



18 November 2014

Agenda Item:

**REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES**

BASSETLAW DISTRICT REF. NO.: 1/14/01273/CDM

**PROPOSAL: ERECTION OF A THREE STOREY REPLACEMENT SCHOOL,
REPLACEMENT EXTERNAL SPORTS PROVISION INCLUDING
RELOCATED TENNIS COURTS, CAR PARKING, CYCLE PARKING,
LIGHTING AND CCTV, ALTERATION TO PEDESTRIAN ACCESS AND
LANDSCAPING WITH REUSE OF EXISTING WELD MESH SECURITY
FENCE AND 2.4M HIGH NEW WELD MESH SECURITY FENCING.**

LOCATION: SERLBY PARK ACADEMY, WHITE HOUSE ROAD, BIRCOTES

**APPLICANT: THE SECRETARY OF STATE, NOTTINGHAMSHIRE COUNTY
CHILDREN, FAMILIES & CULTURAL SERVICES, AND SCHOOLS
PARTNERSHIP TRUST ACADEMIES**

Purpose of Report

1. To consider a planning application for the demolition of buildings at Serlby Park Academy, White House Road, Bircotes and the erection of a three-storey replacement school building with associated replacement outdoor sports pitch provision, car parking and landscaping. The existing secondary school with Post-16 would be replaced by through school for ages 3 to Post-16. The key considerations relate to the siting of the building as a 'departure' from the Development Plan, replacement playing field provision, potential highway impact, and potential impact on the amenity of neighbouring properties.
2. The proposed replacement school building would be sited outside the defined settlement boundary for Bircotes. Accordingly the application has been treated as a departure from the Development Plan but does not need to be referred to the National Planning Casework Unit. The recommendation is to approve the development subject to the conditions set out in Appendix 3.

The Site and Surroundings

Background

3. Serlby Park Academy, sponsored by Schools Partnership Trust, is comprised of a Secondary School with Post-16 on the application site, and a Primary

School with nursery 500m to the south-west of the application site on Shrewsbury Road (Plan 1). The Secondary School has a school roll of 608 (October 2014) including 74 Post-16 students, although existing buildings have capacity for 750 students. 89 full-time staff and 20 part-time staff are employed.

4. The Secondary School operates a school day of 08:30–14:50 hours, with extended use from 08:00 -17:00 hours for breakfast club, sports, drama, local community projects and computer club. There is no out-of-hours community use of the school buildings or playing fields.
5. The Primary School is a 420 place school with 346 children on the school roll (October 2014), and a 60 place nursery (full-time). 62 full-time staff and 7 part-time staff are employed at the Shrewsbury Road site.

Application Site Secondary + Post 16	Existing	Off-Site Primary + Nursery	Existing
Building Capacity	750	Building Capacity	420+ nursery
Number of Students	534 +74 Post-16	Number of Students	346+60 capacity nursery
Number of Staff (full and part-time)	109 (89+20)	Number of Staff (full and part-time)	69 (62+7)

Site and Surroundings

6. This application site of 7.6ha is located to the north of White House Road/Swinnow Road, approximately 750m to the north-east of the centre of Harworth Bircotes. The school site lies to the north of the site of a former Institute (cleared awaiting redevelopment), Community Hall and a residential cul-de-sac. The site is bounded to the east by a care home for the elderly accessed from White House Road, and an Edwardian house comprising three dwellings and equestrian centre accessed along a private drive from the A631 Bawtry Road/Tickhill Road. The closest residential property to the Edwardian house lies 14m to the east of the application site boundary.
7. A mobile home park lies to the north-west of the school, with the closest property 120m from western boundary of the application site.
8. Bircotes Leisure Centre run by Bassetlaw District Council and owned by Nottinghamshire County Council, lies immediately to the west of the school and is operated under a Joint-Use Agreement. The leisure centre has a swimming pool and in addition to public use is used by schools in the local area. Leisure centre facilities including a floodlit multi-use games area (MUGA) which lies to the west of the leisure centre building are used by the Academy. The leisure centre and later Academy buildings share a boiler room/plant. A

Local Wildlife Site lies approximately 50m to the west of the leisure centre building.

9. St Patrick's Roman Catholic (RC) Primary School, a 105 place school which currently has 83 on roll (October 2014) and a 13 place nursery offering morning sessions only, lies to the south-west of the application site. St Patrick's (RC) Primary School operates a school day of 08:40–15:00 hours. 19 staff are employed. Vehicular access to St Patrick's RC Primary School is gained along the Academy access drive forming part of the application site, although the pedestrian access to St Patrick's RC Primary School is to the west of the school.
10. The Academy access drive, which is also used to gain access to the leisure centre, meets the public highway on the outside of a 90⁰ bend at a point where White House Road and Swinnow Road change road name. At that point, the highway is wide with a central reservation, and vehicles parked on both sides of the road do not obstruct a free-flow of traffic on the highway. White House Road/Swinnow Road is a bus route, with the closest bus stops on White House Road a maximum of 90m from the school entrance drive.
11. Residential properties lie on the south side of White House Road and east side of Swinnow Road. A public park, with footpaths linking to residential development to the west, lies to the west and north of Swinnow Road.
12. A car/bus parking area 45m in length which can accommodate approximately 18 cars is located on the west side of Swinnow Road immediately to the south of the point at which the school access drive joins the public highway. However, the area is not included in the application site. No drop-off provision is made for Academy students within the school site.
13. The application site includes the site of the existing Academy buildings and associated playing fields, car parking areas used by school staff and visitors, and leisure centre users. The school is accessed along a 140m drive which, in addition to the leisure centre, is also used to gain access to St Patrick's RC Primary School. The drive, which has a footway on its eastern side, is the only access to the school. Part of the access drive is in unknown ownership.
14. There are three parking areas within the application site; two are located close to where the access drive enters the school site, with a third parking area provided to the north of the leisure centre. Notionally the parking to the west of the central access road is for the leisure centre, with the Academy using the car park to the east. The leisure centre building and MUGA lie outside the application site.
15. The existing Academy buildings are principally of single-storey CLASP construction. The buildings date from the 1950s-70s one of which is an early Mark II example. Four of the CLASP buildings are identified as non-designated heritage assets. Mature trees are established amongst existing CLASP school buildings.
16. Two areas of hard play lie to the north of the school and leisure centre buildings. The eastern area of hard play lies, at closest, 5m from the boundary

with the residential property to the east of the site. The area to the north of the leisure centre is marked for tennis and basketball. An expanse of flat playing field without any distinguishing landscape features lies to the north. An area of trees lies to the north outside the application site, but otherwise the landscape is open in character.

17. Built development at the school lies within the Development Boundary defined in the Bassetlaw Core Strategy and Development Management Policies DPD (Adopted December 2011) (BCS&DMP). However, the existing playing fields extend to the north beyond the defined development boundary. (Plan 2)

Proposed Development

Background

18. Nottinghamshire County Council (NCC) has been successful in bidding for funding to replace 12 schools throughout the County through the Priority Schools Building Programme in partnership with the Education Funding Agency. Background information to the programme, including details of the successful schools is attached (Appendix 1).

