



16 October 2012

Agenda Item: 7

REPORT OF GROUP MANAGER PLANNING

ASHFIELD DISTRICT REF. NO.: 4/V/2012/0281

**PROPOSAL: SINGLE STOREY CLASSROOM & MEETING ROOM
EXTENSION**

**LOCATION: GREENWOOD PRIMARY SCHOOL, SUTTON MIDDLE
LANE, KIRKBY-IN-ASHFIELD**

APPLICANT: GREENWOOD PRIMARY SCHOOL

Purpose of Report

1. To consider a planning application for a single storey extension to accommodate a classroom and a meeting room at Greenwood Primary School, Sutton Middle Lane, Kirkby-in-Ashfield. The key issue relates to traffic, access and safety. The recommendation is to grant planning permission subject to conditions.

The Site and Surroundings

2. Greenwood Primary and Nursery School is located towards the western edge of Kirkby-in-Ashfield, approximately 1km north-west of the town centre (see Plan 1). The school is in a residential setting with dwellings immediately bordering the school on its northern, southern and western boundaries. On its eastern boundary the school is bordered by Sutton Middle Lane, with residential properties on the opposite side of the road.
3. The school site comprises a single school building, car parking, playground area, a hard surfaced sports court, a playing field and associated landscaping and fencing. In addition, there is a separate Sure Start centre at the school.
4. The school building occupies the eastern part of the campus, and the main school building is a single storey brick built building with pitched roof. The car park, hard surfaced sports court and playing field are all to the west of the school building. The Sure Start centre is located in the south-eastern corner of the school site, fronting and with access gained from Sutton Middle Lane. The Sure Start centre is a modular building with canopies and a hard/soft surface play area to the rear. The layout of the school site is shown in Plan 2.

5. The nearest sensitive receptors are residential properties surrounding the school. On the southern boundary of the school the nearest residential building is located approximately 35m south-east of the proposed development, with the nearest garden approximately 12m distant.
6. The proposed development is not within any areas of designation, although it is noted that the school playing fields and areas of land to the south of the proposed extension is designated as Formal Open Space on the Ashfield Local Plan proposals map.
7. The school is accessed off Sutton Middle Lane, which is a cul-de-sac. Sutton Middle Lane can be accessed from Willow Avenue, Banks Avenue, or Rowan Drive, all of which are to the south of the school. There are two cul-de-sacs located off Sutton Middle Lane, Buckingham Close and Maple Crescent/Box Crescent, which are on the opposite side of the road to the school. The staff vehicular access is located at the northern end of Sutton Middle Lane. There is a second access approximately 60m from the end of the road which provides the entrance to the school reception and there is a small visitor car park in this location. There is a separate dedicated pedestrian access to the Sure Start Centre.

Planning History

8. Over the past 20 years there have been various developments on the school site. Table 1 provides a brief planning history of Greenwood Primary School:

Table 1: Development at Greenwood Primary School (December 1993 to date)

Date	Planning Ref No.	Description
December 1993	4/93/0728	2 Classroom rear extension and rear refurbishment and perimeter security fencing and gates
January 1998	4/97/0693	2 Classroom extension with multi-media room
December 1998	4/98/0618	Single classroom extension (in traditional construction)
April 2002	4/2002/0146	Classroom extension
December 2003	4/2003/0735	Floodlit macadam multi-use games area
July 2006	4/2006/0410	Extension to provide new classroom and store, and internal alterations
September 2010	4/2010/0325	Single storey temporary modular building for use as a Sure Start Children's Centre with canopies; provision of a new pedestrian access and 2M high fencing
April 2011	4/2011/0090	Single storey extension

Proposed Development

Background

9. Greenwood Primary and Nursery School was built approximately 60 years ago in order to serve the council estate around the Greenwood Drive area. At this time the school had approximately 100 pupils. An increasing number of private homes have been built within proximity of the school within the past 20 years and as a result the number of homes within the school's catchment area has increased.

