



17 June 2014

Agenda Item:8

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

RUSHCLIFFE DISTRICT REF. NO.: 8/14/00611/CTY

**PROPOSAL: PROVISION OF A SINGLE MODULAR BUILDING FOR USE AS A DAY
CARE/PRE SCHOOL NURSERY FACILITY**

**LOCATION: CROPWELL BISHOP PRIMARY SCHOOL, STOCKWELL LANE,
CROPWELL BISHOP**

APPLICANT: CROPWELL BISHOP PRIMARY SCHOOL

Purpose of Report

1. To consider a planning application for a replacement modular building for use as a day care/pre-school nursery facility, on an area of previously developed land to the north of the main CLASP building at Cropwell Bishop Primary School, Stockwell Lane, Cropwell Bishop. The key issues relate to the appropriateness of the development in the Green Belt, visual amenity impacts, general impacts on residential amenity and traffic impacts on adjacent occupiers including a sheltered housing complex. As the site lies within the Green Belt, the proposal has been treated as a 'departure' from the Development Plan. The recommendation is to grant planning permission subject to conditions, as set out in Appendix 1.

The Site and Surroundings

2. Cropwell Bishop Primary School is situated towards the eastern edge of Cropwell Bishop Village, at the north-eastern end of a narrow private access road off Stockwell Lane. The site's western boundary abuts residential development on Springfield Close, and a further single residential property (Springfield House) abuts part of the southern boundary to the site (see Plan 1).
3. Together with the school, several residential properties, including Springfield House, are accessed off the narrow access road leading off Stockwell Lane.
4. Residential development to the west of the site on Springfield Close includes a retirement/sheltered housing complex (Rawlings Court) situated on the western side of the cul de sac.

5. Further residential development lies to the south-west of the site within Stockwell Lane. Agricultural fields lie to the east and north of the site, and further fields abut part of the site's southern boundary, beyond which lies residential development within Dobbin Close and Fern Road.
6. To the west of Springfield Close and Stockwell Lane lies Church Street, which contains a mix of residential development, retail outlets, a church and a public house (The Chequers).
7. The school is situated towards the edge of the developed envelope of Cropwell Bishop Village, within the main built-up area of the settlement. The site itself is washed over by the Nottingham-Derby Green Belt.
8. The main buildings of the school occupy the western part of the campus, comprising a single storey CLASP style building, made up of a series of rectangular and square classroom blocks and link corridors. The building is partially clad in hanging clay tiles, and is of brick built and flat-roofed construction. The school buildings are situated adjacent to the school car park, which lies to the immediate south, with vehicular access being gained off Stockwell Lane via the private access road. The car park has historically served both the school and a playgroup/pre-school facility. There is a hard play area to the east of the most southerly classroom block, and extensive school playing fields occupy the eastern part of the campus.
9. A public footpath extends from the school entrance, running firstly in a westerly direction and then in a northerly direction before linking into Springfield Close. Pedestrian access to the school site is gained off Springfield Close via the public footpath and off Stockwell Lane via the private access road.
10. The application relates to an area of unrestored land to the immediate north of the main school building, which is presently unoccupied following the removal of a former portable building, which previously occupied this parcel of land. There is a mix of mature hedgerow and trees to the site's northern boundary, with the boundary treatment comprising hedge and close boarded wooden fencing along the western boundary to the site.
11. The site of the proposed replacement building does not form part of the school playing fields, and was originally an area of amenity grass.

Relevant Site History and Background

12. The application relates to an established day care/pre-school facility, which has historically operated on the school site for some ten years, and which has benefited from several successive planning permissions granted by Rushcliffe Borough Council. An external provider, Cropwell Bishop Pre-School Playgroup, delivered this service up until Autumn 2013.
13. Planning permission (Plg. Ref. 03/01322/FUL) was originally granted in December 2003 to the then external provider Cropwell Bishop Playgroup for the erection of a portable building, with outdoor play area, for use as a playgroup. This was subject to a number of planning conditions including controls over hours of use, to protect the amenities of neighbouring

dwelling, with the permitted opening hours being 0900 hrs to 1200 hrs Mondays through to Thursdays, 0900 hrs to 1530 hrs on Fridays, and no Saturday, Sunday or Bank Holiday use.

