

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

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**Application Reference No. 2/22/9004**

**Application Type:** Full Planning Permission

**Proposal:** Extension and alteration of existing school to form a sixth form campus for pupils from Mayfield School, Whitehaven, including new vehicle turning circle and external works.

**Location:** St Joseph's School, Mountain View, Cockermouth, Cumbria, CA13 0DG

**Applicant:** Cumbria County Council

**Date Valid:** 7 July 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 set out in Appendix 1 to this report.

## **2.0 THE PROPOSAL**

2.1 Planning permission is sought for a small extension, siting of summerhouse and workshop also including internal and external alterations which include changing of window openings and creating new external door ways to the school building and also alterations to the access and widening of the vehicular entrance gates on to Fitz Road to form a sixth form campus for pupils (aged 16+) from Mayfield School, Whitehaven. Mayfield School is one of only six schools in the County providing Special Education Needs for Disabled Pupils. The proposed school would provide accommodation for 40 pupils and 18 staff (full/part time).

2.2 The proposed extension would provide office and waiting lobby. The extension would be 3.01m x 6.21m (18.6m<sup>2</sup>). This is proposed on the front of the building. The summerhouse would measure 5.4m x 3m (16.2m<sup>2</sup>) and the workshop would be 6m x 6.8m (40.8m<sup>2</sup>). The internal operations would include four classrooms, common room, kitchen/food technology, break out room, assisted showers, wc facilities at ground floor level. The building, extension and outbuildings would cover a floor area of 640m<sup>2</sup>. A 1.8m high fence would be erected to the eastern part of the church grounds.

2.3 There would be some hard surfaced areas required externally to the access road, which is to be widened to allow two vehicles to pass and the widening of the access gates. The car park and hard surfaced area would create 8 car parking spaces and a turning/drop off area for mini buses.

2.4 St Joseph's School is a buff brick building which stands alone in its own grounds. The proposed extension to the front elevation would be designed and in keeping with the existing building using the same materials.

2.5 Vehicular access to St Joseph's School is at the junction with Fitz Road and The

Level. The Level is one of the main vehicular routes into Cockermouth and forms the A5086, which connects onto the A66(T).

- 2.6 The school would operate between the hours of 8.00 am to 6.00 pm Monday to Friday. The actual school day is 9.00 am to 3.30 pm.

### **3.0 SITE DESCRIPTION**

- 3.1 St Joseph's School is a modern single storey school building sat within its own grounds. St Joseph's School had a student count of 76 pupils within the age range of 3 – 11 years. St Joseph's School has closed due to lack of demand in the town. St Joseph's School was constructed in 1966.

- 3.2 St Joseph's School is close to the town centre of Cockermouth and is in easy walking distance of amenities. The area is predominately residential with retail and commercial properties to the east. Directly adjoining St Joseph's School to the west is Kirkland Residential Care Home, to the north is Sullart Street Car Park (approx. 50 spaces) and to the east and south is The Level (A5096) and Fern Bank Playing Fields beyond.

- 3.3 The nearest property is 28m west, Kirkland Residential Care Home where there is the car park, public footpath and turning area for Kirkland Residential Care Home.

- 3.4 St Joseph's School has mature trees growing along the boundary of all four sides. St Joseph's School is not within Cockermouth Conservation Area, but is adjacent to the Southern boundary.

### **4.0 SITE PLANNING HISTORY**

- 4.1 There is a brief planning history. The most recent planning application was considered by Allerdale Borough Council (Planning Ref: 2/07/0715) for "proposed extension to provide entrance area".

### **5.0 CONSULTATIONS AND REPRESENTATIONS**

- 5.1 **Allerdale Borough Council Planning Department:** No objection

- 5.2 **Allerdale Borough Council Environmental Health Department:** The proposal has a sensitive use and therefore should any excavations take place contamination should be considered, along with a construction management plan and noise pollution measures.

- 5.3 **CCC Highway Authority:** No objection. The physical changes to the scale of the building are modest and the reduction in pupil numbers will mean there will be a net reduction in trips and therefore no impact on the highway network.

- 5.4 **CCC Lead Local Flood Authority:** No objection. The small modification to the building footprint means there will be negligible increase in surface water run-off and no increase in downstream flooding since the surface water is being discharged to a soakaway.

- 5.5 **United Utilities:** We are satisfied that the proposed workshop has been re-sited sufficiently away from our 21" water main and therefore we remove our previous objection dated 8th August 2022, subject to the inclusion of the condition below in our subsequent Decision Notice.

- 5.6 **Local Member for Cockermouth North Cllr Bell and adjoining Member for Cockermouth South Cllr Kennon.** No response received.
- 5.7 In the event of any late responses received in advance of Committee these will be reported to Members on the update sheet.
- 5.8 One letter of representation has been received. They are concerned with regards lack of details with regards to new widened highway access, including visibility splays, heights of walls related to the gradient of the exit directly onto an existing road junction. Comment also on the impact of vehicles crossing a road junction which often has queued traffic on it. In support of the scheme, just lack of detail.