10. In addition, the school's reputation has been increasing and in the last OFSTED report (2010) the school was rated good with outstanding features. This has resulted in an increase in parental preference for the school, with over 30% of pupils being from outside of the school catchment area.
11. In 1998 the school's Planned Admission Number (PAN) was set at 60 pupils per year group from Foundation Stage 2 to Year 6, with a 78 place nursery. Over the past 20 years the school's pupil numbers have risen to a point where the majority of year groups are now full due to a combination of increased housing within the catchment and the reputation that the school has built.
12. In light of the above, the applicant is seeking planning permission for a single storey extension to provide a classroom and a meeting room. The applicant states that the space is to cater for pupils that the school already has, and there is no intention to expand.
13. The intention is to replace a classroom which has space for 25 pupils, and is considered too small for the number of pupils moving up through the school to work comfortably, with a classroom that provides space for 30 pupils. The classroom that would be vacated would then be used as a space where staff can meet or work with small groups to raise their attainment levels. It is reported that some small groups currently make use of the corridor.
14. The applicant also states that there are currently no rooms for a library or an ICT suite. There are also no rooms where counsellors can meet privately with children, or where the school nurse can do routine health checks, or where instrument tutors can work with children. The vacated classroom would present an opportunity for these purposes.

Development

15. The proposed development is the construction of a single storey extension to Greenwood Primary School. The extension would have a footprint of approximately 124m² and would be located at the southern end of the existing school building, abutting two of the school's existing elevations.
16. There would be two internal accesses to the new classroom, one being off an existing corridor and the other from an existing classroom. The meeting room would be accessed through the classroom. There would be four windows to the new extension (three to the classroom and one to the meeting room) and also a fire door.
17. The extension would be of a brick built construction with corrugated sheet roofing and powder coated aluminium framed windows to match the existing school building. The extension would have external measurements of 14.8m by 8.4m, and would be 3.7m in height to the ridge (3.0m to the eaves).
18. At present, there are some low level shrubs along the perimeter of the southern side of school. To facilitate the extension these shrubs would have to be removed. Re-planting of the low level shrubs is proposed along the southern and western edge of the extension.

19. The applicant has applied for the hours of opening for the classroom to be from 06:00 to 18:00.
20. The development would necessitate the insertion of two windows within the roof of the existing classroom from which the proposal would build out from in order to provide suitable natural light. This element of the scheme would not, however, require planning permission and is mentioned for the sake of completeness.

Consultations

21. **Ashfield District Council Planning Department** – *There is no objection to the proposed development subject to the materials and finishes to be used in the external elevations and roof matching those that are used in the construction of the existing building.*
22. **NCC (Highways)** – *There were initial concerns regarding the level of parking provision and further information was requested from the applicant.*
23. *A letter was provided by the Head Teacher with relevant information and giving certain assurances stating the extension will not result in an increase in the school roll and will only be for the benefit of existing pupils. Consequently the existing parking situation on the surrounding highway will not degenerate further as a result of this application.*
24. *In view of the above the Highway Authority has no objection to the application in principle.*
25. **NCC (Road Safety)** – *Given that there will be no increase in students and therefore no increase in vehicles to the school there is no objection to the application.*
26. **NCC (Nature Conservation)** – *The proposal relates to an extension to the existing school building. The age of the building is between 8 and 16 years (as judged from the 1996 and 2004 aerial photographs). It is of brick-built construction, and photographs suggest that it is in good condition. As such, NCC Ecology are of the opinion that it is not likely to host roosting bats, an assessment which has been made with reference to Box 2.1 of the Bat Conservation Trust's publication "Bat Surveys – Good Practice Guidelines".*
27. *Nevertheless, it is recommended that an informative is included with the decision notice stating that in the unlikely event of bats being encountered during the works, all activities should cease immediately and expert advice should be sought.*
28. **NCC (Noise Engineer)** – *The proposal would not give rise to any noticeable increase in the levels of noise being generated from use of the school buildings and its associated outdoor play areas upon surrounding residential properties. Construction noise levels associated with this proposal would reflect those generated by standard building methods and be acceptable to local residents.*

29. *It is noted that the applicant is seeking hours of 06:00 to 18:00 Monday to Friday. Given that this is a residential area this is considered too early and hours of 07:00 or preferably 07:30 are recommended.*
30. **Severn Trent Water Limited** – *No objection.*
31. **Western Power Distribution, National Grid (Gas), Police Force Architectural Liaison Officer and NCC (Forestry and Arboriculture)** have not responded. Any response received will be orally reported.

