

**DEVELOPMENT CONTROL AND REGULATION COMMITTEE**  
**15 July 2022**  
**A report by the Executive Director - Economy and Infrastructure**

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**Application Reference No. 1/22/9003**

**Application Type:** Full Planning Permission

**Proposal:** Modular building to provide 2 temporary classrooms and 16 additional car parking spaces

**Location:** James Rennie School, California Road, Carlisle, CA3 0BX

**Applicant:** Cumbria County Council

**Date Valid:** 13 June 2022

**Reason for Committee Level Decision:** Application made by Corporate Director of Economy and Highways

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## **1.0 RECOMMENDATION**

1.1 That planning permission be GRANTED subject to conditions set out in Appendix 1 to this report.

## **2.0 THE PROPOSAL**

2.1 Planning permission is sought for the siting of a modular building to provide 2 temporary classrooms for a period of 12 months. The proposal also includes the addition of 16 permanent car parking spaces.

2.2 The modular building would measure 16.8 m x 9.8m. The accommodation would provide two temporary classrooms with a shared entrance lobby, toilets including an accessible toilet and stores and a common entrance. A new 1.5m high fence would be required to the north and south of the temporary building. The modular building would have a rendered finish with a flat roof and uPVC windows and wooden doors. Sixteen additional car parking spaces are also proposed for the increase in staff numbers.

2.3 Drainage to the modular building would be required. This would be a new 100mm surface water drain connecting to a soakaway and a new 100mm foul drain connected to the existing drainage manhole. Drainage to the car parking areas would be to the existing surface water drainage system.

2.4 The modular building is required to provide additional 18 Special Education Needs and Disability (SEND) pupil places and 16 additional staff for the commencement of the autumn term 2022 (September 2022).

2.5 The temporary classroom is required at James Rennie School whilst more permanent accommodation is developed off site.

## **3.0 SITE DESCRIPTION**

3.1 James Rennie School is Special Education Needs and Disability School located in the north of Carlisle, close to Junction 44 of the M6. James Rennie School is

to the east of Kingstown Road and accessed off Kingstown Road (A7) onto California Road and then onto the private access road for the school. There is also a direct exit onto Kingstown Road, which is a no entry from Kingstown Road as this is only a single track access and could entail dangerous reversing manoeuvres onto a busy "A" road if accessed from Kingstown Road. The school operates a partial one-way system within its grounds in which the majority of traffic exits the site via the single track private road directly onto Kingstown Road.

- 3.2 To the north of James Rennie School there are agricultural fields and a new housing estate under construction, to the south there are residential properties. To the west there is Kingstown Industrial Estate and to the east there are agricultural fields and M6 motorway. There is mature hedgerow around the school boundary along with security fencing.

#### **4.0 SITE PLANNING HISTORY**

- 4.1 The school complex is largely single storey with its main central bulk dating principally from the 1950s. Since then it has been adapted and extended multiple times. The past twenty years in particular have seen a number of planning permissions granted for proposals that have sought to extend, modernise and update the school's facilities. These include:

- Phase 1 Extensions to expand School into adjacent premises (Kingstown Adult Training Centre) (*Ref: 1/98/9001*)
- Phase 2 Extensions and alterations (*Ref. 1/98/9013*)
- Phase 3 Extension/alteration to expand School (*Ref: 1/99/9002*)
- Extension to the north-west of the existing school buildings to provide communication training room, ICT suite, ASD Units and associated facilities (*Ref: 1/06/9021*).
- Alterations to school entrance with new ramps, automatic door and feature pillars. Replacement of clerestory windows to main hall. (*Ref: 1/09/9017*).
- New single storey training facility within the south-eastern corner of the school grounds (*Ref: 1/10/9018*)
- Extension to the north of the existing school buildings for a soft play and sensory room (*Ref: 1/13/9018*)
- Erection of a single storey residential autism unit and creation of a new internal access road and additional parking (*Ref: 1/16/9010*)

- 4.2 Story Homes Ltd were granted planning permission for residential development of up to 190 no. dwellings with access from Kingstown Road on land to the north and west of the school, these are coming to the end of construction. Beezon Homes have also been granted planning permission for new homes close to James Rennie School.

