



Agenda Item No. 4.1

FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

REGULATORY – PLANNING COMMITTEE

10 January 2022

Report of the Executive Director - Place

**Removal of Three Existing Wooden Sheds and the Erection of a Garage for Storage at Ridgeway Primary School, Main Road, Ridgeway, S12 3XR
Applicant: Derbyshire County Council
Code No: CD4/0521/6**

4.1609.24

Introduction Summary

This is an application for planning permission for the removal of three wooden sheds and the erection of a garage for storage at Ridgeway Primary School, Main Road, Ridgeway. The applicant seeks permission to replace existing storage facilities that are in disrepair, and to improve security of school property. The site is located within the Moss Valley Conservation Area. The main school building is not a listed building but is of some historical importance as an example of a Victorian vernacular design. The nearest listed building is Kent House, a Grade II listed building, which is 170 metres to the south-west of the application site.

The site is outside the defined Settlement Development Limits boundary and is located within the North East Derbyshire Green Belt, as identified in the North East Derbyshire Local Plan 2021 (NEDLP). It is considered that the development would be a departure from Policy SS10 of the NEDLP as the building, would affect the openness of the Green Belt. I am satisfied, however, that the type of building proposed, being related to outdoor recreation and sport, is an acceptable development within the Green Belt.

It is not considered that the proposal would result in any adverse impacts. Other than the effect upon openness of the Green Belt, the proposal would accord with the National Planning Policy Framework (NPPF, July 2021) and

with policies of the NEDLP. It is recommended that the application for planning permission be approved subject to recommended conditions.

(1) **Purpose of Report** To enable the Committee to determine the application.

(2) **Information and Analysis** The proposed development consists of the removal of three wooden sheds and the erection of a prefabricated concrete, flat-roofed garage. The garage would have a metal roof, dark grey in colour. The overall finish of the garage would be a smooth render, also in a recessive dark grey colour. The garage dimensions would be 7.4 metres (m) length x 3.2m width x 2.2m height. This development would take place in the southern corner of Ridgeway Primary Schools' playground. The proposed garage width of 3.2m would be a reduction in size from the previous combined width of the sheds of 5.08m (not including gaps between the sheds).

Ridgeway Primary School is located in the village of Ridgeway in North East Derbyshire. It is situated within the boundary of both the North East Derbyshire Green Belt and the Moss Valley Conservation Area. The site location is outside Settlement Development Limits defined on the North East Derbyshire Local Plan (NEDLP) Policies Maps.

Ridgeway is a linear settlement pivoting around Main Road. Main Road is an unnumbered classified road to the west of Ridgeway Primary School. Access to the school is from Main Road. On the opposite side of Main Road is a playground and recreational ground. Behind the recreational ground are open agricultural fields. North of the school site is High Lane, a B-road, and some residential buildings. To the north-east there are more densely packed residential buildings which are a clear indicator of where the Conservation Area boundary is located. To the rear of the school property (east), open agricultural land lies in the foreground of Kent Woods, 530m away. Kent Woods is classified as ancient woodland and lies on the Moss Valley Conservation Area Boundary. Further residential buildings lie to the south of the school site.

The school, whilst of some historic architectural interest, is not a listed building. The nearest listed building is Kent House, 170m away. The site is in flood zone 1 and has a low probability of flooding, as identified on the Environment Agency flood map. The school site lies within a low-risk coal development area and there are no public rights of way through the site. The western boundary along Main Road is a low stone wall and the site is clearly visible from the public realm.

Consultations

North East Derbyshire District Council

Has been notified.

North East Derbyshire District Council Environmental Health Officer

Has been notified.

Eckington Parish Council

Has been notified.

Local Members

Councillor Carolyn Renwick (Eckington and Killamarsh) has been notified and declared she is a Governor of Ridgeway Primary School. No objections have been raised.

Councillor Mark Foster (Eckington and Killamarsh) has been notified.

The Highway Authority

The Highway Authority has raised no objection.

Publicity

The application has been publicised by site notice, press notice in a local newspaper (the Sheffield Star on 14 October 2021) and by neighbour notification with a request for comments by 4 November 2021. No comments have been received as a result of this publicity.

Planning considerations

Section 38(6) of the Planning and Compulsory Purchase Act of 2004 requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In respect of this application, the relevant policies of the development plan are the policies of the NEDLP adopted in November 2021. The NPPF, last updated in July 2021, and the associated Planning Practice Guidance (PPG) are also material considerations.

North East Derbyshire Local Plan (Adopted November 2021)

The policies most relevant to this proposal are:

SS1: Sustainable Development.

SS2: Spatial Strategy and the Distribution of Development.

SS9: Development in the Countryside.

SS10: North East Derbyshire Green Belt.

SDC5: Development within Conservation Areas.

SDC9: Non-Designated Local Heritage Assets.
SDC11: Flood Risk and Drainage.
SDC12: High Quality Design and Place Making.

Neighbourhood Plan

There is no adopted neighbourhood plan in place for the locality of the application site.