Publicity

32. The application has been publicised by means of site notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. A total of 17 letters and 3 e-mails have been received raising objections to the proposed development. The objections received are from residents of Buckingham Close, Box Crescent, Maple Crescent and Sutton Middle Lane and all relate to traffic and parking.
33. The existing traffic and parking situation around the school has been highlighted as very bad, particularly during weekday mornings and afternoons around school pick-up and drop-off times. Residents' concerns with the existing traffic and parking can be categorised into access; safety; abuse and threats; and damage and litter. The concerns relating to each of these categories are discussed in more detail below.
34. With regard to access, Sutton Middle Lane, the street which the school is located on, is a cul-de-sac. There is a high volume of vehicles associated with the school particularly during pick-up and drop-off times during the morning and afternoon. Residents state that during these periods cars double park, park on corners of streets (including Buckingham Drive and Maple Avenue) and park in front of residents' drives and in their disabled bays. This results in a situation where the road is sometimes completely blocked.
35. Residents have highlighted situations where they have not been able to leave the street, or their drives, due to parked cars preventing exit. This has led to people being late for work, meetings and appointments. Residents have also highlighted occasions when returning to their houses they have had to park some distance away as they could not get to their properties, this is raised as a particular problem for elderly residents and those with shopping items to carry. A number of residents state that they have to plan their lives around the school run.
36. It is reported that there have been instances where refuse collection vehicles have had to abandon the bin collection as access could not be gained to the street. There are reportedly weeds in gutters due to street cleaners not being able to properly maintain the roads. A letter also states that school buses have to reverse down the road as there is no where for them to turn around.

37. From a safety perspective, it has been stated that with cars parked on both sides of Sutton Middle Lane it makes crossing the road very difficult. The double parking and parking on street corners results in drivers having to use the wrong side of the road on occasion.
38. There is concern with the existing situation that at certain points of the day visitors, taxis, carers, doctors and emergency vehicles cannot access the streets and have to park some distance away. This is a particular concern as many of the residents are elderly. It is reported that in 2008 a resident collapsed of a heart attack and the ambulance had to park two streets away, with the resident subsequently dying. In a separate incident, a resident highlighted a recent occasion in February 2012 where an elderly resident had to be taken by gurney along the pavements as access could not be gained to their property.
39. Separate to the safety implications of access, concern is raised regarding children crossing the road with the current level of vehicles described as an accident waiting to happen. It is also reported in one of the objection letters, that two children have been knocked down recently with one being taken to hospital with concussion. There is also an elderly resident who reports difficulty travelling along pavements on their mobility scooter due to the amount of parked cars.
40. Some of the letters of objection report that drivers have used peoples drives and gardens to turn cars around in. Letters state that grass verges in front of some residents' properties are their responsibility to maintain, however, vehicles are repeatedly parking on these areas, damaging the grass and making them muddy. It is also reported that there has been damage to cars and an increase in litter.
41. A number of the letters received have reported that when drivers are challenged about inconsiderate and illegal parking this has resulted in cases of verbal abuse and threats.
42. Residents have highlighted that the above problems associated with the level of traffic and vehicles around the school have worsened since the Sure Start centre located within the school ground opened. This has also resulted in staff vehicles associated with the school and the Sure Start centre parking on surrounding roads throughout the day, for up to nine hours, causing parking issues not just at the morning and afternoon drop-off and pick-up times.
43. The letters of representation object to the proposed development because it is claimed that an increase in school accommodation will result in an increase in pupil numbers at the school, leading to more vehicles and exacerbating the existing situation. Some residents acknowledge that the planning application states that the extension would not result in an increase in pupil numbers, but are concerned that this is only in the short term and eventually more space would lead to more pupils. There is also fear that the meeting room would be rented out to various groups for additional revenue for the school.
44. It is reported that Police Community Support Officers (PCSO) have been patrolling the area and attempting to relieve the parking problems, but that this

