around space and access road. This loss of space would have been no concern of the School if their previous plan would have proceeded.
- ☐ The applicant has indicated that they now wish to site the building in the turn- around area because they own this land, but in doing so have forgotten and completely disregarded their neighbours as they are only concerned about the School.
- ☐ Adjoining neighbours have been living for three years behind a 'stockade fence' and have been waiting for this building to be completed.
- ☐ The Head teacher has stated that the present arrangements for bringing in the School lunches through the school works satisfactorily and this would continue in which case there would be no need to utilise the dangerous access for deliveries.

Privacy Issues

- ☐ Head teacher says that the neighbours have been considered because the building would be moved 1.5m away and a door and window have been removed. In addition a canopy will be added above new windows. However these requests were at the request of the Planning Officer not the School.
- ☐ Neighbours have not been considered sufficiently in these plans and the planning application has been submitted without adequate consultation.
- ☐ New building would be only 1m from our fence and less than 5m from the house which is considerably nearer than previous hall position and within the good practice distance of c21m. The proposed hall would be far too close for comfort and would impose directly onto the front of the house making our house an unpleasant and unwelcoming place to live.
- ☐ Proposal would result in loss of privacy as anyone visiting the site will be able to look into our bedroom windows and children will be able to see directly into bedrooms from the school grounds as one window would be head-on, whereas in the original plans this would not have been possible
- ☐ If the privacy issues had been seriously considered, the canopy should be extended over the entire area to the front and side of the hall – not just over the windows and the side door used as an emergency access only

Noise Issue

- ☐ There is no noise from within the School grounds, but this planned timber building will change that with daily assemblies, lunches, music lessons, singing, sports facilities and PE plus after school classes and clubs which will mean that we will be subjected to noise and disturbance which will be highly intrusive throughout the day, early evening and possibly weekends. This will result in a 100% rise in noise intrusion and the School would need to fully sound proof the hall to eradicate this.

Impact on boundary hedge

- ☐ Concerns regarding the narrow width of the access drive between boundary hedge and School House boundary fence. Without the turning circle that was in the original plans, vehicles will have to reverse in or out which will increase the potential risk of an accident.
- ☐ On the original permitted plans, the distance between the middle of the boundary hedge and School House fence was in excess of 4m at the narrowest point. For whatever reason, this key dimension has been left off the revised plan
- ☐ We have made a request to School to arrange for proposed access drive to be physically marked out so that any concerns regarding potential damage to the roots and any excessive cutting back could be discussed and clarified as this could impact on the integrity of the hedge and affect our privacy.
- ☐ Important to note that there is a difference between the ground level of our property and that of the access drive in that The Bungalow is higher and the centre of the hedge is planted on the higher ground hence the concerns regarding potential root damage
- ☐ Although the Head Teacher and agent have considered the width of the access and are happy with a distance of 3m without a hard cut of the hedge, we as the neighbours would prefer to see the area physically marked out to satisfy our concerns

A neighbour has also raised additional concerns regarding the following issues:

- With regard to free flow space, all but two trees are to be removed which will mean there will be more light not less
- If it is necessary for the teachers to be under a canopy to supervise the children then it should be extended or sited on the east side of the hall and include a double door access to provide cover for them. Do not consider that it is logical to suggest that children could not be supervised in that area
- Under the previous application, an area marked in yellow was designated as Early Years Play space. It appeared to be acceptable for that area to be used then with no supervisory problems, so the same play/gardem area can be fully used for both schemes.
- Consider the difference in the play areas (as shown on Dwg No GA06 RD) has been greatly exaggerated

- If greenhouse is to be retained, then for health and safety there should be an exclusion zone around it which will reduce the play area significantly
- Note that no further changes have been made to address the issue of overlooking; and it is noted that a ramp is now proposed at the SW corner of the building which will result in further loss of amenity.
- The use of Hoggin is designed for paths and bridleways for the access drive will result in a wet, muddy and slippery surface that is not desirable for an access. Water will run off this surface into adjacent properties; hence the need for constraining kerbs and the top is constructed from gravel which will be noisy when driven over and is liable to weed infestation
- On Plan GA03 Rev E, the submitted plans omit the retaining wall and fence which is to replace the temporary fencing that separates the school property from the Old School House. This drawing fails to show the width of the retaining wall and therefore the width of the space on the access road.
- Regarding the current boundary fence which represents the legal boundary, it was understood that this was a temporary fence and would be there for a short period of time until a new fence and retaining wall was constructed.
- Any gates would need to be 3.2m plus posts and the concrete kerb which would impede the hedge, so that it would need to be cut back drastically and this would similarly affect the 1.2m wide gate at the north west of the building.
- Although the School are entitled to create a sloped bank on their side of the boundary as shown by the pink 'splodge' a retaining wall will also have to be built on this part of the boundary as well
- The use of Rockwool is not appropriate as it is designed for thermal insulation not acoustic insulation. There will be limited attenuation to frequencies in the low audible range and this sound travels the furthest and will be the most disturbing to neighbours. So full sound proofing will need to be installed to counteract this.
- The sectional drawing GA07 does not state the height of the hall and no measurements are shown for the floor levels. Even though it would be a lower hall, it will still be imposing being immediately next to our property and much higher than the boundary

The application was advertised by way of a Site Notice that was displayed on 6 November and expired on 27 November 2018.

The proposal was also advertised in the Shropshire Star on 2 November which also expired on 27 November 2018.

5.0 THE MAIN ISSUES

- 5.1 Principle of development
 - Siting, scale, design of structure and visual impact
 - Assessment of the need for new School Hall
 - Landscaping
 - Residential Amenity
 - Consideration of the proposal on the Stottesdon Conservation Area
 - Other Matters

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

6.2 Siting, scale and design of structure

- 6.2.1 CS6 of the Adopted Core Strategy deals with sustainable design and development principles and states that development should conserve and enhance the built, natural and historic environment and be of an appropriate scale and design taking into account local character and context. It also needs to take into account the health and wellbeing of communities including safeguarding residential and local amenity and that development is designed to a high quality consistent with good practice standards including appropriate landscaping and taking account of site characteristics and ground contamination.
- 6.2.2 CS7 deals with Communications and Transport. Sustainable development requires the maintenance and improvement of integrated, accessible, attractive, safe and reliable communication and transport infrastructure and services
- 6.2.3 CS8 Facilities, Services and Infrastructure Provision seeks to ensure that development of sustainable places in Shropshire have safe and healthy communities including the encouragement of infrastructure such as school and other infrastructure
- 6.2.4 CS13 Economic Development, Enterprise and Employment. This policy seeks to support enterprise and deliver sustainable economic growth and prosperous communities
- 6.2.5 CS17 which deals with Environmental Networks is also concerned with design in

relation to the environment and places the context of a site at the forefront of consideration so that any development should protect and enhance the diversity, high quality and local character of Shropshire's built, natural and historic environment and it does not adversely affect the values and function of these assets.

