
Report of the Head of Planning and Development

STRATEGIC PLANNING COMMITTEE

Date: 11-Aug-2022

**Subject: Planning Application 2022/91453 Erection of classroom and play deck
Southgate School, Southfield Road, Almondbury, Huddersfield, HD5 8TG**

APPLICANT

Joe Tingle, Kirklees
School Services Ltd

DATE VALID

28-Apr-2022

TARGET DATE

23-Jun-2022

EXTENSION EXPIRY DATE

15-Aug-2022

Please click the following link for guidance notes on public speaking at planning committees, including how to pre-register your intention to speak.

[Public speaking at committee link](#)

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral wards affected: Almondbury

Ward Councillors consulted: No

Public or private: Public

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 Planning permission is sought for the erection of a detached classroom and play deck. If approved, the building would represent a departure from the development plan, as the application site is situated on Urban Green Space.
- 1.2 In this instance, the proposal has been assessed against local and national policy, whereby officers are satisfied that the new building would not result in a loss of the existing school playing fields. Instead, the educational building would be situated on the edge of an existing grassed area, incapable of affecting the existing playing pitch.
- 1.3 The design and access statement submitted as part of this proposal also sets out that *"the new outdoor classroom will provide a shared resource for all pupils and will facilitate learning outside the formal classroom environment. The outdoor classroom will be used to teach Art and Life Skills, for example how to fix a bike. It's proposed location with the views out onto the playing fields has been chosen to facilitate a closer connection to nature for all pupils and to utilise the calming effect of the natural surroundings to mitigate conflict"*.
- 1.4 Other matters of visual amenity, residential amenity, highway safety and all other material planning considerations are considered to be acceptable, subject to the development been completed in accordance with the suggested conditions set out at Section 12 of this assessment.

2.0 SITE AND SURROUNDINGS:

- 2.1 The application relates to Southgate School, Almondbury, a relatively large plot of land contained within the school campus. The school benefits from a mixture of modern complex buildings, in which appear to of been constructed from brick and render, with flat roofs. Pedestrian and vehicular access can be taken from the northern boundary onto Southfield Road.
- 2.2 The wider area is predominantly residential in character, however, the school and its surrounding grounds are situated on Urban Green Space.

3.0 PROPOSAL:

- 3.1 The proposal seeks full planning permission for the erection of a modular classroom. The new building will provide the required accommodation for the children, to allow a closer connection to nature and to utilise the calming effect of the natural surroundings to mitigate conflict.
- 3.2 The proposed building will have a footprint of 10m in width x 8m in depth (10m overall to include decked area) and an overall height of 3.8m.
- 3.3 Internally, the structure will provide a large open plan classroom.
- 3.4 The building will benefit from a flat roof design and will be constructed using a timber frame system which will be externally clad, to provide a natural appearance. The roof is intended to be constructed from a high specification composite power coated metal skin with a highly insulated core. The additional windows and door will be constructed from UPVC or Powder Coated Aluminium.

4.0 RELEVANT PLANNING HISTORY (including enforcement history):

4.1 *Application site:*

2017/91646 Discharge of conditions 4 (parking) and 9 (biodiversity) of previous planning permission ref: 2015/90463 for extension and alterations to existing school to form new SEN school – Split decision.

2016/93359 Discharge condition 7 (vehicle charging) on previous permission 2015/90463 for extension and alterations to existing school to form new SEN school – Conditions approved.

2016/92977 Non material amendment on previous permission no.2015/90463 for extension and alterations to existing school to form new SEN school – Approved.

2016/92916 Discharge of condition 3 (Materials) on previous planning permission 2015/90463 for extension and alterations to existing school to form new SEN school – Conditions approved.

2015/90463 Extension and alterations to existing school to form new SEN school – Granted.

2010/90528 Erection of timber play shelter – Granted.

2009/92719 Erection of external storage container – Granted.

2000/92898 Erection of two storey classroom extension and kitchen store – Granted.

5.0 HISTORY OF NEGOTIATIONS (including revisions to the scheme):

- 5.1 No negotiations or amendments have been sought throughout the course of this application.

6.0 PLANNING POLICY:

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

6.2 The site is situated on Urban Green Space on the Kirklees Local Plan.

Kirklees Local Plan (2019):

- 6.3
- LP1 – Presumption in favour of sustainable development
 - LP2 – Place shaping
 - LP3 – Location of new development
 - LP21 – Highway safety and access
 - LP22 – Parking
 - LP24 – Design
 - LP47 – Healthy, active and safe lifestyles
 - LP49 – Educational and health care needs
 - LP50 – Sports and physical activity
 - LP52 – Protection and improvement of environmental quality

6.4 Supplementary Planning Documents (SPD)

- Highways design guide

National Planning Guidance:

6.5 National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

6.6 The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal changes
- Chapter 15 – Conserving and enhancing the natural environment

Other Guidance

- 6.7
- National Design Guide

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application has been advertised by site notice, neighbour notification letters and the press. The consultation period ended on 17th June 2022.

