

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 6 December 2017

(Author: David Grant - Planning Officer)

Purpose: To consider Planning Application H16-1002-17

Application Number: H16-1002-17

Date Received: 18 October 2017

Application Type: FULL

Description: Development of multi-use games area south of existing South Holland Post 16 Centre in Spalding and associated external works

Location: SOUTH HOLLAND POST 16 CENTRE MATMORE GATE SPALDING

Applicant: Education & Skills Funding Agency

Agent: Mace Limited

Ward: Spalding St Marys
Spalding St Pauls

Ward Councillors: Lord Porter
Cllr H T Drury
Cllr D Ashby
Cllr P A Williams

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-1002-17>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Issues raised merit Committee consideration.

2.0 PROPOSAL

2.1 This application is for development of a multi-use games area (MUGA) south of the existing South Holland Post 16 Centre and associated external works at the South Holland Post 16 Centre, Matmore Gate, Spalding.

2.2 The existing Post 16 Centre which accommodated 158 pupils in the 2015/16 academic year is to be remodelled to an Alternative Provision (AP) school to accommodate 63 pupils. The pupil demographics are between Key Stages 1 to 4, and aged 5-16 years. These services will be provided by the Wellspring Academy Trust. The proposed pupil number of 63 represents just under 40% of the previous numbers that frequented the site. The building falls under Use Class D1 (Non-residential institution) and may be reused as a school without the need for planning permission. It is also proposed that external works are carried out at the front of the building, to form a Multi Use Games Area (MUGA) and provision of a drop off and pick up area.

2.3 Additional landscape changes under permitted development will include the introduction of secure play areas, an external PE store and new 2.4m high anti-climb fences and gates to secure the area of the site accessible to pupils. De-minimis alterations to the existing external fenestration will occur in places to allow access to the outside. This will include the change of 4 existing windows to doors. There will also be the introduction of a 2500mm deep canopy on the northern elevation of the building which is to be the width of one of the proposed classrooms.

- 2.4 The MUGA would measure 18 metres by 33 metres, secured by a 3 metre high moss green anti-climb sports fencing, and be used during the Wellspring Trust's school hours of 08:45 - 14:45 Monday to Friday during school term times. In addition to this the Trust have confirmed that the MUGA will be available for community use during out of school daylight hours and that car parking will be made available to support the community use of this. The MUGA will not be floodlit.
- 2.5 The MUGA is required to provide a hard outdoor PE area for the pupils who will be attending the Springwell Alternative Academy. Games such as Netball, Basketball and five a side Football will be able to be taught and played on the MUGA.
- 2.6 There are currently 59 car park spaces, 4 of which are disabled spaces. The proposal seeks to provide a total of 44 car park spaces designated as follows; 2 disabled parking spaces; 30 staff parking spaces and; 12 taxi parking / drop-off spaces.

3.0 SITE DESCRIPTION

- 3.1 The site is currently car parking space serving the Post 16 Centre. Residential properties are sited to west of the site and to the south on the opposite side of Matmore Gate are more residential properties. Beyond the South Holland Post 16 Centre to the north are the playing fields of Spalding Academy which are also sited to the east of the site.
- 3.2 The site is within the grounds but independent of the Spalding Academy. The Alternative Provision School is served by a separate access with separate parking provision.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 215 of the NPPF should therefore continue to be given substantial weight in the decision making process.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy SG1 - General Sustainable Development
Policy SG14 - Design and Layout of New Development
Policy SG15 - New Development: Facilities for Road users, Pedestrians and Cyclists
Policy SG16 - Parking Standards in New Development
Policy SG17 - Protection of Residential Amenity

National Guidance

National Planning Policy Framework (NPPF), March 2012

Paragraph 14 - The presumption in favour of sustainable development
Paragraph 17 - Core planning principles
Paragraph 72 - Giving weight to alteration and expansion of schools
Paragraph 73 - Access to opportunities for sport

Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

5.1 H16-1314-06 Spalding Gleed Girls School - Construction of sixth form / adult learning facilities. County Council REG 3 Application - Approved 28 November 2006.

6.0 REPRESENTATIONS

6.1 Ward Member

Cllr Lord Porter

Requests application is heard at Committee if recommended for approval. Objects to the proposal.

6.2 County Highways & SUDS Officer

No objections. Requests condition regarding Travel Plan to show that it is capable of implementation before the educational facility is in operation.

6.3 SHDC Environmental Protection

No objections.

6.4 LCC Historic Environment Officer

No objections.

6.5 Public

8 Individual responses and a petition (with 124 signatories) have been received. Concerns have been expressed with coarse language, loss of property value, need, security, hours of operation, behaviour of pupils, change of use, increase in traffic, highway safety and the proposed location of the MUGA.

7.0 MATERIAL CONSIDERATIONS

7.1 The key issues for consideration in this application are:

- Principle/Policy;
- Design and impact upon residential amenity;
- Highway Safety;
- Flood Risk and Drainage.

