



16 July 2019

Agenda Item: 5

REPORT OF CORPORATE DIRECTOR – PLACE

RUSHCLIFFE DISTRICT REF. NO.: 8/19/01268/CTY

PROPOSAL: ERECTION OF A TWO-STOREY 420 PLACE PRIMARY (2 PHASES) AND 39 PLACE NURSERY SCHOOL WITH ASSOCIATED PLAYING FIELDS, CAR PARKING, HARD SURFACED OUTDOOR PLAY AREA, FOOTPATHS AND ACCESS ROADS. ENTRANCE CANOPY AND A COVERED NURSERY PLAY AREA, ENCLOSED BIN STORE (2M), SPRINKLER TANK AND PUMP HOUSE (3.5M), 2.4M HIGH PERIMETER SECURITY FENCE AND GATES, ASSOCIATED LANDSCAPE WORKS AND OFF-SITE HIGHWAY WORKS.

LOCATION: SHARPHILL PRIMARY SCHOOL, ROSE WAY, OFF MELTON ROAD, EDWALTON

APPLICANT: NCC CHILDREN AND FAMILIES, AND SPENCER ACADEMIES TRUST

Purpose of Report

1. To consider a planning application for the erection of a 420 place Primary school with 39 place nursery to be built in two phases on land west of Rose Way, Edwalton, with 315 pupil places provided in the first phase. The key issues relate to the provision of community use, traffic impact on the highway network, design and landscape setting, and the relationship of the proposal to planned neighbouring development. The recommendation is to grant planning permission subject to the conditions set out in Appendix 4.

The Site and Surroundings

2. The application site is a roughly square 2.0ha area of formerly arable farmland on the west side of Rose Way, a spine road serving a residential development of 986 houses on land to the south of West Bridgford/Edwalton and north of the A52(T). The site is accessed from Melton Road (A606). The spine road, currently constructed to a point 2m south of the northern extent of the frontage of the application site, would be extended further north as part of a future housing development. No turning facility is provided at the end of the spine road constructed to date. A temporary vehicular access to a housebuilder's compound has been formed on the eastern side of the spine road at its northern end. The currently un-adopted spine road, Rose Way, is included in the planning application site (Plan 1).
3. The site has a frontage of approximately 146m to Rose Way and varies in depth between 144m on the northern boundary and 107m at the southern end of the

site. A mixture of two-storey and three-storey houses on the east side of Rose Way facing the application site have recently been occupied. The application site rises to the west away from Rose Way towards Sharphill Wood, a Local Wildlife Site. An indicative plan of future development shows an area of public open space with footpaths planned to the immediate west of the application site with tree planting further to the west as a buffer between Sharphill Wood and the residential estate. An area of public open space with play equipment is indicated to the immediate south of the site. Although a planning application has not been submitted of the layout of planned development to the north (June 2019), an indicative layout shows proposed housing facing the application site (Plan 2). However, the submitted school application site encroaches into the indicative housing layout. In accommodating the school site the housebuilder will need to re-plan the layout of this part of their future development.

4. There is a fall of 6.3m from west to east along the northern boundary at an average gradient of 4.5% (1 in 22). The central western part of the site has a crown in the site topography and the steepest gradient at 11% (1 in 9), easing to 6% (1 in 16) on the central eastern part of the site, with an overall fall of 10.6m from west to east. On the southern boundary the fall is 8.6m at an average of 8% (1 in 12) (Plan 3).
5. Rose Way is the subject of a highway adoption agreement (Highways Act 1980 - s38). The approved design includes a 2.0m grass margin separating the 6.75m carriageway from the adjacent 3.0m wide footway on both sides. A junction with Wheatcroft Drive to serve 108 properties (occupied and under construction) is formed on the east side of Rose Way opposite the application site. The highway junction is to be formed as a raised plateau. There are two private drives on the frontage of Rose Way opposite the application site serving 72-76 Rose Way and 82-84 Rose Way.
6. Rose Way is not provided with a turning facility at its northern end adjacent to the proposed school site. Vehicles needing to turn on the highway either need to carry out a 3-point-turn on the 6.75m wide carriageway, complete the manoeuvre at a highway junction or to turn using the dropped crossing to a private drive.

Background and Planning History

7. The proposed Primary school is part of a strategic allocation in the Rushcliffe Local Plan Part 1: Core Strategy - 2014 for around 1500 dwellings, up to 4 hectares of B1 and/or employment generating development, a neighbourhood centre and other community facilities as appropriate, all of which will be constructed within the plan period to 2028 (Rushcliffe Core Strategy Policy 20 *Strategic Allocation at Melton Road, Edwalton*).
8. A Development Framework Supplementary Planning Document for Melton Road, Edwalton was adopted in October 2015 (Plan 4).
9. Housing built or under construction includes two developments of 280 and 261 houses accessed directly off Melton Road. 386 houses are occupied or under construction accessed from Rose Way including Wheatcroft Drive (Paragraph 5).

10. Rushcliffe Borough Council has granted outline planning permission (17/00941/OUT) for up to 600 dwellings, construction of a primary school and creation of a community park. Approximately 40 of the dwellings would be accessed from the highway network to the south of the application site. The balance of approximately 560 dwellings would be erected to the north of the application site (Plan 2).
11. Rose Way is planned to connect to Boundary Road at its junction with Musters Road. The Melton Road, Edwalton SPD identifies that only *bus, emergency and a limited amount of local traffic movement* is to be permitted between the residential development and Musters Road, while Condition 4 of outline planning permission 17/00941/OUT specifies that *vehicular use of the access junction onto Musters Road shall be limited to buses and emergency vehicles only*.
12. An application for the approval of matters reserved under planning application 17/00941/OUT for the siting, design, landscaping and drainage details for the spine road through the site (application reference 19/01228/REM) has been submitted to Rushcliffe Borough Council but has not yet been determined (June 2019). The application includes details of a bus gate monitored by Automatic Number Plate Recognition cameras which would allow only buses to gain access from or egress to Boundary Road/Musters Road. Car access to and from the whole residential area would be from Melton Road. Consequently, all vehicle-based journeys associated with approximately 560 dwellings and 108 dwellings emerging from Wheatcroft Drive would pass the front of the proposed school on all trips in and out of the residential estate.
13. It is intended that all traffic other than authorised vehicles will enter and leave the sustainable urban extension of around 1500 dwellings via Melton Road (A606).
14. A bus route would be provided along the spine road and would pass the application site. Suitable locations for bus stops have not yet been identified, but are likely to be provided in proximity to the school and would have an associated bus-box 'no stopping' highway Traffic Regulation Order.
15. Applying the County Council's Planning Obligations Strategy (Sept 2018), the urban extension of around 1500 dwellings would generate 315 pupil places at primary school age which equates to a 1.5 form-entry school.
16. Condition 28 of planning permission 17/00941/OUT specifies that *the Primary school site shall comprise a serviced site of 2ha in area as required under the provisions of the s106 Agreement associated with this land. Prior to commencement of construction works details of the design, appearance and layout of the building(s) and associated site, including a scheme for the provision, location and management of the associated community use element shall have been submitted to and approved in writing by the Borough Council. The School shall be constructed and operated in accordance with the approved details and scheme*.
17. Rushcliffe Borough Council hold s106 developer contributions from the housing developments for the purpose of the erection of a 1.5 form entry primary school and associated community use on a site of 2ha. The s106 agreement references the provision of community use in accordance with the provisions of

the government Briefing Framework for Primary School Projects - Building Bulletin 99, which encourages the provision of some school facilities to the local community outside of the school day.

