

**16/00863/FUL**

**Mr Chris Rogers**

**Cllr Edwards, Cllr  
Hingley & Cllr  
Williams  
KINVER**

**Kinver High School, Enville Road, Kinver DY7 6AA**

**Erection of a 2 storey teaching block consisting of 13 general teaching rooms, science room, ICT room, Learning resource centre, staffroom and sanitary provision. Demolition of existing teaching block. Refurbishment with minor elevation changes to existing school building with internal works.**

**1. SITE DESCRIPTION AND PLANNING HISTORY**

**1.1 Site Description**

1.1.1 The application site relates to Kinver High School. The site is within Kinver Development Boundary and also the Green Belt. The school occupies a large area of land to the north of the village with primary access off Enville Road and secondary access from Castle Street. The school is both single and two storeys in height and does not have any particular architectural merit in design. The majority of the buildings have a flat roof with the building adjacent to Enville Road having a pitched roof.

1.1.2 The school is contained by Mill Brook to the north, Castle Street to the east, Enville Road to the south and Hyde Lane to the west. The perimeter of the school is largely bound by mature vegetation, and the playing fields to the rear contribute to its extensive landscaping with trees sporadically planted around the main school buildings.

1.1.3 The streetscene is primarily characterised by two storey semi and detached residential dwellings, with pitched roofs, that are set-back from the road.

**1.2 Relevant Planning History**

1.2.1 2010, Extension and refurbishment of the Design and Technology facilities to create two additional classbases, storage and additional staff room, Approved (10/00556/COM)

**1.3 Pre-application Discussions**

1.3.1 None.

**2. APPLICATION DETAILS**

2.1.1 The application comprises three parts. The first part is for the erection of a two storey teaching block comprising classrooms with an ancillary staff room and toilets. The proposal would be sited to the east of the main school building on an area of informal grassland (does not appear to be a recreational area for pupils), adjacent to the boundary with Castle Street. It would have a depth of 30.4m, a width of 34.2m and

measure a height of 7.2m to the eaves where it joins a pitched roof with a maximum height of 10.3m. The proposal would have a central courtyard area, resulting in the building effectively having a hole in the middle. In total the building would have a floorarea of approximately 1,724sqm.

2.1.2 The proposal would be traditional in appearance with a pitched roof and would be characterised by two north facing gables. It would have a contrast of materials where half of it would be red-multi brick and the other half clad in grey coloured timber; with blue panels utilised on some of the fenestrations. Grey slate rooftiles would be used and some solar panels would also be placed on top.

2.1.3 The second part would involve the demolition of part of the existing main school building. This element of the building is at the northern end and is two storeys in height, with a total floorarea of approximately 1,969sqm.

2.1.4 The third part is for the relocation of the reception and visitor entrance area. Currently this is sited at the building proposed to be demolished and it would be relocated towards to southern end of the school towards Enville Road.

2.1.5 The new entrance would comprise a set of double-doors with a canopy over and a ramp that extends out to a depth of 8.5m for wheelchair access.

2.1.6 It should be noted that the submitted Design and Access Statement and some of the submitted plans relates to phases of development, for what may be proposed in the future, and includes internal refurbishments of some buildings that do not require planning permission.

2.1.7 For clarification, this application has been treated on its own merits and judged by how it has been presented to us i.e. the erection of the teaching block, part demolition of the main school building and the new entrance. No consideration has been given to any potential future application(s) or if this proposal may or may not prejudice any future development aspirations; and does not imply the acceptance or refusal of future phases of development.

## 2.2 Agent Submission

Design and Access Statement  
Tree Survey and Constraints Report  
Badger Survey  
Extended Phase 1 Habitat Survey  
Email from applicant's agent dated 01/11/16

## 3. POLICY CONTEXT

3.1 The application site is within the West Midlands Green Belt and within Kinver Development Boundary.

3.2 Core Strategy Development Plan Document, December 2012

GB1: Development in the Green Belt  
EQ1: Protecting, Enhancing and Expanding Natural Assets  
EQ4: Protecting and Enhancing the Character and Appearance of the Landscape  
EQ5: Sustainable Resources and Energy Efficiency  
EQ7: Water Quality  
EQ8: Waste  
EQ9: Protecting Residential Amenity  
EQ11: Wider Design Considerations  
EQ12: Landscaping  
EV9: Provision and Retention of Local Community Facilities and Services  
CP10: Sustainable Community Facilities and Services

### 3.3 National Planning Policy Framework

3.3.1 This sets out the national overarching aims for planning with a presumption in favour of sustainable development. Development that is sustainable should be favoured, without delay, and should be seen as a golden thread running through both plan-making and decision-taking.