7.2 Principle/Policy

7.3 Paragraph 72 of the NPPF concerns the alteration and expansion of schools, and states 'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools; and
- Work with schools promoters to identify and resolve key planning issues before applications are submitted.'

The proposed ancillary works to the building are considered to be supported by Paragraph 72.

7.4 Paragraph 73 of the NPPF concerns access to opportunities for sport, and states: 'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and

quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.'

The proposed MUGA is considered to increase opportunity for sport and thereby satisfies Paragraph 73.

7.5 Design and impact upon residential amenity

7.6 There will not be a material alteration to the character, function or form of the building and parking area. The proposed alterations to the school building are minor and the proposed fencing for the MUGA is not considered to be visually obtrusive. The proposal is therefore considered to accord with Policy SG14 of the South Holland Local Plan.

7.7 A certain amount of noise may be created by the users of the MUGA but this will not be at unsociable hours. Disturbance from vehicle movements and general activity should noticeably decline as the number of pupils on site will be substantially reduced. There is not considered to be any harm to residential dwellings from overbearing, overshadowing or detriment to visual amenity as a result of the works. The proposal is therefore considered to accord with Policy SG17 of the South Holland Local Plan.

7.8 Highway safety and parking

7.9 The existing layout provides 59 car park spaces, 4 of which are disabled spaces. The proposal seeks to provide a total of 44 car park spaces designated as follows; 2 disabled parking spaces; 30 staff parking spaces and; 12 taxi parking / drop-off spaces. This represents 75% retention of previous parking spaces. Given that the proposal pupil number of 63 represents just under 40% of the previous numbers that frequented the site, it is considered that the number of parking places adequately covers the needs of the site. In addition, the site is served by It1 and It2 bus routes during the entirety of the operational hours. No alterations to the existing access will take place as a result of the proposal.

7.10 The agent comments further 'Mace have been informed by the Trust that the majority of students will travel to and from the school by taxis / private hire vehicles and that some will also be accompanied by Lincolnshire County Council escorts. As a result of this therefore there was the requirement for the introduction of a drop-off and pick-up point. After exploring a number of options of how this could be achieved, it was felt that using the MUGA itself at both arrival and departure times would be the best solution for this, especially when taking into account the restricted size of the site and safeguarding of the pupils before and after school.'

7.11 There is anticipated to be a noticeable reduction in traffic and on-street parking as a result of the permitted development change of use to an alternative provision education establishment.

7.12 Operating hours and lighting of the MUGA

7.13 The MUGA will be used during the Wellspring Trust's school hours of 08:45 - 14:45 Monday to Friday during school term times. In addition to this the Trust have confirmed that the MUGA will be available for community use during out of school daylight hours and that car parking will be made available to support the community use of this. Three lighting pillars will be moved from the MUGA location to facilitate its safe use. The MUGA will not be floodlit. Concern therefore regarding all night use is not material to this planning application.

7.14 Proposed MUGA location

7.15 The suggested location to place the MUGA on land to the east or north of the school cannot be achieved as the playing fields of Spalding Academy are not in the ownership of the applicant.

7.16 Need for the MUGA

7.17 The MUGA will provide the only secure recreational provision on site. The applicant does not

have access to the fields to the side and rear of the site in the ownership of Spalding Academy. Need is not a planning concern.

7.18 Effect on property value

7.19 This is not a planning concern.

7.20 Change of use of the site

7.21 The building falls under Use Class D1 and will be reused as a school without the need for a change of use application to be submitted. Therefore a refusal of the application would not prevent the Wellspring Trust from commencing use as an Alternative Provision education establishment.

7.22 Behaviour of pupils

7.23 The building remains an education establishment the behaviour of pupils whilst on site is a matter for the site staff. The use of coarse language is not a planning concern.

7.24 Security of the site

7.25 Outside of operational hours the school, car park and MUGA will be locked by the Wellspring Trust and not accessible to the public. The perimeter of the site will be secured by 2.4 metre high anti-climb fencing. There have concerns expressed regarding the height of the fencing. The fencing is for safeguarding issues and can be seen through. To lower the height of the fencing would impact upon safeguarding and the security of the site.

7.26 Conclusion

7.27 The proposed MUGA and subsequent parking alterations are not considered to contribute material harm to residential amenity or the character of the surrounding area. The proposal is in accordance with guidance contained within the NPPF and South Holland Local Plan, and will help to improve sports provision for the Wellspring Trust.

8.0 RECOMMENDATIONS

8.1 **Grant permission subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Drw No R-15494-301, Dwg No MAC-XX-00-DR-A-002-P2 Amendment 1, Drw No R-15450-201 (Topographic Survey), Appendix B Traffic Management, Appendix C Transport Feasibility Study, 34241-MAC-XX-XX-DR-A-304 1, 34241-MAC-XX-00-DR-A-004, 34241-MAC-XX-00-DR-A-002 1, 34241-MAC-XX-00-DR-A-001 1, MAC-XX-XX-DR-A-400 P 2 Amendment No 2, MAC-XX-XX-DR-A-305 P 3 Amendment No 2, MAC-XX-XX-DR-A-401 P 2 - Amendment No 2 and MAC-XX-00-DR-A-003 P 3 - Amendment No 2

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Development shall not be commenced until an updated Travel Plan has been submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order that the local planning authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

This Condition is imposed in accordance with Policies SG15, SG16 & SG17 of the South Holland Local, 2006, as well as Section 10 of the National Planning Policy Framework, 2012.

