

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 12/01/2022	Ref: 67622/FUL
Registration: 24/11/2021	LDFC: 24/12/2021	Expiry Date: 19/01/2022
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Single storey extension to East side of school

Location: Our Lady Of Lourdes Roman Catholic County Primary, Rudgwick Drive, Bury, BL8 1YA

Description

The site relates to Our Lady of Lourdes Primary School, which is accessed from Rudgwick Drive. The main school is located centrally within the site. There are a series of play areas and playgrounds to the west and south side of the site. The site is accessed from Rudgwick Drive, which leads to a car park.

There are residential properties to the north, west and south of the site on Rudgwick Drive and Swanage Close.

The application seeks the an extension to the eastern side of the school.

The extension would be single storey and 8.3m x 4.2m. it would be of a modular design with brick elevations to match the existing building.

The extension would provide additional classroom space for one of the year groups, with internal re-configuration to improve toilet facilities.

Relevant Planning History

52726 - Installation of modular classroom to form 2 no. classrooms with storage and toilet facilities - Approve with Conditions 15/07/2010

55251 - New pedestrian gate onto the highway and external lighting to car park - Approve with Conditions 08/08/2012

58739 - Resurface existing hard surfaced playground and extend into existing grassed areas with relocation of existing play equipment and pedestrian gate - Approve with Conditions 10/07/2015

58975 - Erection of 2 no. cantilevered canopies off the existing building - Approve with Conditions 08/09/2015

64415 - Erection of replacement 2 metre high mesh fence/gates to Rudgwick Drive boundary - Approve with Conditions 23/08/2019

65164 - Installation of modular temporary building - Approve with Conditions 24/08/2020

Publicity

Letters sent on 2/12/21 to 18 properties on Rudgwick Drive and Swanage Close.

No responses received as a result of the publicity.

Statutory/Non-Statutory Consultations

N/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact on residential amenity, traffic generation and

parking provision, scale and size of the development, access to shops and other services, accessibility by public transport, the needs and requirements of the disabled.

Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposed development would involve the provision of additional classroom space and re-configure internal space to improve and comply with recommended education guidance.

The scale and size of the development would be appropriate.

Therefore, the proposed development is considered to be acceptable in principle and would be in accordance with Policies CF1/1 and CF2 of the Bury Unitary Development Plan.

Layout - The proposed extension would be located within the site and extend an existing building. It would improve the internal circulation at this part of the school. There would be no impacts on the school site or wide area.

As such the proposed development is considered acceptable.

Design - The proposed extension would be of a similar design and appearance to the existing school. It would be brick built with a flat roof to match the existing.

As such the proposed development is considered acceptable and comply with EN1/2.

Impact on residential amenity - The proposed extension would be located on the eastern side of the school buildings and approx 30m away from the nearest properties.

There would be no additional increase to the numbers of staff or children to the school.

As such the proposed development is considered acceptable and comply with CF1/1 and CF3.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings - Site plan 2426-P01-01 A; Drainage plan 2426-P-02; East elevations - existing and proposed 2426-P-03 A; Plan - as proposed 2426-P-04; plan - as existing 2426-P-05; south elevation 2426-P-06 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

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- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building as approved plan 2426-P-03 A.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	12/1/22	DM	12/01/2022