Proposed Development

18. The erection of housing at Sharphill and adjacent sites on Melton Road will create a demand for 315 pupil places of primary school age, funded through s106 developer contributions. Planning permission is sought to erect a 420 place primary school in two phases and a 39 place nursery (Phase 1) with associated outdoor play spaces and playing field. In Phase 1, 25 full-time and 20 part-time staff would be employed (32 FTE), increasing to 28 full-time staff and 22 part-time staff (36 FTE) in Phase 2. Core school hours have not been specified in the application.

Building Phase 1 and Site Layout

19. A 315 place primary school (1.5 form-entry with a Published Admission Number (PAN) of 45) and 39 place nursery would be erected in the initial phase, sited 24m from the eastern site boundary and at its closest 44m from the closest facing property on Rose Way (6 Albertine Gardens). The building would have an 'L'-shaped footprint, except in the south-east corner which for the southernmost 13.2m would be set back by 8m from the eastern elevation (Plan 5). The principal elevation of the building, 45.5m in length and for the most part 21.5m in width, would be on a north-south axis with a school hall, studio and kitchen provided in a westward projecting wing (25m x 13.5m). Internal dimensions of the hall, which would be used as the dining room would be 14.3m x 12.6m. The school building would be located 22m from the northern site boundary.
20. The nursery and reception classrooms would be provided on the eastern side of a central corridor and would have adjacent areas of outdoor play. Three Key Stage (KS)1 classrooms would be provided on the western side of the building with direct access from the classrooms to the adjacent KS1 and KS2 outdoor hard play area. The main entrance to the school and associated offices would be provided at the northern end of the building.
21. Six KS2 classrooms, one nurture room, library with group rooms and work room and staffroom would be provided to either side of a central corridor at first floor level. Classroom windows would be formed in the east and west facing elevations with the exception of one classroom, staffroom and workroom which would have windows on the north elevation. The first floor would be accessed by stairs in the west and south elevations and a lift would be provided in a central location on the corridor (Plan 6).
22. The building, 7.6m in height to eaves level, would be faced principally with render above a red brick plinth with brickwork used to define the corners of the building. End elevations would be faced with red brick. Window frames, louvres and doors in a range of colours are proposed. A barrel aluminium standing seam roof is proposed with a maximum height of 9.0m. The west projecting wing of the school hall and kitchen would have an eaves height of 6.2m and maximum height of 6.75m (Plan 7). Surface mounted bat and bird boxes are proposed on the west facing elevation.

23. Aluminium framed window openings to classrooms would be formed in the north, east and west facing elevations. A first-floor window in the south facing end elevation would provide light to stairs. First floor windows at the western end of the north facing elevation would provide high-level light to the school hall. The specific colour of window frames, window louvres and doors has not been provided but would be from a range of yellow, green and blue.
24. A bin store (2m enclosure) and sprinkler tank enclosed by 3.6m high timber fencing would be sited to the north-west of the school kitchen adjacent to the turning head formed at the end of the school car park.
25. An enclosed nursery/reception outdoor play area 36m x 16m with an external canopy 8m x 6.3m and a maximum 3.7m in height would be provided to the east of the building within the outdoor play area. An outdoor garden area would be provided in the recessed 'L' at the southern end of the building.
26. An area of outdoor KS2 hard play would be provided principally to the west of the school building and would be able to accommodate a 30m x 15m marked games court.
27. Grass playing field would be provided to the south of the school and would be able to accommodate four mini-soccer pitches for U7/U8 or two larger pitches suitable for U11s football (9v9). The area would be suitable for a variety of grass-based sports. An adjoining informal grassed area of 1700m² would be provided to the west of the school building.
28. Taking account of the site topography a steeply sloping bank at up to 1:3 gradient (33%) would be formed along the western boundary with, at greatest, the site boundary level 8.2m above that of the grass playing field. An informal grass path would be provided along the embankment.
29. A hedge would be planted around the site perimeter with the exception of the building and car park frontage to Rose Way. Tree planting is proposed principally along the east and west boundaries, and group planting adjacent to the sprinkler tank and bin store.
30. The site perimeter would be enclosed by 2.4m high Heras security fencing. 2.4m high Heras security fencing would segregate operational areas of the school from those accessible by the public. The nursery/reception area of outdoor play would be enclosed by 1.0m high timber fencing.

Site Levels

31. Site levels would be cut with some ground raising to create a level plateau for construction. The proposed school would be built on a level between 1.1m-1.5m above the adjacent footway on Rose Way (taking account of the change in level on the highway). The nursery/reception outdoor play area would be 0.7m-1.1m above the level of the footway.
32. The north-east corner of the playing field would be 1.4m above the highway level on Rose Way, increasing to 1.6m in the south-east corner. The north-west corner of the playing field would be approximately 5m below existing, and 3.1m below in the south-west corner.

Phase 2

33. In Phase 2 the school would expand to a 420 place 2-form entry school with a PAN of 60. The 'L'-shaped recess at the south-west corner of the building, proposed as an outdoor garden in Phase 1, would be infilled at ground and first floor level by a 15.2m x 8.0m extension (Plan 8). An extended reception and additional KS1 classroom would be provided on the ground floor with two additional KS2 classrooms provided at first floor. The extension would be built using materials and finishes to match the Phase 1 development. Windows to both first-floor classrooms would be formed in the east elevation facing properties on Rose Way.
34. The KS2 outdoor play would be extended westwards into the informal grassed area to accommodate the increased number of pupils.