Para 79-92: Protecting Green Belt land

Para 69-78: Promoting healthy communities

## 4. CONSULTATION RESPONSES

No Councillor Comments (expired 26/10/2016)

### 4.1 Consultee comments

**Kinver Parish Council** (28/10/16): *no objection.*

**Arboricultural Officer** (expired 26/10/16)

**Environmental Protection** (11/10/16): *no comment.*

**Regeneration and Housing** (25/10/16): *no comment.*

**Local Plans** (02/11/16): *The National Planning Policy Framework (NPPF) is based on a presumption in favour of sustainable development, but is clear that Green Belt policy cannot be overridden by this presumption, where (para 14) states 'specific policies in this Framework indicate development should be restricted'. Footnote 9 includes 'land designated as Green Belt'. Paragraph 87 of the National Planning Policy Framework (NPPF) notes that new buildings are to be regarded as inappropriate development within the Green Belt, and are, by definition, harmful and that there is therefore a general presumption against such proposals. There is a requirement therefore that very special circumstances need to be demonstrated before any such inappropriate development can be approved. There are however a number of exceptions to this general presumption including 'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces (para 89).'*

*It is also important to note that the NPPF lends support to educational development, which states at para 72 '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...'*

#### *South Staffordshire Local Plan*

*The strategic objectives of the Core Strategy include a commitment to protect and maintain the Green Belt and to support thriving and sustainable communities ensuring access to key services such as education facilities. The strategy is supportive of the approach adopted in the NPPF towards protecting the openness of the Green Belt. Policy GB1 identifies developments that would be generally considered acceptable and includes 'the replacement of an existing building where the new building is not materially larger than the building it replaces.'*

*The broad spatial strategy for the District is outlined in Core Policy 1 (CP1). This strategy identifies a hierarchy of service villages with growth being primarily focussed towards the larger and more sustainable settlements. Kinver is identified as a main service village and as such will be a main focus for service provision. The Core Strategy is supportive of proposals and activities that protect retain or enhance existing community facilities (CP10).*

#### *Principle of Development*

*The proposal is for the demolition and replacement of a teaching block. The application indicates that the current building occupies 1863 sq.m. whilst the new proposal measures 1577sq.m. It is therefore suggested that in terms of scale the proposal would have a reduced impact, however it is noted that the new proposal occupies a different part of the school site and is physically detached from the main structure of the school. The site of the new structure is more tightly bound within the school, surrounded on all aspects by existing development. The structure which is being replaced is physically attached to the existing school buildings but occupies a peripheral location and has a more open aspect. It is suggested therefore that the current proposal would form a natural part of the existing cluster of development surrounding the site, and would not result in a detrimental or significant impact on the openness which would be contrary to the objectives of Green Belt policy.*

*The location of the proposal adjoining the settlement of Kinver supports the spatial strategy objectives within the local plan of focussing service development in the main service villages. It is therefore considered that the principle of this development is acceptable.*

#### *Conclusion*

*This proposal for the demolition and replacement of a teaching block with a more modern facility is considered to be an acceptable development in the Green Belt and is in accordance with the adopted Local Plan spatial strategy (CP1) and the promotion of enhanced serviced facilities (CP10). Furthermore, the proposal is in accordance with material consideration of the NPPF. It is recommended that this application be approved.*

**County Highways** (24/10/16): *no objection subject to condition:*

*Before construction works of any kind are commenced on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Construction Management Plan shall include the demolition phase and provide the following details:*

- The routing of construction vehicles to and from the site including measures to mitigate the impact on the local highway network. The measures shall indicate that no HGV vehicles associated with the development shall arrive or depart from the site outside the hours of 09:30 and 15:30 Monday to Friday during school terms.*
- Parking facilities for vehicles of site personnel, operatives and visitors.*
- Arrangements for the loading and unloading of plant and materials.*
- The location of any crushing plant.*
- The location of stockpiles crushed material.*
- Areas of storage for plant and materials used during the construction phase.*
- Measures including designated wheel cleaning areas, to prevent the deposition of deleterious material on the public highway during demolition and construction phase.*

*The Construction Management Plan shall be adhered to for the duration of the demolition and construction period.*

**County Ecology** (26/10/16): *no objection subject to conditions relating to breeding birds, landscape planting and bat/bird boxes.*

