

# Planning Statement

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

Sutton Primary School, The Brk, Sutton, Ely, Cambridgeshire CB6 2PU

Cambridgeshire County Council

April 2024

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## Issue Sheet

Cambridgeshire County Council

## Planning Statement

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**Signature:**



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**Date:** 3 April 2024

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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 Sutton Primary School, The Brk, Sutton, Ely, Cambridgeshire, CB6 2PU.
- 1.1.2 The retention of the mobile building is required for further period of five years to meet current and forecast needs. 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 provide sufficient classroom space for its pupils. 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 units until 31 August 2029.
- 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 CCC/21/011/VAR dated 28 April 2021.
- 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
  - Elevation Plans
  - Justification of Need Letter
  - Location Plan
  - Previous Decision Notice
  - Site / Block Plan
  - Site Plan

## 2 Site Description



Figure 1: The Mobile Building

### 2.1 The Site

- 2.1.1 The application site is within the grounds of Sutton Primary School, in the large village of Sutton-on-the-Isle. Sutton is a village in East Cambridgeshire, approximately 10 kilometres west of Ely. The facilities in the village include a primary school, several shops, public houses/restaurants, sports facilities, a doctor's surgery, and a pharmacy.
- 2.1.2 Sutton Primary School's pupil accommodation includes 11 permanent classrooms and one mobile (the building in question). The mobile classroom is required to enable the school to continue to split classes with the building currently being used for year 1 and 2 classes.
- 2.1.3 The school currently has 255 pupils, with 45 admissions places open for this year. However, after receiving a Good recent Ofsted rating, applications for school places have increased, necessitating the need to maintain the mobile building in order to provide sufficient accommodation.
- 2.1.4 Access is gained from The Brk (B1381) at the southeastern corner of the site, with a secondary entrance on Bellairs to the south. These two entrance and houses make up the southern and eastern boundary of the school while fields and The Royal British Legion's buildings form the northern boundary.

2.1.5 Planning permission for the mobile unit was originally given in 2014. The most recently permission for retention of the mobile building was given in 2021 for use until 31 August 2024.

## 2.2 Designations

2.2.1 According to the Environment Agency’s 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 low to medium risk of surface water flooding.

2.2.2 The site lies outside of the Sutton Conservation Area and there are no listed buildings in close proximity to or in view of the school.

## 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
E/00349/75/CC	Proposed Extension - Pt 1 Storey & Pt 2 Storey Incl Hall, Classrooms & Toilets	4 July 1975	Approved
E/00024/79/CC	Single Storey Extension To Existing School For Use As Library	22 January 1978	Approved
E/00521/83/CC	Erection Of 4-Bay Mobile Classroom & Retention Of 3-Bay Mobile Classroom	4 October 1983	Approved
E/00050/87/CC	Erection Of A 3-Bay Mobile Classroom And Retention Of An Existing Mobile Classroom	30 April 1987	Approved
E/00974/87/CC	Provision Of Two New Toilet Blocks	8 February 1988	Approved

E/00017/88/CC	Erection Of A 1-Bay Mobile Toilet Block, And Retention Of One 4-Bay And Two 3-Bay Mobile Classrooms	8 March 1988	Approved
E/00319/90/CC	Refurbishment & Extension To School Including Parking & Play Areas, And Siting Of Temporary Mobile Accommodation During Building Work	19 July 1990	Approved
E/00318/90/CC	Extension To Form Community Room, Provision Of Associated Parking And Fenced Netball Court With Floodlighting	19 July 1990	Approved
E/00875/91/CC	Erection Of 4 Column Mounted Floodlight Assemblies To Light Hard Play Area	3 April 1992	Approved
E/00563/97/CC	Retention Of 1 X 4-Bay & 1 X 2-Bay Mobile Classroom Units	24 December 1997	Approved



E/03019/04/CC	Part replacement of fencing and gates	28 January 2005	Approved
E/03004/07/CC	Construction of single storey detached building (Sure Start Centre), new pedestrian path and associated hard and soft landscaping.	24 August 2007	Application Withdrawn
E/03013/07/CC	Construction of single storey detached building (Sure Start Centre), new pedestrian path and associated hard and soft landscaping	27 December 2007	Approved
E/3001/14/CC	Erection of 7-bay mobile classroom for temporary period until 31 August 2021.	1 August 2014	Approved
E/3001/14/CC/C1	Application for approval of details reserved by condition 7 - Full update of existing school travel plan of original application E/3001/14/CC	14 September 2015	Approved