Access and Highways

35. Vehicular access to the school would be formed at the northern end of the site frontage to Rose Way. 39 car parking spaces, including two disability and two electric charging places, would be provided to the north of the school building. Service vehicle turning would be provided within the site. A covered cycle shelter for 10 cycles would be provided within the car park close to the school entrance.
36. A knee-rail fence would be provided along the southern side of the car park to discourage pedestrians from walking through the car park to gain access to the main school entrance.
37. A pedestrian entrance gate would be provided on the Rose Way frontage 38m to the south of the vehicular access. Paths at shallow gradient would lead either to areas of outdoor play to the south of the school building or the main school entrance on the north elevation. A covered cycle shelter for 40 cycles would be provided on the edge of the school outdoor hard play area which would be secured throughout the day.
38. The Transport Statement supporting the application anticipates that the school would attract 151 trips by car. The school would accommodate children from approximately 560 properties to be built to the north of the school which would generate approximately 40 car trips. Consequently, approximately 110 school car trips (as a 420 place Primary school) are expected to approach the school from the south and would need to turn, over a 30 minute period, as Rose Way will not be a through route to Boundary Road. A vehicle turning area is proposed outside the school fenced line and would become part of the future adopted highway (Plan 9).
39. Works are proposed on the future adopted highway outside the school. A proposed raised highway plateau at the junction of Rose Way and Wheatcroft Drive would be extended on its northern side to form a crossing point for pedestrians close to the school entrance (Plan 10).
40. The applicant has proposed that lengths of the grass margin separating the carriageway from footway on Rose Way would be replaced by tarmac in areas where highway drop-off/pick-up would be permitted. Bollards or similar will be required to deter vehicles from driving partially on to the carriageway margin and

potentially causing damage to retained grass areas. Pedestrian guardrail would be provided outside the pedestrian entrance gate. All proposed physical works on the highway would require a modification to the highway adoption agreement (s38 – Highways Act 1990).

41. *Keep Clear* zig-zag markings would be provided outside the school. In addition, double-yellow (no parking) lines are proposed at the junction of Rose Way and Wheatcroft Drive, both sides of the bend on Rose Way to the south of the school, and around the proposed car turning area. Markings on the highway would require a Traffic Regulation Order (Road Traffic Regulation Act 1984) and would be the subject of separate consultation. The cost of the Traffic Regulation Order and modification of the s38 highway adoption agreement would be met by the applicant.

Community Use

42. It is proposed that the school hall, studio, tea making facilities and accessible toilets would be available for community use during evenings and weekends. Community access would be through the main school entrance and an internal secured route provided to the facilities preventing public access to other areas of the school (Plan 11).
43. The sports pitches would be available for community use outside of school hours and a toilet accessible from outside the building would be provided at the southern end of the building.
44. The school car park would be available to community users outside of school use. The site would be zoned so that either the school building or playing field could be used without both having to be opened for public access (Plan 12).
45. Community access lettings would be managed by the school. A Community Use Agreement would be entered into, following a template used by Sport England, and would include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and a mechanism for review of the Community Use Agreement.

Sustainability

46. The building would incorporate sustainable design features including insulated render, high efficiency electrical and lighting equipment, high efficiency boiler, heat recovery and individual room temperature control. Alternative sources of heat production have been considered by the applicant, such as ground source heat pumps, photovoltaic, solar and wind turbines, but are considered not to be suitable from a cost, logistical or planning perspective.

Consultations

47. **Rushcliffe Borough Council** – Object. *The design and appearance of the proposed building fails to take this unique opportunity to create an innovative exemplary public building which will be a key, primary feature of the Edwalton Development. The building would appear as an incongruous addition to the street scene and would be harmful to the character and appearance of Rose*

Way and the character of the wider residential development as a whole. The proposal is therefore contrary to the Melton Road, Edwalton, Development Framework Supplementary Planning Document, Core Strategy Policy 10 and the National Planning Policy Framework 2019.

48. *The proposed development does not meet Rushcliffe Borough Council's aspirations in terms of a Community Use Facility as no day time facilities are intended to be provided as part of the proposed Community Use Agreement. This is contrary to the needs of the wider community in the absence of an alternative facility within a sustainable, accessible location.*
49. *The applicant has failed to provide adequate parking provision for parents of the primary school and nursery school children to the detriment of highway safety and the amenity of nearby residential properties. The proposal is therefore contrary to Rushcliffe Non-Statutory Local Plan Policy GP2 (b) - Design and Amenity Criteria.*
50. **NCC Highways Development Control** – No objection subject to conditions to require: a scheme of modifications to the highway; the provision of parking, turning, servicing and cycle spaces; provision of a School Zone outside the school; and development and regular review of a School Travel Plan.
51. *The school site forms part of the wider Sharphill Development site, the general traffic and transport principles of which have previously been considered as part of the transport assessment work provided in support of the extant outline planning permission, as well as the traffic modelling work undertaken by Rushcliffe Borough Council in support of the Rushcliffe Local Plan Part 1: Core Strategy and Melton Road Development Framework SPD. This suggests that in terms of capacity the local road network has enough headroom to cope with any traffic generated by the development. As such, comments regarding the proposal are limited to the specific local access and highway safety implications rather than traffic generation and congestion on the wider highway network.*
52. *The application is supported by a Transport Assessment and School Travel Plan. In line with school travel data contained within the National Travel Survey the TA suggests approximately 55% of pupils will arrive by car. Based on a maximum of 420 pupils this equates to 231 pupil trips in both the AM and PM peak periods.*
53. *The nature of school travel is such that school children often arrive with siblings/friends and hence 231 pupil trips does not necessarily equate to 231 vehicles arriving/departing at the start/end of the school day. The National Travel Survey suggests an average car occupancy rate of 1.6 pupils per vehicle meaning in total the school is anticipated to generate 151 vehicle trips in each peak period.*
54. *To cater for the above vehicle movements a number of alterations are proposed to the spine road fronting the school and include parking restrictions, school keep clear markings, hard paving of the grassed verges near the school, tactile paving and extension of the raised table to provide a crossing point, provision of guard rail adjacent to the pedestrian entrance, a new 20 mph speed limit in the vicinity of the school as well as physical measures to prevent errant parking on the adjacent grass verges.*

55. *The spine road in the Sharphill Development is somewhat unique insofar as it is blocked at the northern end by a bus-gate and is not intended to operate as a through route. As a result any traffic approaching the school from the south will need to turn around before continuing the journey. It is estimated that 72% of pupils [420 place school] will approach from the south which will result in around 110 vehicles needing to turn near the school at pick-up/drop-off times. The applicant is seeking to provide a turning loop which will allow parents to turn safely before continuing the journey. It is intended that this loop will become adopted and will be protected by enforceable parking restrictions.*
56. *Having discussed the proposals with colleagues in the Highway Safety and Improvements Teams, the proposals offer suitable mitigation for the highway safety impacts of the school on the local network.*
57. *Whilst Rose Way is subject of a Section 38 [adoption] agreement it is yet to be fully adopted and any alterations will require the adjacent developer's permission (Bovis Homes) and a variation to their Section 38 agreement. Additionally, items such as the School Keep Clear and double yellow line markings will require a Traffic Regulation Order. Whilst both of these items sit outside of planning process, we are confident they are achievable.*
58. *The Transport Assessment suggests that 75% of staff will arrive by car and is considered a reasonable assumption. Applying this percentage to the total number of FTE staff (36) suggests the school will generate 27 staff trips in the peak hour. To cater for staff and visitors, a 39-space car park is being provided which should provide adequate space to cater for staff demand plus an additional 12 visitors.*
59. *Whilst it is noted that no parent parking is being provided this is standard practice and it is considered this will not present a problem particularly given the additional highway safety measures being provided through the proposal.*
60. **Design Review (CBP Architects)** - *The building has adopted a simple material palette consisting of a mixture of insulated render and brickwork for the walls and a metal standing seam curved roof. The plan is an 'L' shape form developed to minimise required areas of floors, walls and roof to assist with reducing heat loss and circulation space. The roof will be visible from higher ground and so a curved form has been utilised to soften any visual impact. Playing fields to the south and west visually read as extensions of the community park and open space towards Sharphill Wood.*
61. *Tree planting is located around the north-east corner of the upper pitch to provide screening from future housing north of the boundary and tree and hedge planting is located at all boundaries to provide screening. The main school playground is located within the 'L' of the plan, screening noise from residential developments to the north and east. The noise impact study confirms that the highest calculated noise level from the playground from the nearest residential property meets the desired noise level described in BS8233 and is below the World Health Organisation guideline value for noise in an outdoor living area.*
62. **NCC Access Officer** – *No objection. There are no Planning issues relating to access for people with disabilities.*

