

<b>MEETING:</b>	<b>PLANNING AND REGULATORY COMMITTEE</b>
<b>DATE:</b>	<b>6 MAY 2022</b>
<b>TITLE OF REPORT:</b>	<b>213842 - PROPOSED CONSTRUCTION OF OUTDOOR CLASSROOM AT CLEHONGER CHURCH OF ENGLAND PRIMARY SCHOOL, GOSMORE ROAD, CLEHONGER, HEREFORD, HR2 9SN</b>  <b>For: Mrs Honey per Mr Matt Hobby, Easters Court, Leominster, Herefordshire, HR6 0DE</b>
<b>WEBSITE LINK:</b>	<a href="https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=213842&amp;search-term=clehonger%20school">https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=213842&amp;search-term=clehonger%20school</a>
<b>Reason Application submitted to Committee – Council land</b>	

**Date Received: 14 October 2021      Ward: Stoney Street      Grid Ref: 345197,237527**

**Expiry Date: 14 April 2022**

Local Members: Cllr D Hitchiner

## **1. Site Description and Proposal**

1.1 The site comprises of Clehonger Church Of England Primary School which is accessed from Gosmore Road in the heart of the Village. The school is surrounded in close proximity to a number of residential dwellings, with the outdoor space being to the rear of the site.

1.2 The proposal is for the erection of an outdoor class room to the West of the site. The structure will replace an existing canopied area adjacent to the playground to the rear of the school. The application has an amended plan which shows that the structure will comprise of a timber frame with horizontal weatherboarding to the full height to the North & West elevations. The structure will have an overall height of 4.495 metres and length of 14 metres and a width of 5 metres.

## **2. Policies**

### **2.1 Herefordshire Local Plan - Core Strategy (CS)**

SS1 – Presumption in favour of sustainable development

SS6 – Environmental quality and local distinctiveness

SC1 – Social and community facilities

MT1 – Traffic management, highway safety and promoting active travel

LD1 – Landscape and townscape

LD2 – Biodiversity and geodiversity

SD1 – Sustainable design and energy efficiency

SD3 – Sustainable water management and water resources

## 2.2 Clehonger Neighbourhood Development Plan (Made 7 June 2021)

Policy C1 – Sustainable development  
Policy C6 – Design

## 2.3 National Planning Policy Framework 2021 (NPPF)

Chapter 2: Achieving sustainable development  
Chapter 4: Decision making  
Chapter 11: Making effective use of land  
Chapter 12: Achieving well-designed places

2.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9<sup>th</sup> November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application.

## 3. Planning History

3.1 092399/F – Proposed erection of fencing and hardstanding to the front of the school – Approved with conditions

+ Various historic records

## 4. Consultation Summary

4.1 Statutory Consultations – None

4.2 Internal Council Consultations

4.2.1 Transportation – No Objection

April 2022– Additional comments were received and confirmed that as the pupil numbers are not increasing there are no objections to the proposals.

4.2.2 Environmental Health (Noise) – The applicant has supplied an updated site plan which has the west elevation to the outdoor classroom as timber. From a noise and nuisance perspective our department has no objection to the updated site plan and proposal.

## 5. Representations

5.1 Clehonger Parish Council – Comments

The Clehonger Parish Council are in support of the application but would just make the observation that attention is drawn to minimising noise nuisance, from the open classroom, as far as possible for neighbouring properties.

## 5.2 Representations

Mrs J M Rider – Objection

**'I wish to strongly object to the planning application P213842/F** Proposed construction of outdoor classroom at Clehonger primary school. It is extremely close to my property of Windrush, School Lane and is adjacent to the private rear garden of my property, this is now more evident the illegal removal of some specimen holly trees from my property by the school contractor in November this year. I have become used to the playground noise at break, lunchtimes and the occasional PE lesson especially over the years as the village has grown and the numbers attending the school are growing. This this outdoor classroom is intended to be used all day. Unlike children playing who use the whole of the playground these children will be confined to a very small area right next to my home and garden seating area.

As I understand it 'Forrest' type schoolrooms are intended to be lively places where children are wrapped up in all weathers to actively engage with their outdoor environment on a regular basis. The idea of an open classroom with no windows and doors to keep the noise and disturbance in, would be unacceptable. Its use all day and all year round by various year groups would be a complete nuisance to my enjoyment of my private rear garden. I should also add my enjoyment of my garden could be a complete nuisance to the outside classroom when powered gardening equipment is been used or I am listening to the radio in the garden. I certainly would have no privacy regarding any conversation I might have in my garden and vice versa to their classroom.'

5.3 The consultation responses can be viewed on the Council's website by using the following link:-

[https://www.herefordshire.gov.uk/info/200142/planning\\_services/planning\\_application\\_search/details?id=213842&search-term=clehonger%20school](https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=213842&search-term=clehonger%20school)

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

## 6. Officer's Appraisal

*Policy context and Principle of Development*

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states as follows:

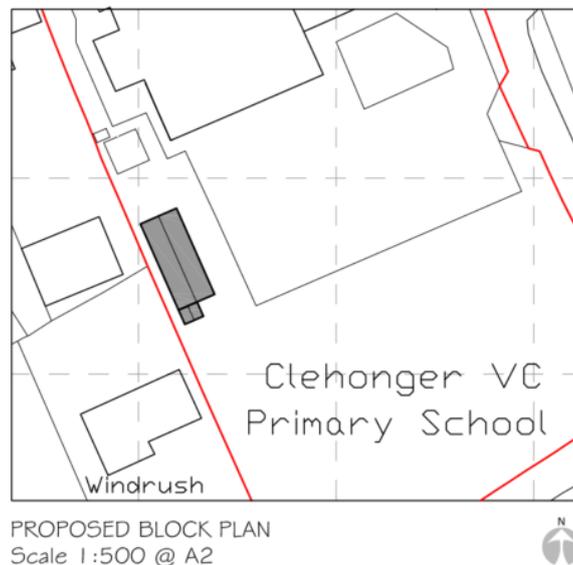
*"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

6.2 In this instance the adopted development plan is the Herefordshire Local Plan – Core Strategy (CS). The National Planning Policy Framework (NPPF) is also a significant material consideration. It is also noted that the site falls within the Clehonger Neighbourhood Area, which published a made Neighbourhood Development Plan (NDP) on 7 June 2021 and therefore forms a part of the Development Plan.