#### **5.0 CONSULTATIONS AND REPRESENTATIONS**

- 5.1 **Carlisle City Council Planning Department:** No objection.

- 5.2 **CCC Highway Authority:** The slight increase in vehicular use of the existing access is unlikely to have a significant material affect on existing highway conditions
- 5.3 **CCC Lead Local Flood Authority:** The Lead Local Flood Authority have no records of minor surface water flooding to the site and the Environment Agency (EA) surface water maps do not indicate that the site is in an area of risk. Surface water is shown as connecting to the existing. This is a minor development which is below the Lead Local Flood Authority (LLFA) threshold for comment. As such the drainage arrangements for this development are to be inspected by Building Control. It should be noted that the surface water discharge rate should not be greater than the existing, and if installing a soakaway we would advise it is not positioned within 5m of a highway or property.
- 5.4 **United Utilities:** Have confirmed the proposals are acceptable subject to foul and surface water conditions being imposed on the granting of any planning permission.
- 5.5 **CCC Active Travel Plan Officer:** James Rennie School educates children and young people with severe or profound learning disabilities. As such, specific travel arrangements have been made by the Local Authority for the vast majority of the pupils and the remaining 5% of children are transported by car by parents because active travel modes would not be appropriate. The development is temporary with additional car parking places within the school site to ensure that cars are not parked on residential roads neighbouring the school site and so I approve the travel statement within the application.
- 5.6 **Councillor G Ellis** has been consulted but no reply had been received when this report was prepared. In the event a reply is received in advance of Committee this will be reported to Members on the update sheet.
- 5.7 No representations have been received.

## 6.0 PLANNING POLICY

- 6.1 [Section 38\(6\)](#) of the [Planning & Compulsory Purchase Act 2004](#) provides that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process.
- 6.2 The [Carlisle District Local Plan 2015-2030 \(CDLP\)](#) - adopted 8 November 2016.
- Policy SP6 – Securing good design
  - Policy CC 5 - Surface Water Management and Sustainable Drainage Systems
- 6.3 [The National Planning Policy Framework](#) (NPPF) was published in March 2012 and last revised in July 2021. The national online [Planning Practice Guidance](#) (PPG) suite was launched in March 2014. Both are material considerations in the determination of planning applications. The following sections and paragraphs of the NPPF and/or PPG are considered to be relevant to the determination of this application:

- Achieving Sustainable Development paragraphs 7 to 14
- Decision Making paragraph 38
- Achieving Well Designed Place paragraphs 126, 130 and 132
- How are well-designed places achieved through the planning system?  
Paragraph: 001 Reference ID: 26-001-20191001

## **7.0 PLANNING ASSESSMENT**

7.1 The key planning issues relevant to the proposed scheme are considered to be:

**Is there a need for the additional accommodation?**

**Is the design acceptable within the existing School complex?**

**Would the modular building have any impact on residential amenities?**

**How will the new accommodation foul and surface water drainage be disposed of?**

**Would there be any additional car parking required with the siting of the modular classroom and additional teaching staff?**

**Does the School have a School Travel Plan?**

**Is there a need for the additional accommodation?**

7.2 James Rennie School is a school for Special Education Needs and Disability. There is a very high demand for places at James Rennie School and new off site additional accommodation is being prepared. Until this is ready additional accommodation on site is required. The additional classrooms would allow 18 additional pupils and 16 teaching staff.

7.3 These pupils and staff would be relocated to the new facility which is being prepared at St Edmunds Church, Orton Road, Carlisle. Temporary accommodation is required until such time the new facility is available and being located on James Rennie School with the existing pupils is the best available solution until then.