MD2 of the SAMDev deals with Sustainable Design and builds on the requirement of CS6. This requires that for a development to be considered acceptable it must achieve local aspirations for design in terms of visual appearance and how a place functions as set out in local community led plans and it must also contribute to and respect local distinctive or valued character and existing amenity value by a number of specific criteria such as responding to the form and layout of the existing development and the way it functions including building heights, lines, scale etc. It must also reflect local characteristic architectural design and details. There is also a requirement to consider the design of the landscaping which responds to the local character and context of the site such as natural and semi-natural features such as trees, hedges, woodlands and ponds.

6.2.6 There is also Supplementary Planning Guidance in the form of the Cleobury Mortimer Place Plan which supports Stottesdon Primary School in delivering its development plan under the table of Community Priorities in the Place Plan in the Council and Community section and also the Trees and Development Guidance Notes which were published in 2016.

6.2.7 With regard to the updated National Planning Policy Framework Section 12 deals with 'Achieving well-designed places' also reinforces these goals at a national level, by requiring development to display favourable design attributes which contribute positively to making places better for people, and which reinforce local distinctiveness. There is also a requirement that developments should be "*visually attractive as a result of good architecture, layout and appropriate and effective landscaping.*"

6.2.8 The existing accommodation

6.2.8.1 The original Victorian school building of 1892 comprises of a classroom in its southern part that backs onto a lobby providing a rear access to the back of the school, whilst the northern half is in use continually through the day either for some PE or as a dining room during lunch time. Attached to the old building are the School changing rooms, a general purpose store room and a small and currently unused kitchen area (School lunches are provided by an external supplier). There is a central corridor that leads from the old building to Reception and the rest of the school including and the main school entrance that faces north. This corridor then provides the link between the two other main classrooms, the Head's office, staffroom, PPA room, WCs and stores and then leads finally to the Chorley Family Playgroup room at the end of the complex.

6.2.8.2 Outside there is a formal enclosed playground on the north west side of the school with small canopied area, as well as a further area of hard surfaced

playground to the north of buildings that fronts onto the road. To the south of the original school building is the attached former School House positioned at right angles to the school itself and comprising of a two bed roomed house with its main windows facing south. Beyond the house and its attached garage and its original enclosed garden, the land drops away slightly to a communal school garden area comprising of various sheds, a greenhouse, hard standings and raised beds and in the south east corner of the garden a semi-mature beech tree with seats beneath. To the east of this and at a further even lower level beyond a hedge is the school playing field. In addition there is now evidence of a Severn Trent mains sewer that runs beneath the south east corner of the school garden and has one inspection chamber that was to have been sited in the former hall building which is one of the reasons why this permission granted in 2016 cannot be implemented.

6.2.9. The permitted scheme

6.2.9.1 The permitted building was granted permission on 11 July 2016 and is still a live application which does not expire until 10 July 2019. This was for a building of 235m² and would have been sited in a different alignment and position and had a square footprint compared to the current proposal.

6.2.9.2 Ground Floor: The new School Hall would have a floor area of 140m² and would have had an attached external entrance lobby off the car parking area with windows to the west and east and a fire door leads off the east; a School kitchen in the northwest corner of the of the building with a pedestrian door off the car parking. Beyond this would be a lobby with a door facing north towards the School buildings leading to several store rooms, toilets and the lift to the first floor. A plant room for the ground source heat pump was also proposed but this would have its only door facing east. On the north elevation between the kitchen and main lobby would be an enclosed secure external staircase leading up to the first floor.

6.2.9.3 First Floor: The first floor would have been divided between a Pre School Room 36.5m² in the north west corner of the building above the kitchen and Baby Room (Nursery) over the plant room and toilets of 20m². Between the two would be the support accommodation for both rooms with WC's including baby changing room, a drinks station and storage above. The lift would have been used to allow access to the first floor for prams and wheelchairs. No accommodation was proposed above the hall itself; as this would have been retained at its full height with 4No large conservation rooflights inserted into the south roof slope for additional lighting.

6.2.9.4 The third part of the scheme involved the installation of a glazed canopies 2.6m high that would have been erected in front of the southern elevation of the existing temporary classrooms to link up with the edge of the site by way of a bow topped fence that would be erected to form the boundary between the new hall site and the rest of the school grounds. The permitted plans showed that canopy would have covered most of the remaining former hardstanding of the former school garden. It would also provide cover from the rear entrance off the main

corridor and wrap around the staff room and a second classroom to form an elongated dog leg shape. It was at one stage also to have been attached to the side wall of the School House garage, but following negotiations the canopies would now be positioned 500mm off to allow for the occupiers of School House to maintain their property. In addition, a revised landscaping plan showed the dedicated area of Early Years Outdoor Play Space that had to be maintained if the School was to be able continue to allow the Early Years to use the school facilities in the first place.

- 6.2.9.5 The permitted scheme also included external changes to the site in the form of a new access and parking/ turning area for the hall for deliveries/ emergency vehicles as well as space for parents to safety drop off and pick up children. The new designated area would have been sited between the existing boundary hedge to the south and the former garden area of Old School House. The footprint of this area would be an elongated 'C' shape as it would also have included a further area for the parking of 3No cars in front of the existing access onto the Shropshire Council parking area beyond.
- 6.2.9.6 The then revised submitted drawings show that a road width of between 4m and 4.2m would be achieved between the proposed boundary of School House and the centre of the boundary hedge. Concrete kerb edging was shown as being positioned 1m from the centre line of the hedge to define the width of the new access and to ensure that the existing party boundary hedge is retained with porous tarmac being used for the new surface treatment. Space would also have been provided for both delivery vehicles and cars to turn in front of the hall building.
- 6.2.9.7 Externally it was also proposed to demolish part of the original stone boundary wall of the former School House garden, where it adjoins the Parish parking area so as to provide space for the parking of 3No cars. These would be sited adjacent to the boundary of the playground and be adjacent to the existing access to Old School House as well as the proposed vehicular access to the new hall building. However a new close boarded fence would be erected to form the party boundary between the allocated parking spaces and School House's garden.
- 6.2.9.8 It would appear that when the last scheme was considered, no consideration had been made of the existing Severn Trent sewer pipe and Inspection Chamber which were not factored in and as a result, that School Hall cannot now be constructed in the position as permitted, because of the need to move the building away from the Inspection chamber.
- 6.2.10 The proposed scheme
- 6.2.10.1 The agent has now confirmed that the stone wall that was to be removed under the last scheme 16/00604/FUL has been demolished and will not be re-instated. This is to allow the parking of three staff cars at the end of the drive as previously approved.