- has only started since a planning application was submitted for the proposed extension.
45. One letter mentions an “expected increase of 1,000 homes to be built behind the fire station”, which would also create parking problems.
 46. There is an objection that there has been a lack of effective consultation, with no residents of Buckingham Close having been directly consulted. It is stated that this infringes the residents’ rights to quiet enjoyment of their neighbourhood.
 47. Some of the residents have suggested measures to improve the parking situation around the school, these include the following:
 - a) Double yellow lines being painted on roads surrounding the school. Particular roads highlighted for this treatment include Sutton Middle Lane and Buckingham Close;
 - b) Residents’ only parking, or time restricted parking with resident’s only allowed at set hours (hours suggested include 08:30-09:30, 11:30-13:30 and 14:30-15:30) on Buckingham Close and Sutton Middle Lane;
 - c) It is suggested that the cul-de-sac end of Sutton Middle Lane is opened up to connect with Belfry Close, or even the roundabout on Wentworth Road to help relieve the bottleneck;
 - d) The field at the end of Sutton Middle Lane could be used as a car park;
 - e) A specific area is provided to allow buses to turn around;
 - f) Use of the meeting room is restricted to internal staff;
 - g) Official signs are erected that ban the blocking of driveways, the inappropriate use of disabled parking bays, parking on pavements and parking on residents’ property. Signs should highlight fines for infringements;
 - h) Regular but random visits by police are undertaken, with fines enforced. Police should also accept vehicle registration numbers provided in their absence.
 48. It should be noted that the Head Teacher provided a letter of clarification, dated 20th September 2012, relating to the proposed extension. The letter reinforces the statement that the application will not result in an increase in pupil numbers, and provides an explanation of why this is the case even through there would be additional space within the school. This letter has been provided to Ashfield District Council to form part of the planning register and has been published on the Nottinghamshire County Council web site.
 49. Councillor John Knight has been notified of the application.
 50. The issues raised are considered in the Observations Section of this report.

Observations

Introduction

51. The proposed development is the construction of an extension to the southern end of Greenwood Primary and Nursery School. The extension would comprise a replacement classroom and a new meeting room.
52. The purpose of the extension is to provide adequate space for the pupils that the school currently has. It is proposed as a replacement for a classroom which the applicant states is too small for the number of pupils moving up through the school to work in comfortably.
53. The classroom used by a current Year 6 class contains 23 children, and has a capacity for 25 children. However, next year the Year 6 class will have 30 children. As such, the existing Year 6 classroom would have insufficient space to accommodate next year's class. The applicant confirms that the space which is currently used as the Year 6 classroom would then be available for non-classroom uses such as a joint meeting/intervention room, a private space for medical professionals/children's social care or instrument tutors.

Planning Policy

National Planning Policy Framework (adopted March 2012)

54. Chapter 7 (Requiring good design) of the National Planning Policy Framework (NPPF) seeks that development contributes positively to making places better for people. The NPPF highlights the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also recommends that applicants are expected to work closely with those directly affected by their proposal to take account of views of the community and where this can be demonstrated the new development should be looked upon more favourably.
55. Considering the proposed extension, the development is not of an outstanding or innovative design that would raise the standard of design within the area. However, such architectural quality would not necessarily be appropriate for a small school extension such as this. The extension has been designed so as to match the existing school and therefore ties in well with the existing building from a design perspective. It is therefore in line with the design strategy of the NPPF.
56. Chapter 8 (Promoting healthy communities) of the NPPF highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. With reference to schools the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It also states that Local Planning Authorities (LPAs) should take a proactive, positive and

collaborative approach to meeting this requirement, and to development that will widen choice in education. LPAs should give great weight to the need to create, expand or alter schools.

57. The NPPF places great weight on development that ensures a sufficient choice of school places is available to communities. It is noted that the applicant states that the proposed development would not result in an increase in pupil numbers. However, it also encourages development that would widen choice in education and gives weight to the need to expand and alter schools. The applicant has highlighted the potential for the additional space released within the existing school building being used for ICT, library or other facilities. As such, there is strong support within the NPPF for this development.