63. **Sport England** – Supports the application as the proposals, including the required community use of the site, provide an opportunity to develop both sport and active recreation for the students and the community. Facilities should be designed in accordance with Sport England guidance.
64. *In order to provide a playing field area for both school and community use, the playing field should be constructed to meet the appropriate performance quality standard so as to cope with the dual use of school and community use. A fully drained solution is not necessarily required; an on-site investigation and assessment by an appropriate turf agronomist would provide information to assess the required specification for the pitches. This would provide a cost-effective solution for both construction and future maintenance requirements for both school and community use.*
65. *The proposal identifies four pitches of the same size suitable for U7/U8 (5v5) football. The area appears to be able to be marked out with multiple pitch sizes to accommodate both U7/U8 and U9/U10 (7v7) football. It appears possible to extend the pitch area to provide a gap between pitches that would allow cricket to be played and that the 'cricket strip' would not be the subject of wear from being part of the football or pitch sports area. The area provides a flexible space for multiple sports, such as athletics, rounders, soft ball, tag rugby and other active recreation.*
66. *Both the internal hall and studio should provide space for use by the school and the community which would be complementary to other more formal facilities available in the local area. The proposed games court area appears to form part of/be marked out on the hard-surfaced playground area. This would be considered an informal court area not suitable for formal sports, unless the court area was constructed to meet the appropriate sports specification.*
67. *It does not appear that a formal circular footpath route is proposed to support/promote daily exercise initiatives. If this is being considered Sport England would not support a route which reduces the defined usable playing field area (in this case the marked pitch area).*
68. **Via Landscape** – No objection subject to a condition to require submission of a detailed landscape scheme including a planting schedule, tree pit details and maintenance specification.
69. *The proposed planting should be composed of native species trees, shrubs and hedgerow planting appropriate to the South Nottinghamshire Farmlands Landscape Character Area, excluding ash (Appendix 2). The embankment should be seeded with a wildflower seed mix such as Naturescape N14 mix.*
70. **NCC Nature Conservation** – No objection subject to conditions to control vegetation clearance during the bird nesting season; the impact of lighting on bats; measures to safeguard risk to mammals during construction; a detailed landscape scheme; and integrated bat and bird boxes in the fabric of the building.
71. *The site comprises an arable field, bare at the time of survey, which is considered to be of low ecological value. The landscape scheme should specify the use of native species of tree, shrub and hedgerow planting*

appropriate to the local area, and the use of wildlife-friendly plants in informal planting areas. Areas of embankment should be seeded with a simple wildlife seed mix (a flowering lawn mix might be most appropriate), with a suitable management regime put in place.

72. **Via Project Engineer (Noise)** – No objection subject to conditions to control times of deliveries and construction; an environment management plan (to include noise mitigation) during construction; operational control of noise from fixed plant; and control of noise from activities outside of school operational hours.
73. *The layout showing nearby receptors contained in the Noise Impact Assessment suggests that the school boundary will not border the rear boundary of any residential receptors. It is acknowledged that the layouts shown are only indicative at this stage. Rear facades are usually considered to be the quiet façade with rear gardens providing an outdoor living space during warmer parts of the year and are considered more sensitive than the front facades of properties. The closest properties are located to the north (future), east (built) and south (under construction) of the new school.*
74. *The primary noise source from the school will be that of children playing outdoors during break/lunch times. While often loud, it does not usually provoke a strong reaction from neighbouring residents as people are generally less annoyed by noise from children playing, particularly as noise is for restricted periods during the school day and only occurs on weekdays, during term time. Therefore, there are considerable periods of respite for neighbours in the evenings, weekends and holiday times. The noise will generally occur during periods when people are awake using ground floor levels of their homes or gardens.*
75. *It is noted that the designed layout of the school building wraps around the hard-surfaced games court and will therefore benefit from shielding to the nearest receptors. Other informal hard surfaced play areas extend around the south and east of the school building.*
76. *The noise assessment has predicted that the highest playground noise activity levels at the nearest residential property will be 48dB LAeq,1hr which is less than the recommended World Health Organisation guidance level of 55dB LAeq,1hr for outdoor living spaces to avoid serious annoyance.*
77. *It is noted that the school will be available for wider community use which may include hours/days outside of normal school operating hours. As such it is recommended that a noise limit condition is applied to control noise levels to protect neighbouring residential receptors in the evenings and weekends outside of normal school operational hours.*
78. *It is recommended that the specification of plant ensures compliance with the Plant Noise Rating Level Limit of 45dB at nearest sensitive receptor.*
79. *There is potential for some noise disturbance from the construction of the new school building and outdoor landscaping works. The school is located within a wider development construction site where current occupants will expect on-going noise in the short term from construction activities, as the development of the wider site progresses. Nonetheless, it is still recommended that the*

contractor employs appropriate noise controls, following recommended guidance in BS5228-1:2009 - Code of practice for noise and vibration control on construction and open sites to ensure that any noise impacts are kept to a minimum.

80. **Via Land Reclamation** – No objection subject to a condition requiring a watching brief for previously unidentified contamination.
81. **NCC Flood Risk** – No objection subject to a condition requiring the submission of a detailed surface water drainage scheme based on the principles of the Flood Risk Assessment and Drainage Strategy supporting the application.
82. **Police Force Architectural Liaison Officer, NCC Archaeology, Severn Trent Water Limited, Western Power Distribution, Cadent (Gas) and Friends of Sharpill Wood** – No response received.