CCC/21/007/NMW	Non-Material Amendment application to change the description of planning permission E/3001/14/CC to Retention of 7-bay mobile classroom for a temporary period	12 March 2021	Approved
CCC/21/011/VAR	Retention of 7-bay mobile classroom for temporary period Informative: - Section 73 application to develop land without complying with condition 2 of planning permission E/3001/14/CC to extend the temporary period until 31 August 2024.	28 April 2021	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 currently on this site (which is due to expire on 31<sup>st</sup> August 2024) for a further for a period of 5 years, until 31 August 2029. 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 of 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 CCC/21/011/VAR which reads:  
 “The mobile classroom hereby permitted shall be removed from the site on or before 31 August 2024. Within 1 month of the removal of the mobile classroom, the land shall be restored to its former condition.”
- 2.4.4 In order to extend the time period until 31 August 2029, the following change to the text of the condition is suggested (new text in bold):  
 “The mobile classroom hereby permitted shall be removed from the site on or before 31 August 2029. Within 1 month of the removal of the mobile classroom, the land shall be restored to its former condition.”

### 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 the NPPF that protect areas or assets of particular importance provides a clear reason for refusal; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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

3.2.7 Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

3.2.8 Paragraph 205 requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

3.2.9 Paragraph 208 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 including, where appropriate, securing its optimum viable use.

### 3.3 Local Planning Policy

3.3.1 The current Development Plan for East Cambridgeshire is made of 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 several 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.

Policy ENV 11/ Conservation Areas: states that development proposals, within, or affecting a Conservation Area should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. The policy also seeks to retain attractive traditional materials and features such as original doors, windows, chimneys and boundary walls.

Policy ENV 12/ Listed Buildings: states that proposals that affect a Listed Building will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset.

## 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, Sutton 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.
- 4.1.2 There is a clear and evidenced need for the retention of the mobile building at Sutton Primary School, with all classrooms currently in use and pupil numbers possibly increasing over the coming years. For the time being, the retention of current building is essential to ensure the continued effective operation of the school.
- 4.1.3 The mobile building will be removed from the site once permanent facilities are available.
- 4.1.4 Paragraph 99 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.
- 4.1.5 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 Heritage

- 4.2.1 Paragraph 205 of the National Planning Policy Framework states that when considering the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to significance.
- 4.2.2 While Sutton boasts a historic conservation area, Sutton Primary School is located some distance outside this boundary with no listed buildings in the direct vicinity or in view of the school.
- 4.2.3 Overall, it is considered the mobile building does not have an adverse impact on nearby heritage assets.

### 4.3 Design, Access and Layout

- 4.3.1 The proposal to retain the building on a temporary basis will not change the design, access or layout of the mobile structure. The mobile structure is single storey and has a low-pitched roof. The temporary structure is largely obscured from nearby viewpoints via the main school building, hedgerows, and houses from all directions.
- 4.3.2 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 their relationship with the present surroundings and neighbouring properties.

### 4.4 Sustainability

- 4.4.1 The temporary mobile building is sustainable in environmental, economic, and social terms. The building is prefabricated and is 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 effectively 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.

#### 4.5 Amenity

4.5.1 The closest proximity dwelling is situated approximately 17m south of the temporary building. The building is well screened and is only used by pupils and staff of the school. The amenity of nearby residents will not be harmed.

#### 4.6 Highway Safety

4.6.1 Access to the Site is from The Brk (B1381) and Bellairs towards the school's southeastern boundary. This proposal will have no negative impact on highway safety.

#### 4.7 Transport

4.7.1 This proposal does not entail an increase in the number of pupils travelling to and from the school. Therefore, there will be no impact on the transport network.

#### 4.8 Flood Risk

4.8.1 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 low to medium risk of surface water flooding.

#### 4.9 Biodiversity and Ecology

4.9.1 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.

## 5 Conclusion

### 5.1 Overview

- 5.1.1 Lanpro Services have been instructed by Cambridgeshire County Council to submit a planning application to Cambridgeshire County Council for the retention of an existing temporary mobile building until the 31 August 2029 at Sutton Primary School, The Brk, Sutton, Ely, Cambridgeshire, CB6 2PU.
- 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.





- ♥ RIBA 2030
- ✦ Climate
- 💧 Challenge
- ⚡ Signatory