Ashfield Local Plan Review (adopted November 2002)

58. Policy ST1 of the Ashfield Local Plan Review (ALP) provides a series of criteria within which development must accord in order for it to be permitted, including:
- a) It will not conflict with other policies in this local plan;
 - b) It will not adversely affect the character, quality, amenity or safety of the environment;
 - c) It will not adversely affect highway safety, or the capacity of the transport system;
 - d) It will not prejudice the comprehensive development of an area;
 - e) It will not conflict with any adjoining or nearby land use.
59. In assessing the proposed development against Policy ST1 it is considered that it will not conflict with other policies within the local plan. As discussed above, the development has been designed to match the materials and design of the existing school and is considered to reflect the character of the area from a design perspective. The proposals would not prejudice development elsewhere and, as the site is already a school, the use of the proposal is not deemed to conflict with adjoining land uses (i.e. residential development).
60. Notwithstanding the above, there have been significant concerns raised regarding the potential for the development to exacerbate existing highway safety issues and the capacity of the local road network. On balance, it is unlikely that the development will result in additional pupils, and therefore, additional traffic. As a result the development is considered to be in accordance with Policy ST1. Traffic issues are discussed in more detail below.
61. Policy ST2 (Main Urban Areas) states that development will be concentrated within the main urban areas of Hucknall, Kirkby-in-Ashfield and Sutton-in-Ashfield. Given that the proposal is within the urban boundary of Kirkby-in-Ashfield the development is in accordance with this policy.
62. The playing fields to the west of the school building are designated as formal open space in the ALP proposals map and are generally protected from

development by Policy RC3. Whilst the proposal is proximate to designated land, it would not impact upon it and, as such, the development is in accordance with the policy.

School Numbers

63. The application states that the proposed development is to accommodate existing pupils within the school and would not result in an increase in pupil numbers. The Head Teacher has provided a supplemental letter of clarification explaining that the proposed classroom would be a replacement rather than an additional classroom, and that the space released would provide space for school uses that there is currently not space for such as a joint meeting/intervention room, a private space for medical professionals/children's social care or instrument tutors and ICT facilities.
64. The Planned Admission Number (PAN) is the number of pupils that the school can admit each year. This is set at 60 per year group and has been set at this number since 1998. This means that from Foundation Stage 2 to Year 6 the school has a maximum Number on Roll (NOR) capability of 420 pupils. In addition, the school has a 78 place nursery, although this is split into morning and afternoon sessions so there is a maximum of 39 pupils in the nursery at any one time. In total, the maximum number of pupils that the school can accommodate is 459 at any one time.
65. At present the school is operating below the maximum capacity with 388 full time pupils in the school and 46 pupils in the nursery.
66. The number of pupils on the school roll over the past 10 years is summarised in Table 2 below (not including nursery places):

Table 2 – Number of pupils on the school on roll

Year	Number on Roll (NOR)
2002	342
2003	347
2004	358
2005	367
2006	374
2007	364
2008	356
2009	351
2010	355
2011	363
2012	388

67. There have been fluctuations over the past 10 years, but the school has never been up to its maximum capacity. The school say that they do not have space for the current number of pupils, yet the maximum capacity of the school is 420 (based on 60 pupils in each year group). NCC Admissions Team confirm that the current net capacity is set at 405 due to the presence of one undersized classroom, but should planning permission be granted for the current proposal the site would be re-measured and the net capacity may rise to 420 which would align it with the PAN.

