CONDITIONS AND REASONS:

(1) The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The development hereby permitted shall be implemented in accordance with the following plans numbered: Loc 01, Blo 02, 03, 04. Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The materials to be used must match as closely as possible, in type, colour and texture those listed in Section 9 of the application form. Reason: To ensure a satisfactory visual relationship of the new development to the existing.

Note to Applicant: It is considered that, subject to compliance with the conditions and any obligations attached to this permission, the proposed development is acceptable because it will not materially harm the character of the area, the amenity of neighbours or highway safety and it is in accordance with the policies and proposals of the development plan, comprising the Eastleigh Borough Local Plan Review 2001-2011, and after due regard to all other relevant material considerations including the National Planning Policy Framework and the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014 the Submitted Local Plan comprising: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014', the local planning authority is of the opinion that permission should be granted.

The following development plan saved policies and emerging draft local plan policies are relevant to this decision and the conditions attached to it:

Eastleigh Borough Local Plan Review [2001-2011], saved Policy 59.BE

Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, the Submitted Local Plan, Policy DM1

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

Report:

This application has been referred to Committee as Eastleigh Borough Council is the applicant.

Description of Application

1. The application is for the Installation of 4no. cycle stands, cycle shelter & area of hard standing

Site Characteristics

2. Fryern Infant School is located on the same site as junior school on Oakmount Road. The school is bounded with residential properties and is currently being extended with the provision of additional classrooms. To the south there is a large playing field which backs onto housing. There is a path which runs parallel with the school behind where the cycle stand and shelter is proposed.

Relevant Planning History

3. S/15/76385 - Installation of a double temporary modular classroom and additional hard playground

Representations Received

4. One letter was received, raising the issue of storage of machinery and need to maintain the area to avoid infestation by rats.

Consultation Responses

5. Head of Transport and Engineering – No objection

Policy Context: Designation Applicable to Site

- Within Built-up Area Boundary
- Within Established Residential Area

Development Plan Saved Policies and Emerging Local Plan Policies

- Eastleigh Borough Local Plan Review 2001-2011 saved Policy 59.BE
- Submitted Eastleigh Borough Local Plan 2011-2029, July 2014 Policy DM1

6. The Submitted Local Plan comprises: the Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014;

and the Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014.

National Planning Policy Framework

7. The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date planning permission should be granted unless the adverse impacts of the development would outweigh the benefits; or specific policies in the Framework indicate development should be restricted (paragraph 14). Local plan policies that do not accord with the NPPF are now deemed to be “out-of-date”. The NPPF requires that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In other words the closer the policies in the plan accord to the policies in the Framework, the greater the weight that may be given.

National Planning Practice Guidance

8. Where material, this guidance should be afforded weight in the consideration of planning applications.

Policy Commentary

9. The above policies and guidance combine to form the criteria against which this application will be assessed with particular regard to residential amenity, highway matters, trees, street scene and character of the area.

Comment on Representations Received

10. These issues are not within the planning remit.

Assessment of Proposal: Development Plan and / or Legislative Background

12. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

    "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

13. Saved policy 59.BE of the Local Plan requires development to take full and proper account of the context of the site including the

character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It also requires a high standard of landscape design, have a satisfactory means of access and layout for vehicles, cyclist and pedestrians, make provision for refuse and cycle storage and avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes.