- 6.2.10.2 The proposal is now for a much more modest single storey timber framed building with internal dimensions 8.35m wide x 13.4m in length and a footprint of 154m² in a rectangle when the previous scheme was square. It would be sited to the west of the permitted building and extend further towards the 1.8m high boundary fencing with Old School House. This would then leave a much greater area of the former school garden being retained as well as ensuring the ST Inspection chamber was not built over.
- 6.2.10.3 The building would clearly be smaller and far less dominant than the previous scheme with the eaves being only 4m high and have a shallow pitched roof ridge of 4.7m high. It would be constructed of profile metal sheeting to the south elevation facing the hedge and larch timber cladding on the other three sides on a blue engineering brick base. The roof would be a single ply membrane and on the north side facing the School would be a glazed polycarbonate canopy stretching across all the windows and doors that would face this way. The doors and windows would be powder coated aluminium but no colour has been indicated and this would be dealt with by condition.
- 6.2.10.4 This new building would provide a School Hall, a School kitchen with a servery, storage space, toilets and disabled toilets. Access to this new hall would be along the already fenced off private access drive from the Shropshire Council Car Park to the west of the school itself and this would be only used by the Catering company dropping off the School Dinners. Access to the hall for all staff and pupils will only be through the School premises. The side gate shown on the submitted drawings would be locked and only openable by staff.
- 6.2.10.5 An extensive canopy arrangement including free-standing canopies is now proposed that would stretch out from the rear door of the main school, extend all along this passageway and be joined with two further expanses of covered play area that would be attached to the nursery area. As a result the play house would need to be removed from this playground along with a timber shed, but the greenhouse and other shed would be retained in situ. No trees would be removed along with the shallow pond with ornamental bridge. However the significant beech tree in the corner of the garden area would be retained.
- 6.2.10.6 Under the last scheme it was proposed to erect a new boundary fence between the Old School house and its grounds and the land that the school would be retaining plus the new access. Part of this boundary treatment was to include a low retaining wall due to the changes in levels towards across the site. A substantial close boarded fence has now been erected between the two properties and the agent has confirmed that this will not be altered, but will remain in place. As for any retaining wall, if this was required it would only be on the south east corner of the new garden area for Old School House, it would be very low and would face onto the school's property, but the School would prefer to bank up the earth here instead of providing a retaining wall if at all possible.

- 6.2.10.7 The agent has also confirmed that the canopies which are proposed to be erected between the new hall and the rear elevations of the School will be slightly above the fence height as would be the canopy that is proposed to be attached to the north elevation of the new School Hall. Additional drawings have been submitted that show that the arrangement of the slopes for the canopies and all canopies will be lower than the roof heights of the existing school buildings and that of the proposed School Hall.
- 6.2.10.8 The proposed canopies would also be free-standing structures that will not be affixed to any buildings and adequate space would be provided between existing buildings and structures to mitigate any damp penetration and in addition the direction of slope has been reversed so that the slope of the canopies would fall into the free flow play area where the gutters and downpipes will now be located.
- 6.2.10.9 Externally, the new vehicle hardstanding which is only to be used for the parking of a vehicle to drop off the School lunches. Details submitted with the scheme indicate that this new driveway would have a permeable surface. The permitted scheme indicated that permeable tarmac was originally proposed but gravel is also indicated on the current scheme.
- 6.2.10.10 Two other elements from the previous permission have not been carried through to this scheme; that of the removal of part of the original stone wall of what was the original School House garden wall and the provision of 3No staff parking spaces between the gap left by the removal of the wall and the new fenced off School House garden area. This is because these works have been implemented already.
- 6.2.10.11 This current proposal also includes the provision of a pair of 1.6m wide double gates which would be installed near the entrance to the new access way. The Cross section drawing submitted shows a width of 3m for the access way that would not involve cutting into the higher ground where the hedge grows so as to retain the hedge intact, but it is understood that the hedge on the school side will be trimmed back as it has become overgrown in places.
- 6.2.10.12 Following negotiations with the applicant further details and drawings have now been submitted regarding the access way. With regard to the boundary hedge that divides the School grounds with part of the front garden of The Bungalow, this would be trimmed back to allow for a 3m wide access way to be installed and concrete edge kerbing will be constructed to ensure that the hoggin surface would be retained. Details of this and the other changes have been submitted with the revised block plan. The use of hoggin as a hard surface here to is to reduce any potential disturbance caused by noise from the School Lunch vehicle travelling to and from the Hall.
- 6.2.10.13 Along the southern side of the proposed building would be a walkway with a 0.95m wide gate near the kitchen entrance. This gate would ensure that the hedge boundary remains secure and would also be for maintenance purposes.

- 6.2.10.14 In terms of the visual impact, this proposed building would have a significantly less prominent appearance compared to the permitted scheme both in terms of ridge height and floor area and also by being sited in this position away from the Inspection chamber, in that it would allow more of the Garden area to be retained along with the beech tree which is an important feature of this garden.
- 6.2.10.15 In addition the use of canopies over much of the existing playground will allow enhanced outdoor play and learning which is also requirement of this scheme. It would also be clearly subservient to the original school building and would not detract from its dual frontage appearance, but have a similar appearance to the later extensions that sit to the east of the main range and Old School House.
- 6.2.10.16 While of a functional appearance, it is considered that the design and siting of the proposed building would not be out of keeping with the locality, and be in accordance with siting, scale and design elements of the adopted Development Plan policies CS6, CS17 and MD2.

6.3 Assessment of the need for a new School Hall

- 6.3.1 It was established in 2016, that the principle of a new School Hall was necessary at Stottesdon Primary School because of the lack of space for certain crucial activities within the School day. In support of the current application the agent has provided the additional information:
- 6.3.2 The school is owned by the Hereford Diocesan Board of Finance and this ownership reflects the strong Christian values that the School provides as its ethos and aims. The School had had outstanding School reports in 2008 and 2012 from Ofsted.
- 6.3.3 A new hall is required for a number of different reasons which are described in detail below. The main reason is because of rising school numbers. Stottesdon is an oversubscribed high achieving Academy School and the school register is currently at 103 pupils with 20 children using the Nursery facility. The school just about accommodates this number but with no school hall. There is a year on year increase in numbers due to the School's rural catchment area and predicted future numbers as in 1973 there were 73 pupils, but that had risen to 101 in 2016 and 103 this year. This increase indicates that there is a need to provide sufficient and appropriate additional school facilities.
- 6.3.4 With regard to the rising school numbers, when school began there was sufficient space, but since then the original school building has been extended with both new classrooms and office accommodation using demountable buildings having to be attached to the main building provided by Shropshire County Council and latterly Shropshire Council. As the numbers have risen, it was necessary to convert the original school hall into new teaching space.