**Is the design acceptable within the existing School complex?**

7.4 Carlisle City Local Plan Policy SP6 requires development proposals will be assessed against the following design principles. Proposals should: respond to the local context and the form of surrounding buildings in relation to density, height, scale, massing and established street patterns and by making use of appropriate materials and detailing and ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable conditions for future users and occupiers of the development.

7.5 The modular building would be a rectangular design and cream in colour. It would have uPVC double glazed windows and wooden doors. James Rennie School has a mixture of buildings and designs. These are all single storey buildings with either brick and rendered walls, flat and pitched roofs in either corrugated sheet or slate, tin and wooden sheds. There is no design principle or

merit in the existing school buildings/structures and this proposed building will not harm the visual appearance of the existing buildings or the site.

- 7.6 I consider the design and temporary nature of the classroom is acceptable in terms of its design within the existing school grounds and buildings and complies with Carlisle City Local Plan SP6.

**Would the modular building have any impact on residential amenities?**

- 7.7 Carlisle City Local Plan Policy SP6 requires development proposals will be assessed against the following design principles. Proposals should: respond to the local context and the form of surrounding buildings in relation to density, height, scale, massing and established street patterns and by making use of appropriate materials and detailing and ensure there is no adverse effect on the residential amenity of existing areas, or adjacent land uses, or result in unacceptable conditions for future users and occupiers of the development.

- 7.9 The modular building would be a modern designed building which would sit between the existing school building, which is a grey brick façade, and a large wooden dark brown shed. This would be a temporary structure and would be seen primarily from within the school grounds i.e. pupils and staff attending the school. There are residential properties which face onto the school ground. However there is a mature hedgerow and a distance of over 50m between the dwellings and proposed modular building. The impact on these properties would be minor during the winter months when there are less leaves on the trees and bushes and given the distance from these properties and the proposed building, there would be no overshadowing or impact on the amenities of these properties from the temporary modular building.

- 7.10 I consider the design and colour of the modular building are acceptable. The building would be on site for a temporary period of time and would have no impact on the amenities of local residents and complies with Carlisle City Local Plan SP6.

**How will the new accommodation foul and surface water drainage be disposed of?**

- 7.11 Carlisle Local Plan CC5 states development proposals should prioritise the use of sustainable drainage systems. Surface water should be managed at the source, not transferred; and discharged in the following order of priority into the ground (infiltration at source); attenuated discharge to a surface water body; attenuated discharge to surface water sewer, highway drain or another drainage system; and as last resort attenuated discharge to a combined sewer
- 7.12 New foul and surface water drainage would be required to the temporary portal building. Surface water would be drained through a new 100mm pipe to a soakaway and a new 100mm foul drainage pipe would be installed and connected to an existing manhole.
- 7.13 Drainage to the proposed car park would be to the existing surface water drainage system.
- 7.14 United Utilities have confirmed that the proposal is acceptable in principal and

requested that a condition be imposed with regards to foul and surface water drainage. Lead Local Flood Authority have stated that this is a minor temporary development and details of drainage would be dealt with by Building Control as the size is below their threshold for comment.

**Would there be any additional car parking required with the siting of the modular classroom and additional teaching staff?**

- 7.15 The temporary building would house 18 pupils and 16 staff. The pupils are additional pupils, due to the high demand of places at the school. These would be temporary places until the new additional off site facilities are available. Construction work is currently underway on the new off site facility
- 7.16 The modular building would be a temporary building and would result in 16 additional members of staff . James Rennie School currently has 78 car parking places, with an additional 16 permanent car parking places proposed, this will take this up to 94 car parking places, which is more than sufficient for a school this size. These spaces would be an additional 6 to an existing car park and 10 new spaces close to existing car parks.
- 7.17 The modular building would accommodate 18 additional pupils who would travel to the school by local authority transport, either by bus or taxi.
- 7.18 CCC Highways have no objections to the additional car parking and confirmed that the slight increase in traffic is unlikely to have a significant affect on existing highway conditions.
- 7.19 I consider the additional car parking, which can be accommodated within the existing school site, would provide much needed parking and avoid parking on local streets in the area.