Student/Staff Numbers and Built Development

19. Existing school buildings are of Hallam and CLASP construction. The applicant has stated that the buildings along with the grounds and related facilities have been assessed and are considered to be at the end of life, with a feasibility study concluding that the buildings are not suitable for refurbishment and are in need of replacement.
20. Planning permission is sought to erect a 5-form entry Secondary School (ages 11-18), designed to accommodate 900 students including a 150 place Post-16, and a 420 place 2-form entry Primary School with a 39 place nursery. Overall school place capacity on the application site, through Secondary School and Primary School amalgamation, would increase by 570 places (excluding the nursery). Core teaching hours would be 08:30-14:50 with an extended school day from 08:00-17:00. The applicant has advised that the number of staff employed would be likely to remain as at present, with Primary School staff transferring to the application site. 151 full-time and 27 part-time staff would be employed.

Application Site - Existing	
Building Capacity	750
Number of Students	608
Number of Staff (full and part-time)	109 (89+20)

Application Site - Proposed	
Building Capacity	1320+39
Breakdown - 750 +150 + 420 +39	
Number of Staff (full and part-time)	178 (151+27)

21. The vacated Primary School site on Shrewsbury Road would be retained by Schools Partnership Trust, although it is understood that should it no longer be required for education purposes it would be returned to the County Council.
22. A three-storey rectangular building with a footprint of 75m x 46m, providing 8721m² of floorspace, would be erected on playing field between the two areas of hard play which would be retained. The building would feature an internal secure courtyard for the Primary School with a 2.5m-3.5m high multi-stemmed specimen tree planted in an elevated planter. The school building would be sited at closest approximately 35m from the leisure centre, approximately 68m from the site boundary and 82m from the nearest residential property to the east (Plan 3), 190m from the nearest dwelling in the mobile home park to the west, 80m from the site boundary and 220m from the A631 to the north.
23. The building, 11.25m in height, would be of shallow pitch roof construction and faced with a red facing brick, while the internal elevations of the courtyard would be faced in buff coloured brick to better reflect daylight into the space. Coloured aluminium window frames would incorporate neutral/silver coloured louvres. The window openings would give the elevations a uniform regimented appearance. Building stairwells would stand proud of the building incorporating full height glazing and coloured panels (Plans 4 and 5).
24. The principal building entrance to the Secondary School on the south facing elevation would be recessed and defined by a canopy and adjacent school signage. The signage, which may require separate Advertisement Consent from Bassetlaw District Council, would be displayed at second to third floor level on the brick elevation. The entrance to the Primary School would be at the eastern end of the south elevation, defined by coloured panels and full-height glazing, with school artwork relocated from the existing Primary School site and displayed adjacent to the entrance at ground floor level. The Secondary School and Primary School entrances would be separated by an activity hall within the school. Seven two-storey full-height glazed window openings would define the school entrance.
25. Roof-top plant which would be set back from the roof edge, enclosed by a 1.1m high guardrail and partially screened by the brick parapet of the school building. The air handling unit (12.8m) would be sited at closest 9.5m from the edge of the roof while twin boiler flues would project 13m above ground level. Two rows of angled roof lights over the dining area would project up to 1.75m above the parapet, at the same height as the boiler flues.
26. Classrooms would be provided on three floors, generally positioned on external facing elevations linked by a corridor. The central area of the building would be comprised of an activity hall, dining area, main hall, primary hall at ground level (with void above at first floor level) and the external enclosed primary courtyard (Plan 6).
27. The Primary School would occupy rooms on the eastern and northern sides of the building with the western area of the ground floor used principally as changing rooms and school kitchen. Six junior classrooms and a Learning Resource Centre shared with the Secondary School would be provided in rooms on the north elevation and the northern part of the east side of the

building. The remainder of the first floor, and second floor would be used by the Secondary School. Internal doors would allow the Primary School and Secondary School areas to be segregated.

28. 10 covered cycle parking spaces would be provided for the Primary School behind a secure fenced line to the east of the school building. 30 cycle parking spaces, 10 of which would be covered would be provided to the west of the building for the Secondary School, located to the north of a sprinkler tank. The design of the sprinkler tank has not been specified in the application, but is anticipated to be 3.5m in height with an associated pump housing, enclosed by 2.4m high close boarded fencing. The sprinkler tank would be sited in proximity to the school kitchens and service yard.
29. External PE storage buildings would be provided to the north of the Secondary School cycle storage area, although no details of the height or design of the buildings are provided in support of the application. External hard play courts at the school would not be floodlit.

Access, Car Parking and Pedestrian Movement

30. The access from White House Road/Swinnow Road would remain unaltered and would continue to be used to access St Patrick's RC Primary School and the leisure centre. The access road within the site would be realigned and straightened to become an access road to the school service area and car parking, with a 4m wide footpath on its eastern side serving as the main pedestrian entrance to and from the Secondary School.
31. A reduced area of car parking (12 spaces) would be provided to the north of the leisure centre adjacent to the school service yard. 60 car parking spaces, including three disability parking spaces, would be provided to the west of the access road, including 28 parking spaces on a currently grassed area immediately to the south of the leisure centre building.
32. The present staff car park to the south of the leisure centre to the east of the existing access road would be modified and extended to create a 114 space car park (including six disability car parking spaces adjacent to the building entrance) for staff and visitors. A lay-by for 10 cars, intended for Primary School drop-off and pick-up, would be provided on the eastern side of the car park. A 4.0m wide path would be provided around the eastern edge of the car park, allowing pedestrians to gain access to the Primary School entrance without having to cross roads within the site. Knee-rail fencing would be provided to guide and divide pedestrians walking towards the Secondary School or Primary School entrances, and also to discourage pedestrians from taking a more direct route across the car park to the Primary School entrance.
33. The main school car park would be accessed from the access road at its northern and southern ends, crossing the pedestrian footpath leading to the Secondary School by means of raised crossing points that give priority to pedestrian users. A third raised crossing point would be provided on the access road adjacent to the leisure centre building entrance, providing a link to the car park to the east.

34. An existing electricity sub-station would be retained, occupying a central location within the car park and would be enclosed by 2.4m high timber close boarded fencing. A freestanding foul-drainage pump room to the north-east of the leisure centre would be similarly enclosed by timber fencing.

