

24 March 2015**Agenda Item:****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****MANSFIELD DISTRICT REF. NO.: 2/2015/0031/NT**

PROPOSAL: ERECTION OF A TWO STOREY REPLACEMENT 420 PLACE PRIMARY AND 26 PLACE NURSERY SCHOOL, WITH ADDITIONAL SINGLE STOREY 13 PLACE PRIVATE NURSERY, ADDITIONAL CAR PARKING, LIGHTING AND CCTV, AND LANDSCAPING. ALTERATION TO PEDESTRIAN AND VEHICULAR ACCESS INCLUDING WIDENING OF JUNCTION WITH STUART AVENUE AND SCHOOL GATES. NEW AND RE-USE OF 2.4M HIGH WELDMESH FENCING. SPRINKLER TANK, PUMP HOUSE AND BIN STORE WITH 3.5M AND 2.5M HIGH TIMBER ENCLOSURE. DEMOLITION OF CONCRETE SHELTER, REMOVAL OF FORMER SCHOOL BUILDING FOUNDATIONS, REPLACED BY NEW BUILDING, HARDSTANDING PLAY AREAS AND LANDSCAPING.

LOCATION: FORMER SHERWOOD HALL SCHOOL SITE
STUART AVENUE, FOREST TOWN, MANSFIELD

APPLICANT: THE SECRETARY OF STATE, AND NCC CHILDREN FAMILIES & CULTURAL SERVICES

Purpose of Report

1. To consider a planning application for the erection of a primary school on part of the former Sherwood Hall school site accessed from Stuart Avenue, to replace the existing Abbey Primary School, Abbey Road, Mansfield. The key issues relate to highway and traffic impact associated with the new school, and impact of the siting of the building on neighbouring property. The recommendation is to grant planning permission subject to the conditions set out in Appendix 3.

The Site and Surroundings**Background**

2. Abbey Primary School is a Primary School with a private nursery operated by an external provider on a site accessed from Abbey Road 1.5km to the east of Mansfield town centre (Plan 1). The school has 303 pupils on roll (December 2014), at full capacity up to Year 2 and is oversubscribed for admissions. The

private nursery offers 35 morning and afternoon sessions. 24 full-time and 41 part-time staff (40.4 FTE) are presently employed at the school and nursery.

3. The existing school comprises a 1950s traditional brick-built construction with CLASP classrooms added in the 1960s and 1970s. A feasibility study has concluded that the buildings are at the end of their life, and a full re-build of the school is the best value option.
4. Consideration has been given to the redevelopment of the school on the existing Abbey Primary site. However, the site is constrained by surrounding residential development, topography of the site on which a replacement school would be built whilst keeping the existing school in operation, poor single carriageway access which could not be easily improved presenting a constraint to construction, and significant traffic congestion at school drop-off and pick-up times.
5. Consequently, an alternative site for the replacement school and nursery has been sought. A suitable site has been identified 500m to the north-east on the site of part of the former Sherwood Hall School, excluded from the redevelopment of Samworth Church Academy (built 2008). The former school buildings were of two storey CLASP construction and were destroyed by fire.
6. A former railway embankment runs along the southern boundary of Samworth Church Academy, and lies between the existing and proposed school sites. The walking distance between the two site entrances is 1.2km via Sherwood Hall Road or 1.5km via Pump Hollow Lane/Stuart Avenue. Pump Hollow Lane and Stuart Avenue are connected by a path only, and cannot be used as a through route by vehicular traffic (Plan 1).

Application Site

7. The application relates to a site of 2.56ha on part of the former Sherwood Hall School site retained by the County Council following the redevelopment of Samworth Church Academy to the west (Plan 2). 2.0m high Heras fencing at Samworth Church Academy forms the south-west boundary of the application site.
8. The site is bounded to the north by a 2.4m high stone wall along its western part and 2.0m high Heras fencing to the east extending to Stuart Avenue. Bungalows at 5-8 Sherwood Grange, Sherwood Hall Gardens have rear gardens 7m in length, separated from the application site by the stone wall. A conservatory is erected to the rear of 5 Sherwood Grange. Gardeners Cottage, a house with a rear garden approximately 14m in length lies at the western end of the northern site boundary.
9. Land of the former Sherwood Hall School, comprising former playing field and tennis courts lies to the east and south east of the application site, but does not form part of the application site. The boundary of bungalows beyond, fronting Stuart Avenue, lie approximately 60m from the application site boundary.
10. Access to the site is gained from a single-width carriageway access road with a footway on its eastern side. Part of the site of the former caretaker's property

immediately to the east of the existing access road is included in the application site for the purpose of forming a re-aligned and widened vehicular access with footway as part of the proposed development. A bus stop, used by an hourly service between Forest Town and Mansfield, is provided on Stuart Avenue immediately to the east of the existing site entrance and is within the application site. The remainder of the former caretaker's site lies outside the application site. Two pairs of semi-detached houses lie to the south-east of the caretaker's site fronting Stuart Avenue.

11. The existing access was historically used as a pedestrian access to the former Sherwood Hall School site. The Stuart Building, destroyed by fire, was located towards the northern end of the application site, at closest 10.5m from the stone boundary wall (school side) and 17.65m from the rear of 5 and 6 Sherwood Grange, Sherwood Hall Gardens.
12. The site levels rise steadily from Stuart Avenue, and the former school buildings were established at a level between 3.3m – 4.3m above the site entrance. The former two-storey building closest to properties at Sherwood Grange, Sherwood Hall Gardens had a floor level approximately 0.4m above the level of the neighbouring properties. Three trees within the group of former school buildings (T13-15) were damaged by fire but remain on the site.
13. Category B sycamore and ash trees stand to the west of the existing access road into the site. Three lime trees (Category B) are established to the south of a 2.4m high stone wall which returns to run south-east from the northern boundary. A Category B beech tree stands to the north of the wall.
14. The wall has two openings that would have provided vehicular access to car parking adjacent to the former school buildings. The northernmost access drive, which would have been used as a service access and by students of the former Sherwood Hall School to the west, runs parallel and adjacent to the boundary wall with properties at Sherwood Grange, Sherwood Hall Gardens. A Category A oak tree stands within the site, adjacent to a 2.4m high blockwork wall at Gardeners Cottage.
15. All former school buildings on the site, with the exception of two dilapidated pre-fabricated garages were taken down to slab level following the 2011 fire. A hard play area is provided to the south-east of the former school buildings. The area was previously covered by a dome structure. Ground levels rise slightly forming a mound adjacent to the area of hard play before falling to the south-east. The foot of the bank leads to an area of former playing field approximately 110m x 80m lies to the south-east.
16. An electricity sub-station enclosed by palisade fencing is located to the south of the wall. A gas meter housing is located adjacent to the school entrance gate which is set back approximately 35m from Stuart Avenue.
17. The application site is not currently enclosed on its south-east and north-east boundaries, although the land is enclosed on the boundary of the County Council retained land beyond the application site. There is evidence that the site is accessed, particularly by dog walkers through a gap in the perimeter fencing on the rear boundary of the former caretaker's property.

Proposed Development

Background

18. Nottinghamshire County Council (NCC) has been successful in bidding for funding to replace 12 schools throughout the county through the Priority Schools Building Programme in partnership with the Education Funding Agency. Background information to the programme, including details of the successful schools is attached (Appendix 1). The applicant has stated that the existing school buildings along with the grounds and related facilities have been assessed and are considered to be at the end of their life and have concluded that the rebuilding of the school represents best value for money.

Proposed development

19. Planning permission is sought to erect a 420 place two-form entry primary school with a 26 place (full-time equivalent) nursery for children aged 3-4. A 13 place (full-time equivalent) place nursery for 2-3 year-old children, which would be separately funded by the County Council, is also proposed. The overall capacity of the school would not change and core teaching hours would remain as at present (08.45 hours - 15.15 hours). An extended school day run by a private provider would offer Breakfast Club from 07:30- 08:45 hours, and After School Club from 15:15 hours – 18:00 hours.
20. The number of staff employed at the school and nursery would remain as at present (24 full-time and 41 part-time). 45 staff and visitor car parking spaces, including two disability parking spaces, would be provided.

Built Development, Playing Field Provision and Ecology

21. A generally rectangular two-storey building with a footprint of 67m x 20m is proposed, with an attached single storey nursery with a footprint of 13m x 10.8m, providing a total floor area of 2298m² (Plan 3). The building would be principally erected on the former footprint of the Sherwood Hall school building destroyed by fire. The northern corner of the building would be 18m from the site boundary and 25.5m from the rear elevation of bungalows at 5 and 6 Sherwood Grange to the north-west (Plan 4). The floor level of the building would be approximately 0.5m above the level of 5 and 6 Sherwood Grange.
22. The proposed school building, 7.35m in height, would have a shallow mono-pitched roof concealed behind a parapet and faced with a buff coloured brick. The attached single-storey nursery would have a maximum height of 3.85m, including a parapet 0.3m in height. Elevations would be expressed by infill grey brick panelling and aluminium louvres (Plans 5 and 6). Aluminium framed windows and doors are proposed. The entrance to the school building, on the north-east elevation, would be beneath signage displayed at first floor level. The need for Advertisement Consent for the display of signage is a matter to be considered by Mansfield District Council.
23. Plant would be provided on the roof of the two-storey building, set back 2m from the roof edge, enclosed by a 1.1m high guardrail and partially screened by the brick parapet. A kitchen extract and air handling unit would be concealed by the

parapet while four boiler flues would project above the parapet by a maximum of 1.0m. A man-safe system would be installed on the roof of the single-storey nursery, overcoming the need for guardrail.