**Does the School have a School Travel Plan?**

- 7.20 James Rennie School has an up to date school travel plan and a travel statement has been submitted to support the planning application. As this is a SEND School it is challenging to encourage pupils to walk, cycle or scooter to school as they need to attend by specialist means of transport. Pupils at James Rennie School are expected to arrive by 9:00am and the school day finishes at 3:30pm. Most pupils (95%) arrive and depart by taxi or minibus provided by the local authority. The remaining pupils are dropped off and collected in cars by parents.
- 7.21 CCC School Travel Plan Officer has identified the need for the additional temporary accommodation and how these pupils are able to access the school. They acknowledge that this would be a temporary arrangement and would prevent parking on the nearby residential street.
- 7.22 I consider the school travel plan and travel statement are sufficient for the siting of the temporary modular building, until permanent accommodation becomes available.

**8.0 CONCLUSION**

- 8.1 I consider the siting of the temporary modular building within the grounds of the school would be acceptable in terms of siting and design. The increase in timescale would factor in any unforeseen circumstances which may occur during

renovation works at the new facility.

- 8.2 I consider the temporary siting of the modular building would not have any impact on the amenities of local residents due to the distance from the rear garden boundaries to the school being over 20m and there being an external play area between the proposed modular building and the houses on California Road.
- 8.3 I consider the additional 16 car parking spaces are acceptable and would help alleviate any on street parking in the area.
- 8.4 The siting of the temporary building is for a temporary period of time until alternative facilities are made available. I consider the temporary building is acceptable.
- 8.5 In summary, it is considered that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise than in accordance than the development plan and with the planning conditions proposed, any potential harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development. It is therefore recommended that this application be granted subject to conditions.

### **Human Rights**

- 8.6 The Human Rights Act 1998 requires the County Council to take into consideration the rights of the public under the European Convention on Human Rights. Article 8 of the Convention provides that everyone has the right to respect for his private life and home save for interference which is in accordance with the law and necessary in a democratic society in the interests of, amongst other things, public safety, the economic wellbeing of the country or the protection of the rights and freedoms of others. Article 1 of Protocol 1 provides that an individual's peaceful enjoyment of his property shall not be interfered with save as necessary in the public interest and subject to conditions provided for by law. For any interference with these rights to be justified the interference needs to be proportionate to the aims that are sought to be realised. The County Council has a duty to consider the policies of the development plan and to protect the amenities of residents as set out in those policies.
- 8.7 The proposal would have a no impact on the visual, residential and environmental amenity of the area but it is considered that those impacts would be insufficient to interfere with the rights of the applicant and satisfactory controls could be imposed on the proposed development to protect the amenities of the most affected residents. The impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) would be minimal and proportionate to the wider social and economic interests of the community and could be satisfactorily controlled by planning conditions.

**Angela Jones**  
**Executive Director - Economy and Infrastructure**

**Contact:** Mrs Jayne Petersen

**Electoral Division Identification:** Belah

## Appendix 1 - PROPOSED PLANNING CONDITIONS

### Time Limit for Implementation of Permission

1. This permission shall be for a limited period only expiring on 15 July 2023 by which date the buildings, associated services and infrastructure hereby permitted shall have removed.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990.*

### Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:
  - a. The submitted Application Form – dated 9 June 2022
  - b. Design and Access Statement - undated
  - c. Plans numbered and named:
    - i) Proposed temporary classroom – Drawing No 5713
    - ii) Plans and elevations – Drawing No 5713

*Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.*

### Drainage

3. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 5713 AA Rev A -Dated 9.06.2022 which was prepared by DAY CUMMINS. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.*



Appendix 2 - PLAN OF SITE LOCATION/EXTENT