Publicity

83. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to occupied properties in the neighbouring residential development under construction (Paragraph 85bb)) in accordance with the County Council's adopted Statement of Community Involvement.
84. Six residents (two from one property) and one Borough Councillor have written (10 representations). Representations have also been sent to the Borough Council from one of the objectors and one additional resident and matters raised are incorporated in the summary below. Two residents and the Borough Councillor express support for a school. The Borough Councillor welcomes provision for cycling and perimeter planting.
85. Objections are raised on the following grounds:

Highways

- a) The only access to the school will be from/to Melton Road. Existing problems/increased traffic at the A52/A606 roundabout (2). Traffic volume (2) is potentially unsafe. Rose Way should be changed to resident access only.
- b) On-street parking is already a problem. Parking and traffic impact on adjacent roads from drop-off and pick-up (3). Congestion around the school (3).
- c) Obstructive/inconsiderate parking (4). 'Parking wars'/potential damage to vehicles. The removal of grass verge encourages parking on the footway. Danger for children (3).
- d) Double yellow lines should be provided on the bend to the south of the school to prevent parking, improve visibility for drivers and increase safety for pupils and residents. School zig-zags should be extended.
- e) Double yellow lines do not deter parking for brief periods/will be ignored (2). No monitoring/enforcement of parking restrictions (2).

- f) 3-point turn manoeuvres are required to return to Melton Road. A safe turning area should be provided (2).
- g) The turning area for cars will not be adequate and should be large. The turning area road crosses the footpath and should be routed around the turning area.
- h) Inadequate provision for safe drop-off/pick-up. A dedicated drop-off/pick-up facility should be provided on the school site and would reduce impact on surrounding roads and be safer for children.
- i) Parents /children will cross the road anywhere – not at the crossing point (2).
- j) Double yellow lines will restrict resident on-street parking (3). Impact on resident on-street parking (2). No space for visitor parking (3). Houses have several cars and park on-street (2).
- k) A school Travel Plan will be ignored by parents. Cycle parking will not be used.

Community Use

- l) Weekend and evening community use is helpful – but it is crucial that day time access is provided for older residents and young parents.
- m) No details of the proposed use of the community areas. Use until 22:00 will affect amenity.
- n) Who will be responsible for encouraging community groups to use the facility and setting of costs?

Amenity

- o) The site is too small for 420 places. Out of scale for the environment (2). Visually unattractive building (3) which has an industrial appearance. Overbearing impact. Impact of a building facing residential property. Loss of sunlight. Visual impact of fencing.
- p) Loss of privacy from overlooking (3) Loss of privacy from the vehicle turning area. House plot chosen to avoid passing traffic. Loss of privacy from passing pedestrians. Loss of privacy from users of the pedestrian crossing.
- q) Noise impact (3). Loss of tranquillity (2). Car doors banging/evening activity (2), lighting, shouting, whistles. Activity until 22:00 hours affecting amenity (2)/privacy. Evening activity at Rushcliffe School (to the north) can already be heard (2).
- r) Littering. Odour from litter. Attraction of vermin.
- s) Loss of the green route and highway grass margin.
- t) Noise/dirt/dust/ by soil removal/site levelling. Where will soil be deposited?

Ecology

- u) The ecological significance of Sharphill Wood is not acknowledged. Impact on Sharphill Wood. Noise impact on Sharphill Wood.
- v) The design is not ecologically friendly. Ecological impact of building on fields used for foraging (3) should be off-set, including the provision of nest boxes.
- w) external lighting should point downwards and not used overnight to reduce impact on wildlife around Sharphill Wood.

Sustainability

- x) Maximum eco-standards should be incorporated. The design should be an exemplar and incorporate re-use of rainwater, solar photovoltaics and good insulation/ground heat source pumps.

Other matters

- y) Loss of view (2).
- z) Worsening of low water pressure (2).
- aa) Loss of value.
- bb) Administrative failings make the submission of representations difficult (2)/limiting the number of representations received. Poor communication with residents.

86. Cllr Jonathan Wheeler supports plans for the new school. *The addition of a turning circle to allow parents to drop off their children, and turn around safely, is a welcome addition to the plans. The sports pitches will be welcomed by the community as well as the school, and the design of the school is adequate with the money available. The school is very much needed due to the rate of housebuilding in the area.*
87. The issues raised are considered in the Observations Section of this report.

Observations

Strategic Education Provision

88. The initial 315 place Primary School with nursery provision planned in Phase 1 of the development would meet an identified need for school places. There will be increasing demand for school places close to the school site as the adjacent residential development is built-out. Arrivals from the first houses occupied are frequently accommodated in an existing school and the early construction of a school will provide school places close to the source of future demand and is considered to be sustainable. The proposed school would be expandable to accommodate 420 pupils (Phase 2) as an increased number of properties are occupied, as well as adding to the number of available Primary pupil places in the wider West Bridgford area.
89. Great importance is attached in NPPF *Promoting Healthy Communities* (Paragraph 72) to ensuring that sufficient choice of school places is available to

meet the needs of new and existing communities. 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 1).

90. 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.
91. Although not proposed as a reserved matters application pursuant to an outline grant of planning permission, consideration needs to be given to whether the proposed development would deliver access for the community set out in the planning permission granted by Rushcliffe Borough Council under planning permission reference 17/00941/OUT.

Community Use

92. Policies in the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) (NSRLP) are material to the determination of planning applications where consistent with the NPPF. NSRLP Policy GP1 *Delivering Sustainable Development* will encourage development that (amongst other criteria) provides improved community facilities in accessible locations.
93. Building Bulletin 99 (BB99) provides non-statutory minimum guidelines for types of space in primary schools. It also offers area ranges over and above the minimum to allow schools flexibility in the design of buildings and the way in which they are used. BB99 also explains the difference between extended school facilities (which could be shared by a number of other organisations) and community use.
94. Extended School Facilities may allow access to school facilities by the wider local community, occasionally during the school day and addressed through the design and management of the building. The location of any facilities available for use by the community should be carefully considered, taking into account access, security, child protection, and parking.
95. BB99 explains that Shared Community Use should offer some school facilities to the local community outside of the school day. The facilities most often used by the community are likely to include the main hall and its ancillary facilities, as well as a studio, if provided, and any outdoor sports facilities. The design should allow these parts of the school to be open and heated while others are not in use. Given examples of facilities that will encourage community use outside the school day include: a parents/community room; reception facilities and access suitable for out-of-hours use; community storage space separate from storage spaces used by the school; and accessible toilets.
96. Although this application is for full planning permission and not pursuant to outline permission 17/00941/OUT or the conditions and s106 agreement referenced in the permission, the matters in that grant of outline planning permission are material to the determination of this application. The s106

agreement requires community use in accordance with the provisions of BB99. Section 6.1 of the s106 agreement states:

The Primary School Land shall comprise a serviced site that is suitable for the provision of a 1.5 form entry Primary School and associated community use and the form shape topography and disposition of the Primary School Land should be sufficient to secure the design and construction of the Primary School (without abnormal costs) and associated community use in accordance with the provisions of DCSF Building 99 Briefing Framework for Primary School Projects (2nd Edition) or such revision as may be in place from time to time.