- 6.3.5 As a result of lacking a school hall, the school currently has no indoor PE facilities that can be used in bad weather or during the winter months. As there is a statutory requirement to provide 2 hours of physical education a week, the school has to spend some £5000 per year to ferry pupils to other facilities off site and this takes a lot of effort and the time out has a detrimental impact on other parts of the timetable and does reduce staff/pupil morale.
- 6.3.6 The School is also not able to provide any extra creative subjects such as art, music, drama, cooking because of the lack of hall space.
- 6.3.7 In addition any After-School Clubs have to be cancelled during bad weather as the school has no facilities to provide space for them. These clubs also find it difficult to provide any physical activity due to the lack of appropriate space.
- 6.3.8 Due to the lack of dining hall, all the children are served their lunches in their classrooms and with the existing kitchen being very small, this results in a noisy and rushed lunch time period which further impacts on teaching staff who cannot use their rooms for preparation. There is a further issue here in that on a wet day, many children will spend their whole day in the classrooms which can be from 07:30 to 17:30 if they attend the wraparound facility as well with no other space to go.
- 6.3.9 There is also no current safe space for SEN children to be managed. In addition, there is no one area in the whole building where all the children can assemble for daily worship and assemblies. There is also no dedicated space that parents/staff and pupils can use for meetings.
- 6.3.10 The second main reason is that the current facilities are overcrowded and unsuitable for educational use. As indicated above there is no dining hall and the current space that is used as a kitchen to serve lunches to the pupils is only 9.5m²
- 6.3.11 Therefore the new building would provide an additional 154m² gross internal floor area and that will include a 13m² kitchen facility. This will then allow the current kitchen area in the old building to be converted back into a store/support room with the original library being converted back to its original use. In addition, there are significant health and safety concerns associated with the current arrangement as there is a fire safety egress issue around the existing room that is used as dining hall and the classrooms at busy times. This space will also be useful for the Nursery Class so that they can extend their wrap-around cover as it is currently oversubscribed.
- 6.3.12 The new hall would be a multi-use space providing additional classroom space, library, SEN intervention space and meeting space. In addition, by not having to take pupils out of the School for PE, this would remove the concerns regarding health and safety and safeguarding issues that currently exist at other sites.

- 6.3.13 The applicant is aware of the concerns that were raised last time and considers that the new proposal which has been significantly scaled back due to budget constraints would have less impact on the adjoining land and neighbouring properties. In addition no glazing is proposed on the south elevation and the retention of the boundary hedge would prevent overlooking into the adjoining dwelling.
- 6.3.14 The agent also confirms that the proposal seeks to provide a sustainable development that would “offer the school a minimal impact on its current resources and running costs.” The building would be constructed with a ‘U’ value performance that would be in excess of current building regulations, containing high levels of insulation and the building would be heated with a dedicated heating system. In addition, the lighting would be motion and light level sensitive allowing for intelligent lighting for the new hall.
- 6.3.15 Notwithstanding this current proposal, because of the objections from the neighbours, the School was asked to re-consider whether it would be possible to realign the position of the proposed building so that it would be sited along the same axis as the permitted scheme.
- 6.3.16 This revised scheme was taken to the School Governor’s meeting but was not found to satisfy the School’s requirements. In support of retaining the current scheme in favour of the second proposed scheme, the applicant has now provided the following further additional information.
- 6.3.17 Firstly, the Shropshire Gateway Educational Trust, the Governors and the Staff have a duty to ensure that they make the most of the accommodation opportunities and land use in order to support the best provision for the pupils.
- 6.3.18 The School’s Development Plan has the following objective:
- To tackle the increasing pattern of pupil’s low baseline at Nursery and Reception. In 2015, the school had 36.4% reaching age-related expectations against the national average of 66%. In 2017, our Reception pupils started school with only 13% working at age related expectations. The current Reception cohort started School with 0% working at age-related expectations and the Nursery had a similar level.*
- 6.3.19 As a result, the School consider that it is critical that any strategic decisions need to consider these requirements so as to optimise the best provision and opportunities for these children at the early stages of their education.
- 6.3.20 The Statutory Framework for the Early Years Foundation Stage (April 2017) states that “*providers must provide access to outdoor play area.*” It goes onto say that other related publications state that outdoor play is central to young children’s learning and that the quality of the outside area and its ‘*free flow*’ can

also have a significant effect on learning ability. Indeed Ofsted's Review – 'Bold Beginnings : Reception curriculum in a sample of good and outstanding Schools' November 2017 included the following findings:

- That "*Head teachers recognised that a successful Reception Year was fundamental to their School's success... children's achievements up to the age of five can determine their life chances*" ;
- '*Play was an important part of the curriculum in all of the schools visited*';
- '*Play....was used for developing children's personal, social and emotional skills. They learned to investigate the world around them, both physically and imaginatively.*'

6.3.21 The applicant's preferred option as submitted would allow pupils to use a range of facilities to provide accessible, quality outdoor space for exercise and outdoor play which would be supervised in a free-flow situation. The School has 20 Nursery children and 30 pupils in the Reception/Y1 class who require to have access throughout the day to this space. Furthermore the School also provides Wrap-around Care 52 weeks of the year from 07:30 until 17:30 hours. By using the free-flow option, this would provide benefits to the children in school for 10 hours a day.

6.3.22 With regard to the alternative orientation of the building as has been suggested the following points have been made:

- A building in this other location would reduce the immediate safe free-flow space from 393m² as currently proposed to only 134m² as can be seen on Dwg No GA06 Rev 0.
- The other side of the hall would not be in line of sight from the Garden Room/Reception and would therefore have to be fenced off in order that the children are kept safe.
- The space to the side of the hall would be darker due to beech tree canopy, so it would be difficult to recreate a garden area with raised beds here

The area to the right of the hall would also be outside the line of sight and so would not be used by children either.

6.3.24 Finally the applicant states that the school has had inadequate accommodation for too long. This is an outstanding school and it works hard to serve the community in that it also provides a Wrap-around service staying open between 07:30 to 17:30 hours all year round as well as providing Nursery provision. These services need appropriate accommodation.

The School has also now secured a Grant with the Big Lottery Fund and from 'Bags of Help' that need to be spent in the spring, so we would welcome a decision as soon as possible.

6.3.25 An objection has been raised by a neighbour regarding the need for the free flow space in front of and to the side of the proposed building and suggests that the

canopies be extended and considers that the amount of play space required has been exaggerated.

6.3.26 In response the applicant and agent have stated that the available free flow space as shown on Drawing GA06 is when viewed as from the existing internal nursery roof as when a staff member could be supervising a child in this room at the same time as keeping watch over the pre-school children that are use the external free flow space. It should be noted that the school does not have enough resources to employ other staff for this purpose. Had the permitted hall being constructed, this would have allowed the School to be able to apply for additional funding as they would have had more nursery children and would have had more resources to apply for supervisory staff.

6.3.27 The issue raised by the neighbour regarding the greenhouse is a matter for the School to deal with and is not a planning matter, but the agent has confirmed that in terms of protection a simple fence could be installed around it at a later date if required. Any fence will not have a significant impact on the external space but it will enhance the teaching provision of the school.