14. Other controls over the development included the building being used for no more than twenty children at any one time, and a temporary use of the building, with planning permission expiring on 31 December 2008.
15. In terms of its dimensions, the permitted 4 bay modular building, had a footprint of 115.20 sq.m. (12.0m by 9.6m) and was to a maximum ridge height of 3.66m. The overall volume of the building was 421.63 cubic metres.
16. In October 2004, planning permission (Plg. Ref. 04/01365/VAR) was granted to vary Conditions 4 and 5 on planning permission 03/01322/FUL to allow the building to open between 0900 hrs and 1530 hrs Mondays to Fridays and for an increase in the number of children attending the playgroup, from twenty to twenty-four.
17. Attached to the decision notice, a note to the applicant advised the playgroup to produce, with the support of the County Council and in conjunction with the existing school, a Travel Plan in order to limit the number of car journeys to the site by staff and parents.
18. In October 2005, permission (Plg. Ref. 05/01085/FUL) was granted for the retention of the above building for use as a playgroup, and storage building, with a verandah and access ramp.
19. Two further planning permissions (Plg. Ref. 07/02110/VAR and 12/00491/VAR) were granted in December 2007 and May 2012 respectively, to vary Condition 3 (hours of operation) on the 2005 permission. The 2007 permission allowed the building to be used as an out of school club six times per year, between the hours of 0800 hrs and 0900 hrs and 1530 hrs and 1800 hrs; and to be used for committee meetings one hour per month, and open days and fundraising days six days per year.
20. The 2012 permission allowed the building to extend its hours of opening for the provision of a breakfast and after school club, delivered between the hours of 0730 hrs to 0900 hrs, and 1530 hrs to 1800 hrs Mondays through to Fridays. This use was restricted to term times only.
21. The 2007 decision notice made reference to the extended hours being acceptable, in terms of the amenity of surrounding residents. However, under the notes to applicant, an Informative was attached stating that parents and employees should not park on Springfield Close.
22. The occasional use of the modular building by Cropwell Bishop Primary School's out of school club was established under the 2007 permission. Supporting information, submitted as part of the planning application, indicated that an extension on the use of the building to include out of school provision would support the school in terms of complying with government policy for providing wrap-around care. It would provide alternative accommodation at times, such as on parents evenings, when

space for the wrap-around care would not be available within the school. After consideration of alternative provision, the use of the playgroup building was determined to be the only acceptable option in order to allow the out of school care to operate effectively.

23. Over recent years, two external providers have delivered the two provisions, involving a playgroup operated from the modular building, and the pre-and after-school provision delivered from both the modular and main school buildings. The playgroup facility, delivered between the hours of 0850 hrs and 1530 hrs Mondays to Fridays within the modular building, has catered for up to twenty-four children in line with the relevant planning permissions. The breakfast and after-school clubs have been delivered jointly by both providers, operating from the modular and main school buildings, catering for some forty children split across both buildings.

The Proposed Development

24. The application seeks planning permission for the provision of a single classroom modular building for use as a day care/pre-school nursery facility, and wrap-around care for the existing primary school. The building would replace a previously erected temporary portable type structure with a cedar clad modular building, of permanent construction, on the footprint of the former modular unit.
25. The proposed facility would continue to provide pre-school and wrap-around care as well as breakfast, after-school and holiday clubs. However, whilst the daily hours of use would remain unchanged at 0730 hrs to 1800 hrs Mondays through to Fridays, it is proposed to extend the out of school club use to an all year round provision, including throughout the school holidays, rather than on an occasional basis that has existed to date. The restrictions would remain in place with regards to weekends and Bank and Public Holidays.
26. The facility would cater for the school's pupils from the age of two to eleven year olds. It is proposed that twenty-four children would continue to use the facility.
27. The only extra provision being sought under these proposals is the use of the modular building throughout the school holidays for the provision of a holiday club, rather than this provision being run on an occasional basis (up to six times a year) as permitted to date. This would continue to cater for no more than twenty-four children at any one time, and four members of staff.
28. The proposed development would have a footprint of 140.3sq.m.(12.2m by 11.5m), and comprise a nursery, with a dedicated sleep room, a lobby, office, kitchen and separate standard and accessible w.c. provision. The overall volume of the proposed modular building would be 448.96 cubic metres.
29. The building would be of a lightweight steel frame and insulated modular shell construction, to a maximum ridge height of 3.4m, with a slight incline to the roof (see Plan 2). Externally the structure would be clad in a cedar

