

<b>Application Number</b>	<b>21/01139/FUL</b>
<b>Site Address</b>	<b>Christopher Whitehead Language College and Sixth Form, Bromwich Road, WORCESTER, WR2 4AF</b>
<b>Description of Development</b>	Proposed new single storey classroom building to provide teaching space for autistic children
<b>Expiry Date</b>	17 March 2022
<b>Applicant</b>	Christopher Whitehead Academy
<b>Agent</b>	Christopher Whitehead Academy
<b>Case Officer</b>	Andrew Thompson
	andrew.thompson@worcester.gov.uk
<b>Ward Member(s)</b>	Bedwardine Ward
<b>Reason for Referral to Committee</b>	Major Application
<b>Key Issues</b>	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
<b>Web link to application</b>	<a href="https://plan.worcester.gov.uk/Planning/Display/21/01139/FUL">https://plan.worcester.gov.uk/Planning/Display/21/01139/FUL</a>
<b>Recommendation</b>	<b>The Corporate Director - Planning and Governance recommends that the Planning Committee grants planning permission subject to conditions set out at Section 9 of the report.</b>

## 1. Background

- 1.1 The application was registered on 16 December 2021 and is due for a decision on 17 March 2022.
- 1.2 The application has been referred to the Planning Committee in accordance with the

adopted Scheme of Delegation as a Major Application

## 2. **The site and surrounding area**

- 2.1 The application site forms part of the wider site of the Christopher Whitehead Academy and would take place at the northern end of the grounds. The site is flat and unconstrained although there is a mature tree within the application site, this is not the subject of a Tree Preservation Order.
- 2.2 The nearby school buildings are modern in construction, some 2 storey pitched roof buildings but rising to 3 storeys that are flat roofed. To the north are the Hales Orchard residential properties which are generally well screened from the school and are two storey in scale, also of modern construction. There is an existing school building (two storey and single storey with a pitched roof) between the proposed site and Hales Orchard.