6.3.28 It should also be noted that there are currently 50 pre-school children at the School who have to use this free-flow space. They cannot use any other playground on the premises as the others are open to the public. The School has a legal requirement to provide this space for these children to play in. It is also important to note that this current proposal has been submitted only for what is in the best interests of the children attending the School and that whilst the previous scheme was thought to be satisfactory in 2016, funding did not allow the hall to be built. Since then the situation regarding funding and pupil numbers has changed which is why this proposal is different to the previous scheme. It is also important to note that this School provides primary education for a large number of rural children in the area and has to do this with a limited size of campus, so this scheme is to provide the now necessary requirements to allow the School to function properly.

6.4 **Residential Amenity**

6.4.1 Policy CS6 of the Core Strategy and Policy MD2 of SAMDev indicates that development should safeguard the residential and local amenity.

6.4.2 The principle concerns from the adjoining property Old School House is that they consider that when looking out from their bedroom window they would have to overlook the new building and that this would result in loss of their amenity because it would be much closer than the permitted building and so would cause unacceptable noise and overlooking issues.

6.4.3 Firstly with regard to the use of Rockwool as being an inappropriate insulation material. The agent has confirmed that the sound calculation testing by Rockwool (which can be viewed on the website) will be followed with regard to all recognised standards. The agent also acknowledges that a rigid board like

Kingspan or Celotex would have given the building better thermal values, but these types of insulation were not considered to be as sound absorbent.

- 6.4.4 With regard to the overlooking concerns, it should be noted that from the permitted plans for 16/00604/FUL, the side elevation of original building would have been some 13m away from the projecting front gable where the neighbour's bedroom window is sited and 1.4m away from the closest part of the boundary fence. However under this current scheme, because the corner of the building has been moved further south-west towards Old School House, it would be now be 7.3m from this projecting gable and 1.2m from the boundary fence.
- 6.4.5 In addition unlike the current scheme, the 2016 permitted plans also showed a large area that would be used for vehicle turning, so the main view from this bedroom window would have mostly looked over this hardstanding, the side gable and the divided roofscape of the multipurpose building. Whereas what is now proposed would give an entirely different view, in that the extent of the hardstanding would be considerably reduced to a maximum width of between 5.4m and 3.7m compared to the permitted scheme of 12.7m and the building would now be single storey only instead.
- 6.4.6 However unlike last time no rooflights are proposed, so there would be no concerns regarding the potential for any new overlooking into the roof space of building from the neighbour's bedroom and furthermore, the nearest north facing window would face towards the party fence boundary. This window would also be 'canopied over' like the rest of this north elevation and any views from the bedroom window towards this side of the building would be at an oblique angle only.
- 6.4.7 In addition officers also take the view that it is unlikely that there would be clear views available to the children (either using of the hall or playground) into Old School House first floor bedroom window. In fact it could be argued that the current location of this rear playground and existing garden which has no canopies at present already presents a situation that could be considered unneighbourly where it not for the existing shrubbery and new fencing, so by enclosing much of this playground with canopies, retaining the existing boundary fencing and by the position of the new building, this would actually help to mitigate any loss of amenity to Old School House that currently exists.
- 6.4.8 The proposed plans confirm that any direct views out from this window would remain as existing facing towards the front garden of The Bungalow on the other side of the existing boundary hedge. The position of the new building would be at angle to this bedroom window and appear as a modest shallow roofed structure when viewed from this room.
- 6.4.9 Another feature of the application site is that there is a change in levels between the Old School House land and the application site which is lower. Drawing No GA03 F Rev F shows spot heights indicating that the land to the west of the

entrance to the School is 188.09m AOD, whilst just inside where the proposed double entrance gates would be sited it is 187.91m AOD. Further to the east it drops away to 187.65m AOD and it finally levels out to 187.29m AOD to the east, so this is a drop in levels of some 800mm across this part of the School property including what was formerly part of School House garden.

- 6.4.10 The issue of the difference in levels is also shown on Dwg No GA07 F Rev A that was submitted on 16 January 2019. This shows a view of the proposed school hall as would be viewed from Old School House's garden and because of the change in levels, the building would be sited below the garden level thereby reducing its impact. The drawing shows that the eaves of the proposed 4.7m high building would project above the height of 1.8m high fence line by 1.3m with the proposed ridge as being 1.8m higher above this fenceline. In addition, the projecting 3.2m high canopy would extend 1.7m out over the play area to the north of this building. This drawing also appears to show a 600mm drop between the rear garden of Old School House and the School grounds and that the finished floor level would be 500mm below the fence line. The lower ground levels would assist in mitigating the impacts on the neighbouring property.
- 6.4.11 Objections were also raised regarding the party boundary which is an existing timber fence. The neighbours were under the impression that this was a temporary feature and it would be removed and replaced with a new fence and retaining wall along the new driveway. Concerns were also raised that this fence would need to be removed and then replaced with a new fence and retaining wall as was proposed under the last scheme.
- 6.4.12 The submitted plans show that instead of building a retaining wall all the way round the bottom of the party fence where the ground drops away, it is now intended to grade the soil down at a suitable angle of repose at the rear of the site. Only where this wall would not be feasible would a concrete retaining wall be built which is suggested along the western boundary fence of the playground. The submitted plan indicates that for the rest of the fence line around Old School House towards the entrance to the site, no significant changes are proposed in ground level for the access or where the proposed inward facing double gates will be positioned. Furthermore a concrete kerb is now proposed to be positioned next to the fence.
- 6.4.13 Following further concerns raised by the objector, the agent has stated that the *“current application does not involve changes in the finished levels immediately adjacent to the boundary”*. He also points out that the original conveyancing plan did not state the type of fencing that was to have been erected and therefore the existing fence is the one that will be retained.
- 6.4.14 There is one further point regarding this fence and its current appearance in that its design is necessary in order to provide for the security and child safeguarding that is required for the School as well as ensuring the privacy of all parties.