## 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 *Allerdale Local Plan (Part 1) Strategic and Development Management Policies - adopted July 2014*.

- Policy DM14 – Standards of Good Design
- Policy S9 – Design Principles
- Policy S29 – Flood Risk and Surface Water Drainage

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 schemes are considered to be:

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

**Is the design of the extension and outbuildings acceptable to the existing school building?**

**Would the proposed alterations to the access road have any impact on foul**

**and surface water drainage?**

**Would there be any impacts from the car park and drop off/pick up area?**

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

**Would there be any Environmental Impacts from the continued use of the School?**

**Concerns of local residents**

**Is there a need for additional sixth form accommodation?**

- 7.2 Mayfield School is a school for Special Education Needs and Disability and located in Whitehaven. There is a very high demand for places at Mayfield School and in light of this high demand, new off site additional sixth form accommodation is now sought. The new accommodation has been identified as St Joseph's School, The Level, Cockermouth. This is an existing school which has been closed due to dwindling pupil numbers. St Joseph's provides all the accommodation needed to accommodate the sixth form.

**Is the design of the extension and outbuildings acceptable to the existing school building?**

- 7.3 Allerdale Local Plan Policy DM14 requires the Council to seek to ensure that the design and layout of all new development creates neighbourhoods and areas with a sense of place, that are well integrated and compatible with existing development.
- 7.4 The proposed extension would be on the front elevation providing a small area to accommodate office and waiting area, this would be approximately 3.01m x 6.21m (18.6m<sup>2</sup>), the summerhouse would measure 5.4m x 3m (16.2m<sup>2</sup>) and the workshop would be 6m x 6.8m (40.8m<sup>2</sup>). The extension would be a flat roofed structure to the side of the main entrance to the school, this would provide office/reception facilities. The materials would match the existing buff brick main school building. The summerhouse and workshop would be wooden buildings. There is existing wooden play equipment in the location of the workshop that would be removed and replaced by the workshop.
- 7.5 I consider the design of the proposed extension and associated out buildings are acceptable in terms of design within the existing school grounds and comply with Allerdale Local Plan Policy DM14.

**Would the proposed alterations to the access road have any impact on foul and surface water drainage?**

- 7.6 The widening of the access requires planning permission as this exceed 50m<sup>2</sup>. The existing foul drainage connects into the existing sewerage system, there would be no change to the foul drainage arrangements. Surface water run off would be as existing.
- 7.7 Lead Local Flood Authority state: The small modification to the building footprint means there will be negligible increase in surface water run-off and no increase in downstream flooding since the surface water is being discharged to a soakaway. In light of the comments from the Lead Local Flood Authority I consider the foul drainage and surface water drainage are acceptable.

### **Would there be any impacts from the car park and drop off/pick up area?**

- 7.8 St Joseph's School is accessed from the junction with Fitz Road and The Level. This is an existing access and provides internal driveway and parking area. The widening of the access requires planning permission as this exceed 50m<sup>2</sup>. The pupils who will be attending the sixth form facility will arrive and depart in either mini buses or private taxi's. It is proposed to widen the access gates on Fitz Road and increase the width of the existing driveway to allow two vehicles to pass and to create a drop off area close to the school entrance.
- 7.9 The number of mini buses/private taxis would be between 10-15 vehicles in a morning and afternoon.
- 7.10 There would be a drop off area for mini buses and private cars to drop pupils off safely. The dropping off of pupils is controlled due to the special care needed to transfer pupils to get them from the vehicles and into the school premises safely, a ramped access is proposed to the front extension to allow clear/safe passage of pupils.
- 7.11 The pick up and drop off's would have an impact on the highway network for approximately 30 mins in a morning and 30 mins in an afternoon 5 days per week during term time. There would be minimal activities at the Saturday, Sunday or Bank/Public Holidays.
- 7.12 CCC Highways have no objections stating *"there will be a net reduction in trips and therefore no impact on the highway network"*.
- 7.13 I consider the car parking and pick up and drop off area would have a minor impact on the amenities of local residents during term time which were existing when the school was previously occupied, this would be for a maximum of half an hour in a morning and the same in the afternoon. There would be a reduction in traffic to when the School was occupied at its peak which was more than double the proposed student capacity.

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

- 7.14 Mayfield School does have an up to date school travel plan. However this is a new school and will require an individual School Travel Plan to be prepared and implemented. An appropriately worded condition in Appendix 1 identifies what is required for the School Travel Plan.
- 7.15 I consider that a new School Travel Plan is required and can be achieved to reduce travel to the school.

### **Would there be any Environmental Impacts from the proposed extension and access alterations?**

- 7.16 **Noise:** Would be mainly down to construction operations which would be over a short period of time. Once construction operations have ceased there would be relatively little noise.
- 7.17 **Lighting:** External Lighting could impact on the amenities of local residents if it is not sighted properly to prevent spillage into local properties. Any lighting shall be directed into St Joseph's only. This would be controlled by condition to ensure there is no light pollution or impact on amenities of local residents.