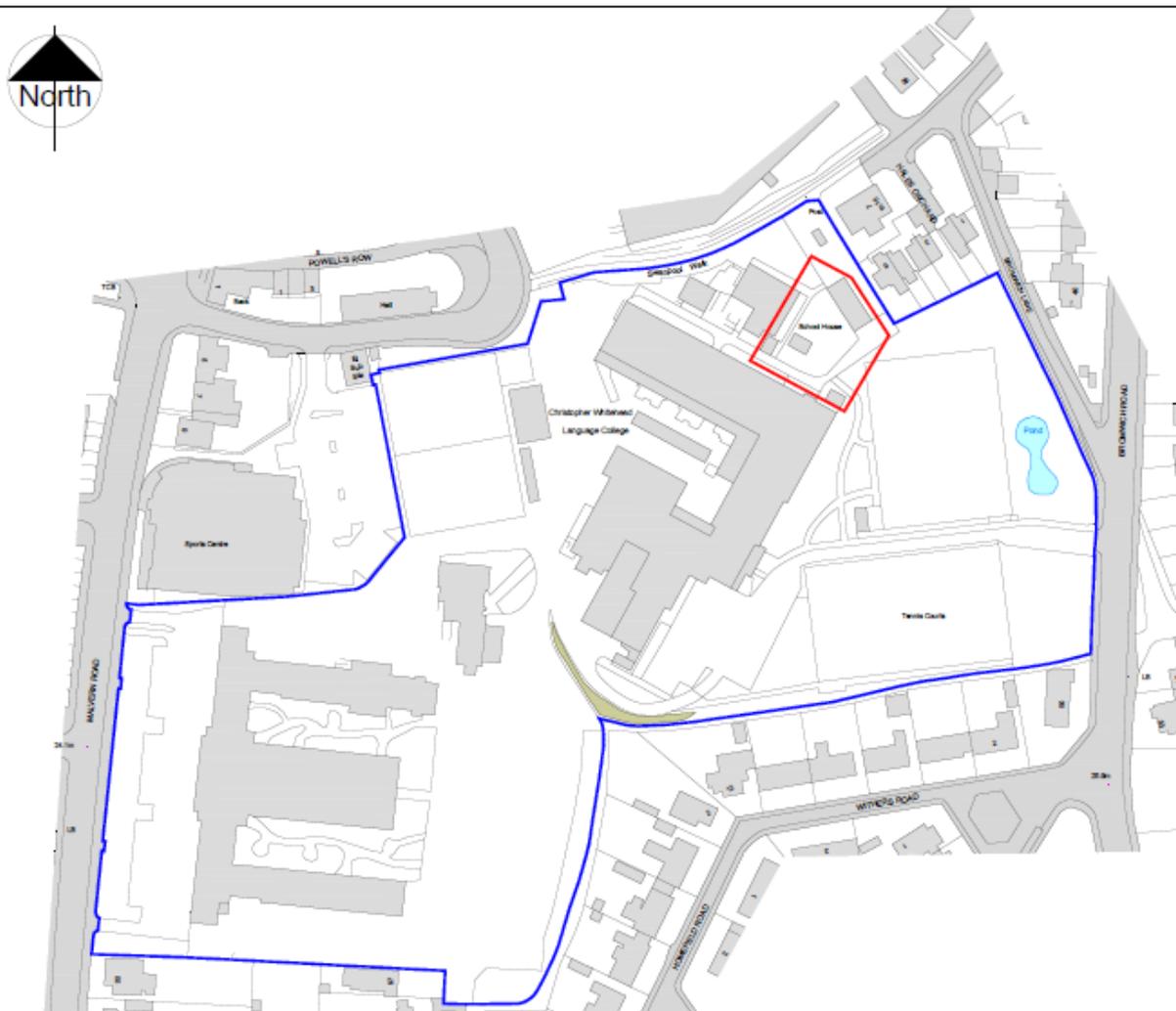


Figure 1 – Site Location Plan

- 2.3 The site is in Flood Zone 1 and is not in a Conservation Area and there are no listed structures within the site.

## 3. **The proposals**

- 3.1 The application proposals relate to a new additional classroom facility which would be used as additional teaching space and facilities specifically for pupils with autism along with associated ancillary utility and support spaces such as breakout areas, toilets, storage, an office and meeting room.

- 3.2 The submitted Design and Access Statement sets out that the new building is a detached, single storey building with a footprint area of approximately 231 sq.m. This will provide the school with approximately 199 sq.m. of new teaching space with associated ancillary areas.
- 3.3 The main entrance to the new building faces South East and overlooks the outdoor sports areas to the East of the school site. The position of the new entrance links well onto the existing pupil traffic routes that are present adjacent the development site, which ties the new building well into the existing facilities.
- 3.4 A small staff office is also included that would also act as a welcoming reception to the entrance of the building, which leads directly onto a modest circulation area. This circulation space has been designed to have a generous width with rooflights above to create an open and welcoming feel to anyone arriving at the building. The ancillary spaces such as the meeting room, WCs, store room and kitchenette have all been positioned towards the front of the building and are accessed from the main circulation area.
- 3.5 The application is accompanied by a full set of plans together with a suite of supporting documents that include:
- A Design and Access Statement
  - Site Location Plan – Drawing Ref 21087-P01
  - Proposed Plans and Elevations – Drawing Ref 21087-P200
  - Proposed Block Plan – Drawing Ref 21087-P10
- 3.6 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council’s website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

#### **4. Planning Policy**

- 4.1 The Town and Country Planning Act 1990 (‘the Act’) establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.
- 4.2 The Development Plan for Worcester now comprises:
- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
  - The Worcestershire Waste Core Strategy, which was adopted on December 2012.

#### **South Worcestershire Development Plan**

- 4.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 4 Moving Around South Worcestershire  
SWDP 6 Heritage  
SWDP 21 Design  
SWDP 24 Management of the Historic Environment

SWDP 27 Renewable and Low Carbon Energy  
SWDP 29 Sustainable Drainage Systems  
SWDP 24 Management of the Historic Environment

## **The Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027**

- 4.4 The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application:

WCS1 (Presumption in favour of sustainable development)  
WCS3 (Re-use and recycle)  
WCS17 (Making provision for waste in new development)

### **Material Considerations**

#### **1. National Planning Policy Framework**

#### **2. National Planning Practice Guidance**

#### **3. Supplementary Planning Documents**

- 4.5 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:-

- South Worcestershire Design SPD
- Planning for Health in South Worcestershire SPD

#### **4. Worcestershire's Local Transport Plan (LTP4) 2018 – 2030**

#### **5. Worcestershire County Council Streetscape Design Guide (2018)**

#### **6. Relevant Legislation**

- 4.6 The following legislation is also relevant and has been taken into account when considering this application:-

Town and Country Planning Act 1990 (as amended)  
The Town and Country Planning (Development Management Procedure)  
(England) Order 2015  
Localism Act 2011 - Section 143 (amending S70 of the Town and  
Human Rights Act 1998  
Accessibility and Equalities Act 2010

### **5. Planning History**

- 5.1 The site has been the subject of a number of planning applications and developments in its history relating to school activity however none are considered relevant to the determination of this application.