24. Classrooms would be provided on both floors of the main school building linked by a central corridor. The nursery and reception classrooms would be provided at ground floor at the south-eastern end of the building on the north-eastern elevation, with four infant classrooms provided on the opposing side of the building (Plan 7). The school hall and kitchens would be provided at the northern end of the building. Eight junior classrooms would be provided at first floor level, as well as the staff room and support facilities (Plan 8). Stairwells would be provided at either end of the central corridor, one of which would have an adjacent lift. A staff room first floor window would be provided in the north-west end elevation and would be, at closest, 19m from the site boundary and 26m from the centre of the rear elevation of the facing bungalow at 6 Sherwood Grange. The relationship of the proposed building to other properties is shown on Plan 4 and the relevant elevation is the north-west elevation of Plan 6. The staff room would also be provided with a window in the north-east elevation. Other first floor windows in the end elevation would provide light to void above the school hall.
25. Outdoor hard and soft play areas would be provided outside the nursery and reception classrooms, enclosed by 1.5m high timber palisade fencing on two sides, and by 2.4m high security fencing on its boundary with the car park. An area of hard play with a Key Stage 1 games court would be provided to the south-west of the Infant classrooms. An area of hard play of the former school to the south east of the proposed building would be retained and provided with court markings for Key Stage 2 games. The single-storey nursery would be provided with its own securely fenced area of outdoor hard and soft play (Plan 3).
26. Three dead trees (as a consequence of the former school fire) would be removed from the grassed area adjacent to the hard play area to the south of the building, and to accommodate the proposed building footprint.
27. The dilapidated sectional garage on the site would be demolished and the ground re-instated as part of an organic garden.
28. A mound and bank to the south-east of the Key Stage 2 games court would be retained, lead to an area of playing field at the south-eastern end of the site. An area of useable playing field approximately 110m x 80m would be provided with a fall of 0.5m from north-west to south-east.
29. The Extended Phase 1 Habitat Survey Report supporting the application does not identify significant ecological features on the site. However the report recommends the provision of favourable habitats and roosting opportunities for bats in the design, and the installation of a range of bird box designs in trees and the building to increase opportunities for nesting.
30. The existing electricity sub-station enclosed by palisade fencing would be retained. A replacement gas meter housing would be provided at the edge of the

new access road outside the school access gate, although the final position would need to be agreed with the statutory undertaker.

Access, Car Parking and Pedestrian Movement

31. The school would be accessed by vehicular traffic and pedestrians from Stuart Avenue. The former point of access serving the former Sherwood Hall School would be widened and constructed to an adoptable standard between Stuart Avenue and the proposed school entrance gate (Plan 3). The widening of the access road would require two Category C cypress trees to be removed. It is understood that the trees were removed in the week commencing 9 March 2015, but are works which would not require planning permission. The road would be provided with a 3.0m wide footway to each side and a crossing point would be provided immediately outside the school gate. The school gates would open inwards into the site. A plan submitted with the Transport Statement (Appendix F) indicates that double yellow lines would be provided both sides of the access formed on Stuart Avenue, extending up to the school entrance gate. Zig-zag 'School Keep Clear' markings would be provided across the access on Stuart Avenue. With 'School Patrol' signage mounted on posts to either side of the entrance. However, the submission states that detail of School Zone signage would need to be agreed prior to being installed (Plan 9).
32. The school access drive for vehicles entering the site, provided with a 3.0m wide footway on its south-eastern side, would lead to a 16 space staff and visitor car park (including two disability parking spaces), in front of the school building. Vehicles leaving the site would do so along an existing road running adjacent to the north-western site boundary. One Category C holly tree would be removed so as not to impact on an adjacent car parking space. Disability parking spaces would be provided closest to the building entrance.
33. Space to stand and turn service vehicles would be provided adjacent to the school kitchen. The access road within the site would lead to a 29 space staff and visitor car park to the north-west of the proposed building and in proximity to the single-storey nursery. The parking area would be constructed on porous stabilised ground surfaced with cellular reinforced gravel.
34. A sprinkler tank and pump housing would be provided to the west of the single storey nursery building, accessed from the car park. While the design has not been specified in the application, the sprinkler tank is anticipated to be 3.5m in height with adjacent pump housing 2.5m in height and would be enclosed by fencing of a corresponding height. The tank compound would be sited 20m from the boundary with properties to the north. A bin storage area enclosed by a 2.5m high timber enclosure would be provided adjacent to the school kitchen.
35. The path, provided on the eastern side of the vehicular access road would lead directly to the school building entrance, continuing around the northern end of the building to the single-storey nursery entrance. A pedestrian route to building entrances would be provided without having to cross routes used by vehicular traffic.
36. 16 cycle parking spaces would be provided in a covered cycle shelter to the east of the school building adjacent to the Key Stage 2 games court within the secure

school site. Four uncovered cycle spaces would be provided adjacent to the building entrance.

Site Security and Lighting

37. The school boundary would be secured through a combination of existing 2.0m Heras security fencing on the common boundary with Samworth Church Academy, 2.0m high Heras fencing relocated from the former Sherwood Hall site and 2.4m high Heras fencing relocated from the site of the existing Abbey Primary School, tied in to the 2.4m high stone walls on the site boundaries.
38. The single-storey nursery outdoor play areas would be securely fenced to segregate it from the car park and school outdoor areas. The school nursery outdoor play would be enclosed by 1.5m high timber palisade fencing.
39. The car park would be lit by fittings mounted on 6m high lighting columns and wall mounted fittings would be fixed to the building at a height of 3m. Three CCTV dome cameras would be installed on 6m high columns; one at the site entrance inside the school gates and two within the school car park.

Sustainability

40. The proposal has been assessed as capable of achieving a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good', considering broad environmental concerns of climate change, pollution, impact on occupants and the wider community, and going beyond the requirements of the Building Regulations. The proposed development would incorporate sustainable features in its design; high levels of thermal insulation; good natural day lighting; low energy lighting; solar control; energy efficient appliances; low water use; sustainably sourced timber; locally sourced construction materials; recycling facilities; recycling facilities for construction and operational waste; and the provision of dedicated cycle storage facilities.

Drainage

41. Ground conditions are suitable for the use of soakaways. The proposed drainage strategy would direct surface water to an infiltration attenuation tank, but would allow surface water not infiltrating to ground to discharge to combined sewer at a controlled rate. By incorporating infiltration in the design, the rate of discharge from the site to the adopted surface water system would be reduced.

Phasing of development

42. The new access road from Stuart Avenue would be constructed to base-course in the initial phase of development. Following construction of the access road all construction related traffic would be accommodated on the site.
43. Following decant to the new school, site buildings on the existing Abbey Primary School site would be demolished to slab level. The proposal, which would require a Prior Notification submission, does not form part of the application presented for determination.

Consultations

44. **Mansfield District Council** – Although a formal response has not been received, Mansfield District Council has indicated that no objection is raised to the proposed development.
45. **NCC Highways Development Control** – No objection subject to a planning condition to require the submission of an environmental management plan to include details of lorry routing for construction; prevent debris being deposited on the highway; segregation of vehicle and pedestrian movements on site; and a scheme for the recycling of surplus soils and waste from construction. Conditions are also recommended to require the submission of construction details of the proposed access road; construction of the access road to base course prior to the commencement of main site works; timely provision of car parking and servicing areas; completion of the access to an acceptable standard before the school is brought into use; within three months of the school first being brought into use, submission of a School Travel Plan by an appointed Travel Plan co-ordinator; and a requirement to submit annual Travel Plan reports (including revised initiatives and measures where Travel Plan targets are not being met) for a minimum period of five years.
46. *The proposed development would relocate the existing school located off Abbey Road to the site of the former Sherwood Hall Upper School 500m to the north-east on Stuart Avenue. The school currently has a roll of 303 pupils as well as operating 70 nursery places. The school plans on the new site to eventually be able to accommodate 420 pupils and provide a further 39 nursery places, although it is likely to take three years before the school reaches this level of use. The location of the school at present and the catchment area it serves has resulted in the majority of pupils (59%) walking to and from the site. The relocation of the site to Stuart Avenue should not initially see any changes in the volumes of vehicles associated with the school. Given that the roads around the new site are of a similar residential nature to those surrounding the existing site and that it was previously used for a school, it is likely that whilst there will be an increase in the overall numbers of vehicles using the road network during school start and finish times compared to at present, the effect of these in terms of planning policy will not be 'severe' as defined within the National Planning Policy Framework. It is noted that the school will have sufficient parking places within the site for the teachers and expected visitors and the access from Stuart Avenue will be revised to improve access for vehicles and pedestrians.*
47. *Even when the school increases its roll to 420 plus the additional 39 nursery places, it has been calculated in the Transport Statement that there will only be an additional 49 vehicles in the worst case scenario. In view of the above, the additional vehicular trips resulting from the expansion of the school cannot be deemed to be severe in nature. It is also noted that the successful implementation of the School Travel Plan should have a positive impact in reducing the use of cars by those going to the school.*