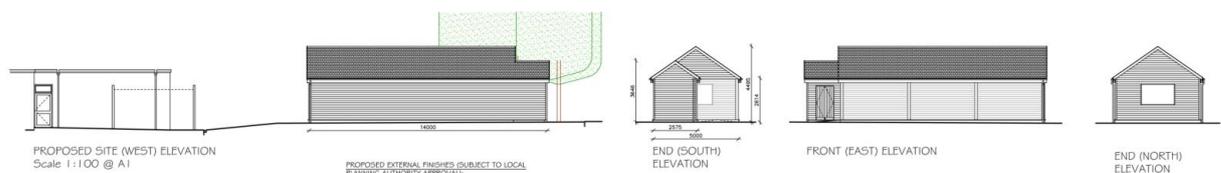
6.3 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the 2012 Regulations) and paragraph 33 of the National Planning Policy Framework requires a review of local plans be undertaken at least every five years in order to determine whether the plan policies and spatial development strategy are in need of updating, and should then be updated as necessary. The Herefordshire Local Plan Core Strategy was adopted on 15 October 2015 and a review was required to be completed before 15 October 2020. The decision to review the Core Strategy was made on 9th November 2020. The level of consistency of the policies in the local plan with the NPPF will be taken into account by the Council in deciding any application.

In this case, the policies relevant to the determination of this application have been reviewed and are considered to remain entirely consistent with the NPPF and as such can be afforded significant weight.

- 6.4 CS Policy SD1 states that development should be designed to maintain local distinctiveness, achieved through the incorporation of architectural detailing and the use of appropriate materials. Development should safeguard amenity of existing residents and ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination and therefore scale, height and proportion needs consideration.
- 6.5 CS Policy LD1 is also relevant and states that development proposals should be influenced by the existing landscape in regards to design, scale, nature and site selection. This is also further relevant to policy C6 of the NDP which states that proposals should avoid creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic generated light, dust or odour.
- 6.6 This proposal is for an outdoor classroom of made up of a relatively modest shelter to provide a covered area for general use by children. The building will be positioned to the west of the site and will replace the use which is currently carried out by the porta cabin on site which is being removed.



- 6.7 The building will be made up a timber structure with horizontal weatherboarding to the north & west elevations and to furniture store, with timber boarded decking over suspended timber joist framework with all timber being stained. The roof will be made up if mineral felt tiles with the rainwater goods being black PVCu discharging to round downpipes.



- 6.8 One objection was received to the site notice from the immediate neighbouring dwelling to the west, which outlines concerns regarding the additional noise created as a result of this new

structure. The comment accepts that noise is inevitable due to the nature of the school however this is currently restricted to break and lunchtimes and concerns were with this new building the noise would be throughout the day in a space adjacent to the garden. The Environmental Health's Noise officer was consulted and undertook a site visit to the neighbouring dwelling as a result of this objection and considered that some impact from the building will occur. Following an on-site visit with the agent, Head teacher, planning officer and Environmental Health Officer, amended plans were received which show the boarding to the outbuilding rises to the full length of the building instead of half way. This was considered to mitigate any noise that may arise from the outdoor classroom. Other locations for the outdoor classroom were discussed but those suitable would of resulted in a loss of green space which given the limited space the school have would not of been an acceptable alternative.

- 6.9 As such, in terms of design and impacts upon amenity, the amended proposed address concerns and officers would conclude that requirements of policy SD1 of the Core Strategy and C6 of the Clehonger Neighbourhood Development Plan NDP are considered to have been met.
- 6.10 With the proposal providing additional learning and recreational space for pupils, it is considered that the proposal is a justifiable form of sustainable development in accordance with the development plan, taken as a whole, benefitting under Policy SS1 of the CS and Paragraph 11c) of the NPPF.

## **RECOMMENDATION**

**That planning permission be granted subject to the following conditions and any other further conditions considered necessary by officers named in the scheme of delegation to officers:**

1. **Time limit for commencement (full permission)**
2. **Development in accordance with approved plans 349-02 Rev C & 349-03 and materials**
3. **The outdoor classroom shall be used only during the school day only.**

**Reason: In the interests of the amenities of existing residential property in the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, policy C6 of the Clehonger Neighbourhood Development Plan and the National Planning Policy Framework.**

4. **Prior to the first use of the building hereby permitted, the building shall be completed in accordance with the approved plans 349-02 Rev C & 349-03 and materials.**

**In the interests of the amenities of existing residential property in the locality and to comply with Policy SD1 of the Herefordshire Local Plan – Core Strategy, policy C6 of the Clehonger Neighbourhood Development plan and the National Planning Policy Framework**

## **INFORMATIVES:**

1. **Application Approved Following Revisions**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations. Negotiations in respect of matters of concern with the application (as originally submitted) have resulted in amendments to the proposal. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. It is recommended that all surface water shall discharge to appropriate soakaway-infiltration features; unless otherwise agreed in writing by the Local Planning Authority. Water conservation and efficiency measures shall be maintained for the lifetime of the development.

Decision: .....

Notes: .....

### **Background Papers**

Internal departmental consultation replies.