Sports Pitch Provision, Trees, Landscaping and Ecology

35. The Primary School would have direct access to adjoining outdoor play areas. The eastern existing hard court area would be retained with a 7v7 (55m x 37m) sized grass pitch provided to the north. Informal hard play areas would be provided immediately adjacent to the east and north elevations, while grass mounding with tree planting would also be provided in an area enclosed by 2.4m high weldmesh fencing.
36. An informal and social hard surfaced area 65m x 16m would be provided for the Secondary School to the west of the building. The existing tennis courts would be modified and four tennis courts to Lawn Tennis Association standard would be provided. Grass training grids and a 7v7 football pitch would be provided to the north of the tennis courts, with a full size football pitch (91m x 55m) marked to the north of the school building. A cricket square and outfield would be provided on the site of existing school buildings, which would be demolished following decant to the new school building.
37. The provision of the cricket square and outfield would require 19 trees to be felled which with the exception of one silver maple (Category C1) have been assessed as Category B1 trees. The trees to be felled would be lime, field maple, horse chestnut, beech, silver birch and oak. All of the trees to be felled have been categorised as being of negligible bat roost potential.
38. Replacement tree planting is proposed in both formal and informal groupings around the new building. An avenue of heavy standard trees would be planted to the east of the new car park adjacent to the cricket outfield. Smaller standard size trees would be planted in groups around the school to provide shelter and shade. Tree species would reflect those lost as a consequence of the development and would include beech, horse chestnut and lime. Silver birch, mountain ash and cherry trees are considered by the applicant to be more appropriate closer to the new building.
39. Although not initially provided with the application, a Bat Method Statement has been submitted. A European Protected Species bat licence will need to be sought from Natural England. The provision of bat sensitive features, such as the installation of bat boxes and directional lighting, and night-scented species that attract insects is recommended.
40. The provision of a range of bird box designs installed in suitable locations on trees and buildings to increase nesting opportunities for birds is identified in the ecological report.

Site Security and Lighting

41. The school north and east boundary fencing would remain as at present. 2.4m high weldmesh security fencing would be provided on the western boundary, returning along the southern boundary of the tennis courts to join the sprinkler

tank/Secondary School cycle storage enclosure, and extending across the northern end of the service yard to provide a secure line fixed to the school building. A 2.4m high secure weldmesh fenced line would be provided to the east of the building, running along the west and southern boundary of the Primary School hard play area before joining the existing eastern site boundary.

42. Four pole mounted CCTV cameras would be installed in the car park providing surveillance of the car park and front elevation of the school building.
43. Car parking areas for the Academy and the leisure centre car park would be lit by 6m high column-mounted fittings. The area immediately adjacent to the building would be lit by fittings fixed to the building at a height of 3m. A submitted lux plot demonstrates that lux levels would fall away sharply outside of the area intended to be lit.

Sustainability

44. The proposed development would incorporate sustainable features in its design; high levels of thermal insulation, the use of natural in addition to mechanical ventilation, natural day lighting, sustainably sourced timber, recycling facilities, low water use, and the provision of dedicated cycle storage facilities.

Phased Development

45. In the initial phase of construction (planned for January 2015-April 2016), the new car parking spaces to the south of the leisure centre would be constructed, while the reduced number of car parking spaces to the north of the leisure centre would be made available to the Academy. The existing leisure centre and Academy parking spaces at the front of the site would remain as at present.
46. Contractor car parking, site offices and material storage would take place on the western area of existing hard play. The Academy would continue to use the eastern existing area of hard play and access to the school playing field would be provided for the Academy throughout the period of construction.
47. Construction traffic would access the construction site, which would be enclosed by temporary secure fencing, via the existing access road. No construction traffic would use the access road at the beginning or end of the Academy or St Patrick's RC Primary School day.
48. Prior to decant of the school to the new Academy building, the re-aligned access road would be constructed, with work taking place during school holiday periods. The planned period of demolition of existing school buildings would be between April-October 2016.
49. Following decant of the school to the new building, the demolition site would be secured from the access drive by security fencing. The demolition of buildings closest to the access road would allow the construction of the main car park in front of the new Academy building. Until such time as the demolition works are completed and the new car park is constructed, pedestrians would gain access

to the school along the construction access drive which would have been made up to wearing course. Construction traffic would not use the access road between 08:00-09:15 hours and 14:15-15:30 hours on any school day. Disability parking for six cars and a further five car parking spaces would be available during this period adjacent to the new school entrance, although vehicular access to the gated drive would be controlled by a banksman.

50. No staff parking would be available on-site following decant to the new school and the completion of the new car park. The Academy has proposed that staff would park at the existing Primary School site during this period of construction and will be strongly encouraged to use alternative means of transport. School safety and parking during this period of construction would need to be carefully managed by the Academy.

Consultations

51. **Bassetlaw District Council** – No objection. *It is known locally that the fabric of the building may contain asbestos. There are concerns over demolition of a controlled substance.*
52. **Harworth and Bircotes Town Council** – No response received.
53. **NCC Planning Policy** – *National Planning Policy Framework (NPPF) Paragraph 72 sets out that 'Local Planning Authorities should take a proactive, positive and collaborative approach' to meeting the educational needs of existing and new communities and to widen choice in education. In doing this, they should '...give great weight to the need to create, expand or alter school...'. This provides a very clear indication of importance attached to the provision of educational facilities that meet the needs of their community.*
54. *The adopted Bassetlaw Core Strategy and Development Management Policies DPD (2011) (BCS) includes a number of policies with relevance to this application. Policies CS1 and CS4 are directly applicable to the settlement of Harworth Bircotes. Policy CS1 establishes the settlement hierarchy and development priorities for Bassetlaw District. Within this policy Harworth Bircotes is identified as a 'main regeneration settlement' which is described as 'a regeneration opportunity town and a focus for development that will drive a step change in the nature of the settlement.' Policy CS4 builds on this description and includes specific policy direction for the settlement. This includes support for regeneration opportunities to improve and redevelop the town's educational facilities. The principle of the proposed development therefore has strong policy support at both the national and local level.*
55. *However, BCS Policy CS1 also includes location criteria for development, setting out that until the adoption of the Site Allocations document, development will be restricted to within the defined development boundary unless the proposed development meets a number of criteria. Part of the proposed site lies outside of the development boundary and as such, granting of permission for the proposed development would represent a departure from the plan. That said, the criteria listed in Policy CS1 where development outside of this boundary may be supported, includes 'delivering new or improved*

services or facilities for a local community (with that local community's explicit support'). Given the strong national and local support for the principle of the development it is considered that a case could be made for the location of the site. However, this is a matter for Bassetlaw District Council to establish; giving great weight to the local community support (or lack thereof) for the proposal.