68. It is also highlighted that the school received a rating of 'Good' with outstanding features in their last OFSTED report, in 2010. This has resulted in the school being a draw for pupils outside of the school's catchment area, with 30% of the schools pupils being from out of catchment areas.
69. The NCC Admissions Team has confirmed that the PAN is 60, which does not match up with the school's net capacity. The school have 60 first admissions this school year, so if they continue to fill from the bottom end of the school the maximum capacity would have to become 420. In fact, the school are legally obliged to admit up to its PAN. However, it is highlighted that the number of 4+ children in the catchment actually falls over the next 4 years (31 in 2015/16) so the school would be accepting children from out of catchment areas. The out of catchment schools are Jeffries (25%) and Leamington (10%).
70. It is also worth noting that the NCC Admissions Team highlight that the standards at Jeffries are improving and Leamington is due to receive a replacement school. It is therefore questioned whether the out of catchment trend will continue.
71. Based on the available information it is very difficult to predict whether the school numbers will rise, fall or remain static and whether this proposed development would facilitate a rise in pupil numbers. One of the objections raised by numerous residents is that even if there were no increase in pupil numbers in the short term, the increase in space would allow numbers to rise in the future.
72. Taking the above into account, it is considered that even with the best intentions it is very difficult to predict pupil numbers and analyse the out of catchment preferences of parents as school reputations change, and with the increase in space at the school it could eventually result in an increase in pupil numbers that exacerbates the existing traffic and parking situation in a very constrained location. This is coupled with the fact that the net capacity of the school may increase following re-measuring of the school by the Children's Place Planning and Admissions Team. However, it is noted that the school does appear to need additional non-classroom space. It is therefore considered some form of control would be needed to ensure that the proposed development would not result in an increase in pupils now, or in the future.
73. It is therefore recommended that a condition is placed on any planning permission granted limiting the total number of pupils at the school to the existing PAN of 60, with the nursery having no more than 39 pupils at either the morning or afternoon sessions.
74. The Planning Authority does not wish to encroach upon the Education Authority's remit. However, the recommended condition has been discussed with the NCC Admissions Team and it is considered an acceptable approach to enable additional facilities at the school whilst ensuring the existing traffic and parking situation is not exacerbated by the proposed development.

Traffic and Parking

75. Greenwood Primary and Nursery School is located in a somewhat constrained location, along a narrow residential estate road, which is a cul-de-sac. It is recognised that there is a significant existing issue with traffic and parking in the vicinity of Greenwood Primary and Nursery School, particularly on Sutton Middle Lane, Buckingham Close, Box Crescent and Maple Crescent. The existing situation has been raised in a significant number of objections from local residents.
76. The existing problems relate to the volume of vehicles around the school and it is reported that there are significant issues relating to access; illegal parking; blocking of drives; confrontations between pupils' parents and residents; damage to property and vehicles; and potential health and safety issues associated with a high volume cars and a lack of access for emergency vehicles. It is also reported that these issues have become worse since the opening of the Sure Start Centre within the school grounds.
77. The objections raised all highlight the existing problems with vehicles and parking around the school and object to the proposed development because it is considered that the proposed additional space will result in an increase in pupils and consequently exacerbate the existing problems with traffic and parking.
78. The planning application and the clarification letter from the Head Teacher, state that the proposed development would not result in an increase in pupil numbers. Based on the applicant's statement that there will be no increase in pupil numbers, the NCC Road Safety Team and the NCC Highways Team consider that this application will not impact on the existing traffic and parking situation around the school and do not object to the scheme.
79. Some of the letters of representation received by local residents have made suggestions to try to improve the existing traffic and parking problems around the school. The suggestions include various methods of parking restrictions (yellow lines, permit parking etc); provision of additional parking and turning space; turning Sutton Middle Lane into a through road and regular patrolling/policing of the area.
80. Whilst the residents' suggestions may help to reduce some of the existing issues, the development is stated as not increasing pupil numbers. Therefore, the County Council would not be able to impose any of these measures by condition as they do not relate to the proposed development in line with Circular 11/95 (Use of Conditions in Planning Permissions). Furthermore, the majority of these suggestions relate to land outside of the planning application boundary and the applicant's control. As such, the County Council is unlikely to be able to satisfactorily enforce any conditions placed on such land.
81. It is also reported that the school currently employs a number of measures to try to control the existing traffic and parking situation. These include:
 - a) advisory zigzag lines outside the school entrance;

- b) The school requests walking or 'park and stride' options, as well as urging considerate parking in each half term newsletter and weekly after school club letters;
 - c) The school works with the police who have issued parking advice notices to any drivers parked illegally;
 - d) Time has been spent with PCSOs advising drivers at the start and end of the school day;
 - e) A school travel plan was produced in 2006 by the previous Head Teacher, when grants were available for projects to protect pupils/pedestrians accessing the school. Money received from this grant was used for safety railing immediately outside pupil exits.
82. Based on the above, the development is not considered to adversely affect highway safety or the capacity of the transport system and is, therefore, in accordance with Part c) of Policy ST1 of the ALP.