97. It is considered that the proposals for community access would align with provision for Shared Community Use set out in BB99, and most closely meet the requirements for *community use* set out in the s106 agreement. Whilst it is suggested in representations (Paragraph 85 I)) that facilities should be accessible to the community through the school day, such use would be of similar character to the provision of Extended School Facilities rather than Shared Community Use referenced in BB99.
98. Submitted floor plans satisfactorily show how community users would be able to access facilities at the school without compromising security within the building. Community users of the school playing field would have access to an external toilet. The school car park would be available to community users of the site and is considered suitably sized so should not result in on-street parking detrimental to highway safety outside of school hours.
99. The applicant has proposed weekday evening and Saturday community use of school facilities, although it is considered that community use on a Sunday would not give rise to significant adverse planning impacts. Recommended permitted times of use of the site are specified in recommended Condition 21 which will be refined through a Community Use Agreement (Condition 22). There is an expectation that the Community Use Agreement would be developed in conjunction with user groups and the school would manage the letting of facilities.
100. The requirement to provide access for community use through a grant of planning permission would run with the land for the life of the development. It would be possible to alter or vary the terms of the Community Use Agreement through a planning application for Variation of Planning Condition (s73), in response to the changing needs of the community.
101. The consultation response from Rushcliffe Borough Council objects that day time community access is not proposed. The County Council has responsibilities towards the safety of children whilst they are at school and community access to the school during operational school hours would present a potential child safeguarding issue. In addition to the need to manage the safeguarding of children and time-tabling of when facilities could be made available, day-time community access to the school would require the provision of additional operational car parking. Although it is proposed that the community would not have access to facilities during the school day, it is anticipated that daytime community facilities would be accessible during school holidays. Whilst the level of proposed community use does not meet the aspirations of Rushcliffe Borough Council the proposed level of provision, secured by planning

conditions, would be in compliance with the s106 agreement attached to planning permission reference 17/00941/OUT and is considered to be acceptable. The County Planning Authority has a duty to determine the application as submitted.

Highway Impact, Traffic and Movement

102. National Planning Policy Framework (NPPF) *Promoting Sustainable Transport* Paragraph 109 advises that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
103. Policies are emerging in the Rushcliffe Local Plan Part 2: Land and Planning Policies Publication version (May 2018) (RLP-Pt2). The plan has been subject of Examination and Modifications are the subject of consultation expiring 5 July 2019. The plan is at an advanced stage and policies can be given some weight.
104. NSRLP Policy GP2 *Design and Amenity Criteria* requires development to be provided with: a suitable means of access without detriment to the amenity of adjacent properties or highway safety; and the provision of parking in accordance with the County Council's parking guidance. RLP-Pt2 Policy 1 *Development Requirements* re-states the need for development to be provided with suitable means of access without detriment to the amenity of adjacent properties or highway safety, but that the parking provision should be in accordance with advice provided by the Highways Authority. The current Nottinghamshire Highways Design Guide makes no specific reference to the provision of parking at schools.
105. The provision of a car park suitably sized for a 420 place school as part of the Phase 1 development (315 places) is welcome. Proposed parking provision for staff and visitors, including provision for disability parking, is considered to be appropriate to meet the operational needs of the school. Suitable provision would be made for the on-site turning of service vehicles in compliance with NSRLP Policy GP2 *Design and Amenity Criteria*. A condition is recommended to secure the timely provision of the car park and service area (Condition 17).
106. The provision of 40 covered cycle spaces within the secured school boundary and 10 covered cycle spaces in the staff/visitor car park is welcome and would offer a sustainable alternative to travel to school by car. The need for additional covered cycle spaces is recommended as an objective of a School Travel Plan (Condition 19k)).
107. Rushcliffe Borough Council objects to a failure to provide adequate parking provision for parents of the primary school and nursery school. However, the provision of car parking for parents would be likely to encourage travel to school by car and is considered not to be a sustainable approach to travel to and from school.
108. The school places will fill over several years as the adjacent housing development is built-out. When fully occupied as a 420-place school approximately 110 children will travel to and from school by car school by car, approaching the school from the south. The provision of facility for cars to turn is necessary to avoid the need for un-controlled vehicle manoeuvres taking place on the Rose Way carriageway, at the junction of Rose Way and Wheatcroft

Drive facing the school, or turning using resident's dropped kerb accesses. The proposed turning area has been reviewed in consultation with Via Highway Improvements Team and is generally acceptable. The area adopted as public highway, provided with appropriate signage and measures to prevent the area being used for parking (double yellow lines), and supported by an enforceable Traffic Regulation Order is considered to be acceptable.

109. Draft parking restrictions to mitigate anticipated on-street parking associated with parent drop-off and pick-up have been suggested and are considered to be generally acceptable, but the effects of parent parking are likely to be more noticeable as the school roll increases. A Traffic Regulation Order, which would be the subject of a separate statutory process including public consultation, should help to reduce obstructive car parking. A condition is recommended to require the provision of restrictive parking measures generally in accordance with submitted Drawing 18-1806.01Rev C Figure 3 (Condition 18).
110. Measures for alterations to the future adopted highway near the school, including the provision of a turning area for vehicles, tactile crossing points and replacement of grass margin with a bound surface at points where parent drop-off/pick-up is likely to occur (which may require bollards or other measures to prevent pavement parking) is welcome. The provision of an extended raised plateau at the junction of Rose Way and Wheatcroft Drive would provide a convenient and suitable point at which pedestrians can cross the road. Pedestrians living to the north of the development are likely to walk along the footway before crossing the highway beyond the car turning area.
111. Although the roads adjacent to the school are not adopted, they are the subject of a Section 38 (adoption) agreement. Any changes authorised by this grant of planning permission will require a modification to the highway adoption agreement (Note 7). Submitted Drawing 18-1806.01Rev C Figure 3 is likely to be the subject of a highway safety audit and may result in changes to the detail shown.
112. In considering the amenity impacts of traffic, on-street parking may be 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. Objectors draw attention to the impact that restricted parking will have on residents' parking on the highway. It is noted that all residential plots fronting Rose Way have a minimum of two, and in some cases three, parking spaces.
113. Inconsiderate parking by parents, the obstruction of drives by parked vehicles, parking on pavements, or in breach of a Traffic Regulation Order can be a source of irritation and is a matter that can be best addressed through parental education through the School Travel Plan. A robust School Travel Plan that is both deliverable and enforceable will be required to maximise the use of non-car modes of transport and it is recommended that education relating to sustainable travel; demand for, and future provision of additional covered cycle spaces; and management of student drop-off and pick-up should be targeted (Condition 19). Visible presence of the County Council CCTV car which can monitor and issue Penalty Charge Notices may also be effective in influencing parent behaviour. The effectiveness of the Travel Plan will need to be monitored through the submission of regular reviews.