48. *Parking provision on site would consist of 43 [and two disability parking spaces] spaces which would be sufficient for all staff to park on the site should they choose to travel by car.*
49. *In determining the above comments account has been taken of National Planning Policy Framework (NPPF) Paragraph 32 - Promoting Sustainable Transport, which advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*
50. *In expanding on the comments reported at Paragraph 46, NCC Highways Development Control advises that if the school is relocated, based upon the present pupil and staffing numbers, the vehicle numbers outlined in the Transport Statement will be similar to those experienced at the present site. If the school expands to fill the additional capacity at the new school, there would be at worst an additional 49 vehicles in addition to those that would already be visiting the school. If the present situation in relation to vehicles associated with the school at its present site is acceptable in traffic terms, with no significant road safety issues from the evidence presented in the Transport Statement, the relocation of the school to a site with similar roads in a similar area with a prediction within the Transport Statement of vehicles associated with the school being of a similar number, it would be reasonable to assume that the additional traffic would be of no more concern than at the present site.*
51. **NCC Road Safety Team** – NCC Accident Investigation Unit has examined the accident records on Abbey Road-Norman Drive-Warwick Drive for the period from 1 January 2007 to date, which has revealed one non-school related incident with slight injury in 2011. The accident record for Stuart Avenue when the road was last in use as a means of access to Sherwood Hall School has also been examined for the years 2007-10 which has revealed one non-school related incident with slight injury in 2008.
52. *In light of the above, NCC Highways Development Control has made the following comment. The school at its present location has not led to any serious road safety issues in the vicinity of the site and in relocating it to a similar location there is a presumption that road safety should not be adversely affected. As with any school the County Council carries out road safety education which deals with general road safety matters as well as being able to be specifically targeted to deal with particular problems. If there are road safety issues which become an issue, the Road Safety Team can target these if necessary, and could be considered and addressed by the proposed [Review of School Zone] condition (Condition 26).*
53. NCC Accident Investigation Unit has advised that if construction traffic for the proposed school would pass the nearby Samworth Church Academy it would be advisable to restrict delivery times to minimise exposure of Samworth Church Academy students to construction traffic.
54. **NCC Design Review** - *The siting is considered to be reasonable and effective, using the footprint of the previous building and retention of existing stone walls. The layout makes good use of existing topography. Car parking*

is well laid out and separated from pedestrian routes. The distance from the site boundary and height of the building is appropriate for this site.

55. *The new building will be a huge improvement on the existing facilities. The proposed use of brick is appropriate. The use of buff and grey brick and the window detail looks effective and should not date too quickly. Careful detailing will make the building visually appealing. The inclusion of roof lights should introduce some limited daylight into the heart of the building.*
56. *The building entrance appears to be poorly expressed, and may be confusing for visitors. The Foundation play area appears small and does not have a covered area.*
57. **Police Force Architectural Liaison Officer** – No response received.
58. **NCC Energy and Carbon Management Team** - No response received.
59. **NCC Landscape Team** – No objection. *The site is fairly self-contained visually, and the proposed school footprint is not that dissimilar from the [former school] building.*
60. **Sport England** – No objection. *The proposal is part of a series of amendments to school provision in this part of Mansfield. This commenced with the construction of Samworth Church Academy on the adjacent site, which allowed Sherwood Hall Upper School to be vacated. The school buildings have subsequently been demolished following fire damage.*
61. *The proposal seeks to retain sufficient playing field for what is effectively a new school. Sport England does not object to this proposal as the building works would take place on the site of the demolished buildings and there is no loss of playing field as a result of the development.*
62. Attention is drawn to two issues which fall outside the scope of this planning application:
 - a) *It does not automatically follow that the existing Abbey Primary School playing fields are surplus and can be lost to other development. The loss of the school playing field would need to be supported by appropriate evidence (advised in NPPF Paragraphs 73 and 74).*
 - b) *The proposal results in areas of playing field being retained outside of the current application site and the curtilage of Samworth Church Academy. It does not automatically follow that this playing field area is surplus and can be lost to other development. The loss of the school playing field would need to be supported by appropriate evidence (advised in NPPF Paragraphs 73 and 74).*
63. **Natural England** - *This application is in close [1.3km to the south-east of the application site] proximity to the Strawberry Hill Heaths Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application will not damage or destroy the interest features for which the site*

has been notified. The SSSI does not represent a constraint in determining this application.

64. *The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.*
65. *This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.*
66. **NCC Ecology Team** – No objection. Conditions are recommended to control vegetation clearance during the bird nesting season (March to August inclusive); the submission of a landscape scheme to include the use of native tree and shrub species appropriate to the local area, and ornamental species of wildlife value; and the provision of artificial bat roosting and bird nesting features within the fabric of the new building with target species to include house sparrow, starling and swift.
67. *No designated sites would be affected by the proposals. The site is located within the buffer zone around the 'prospective' Sherwood SPA. It is evident that the site and its surroundings do not provide suitable nesting or foraging habitat for woodlark or nightjar, and that the proposals themselves would not give rise to an increase in the local population (which might have indirect, recreational impacts on sites which are used by those species). No significant increase in road traffic would occur during construction or operation that could affect habitats used by those species. On that basis it is concluded that the proposals would not give rise to any likely significant effect on the 'prospective' Sherwood SPA or on habitats used by the species for which any future SPA is likely to be designated.*
68. **Nottinghamshire Wildlife Trust** – No objection subject to development being carried out in accordance with recommendations of the Extended Phase 1 Habitat Survey; control of vegetation clearance March – August inclusive; retention of trees where possible and replacement tree planting; management of new planting; biodiversity enhancement through provision of bat and bird boxes.
69. **NCC Built Heritage Team** – No objection. *The proposal is within the historic parkland of the former Sherwood Hall (demolished in the C20th), and as such it is appropriate to consider the potential heritage interest on the site with regards to this phase of its use. Sherwood Hall was a country house of the C18th and the proposal affects an area of the gardens of the country house, but not the footprint of the former country house itself. As identified in the heritage report supporting the application, no built heritage*

of the C18th country house (designated or non-designated, buried archaeology or above ground) would be affected or harmed.

70. **NCC Archaeology** - No response received.
71. **NCC Project Engineer (Noise)** – No objection subject to conditions to; control the timing of site deliveries, and hours of work on school and non-school days; submission of a Construction Management Plan to include details of noise mitigation during construction; control of day-time and night-time operational noise; and the limiting of noise from fixed plant and equipment.
72. *An assessment has been made of the external noise climate to determine the ventilation strategy for the new school. Natural ventilation would be acceptable for the measured ambient noise levels at this site.*
73. *The potential noise impact from fixed plant on the nearest residential receptor has been assessed. Plant should be designed to ensure a maximum noise level of 50dB(A) at 3m from any façade. If this is achieved, it is unlikely that complaints will occur from residential properties arising from plant noise. The proposed site plan indicates that a sprinkler tank and pump house would be located near to the western boundary of the site. The only 'noisy' item in the pump house would be the single 11KW electric pump which would be tested once a week during the day for a few minutes to ensure that the pump functions correctly. As such the sprinkler tank and pump house would not give rise to any notable noise impact at neighbouring properties due to the short duration. It is recommended that operational plant is covered by a standard noise condition to guard against noise nuisance at neighbouring properties.*
74. *Despite being vacant for the past four years the site has been previously used as a school for many years. While there may be some change in the type duration and frequency of noise at some properties due to a redistribution of activities on the school site, it is unlikely to provoke an adverse reaction from residents due to the long established precedent of noise from external school activities over many years. Nonetheless, there may be a notable increase in noise levels at some adjacent properties for periods of the school day when compared to current levels from the vacant site. Given that these activities are of relatively short duration and only occur during school hours in term time, it is rare for this type of transient noise to cause a strong adverse reaction and would not be considered likely to give rise to an unacceptable noise impact.*
75. *Normal school opening hours are considered to include the period beyond core hours when the school runs before and after school clubs (07:30-08:45hrs/15:15-18:00hrs). However peak activity noise levels during these periods are expected to be less than peak periods during the school day due to lower pupil numbers. For all other periods including school holidays, a separate noise condition is recommended to control noise from potential wider community use of the school site.*

76. *An assessment of noise impact from construction activities has not been undertaken, however BS5228-1 recommends threshold values, which if exceeded could be deemed to have a significant effect at adjacent dwellings. The threshold values are based on the existing baseline noise level at the proposed site. The baseline noise levels recorded at this site indicate that a threshold value of 65dB $L_{Aeq,1hr}$ would be applicable and it is therefore recommended that noise levels do not exceed this level at any of the adjacent receptors. The contractor should outline steps to be taken to minimise noise impact from construction activities within a Construction Environmental Management Plan (CEMP), which should be required as a condition of a granting of permission.*
77. **NCC Land Reclamation Team** – *The remediation proposals supporting the application include localised excavation of impacted ground and subsequent retesting of the exposed area that would remain.*
78. *Prior to the removal of existing building foundations the ground within a 10m buffer zone surrounding the foundations should be screened/tested for asbestos containing materials. Excavations for surface water storage are proposed, and this area would also benefit from inclusion in the testing schedule. Should asbestos containing materials be identified, localised removal would be required. If none are identified, foundation excavations can proceed with a degree of comfort, although all excavations should proceed with caution.*
79. *It would be prudent that asbestos materials removal is validated by testing and a report, and could be incorporated to include a site wide validation of asbestos materials clearance.*
80. **Environment Agency** – No objection subject to the submission of a scheme of sustainable surface water drainage limiting discharge from the site to a rate of 5litres/second, and a condition to deal with unexpected contamination which may be encountered.
81. **Severn Trent Water Limited** - No response received.
82. **Western Power Distribution** – Any works in proximity of the cables near the sub-station will need to comply with relevant Health and Safety guidance.
83. **National Grid (Gas)** - No response received.