National Planning Policy Framework (July 2021)

2: Achieving sustainable development.
4: Decision making.
12: Achieving well designed places.
13: Protecting Green Belt land.
15: Conserving and enhancing the natural environment.
16: Conserving and enhancing the historic environment.

Key planning considerations for this application are:

- The Need for the Development.
- Location of Development.
- Green Belt.
- Design and Visual/Landscape Impact.
- Heritage.

The Need for the Development

The planning statement accompanying this application states that the proposed garage is needed to improve the security of school property, increase the school's ability to provide sport and recreational activities, enhance the aesthetic of the playground and to provide a storage structure that is protected from vermin.

I am satisfied that there is a clear need for the proposed development, which would provide appropriately enhanced security for school property and would help to deliver greater storage capacity for sport and recreation equipment, therefore increasing the school's ability to provide essential sport and recreational activities.

Location of the Development

The site is located within the administrative boundary of North East Derbyshire District Council (NEDDC). The site location is classified as being in the countryside as it is outside Settlement Development Limits as defined on the NEDLP Policies Map (1). The site is also within the boundaries of the North East Derbyshire Green Belt and the Moss Valley Conservation area designations.

The NEDLP sets out a hierarchy for development with the aim of targeting new development within defined settlement limits, to support the sustainability of existing settlements. The NEDLP focuses the majority of development in and around the most sustainable locations, where the best use can be made of existing infrastructure, services and facilities; whilst at the same time meeting the essential needs of smaller rural communities in an appropriate way.

Given that the site is outside the Settlement Limits of Ridgeway in the NEDLP, it is for the purposes of that plan, to be considered as being in countryside.

Policy SS2: Spatial Strategy and the Distribution of Development of the NEDLP states that *'Land which lies outside a Settlement Development Limit and is not allocated for development, will be treated as 'countryside' where development will only be permitted in accordance with Policies SS1 (Sustainable Development) and SS9 (Development in the Countryside).'*

NEDLP Policy SS1: Sustainable Development, promotes sustainable development, such as through the use of previously developed land and provision of public services and infrastructure. I am of the opinion that the proposal meets these requirements, given that the school site, whilst technically in countryside, is adjacent to the settlement of Ridgeway. The proposed development relates to the operation of the school, which in itself serves Ridgeway and nearby settlements, and assists in sustaining these communities.

Under NEDLP Policy SS9: Development in the Countryside, development proposals in countryside locations outside the Settlement Development Limits are supported where they involve a replacement building for the same use which is not significantly larger than the building it replaces, and also where they involve the provision, expansion, or improvement of social infrastructure, or relates to a development which has a demonstrable community and/or social benefit.

The proposal is for minor scale development and replaces three dilapidated shed structures with one garage. The site is located on a long-established Derbyshire County Council school property. The garage would be erected in the rear southern corner of the school playground, which is the least obtrusive area of the playground. The replacement garage has a smaller footprint (23.68 meters squared (m²) to the three sheds currently in situ (28.32 m²). The primary purpose of the site is educational, the storage of sport and recreational equipment is essential to the school and their ability to provide enhanced sport and recreational activities.

I am therefore satisfied that the proposal would be acceptable in this location despite being outside defined settlement limits, and that it would not conflict with the requirements of policies SS1, SS2 and SS9 of the NEDLP. The site is, however, in designated Green Belt and within the Moss Valley Conservation Area, which are considered below.

Green Belt

The site is located within the North East Derbyshire Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belts, as stated in the NPPF, is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and permanence. Paragraph 138 of the NPPF identifies five purposes which the Green Belt serves:

- (a) “to check the unrestricted sprawl of large built-up areas;*
- (b) to prevent neighbouring towns merging into one another;*
- (c) to assist in safeguarding the countryside from encroachment;*
- (d) to preserve the setting and special character of historic towns; and*
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

I consider there to be no significant conflict between the proposal and these purposes of Green Belt designation. Paragraph 148 of the NPPF states *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.”*

Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, subject to certain exceptions, which include:

- “(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;”*

Policy SS10 of the NEDLP similarly identifies the provision of appropriate facilities for outdoor sport/outdoor recreation, as appropriate development within the Green Belt, provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The new structure is an essential storage facility in order to enhance sport and recreation provision, which would be an acceptable use within the Green Belt under Policy SS10: North East Derbyshire Green Belt of the NEDLP, for which no very special circumstances are required to be demonstrated.

Whilst this proposal, at least in part, accords with Policy SS10 of the NEDLP, specifically as it would be an essential facility for outdoor sport and recreation, the policy, and paragraph 149 (b) of the NPPF, also requires that the openness of the Green Belt be preserved.

I consider that, as a structure of concrete construction, the new structure would have some limited effect on the openness of the Green Belt. It is considered, therefore, that the proposal would constitute a departure from the NEDLP.

I do not, however, consider that the proposal would conflict with the purposes which the Green Belt serves. The development would replace structures in poor repair. The development site is located on a well-established educational site that has accommodated similar structures in the past, setting a precedent.