114. Buses are likely to occasionally attend the school, for school trips or swimming lessons for example. There is currently no provision to turn a bus on the spine road. Once the spine road is completed buses taking school children off-site would be able to pass through the bus gate on to Boundary Road.
115. Turning to other highway matters raised in representations, (Paragraph 85a)), the proposed school forms part of a planned development and associated traffic would not have an adverse impact on the A52/A606 roundabout junction. The restrictions of the bus gate preventing car movement between Rose Way and Boundary Road inevitably means that traffic arriving from the south would need to turn to exit towards Melton Road.
116. Consideration has been given to the routeing of the footway around the turning area (Paragraph 85g)). However, it is considered that pedestrians will walk the most direct route and the design, incorporating tactile crossing points offers the most practical design solution.

Landscape Impact, Built Development, and Amenity

117. Rushcliffe Core Strategy Policy 10 *Design and Enhancing Local Identity* includes criteria against which to assess development including: impact on the amenity of occupiers or nearby residents; massing, scale and proportion; materials, architectural style and detailing; and the potential impact on important views including landscape.
118. NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 1 *Development Requirements* set out more detailed criteria for the consideration of planning applications including: impact on residential amenity; the scale, density, height, massing, design, layout and materials of the proposal is sympathetic to the character and appearance of the neighbouring buildings and the surrounding area; not leading to an over intensive form of development, be overbearing in relation to neighbouring properties, nor lead to undue overshadowing or loss of privacy. RLP-Pt2 Policy 1 *Development Requirements* also includes a consideration of significant adverse effects on landscape character.
119. The Melton Road, Edwalton Development Framework SPD (adopted October 2015) explains that *short and long range views should be created through the arrangement of blocks and streets to allow good legibility and sense of place. The development layout should create both open and channelled views towards the Community Park and Sharphill Wood, enabling visual links to the surrounding landscape and encourage pedestrian movement into the Park.*
120. Soils would be removed from the site to create a large plateau for construction, with ground lowered by up to 5m below existing levels. Siting the building on lowered ground, although raised by approximately 1.2m above the adjacent road level, would help reduce the visual impact of the building in the landscape against a backdrop of rising land towards Sharphill Wood. The playing fields to the south of the school building would lie adjacent to a planned community park and their location would offer an open view of Sharphill Wood from Rose Way. It is considered that the siting of the building would be in accordance with the Melton Road, Edwalton Development Framework SPD *Design Code – Principal Views*.

121. The applicant's response to the objection from Rushcliffe Borough Council on grounds of design is attached as Appendix 3. The Melton Road, Edwalton Development Framework SPD *Design Code* does not make specific comments or recommendations on the design of the school. A two storey two-form entry school will be a large structure and the scale and mass of the building require careful consideration. The 'L' footprint of the building is a compact form that presents a reduced elevation to Rose Way. The building would be sited within its own grounds and will become a focal point for the community in a central location within the completed housing development on a frontage to the spine road. The proposed building is of a different scale and character to nearby residential properties. The scale of the building within an individual setting is considered to justify the use of a different architectural style. The proposed use of brick and rendered elevations above of brick plinth visually interspersed by coloured doors and window frames, whilst a simple palette of materials, is considered to be acceptable. The metal standing seam roof would be viewed from higher ground to the west but would have little by way of visual clutter (three vent pipes and a roof light) breaking the roofline. The choice of facing materials and finishes is considered to be acceptable and the submission of samples is the subject of recommended Condition 10.
122. The setting of the school building and site would be mitigated by tree planting and proposed perimeter hedge and is considered to be acceptable. Although the visual impact of school security fencing is raised in representations (Paragraph 85o)), the appearance of required perimeter security fencing would be mitigated by hedge planting. A detailed landscape scheme, incorporating native tree species, hedgerow planting appropriate to the local area, wildlife friendly planting and a simple wildlife lawn seed mix will need to be submitted (Condition 13).
123. Generally, the acceptable distance between facing residential properties is 21m. However, at a school there will be prolonged periods during the day when first floor classrooms and other staff rooms will be occupied, which presents a greater threat (perceived or otherwise) to the privacy from overlooking of future facing residents. The proposed school building would be set back from the highway frontage to Rose Way and at a distance of 44m from the proposed facing property it is considered that the two-storey building would be appropriate in terms of scale and would not result in an overbearing impact or cause loss of light to neighbouring property. Loss of view (Paragraph 85y)) is not material to the determination of a planning application.
124. The provision of a school on this site within the wider residential development has been planned, and is identified in the approved Development Framework Supplementary Planning Document for Melton Road, Edwalton. The traffic and amenity impacts on residents living close to a planned school can be reasonably well anticipated. The selection of a house plot fronting a spine road at the centre of a residential estate with 540 houses to be built to the north will be subject to greater levels of passing road traffic compared to other parts of the estate and will not experience the tranquillity anticipated in representations (Paragraph 85p)).
125. Representation has been received commenting on the loss of a greenway (Paragraph 85s)) previously shown on an illustrative layout of future planned development prepared by the housing developer. With the school application site encroaching onto that indicative layout, the area to the north of the school

will need to be re-planned. A reserved matters application for the siting and design of housing has not been submitted to Rushcliffe Borough Council (June 2019) and will need to take account of the relationship to the school proposed in this application. The siting of the building 22m from the northern site boundary and in anticipation that the distance to windows in future housing development to the north would be no closer than 30m, the relationship to future neighbouring property would be acceptable without the need for additional landscape mitigation. Planned levels at the northern site boundary are similar to those at present and would not present unacceptable development issues to future development of land to the north.

126. The siting of the proposed sprinkler tank, pump house and bin store at the western end of the car park, the provision of timber enclosures between 2.0m and 3.5m in height, and the provision of adjacent tree screening would acceptably mitigate the visual impact of the structures. Appropriate provision is made for the storage of waste and should not attract vermin (Paragraph 85r)). Satisfactory design details have been provided and no additional information is required by condition.
127. NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 1 *Development Requirements* require development to be designed to minimise opportunities for crime. The school would be enclosed by perimeter security fencing. Fencing within the site would segregate operational areas of the school from the car park and main school entrance. The fencing would also control access to areas of the site during times of community use. Internal security measures would prevent community users accessing other areas of the school building and are considered to be acceptable.

Outdoor Activity and Noise

128. Suitable provision would be made for outdoor sport for a school of up to 420 places in two phases. Playing pitches will need to be constructed at suitable gradients as well as drained, and the submission of a construction specification is recommended (Condition 14).
129. NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 1 *Development Requirements* include a consideration of the amenity impact of noise. Outdoor play and activities, and use by the community outside of school use, have the potential to impact on the amenity of neighbouring occupiers. The formal hard court would be provided to the west of the school building and would be screened from existing and planned residential properties by the proposed school building. Informal hard play areas would be provided close to the school building. Anticipated noise levels likely to be generated have been considered in the consultation response from NCC Project Engineer (Noise) and found to be acceptable. Although the playing field would not be lit, community-based groups may want to use the playing field after dark (scouts and guides for example). Whilst such use is not anticipated to be frequent, consideration is given to whether such activity would give rise to unacceptable impacts. Through discussion with NCC Project Engineer (Noise) it is concluded that organised outdoor activities until 22:00 hours would be acceptable and without giving rise to unacceptable loss of residential amenity. Although reference is made to noise being heard from evening activity at Rushcliffe School (Paragraph 85q)), the facility in use is a flood-lit all-weather surface, and such provision is not

proposed as part of this application. The flood-lighting of the grass pitches would require a separate grant of planning permission and would be determined on planning merit.

