

# Planning Statement

Section 73 minor material amendment application for the  
retention of existing mobile building at

Kettlefields Primary School, Stetchworth Rd, Dullingham, Newmarket,  
CB89UH

Cambridgeshire County Council

March 2024

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## Issue Sheet

Cambridgeshire County Council

### Planning Statement

Section 73 minor material amendment application for the retention of an existing mobile building at Kettlefields Primary School, Stetchworth Road, Dullingham, Newmarket, CB8 9UH.

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**Date:** 20 March 2024

**Revision:** 1

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## Introduction

### 1.1 Overview

- 1.1.1 This planning statement has been prepared by Lanpro Services Limited on behalf of Cambridgeshire County Council to support a planning application seeking to extend the temporary planning permission for a mobile building at Kettlefields Primary School, Stetchworth Rd, Dullingham, Newmarket, CB8 9UH.
- 1.1.2 The retention of the mobile building is required for further period of five years to meet a current need. This is outlined in a justification of needs letter from Cambridgeshire County Council, accompanying this submission. The mobile building is required for the school to be able to split classes by age group, while also providing an area for music lessons, and notably breakfast and after school clubs. Cambridgeshire County Council has identified the need for developing this building. However, the current financial climate and lack of government capital funding have resulted in delayed works. Consequently therefore, an extension to the temporary planning permission is needed until this replacement is possible. The proposal seeks the retention of the mobile classroom unit until 31<sup>st</sup> August 2028.
- 1.1.3 This planning application is a Regulation 3 application under the Town and Country Planning General Regulations (1992) legislation, which enables Local Authorities to apply for planning permission for development whereby they have a significant interest or are the landowner.
- 1.1.4 This Planning Application is made under section 73 of the Town and Country Planning Act (1990) and seeks to vary condition 1 attached to the decision notice for permission referenced E/3002/18/CC dated 26 June 2018.
- 1.1.5 A Non-Material Amendment under Section 96A of the Town and Country Planning Act 1990 (as amended) has been submitted in parallel with this application. The Non-Material Amendment proposes to amend the original description of development as described in the supporting letter which accompanies the application.

### 1.2 Submission Documents

- 1.2.1 The Following documents have been submitted to support this planning application:
- Planning Statement (this document)
  - Covering Letter
  - Justification of Need Letter
  - Previous decision notice
  - Site Plan
  - Location Plan
  - Existing Floor Plan
  - Elevations Plans

## 2 Site Description

### 2.1 The Site



*Figure 1: The Mobile Building*

- 2.1.1 The application site is within the grounds of Kettlefields Primary School, located to the north east Dullingham, close to the neighbouring village of Stetchworth for which the school also serves. The site is partially screened from Stetchworth Road by the main school building and large hedgerows.
- 2.1.2 Dullingham is a village in Cambridgeshire, approximately 21 kilometres east of Cambridge. Its range of services and facilities include a primary school, shops, two public houses, and various sporting facilities and hotels.
- 2.1.3 Kettlefields Primary School is a small rural school, which follows a broad and balanced curriculum enriching its children's education with visitors, trips, clubs and competitions. Working closely with the local horse racing industry in Newmarket and science industry in Cambridge to give pupils the tools to be life-long creative and innovative learners.
- 2.1.4 The school enjoys a good local reputation and attracts children from its catchment areas of Dullingham, Stetchworth, as well as some children from Newmarket.

2.1.5 The mobile building that is the subject of this application measures approximately 7.8m x 12m and contains a classroom of approximately 68 square metres together with an entrance/cloakroom, a storeroom, and toilet facilities.

## 2.2 Designations

2.2.1 According to the Environment Agency online mapping tool, the Site lies within Flood Zone 1 risk from flooding from rivers or the sea. The Site is also considered to be at very low risk of surface water flooding.

## 2.3 Relevant Planning History

2.3.1 The relevant planning history available on public-access records for the site is set below.

Reference	Description	Date of Decision	Outcome
05/03016/CCA	Retention of 1 x 3 bay mobile classroom building for educational purposes.	18 July 2005	Approved
07/03006/CCA	Create an extended play area for all the children of the school.	13 July 2007	Approved
11/01092/FUL	Retention on existing Primary School site of existing 9.2m x 7.4m - 3 bay modular building for use as extended school facility for a temporary period of five years.	6 December 2011	Approved
14/03004/CCA	Erection of 4 bay mobile classroom for a temporary period until end August 2019.	12 November 2014	Approved
E/3004/14/CC	Erection of 4 bay mobile classroom until 31-August-2019	9 July 2014	Approved