Publicity

84. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
85. Five letters of representation and additional exchanges of correspondence providing clarification and response to matters raised, have been received

from four households (six residents) of Stuart Avenue. Two letters from one household on Hanover Close, a cul-de-sac almost opposite the proposed site entrance, has also been received. The two residents at Hanover Close do not object to the principle of a new school. The letters received raise the following objections:

Amenity Impact and Highway Issues

- a) Stuart Avenue is inadequate to cope with construction traffic.
- b) Loss of amenity from constant traffic, noise and disturbance throughout the day (3). Hours for construction access should be restricted. Stuart Avenue will no longer be a quiet road. Loss of privacy.
- c) 213 vehicles will be attracted to a small residential street. Parent parking/turning should be provided within the site. Staff will be encouraged to drive through the provision of a 43 space car park. Inadequate cycle parking is proposed and does not promote sustainable travel. Safe parking will not be provided for all school traffic.
- d) Inconsiderate parking will block drive access (2). Problems with drop-off and pick-up parking outside property have been experienced in connection with the former Sherwood Hall School. Parking has been made worse since Daleside Elderly Person's Home was replaced by 28 properties (Hanover Close and 15a-15e Stuart Avenue).
- e) Increase in volume of traffic. Inadequate on-street parking on Stuart Avenue. Stuart Avenue will be inadequate to cope with drop-off and pick-up by parents (2). Fewer children will walk to school compared to use as access to the former Secondary School. Relocation of the school will lead to more children being driven to school. Has an appropriate assessment of parking and use of the access been carried out?
- f) Likely parent parking on Hanover Close (2). There is little on-street parking on Hanover Close (2).
- g) Loss of parking space on the road on Stuart Avenue. Safe access is required at the house of a self-employed child-minder.
- h) Stuart Avenue is a bus route (3) and parked vehicles already cause difficulties. Bends on Stuart Avenue should be straightened. Traffic problems are already experienced at Samworth Church Academy on Sherwood Hall Road.
- i) Stuart Avenue needs to be straightened to avoid accidents.
- j) Double yellow line junction protection should be provided (2) at the junction of Stuart Avenue and Hanover Close, and resident-only parking provided and enforced (2). CCTV should be provided to monitor parking. Speed restrictions should be introduced. Is guardrail to be provided?

- k) Resident safety will worsen (3). Will residents be able to engage with the Travel Plan co-ordinator? There are many elderly and disability properties in the area (3). Potential problem of access by emergency vehicles (3).
- l) Access to the school should be provided elsewhere/the school should be accessed through the Samworth Church Academy site (2), the southern end of Stuart Avenue, or accessed from Abbey Road (Plan 10).

Hours of use

- m) Is the school to be sub-let or used for evening/weekend activities?

Other Matters

- n) What measures are proposed for the management of construction waste?
- o) Litter arising from the school use.
- p) The proposed development was not known about when property was bought four years ago.
- q) Loss of value (2).

[Comment: Loss of value is not material to the determination of the planning application.]

- 86. Two households on Stuart Avenue have questioned the future use and enclosure of the unsightly cleared site of the former caretaker's property fronting Stuart Avenue adjoining the proposed access road (Plan 2). Responsibility for the maintenance of a boundary fence not forming part of the application site has also been questioned and this enquiry has been referred to NCC Property Team. However, the matter is not material to the determination of this planning application.
- 87. In addition, one resident of Wood Close 250m to the north of the site entrance and one resident of Stuart Avenue have questioned the future use of the land adjoining the application site, between the application site and the rear of properties on Stuart Avenue. The use of the area as an unofficial dog walking area and park, and continuing access to this area both during construction and following completion of the development has also been questioned. These matters have also been referred to NCC Property Team and are not material to the determination of this planning application.
- 88. Councillor Alan Bell, Councillor Colleen Harwood, Councillor Stephen Garner and Councillor Andy Sissons have been notified of the application.
- 89. The issues raised are considered in the Observations Section of this report.

Observations

Strategic Education Provision

90. The proposal would replace school buildings on the existing Abbey Primary School site that are reaching the end of their design life and are no longer suitable for the delivery of a modern educational curriculum. The proposed capacity of 420 pupil places would accommodate the current school roll and meet demand evidenced by oversubscription of admissions. Existing nursery places (35 FTE) would be broadly replicated with a modest increase as part of the proposed development, through the provision of a 26 place school nursery, and a 13 place nursery run by a private provider.
91. Great importance is attached to ensuring that sufficient choice of school places is available to meet the needs of new and existing communities in NPPF *Promoting Healthy Communities* (Paragraph 72). Great weight should be given to the need to create, expand or alter schools. In a letter to Chief Planning Officers, the Secretary of State for Communities and Local Government has stated that there should be a presumption in favour of the development of state-funded schools and the delivery of development that has a positive impact on the community (Appendix 2). The proposal would replace an existing facility that would meet the needs of the community and bring the unused area of the former Sherwood Hall School back into community use.
92. Although land forming part of the former Sherwood Hall School site, comprising the application site and adjoining land to the east and south-east is presently vacant, it has not been used for any other purpose since being used as a school. The current planning use is for purposes falling within Use Class D1 (which includes use as a school, day nursery, non-residential education and training centre) and the use of the site as a Primary School is acceptable in terms of land use. In determining this application, consideration needs to be given to whether the impacts of the proposed development would give rise to significant harm that could not be addressed through modifications to the site layout, design, or otherwise mitigated through the imposition of conditions.

Highway Impact, Traffic and Movement

93. Mansfield District Local Plan (November 1998) (MLP) M16 *Development Requirements* seeks to ensure that new development, in relation to movement, has regard to different transport modes; is not detrimental to the surrounding highway network; allows for safe vehicular and pedestrian movement; provides operational minimal levels of car parking; includes safe servicing; and is located within easy access to public transport.
94. Paragraph 32 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The consultation response from NCC Highways Development Control has drawn attention to the similar residential characteristics of the existing school site on Abbey Road and the application site. Whilst on-street parking can be an inconvenience to residents, parking impacts at the beginning and the end of the school day are relatively short lived. No concern has been raised over the adequacy of the submitted

Transport Statement, capacity of the highway to accommodate additional traffic which may be attracted to the site or impact on emergency access, capacity of the highway to accept on-street parking associated with the proposed development, and only a modest increase in terms of trip generation being anticipated as the school roll increases over a three year period to reach a maximum capacity of 420 places. In considering the acceptability of the proposed development Members should also give consideration to the former use of the site as a school.

95. NCC Highways Development Control has confirmed that the proposed levels of car parking are acceptable to meet the operational needs of the school and, in terms of provision for both staff and visitors to the school and nursery, is considered to be satisfactory in compliance with MLP Policy M16 *Development Requirements*. In response to the representation at Paragraph 85 c) that proposed car parking will encourage staff to drive, Highways Development Control has commented that if a car park of sufficient capacity was not to be provided for teachers and visitors the likelihood is that they would park on the highway.
96. Disability parking would be provided close to the entrance to the school building and is appropriately located. Recommended Condition 22 requires the timely provision of car parking and servicing areas. Proposed routes for traffic and pedestrians within the site are clearly defined and are considered to be acceptable. Successful segregation of vehicles and pedestrians, and to prevent parents from driving on to the site, will rely on the school vehicle entrance gate being kept closed at school start and finish times, and is a matter that will need to be managed by the school.
97. With reference to the representation reported at Paragraph 85 c), the provision of on-site parent parking would be likely to intensify use of the access at the start and end of the school day, and provision of a parking facility could also encourage parents to drive to school, contrary to sustainable travel objectives. Permitting parents to drive onto the site would potentially increase risk of conflict between pedestrians and vehicles. Furthermore, the project is constrained by a limited budget in which to deliver the replacement school and unjustified additional parking would not attract the funding needed.
98. An objector has commented that inadequate cycle parking is proposed (Paragraph 85 c)). The applicant has identified in the supporting Transport Statement, based on pupil and staff numbers that 26 cycle spaces should be provided. However, consideration was given to current cycle usage and the likely level of cycle demand in consultation with NCC Road Safety Team to determine that only an initial 20 cycle spaces would be appropriate for the proposed 420 place school. 80% of the spaces would be covered and located in a secured area close to the KS2 hard play area while uncovered spaces would be provided adjacent to the building entrance. The proposed location of cycling parking is considered to be satisfactory. The need for the provision of additional covered cycle spaces is proposed as an objective of the School Travel Plan, set out in recommended Condition 27.