**Sport England** (07/10/16): *no comment.*

**Natural England** (14/10/16): *no objection.*

**Staffordshire Badger Conservation Group** (03/11/16): *no objection.*

**County Council** (05/10/16): *no comment.*

**Police** (14/10/16): *standing advice given.*

**County Flood Risk Team** (07/10/16): *no objection.*

**Environment Agency** (07/10/16): *no comment.*

**Staffordshire Wildlife Trust** (expired 26/10/16)

**National Grid** (expired 26/10/16)

**Severn Trent Water** (expired 26/10/16)

**Staffordshire Fire and Rescue Service** (expired 26/10/16)

## 4.2 Representations

Five letters of objection received raising the following concerns:

- Loss of privacy onto properties on Castle Street
- Concerns over increased traffic on Castle Street
- Is any planting proposed to screen the development?
- Protected species identified on the site

Site notice posted (expired 27/10/16) and advertisement published in Express and Star (expired 01/11/16).

## 5. APPRAISAL

5.1 The application is to be determined at Planning Committee as it is contrary to policy GB1.

### 5.2 Key Issues

- Principle of development
- Impact on the Green Belt
- Very Special Circumstances
- Landscape
- Design and Layout
- Ecology
- Impact on neighbouring dwellings
- Representations

### 5.3 Principle of development

5.3.1 The NPPF considers the construction of new buildings within the Green Belt to be inappropriate development and should not be approved except in very special circumstances. There are exceptions to this, as reflected in Policy GB1, and includes the replacement of a building that is in the same use and is not materially larger than the building it replaces.

5.3.2 In the submitted Design and Access Statement it is stated that the new building is to replace part of the existing school because it is difficult to refurbish due to the amount of asbestos used in its construction.

5.3.3 Whether this qualifies as a 'replacement' of a building is open to interpretation because although the new building has a smaller floorarea,

only part of the existing school is being demolished and not all of it. Additionally the new building is not in the same location; although in certain instances this can be acceptable, and will not be connected to the existing school.

5.3.4 As there is a level of ambiguity of whether this proposal qualifies as a replacement building, a cautious approach will be taken and very special circumstances will need to be demonstrated; with all other relevant material considerations taken into account.

5.3.5 The proposed canopy/ramp as part of the new entrance can be construed as an extension to the existing building. Limited extensions that are not disproportionate to the size of the original building are not considered to be an inappropriate form of development in the Green Belt. It is considered that as the canopy/ramp as part of the new entrance will provide a functional purpose that has inconsequential bulk and size in comparison to the main building, it would not be a disproportionate extension and is considered acceptable; therefore very special circumstances do not need to be demonstrated for this element.

5.3.6 Policy EV9 supports the provision and enhancement of essential community facilities and CP10 considers schools as an important service for local communities. The NPPF supports the provision of a sufficient choice of school places and states that great weight should be given to the need to create, expand or alter schools.

5.3.7 The principle of demolishing part of the existing school is acceptable as it will not lead to a loss of education provision because a new building will be constructed to provide facilities. Local and national policy supports the enhancement of school facilities and the principle of the new building needs to overcome its potential harm on the Green Belt.

## **5.4 Impact on the Green Belt**

5.4.1 As stated in the NPPF, the Green Belt serves five purposes and they are:

- To check unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.4.2 The proposed new building is within the development boundary and would be amongst existing buildings, thus not causing a sprawl of a large built up area. Additionally, because of its siting amongst existing buildings, it is not part of the countryside as not within a rural area; therefore satisfying the first and third purpose.

5.4.3 The proposal would not cause the merging of towns and is not within an historic area; therefore satisfying the second and fourth purpose.

5.4.4 The development is part of an existing school and therefore it needs to be located within the grounds in order to be of service for the pupils. It would be impractical to site the new building on derelict or other urban land away from the school. Therefore the proposal would not impinge upon urban regeneration as other sites are not a viable option, and conversely these sites could be utilised for other regeneration purposes such as housing or commercial ventures; therefore satisfying the fifth purpose.

5.4.5 It is considered that the proposed new building would not materially impact upon the five purposes of the Green Belt. However, notwithstanding this, there would be a material impact upon the openness of the Green Belt by definition, and very special circumstances have been addressed below.

## **5.5 Very Special Circumstances**

5.5.1 The proposed new building would be approximately 1,724sqm and the overall development would involve the part demolition of the existing school building of some 1,969sqm. In total there would be a reduction of 245sqm and when considering the 'trade-off' of the two elements there would be a reduction in built form.