56. *The Bassetlaw Site Allocations Preferred Options Consultation Document (February 2014) does not allocate the proposed site for any use and it remains outside the development boundary. This therefore has no effect on the policies of the Core Strategy, as set out above.*
57. *Regard should however be given to the adopted Nottinghamshire and Nottingham Replacement Waste Local Plan: Part 1 – Waste Core Strategy (2013) Policy WCS2 with regards to the minimisation of waste in the design and construction of the proposed development.*
58. **NCC Highways Development Control** – No objection subject to conditions. *The development is located on an existing school site which benefits from established patterns of travel for pupils and staff. The location of the main school and the catchment area it serves has resulted in the majority of pupils (78%) either walking or cycling to and from the site. Whilst part of the proposal for the redevelopment of the site includes the integration of the existing Primary School located on Shrewsbury Road onto the main site, it is unlikely, given the levels of cycling and walking that are currently being experienced, that this will cause any further serious or severe disruption to traffic. It is acknowledged that whilst the existing St Patrick's Primary School and the leisure centre are both located on the same site [access road] as the Academy, their levels of traffic generation are unlikely to change as a result of the proposed development. In view of the above points it is considered that the development will not have a significant impact on Swinnow Road and White House Road or the vehicular access to, or egress from the site.*
59. *Overall, the number of full and part-time staff and overall parking provision are planned to remain in line with those levels that are in place currently. The school will need to ensure that its current parking provision is reviewed should there be an increase or change of mixture of full and part-time staff.*
60. *For those parents wishing to drop-off or pick up their children at the school, existing established and well used [parking] facilities are available on Swinnow Road. The suitability of these and possible improvement may need to be reviewed in the future but given that they are currently used without undue disruption to other road users it is reasonable to expect that this will continue to be the case. In addition the successful implementation of the School Travel Plan in favour of further sustainable travel may lead to an overall decrease in car-usage in future years.*
61. *NPPF Promoting Sustainable Transport Paragraph 32 has been taken into account. This advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

62. Conditions are recommended requiring the submission of details of lorry routing for construction traffic, measures to prevent debris being carried on to the highway, segregation of vehicle and pedestrian movements on the site, and the recycling/disposal of surplus soils and waste; that the service area and parking and manoeuvring spaces are provided, marked out and retained for their intended purpose; and that a School Travel Plan is submitted that promotes sustainable modes of travel to the school.
63. **NCC Road Safety Team** – No objection. *The school is included in the 20mph programme and any changes to site should incorporate this signage in the appropriate positions. A review of signage should be undertaken and existing signs modified if necessary.*
64. *Following site observations appropriate bus pick-up on White House Road should be considered.*
65. *Pedestrian safety should be maintained whilst the new Academy is being brought into use, by restricting the use of the realigned access road by vehicular traffic.*
66. *School start and finish times should be staggered and road safety education should be encouraged.*
67. **NCC Design Review** – Supportive of the proposal. *The new building will be a huge improvement on the existing facilities. The siting seems reasonable and practical. However being set so far back from the road with a long walk from the car park and narrow entrance is not ideal. The expanse of tarmac at the front of the building could be better approached through fencing and planting.*
68. *The appearance reflects the internal arrangements and care has been taken to modulate the building. Colour on windows and grills could be used to create more interest and identity.*
69. *The proposed use of red brick is appropriate.*
70. *It is felt that the entrance appears to be poorly expressed. A change in panel colour is on the opposite side to the school signage and perceived public side closest to the leisure centre.*
- [Comment: Signage identifies the Secondary entrance, while the Primary entrance is identified by a change in the panel colour on the front elevation].
71. *The location of the hall, sports hall and dining area with doors providing security and access to toilets would facilitate community use. The dining hall in particular has the potential to be an interesting and useful school space.*
- Corridors appear to be of restricted width and may lead to behavioural problems.*
72. **Energy and Carbon Management Team** – No response received.
73. **NCC Project Engineer (Noise)** – No objection subject to conditions to limit plant noise, and noise when the school is in use. *Despite the redistribution of*

play spaces over the site, there is clearly an established precedent of noise from external school activities over many years. This will help maintain the prevailing noise climate, and should help minimise any adverse reaction from surrounding neighbouring residential properties. Pupil numbers at the site will approximately double as a result of combining the Primary school and Secondary School; and equates approximately to a 3dB increase in noise levels which is considered the minimum perceptible increase by the human ear for a continuous noise source.

74. *External play areas to the east of the school will be mainly used by primary school children, with segregated areas for reception and nursery play children located immediately adjacent to the school building and screened off with 2.4m high close boarded fencing. While the property to the east may experience some increase in noise level due to the closer proximity of play spaces, it is not expected that noise from playtime activities will lead to a significant rise in noise levels, and any perceptible increase can be expected to be minor to moderate and be limited to usual periods of external activities during the school day. Despite the increase in pupil numbers, the properties to the south on White House Court are likely to experience a reduction in activity noise levels due to the relocation of external play areas further north.*
75. *The contractor should outline what steps they will take to minimise noise impact from construction activities within a Construction Environmental Management Plan, which would be conditioned as part of a grant of permission.*
76. **Sport England** – No objection subject to a condition to require replacement pitch provision to a standard equivalent to that lost as a consequence of the siting of the building.
77. *The submitted Strategy for Improving Sports Provision and Access details how the area of playing field lost will be replaced in terms of quantity and quality which is supported in principle. A statement is made that the replacement playing field area will match the quality of the existing playing field area, however there is no evidence to show that this is the case.*
78. *The existing Leisure centre is retained for academy and Community Use, with improvements to the access and parking being achieved as part of the project, which is supported. Sport England would support a widening of the community access to the school facilities however in this case there is no specific policy requirement to secure this by condition.*
79. **NCC Landscape Team** – No planting is proposed along site boundaries. There are views into the site from Tickhill Road (A631) and also from housing to the west. Although road users are considered in the submitted Landscape and Visual Impact Assessment methodology to have low sensitivity, residents have high sensitivity. A three-storey building sited on an area of current playing field, give rise to an adverse visual impact.
80. *Consideration should be given to reinforcing boundary planting and the provision of hedgerows. Boundary vegetation would also provide some shelter*

and screening, as the surrounding landscape is fairly flat. The playing fields are very exposed to bad weather and would lack shade in summer.

81. *The main pedestrian route to the [Secondary School] entrance is bounded by car parking and the service/access road. The provision of a barrier and a plant bed to act as a buffer should be considered. Visual interest should be introduced in the car park which will otherwise be an expanse of tarmac.*
82. **NCC Built Heritage Team** – No objection subject to a condition to record buildings prior to demolition. Attention is drawn to shortfalls in the submitted heritage assessment but concludes that there is sufficient detail of the significance of heritage assets to meet the requirements of the NPPF.
83. *Serlby Park Academy site contains some of the earliest CLASP buildings left in the County. These early buildings were transformational and revolutionary in their time and received very many plaudits and awards from the national and international architectural community of the early post-WWII period. The technology was cutting edge and developed by the architects department of Nottinghamshire County Council, led by Henry Swain who was brought into the authority precisely to build a team to deliver the most ambitious educational building programme since the creation of Board schools in the late 19th century. CLASP had significant impact across the country and was adopted by several other authorities who assisted in its development and spread. CLASP school buildings, such as those at Serlby Park, are very much part of Nottinghamshire and the County Council's heritage and should be acknowledged as one of the most ambitious and successful local authority building programmes of all time.*
84. *Unfortunately, the true heritage significance of CLASP is not reflected in the submitted assessment. However, the information provided is correct in its assessment of the difficulties of reusing CLASP buildings. On balance the complexities of repairing and refitting the existing buildings and the compromises required to the educational environment are very significant issues. The heritage interest is considerable, but is of a non-designated calibre. The impact of the proposals on the heritage significance of the non-designated heritage of the CLASP buildings is clearly direct and constitutes substantial harm, and this must be weighed in the balance when forming a judgement on the acceptability, or otherwise, of the proposals.*
85. *A thorough recording of the buildings to be demolished should be carried out as a form of mitigation.*
86. **NCC Archaeology Team** – No objection. No further archaeological evaluation work or mitigation work will be required in the area of the new building.
87. **Natural England** – No objection. The proposal is unlikely to affect any statutorily protected sites or landscapes. Natural England standing advice should be applied to enable an assessment to be made of a protected species survey and mitigation strategy.
88. *The site is in an area that could benefit from enhanced green infrastructure provision, and is encouraged.*