19/03003/CCA	Section 73 Planning Application to develop land without complying with condition 1 of planning permission E/3004/14/CC to allow retention of a 4 - bay mobile classroom until 31 August 2024	25 April 2019	Approved
E/3003/19/CC	Section 73 Planning application to develop land without complying with condition 1 of planning permission E/3004/14/CC to allow retention of a 4-bay mobile classroom until 31 August 2024.	24 June 2019	Approved
22/00689/FUL	Construction of single storey book storage building	28 July 2022	Approved

## 2.4 The Proposal

2.4.1 The proposal seeks to extend the operational time period of the planning permission for the mobile building (which is due to expire on 31<sup>st</sup> August 2024) for a further period of 4 years, until 31 August 2028. This requires a Section 73 application to vary the relevant condition and a Section 96a application to amend the description of the permission. This Planning Statement relates to the Section 73 application.

2.4.2 The suggested description for the application is:

“Section 73 application to retain a temporary mobile building for a temporary period.”

2.4.3 The current permitted period is set out in condition 1 of the planning permission E/3003/19/CC which reads:



“The mobile classroom building hereby permitted shall be removed by 31 August 2024 or on the provision of permanent accommodation whichever is the sooner.”

2.4.4

While the previous statement still applies due to the continuing lack of permanent accommodation, in order to extend the time period until 31 August 2028, the following change to the text of the condition is suggested (new text in bold):

“The mobile classroom building hereby permitted shall be removed by 31 August 2028 or on the provision of permanent accommodation whichever is the sooner.”

### 3 Planning Policy

#### 3.1 Decision Making

3.1.1 Under Section 38 of The Planning and Compulsory Purchase Act 2004 ('The 2004 Act'), the determination of planning applications must be in accordance with the approved development plan unless material considerations indicate otherwise. This chapter identifies the national and local planning policies that provide the framework within which any planning application will be made.

#### 3.2 National Planning Policy

3.2.1 The planning policy is set out in the National Planning Policy Framework (NPPF) which was originally published in March 2012. The NPPF has since undergone consultation and subsequently revised submissions have been published in July 2018, February 2019, July 2021, and most recently in December 2023. This provides a framework within which regional and local policy is set.

3.2.2 The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, identifying that sustainable development consists of economic, social and environmental roles.

3.2.3 Paragraph 8(b) outlines that part of the social objective of sustainable development is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

3.2.4 Paragraph 11 advises that plans and decisions should apply a presumption in favour of sustainable development. For decision-making this means approving development which accords with the local development plan without delay. Where there are no relevant policies of the policies are out of date, permission should be granted unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.2.5 Chapter 8 sets out that the planning system should play a role to play in facilitating social interaction and creating healthy, inclusive communities. Local Authorities should plan to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

3.2.6 Paragraph 99 of Chapter 8 states that: It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted. Local Planning Policy

### 3.3 Local Planning Policy

3.3.1 The current Development Plan for East Cambridgeshire comprises the East Cambridgeshire Local Plan (adopted in April 2015). The Local Plan replaced the Core Strategy as the statutory development plan for East Cambridgeshire.

### 3.4 East Cambridgeshire Local Plan 2015

3.4.1 Key policies from this plan that are relevant for this application are:

Policy GROWTH 2/ Locational Strategy: focuses on the broad strategy of the distribution of growth across the district. It aims to ensure that growth takes place in the best locations in the district, e.g. where it is needed, where it is deliverable, and where it is 'sustainable'. Additionally, it states regard to local economic and needs, infrastructure capacity/needs, and the potential impacts and benefits of growth in different types of locations should be considered. It also seeks to restrict development in the countryside unless exceptional circumstances apply. The Policy states that in villages with a defined development envelope, limited development will take place helping to support local services, shops and community needs.

Policy GROWTH 5/ Presumption in favour of sustainable development: relates to the presumption in favour of sustainable development within the district. The policy seeks to deliver proposals that improve the social, economic and environmental conditions in the area. Additionally, it states that where there are no policies relevant to an application that the proposal should be assessed in line with the NPPF in relation to: ensuring there are no adverse impacts as a result of Document Ref. 1011166 Rev - 6 the development, whether there are specific policies within the NPPF that indicate a refusal for development and the strategic objectives of the plan which include those within the Village and Town Visions.

Policy COM 4/ New Community Facilities: relates to the provision of new or improved community facilities within settlement boundaries where possible. It states that in exceptional circumstances facilities may be permitted in the countryside. The policy also outlines that there are a number of criteria new facilities should meet, such as: be easily accessible, not have an adverse impact on traffic, or an adverse impact on amenity or the character of the locality, be designed for adaption or shared use and explore shared use opportunities.