5.5.2 Additionally, the proposed new building would be amongst a cluster of existing buildings (the main school to the west and the properties on Castle Street to the east), therefore its impact upon openness would be limited; whereas the part demolition of the northern end of the school would improve the openness to the fields to the rear.

5.5.3 The opportunity to provide a modern environment for pupils to learn in is supported by national and local policy with the NPPF giving great weight to the need to create, expand or alter schools; with local policies EV9 and CP10 also supporting the enhancement of essential community facilities.

5.5.4 In considering that the proposal would have no material impact upon the five purposes of the Green Belt (refer to section 5.4), will reduce the overall built form and improve the openness to the fields to the rear, and the fact that there is strong policy support for the improvement of schools; it is considered on balance that the very special circumstances do exist to allow this type of development in the Green Belt.

## **5.6 Landscape**

5.6.1 Policy EQ4 seeks to maintain the rural character and local distinctiveness of the District. The proposed new building and canopy/ramp as part of the new entrance will be within the development boundary and amongst existing buildings. The areas of land where the new building and canopy/ramp as part of the new entrance are to be sited are not within a rural area and do not form part of a wider landscape. Therefore it is considered there would be no material impact upon the landscape, complying with EQ4.

## **5.7 Design and layout**

5.7.1 Policy EQ11 seeks high quality design that reflects local character and distinctiveness, with Policy EQ12 encouraging the landscaping of new development.

5.7.2 The design of the school as a whole is not of high quality design and the building to be demolished is two storeys with a flat roof that has no architectural merit therefore its loss is considered acceptable. New brick walls and fascias are proposed to make the existing wall of the school 'good' where it connects to the part of the school to be demolished. This is considered acceptable.

5.7.3 The proposed building would be two storeys in height with a pitched roof, which is a common scale in the locale, with a courtyard in the middle for the enjoyment of pupils/teachers. There would be two north facing gables enhancing architectural interest and providing focal point giving the building legibility. The brick and grey cladding on the elevations, along with the blue panels on some of the fenestrations, would provide visual contrast making the building appear less dominant and uplift its appearance.

5.7.4 There would be no material impact upon the streetscene of Enville Road as the proposed new building would be sited over 70m away. At its closest point the corner of the building would be sited 5m to the boundary with Castle Road, however, there is existing mature vegetation along this boundary comprising trees and hedgerows that will assist in screening the proposal. Additionally, the proposal would be of a scale that is in keeping with the locale and would be of good design that would add character against the existing insipid school buildings. It is therefore considered there would be no detrimental impact upon the streetscene; complying with EQ11.

5.7.5 The proposed new building will be sited on informal grassland and three trees would be removed. To compensate for the loss of vegetation six trees would be planted adjacent to the boundary with Castle Street. Additional asphalt hardstanding would be laid to contain the building with new topsoil/reseed around the building to provide amenity space. To ensure that the landscaping is delivered to a satisfactory standard, a condition has been imposed to this effect, in order to comply with EQ12.

5.7.6 Policy EQ5 requires development to minimise environmental impacts, including lowering the demand for energy and water. It requires non-residential development of over 1000sqm to be built to BREEAM 'Excellent' standards.

5.7.7 The submitted Design and Access Statement discusses the construction of the new building:

*The construction method is going to be prefabricated module, either volumetric or CIPs. This type of construction typically uses less energy and resources during the construction phase due to the method of*

*construction within a factory. Additionally the quality of construction is generally higher due to the controlled environment that it is built in. due to the specialised detailed design of the building, it will be down to the preferred contractor to determine how it will achieve the energy and resources efficiencies required.*

5.7.8 It is unclear whether the proposal would achieve the 'Excellent' standards; however, the construction of the new building would need to adhere to building regulations where energy efficiency performances would be analysed to ensure it is built to an appropriate standard in-line with current government legislation. It should be noted that solar panels are proposed on the roofspace which will lessen the building's energy dependency.

5.7.9 The canopy/ramp as part of the new entrance including the double-doors serve a functional purpose and their design is considered acceptable.

5.7.10 Policy EQ7 permits developments that do not have a negative impact on water quality and EQ8 seeks the provision of refuse facilities. The Environment Agency considered the site to have low environmental risk and the County Flood Risk Team concurred with this viewpoint; therefore the proposal complies with EQ7.