89. *The application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.*
90. **NCC Ecology Team** – *The application is supported by a range of up-to-date survey data, including an Extended Phase 1 Habitat Survey Report, various bat surveys and reports.*
91. *The proposals will not directly affect any designated sites, and no indirect impacts on such sites appear likely. Habitats on the site are generally of low/negligible nature conservation value. One non-native invasive species, *Cotoneaster horizontalis*, is present within planting beds.*
92. *The presence of nesting birds during the bird breeding season is likely. A precautionary approach regards to protected species is recommended. Areas of potentially suitable reptile habitat are unaffected by works, and the presence of great crested newts is unlikely; however, good practice should be followed when removing a small ornamental pond present on site which supports fish.*
93. *The application is supported by a Bat Presence/Absence Survey, Bat Scoping Survey and a Bat Method Statement. The buildings are described in the Bat Presence/Absence Survey as providing ‘excellent roosting opportunities for crevice roosting bats’. In addition, three trees are identified with some features which may offer opportunities for roosting bats, of which two would be removed.*
94. *All species of bat are European Protected Species, by virtue of the Conservation of Habitats and Species Regulations 2010 (the ‘Habitats Regulations’), which implement Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the ‘Habitats Directive’). Under regulation 53 of the Habitats Regulations, activities which would otherwise contravene the strict protection regime offered to European Protected Species under regulation 41 (which includes the destruction of roost sites) can only be permitted where it has been shown that certain tests have been met. Within the context of a planning application, these are that;*
- a) the activity is for the purpose of preserving public health or safety or for other imperative reasons of overriding public interest;*
 - b) there is no satisfactory alternative*
 - c) the favourable conservation status of the species in question is to be maintained*
95. *Furthermore, under regulation 9(5) of the Habitats Regulations, local planning authorities, in the exercise of their functions, have a statutory duty to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. What this means is that consideration must be given (during the determination process) to whether or not the three tests outlined above have been met.*

96. *Whilst the first two tests are essentially planning arguments, the third relates to the conservation status of the species affected; in this respect, a Bat Method Statement (October 2014) has been produced.*
97. *In order to mitigate against potential impacts, and to address recommendations made in the Extended Phase 1 Habitat Survey Report, the following conditions are recommended:*
- a) A standard condition should be used to control vegetation clearance during the bird nesting season.*
 - b) The production of a method statement relating to the draining down and infilling of the ornamental pond, to be in accordance with section 4.2 of the Extended Phase 1 Habitat Survey Report.*
 - c) Excavations should be left covered overnight or left with a suitable means of escape for mammals, and that pipes over 200mm in diameter are capped, in accordance with paragraph 4.3.3 of the Extended Phase 1 Habitat Survey Report.*
 - d) The production of a method statement relating to the removal and disposal of the invasive non-native shrub *Cotoneaster horizontalis*, in accordance with paragraph 4.3.6 of the Extended Phase 1 Habitat Survey Report.*
 - e) Compliance with the Bat Mitigation Scheme, dated October 2014, unless superseded by the requirements of a Natural England European Protected Species Licence. It should be noted that as currently proposed, this makes provision for three bat tubes to be incorporated within the fabric of the new building.*
 - f) The production of a detailed lighting scheme, designed with an ecologist, to minimise impacts on nocturnal wildlife including bats, to be developed with reference to Appendix 7 of the Bat Mitigation Scheme.*
 - g) the submission of a scheme relating to the installation of bird nesting boxes at the site, to include swift, house sparrow and starling.*
 - h) The production of a detailed Landscaping Plan, to include species-mixes, establishment methods and maintenance regimes. This should be developed with reference to Appendix 6 of the Bat Mitigation Scheme and the Idle Lowlands Landscape Character Area species list (for native species planting).*
98. *An informative is recommended in relation amphibians and reptiles, advising that in the event that any amphibians or reptiles are encountered during site clearance or construction, works in that area should cease and an ecologist should be consulted for advice before works recommence, in accordance with paragraphs 4.3.4 and 4.3.5 of the Extended Phase 1 Habitat Survey Report.*
99. *The conditions recommended above will generally be sufficient to address concerns raised by Nottinghamshire Wildlife Trust (NWT). NWT recommends surveys for protected species are undertaken, but given that the area of concern regarding protected species is associated with the Local Wildlife Site*

to the west, a condition relating to further protected species surveys is not required.

100. **Nottinghamshire Wildlife Trust** – No objection. Survey methodologies are satisfactory and survey recommendations are supported. *No demolition works should take place until Natural England has approved a European Protected Species licence related to bats. A condition is recommended that lighting should be low intensity and directed away from boundary habitats, linear foraging habitats and roost features. Linear features should be retained where possible. Further enhancement for bats can be made by the creation of linear foraging habitats, and installation of bat boxes to trees or buildings and/or the installation of bat tubes into buildings.*
101. *Advice should be sought regarding the translocation of fish from the school fish pond prior to the demolition works. Fish should not be placed where they could cause damage to wildlife. The pond should be drained outside of spring-summer, when breeding is taking place and young amphibians are most likely to be present.*
102. *The inclusion of a pond in the drainage design would enhance biodiversity and provide educational opportunities. Pond design advice is offered.*
103. *No vegetation clearance and demolition should take place during the bird breeding season March – September unless first checked by a competent ecologist. A condition is recommended to require protected species survey to be carried out within 30m of suitable habitat.*
104. *Further enhancement could include the installation of bird boxes on retained trees. Both bat and bird boxes should be near to tree and hedge lines. Log and habitat piles would provide opportunities for hedgehogs, amphibians and invertebrates, and educational benefits.*
105. *A condition is recommended that cotoneaster should be removed from the site and incinerated.*
106. *The inclusion of native planting is welcomed. Advice is given on wildflower seed mixes.*
107. **NCC Land Reclamation Team** – *Prior to any demolition of the buildings a full pre-demolition asbestos survey should be carried out and the identified asbestos materials removed by licensed contractor.*
108. *In the main the [site] investigation has addressed the key elements identified in the conceptual site model. However clarification on the use of a commercial end use [by the Contaminated Land consultant] should be sought along with the stance of the Bassetlaw Contaminated Land Officer. The Environment Agency report relating to the spillage of solvents should also be accessed and considered in any development proposals.*
109. *The development will need to be cognisant of the potential risks posed by unexpected contamination residing within the made ground (albeit minimal given the shallow depth). Good site operational practice to maintain vigilance of ground conditions will be most prudent.*