### **6. Consultations**

- 6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees

and interested third parties have been received in relation to the original and amended proposals and are summarised as follows:

**Neighbours and other third party comments:** No comments have been received.

**Worcester City Council Archaeological Officer:** The proposed development area (PDA) is 130m to the south of an Iron Age enclosure and Romano-British occupation area (WCM99937 & WCM99935). The First Edition OS map shows a series of paths through the orchard. A WWII searchlight battery is noted within the HER to the south east of the PDA. A swannery pond is known adjacent to the north of the PDA, Swan Pool pond is likely to be medieval in date.

Given the scale of the development, and the possible archaeological potential, the likely impact on the historic environment caused by this development may be offset by the implementation of a conditional programme of archaeological works.

**Worcester City Council Landscape and Biodiversity Adviser:** The existing large tree must be plotted on the plans and identified including any potential root protection zone. It should be considered in the layout and design of the new building. If a permanent building some planting should be provided to assist setting and spaces around the building, which should form part of the block design.

**Worcestershire Regulatory Services (Contaminated Land and Air Quality):** No comments

**Worcestershire County Council (Highways Authority):** Based on the submitted details, the proposed single storey classroom building will be constructed on 'an existing unused grassed area with a small light weight structure' and accordingly, there will be no loss of existing parking provision on the college site. However, the Application Form indicates that there'll be no increase in staff numbers and it is understood that proposed classroom building will not generate an increase in student numbers. Nonetheless, the applicant should be requested to confirm that this is correct in both cases, by submitting a brief explanation of how the unit will operate. The dedicated unit for students with autism will require specialist, full time staff and support staff and whilst there is a SEND Team in the college as existing, from a Highways point of view, any increase in staff numbers will result in an increase in parking demand. The college travel plan would also need to be updated to incorporate these changes. The Highway Authority therefore submits a deferral until clarification of the staff and student numbers is provided.

- 6.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.

## **7. Planning Assessment**

- 7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development. Taking the above matters into account I consider the main issues raised by the proposal relate to the principle of development and whether the development would be sustainable, having regard to the 3 dimensions of sustainability set out in the Framework

### **The Principle of Development**

- 7.2 The application proposals will be located within the confines of the existing school site and therefore would be within the general activities of the school, the proposals would be an appropriate use of the site and in accordance with the general aims of the school site which also has a community function.

## **Design**

- 7.3 Policy SWDP21 requires development to be appropriately designed and have regard to its surroundings.
- 7.4 The proposed building would be lower in scale and well designed. The applicant sets out that the style and design of the new classroom building has been carefully considered to create a modern and contemporary building which also has a calming and minimal appearance. This is achieved with the simple form of the building along with a simple palette of materials and colours.
- 7.5 The majority of the exterior of the building has been finished with an off-white through colour render, which provides texture and a softness to the appearance of the building. A dark blue cladding panel has then been incorporated which frames the building and projecting flat roof, grounding the building within its location. In addition small areas of horizontal timber cladding have been used which provide a softer, natural element to the aesthetic of the building. Finally aluminium powder coated windows and doors have been carefully sized and positioned to create a bright and welcoming environment internally.



**Figure 3 - Proposed Elevations**

- 7.6 The application proposals are therefore well designed and would sit comfortably in the context of the wider site. As such the proposals are considered appropriate in the context of Policy SWDP 21.

## **Impact on neighbouring amenity**

- 7.7 Policy SWDP21 of the Development Plan requires development to have regard to the impact of the proposals on neighbouring properties.
- 7.8 The proposals sit within the northern area of the existing grounds and are well screened from neighbouring and nearby properties. The proposals would not result in overlooking or a loss of privacy and with activity orientated away from residential properties, the potential for noise and disturbance would be reduced. Further there is an existing school building which intervenes between the application proposals and Hales Orchard.
- 7.9 Having regard to existing school activity and with regard to the scale of the

development proposals, it is considered that the proposals would not materially impact on the amenities of neighbouring and nearby residents, in particular those to the north.

## **Historic Environment**

- 7.10 The key legal provisions relating to the consideration of heritage assets in the planning system are s72 (1) and s66 (1) of the Planning Listed Buildings and Conservation Areas Act 1990 which state that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area" and "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Policy SWDP 6 is the relevant policy of the Development Plan and the requirements of Paragraph 200-204 of the NPPF are also relevant.
- 7.11 Whilst there are no designated heritage assets in the area, the comments of the Council's Archaeology Officer are noted. As such it is agreed that a condition is appropriate in this instance.
- 7.12 The proposals are therefore considered appropriate in the context of the historic environment and Policies SWDP 6 and SWDP 24 of the Development Plan.