timber finish, with a single ply membrane roof. Other external features would include UPVC double glazed windows, and aluminium doors. All fascias and soffits would be polyester coated to match existing materials to the main CLASP building. The development would incorporate a low energy lighting system.

30. Internally level thresholds would be provided throughout the building to all doorways for disabled access, including a level threshold to the outside circulatory space and playground.
31. The proposed building, as a replacement structure, would re-use existing utility and service connections.
32. The proposals would not include the loss of any hard or soft landscaping, as it is simply a 'like-for-like' replacement facility, in terms of the physical structure, with the proposed modular building occupying the footprint of the original structure.
33. The construction phase would take approximately two months, comprising groundworks which would take some three weeks, with a further five weeks to install and prepare the building.
34. The building would be constructed off-site to reduce site disruption and disturbance, and is designed in accordance with the County Council's S3 design principles that have been used on a number of Basic Needs schemes across the county over the last few years. S3 is a modular design process, which allows the use of off-site volumetric construction principles. This provides for a permanent structure with a long life, but is lightweight and would reduce the site activities to a minimum and enhance the quality of build by allowing the majority of works to be undertaken off-site under factory conditions.
35. By virtue of its modern innovative design, the new structure would have the appearance of a conventional construction with a suitable life-span. Based on its various construction and design attributes, and long life-span, it is considered appropriate to treat this as a permanent building.

Consultations

36. **Rushcliffe Borough Council** *raises no objection to the development subject to planning conditions controlling materials in accordance with those specified in the application, and the development being carried out in accordance with the submitted plan Reference CSA-T217-SK.05 D, to ensure compliance with Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan and for the avoidance of doubt.*
37. **Cropwell Bishop Parish Council** *raises no objection to the planning application.*
38. **Sport England** *does not wish to make comment on the planning application.*

39. **Police Force Architectural Liaison Officer** raises no concerns with regards to the proposals, having viewed the proposals and examined the crime and disorder history for these premises.
40. **NCC (Highways) Rushcliffe** raises no objections to the proposal, given that the building replaces a facility which previously existed on the site. This is a like-for-like replacement where the number of staff and children would be the same as that previously catered for.
41. Attention has been drawn to the fact that had the applicant intended to increase the number of children catered for and associated staff then the Highway Authority would require further supporting evidence to be provided to ensure that the existing facilities on site are adequate in terms of parking and that the surrounding roads would not be adversely affected by the development.
42. The applicant has confirmed that the modular building would continue to cater for no more than twenty-four children at any one time, and that staffing levels would remain unchanged.
43. **NCC (Road Safety)** raises no objections to the proposal as there are no changes to the current provision at the school and given that this is a replacement building.
44. **National Grid (Gas), Severn Trent Water Limited and Western Power Distribution** have made no response. Any responses received will be orally reported.

Publicity

45. The application has been publicised by means of a site notice, press notice and neighbour notification letters have been sent to the nearest occupiers in Springfield Close, Stockwell Lane and Church Street, including the Chequers Public House, in accordance with the County Council's adopted Statement of Community Involvement. Seven letters of representation have been received from six separate households on Springfield Close and the private access road off Stockwell Lane, raising objections to the development on the following grounds:
- (a) Problems of increased traffic congestion, with the extra volume of traffic associated with the proposed nursery only serving to create a parking problem on Stockwell Lane, Fern Road and Church Street, as well as exacerbating existing problems of traffic congestion and inappropriate parent parking along Springfield Close;
 - (b) access along Springfield Close is already compromised, with traffic blocking driveways and a turning area, which is used by ambulances, fire engines and delivery vehicles accessing a warden aided complex for older people;
 - (c) traffic impacts currently associated with term-time only, would occur throughout the year if the proposals go ahead;