99. A criterion of MLP Policy ECH1 *Community Facilities* allows for the development of community facilities provided that they are located where there is easy access to public transport. The bus stop adjacent to the existing access would need to be relocated in consultation with NCC Highways and an appropriate Informative is recommended (Note 3). The proposed school, with a bus stop immediately adjacent, is ideally positioned to encourage travel by a sustainable mode of transport. In addition to complying with this criterion of MLP Policy ECH1 *Community Facilities*, the proposal would also be satisfactory in compliance with the relevant criterion of MLP Policy M16 *Development Requirements*.
100. The submission of details of the new site access construction is the subject of recommended Condition 9. Condition 10 would require the new access road to be formed to base course, providing a satisfactory access for the construction of the school. Recommended Condition 8 would require the submission of an environmental management plan, including details of a scheme for the recycling/disposal of surplus soils and waste resulting from construction, a matter raised in representations (Paragraph 85 n)).
101. Having regard to the distance of the construction site access from the Academy entrance on Sherwood Hall Road, it is not expected that significant Academy related parking is likely to take place on Stuart Avenue in proximity to the site. However, Academy students are likely to walk along Stuart Avenue past the construction site entrance. Samworth Church Academy operates a school day from 08:45 hours-15:05 hours, and it is proposed that hours for deliveries to site should not take place between 08:15-09:00 hours and 14:40-15:40 hours on any Samworth Church Academy school day in the interest of student safety Condition 7 b)).
102. A programme to provide 20mph zones outside schools, which includes the provision of an enforceable 'No Waiting' restriction on the 'School Keep Clear' zig-zags, is currently being implemented throughout the County. The proposed road markings and signage (Paragraph 31), forming the School Zone would need to be provided before the school is first brought into use (Condition 26).
103. Although the proposed school access would not be included in the current Traffic Regulation Order, it would be appropriate for enforceable measures to be introduced on the highway through an Order made under Road Traffic Regulation Act 1984. It may be considered appropriate to review and extend restrictions on the highway at that time, and would be the subject of separate public consultation (Paragraph 85 j)).

Feasibility of Alternative Access

104. It is suggested in representations (Paragraph 85 l)) that alternative access to the site should be provided, either from the southern end of Stuart Avenue, through the adjoining Samworth Church Academy site using the access on Sherwood Hall Road, or by providing a new access road across the southern edge of the playing fields as an extension to Abbey Road (Plan 10). In all instances, such proposals would include land outside the application site and cannot be considered as a revision to the current application.

105. Samworth Church Academy has made the following comments on the two access proposals which could affect land at the Academy. *Allowing public access to the new school from Sherwood Hall Road would not be feasible, in our view. Safeguarding issues alone would be problematic. The Academy intend in the near future to install electronic gate access on the Sherwood Hall Road boundary in order to fully meet safeguarding requirements and allow us to fully utilise our site including our annexed building without potential risk to our students. Allowing access would seriously compromise any such arrangements, which the Academy could not support.*
106. *Construction of a road across the Academy playing fields for all of the reasons above would not be an acceptable alternative. In addition, the loss and division of playing fields would be detrimental to the education of the young people attending our Academy, which we could not support and would oppose fiercely.*
107. Any such proposal would require the Academy to be included as a named joint applicant. The highway impact of an intensification of use of the Sherwood Hall access has not been assessed, and access to the staff and visitor car park is controlled by a barrier. No provision would be made in that instance for on-site parent drop-off and pick-up. Without prejudice to the consideration of an application, an application to access the proposed school site through the Samworth Academy site would be likely to be unacceptable.
108. The provision of a new access road from the northern end of Abbey Road across the southern edge of the Academy playing field to the application site have been investigated. The cost of the road construction (excluding the cost of a proposed facility for parent parking adjacent to the road and provision of new fencing for the purpose of safeguarding at the Academy) has been estimated at £340,000 and would represent 8.7% of the funding for the project. Sport England has indicated it would object to a proposal splitting an area of playing field, if playing field quality eroded, and there would appear to be little ability to satisfactorily replace playing field that would be lost. An access along the edge of the Academy could be acceptable to Sport England if replacement playing field could be reconfigured satisfactorily.
109. An access from the southern end of Stuart Avenue would need to cross playing field of the application site, and would need to be replaced to satisfy Sport England Policy *A Sporting Future for the Playing Fields of England*.
110. Members need to consider the acceptability of the proposal as submitted. Any of the three alternative proposed points of access would require additional land to be included in the application site, and a new planning application would be required.

Amenity Impact of Traffic

111. The proposed development would lead to an increase in traffic using Stuart Avenue and the adjoining highway network at the beginning and end of the school day. The proposed use, which would re-introduce school related activity formerly associated with use of the former Sherwood Hall School, would provide a community use compatible in a residential area and is

considered to acceptable. It is considered that the related highway impacts would not unacceptably alter the character of area although the impact of on-street parking may extend further afield. On-street parking may become an inconvenience to residents but it is considered that the parking of cars on the public highway for relatively short periods on weekdays during school terms would not cause significant detriment to residential amenity such that permission should be refused.

112. Parent congregation is likely to take place either outside the school building or immediately outside the school gate, and is unlikely to occur on the highway adjacent to residential properties such as to give rise to unacceptable loss of privacy to residents close to the school.
113. A draft School Travel Plan has been submitted in support of the application, proposing sustainable travel objectives and aims that include; environmental education; raising awareness of the problems car journeys can create; reducing travel by vehicle to and from school; promoting car sharing; raising awareness amongst parents of the issues of travel to school; improving conditions so that pupils have the opportunity to walk, cycle or use public transport; and to reduce congestion around the school. Implementation of the School Travel Plan can deliver sustainable benefits and also reduce the impact of a school on the amenity of residents living close by, for example by encouraging parents to be considerate when parking (Paragraph 85 d)). Recommended Condition 27 and Condition 28 would require the submission of a completed Travel Plan within three months of the school first being brought into use, and within six months, to submit an annual report with a further report to be submitted for a minimum period of five years and until Travel Plan targets have been met. In response to concerns raised at Paragraph 85 k), an Informative is recommended that the Travel Plan Co-ordinator is advised to actively engage with local residents in promoting sustainable travel initiatives in the development of the Abbey Primary School Travel Plan, annual review and any subsequent Travel Plan Review (Note 8).
114. Members will need to consider whether the use of a former school site and changes that may arise in the character of the local area would give rise to such harm as to outweigh the presumption that school development should be supported, as expressed in the NPPF and the letter from the Secretary of State for Communities and Local Government (Appendix 2).

Built Development and Landscape Impact

115. MLP Policy BE1 *New Development* requires development to achieve a high standard of design including a scale, density, massing, height, layout and access that relates well to neighbouring buildings and the local area generally; materials which are in keeping with the site surroundings; hard and soft landscaping which is consistent with the type and design of the development and its setting; and the integration of existing landscape and nature conservation features.
116. Criteria of MLP Policy ECH1 *Community Facilities* allows for the development of community facilities provided that they are located within the urban boundary; integrate with the existing pattern of settlement and surrounding

land uses; do not have a detrimental effect on the character, quality and amenity of the surrounding area; and have regard to personal safety, security and crime prevention.

117. The application site is within the urban boundary, and in the context of nearby residential properties and an adjacent school the proposal would integrate with the existing pattern of development. The proposed use of buff facing brick would be appropriate. The building entrance would be clearly visible when approaching the school from Stuart Avenue, defined by school signage incorporating school colours, while the more discreet entrance to the private nursery on the north-west facing elevation is considered to be acceptable. A condition requiring samples of external facing materials to be submitted for approval is recommended (Condition 15).
118. The proposed school building would be sited in a similar location to the former buildings on the site, and the height, scale and massing of the proposed school building is considered to be acceptable. The building would be sited at a distance slightly greater from the bungalows to the north than the previous CLASP building on the site. The applicant has submitted site sections to illustrate the relationship between the first floor staff room window that would be installed on the north facing elevation of the school, separated by the retained boundary wall from the adjacent bungalows.
119. The relationship between the two buildings has the potential for users of the staff room to overlook the neighbouring properties and at a minimum distance of 25.5m may give rise to loss of privacy. The issue of overlooking could be addressed through treatment of the glazing to be installed in the staff room, for example through the use of etched glass at lower level so as to obscure visibility. Conditions should only be imposed if they are necessary to make development acceptable.
120. The issue of threat to privacy from the staff room has been discussed with the applicant. The relationship between buildings and the slight variation in the height of the stone wall may mean that when constructed no treatment of glazing is necessary. To be certain that privacy would be adequately protected, it is recommended that the site is inspected during construction once the window opening is in place to determine whether any further measure, such as obscure glazing, is required in order to safeguard privacy (Condition 16).
121. Although it is commented in the NCC Design Review consultation response that the Foundation play area appears small and does not have a covered area, the applicant has confirmed that the external play area for Foundation pupils exceeds the minimum recommendation of Building Bulletin 99 for this age group. A canopy, which would be funded and provided separately by the school, does not form part of the submitted planning application and may require the benefit of a separate grant of planning permission.
122. The provision of defined paths and hard play areas, along with grassed areas and the proposed playing field would be consistent with school design and setting. Whilst some trees would be lost, several of which have been fire damaged, larger specimens in proximity to the school entrance, car park and

to the north of the proposed school building would be retained. Satisfactory replacement tree planting is proposed immediately in front of more functional elements of the building such as the kitchen and plant room. A specification for replacement tree planting and a programme of maintenance is the subject of recommended Condition 20.