- 7.18 **Dust:** Impacts of dust would come from the building works, these would be temporary short term impacts. These impacts would be no greater than any of the residential properties have an extension built. A construction management plan will be required to ensure the construction works are carried out accordingly.
- 7.19 **Construction Works:** There will be a minor impact whilst construction works are undertaken as these will involve work on the minor extension, internal layout works, erection of fencing and resurfacing of the car park. These are temporary operations and will be completed as quickly as possible. The works would be controlled by appropriately worded conditions as set out in Appendix 1.
- 7.20 I consider that any environmental impacts would be minor impacts mainly during construction activities which would last for a maximum of 6 months. The use of the St Joseph's as school would not have any additional impacts as this was an existing school with school uses undertaken within the grounds.

### **Concerns of local residents**

- 7.21 One letter of objection has been received - concerns are raised with regard to lack of details with regards to the new widened highway access, including visibility splays, heights of walls related to the gradient of the exit directly onto an existing road junction. Comment also on the impact of vehicles crossing a road junction which often has queued traffic on it. In support of the scheme, just lack of detail.
- 7.22 The plans submitted do show the widening of the access onto Fitz Road. Visibility splays, heights of wall and gradient are all existing as this is an existing used junction by the former St Joseph's School.

## **8.0 CONCLUSION**

- 8.1 I consider the small extension, siting of summerhouse and workshop, alterations to the access road and widening of the driveway entrance are acceptable.
- 8.2 I consider the alterations to the school are minor alterations and the capacity of St Joseph's will be significantly decreased from when St Joseph's was at its prime. Mayfield School will bring back into use a school which has been left empty and would become a derelict disused building.
- 8.3 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 with 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**

- 8.4 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.

- 8.5 The proposal would have a limited 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:** Cockermouth North

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**Appendix 1 - PROPOSED PLANNING CONDITIONS**

**Time Limit for Implementation of Permission**

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

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

**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 4 July 2022
  - b. Design and Access Statement – dated April 2022
  - c. Plans numbered and named:
    - i) Existing ground floor plan and elevation – Drawing No 5712-1
    - ii) Existing and proposed site plan – Drawing No 5712-2
    - iii) Proposed ground floor plan and elevations – Drawing No 5712-3
    - iv) Proposed site plan – Drawing No 5712-6

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

3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

*Reason: In the interests of highway safety.*

4. Within three months of the commencement of occupation of the school, the Travel Plan shall have been developed, to achieve modal shift away from the use of private cars to transport pupils, to transport modes that have a lesser impact on the highway network. This must include measures to be adopted to reassess the 'modes of travel'; identify safe journey routes/modes; and set targets to be used as benchmarks for the Annual Review Reports in the following four following academic years. The Full Travel Plan shall be submitted to the Local Planning Authority for their approval. Any further measures identified by the Local Planning Authority as being required, shall be implemented in full within the following 12 months and be continued until the following Annual Review, which will report on the effectiveness of the measures so provided.

*Reason: To aid in the delivery of sustainable transport objectives.*

5. Any artificial lighting units shall be so sited and shielded as to be incapable of direct sight from any residential property outside the site.

*Reason: In the interests of local amenity and prevent light pollution.*

- 6.** No development shall commence on site until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the County Planning Authority. The CTMP shall include details of:
- the construction of the site access and the creation, positioning and maintenance of associated visibility splays;
  - access gates will be hung to open away from the public highway no less than 10m from the carriageway edge and shall incorporate appropriate visibility displays;
  - details of proposed crossings of the highway verge;
  - retained areas for construction personnel vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
  - construction vehicle routing; the scheduling and timing of movements, routing, details of escorts for abnormal loads, temporary warning signs and banksman;
  - clearing of debris from the highway;
  - methods to prevent noise, dust and vibration during construction works

*Reason: To ensure the construction is carried out in accordance with the approved scheme.*

- 7.** Construction works shall only be undertaken between the hours of 08.00 to 17.00 Monday to Friday. With no workings on Saturday, Sunday or Bank/Public Holidays. Any out of hours deliveries shall be notified to the Local Planning Authority in advance and immediate neighbours should be notified in writing of such instances.

*Reason: In the interests of residential amenities of local residents.*

- 8.** Condition No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

*Reason: In the interest of public health and to ensure protection of the public water supply.*

- 9.** Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning

Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. 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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*

### **Informative**

The applicant should be advised to contact Allerdale Borough Council Environmental Health Department in order to be advised with regard to legislative compliance for food hygiene and safety and to register the new facility.

If the application is approved the applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate Cumbria County Council Serving the people of Cumbria [cumbria.gov.uk](http://cumbria.gov.uk) permit allowing such works. They will need to contact Streetworks Central [streetworks.west@cumbria.gov.uk](mailto:streetworks.west@cumbria.gov.uk) for the appropriate permit.

Appendix 2 - PLAN OF SITE LOCATION/EXTENT