- (d) safety issues for pedestrians walking their children to school;
 - (e) as the school is expanding, it has a duty to provide a safe environment in which children can be dropped off, and to prevent further traffic impacts for local residents;
 - (f) vehicle access to Springfield Close should be restricted, as the Chequers Public House on Church Street is agreeable for parents to use its car park during school drop-off and pick-up times, and it is a very short walk to the school;
 - (g) contrary to the information shown on the application, parents do not generally use public transport to bring their children to school, but deliver them by car;
 - (h) general disturbance during the construction phase, particularly in terms of noise and traffic impacts, and the inconvenience of the previous building being taken down, and only a few months later another building being erected;
 - (i) whilst access along the private road has been given to the school, it does not mean that other occupiers should not be given consideration;
 - (j) concern that a very good playgroup with an excellent OFSTED report, with purpose built modular building and paid for by the playgroup, on land leased from the school has not had its lease renewed;
 - (k) given the cutbacks, it is questioned where the funding is coming from for this project;
 - (l) given the number of children using the 'wrap-around care' it cannot be a viable proposition, unless the playgroup provided in the Methodist Chapel closes.
46. Two objections have subsequently been withdrawn following on from a constructive meeting with representatives of the school. It is understood that the school is now working with local residents, to resolve the parking issues on Springfield Close.
47. Councillor Richard Butler has been notified of the application, and has no objections to make to the planning application.
48. The issues raised are considered in the Observations Section of this report.

Observations

Introduction

49. Cropwell Bishop Primary School is seeking to replace a temporary building that was on the school site up until Autumn 2013, and retain an established use on the site for the provision of extended school services delivered in a stand-alone modular building. The proposed building would be used to provide the school with additional classroom and resource space,

incorporating pre-school and wrap-around care, as well as breakfast, after-school and holiday clubs.

50. The school has provided a day care and wrap-around extended school services provision for a number of years, delivered across the main school building and a stand-alone modular building, with the provision being provided by two third party specialist providers.
51. The school has recently decided to fund the provision of a new building to enable it to control the service provision in the future.
52. In terms of assessing the proposed application under consideration in this report, the main issues relate to the impacts of the development on the visual amenity and character of the open Green Belt; and the impact on the residential amenities of neighbouring properties, particularly in relation to the potential for increased traffic impacts.
53. Reference is now made to those material considerations relevant to the determination of this planning application.

Planning policy considerations

54. In national planning policy terms, the proposed development is given due consideration in light of the National Planning Policy Framework (March 2012) (NPPF).
55. Overarching policy direction is set out in Section 8 of the NPPF '*Promoting Healthy Communities*' paragraph 72, which attaches importance to the need to create, expand or alter schools, supporting development that would widen choice in education for the local community and offering weight to the proposal under consideration in this planning application.
56. The NPPF sets out the national policy approach towards development, giving guidance as to the degree of weight that should be afforded local plans since its publication. It states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies are to the Framework, the greater the weight that may be given)'.
57. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise, and for the purposes of this application, the proposal has been assessed against key policies in the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006) (RLP).

Green Belt Policy considerations

58. The proposal has been assessed in terms of national and local Green Belt policy, given the site's Green Belt location. National guidance on Green Belt policy is provided within Section 9 (Protecting Green Belt Land) of the NPPF, whilst local Green Belt policy is set out under Policy EN14 of the RLP. The overarching aim of the Green Belt policy is to prevent urban

sprawl, with the aim of preserving the openness and the permanence of the Green Belt.