123. The proposed development is considered to accord with MLP Policy ECH1 *Community Facilities* and would satisfy MLP Policy BE1 *New Development* in terms of scale, density, massing, height, layout and access, relating well to neighbouring buildings and the local area generally.

Sustainability

124. The Sustainability Appraisal accompanying the application, summarised at Paragraph 40, satisfactorily demonstrates the sustainable character of the development.

Outdoor Sports Provision

125. The playing fields of the former school are subject to MLP Policy LT7 *Playing Fields at Educational Establishments*, while the site of former school buildings is excluded from the policy. MLP Policy LT7 *Playing Fields at Educational Establishments* seeks to resist development on playing fields at educational establishments that would lead to the loss of school playing fields unless it would result in only the loss of a small area and, amongst other criteria, it would be replaced by an acceptable alternative facility for use by the school, with sufficient provision made for sports pitches and open space in the immediate area to meet future recreational needs and the needs of the community.
126. Sport England's Planning Policy Statement, *A Sporting Future for the Playing Fields of England*, explains that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field unless one of a number of exception criteria can be met.
127. The proposed development would not lead to loss or adversely impact on former playing field and Sport England does not object to the application. However, their view that playing field adjoining the application site, and playing field of the existing Abbey Primary School site to be vacated cannot be considered as surplus and lost to development, is the subject of an Informative (Note 10). A condition is recommended to require the playing field to be returned to a standard suitable to fulfil curriculum requirements for outdoor sport before the school is first brought into use (Condition 24).

Noise

128. Construction work has the potential to generate significant levels of noise. The need to restrict the movement of construction traffic during periods at the beginning and end of the Samworth Church Academy school day has been identified. Conditions are recommended to restrict hours of construction and to

limit construction noise in the interest of the amenity of nearby occupiers (Condition 7 and Condition 8d)).

129. The consultation response from NCC Project Engineer (Noise) considers the potential the re-distribution of outdoor activities on the site and the potential for adverse noise impact which may arise. It is not anticipated that outdoor activities are likely to give rise to noise complaints, having regard to the former use of the, distance of areas of outdoor play from residential properties, and the re-use of the playing field. The noise and amenity impact of extended hours of use has been raised in representations (Paragraph 85 m)). Although extended hours or community use of the site is not anticipated, any activity would be at a scale less intensive than the use as a Primary School and day nursery. It is considered that noise impact on residential amenity would be safeguarded by the imposition of conditions to control maximum permissible noise levels arising from operational activities (Condition 29 and Condition 30).
130. A condition is recommended to control noise generated by fixed plant (Condition 31).

Ecology

131. NPPF Paragraph 109 advises that *the planning system should contribute to and enhance the natural and local environment byminimising impacts on biodiversity and providing net gains in biodiversity where possible*. The proposed development offers the opportunity to provide suitable habitat features for bats and bird nesting opportunities. The Extended Phase 1 Habitat Survey Report (Paragraph 4.3.2) identifies that bird boxes installed in suitable locations on trees and the building would increase nesting opportunities for birds, while Paragraph 4.3.1 identifies that it is good practice to incorporate favourable habitats and roosting opportunities for bats, and is the subject of recommended Condition 19.
132. Planning conditions are also recommended to restrict vegetation clearance during the bird nesting season (Condition 4); and to require the submission of a detailed landscaping scheme to include wildlife-friendly native and ornamental species (Condition 20 and Note 7), and would satisfactorily address ecological interest at the site in accordance with MLP Policy NE16 *Nature Conservation*.
133. Although the site is located within the five kilometre buffer zone for the indicative core area of any prospective Sherwood Forest Special Protection Area, direct and indirect impacts on nightjar and woodlark are not anticipated.

Drainage and Contamination

134. MLP Policy U2 *Water Supply and Sewerage* will not permit development which would lead to the contamination of groundwater whilst MLP Policy U5 *Water Supply and Sewerage* will not permit development which exacerbates existing, or creates new flooding problems. No objection has been raised by the Environment Agency regarding surface water drainage subject to a condition requiring the submission of a sustainable surface water drainage scheme, including a restricted rate of surface water discharge from the site,

which should not exacerbate flooding (Condition 14). A consultation response has not been received from Severn Trent Water limited. Foul and surface water would connect to the existing combined drainage system that served the former school on the site, and it is recommended that a scheme of foul drainage is submitted (Condition 13).

135. The site may have been more widely impacted by asbestos as a consequence of the fire at the former school buildings. It is recommended that the applicant demonstrates that the area within 10m of the footprint of former buildings is free of asbestos containing materials before work commences, areas to be excavated are screened/tested for asbestos (Condition 11), and that the completed site is shown to be free of asbestos before the school is first brought into use (Condition 25). A precautionary approach towards unexpected contamination which may subsequently be encountered is the subject of recommended Condition 12.

Security and Lighting

136. MLP Policy ECH1 *Community Facilities* requires development to have regard to personal safety, security and crime prevention. The site would be largely secured by a combination of existing perimeter fencing and the relocation of fencing from the existing Abbey Primary School site onto the new site boundary and is considered to be acceptable. Outdoor teaching spaces for the nursery and reception classrooms would be fenced to provide enclosed play spaces.
137. Proposed external lighting in the proposed car park has been designed in compliance with Institute of Lighting Professionals *Guidance for the Reduction of Obtrusive Light* (environmental zone E2 – Rural) and should not give rise to unacceptable lighting impact on the closest residential properties to the north of the school.
138. Although the Police Crime Liaison Officer has not provided a consultation response, it is considered that proposed design details and the provision of site CCTV would be satisfactory and comply with MLP Policy ECH1 *Community Facilities*.

Other Matters

139. The issue of litter has been raised in representations at Paragraph 85 o)). Littering would not necessarily arise as a result of a school being built. Should littering occur outside the site, it would be a matter to be enforced by Mansfield District Council under the provisions of the Environmental Protection Act 1990 (Part IV).

Other Options Considered

140. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

141. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

142. The new school would bring benefits to all users, both staff and pupils, through the provision of a new school building which has been designed to meet modern educational needs.

Crime and Disorder Implications

143. The school site would be secured through existing and additional security fencing.

Human Rights Implications

144. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered and may be affected due to traffic impacts associated with the school. The proposals have the potential to introduce noise and disturbance associated with traffic, and comings and goings related to the use of the site, impacting on the amenity of residents living close to the school particularly at the beginning and end of the school day. The proposal has the potential to threaten privacy arising from overlooking from the school building which has been considered in the report, and appropriate mitigation, if required, is a matter reserved by recommended planning condition. These impacts need to be balanced against the wider benefits the proposals would provide through the provision of a replacement school on a former school site. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Safeguarding of Children Implications

145. The proposed development includes the provision of security measures (perimeter fencing, secure fencing within the site and CCTV) to adequately safeguard children at the school.

Implications for Sustainability and the Environment

146. Implications for sustainability and the environment are considered in the report.
147. There are no implications arising for Finance, Human Resources or Equalities as a consequence of the development.

Statement of Positive and Proactive Engagement

148. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies; the National Planning Policy Framework, including the accompanying technical guidance. The County Planning Authority has identified all material considerations; forwarding consultation responses that may have been received in a timely manner; considering any valid representations received; liaising with consultees to resolve issues and progressing towards a timely determination of the application. Issues of concern have been raised with the applicant, such as the potential of alternative site access, site layout, design, and relationship of the proposed building to residential properties to the north, and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

149. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 3. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

Planning & Licensing Committee is the appropriate body to consider the content of this report.

[SLB 11.03.15]

Comments of the Service Director - Finance

There are no specific financial implications arising directly from this report.

[SES 11.03.15]

Background Papers Available for Inspection

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

Electoral Divisions and Members Affected

Mansfield East	Councillor Alan Bell
	Councillor Colleen Harwood
Mansfield South	Councillor Stephen Garner
	Councillor Andy Sissons

Report Author / Case Officer

David Marsh

0115 9932574

For any enquiries about this report, please contact the report author.