7.2 As a result of the above, one representation in objection to the scheme has been received. A summary of the concerns have been highlighted below:

- I am not against the children having as much at their disposal as possible to learn new life skills but as a local resident to the school area, I believe that there are more pressing matters that require attention before this.
- The school needs to sort out the parking issues, which involve both parents and teachers on and around Southfield Road.

- The parking area needs extending so it is able to cope with the growing number of parents/careers that arrive at the school during drop off and pick up.
- Parents are showing complete disregard when it comes to parking on Southfield Road and are even covering driveways.
- If the issue continues to remain unresolved then a petition will be written up by local residents for double yellow lines to be painted on the road by Kirklees Council and white 'do not block' lines to be painted for those who have driveways.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

Sport England – Due to additional information being provided as to the nature of the school and the location of the building in relation to the sites playing pitch, we are satisfied that the proposed development would meet exemption 3 of our playing fields policy. As such, the original objection is now formally withdrawn.

8.2 Non-statutory:

KC Highways DM: Given that the development is not anticipated to increase traffic generation or parking demand at the school, no objections are raised from a highway's perspective.

KC Policy: No formal comments received.

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Landscape issues
- Highway issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

- 10.1 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 10.2 The site is designated as Urban Green Space (UGS) on the Kirklees Local Plan. Therefore, Policy LP61 (Urban green space) is central to the consideration of the proposed development. This policy states that development proposals which would result in the loss of UGS will only be permitted where:
- a) an assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or*

b) replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or
c) the proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space”.

- 10.3 This local policy basis is consistent with paragraph 98 of NPPF, which recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of local communities. Furthermore, within paragraph 99 of the NPPF, it is clear that existing open space, sport and recreational facilities should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*
- 10.4 In light of the above, no further information has been provided as to how the proposal would specifically address the criteria set out within Policy LP61 of the Kirklees Local Plan and Paragraph 98 of the NPPF. However, within the Design and Access statement the agent has set out that the new building will provide and address the need for an additional outdoor classroom at the site. More specifically, it states that the “ *classroom will provide an additional space for pupils to learn in an environment that will improve their quality of life and enhance their ability to learn. By maximising the penetration of daylight and being closer to nature, children would be further motivated to learn*”. Furthermore, the statement also outlines the fact that the proposed development would only result in the loss of a small area of grassland. Therefore, there would be no additional loss of the existing school playing fields as part of this application.
- 10.5 Furthermore, Policy LP49 of the Kirklees Local plan also states that proposals for new or enhanced education facilities will be permitted where they (a) meet an identified deficiency in provision and (b) the scale, range, quality and accessibility of education facilities are improved. This policy coincides with paragraph 95 criteria (a) of the NPPF states that Local Planning Authorities should attach great weight to the need to create, expand or alter schools through the decisions on applications. Therefore, as outlined above, it has been considered that there is a need for a new modular classroom, whereby officers are satisfied that this outweighs the impact upon Urban Green Space. Thus, this material consideration justifies a departure from the Local Plan.
- 10.6 Having taken into account the above, it has been considered that the proposal in principle would be acceptable, subject to there being no detrimental impact on the other material planning considerations in which will be assessed within more detail below.

Loss of playing space

- 10.7 It has been acknowledged that the proposal would result in the loss of a small area of green space/grass land to the east of the main school building. As such, Sport England have been formally consulted whereby initial objections were raised.
- 10.8 However, further information has been provided by the applicant to Sport England to detail the nature of the school and to show the location of the classroom building in relation to the sites playing pitch. The schools playing pitch has been in a fixed location since becoming a SEN school in 2017.
- 10.9 As such, having assessed the additional information Sport England are satisfied that the development would meeting exemption 3 of their playing fields policy in that:
- 'The proposed development affects only land incapable of forming part of a playing pitch does not:
- reduce the size of any playing pitch
 - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
 - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
 - result in the loss of other sporting provision or ancillary facilities on the site; or
 - prejudice the use of any remaining areas of playing field on the site.'
- 10.10 Therefore the development can be supported by Sport England as there would be no loss of existing school playing fields, only a small area of existing grassland. As a result, officers consider the proposal to accord with Policies LP47 and LP60 of the Kirklees Local Plan and the aims of Chapter 8 of the NPPF, in promoting healthy, active and safe lifestyles.