5.7.11 There is sufficient space on the school grounds for the provision of recycling and waste storage, if there is not this provision already; complying with EQ8.

## **5.8 Ecology**

5.8.1 Policy EQ1 will support development that does not cause significant harm to habitats of nature conservation, together with species that are protected or under threat.

5.8.2 Ecological surveys have been submitted with the application that were presented to Natural England, Staffordshire Badger Conservation Group and the County Ecologist. All the consultees raised no objections to the proposal and found there not to be significant ecological issues. The surveys will be included as part of the approved plans condition to ensure the recommendations made within them are adhered to and a condition has been imposed for bird and bat box installation. It is therefore considered the proposal would not cause harm unto protected species or their habitats, complying with EQ1.

## **5.9 Impact on neighbouring dwellings**

5.9.1 Policy EQ9 seeks to protect the amenity of nearby residents, including any detrimental impact from noise and disturbance.

5.9.2 The nearest residential dwellings to the new building are to the east on Castle Street (no.10-24), and no.6 Castle Street is directly to the south as is no.4 Enville Road.

5.9.3 At its closest point, the proposal measures over 24m to the nearest dwelling on Castle Street to the east and over 30m to the side boundaries with no.6 Castle Street and no.4 Enville Road. These distances are considered sufficient to prevent any material loss of light or overbearing impact.

5.9.4 In terms of loss of privacy, these distances are also considered sufficient to mitigate against this and there is also mature vegetation along the boundaries to screen potential views. It should be noted that Appendix 6 of the Core Strategy, even though it relates to distances between dwellings, states that there should be a minimum distance of 15m between two storey dwellings over public space and 13m to flanks walls over private space. The distance of the proposal to neighbours far exceeds this. Additionally, due to the orientation of the building there are no direct facing views towards neighbouring windows, but views towards these fenestrations are at obtuse angles and are not flush.

5.9.5 Schools are commonly found in residential areas and are not considered to be an incompatible neighbouring use towards residential properties. The building will primarily be utilised between school hours and there would be no undue noise or disturbance inflicted upon the locale, particularly when factoring in its distance from neighbours.

5.9.6 It is considered that the proposed canopy/ramp as part of the new entrance would cause no detrimental impact upon the amenity of neighbours because of the functional purpose they serve and the fact they would be sited over 40m away from the nearest neighbouring dwellings on Enville Road.

## **5.10 Representations**

5.10.1 Representations not addressed above:

- Concerns over increased traffic on Castle Street

County Highways were consulted as part of the application and raised no concerns over increase in traffic or highway danger, but recommended a condition for a Construction Management Plan which has been imposed.

## **6. CONCLUSION**

6.1 The proposal comprises the construction of a new two storey teaching block, part demolition of the existing school and a new entrance with a canopy/ramp in the in the Green Belt. Due to the ambiguity as to whether the new building constituted a replacement building, a cautious approach was taken and very special circumstances existed to give weight to the development; by way of national and local policy supporting the enhancement of schools and that there would be no material impact upon the five purposes of the Green Belt. The overall development would not have a detrimental impact upon the wider landscape and the design of the scheme is considered acceptable; without causing harm to local ecology or neighbouring amenity. The proposal is therefore recommended for approval complying with policies EQ1, EQ4, EQ7, EQ8, EQ9, EQ11, EQ12,

EV9 and CP10 of the adopted Core Strategy and the National Planning Policy Framework.

## **7. RECOMMENDATION      APPROVE**

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings and surveys:

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P10394-00-001-001 D01

P10394-00-001-002 D01

P10394-00-001-003 D01

P10394-00-001-004 D00

P10394-00-001-005 D00

P10394-00-001-006 D00

P10394-00-001-007 D00

P10394-00-001-100 D08

P10394-00-001-101 D08

P10394-00-001-102 D05

P10394-00-001-105 D04

P10394-00-001-111 D03

P10394-00-001-200 D09

P10394-00-001-201 D03

P10394-00-001-202 D05

P10394-00-001-203 D02

P10394-00-001-204 D02

Extended Phase 1 Habitat Survey

Badger Survey

3. Before the development commences a landscape scheme, that also includes the siting of bat and bird boxes, shall be submitted to the Local Planning Authority for approval,. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority.
4. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.

5. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2012 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
6. Before construction works of any kind are commenced on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Construction Management Plan shall include the demolition phase and provide the following details:
  - The routing of construction vehicles to and from the site including measures to mitigate the impact on the local highway network. The measures shall indicate that no HGV vehicles associated with the development shall arrive or depart from the site outside the hours of 09:30 and 15:30 Monday to Friday during school terms.
  - Parking facilities for vehicles of site personnel, operatives and visitors.
  - Arrangements for the loading and unloading of plant and materials.
  - The location of any crushing plant.- The location of stockpiles crushed material.
  - Areas of storage for plant and materials used during the construction phase.
  - Measures including designated wheel cleaning areas, to prevent the deposition of deleterious material on the public highway during demolition and construction phase.

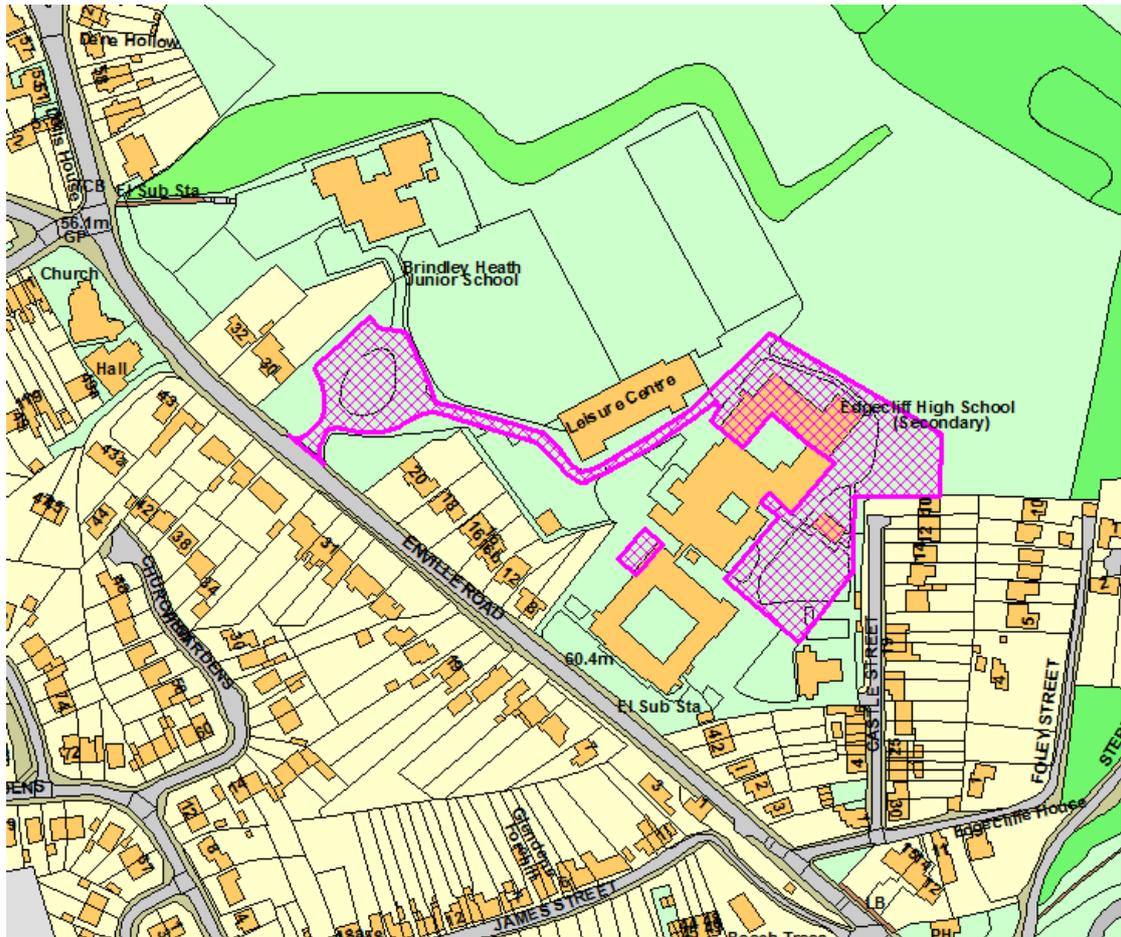
The Construction Management Plan shall be adhered to for the duration of the demolition and construction period.

#### Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area and local ecology in accordance with policies EQ1, EQ11 and EQ12 of the adopted Core Strategy.
4. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.

5. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
6. In the interest of highway safety.
7. Pro-active Statement

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (2012) the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the adopted Core Strategy (2012).



Kinver High School, Enville Road, Kinver DY7 6AA