CCD/2022 – FR3/3217
11 March 2015
W001394.doc

PRIORITY SCHOOLS BUILDING PROGRAMME

The Priority Schools Building Programme (PSBP) was launched by the Coalition government following the abolition of the previous government's Building Schools for the Future Programme. It focusses on replacing the country's worst school buildings and bids were invited from Local Authorities and Academy Trusts in October 2011. The County Council submitted strong bids and were the most successful authority with 12 schools and academies to be replaced. Separate bids made by the South Nottinghamshire Academy and Serlby Park Academy (where NCC remains the freeholder) were also successful.

PSBP is being delivered by the capital arm of the DfE's agency The Education Funding Agency (EFA), and the County Council are working closely with the EFA and their design team to support NCC schools and ensure that all the projects progress smoothly with the least disruption possible. The projects have been split into 3 batches.

Midlands 2	East Midlands 2	Nottinghamshire
Fountaindale Special School	Brierley Forest Primary	Abbey Primary
	John Davies Primary	Annie Holgate Infant & Junior (new single Primary)
	Leamington Primary Academy	Flying High Academy at Ladybrook
	Lynncroft Primary	The Newark Academy
	Sunnyside Primary	The Wainwright Primary Academy
	South Nottinghamshire Academy	Serlby Park Academy

The project to replace Fountaindale Special School started on site in October last year and the new building will complete this October. [Comment: the completed development has been handed over to NCC].

The other two batches are running concurrently. The Newark Academy is the sample school for the Nottinghamshire batch and has recently been granted planning permission. The EFA has selected two contractors from their Framework for each batch, Kier for the Nottinghamshire batch, and Bowmer & Kirkland for the East Midlands 2 batch.

Sara Williams, Property; Environment & Resources



Policy statement – planning for schools development

The Secretary of State for Communities and Local Government (Mr Eric Pickles) and the Secretary of State for Education (Mr Michael Gove) wish to set out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. This statement supersedes the Statement of 26 July 2010.

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. For instance, creating free schools remains one of the Government's flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children's lives by helping them to reach their full potential.

It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- **There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.**
- **Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their**

planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

- **Local authorities should make full use of their planning powers to support state-funded schools applications.** This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- **Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.** Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- **Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible,** and in particular be proportionate in the information sought from applicants. For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider's application to the Department for Education to help limit additional information requirements.
- **A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.** Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.
- **Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.** Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.
- **Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school.

The Government is today publishing a summary of the responses to its consultation, *Planning for Schools Development*, and will continue to explore whether there is further scope and need for the planning system to do more to support state-funded schools, and in particular, free schools in the future.

Published by the Department for Communities and Local Government; August 2011.
© Crown Copyright, 2011.
ISBN: 978 1 4098 3076 4

RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:

- (a) Location Plan (Drawing AB_PL_00_001 Revision P02) received by the CPA on 9 February 2015;
- (b) Landscape Site Plan (Drawing AB_PL_00_002 Revision P02) received by the CPA on 9 February 2015;
- (c) Site Sections (Drawing AB_PL_00_003 Revision P03) received by the CPA on 9 February 2015;
- (d) Site Security and Circulation (Drawing AB_PL_00_004 Revision P03) received by the CPA on 9 February 2015;
- (e) Tree Retention and Removal Plan (Drawing AB_PL_00_005 Revision P02) received by the CPA on 9 February 2015;
- (f) Ground Floor Plan (Drawing APS_PL_20_000 Rev A) received by the CPA on 12 March 2015;
- (g) First Floor Plan (Drawing APS_PL_20_001) received by the CPA on 16 January 2015;
- (h) Roof Plan (Drawing APS_PL_20_002 Rev A) received by the CPA on 12 March 2015;
- (i) North-East and South-West Elevations (Drawing APS_PL_20_100 Rev A) received by the CPA on 12 March 2015;
- (j) North-West and South-East Elevations (Drawing APS_PL_20_101 Rev A) received by the CPA on 12 March 2015;

- (k) Lighting Lux Plot and CCTV (Drawing BS00(60)4004 Issue C) received by the CPA on 16 February 2015;
- (l) Phase 1 Construction Site Access Arrangement (Drawing 1.7.1) received by the CPA on 16 February 2015.

Reason: For the avoidance of doubt as to the development that is permitted.

- 4. Tree, shrub, scrub or other vegetation clearance works shall only be carried out between the months of March to August inclusive in accordance with a methodology which shall be first be submitted to and approved in writing by the CPA. Works to be carried out in accordance with the approved methodology shall only be undertaken following inspection by a suitably qualified ecologist and written confirmation from the ecologist first being submitted to the CPA that breeding birds would not be adversely impacted by the proposed clearance works.

Reason: To avoid disturbance to birds during the breeding season.

- 5. Prior to the commencement of development, the means of protection of trees to be retained during the period of construction shown on Drawing AB_PL_00_005 Revision P02, shall be submitted to and approved by the CPA in writing. The approved scheme shall be completed as part of site enabling works, and prior to the commencement of main site works, to the written satisfaction of the CPA.

Reason: In order to safeguard the health of trees on the site during the period of construction in the interest of the visual amenity and ecology of the site.

- 6. Notwithstanding Condition 5, where works are to be carried out within root protection areas identified on Drawing AB_PL_00_005 Revision P02, the work shall be carried out in accordance with a methodology which shall first be submitted to and approved in writing by the CPA.

Reason: In order to safeguard the health of trees on the site during the period of construction and in the interest of the visual amenity of the site in accordance with Mansfield District Local Plan Policy BE1.

- 7. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA;
 - a) no construction deliveries or work shall take place on Sundays, Public or Bank Holidays;
 - b) no construction deliveries to site shall take place on any Samworth Church Academy school day between 08:15-09:00 hours and 14:40-15:40 hours;

- c) no construction deliveries to site shall take place on any non-school day other than between 07:30–18:00 hours Mondays to Fridays and 07:30–13:00 hours on Saturdays;
- d) no construction work shall be carried out or plant operated except between 07:30–18:00 hours Mondays to Fridays and 07:30–13:00 hours on Saturdays;
- e) noise generated by construction activities on the site shall not exceed 65dB ($L_{Aeq, 1hr}$) measured at a distance of 3.5m from the nearest façade of a property.

Reason: To safeguard the amenity of nearby residents and to minimise risk of pedestrian/cycle conflict with HGV/construction traffic when Samworth Church Academy is in use.

8. Prior to the commencement of development, details of the method of working during the construction phase, in the form of an environmental management plan, to include:

- (a) lorry routeing for construction traffic;
- (b) measures to prevent the deposit of debris on the public highway;
- (c) the segregation of construction vehicle and pedestrian movements on site;
- (d) measures for the control of noise (to comply with Condition 7e)), vibration and dust emissions (including mitigation measures in the event of a complaint);
- (e) a scheme for the recycling/disposal of surplus soils and waste resulting from construction;

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

Reason: In the interest of highway safety, and to protect the amenities at present enjoyed by the occupiers of nearby properties.

9. Prior to the commencement of development, construction details of the access road and associated footway to be formed between Stuart Avenue and the school entrance gate shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt of the development permitted, and in the interest of highway safety.

10. Prior to the commencement of main site works, the access road approved in compliance with Condition 9 shall be constructed to base-course to the satisfaction of the CPA.

Reason: In the interest of highway safety.

11. Localised asbestos removal shall be carried out in accordance with the *Asbestos Measures Document Kier Construction* submitted in support of the application. Prior to:

- a) the removal of foundations of former buildings on the site, both ground on the footprint, and generally within 10m of the footprint of the former buildings as shown on attached Drawing 2/2015/0031/NT/1, shall be screened/tested to confirm the absence of asbestos containing materials and a validation report shall be submitted to and approved in writing by the CPA;
- b) any areas of the site being excavated including those in Condition 11a), and areas impacted by proposed drainage and other services, shall be screened/tested to confirm the absence of asbestos containing materials and a validation report shall be submitted to and approved in writing by the CPA.

Should asbestos containing materials be identified, localised removal from the area to be excavated shall be carried out. If asbestos containing materials are not present development can proceed, subject to the requirement of Condition 12.

Reason: To ensure that the site is remediated to an acceptable standard and to safeguard the health of site contractors.

12. If during development, contamination not previously identified is found to be present, no further development shall be carried out, unless first agreed in writing by the CPA, until a remediation strategy to deal with unsuspected contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the site is remediated to an appropriate standard.

13. Prior to the commencement of main site works, a scheme of foul water drainage works shall be submitted to and approved by the CPA in writing. The foul drainage works shall be completed prior to the development hereby approved first being brought in to use, in accordance with the approved details.

Reason: To prevent the increased risk of flooding and minimise pollution by ensuring the provision of a satisfactory means of foul water disposal in compliance with Mansfield District Local Plan Policy U3.

14. Prior to the commencement of main site works a scheme of surface water drainage works based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and which limits surface water discharge from the site to 5litres/second, shall be submitted to and approved in writing by the CPA in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details and shall be completed prior to the development hereby approved first being brought into use.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

15. Prior to their use on site, samples and/or a schedule of all proposed facing materials and finishes, including paving, shall be submitted to and approved by the CPA in writing. Development shall be carried out in accordance with the approved details, other than with the prior written consent of the CPA.