130. Conditions are recommended to control noise from site activities outside normal school hours, and from operational plant and machinery (Conditions 23-25).

Sustainability

131. NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 1 *Development Requirements* encourage the use of appropriate renewable energy technologies and the design, layout and materials of the proposal should promote a high degree of energy efficiency.
132. The need for the building to be an environmental exemplar has been raised in representations (Paragraph 85x)). Additional sustainable design features have been considered but discounted by the applicant. It is considered that the applicant has satisfactorily demonstrated the sustainability of the proposed design, aiming to achieve an Energy Performance Certificate rating A. U values (thermal loss) would be to a higher standard than required by the Building Regulations Part L.
133. The provision of two electric vehicle charging points and facilitating the future provision of additional charge points by installing ducting as part of the construction, would be in compliance with NPPF Paragraph 110e), and is the subject of recommended Condition 16.
134. RLP-Pt2 Policy 18 *Surface Water Management* will allow development that encourages the use of sustainable drainage systems taking account of the level of flood risk. The site is unsuitable for soakaways. The Flood Risk Assessment supporting the application proposes on-site attenuation of surface water prior to discharge into the surface water system serving the residential estate and is acceptable in principle subject to the submission of a detailed drainage design (Condition 9). A recommended informative identifies relevant matters to be covered in the submission (Note 2).

Ecology and Lighting

135. NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 1 *Development Requirements* include a requirement that development should give rise to no significant adverse effects on important wildlife interests and that light pollution is minimised. Policy 36 *Designated Nature Conservation Sites* will not allow development that would have a significant adverse impact on a site of local nature conservation. RLP-Pt2 Policy 40 *Pollution and Land Contamination* requires that lighting schemes should limit lighting to meet functional requirements and to consider impacts beyond the site, such as nature conservation and impact on bats.
136. Representations received identify the need to off-set the ecological impact of the development (Paragraph 85v)). The consultation response from NCC Nature Conservation has identified the development site to be of low ecological value. The development would not have a significant impact on the Sharphill Wood Local Wildlife Site. Satisfactory measures have been proposed to mitigate

potential ecological impact through the provision of bat and bird boxes. Proposed sparrow and starling boxes are designed to be surface mounted. Notwithstanding details shown on submitted elevations the swift boxes and bat boxes should be integrated into the structure of the building (Condition 3).

137. The impact of noise from activities on the playing field and outdoor hard play areas on Sharphill Wood would be partially screened by the bank formed by lowering existing ground levels on the western part of the site. It is not anticipated that operational school noise would give rise to adverse ecological impact.
138. No details of proposed lighting have been submitted in support of the application and subject of a recommended condition and advisory note that the lighting scheme should be designed to minimise impact on bats would be compliant with NSRLP Policy GP2 *Design and Amenity Criteria* and RLP-Pt2 Policy 40 *Pollution and Land Contamination* (Condition 12 and Note 3).
139. A condition is recommended to control vegetation clearance for construction during the bird nesting season (Condition 4) and precautionary measures will need to be implemented to safeguard against risk to mammals during construction (Condition 6c)).

Construction

140. The archaeological potential of the wider site has been assessed in Rushcliffe Borough Council's approval of the Sustainable Urban Extension and no further archaeological investigations are required.
141. It is considered that there is a low risk of contamination being found. A condition is recommended to require a watching brief for unexpected contamination which may be encountered (Condition 7).
142. In the context of the school being built alongside an active housing construction site, occupiers of early housing plots will reasonably expect to experience construction noise nearby. Conditions are recommended to control hours of deliveries to site, hours of construction and noise generated by construction (Condition 5 and Condition 6a)).
143. The deposition of excavated soils has been raised in representations (Paragraph 85t)). The transport of soils off-site may require an Environmental Permit from the Environment Agency, but is not a matter material to the determination of the planning application (Note 9).

Other Matters

144. Low water pressure and the impact of development (Paragraph 85z)) is a matter for the water authority and not material to the determination of this application (Paragraph 85z)).
145. Loss of value (Paragraph 85aa)) is not a material planning consideration.

Other Options Considered

146. 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

147. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder, and Safeguarding of Children and Adults at Risk Implications

148. The development would be enclosed by perimeter security fencing. Secure lines are proposed within the building and the wider school site to control and restrict access when available to the community outside of school hours. No community use is proposed during school operational hours.

Implications for Service Users

149. Facilities within the school building and wider school site would be available to community users outside of school hours in accordance with the terms of a Community Use Agreement.

Data Protection and Information Governance

150. Any member of the public who has made representations on this application has been informed that a copy of their representation, including their name and address, is publicly available and is retained for the period of the application and for a relevant period thereafter.

Financial Implications

151. The applicant has confirmed that the cost of a Traffic Regulation Order and modification of the Section 38 highway adoption agreement would be met by the project (Paragraph 41). The applicant would be expected to cover all reasonable legal costs incurred by the County Council during the drafting and execution of the required agreement.

Human Rights Implications

152. 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 activities associated with a school. The proposals have the potential to introduce impacts such as noise and disturbance and traffic impacts causing loss of amenity to

nearby residents. However, these potential impacts need to be balanced against the wider benefits the proposals would provide through the provision of primary school places. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Public Sector Equality Duty Implications

153. The consultation response from NCC Access Officer has confirmed that there are no Public Sector Equality Duty implications arising.

Implications for Sustainability and the Environment

154. These have been considered in the Observations section above.

Human Resources

155. There are no Human Resources implications arising.

Statement of Positive and Proactive Engagement

156. 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 and European Regulations. 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 highway traffic impacts and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions and the County Planning Authority has also engaged positively in discussing the requirements of a Traffic Regulation Order. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

157. 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 4. Members need to consider the issues set out in the report and resolve accordingly.

ADRIAN SMITH

Corporate Director – Place

Constitutional Comments [SG 26.06.2019]

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

Financial Comments [RWK 25.06.2019]

The applicant has confirmed that the cost of a Traffic Regulation Order and modification of the Section 38 highway adoption agreement would be met by the project (Paragraph 41). The applicant would be expected to cover all reasonable legal costs incurred by the County Council during the drafting and execution of the required agreement. There will therefore be no net additional cost to the County Council.

Background Papers Available for Inspection

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

Electoral Division and Member Affected

West Bridgford South

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