Urban Design issues

- 10.11 The applicant is seeking permission for an educational building in which will be ancillary to the main school. The building would be located to the East of the existing built form and would be somewhat visible from public vantage points.
- 10.12 The building, as demonstrated on the proposed plans, would be relatively small in size and scale when compared against the backdrop of the main school buildings. The new classroom would have a footprint of 10m x 10m (when taking into account the external decked area), with an overall height of 3.8m. The introduction of a flat roof will also help reduce some of the bulk and massing at the site and would allow the building to keep in with the existing built form.
- 10.13 The new classroom will have a contemporary appearance, as it will be constructed from timber cladding, in which is considered to complement the stated use for the building. It has also been noted that this material will weather and soften overtime, allowing it to blend in with the open fields in which surround the site to the East.

- 10.14 With regards to fenestration, large openings are proposed, with bi-folding doors to the principal elevation. This will aid natural light penetration. Therefore, given the buildings proposed use, no concern has been raised from a visual perspective, as the building would also be set comfortably within the site and is likely to be screened, to some degree by existing planting.
- 10.15 It is therefore considered that the proposal would accord with Policy LP24 of the Local Plan, the National Design Guide and Chapter 12 of the NPPF.

Residential Amenity

- 10.16 The nearest residential dwellings to the application site, are those situated to the North along Southfield Road and those to the South, along Thorpe Lane. In this instance, sufficient separation distances of at least 80m, would be retained and therefore, officers do not consider the single storey building to result in any undue overbearing, overshadowing or overlooking.
- 10.17 The development is also unlikely to give rise to any noise disturbance, over and above the existing situation and therefore, the modular classing will have an acceptable impact on residential amenity, complying with the aims of Policies LP24 and LP52 of the Kirklees Local Plan, the National Design Guide and Chapter 12 of the NPPF.

Highway issues

- 10.18 The proposed building will be ancillary to the main school and therefore is intended to improve and provide additional facilities for children with Special Educational Needs. Furthermore, the details provided within the application form also state that the new building would not affect staffing or pupil numbers and therefore the proposal is not anticipated to increase the vehicular movements to and from the site.
- 10.19 As a result, KC Highways DM are in support of the application, as it is not considered to materially impact upon highway safety and therefore will comply with the aims of Policies LP21 and LP22 of the Kirklees Local Plan and the Highways Design Guide SPD.

Other Matters

Climate change

- 10.20 On the 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

10.21 In this case, it has been considered that the proposed development would not have a negative impact in the context of the climate change emergency as the new modular classroom would be constructed from natural materials that are light weight and easily reversible. Furthermore, the use of large rectangular windows will reduce the need for artificial light and improve passive solar gain. Whilst there would be no additional landscaping or planting as part of this application, it has been noted that the existing trees/planting would be retained to the South, in which will continue to positively contribute towards better air quality. As such, it has been considered that the scheme provides opportunity to meet the dimensions of sustainable development.

Representations

10.22 As a result of the above publicity, one objection has been received. A summary of the concerns raised along with officer comments can be seen below:

- I am not against the children having as much at their disposal as possible to learn new life skills but as a local resident to the school area, I believe that there are more pressing matters that require attention before this.
- The school needs to sort out the parking issues, which involve both parents and teachers on and around Southfield Road.
- The parking area needs extending so it is able to cope with the growing number of parents/careers that arrive at the school during drop off and pick up.
- Parents are showing complete disregard when it comes to parking on Southfield Road and are even covering driveways.
- If the issue continues to remain unresolved then a petition will be written up by local residents for double yellow lines to be painted on the road by Kirklees Council and white 'do not block' lines to be painted for those who have driveways.

Comment: The above concerns have been noted by officers, however, given that the development would not intensify the use at the site (including both student and staffing numbers) no additional on-site parking would be required. As such, the current concerns would need to be reported to the Council's Highways department, separate to this planning application.

11.0 CONCLUSION

11.1 The application site is designated as an Urban Green Space in Local Plan and therefore development would be contrary to Policy LP61. However, it is considered that there are material considerations, which would outweigh the harm and justify a departure from the Local Plan. These material considerations consist of a recognised need for a modular classroom and improved educational facilities at the site, which accord with Policy LP49 of the KLP and Paragraph 95 of the NPPF.

11.2 Furthermore, the NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. In such circumstances it is considered that there are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole, or that specific NPPF policies indicate development should be restricted. In such circumstances the application is recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Planning and Development)

1. Three years to commence development
2. To be built in accordance with the approved plans and documents

Background Papers:

Application and history files.

[Link to application details](#)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2022/91453>

Certificate of Ownership – Certificate A has been signed.