Noise

83. The NCC Noise Engineer has assessed the proposed development and does not consider that extending the school will cause any material change in the levels of noise experience by surrounding residents. It is also noted that there have been no objections relating to noise from local residents. As such, the development is considered to be in accordance with the amenity aspects of Policy ST1 of the ALP from a noise perspective.
84. Notwithstanding the above, the planning application seeks hours of use from 06:00 to 18:00 for the proposed extension and the NCC Noise Engineer considers this to go beyond the normal working hours for a school and recommends that a condition restricts the hours of use from 07:00 or 07:30. This is considered reasonable, and unlikely to place any undue restrictions on school activities, it is therefore recommended that such a condition is attached to any planning permission that is granted.

Other Issues

85. The proposed extension site has been assessed as not likely to have potential for roosting bats. Nevertheless, an informative should be attached to any planning permission reminding the applicant that in the event of bats being encountered activity should cease and expert advice should be sought, in line with the recommendations of NCC Ecology.
86. One letter of objection from a local resident claimed there has been insufficient consultation in respect of this application and that this infringes their rights to a quiet enjoyment of their neighbourhood. The application has been advertised by way of site notices (one at the school entrance, opposite Buckingham Close, and another on Willow Avenue) and neighbour notification letters sent to the properties nearest the proposed development on Sutton Middle Lane and Willow Road. This approach to consultation is in accordance with the adopted Nottinghamshire County Council Statement of Community Involvement.

Other Options Considered

87. 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.

Human Rights Act Implications

88. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol are those to be considered. In this case, the potential for the development to result in increased traffic and the potential access, health and safety implications that this would have. However, it is considered that there are no impacts of any substance on individuals and therefore no interference with rights safeguarded under these articles.

Statutory and Policy Implications

89. This report has been compiled after consideration of implications in respect of finance, equal opportunities, 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.

Crime and Disorder Implications

90. The proposed development would form part of the existing school building and, as such, would benefit from the existing security measures. The school site is secured by a combination of fencing and hedges at its boundaries.

Conclusions

91. The proposed development is a single storey classroom extension to the southern end of Greenwood Primary and Nursery School. The key issues relate to the potential for the extension to lead to an increase in pupil numbers and exacerbate existing traffic and parking issues on the roads surrounding the school. These issues have been raised by a significant number of residents in letters of objection.
92. The application states that the school does not want to increase its pupil numbers and the purpose of the development is to provide a replacement classroom with the space vacated being used for non classroom purposes. The school's immediate space requirements for ICT, library joint, meeting / intervention room, a private space for medical professionals/children's social care and instrument tutors is accepted. However, from a more long term perspective there is concern that future pupil fluctuations could result in the additional space created being used for pupil increase due to external pressures

(e.g. parental preference for the school from out of catchment), which is very hard to predict.

93. With the existing issues in mind, it is recommended that the application is granted permission subject to a condition which ensures that the existing PAN of 60 is not increased.

Statement of reasons for the decision

94. The County Council is of the opinion that the proposed development is in accordance with the following policies:
95. The proposed development is of a design that matches the existing school building and reflects the character of the school. The development is therefore in accordance with Chapter 7 of the National Planning Policy Framework (NPPF), which seeks to prevent poor quality design.
96. The development would provide the school with additional space to use for school activities and facilities which are currently restricted by insufficient spaces. The improvement of facilities is in accordance with Chapter 8 of the NPPF which encourages development that would widen choice in education and gives weight to the need to expand and alter schools.
97. Policy ST1 of the Ashfield Local Plan (ALP) seeks to ensure that development does not conflict with other policies in the plan; would not adversely affect the character, quality, amenity or safety of the environment; would not adversely affect highway safety; and would not prejudice the comprehensive development of an area or conflict with an adjoining land use. The development would be used for school purposes on land that is established as having a school use and would not affect development elsewhere. The building is in keeping with the surroundings. The development, with the attached conditions, would not result in an increase in pupil numbers above that which the school are currently allowed and, as such, would have no impact on traffic and parking above that which the existing school has the capacity for.
98. The development is within the urban boundary of Kirkby in Ashfield, one of the main urban boundaries, and is therefore in accordance with Policy ST2 of the ALP.
99. The development would not encroach upon protected open space and is, therefore, in accordance with Policy RC3 of the ALP.
100. There are no material considerations that indicate that the decision should be made otherwise than in accordance with the above. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