110. *Boreholes installed during the site investigation should be de-commissioned according to current guidance.*
111. **Environment Agency** – No objection. *The desk study and ground investigation report have provided a detailed understanding of the site in terms of the hydrogeological conceptual model and the contamination present at the site. There are minor elevations of hydrocarbons and dibutylphthalate within the groundwater and no significant concentrations within the soil samples taken. The groundwater sampled was shallow groundwater from within the superficial deposits rather than from within the Nottingham Castle Sandstone. The Principal Aquifer is not considered to be at risk from the low levels of contaminants present at the site. Any excavated material should be tested and disposed of where appropriate.*
112. *It is possible that identified contamination has encouraged the Flood Risk Assessment to propose that surface water be discharged by pumping to the foul sewer passing the south of the site, subject to agreement with Severn Trent Water Limited. Pumping surface water is not a sustainable long term option, and could pose a flood risk in the event of power failure.*
113. *The Environment Agency has contacted the Drainage Engineer at Bassetlaw District Council to enquire whether there might be an alternative gravity outfall to a surface drain to the west of the site.*
114. Conditions are recommended to require the submission of a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development; to specify that no infiltration of surface water into the ground should be permitted other than if expressly approved; and a precautionary condition requiring unexpected contamination encountered to be dealt with.
115. **Severn Trent Water Limited (Sewerage)** – No objection subject to the submission of details for the disposal of foul and surface water drainage.
116. **Anglian Water (Supply)** – No response received.
117. **Northern Powergrid** – Northern Powergrid has identified apparatus on the site.
118. **National Grid (Gas)** – National Grid has identified apparatus on the site.
119. **Police Force Architectural Liaison Officer** – No response received.

Publicity

120. The application has been publicised by means of press notice, site notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement. No representations have been received.
121. Councillor Sheila Place has been notified of the application.

Observations

Strategic Education Provision

122. The proposal would replace school buildings that are reaching the end of their design life and are no longer suitable for the delivery of a modern educational curriculum. The age 3-18 through school would consolidate the Primary School and Secondary School on a single site. Although there is a current school roll of 608, a greater number of pupils could be accommodated in existing buildings on the application site (Paragraph 3) without the need for planning permission.
123. Great importance is attached to ensuring that sufficient choice of school places is available to meet the needs of new and existing communities in NPPF *Promoting Healthy Communities* (Paragraph 72). Great weight should be given to the need to create, expand or alter schools. In a letter to Chief Planning Officers, the Secretary of State for Communities and Local Government has stated that there should be a presumption in favour of the development of state-funded schools and the delivery of development that has a positive impact on the community (Appendix 2). In determining this application, consideration needs to be given to whether the proposed development would give rise to significant harm that could not be mitigated through the imposition of conditions.

Departure from Development Plan Policy

124. Until the adoption of the Site Allocations DPD, Bassetlaw Core Strategy and Development Management Policies DPD (2011) (BCS) Policy CS1: *Settlement Hierarchy* will restrict development to the area inside defined development boundaries. Harworth Bircotes is identified as a Main Regeneration Settlement which is to become a focus for development that will drive a step change in the nature of the settlement. BCS Policy CS4: *Harworth Bircotes* seeks to deliver growth, including the provision of facilities necessary to support a new community. In particular the policy will support regeneration opportunities including improvements to the town's educational facilities.
125. BCS Policy DM3: *General Development in the Countryside* will, amongst other criteria, support proposals for the replacement of buildings outside development boundaries where the replacement is over the footprint of, or is close to, the original building; the scale, design and form of the replacement is appropriate to its setting and location; and environmental or highway safety problems will not be created or exacerbated.
126. The application has been advertised as a Departure from the Development Plan. The proposed siting of the building would be outside the defined settlement boundary and contrary to Policy CS1: *Settlement Hierarchy*. In replacing existing school buildings and keeping the existing school in operation during construction, there is no suitable alternative location within the school site that could satisfactorily accommodate the proposed building, and a location within the existing school site close to but outside the settlement boundary is considered to be justified. The proposal is supported by BCS Policy CS4: *Harworth Bircotes* and in considering the proposal against

criteria of BCS Policy DM3: *General Development in the Countryside* the proposed location would be close to the location of buildings that would be replaced. Subject to the proposal not giving rise to unacceptable highway and environmental impacts, including the visual impact of a three storey building, considered later in the Observations section of the report, the location of the replacement school building is considered to be acceptable as a Departure to the Development Plan.

Highway Impact, Traffic and Movement

127. NPPF *Promoting Sustainable Transport* Paragraph 32 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
128. The highway in proximity to the school is wide and vehicles parked on either side of White House Road/Swinnow Road would not obstruct the free flow of traffic. A parking area is available for parents outside of the application site adjacent to the highway, providing a suitable waiting and drop-off area for parents. The consultation response from NCC Highways Development Control has not raised concern over the increase in the number of students that would attend the site, subject to the submission and implementation of a School Travel Plan which may lead to an overall decrease in car usage and encourage travel by more sustainable modes. The site is located adjacent to a public bus route, measures are proposed in the submitted draft School Travel Plan to encourage increased travel to school by cycle encouraging travel by sustainable modes, and car sharing is proposed.
129. Although only 40 cycle parking spaces are proposed, 20 of which would be covered, the number is considered to be acceptable for the current school roll and demand and future provision of additional covered cycle spaces should be included in the School Travel Plan. The cycle parking spaces would be sited behind the school secured fence-line and provided with an appropriate level of security throughout the school day. It is considered that the development would be in compliance with BCS Policy DM13: *Sustainable Transport* which expects development to minimise the need to travel by private car (Conditions 30 and 31).
130. There is opportunity to improve safety in proximity to the school, particularly in respect of the bus waiting/alighting area on White House Road close to the school access road and can be set as an objective of the School Travel Plan.
131. The school is included in the programme to provide 20mph zones outside schools throughout the County. An appropriate review of conditions on White House Road/Swinnow Road would take place when the introduction of a 20mph speed limit is considered. Existing school signage on White House Road/Swinnow Road should be reviewed. Although this may have already taken place as part of the wider County Council initiative before the replacement school is brought into use, it is relevant to the development to be permitted and an appropriate condition is recommended (Condition 32). Other NCC Road Safety comments raised in the consultation response have been considered and are incorporated in recommended conditions, notably targeted initiatives in Condition 30.