Policy ENV 2/ Design: seeks to ensure that all development is high quality and enhances and complements local distinctiveness and overall relates well to its surroundings.

## 4 Key Planning Issues

### 4.1 The Principle of Development and Need

- 4.1.1 As set out in the Justification of Need letter from Cambridgeshire County Council, Kettlefields Primary School currently has a need for the mobile building in order to operate and supplement the permanent capacity and allow for the Local Authority to meet its duty to provide sufficient early education and childcare places and to enable parents to work or to undertake education and training which can lead to employment (Childcare Act, 2006).
- 4.1.2 There is a clear and evidenced need for the retention of the mobile building at Kettlefields Primary School. The mobile building provides children with the ability to learn in split classes and to attend music lessons, and before and after school clubs.
- 4.1.3 The retention of the current building is essential to ensure the continued operation of the facility in line with Cambridgeshire County Council's commitment to provide sufficient quality early education and childcare places.
- 4.1.4 The retention of the mobile building is therefore required to ensure the school can continue to operate without interruption. The mobile building will be removed from the site once permanent facilities are available.
- 4.1.5 Paragraph 95 of the NPPF states that there should be sufficient school places to meet the needs of communities and that planning authorities should regard proposals positively.
- 4.1.6 The policies of the East Cambridgeshire Local Plan and the NPPF, and the justification of need from Cambridgeshire County Council demonstrate that the principle of development for the proposed is acceptable.

### 4.2 Design, Access and Layout

- 4.2.1 The proposal to retain the building on a temporary basis will not change the design, access or layout of the mobile structures. The mobile structure is single storey and has a low-pitched roof. The temporary structure is largely obscured from nearby viewpoints via hedgerows and the main school building. The mobile building is sympathetic to its surroundings, with an unobtrusive design and colour palette. The existing location of the temporary building is considered to be the most appropriate in terms of its relationship with the present surroundings and neighbouring properties.

### 4.3 Sustainability

- 4.3.1 The temporary mobile building is sustainable in environmental, economic, and social terms. The building is prefabricated and therefore sustainable in construction. The siting of the mobile building in this location is established. Given the important role the school plays in the community, the siting of this temporary structure to continue to provide extra space enabling the school to function will help maintain and enhance the existing sustainable nature of the community, therefore supporting the vision of both the NPPF and PPG, and well as existing Local Policy. The mobile structure has a long design life and can be used at another location when it is no longer required at this site.

### 4.4 Amenity

- 4.4.1 The closest proximity dwelling is situated approximately 60m south-west of the building. The boundary of the school is well screened, and the mobile building is low-lying, it is only used by school pupils. Therefore, the amenity of nearby residents will not be harmed.

### 4.5 Highway Safety

4.5.1 Access to the Site is from Stetchworth Road. This proposal will have no negative impact on highway safety.

#### 4.6 Transport

4.6.1 This proposal does not entail an increase in the number of vehicles using the school. Therefore, there will be no impact on the transport network.

#### 4.7 Flood Risk

4.7.1 According to the Environment Agency online mapping tool, the Site lies within Flood Zone 1 risk from flooding from rivers or the sea. The Site is also considered to be at very low risk of surface water flooding.

#### 4.8 Biodiversity and Ecology

4.8.1 The location of the mobile building is of limited ecological value. The presence of the mobile building therefore does not harm the ecology of the site.

#### 4.9 Heritage

4.9.1 Paragraph 202 of the National Planning Policy Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

4.9.2 While Dullingham has a conservation area, Kettlefields Primary School is located some distance outside this boundary with no listed buildings in the direct vicinity or in view of the school.

4.9.3 Overall, it is considered the mobile building does not have an adverse impact on nearby heritage assets.

## 5 Conclusion

### 5.1 Overview

- 5.1.1 Lanpro Services have been instructed by Cambridgeshire County Council to submit a planning application to Cambridge District Council for the retention of an existing temporary mobile building until the 31 August 2028 at Kettlefields Primary School, Stetchworth Road, Dullingham, Newmarket, CB8 9UH.
- 5.1.2 Cambridgeshire County Council has identified the need for this building.
- 5.1.3 National policy (NPPF paragraph 99) strongly supports applications for educational facilities that respond to established need and locally the proposal is supported by East Cambridgeshire Local Plan Policies GROWTH 2 and 5 as well as Policy COM 4.
- 5.1.4 There are clear public benefits to this application, and it is supported by policies. It is therefore respectfully requested that permission should be granted for this planning application.