- 6.4.15 It is also noted that there would be a reduction in the size of the previously permitted car parking area which would then reduce the number of vehicle movements that would occur beyond the fence on a daily basis. If the previous scheme had been implemented; the permitted plans show that there would have been a substantial area of car parking provided beyond the boundary fence in order to provide sufficient manoeuvring space for parents to park their cars for picking up and dropping off children that were to attend the Play group on the first floor of the previously permitted building.
- 6.4.16 However as this facility will no longer be provided, Officers consider that with the reduction in parking space and omission of the Playgroup parking from here that there would be far less noise and disturbance to Old School House, because there would only be two vehicle movements per day instead. Thus the noise and disturbance that would have occurred would therefore be significantly reduced in this area.
- 6.4.17 The neighbour has also raised concerns about the proposed external surface to be used for the access way. Originally gravel was proposed to be used for a temporary period until the School could find the money to lay a permeable surface instead. However in the short term it is now proposed that hoggin will be used. Objections have been raised regarding the potential for surface water to drain into the neighbour's property. In response the agent has indicated that the hoggin will be retained by way of a concrete kerb and that it is not intended to drain the driveway into the neighbour's property.
- 6.4.18 The comments of the neighbour regarding concerns of new access way and the hedgerow have also been considered. The original permitted plans show that a 4m wide access was to have been achieved between the fence line and the centre part of the hedge. However, it would appear that this drawing did not take into consideration the change in levels beneath this hedge in that the land rises up to the south as the front garden of The Bungalow is higher than the School's property. The submitted cross section drawing now clearly shows this change in levels and that the centre line of the hedge would not be affected by the development and also that a gap of 3m would be provided for the new access instead of 4m, but this would still be sufficient width to allow a vehicle to pass along this access. The requirement for this hedge to be pegged out so that the neighbours can view the position of the cut back hedge is a private matter.
- 6.4.19 In support of the scheme, the School have also made the following points:
- The overlooking issues have been resolved with the removal of the windows and doors and by adding the canopy over the remaining window so as to remove any oblique line of sight
 - The proposed building has been positioned as close to the ST Inspection Chamber as possible. If this was not on site, then there would have been no objection to moving the building further to the east of the Garden area.
 - The access drive will only be used for Emergency Evacuation and for

1No vehicle that will deliver lunches around 11:20am each day during lesson time. However, it is likely that the current arrangement will continue with the delivery taking place via the main door, but in poor weather and for health and safety reason, this option is requested.

- Concerns have been raised about insulation, but this building will be insulated for noise transmission as the Acoustic Calculation figures from Rockwool document that has been submitted have stated, this shows a Sound reduction figure of 53 decibels.
- Furthermore residents who live near or next to School are aware that children will be making noise at playtimes, lunch times and after Sports lessons etc as this is part of living next to a School
- The proposed hall will be used during the school day from 07:30 to 17:30 hours, but there is no planned weekend use.
- With regard to the previous planning approval this was for a much larger two storey building and if that had been implemented, the School would have had a large sport's hall, a working school kitchen and 2No rooms for early year's provision. However because the School can no longer benefit from this development, there is still a requirement to provide additional space for the children.
- The School has acknowledged the neighbour's concerns but it has a requirement to consider the issues against the planning process in an objective way.
- A section drawing has now been drawn up (GA07 REV 0 submitted on 17 December 2018) that shows the relationship to the neighbouring properties.

6.4.20 The measures that have been proposed by the School are now considered sufficient to prevent any new overlooking or loss of amenity from the new building which would be sited at a lower level than the neighbour's property and taken with the reduction in the numbers of vehicle movements that were proposed under the last scheme and would have been just beyond the rear garden of Old School House; compared with the proposed use of the new drive being restricted to vehicles delivering School lunches only, this proposal is not considered to result in any material harm to the surrounding neighbours.

6.5. Landscaping

6.5.1 CS17 deals with Environmental Networks is also concerned with design in relation to the environment and places the context of a site at the forefront of consideration so that any development should protect and enhance the diversity, high quality and local character of Shropshire's built, natural and historic environment and it does not adversely affect the values and function of these assets.

- 6.5.2 It is also important to consider the requirements of Policy MD12 which deals with Natural Environment. This policy in connection with other associated policies seeks to apply guidance of the conservation, enhancement and the restoration of the county's natural assets which will be achieved by ensuring that the social and economic benefits of the development can be demonstrated to clearly outweigh the harm to the natural assets where proposals are likely to have an unavoidable significant adverse effect, directly or indirectly or cumulatively on natural features like the existing trees and the hedgerow that forms the southern boundary of the site.
- 6.5.3 The Council's Tree Officer notes that the proposal is similar to the existing permission dating from 2 years ago (ref: 16/00604/FUL) but differs in that the current design has a smaller footprint for the building.
- 6.5.4 With regard to arboricultural issues, however the same trees will require removal to facilitate construction, but beneficially the development will be further away from the beech tree (T2 in the tree report) which is the most significant tree in the immediate area.
- 6.5.5 Whilst the same arboricultural information has been submitted as before and so the tree report remains sufficiently accurate in terms of its assessment of tree sizes and root protection areas and the Tree Officer still agrees with the findings and recommendations, the plans within the report are based on the previous scheme.
- 6.5.6 For clarification and enforcement purposes the submitted Tree Protection Method Statement dated 31 March 2016 was requested to be updated so that would be based upon the current submitted layout and that most importantly Sections 5 and 6 and the Tree Retention and Protection Plan were also updated. Revised details were submitted and have been assessed by the Council's Tree Officer.
- 6.5.7 The updated report has been reviewed with the amended plans and arboricultural information and satisfactorily addresses the comments made in the previous consultation response (15th November 2018). The Council can agree with the findings and recommendations of the amended BS5837 Tree Protection Method Statement (Unwin Forestry Consultancy, 31 March 2016, Rev 2.1.19)
- 6.5.8 It is considered that the tree and hedgerow loss required to implement this development is of relatively minor impact and can readily be compensated by suitable new tree and hedge planting at suitable locations within the site. Therefore there is no objection to this application on arboricultural grounds, given appropriate tree protection measures as identified in the arboricultural report and subject to conditions.
- 6.6 Consideration of the proposal on the Stottesdon Conservation Area**
- 6.6.1 In considering the proposal due regard to the following local and national policies,

guidance and legislation has been taken; CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, policy MD13 of the Site Allocations and Management of Development (SAMDev), the National Planning Policy Framework (NPPF) published July 2018, Planning Practice Guidance 2018 and Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

6.6.2 Under Paragraph 189 of Section 16 of the NPPF, there is a requirement an applicant should describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset's importance.

Paragraph 192 requires that local planning authorities should take account of:

- a) *The desirability of sustaining and enhancing the significance of the heritage assets and putting them to viable uses consistent with their conservation;*
- b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and*
- c) *The desirability of new development making a positive contribution to local character and distinctiveness.*

6.6.3 Paragraph 193 requires that when *“considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.

6.6.4 Paragraph 194 goes onto say *“Any harm to or loss of significance of a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification”*.

6.6.5 In this case as the School is in the Stottesdon Conservation Area, paragraph 196 is also relevant here; *“where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.”*

6.6.6 The application proposes the erection of a new school hall building at Stottesdon C E Primary School and the site lies within the Stottesdon conservation area.

6.6.7 The previous scheme was for a much larger building and this was approved under application ref: 16/00604/FUL. However the new scheme as now put forward as part of the current application is for a smaller building that has a simple functional design.

6.6.8 As the principle of a large hall extension has already been approved as part of the previous permission and was not considered to result in material harm to the

significance of the Conservation Area, this more modest single storey building would also result in less than substantial harm because it would have less impact on the significance of this part of the Conservation Area.