## **Access and Highway Safety**

- 7.13 Policy SWDP 4 and the aims and objectives of the National Planning Policy Framework are set out to encourage sustainable choices in travel. The proposals would be for enhanced teaching facilities and as set out in the application form and in highways officers comments, the proposals would not result in an increase in staff or student numbers. Considering the definitive statement on the application form the request for clarification is considered to be unnecessary.
- 7.14 It is noted that there is no car parking or a new vehicle access proposed as part of the application proposals and therefore it is considered that the proposed facility (c. 230sqm) would operate within the confines and existing infrastructure of the school.
- 7.15 Officers note that the existing School Travel Plan may need to be updated and this has been conditioned accordingly..
- 7.16 As such, having regard to the comments received, it is considered that the proposals are in accordance with the requirements of policy and are considered acceptable.

## **Existing Tree and Landscape**

- 7.17 Policy SWDP22 sets out that development should have regard to the natural environment. The comments of the Council's Landscape and Biodiversity Officer have been considered and the tree, which is not protected, is planned for removal as part of the application proposals.
- 7.18 The school site contains a number of trees and protections, particularly to the west of the application site. None of the protected features are affected by the proposals.
- 7.19 In considering the application, the tree would not be so significant as to merit further protection or be of significant value to the wider area, particularly in light of the existing protections on the wider school site. The tree is forked and is not a specimen example worthy of a TPO and has been subject to various works in the recent past and its loss should be balanced in consideration of the wider planning benefit.
- 7.20 As such it is considered that the proposals would be in accordance with Policy SWDP 22 and the proposals are considered to be acceptable.

## **Public Sector Equality Duty**

- 7.21 In making this decision, the council has had due regard to the requirements of Section 149 of the Public Sector Equality Act 2010, which introduced a public sector equality duty that public bodies must, in the exercise of their functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.22 These considerations are relevant to the duties that decision makers have under s149(1) of the Equality Act 2010.

## **8. Conclusion and planning balance**

- 8.1 The NPPF identifies a series of the components that are considered critical to achieving sustainable development. In my opinion, the above assessment of the planning application proposals against the planning policy framework demonstrates that the application responds to, and is in accordance with, the requirements of the adopted planning policy within the development plan and material considerations relevant to the determination of the application.
- 8.2 Whilst the assessment is not an exhaustive list of all policies that are potentially applicable to this site, it seeks to address how the proposals respond to the key planning criteria in the planning policy framework against which the planning application will be determined.
- 8.3 The proposed development would result in some economic benefits; employment during construction and would contribute towards maintaining the vitality of the school facilities. For this role of sustainable development, the balance would clearly be in favour of granting planning permission.
- 8.4 With regard to the social role, the delivery of enhanced school functions would contribute to the continued economic and social sustainability of the City. This is a factor to which significant weight can be attached.
- 8.5 On the negative considerations, the proposal would result in the loss of a tree however the tree is not protected and has limited amenity value and as such it is not considered that the loss of the tree would not outweigh the significant benefits of this proposal) There has been a request for a deferral due to concerns raised by highways officers, however a definitive statement has been made by the applicant that the proposal will not increase staff or student numbers. The request for an updated travel plan has been conditioned.
- 8.6 On balance, the submitted scheme has indicated more than sufficient detail to warrant approval. In fact, it is considered that the proposal is a well designed site utilising the full potential of the site within a sensitive location.
- 8.7 I acknowledge all comments received as part of the consultation process and consider all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, I consider that the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. The adverse impacts of the development do not significantly and demonstrably outweigh the benefits.

Overall it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Framework and the Development Plan as a whole.

## **9. Recommended Planning Conditions**

9.1 In the event that members resolve to grant planning permission the following conditions are recommended:

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

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

- Site Location Plan – Drawing Ref 21087-P01
- Proposed Plans and Elevations – Drawing Ref 21087-P200
- Proposed Block Plan – Drawing Ref 21087-P10

Reason: To ensure compliance with the approved scheme

3. (A) No development shall take place until a programme of archaeological work has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance; and

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(B) The development shall not be occupied until the building recording and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of the National Planning Policy Framework 2021 and SWDP 6 & 24 of the South Worcestershire Development Plan 2016.

4. Prior to the first occupation of the building, an updated School Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To promote sustainable travel choices in accordance with Policy SWDP 4 of the South Worcestershire Development Plan 2016.