Reason: In the interest of visual amenity and to accord with Policy BE1 of the Mansfield Local Plan.

16. Notwithstanding details submitted in support of the application, prior to the north-west facing first floor staffroom window of the approved development being glazed (Drawing APS_PL_20_101), the site shall be inspected by the CPA to determine whether additional treatment will be required, other than the installation of clear glazing. The form of glazing or other treatment of the window shall be approved in writing by the CPA prior to being installed. Development shall be carried out in accordance with the approved details and shall be so retained throughout the life of the development.

Reason: In order to safeguard the privacy that neighbouring occupiers could reasonably expect to enjoy.

17. Prior to being installed, design details including height and appearance of the:

- (a) Sprinkler tank and related enclosure;
- (b) Bin storage area; and
- (c) Covered cycle storage

shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity.

18. Prior to being installed, design details of light fittings shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development permitted in the interest of the visual amenity of the development.

19. Within 3 months of the commencement of development, details including timescale of proposed:

- a) provision for roosting bats; and
- b) provision of bird nest boxes;

shall be submitted to and approved by the CPA in writing. Provision for roosting bats and nest boxes shall be made in accordance with the approved details.

Reason: To enhance the ecology of the site.

20. Within 6 months of the commencement of development a scheme, including a programme for the provision of landscaping to include

- a) species, locations, planting size and planting density;
- b) establishment methods (including tree pit detail); and
- c) schedule of maintenance including a Landscape Management Plan to guide ongoing management of created and retained habitats

shall be submitted to and approved in writing by the CPA. Other than as may be agreed in the programme for the provision of landscaping and planting, the approved landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree, plant, shrub or grass seeding that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity.

21. Within 6 months of the commencement of development;

- a) The construction specification for hard play areas;
- b) drainage details of areas used for outdoor play; and
- c) a grid of areas of hard play;

shall be submitted to and approved in writing by the CPA.

Sports pitch and areas of hard play shall be provided in accordance with the approved details prior to the development first being brought into use or in accordance with a timetable that shall first be agreed in writing with the CPA.

Reason: To ensure the provision of pitch and outdoor facilities to a standard fit for purpose.

22. All impermeable service/car parking and associated impermeable circulation areas shall be constructed, drained through trapped gullies with an overall capacity compatible with the site being drained, surfaced and marked out to the satisfaction of the CPA. All permeable service/car parking and associated permeable circulation areas shall be constructed, drained in accordance with details approved in compliance with Condition 14, surfaced and marked out to the satisfaction of the CPA. Car parking areas and service areas approved by this permission shall be provided to the satisfaction of the CPA prior to the development permitted first being brought into use.

Reason: To ensure the provision of car parking and surface areas in the interest of highway safety.

23. Prior to the development permitted first being brought into use, unless an alternative timescale is first agreed in writing by the CPA, the access road and associated footway to be formed between Stuart Avenue and the school entrance gate shall be completed and surfaced to the satisfaction of the CPA.

Reason: In the interest of highway safety and to ensure that the proposed access and footway are completed to an appropriate standard.

24. Prior to the development permitted first being brought into use, the playing field identified on Drawing 2/2015/0031/NT/2 shall be provided to a standard to fulfil the minimum curriculum requirements for outdoor sport.

Reason: To ensure the provision of facilities suitable for the purposes of outdoor sport.

25. Prior to the development permitted first being brought into use, a validation report to confirm the absence of asbestos containing materials on the application site shall be submitted to and approved in writing by the CPA.

Reason: To ensure that the site is remediated to an acceptable standard.

26. Prior to the development permitted first being brought into use, following review and where necessary amendment in consultation with NCC Road Safety team, School Zone markings and associated signage generally in accordance with Drawing TCXX(90)1006 (submitted as Appendix F of the Transport Statement accompanying the application) shall be provided to the satisfaction of the CPA.

Reason: In the interest of highway safety.

27. The Head Teacher of the school, or other suitably authorised person, shall appoint and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the draft Abbey Primary School Travel Plan (received by the CPA on 16 January 2015) and within 3 months of the development first being brought into use provide a completed Abbey Primary School Travel Plan aimed at reducing reliance on the private car as the principal means of staff and parent transport to and from the school. The Abbey Primary School Travel Plan shall be implemented in

accordance with the approved timetable and shall be updated consistent with future Abbey Primary School Travel Plan initiatives (to include education relating to sustainable travel; demand for, and future provision of additional covered cycle spaces; safe student drop-off and pick-up; and considerate parent parking), including implementation dates, to the satisfaction of the CPA.

Reason: In the interest of highway safety and to promote sustainable travel and in accordance with Mansfield District Local Plan Policy M16: Development Requirements.

28. The Travel Plan Coordinator shall first submit a report to the CPA within 6 months of the development first being brought into use and thereafter submit annual reports for a minimum period of 5 years and until Travel Plan targets have been met. The monitoring reports shall summarise the data collected over the monitoring period and propose revised initiatives and measures where Travel Plan targets are not being met, including implementation dates, to be approved in writing by the CPA.

Reason: In the interest of highway safety and to promote sustainable travel and in accordance with Mansfield District Local Plan Policy M16: Development Requirements.

29. Following the completion of the development, noise levels generated by the development or activities on site shall not exceed 55dB $L_{Aeq,1hr}$ between 18:00-23:00 hours on school days, and 07:00-23:00 hours on non-school days, measured in the garden of any property adjoining the site boundary.

Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.

30. Following the completion of the development, noise levels from any activity on the site between 23:00–07:00 hours shall not exceed the existing night-time background (L_{90}) noise level, measured in the garden of any property adjoining the site boundary.

Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.

31. Following the completion of the development, the combined fixed plant noise level shall not exceed the background noise level (L_{90}) at any time of the day/night at the nearest boundary of any residential receptor when assessed in accordance with BS4142:2014. In the event of a complaint, which the CPA considers may be justifiable, the applicant shall undertake a noise assessment in accordance with the procedure set out in BS4142:2014 to determine compliance with background noise level (L_{90}). In the event that the noise limit is exceeded, a scheme of noise mitigation shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.

Informatives/Notes to applicant

1. Condition 5, Condition 10 and Conditions 13 and 14 refer to 'main site works'. For the avoidance of doubt 'main site works' are works expressly approved by this grant of planning permission, not works, typically site set up works, which are permitted by The Town and Country Planning (General Permitted Development) Order 1995 (as amended) Schedule 2: Part 4 *Temporary Buildings and Uses*.
2. With reference to Condition 9, the details to be submitted shall include the highway construction, levels within the highway, highway drainage, and proposed lighting.
3. The relocation of the bus stop on Stuart Avenue will need to be agreed with NCC Transport and Travel Services (0115 9774520) prior to the commencement of development.
4. With reference to Conditions 13 and 14, Severn Trent Water Limited should confirm that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate any additional flows, generated as a result of the development, without causing pollution.
5. With reference to Condition 14, the Environment Agency advises that the scheme to be submitted should:
 - a) *Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687 or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken.*
 - b) *Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 20% (allowance for climate change) critical rain storm to the Greenfield run-off rates for the site, in this case 5l/s.*
 - c) *Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.*
 - d) *Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.*
 - e) *Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.*

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative

sustainable drainage should be used, with a preference for above ground solutions.

The Environment Agency advises that *surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.*

SuDS involve a range of techniques including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc. rather than just the use of infiltration techniques. Support for the SuDS approach is set out in NPPF.

6. With reference to Condition 19, artificial bat roosting and bird nesting features should be provided in the fabric of the new building. Nesting features for target species sparrow, starling and swift should be provided.
7. With reference to Condition 20, the landscape scheme should include the use of native tree and shrub species appropriate to the local area, and ornamental species of wildlife value.
8. With reference to Conditions 27 and 28, the Travel Plan Co-ordinator is advised to actively engage with local residents in promoting sustainable travel initiatives in the development of the Abbey Primary School Travel Plan, annual review and any subsequent Travel Plan Review.
9. Attention is drawn to the network of Western Power Distribution, shown on the enclosed plan. Western Power Distribution advises that any works in proximity to cables near the existing sub-station should comply with the requirements of Health and Safety Executive guidance set out in HSG47: *Avoiding Danger from Underground Services*. In addition, Western Power Distribution advises that any access gate between the sub-station and the public highway should be fitted with a dual access lock so as to ensure that Western Power Distribution has 24 hour access to the sub-station site.
10. Sport England has advised that:
 - a) *It does not automatically follow that the existing Abbey Primary School playing fields are surplus and can be lost to other development. The loss of the school playing field would need to be supported by appropriate evidence (advised in NPPF Paragraphs 73 and 74).*
 - b) *The proposal results in areas of playing field being retained outside of the current application site and the curtilage of Samworth Church Academy. It does not automatically follow that this playing field area is surplus and can be lost to other development. The loss of the school playing field would need to be supported by appropriate evidence (advised in NPPF Paragraphs 73 and 74).*