4. The Springwell Spalding / Wellspring Servicing & Car Park Management Plan shall be adhered to in perpetuity and updated / amended where necessary.

Reason: To ensure safe management of the traffic accessing the site in the interests of safety of the users of the site and of the public highway.

This Condition is imposed in accordance with Policies SG15, SG16 & SG17 of the South Holland Local, 2006, as well as Section 10 of the National Planning Policy Framework, 2012.

5. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

Lead Contact Officer

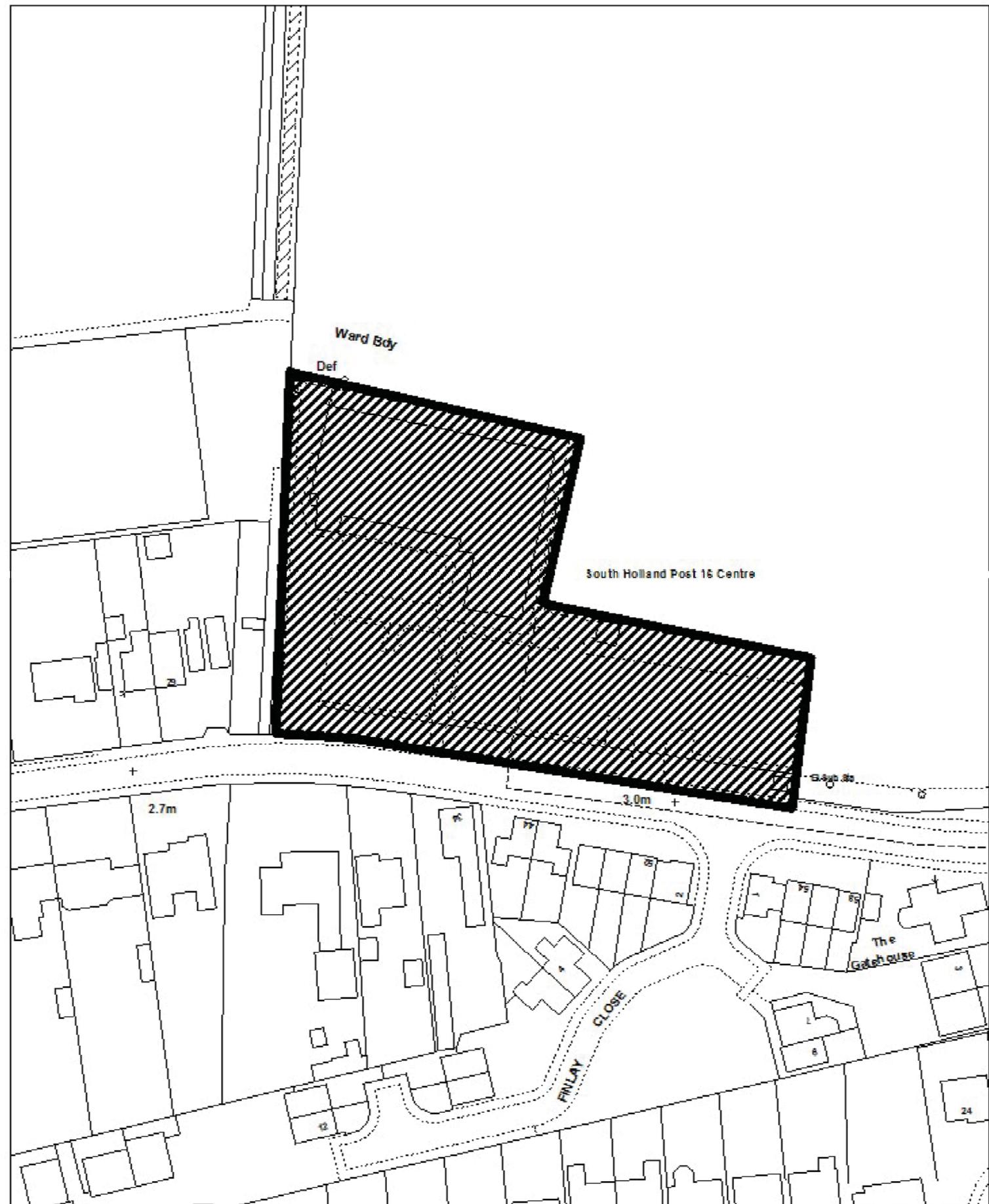
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Appendices attached to this report:

Appendix A Plan A



Scale: 1:1000

November 2017

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