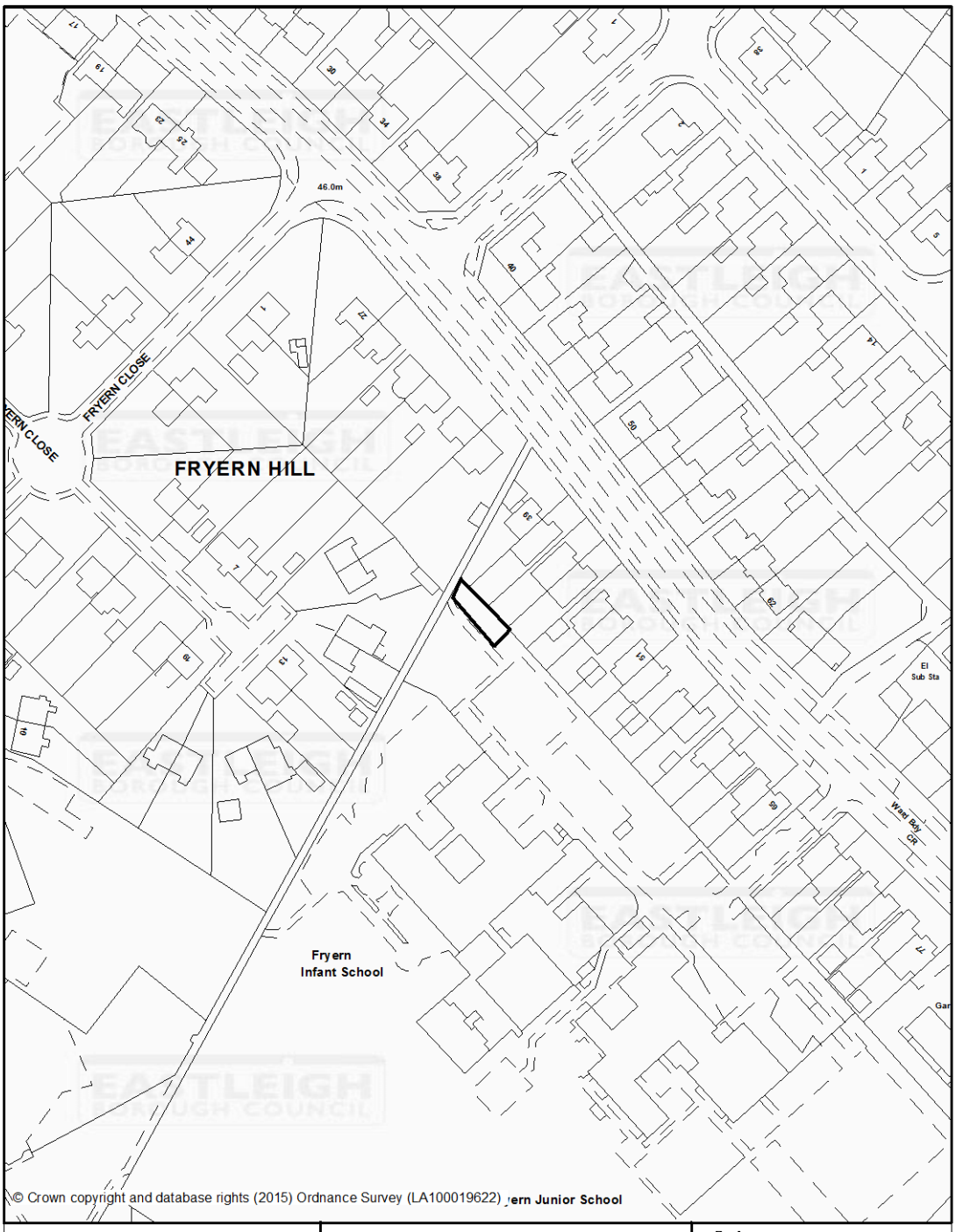
Other material considerations

14. Also of relevance is the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. While not yet adopted it does carry weight by virtue of being intended as the current local plan's replacement. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

15. There is no concern with the proposal as it is a small scale development, the proposal would encourage children to cycle therefore meeting many health related benefits as well as helping towards sustainable travel. The development would not impede on the storage of equipment or maintenance of the area.

Conclusion

16. The development accords with Local Plan policies and the application is recommended for approval.



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EASTLEIGH BOROUGH COUNCIL

F/15/76794

Title:

Fryern Infant School

Scale:
1:1250

Map Ref:
SU4420NW

Date:
24/08/2015

N