On balance, therefore, whilst the openness of the Green Belt would be affected, I consider that this would have a very negligible effect upon the purposes of its designation, particularly given that the development would be within the established school site.

Design and Visual Impact

Chapter 12 of the NPPF: Achieving well-designed places, and Policy SDC12: High Quality Design and Place Making, relate to the requirement of good design principles in new development.

The garage would not have any windows and would have a single roller shutter on the front elevation. The garage would have a render finish and metal roof, both finished in a recessive grey colour.

Both the total footprint and the height of storage facilities at the location would be slightly reduced (height reduction of 0.01m², footprint reduced by 4.64m²) by the development. The proposed garage would be in keeping with the surrounding locality and would have a recessive external appearance. I consider that the proposal would improve the aesthetic of the area, particularly when considering the disrepair of the sheds currently in situ.

The proposal would not result in any significant visual impact upon the immediate locality. I consider the proposed location, colour, design and materials of the garage to be appropriate, given the wider context of the application site. The proposal demonstrates compliance with the good design principles highlighted above. I therefore consider this proposal to be in accordance with Policy SDC12 of the NEDLP and the NPPF.

Heritage

The school is located within the Moss Valley Conservation Area. Whilst the school building is not listed, it is of some historic merit as a good example of a late Victorian vernacular school building which is understood to have been founded in 1874. Whilst the proposal would be in proximity to the listed Kent House, given the distance (170m away), I do not consider it to be within the setting of that building. For development within a Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the decision maker pays '*special attention [...] to the desirability of preserving or enhancing the character or appearance of that area*'.

National policy regarding protection of designated and non-designated heritage assets is laid out in paragraphs 189-208 in the NPPF. Paragraph 195 of the NPPF states that "*local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.*"

Policy SDC5: Development within Conservation Areas of the NEDLP is relevant and requires development proposals preserve or enhance the character of conservation areas and their settings.

Given that the main school building has some historic value, Policy SDC9: Non-Designated Local Heritage Assets of the NEDLP, which also seeks to "*positively sustain or enhance the significance of the asset, its features, character and setting*", is relevant.

The development is unlikely to cause any detrimental impacts to the character of the Conservation Area. The sheds that are currently on site are in disrepair and have no historic relevance to the Conservation Area. The replacement of these sheds with an updated garage would improve the aesthetic of the school playground and the foreground views into the Conservation Area. For similar reasons, I do not consider that the proposal would significantly impact upon the historic value of the school and its character as a non-designated heritage asset.

I am satisfied that this development is in accordance with the NPPF and policies SDC5 and SDC9 of the NEDLP and, having regard to Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990, I consider that the public benefit of the proposal would outweigh any negligible impact that the proposal would have upon heritage assets.

Conclusion

I consider that a clear need for development has been demonstrated and justified. The new development would play a vital role in enhancing sport and recreation facilities and activities at Ridgeway Primary School. This would be

an acceptable development within the designated Green Belt. On balance, whilst the openness of the Green Belt would be affected to a limited extent, I consider that this would have a very negligible effect upon the purposes of the Green Belt designation, particularly given that the development would be within the established school site. I am satisfied that the design of the building would be appropriate within the context of the locality, and Moss Valley Conservation Area designation.

I consider the proposal to be acceptable and, aside from the marginal affect upon openness of the Green Belt, to be in compliance with the policies contained within the NEDLP and the NPPF. I therefore recommend the application for approval, subject to the conditions set out below.

(3) **Financial Considerations** The correct fee of £234 has been received.

(4) **Legal Considerations** I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

(6) **Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property, social value and transport considerations.

(7) **Background Papers** File No 4.1609.24

Valid application documents received 23 September 2021.
Garage store brochure extract received 21 May 2021.
Design and access statement received 24 May 2021.
Existing layout site plan received (1226-01/45-01) 1 July 2021.
Proposed layout site plan received (1226-01/45-02) 1 July 2021.
Elevation plan received (1226-01) 7 July 2021.
Elevation plan rev B received (1226-01/45-03) 16 November 2021.
Heritage impact assessment received 24 September 2021.
Consultation response from Built Heritage received 27 September 2021.
Consultation response from Councillor Renwick received 29 September 2021.
Consultation response from Highways Authority received 28 September 2021
Consultation response from Countryside Officer received 30 September 2021.
Site notice, press notice, neighbour notice posted 14 October 2021.

(8) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission is **granted** subject to conditions substantially similar to the following draft conditions:

Commencement

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990.

Approved details

- 2) The development shall take place in accordance with the details in the 1APP form dated 21 May 2021 and the and the following:

1APP form dated 21 May 2021
Design and Access statement dated 25 May 2021
Heritage Impact Assessment dated 26 May 2021
Location Plan, drawing number 1226-01/45-02, dated 01 July 2021
Elevation Plan, drawing number, 1226-01/45-03 Rev B, dated 16 November 2021
Correspondence email chain dated 6 December 2021

Reason: To ensure that the development hereby approved is carried out in conformity with the details submitted with the application.

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant was given clear advice as to what information would be required.

Chris Henning
Executive Director – Place