132. It is considered that operational car parking demand for staff, visitors, disability and servicing would be satisfactorily accommodated within the application site. Although access to car parking spaces would not be secured, use of the parking spaces and possible unauthorised parking by parents would be a matter to be managed and enforced by the Academy.
133. A segregated route would be provided that would allow pedestrians to gain access to the school without having to cross routes used by vehicular traffic in the case of Primary aged children, or crossing at designated points where the use of raised platforms would give priority to pedestrians and cyclists over vehicles. The submission of design detail at the crossing points is the subject of recommended Condition 16.

Built Development and Landscape Impact

134. BCS Policy DM4 *Design and Character* requires major development to demonstrate how it relates to the existing settlement and is of a scale appropriate to the proposed growth of the settlement. The proposed Academy is designed to meet local demand for school places.
135. BCS Policy DM4 *Design and Character* also sets out general design principles; development should respect its context in terms of height, scale, mass, materials and detailing; be accessible and allow direct pedestrian movement; not detrimentally affect the amenity of neighbouring residents and is not detrimental to highway safety, amongst other criteria.
136. The proposed three storey school building would occupy a smaller and cohesive building footprint than the range of existing school buildings. It is considered that the new school building at closest 82m from the nearest dwelling to the east, would not give rise to loss of privacy from overlooking and would be acceptable in terms of impact on residential amenity.
137. The use of red brick in external elevations reflects built development of the area and, notwithstanding the issue of the colour of windows and grills raised in the consultation response received from NCC Design Review, the design is considered to be acceptable. The submission of samples and a schedule of proposed external finishes is the subject of recommended Condition 13. Highway and Road Safety issues are considered at Paragraphs 127-133.
138. The entrance to the school building would be identified by signage applied to the elevation of the building, although the need for Advertisement Consent for the display of signage would be a matter to be considered by Bassetlaw District Council.
139. The concern raised in respect of internal corridor width is not a material consideration in the determination of this planning application.
140. NCC Design Review and NCC Landscape Team draw attention to the landscape impact of an expanse of car parking at the front of the school, and it is suggested that a plant bed is introduced. In response, the applicant considers that a thin strip of planting will be hard to protect and may become a muddy strip. The proposal seeks to retain established trees in front of the new building at the northern end of the car park, and a row of trees is proposed

along the eastern edge of the car park. The car park is not overlooked by residential property. Car parking spaces will be mostly occupied during the school day and the expanse of tarmac raised in the consultation response will not be readily apparent. Consideration should be given to the use of surface materials to introduce variety and is the subject of recommended Condition 4 (Note 1).

141. Preference should be given to the retention of trees classified as being Category B, but where they cannot reasonably be kept without compromising design, appropriate replacement planting should take place in mitigation. The siting of the proposed building would impact on an existing ability to play cricket which can be feasibly met only through the re-provision on the site of existing school buildings, requiring Category B trees to be removed. The trees, whilst located at the front of the school site are not visually prominent from the public highway or other public land, which reduces the significance of their loss. In determining the application, the loss of trees and the replacement tree planting which is proposed needs to be balanced against a requirement to make re-provision for sport on a school site, also taking into consideration that Sport England would object to the proposal if provision for cricket is not made.
142. Proposed replacement tree planting is considered to be acceptable and the proposal would be in compliance with criteria related to the built form of development and landscape of BCS Policy DM4 *Design and Character*.
143. In response to concerns raised in respect of the landscape impact of a three-storey building, the applicant has stated that the school would be located centrally within the site and a significant distance from residential properties. Views from Tickhill Road are screened by the hedgerows and trees along the roadside verges and by the woodland planting north of the new school/playing fields. The applicant considers there are sufficient visual receptors to mitigate any visual impact to a negligible level. The site has been designated for school use and views of school buildings should not therefore be unexpected within this context. Although there will be views of the building from the north, it would be seen in the context of the established settlement and, over distance, is considered to be acceptable. Additional boundary planting is considered unlikely to offer significant additional screening benefit.
144. The siting of the new building will provide shelter to the Primary School from strong south-westerly winds. The applicant has advised that for supervision reasons the Academy would not encourage students to seek shade and shelter at the edges of the school site. The building will create shaded areas around its perimeter in an ideal location for resting away from the playing fields and is considered to be acceptable.

Heritage Impact and Archaeology

145. The applicant has described the significance of heritage assets affected, as required by NPPF Paragraph 128. The proposed demolition of the existing CLASP buildings would lead to substantial harm through total loss of a heritage asset. BCS Policy DM8 *The Historic Environment* states a presumption against development that would be detrimental to the significance of the heritage assets.

146. NPPF Paragraph 135 advises that the effect of proposed development on the significance of a non-designated heritage asset should be taken into account in determining an application, and that a balanced judgement will be required having regard to the scale of any harm or loss. The consultation response from NCC Built Heritage Team accepts that the adaptability of the existing structures would significantly compromise the educational environment, and the community benefit arising from the proposed Academy building and associated facilities is considered to outweigh the loss of the heritage asset. However, given the significance of the early CLASP structures, it is recommended in mitigation that the buildings are recorded prior to being demolished (Condition 25).
147. It has been confirmed that the site is not of archaeological significance.

Sustainable Design

148. BCS Policy DM4 *Design and Character* requires new development to demonstrate that careful consideration has been given to minimising CO2 emissions and measures that will allow all new buildings to adapt to climate change. Such measures include, but are not limited to: use of suitable construction materials; site layout and building orientation that makes best use of passive heating and cooling, natural light and natural ventilation; minimising water consumption and maximising water recycling; achieving the highest feasible level of energy efficiency; and maximising opportunities to integrate renewable and low carbon energy infrastructure.
149. The applicant has supported the proposal with a sustainability appraisal, addressing the spectrum of aspects of sustainable construction and the development in operation, including an energy strategy, use of materials, water use minimisation, control of pollution and green transport. Sealed building construction, and controls to maximise the use of daylight and natural ventilation are proposed and are considered to be acceptable. The project budget funding provided by the EFA is fixed and whilst additional sustainability measures could be incorporated, the test of the acceptability of the proposal is compliance with the relevant Development Plan policy.
150. Taking into consideration a nearby contamination source, the proposed use of soakaways is not supported by the Environment Agency. The proposed disposal of surface water to foul sewer is not regarded to offer a long-term sustainable solution and the submission of a detailed drainage design is the subject of recommended Condition 11. The discharge of surface water to ground may impact on the quality of the underlying aquifer and is the subject of recommended Condition 12.

Re-Provision for Sport

151. BCS Policy DM9: *Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities - D. Open Space and Sports Facilities* expects proposals to demonstrate that they will not adversely affect or result in the loss of open spaces and sports facilities.