RECOMMENDATIONS

101. 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 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

SALLY GILL

Group Manager (Planning)

Constitutional Comments (NAB 8.10.12)

Planning and Licensing Committee has authority to approve the recommendation set out in this report.

Financial Comments (DJK 08.10.12)

The contents of this report are duly noted; there are no financial implications.

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Kirkby in Ashfield North – Councillor John Knight

Report Author / Case Officer

Oliver Meek

0115 9696516

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

W001028 – DLGS REFERENCE

PPCS.OM/PB/ep5349

5 October 2012 – Date Report Completed by WP Operators

RECOMMENDED PLANNING CONDITIONS

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

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

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. The development hereby permitted shall be carried out in accordance with the following plans and documents:

- a) Site Location Plan, OS Sitemap Greenwood Primary School – received by the CPA on 7 June 2012;
- b) Drawing Ref: 001/12/CSB titled ‘Existing Elevations and Floor Plan’ – received by the CPA on 12 June 2012;
- c) Drawing Ref: 002/12/CSB titled ‘Proposed Elevations and Floor Plan’ – received by the CPA on 12 June 2012;
- d) Drawing Ref: 003/12/CSB titled ‘Existing and Proposed Roof and Landscape Layout’ – received by the CPA on 12 June 2012;
- e) Planning Application Forms – received by the CPA on 13 June 2012;
- f) Planning, Design and Access Statement for Single Storey Classroom and Meeting Room Extension – received by the CPA on 12 June 2012;

Reason: For the avoidance of doubt.

4. The Planned Admission Number for the school shall not exceed 60 children per year group.

Reason: In order that the CPA may control and assess the wider planning impacts of the future use of the site, in the interests of highway safety, amenity and to accord with Policy ST1 of the Ashfield Local Plan Review.

5. Prior to their use on site details of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted shall

have been submitted to the CPA for its written approval. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to accord with Policy ST1 of the ALPR.

6. Low level planting along the southern and western boundaries of the extension hereby permitted shall be completed in accordance with Drawing Ref: 003/12/CSB received by the CPA on 12 June 2012. The works shall be carried out within the first planting season following the completion of the development or as agreed in writing by the CPA. Any shrubs that, within a period of five years after planting, die, are removed or, in the opinion of the CPA, become seriously damaged or diseased, shall be replaced in the first available planting season with specimens similar to those originally approved, unless the CPA gives written consent to any variation.

Reason: In the interests of visual amenity and to accord with Policy ST1 of the Ashfield Local Plan Review (ALPR).

7. No vehicles involved in the construction work shall leave the school site in a condition whereby, mud, clay or other deleterious materials are carried onto the highway.

Reason: In the interests of highway safety.

8. Unless in the event of an emergency when life, limb or property is in danger (which the CPA shall be notified of in writing within 48 hours of its occurrence) or with the prior written agreement of the CPA no construction shall be carried out or plant operated other than between the following hours:

07:30 hours to 18:00 hours on Mondays to Fridays; and between 08:00 hours to 13:00 hours on Saturdays.

No construction work shall take place on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy ST1 of the ALPR.

9. No activities within the school shall commence prior to 07:00 on any day.

Reason: In the interests of the amenity of nearby occupiers and to accord with Policy ST1 of the ALPR.

NOTES TO APPLICANT

1. Should any bats be encountered on the site during the course of the development hereby permitted, operations shall immediately cease until a suitable mitigation approach has been agreed with the CPA.