- 6.6.9 The proposed school building will also provide a measured public benefit to the local community by providing much needed outdoor covered play space and by increasing the curriculum activities that this high performing village school can provide as well as providing the necessary health and safety improvements that the increased number of pupils now require.
- 6.6.10 It is acknowledged that the use of metal cladding for one elevation of the building, which would be mostly hidden behind the boundary hedge. The remaining elevations would be clad in horizontal larch weather boarding which is not too dissimilar to the existing elevations of the modular extensions of the rest of the school building. Furthermore, these extensions also have membrane roofs. Officers consider that the materials to be used on this modest school hall building would therefore neither detract from the appearance of existing Victorian School building as the hall would be behind the dual frontage of the School and neither would it affect the character or appearance of this part of the Conservation Area either.

6.7 Other Matters

6.7.1 Highways

- 6.7.2 The Highway Authority have no objections to the scheme and they consider that is unlikely that the addition of this new school hall would significantly adversely affect highway safety or local conditions.

- 6.7.3 The comments of the Parish Council and neighbours are noted regarding the Shropshire Council owned car park and the views of the County Highway Officer have been sought: It is hoped to receive any comments in time for the Committee meeting.

6.8. Sustainable Drainage - SUDS

- 6.8.1 CS18 deals with Sustainable water Management, so that development will need to integrate measures for sustainable water management to reduce flood risk, avoid adverse impacts on ground water quality and quantity and provide opportunities to enhance biodiversity.

- 6.8.2 The site is not defined as being in a Flood Zone that would require a Flood Risk Assessment and no flood mitigation measures are required.

6.9 Ecology

- 6.9.1 MD12 is also relevant here as it deals with the Natural Environment. Again there is a need to consider whether the social or economic benefits of the development can be demonstrated to clearly outweigh the harm to the natural assets such as the hedgerows and trees where the proposal would result in loss of these assets.

. Development proposals must assess whether they are likely to affect a natural asset using current accepted guidance and best practice.

- 6.9.2 The applicant has submitted an Ecological Report and Survey dated September 2017. No evidence of protected species listed in Section 2 were found on the site with the exception of the potential for disturbance for nesting birds.
- 6.9.3 This Appraisal found that the main habitat was an amenity garden with a small pond, vegetable plots, planted ornamental garden borders, young trees and shrubs as well as areas of hard standing between the garden area and the back of the school buildings. Essentially it is recommended that where possible new native species of grasses and wildlife are used for any landscaping.
- 6.9.4 In terms of the protected species, with regard to Bats, there are no buildings that would be directly affected and the existing school buildings were not considered suitable for roosting bats. There is also a lack of suitable trees and shrubs that would be unsuitable for roosting bats as they are insufficient age and lack suitable ingress points. Nevertheless the site is likely to form part of a commuting and foraging area for local bats and therefore bat boxes should be erected on the new building to provide potential roosting opportunities for bats and that any external lighting should be sensitive to bats and other wildlife and follow the Bat Conservation Trust's guidance.
- 6.9.5 As for Great Crested Newts, there is one pond on the site located in the amenity garden, but it is small and plastic lined with a site area of 0.5m² and minimal planting. There are no fish. There is also a safety guard over the pond which would restrict wildfowl access and the guard along with footbridge casts about 80% shading over the waterbody. Furthermore the surrounding vegetation is species poor, however the immediate terrestrial habitat around the pond would provide cover for amphibians, but the general habitat around the school with its extensive tarmacked areas as well as the surrounding residential properties is unlikely to be provide the necessary connectivity.
- 6.9.6 Indeed a Habitat Suitability Index Assessment calculated that the pond only having a poor suitability to be able to support great crested newts and the water body has not changed since the original survey in 2015.
- 6.9.7 Conditions are recommended relating to the provision of bird boxes to enhance biodiversity, together with informatives relating to nesting birds and management practices during the construction phase to safeguard amphibians, reptiles and small mammals.

7.0 CONCLUSION

- 7.1 It is considered that the siting, scale and design of this second proposed new School Hall building, new access road and single parking area, retaining wall and fencing, the siting of demountable canopies and associated works are acceptable

in planning terms as the overall scheme would provide more sustainable accommodation and improved facilities to enable the School to operate in accordance with its regulations.

- 7.2 The siting of the building at a lower ground level than Old School House and the introduction of canopies to be attached to the building and free-standing ones in the playground along with the retention of existing boundary hedgerow would not result in material harm to the amenities of either Old School House or The Bungalow. With regard to the scheme in relation to the impact on the Stottesdon Conservation Area, it is considered that the new building would result in less than substantial harm to the setting of the designated heritage asset and would also preserve the character and appearance of the Victorian school and Old School House and its setting.
- 7.3 The proposal is considered to be compliant with the Core Strategy Policies, those of the Shropshire Sites Allocations and Management of Development (SAMDev) and the National Planning Policy Framework and subject to conditions on time limits, development in accordance with the deposited plans; full details and samples of external materials including colour and texture of the cladding and metal profile sheeting; large scale drawings of proposed joinery, window detailing and double gates, details of the permeable driveway surface, the hours of use of school hall, details of external lighting, bat box location, tree protection conditions and landscaping plan, the scheme is now considered to be acceptable and the recommendation is one of approval.
- 8.0 Risk Assessment and Opportunities Appraisal
- 8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Shropshire Council Adopted Core Strategy
CS6 Sustainable Design and Development Principles
CS7 Communications and Transport

CS8 Facilities, Services and Infrastructure Provision
CS13 Economic Development, Enterprise and Employment
CS17 Environmental Networks
CS18 Sustainable Water Management

Shropshire Site Allocations and Management of Development (SAMDev) Plan
MD2 Sustainable Development
MD12 Natural Environment
MD13 Historic Environment

RELEVANT PLANNING HISTORY:

10/00883/FUL Erection of a canopy enclosure to replace existing GRANT 5th May 2010
12/01783/FUL Proposed extension to provide new Reception office general purpose room and playground extension GRANT 18th June 2012
14/05315/TCA To remove all major deadwood more than 80mm in diameter and stubbs from throughout the crown of 1No Poplar Lombardy (21) within Stottesdon Conservation Area NOOBJC 23rd December 2014
15/00298/TCA Fell 1No Poplar Lombardy Tree lying within Stottesdon Conservation Area NOOBJC 31st March 2015
15/04712/VAR Variation of condition no.1 attached to CC2005/0036 To allow for retention of the demountable accommodation for a further temporary period of ten years GRANT 17th December 2015
15/04713/VAR Variation of Condition no. 2 attached to CC2007/0027 To allow for the retention of the demountable accommodation for a further temporary period of ten years GRANT 17th December 2015
16/00604/FUL Erection of a new school hall building and demolition of stone wall near adjacent car park GRANT 11th July 2016
18/04323/FUL Erection of a new school hall building PCO
BR/APP/CRG3/07/0708 EXTENSION TO EXISTING DEMOUNTABLE CLASSROOM UNIT NOOBJC 6th September 2007
BR/APP/CRG3/01/0799 Erection of two extensions to existing three-bay demountable classroom unit and extension to hard play area OBS 16th November 2001
BR/APP/CRG3/05/0804 Renewal of temporary planning permissions for 8-BAY demountable classroom and staff accommodation with corridor and canopy OBS 17th October 2005
SC/CC2007/0027 Installation of extension to existing demountable classroom unit to provide 'early years' and childcare facility PERMIT 28th September 2007
SC/CC2005/0036 Renewal of temporary planning permissions (granted in 1995 and 2001) for 8-bay demountable classroom and staff accommodation, with corridor link and canopy PERMIT 16th November 2005
SC/CC1997/0004 Formation of new pedestrian access and closure of existing pedestrian access PERMIT 14th March 1997
SC/CC1995/0031CONS Demolition of existing demountable classroom unit and timber shed CAC 6th July 1995
SC/CC1995/0030 Installation of 3-bay demountable classroom unit to replace existing classroom unit PERMIT 4th August 1995
SC/CC2001/0042 Installation of two extensions (total 5 bays) to existing 3-bay demountable classroom unit, and extension of hard play area PERMIT 19th December 2001

BR/95/0278 INSTALLATION OF 3-BAY DEMOUNTABLE CLASSROOM UNIT TO REPLACE EXISTING UNIT OBS 31st May 1995

BR/97/0094 FORMATION OF NEW PEDESTRIAN ACCESS AND CLOSURE OF EXISTING PEDESTRIAN ACCESS OBS 3rd March 1997

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PF93AZTD08V00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Design and Access Statement

Heritage Assessment

Ecological Assessment

Tree Protection Method Statement

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Gwilym Butler

Cllr Madge Shineton

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

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

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a tree planting scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape - Recommendations, or its current version, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall include:

- a) details as relevant of ground preparation, planting pit specification and the trees and shrubs to be planted in association with the development (including species, locations or density and planting pattern, type of planting stock and size at planting), means of protection and support and measures for post-planting maintenance;
- b) details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in a) above.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

4. The tree works shall be carried out and tree protection measures installed as specified within the amended BS5837 Tree Protection Method Statement (Unwin Forestry Consultancy, 31 March 2016, Rev 2.1.19) and on the amended Tree Retention and Protection Plan (STOTTRP - Jan 19), prior to commencement of development on site.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

5. The development shall be implemented in strict accordance with the approved Tree Protection Method Statement (Unwin Forestry Consultancy, 31 March 2016, Rev 2.1.19), notably section 6 and Appendices III - VII thereof, and the amended Tree Retention and Protection Plan (STOTTRP - Jan 19). The approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

6. The approved tree planting scheme shall be implemented as specified and in full no later than the end of the first planting season (November to February inclusive) following completion of the development. If within a period of three years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- a Traffic Management Plan

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

8. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls including the metal profile sheeting and treatment of the external cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

9. Prior to the commencement of the relevant work, details of all external windows and doors and any other external joinery including the new double gates to be erected near the entrance to the driveway shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details

Reason: To ensure the external appearance of the development is satisfactory.

10. Prior to first occupation / use of the building, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 1 external woodcrete bat box or integrated bat brick, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 3 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes) and/or house martins (house martin nesting cups).

The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter maintained for the lifetime of the development.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 175 of the NPPF.

11. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition). The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

12. The School Hall building hereby permitted shall not be open outside of the hours of 0730 to 1800 Monday to Fridays and, at no times on Saturday, Sundays or Public Holidays

Reason: To protect the amenities of the occupiers of the adjacent properties from potential nuisance

13. No deliveries shall arrive or be dispatched from the building outside of the following times:

- a) 0730 to 1800 Monday to Friday
- b) not at any time on Saturdays, Sundays or Public Holidays

Reason: To minimise the noise disturbance to neighbouring residents.

14. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, no windows, rooflights or other window opening other than those shown on the approved plans shall be inserted in either the south or west elevations of the development hereby permitted.

Reason: To preserve the amenity and privacy of the adjoining properties

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Council's Surface Water Management: Interim Guidance for Developers document. It is available on the council's website at:

www.shropshire.gov.uk/drainage-and-flooding/local-flood-risk-management-strategy/

The provisions of the Planning Practice Guidance, in particular Section 21 Reducing the causes and impacts of flooding, should be followed.

Preference should be given to drainage measures which allow rainwater to soakaway naturally. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

3. The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and/or scrub removal should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. No clearance works can take place with 5m of an active nest.

If during construction birds gain access to the building and begin nesting, work must cease until the young birds have fledged.

4. Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.

The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Any common reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

5. Where it is intended to create semi-natural habitats (e.g. hedgerow/tree/shrub/wildflower planting), all species used in the planting proposal should be locally native species of local provenance (Shropshire or surrounding counties). This will conserve and enhance biodiversity by protecting the local floristic gene pool and preventing the spread of non-native species.

6. The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

7. Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

8. This planning permission does not authorise the applicant to:
construct any means of access over the publicly maintained highway (footway or verge) or
carry out any works within the publicly maintained highway, or
authorise the laying of private apparatus within the confines of the public highway including any
new utility connection, or
undertaking the disturbance of ground or structures supporting or abutting the publicly
maintained highway.

The applicant should in the first instance contact Shropshire Councils Street works team. This
link provides further details

<https://www.shropshire.gov.uk/street-works/street-works-application-forms/>

Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to
commence any such works affecting the public highway so that the applicant can be provided
with an appropriate licence, permit and/or approved specification for the works together and a
list of approved contractors, as required.

9. Where there are pre commencement conditions that require the submission of
information for approval prior to development commencing at least 21 days' notice is required
to enable proper consideration to be given.

10. Your attention is specifically drawn to the conditions above that require the Local
Planning Authority's approval of materials, details, information, drawings etc. In accordance
with Article 21 of the Town & Country Planning (Development Management Procedure) Order
2010 a fee is required to be paid to the Local Planning Authority for requests to discharge
conditions. Requests are to be made on forms available from www.planningportal.gov.uk or
from the Local Planning Authority. The fee required is £116 per request, and £34 for existing
residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this
permission; any commencement may be unlawful and the Local Planning Authority may
consequently take enforcement action.

11. National Planning Policy Framework 2018
National Planning Practice Guidance 2018

Shropshire Council Adopted Core Strategy
CS6 Sustainable Design and Development Principles
CS7 Communications and Transport
CS8 Facilities, Services and Infrastructure Provision
CS13 Economic Development, Enterprise and Employment
CS17 Environmental Networks
CS18 Sustainable Water Management

Shropshire Site Allocations and Management of Development (SAMDev) Plan
MD2 Sustainable Development
MD12 Natural Environment
MD13 Historic Environment

Contact: Tim Rogers (01743) 258773