152. The existing area of hard play to the north of the leisure centre would be re-orientated in order to accommodate the proposed school building and marked to the specification of the Lawn Tennis Association. Although the number of marked courts would reduce, the existing area of hard play would be replicated and the quality for tennis would be improved.
153. Sport England Planning Policy Statement, *A Sporting Future for the Playing Fields of England*, explains that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field unless one of a number of exception criteria can be met.
154. Policy E4 would be met where *the playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.*
155. The siting of the new school would result in an inadequately sized area being available to the north of the proposed school building on which to play cricket. Re-provision for cricket would be made to the south-east of the school and east of the car park, on the site of the buildings to be demolished. Although there would be a period, between the commencement of construction and the demolition and reinstatement of the site of existing school buildings, when reduced facilities would be available, and does not wholly comply with Sport England Planning Policy Statement, *A Sporting Future for the Playing Fields of England* Policy E4, Sport England does not object to the proposal. Replacement playing field, on the site of demolished buildings, would need to be of a quality equivalent to that lost, and recommended conditions require the submission of a baseline pitch assessment and a specification of the replacement pitch provision (Condition 8 and Condition 19).
156. Whilst Sport England would encourage an extension of community use of facilities at the Academy, and the Academy may choose to do so, it is not a necessary requirement in order to make the proposed development acceptable. Applying appropriate planning tests, the imposition of a planning condition to extend community use of the site is considered to be unreasonable.

Ecology and External Lighting

157. BCS Policy DM9: Green Infrastructure; *Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities* expects development proposals to take opportunities to restore or enhance habitats and species' populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance, including protected species. Development that will result in the loss of such features may be supported where replacement provision is made that is considered to be of equal or greater value than that which will be lost and which is likely to result in a net gain in biodiversity.

158. The need to replace the existing school buildings to deliver a modern education is considered to outweigh the need to safeguard the ecological value of the site. Permitting the proposed development would entail the demolition of the existing buildings and loss of identified bat roosts. The application is supported by up-to date ecological assessment, and appropriate mitigation is set out in the submitted Bat Method Statement. Attention is drawn to the consultation response from NCC Ecology Team and it is concluded that the 'three tests' of the Habitats Directive are all are met. The destruction of bat roosts will require a separate European Protected Species licence from Natural England and is the subject of an informative (Note 6).
159. It is considered that the provision of replacement opportunities for roosting bats and bird nesting would be in compliance with BCS Policy DM9: *Green Infrastructure; Biodiversity & Geodiversity; Landscape; Open Space & Sports Facilities* and are the subject of recommended Condition 17. Planning conditions are recommended to control vegetation clearance during the bird nesting season, the use of safe working practices during construction with regard to mammals, the submission of a detailed landscaping plan, and the production of a Landscape Management Plan to guide on-going management of created and retained habitats (Condition 7f) and Condition 18).
160. Proposed external site lighting is considered to be appropriate and the submitted lux plot demonstrates that light spill would not give rise unacceptable impact on neighbouring properties. It is necessary to ensure that the lighting design will not have an adverse impact on bats, and a requirement to accord with the submitted Bat Method Statement lighting recommendations is the subject of Condition 29.

Site Security

161. BCS Policy DM4 *Design and Character* general design principles promotes the integration of crime prevention measures. Although a consultation response has not been received from the Police Force Architectural Liaison Officer, existing boundary fencing would be retained and new 2.4m high security fencing would be provided on the western site boundary.
162. A secure line would be provided across the site and the Primary School playing field and hard play area would be satisfactorily secured by fencing from the remainder of the school. Cycle parking would be secured behind 2.4m high fencing. Proposed CCTV surveillance would provide a visual deterrent and enhance site security. Proposed site security measures are considered to be satisfactory in compliance with BCS Policy DM4 *Design and Character*.
163. Access to school buildings and facilities, and potential related security issues will need to be managed by the Academy with consideration given to internal lines of security.

Construction, Construction Noise, Site Contamination and Drainage

164. Indicative details showing the phased construction of the replacement school, with the existing school remaining in operation, are generally acceptable. The

need to restrict the movement of construction traffic during periods at the beginning and end of the school day has been identified. Conditions are recommended to restrict hours of construction and demolition and to limit construction/demolition noise in the interest of the amenity of nearby occupiers (Condition 6 and Condition 7d-e)).

165. The Environment Agency has recommended a condition to deal with unexpected contamination which may be encountered. However, their remit is one of risk to controlled waters whereas NCC Land Reclamation Team also considers risk to human health. Although the site investigation addresses key elements identified in the site model, the need for clarification of elements of the assessment is raised in the consultation response. A more precautionary approach to contamination issues is advised, and conditions are recommended to require the submission of an intrusive site investigation (Condition 9), and for an asbestos survey to be carried out prior to the commencement of demolition works, and Bassetlaw District Council has confirmed that they would satisfy their concern (Condition 26 and Condition 27).
166. Potential issues related to contamination will need to be considered in the drainage design. Conditions are recommended to require the submission of a surface water drainage scheme, with no infiltration of surface water drainage to ground to be permitted unless expressly approved (Conditions 11 and 12). Recommended Notes 4 and 5 provide guidance to the applicant.

Operational Noise

167. The hard play to the east of the existing school would be used by the Primary School element of the Academy, and although an adjoining area is presently used as playing field, the Primary School grass pitch would be provided in proximity to the residential properties to the east of the site. Informal outdoor hard and soft landscaped areas of the 420 place Primary School would be provided to the east of the new Academy building. It is considered that use of outdoor areas by the Primary School would not differ greatly from current use, and is considered unlikely to give rise to significant change in noise levels or noise nuisance to neighbouring occupiers. However, the control of operational noise arising from outdoor activities and fixed plant is the subject of recommended Conditions 33-35.

Other Options Considered

168. 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

169. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are

described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

170. The proposed development does not require the provision of off-site highway works, although a review of the School Zone will be required.

Crime and Disorder Implications

171. Although the application does not propose to alter fencing around the perimeter of the site, proposed security fencing within the site would provide a secured line and appropriate security to the school premises.

Human Rights Implications

172. 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 (Right to a Fair Trial) are those to be considered and may be affected due to the proximity of the school and related outdoor activities to residential properties. The proposals have the potential to introduce impacts such as noise and disturbance to residential properties to the east of the Primary School hard play area and playing field. However, these potential impacts need to be balanced against the wider benefits the proposals would provide through the provision of a replacement school on an established school site. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Safeguarding of Children Implications

173. The application includes the provision/retention of a secure fenced line and the development is considered to make adequate provision for the safeguarding of children.

Implications for Sustainability and the Environment

174. Implications for Sustainability and the Environment are considered in the Observations section of the report (Paragraphs 148-150).
175. There are no implications for Service Users, Equalities and Human Resources, or Financial Implications arising for the County Planning Authority.

Statement of Positive and Proactive Engagement

176. 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; liaising with consultees to resolve issues and progressing towards a timely determination of the application. Issues of concern have been raised with the applicant, and have been addressed through negotiation and acceptable amendments to the proposals. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

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

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

Planning and Licensing Committee is the appropriate body to consider the content of this report.[SLB 07.11.14]

Comments of the Service Director - Finance

The financial implications are set out in the report.[SEM 06.11.14]

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 and Member Affected

Blyth and Harworth

Councillor Sheila Place

Report Author / Case Officer

David Marsh

0115 99 32574

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