59. Land-use designations within the Rushcliffe area are defined by the RLP Proposals Map, and within this context, the application site is identified as being located within the local Green Belt and therefore not identified for development. RLP Policy EN14 states that *'within the Green Belt as defined on the Proposals Map planning permission will only be granted for appropriate development for the following purposes:*
- a) Agriculture and forestry;*
 - b) For other uses which preserve the openness of the Green Belt, including essential facilities for outdoor sport and recreation and for cemeteries;*
 - c) Alteration and limited extension or replacement of existing dwellings;*
 - d) Limited residential infilling in existing settlements within the Green Belt'.*
60. Under the criteria set out under Policy EN14, the proposed modular building is not identified as being 'appropriate development' within the Green Belt. In the context of RLP Green Belt policy, the development must therefore be considered as 'inappropriate development', and as such, the proposal has been treated as a 'departure' from the development plan.
61. National Green Belt policy is a relevant material consideration in terms of determining this application. The NPPF establishes a similar approach to the RLP in terms of listing appropriate forms of development in the Green Belt, but under paragraph 89 has extended its definition of 'appropriate' Green Belt development to include *'the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces'*.
62. In line with this policy direction, the proposed new building would be located within the footprint of the former building, and would be used for the same purpose, in terms of providing an early learning facility and extended school services and wrap-around care. Essentially the new element would not be materially larger than the previous structure, in terms of the overall scale or massing of the building. The building has been designed to reflect its Green Belt location, in terms of the relatively low-level character of the development, and its continued grouping with the other built development on the site. The proposal has sought to broadly replicate the previous facility, and would continue to provide a single classroom modular building, albeit of permanent construction, which has previously been established as being acceptable development in this part of the Green Belt.
63. Appropriate development is by definition not harmful to the Green Belt. In this respect, the development would have the same characteristics as the previously permitted building and would not result in any greater impact on the openness of the Green Belt and the purposes of including land within it, than the previously approved development. The proposed building would be in the same use and not materially larger than the building it would

replace. As such, the proposal would not be harmful to the Green Belt, and by definition would not be inappropriate development.

64. It is noted that the NPPF dictates that any relevant policies in existing development plans should be weighted according to their degree of consistency with the Framework. In this case, there is some inconsistency between what is deemed 'appropriate' Green Belt development, as established under the criteria based Policy EN14 of the RLP, and that set out in the NPPF. Therefore, in accordance with national policy, the NPPF's definition, which is material in terms of determining this planning application, has been given due weight, and within this context, the proposal constitutes 'appropriate' Green Belt development.
65. Whilst the proposal cannot meet RLP Policy EN14, material considerations in terms of its compliance with national Green Belt policy, and the fact that the principle of the acceptability of the development has been established under a number of previous planning permissions, all provide support for the development on the site subject to there being no unacceptable residential amenity impacts.

Visual amenity impact of the development

66. Section 7 of the NPPF '*Requiring Good Design*', which attaches great importance to the design of the built environment is relevant to the development. Paragraphs 57 and 58 emphasise the importance of planning positively in order to achieve high quality and inclusive development, which functions well and adds to the overall quality of the area.
67. Also of relevance is Policy GP2 (Design and Amenity Criteria) of the RLP which supports development provided that it is of a scale, design and layout that is sympathetic to neighbouring buildings and the surrounding area, would not be overbearing and would ensure that occupiers of existing dwellings have a satisfactory degree of privacy. In addition, there should be no significant adverse effect upon the residential amenity of adjoining properties or the surrounding area, by reason of the type and levels of activity on the site, or traffic generation.
68. In terms of visual amenity impacts, the proposed development by virtue of its design and distance from residential development would have a neutral impact on the nearest sensitive receptors in Springfield Close. A lower profile to the roof line together with the building's compact character and use of more sympathetic materials to the external elevations would ensure that the building is visually integrated into its setting. By reinstating a building on the footprint of the previous building, it would appear as a 'like-for-like' structure, and would not introduce any additional visual amenity impacts, for the nearest occupiers. As such, the proposal accords with RLP Policy GP2 and the NPPF.
69. The building's proximity to the main school building together with its appropriate scale and design would ensure that the new element would appear as an integral part of the existing built fabric of the school site. The development would reflect the design of the existing main building, with the

low-level scale and roof profile being in keeping with the flat roof and single storey construction of the existing building. The choice of materials would be sympathetic to those of the existing CLASP building, with the cedar cladding being in keeping with the adjacent main school building, which incorporates an element of timber cladding. The proposed use of timber cladding also reflects the semi-rural character of the surrounding area, and would ensure that the development is visually integrated into its setting. As such, the development would accord with the design criteria established under the NPPF and RLP Policy GP2.

70. The proposed development would be substantially screened from the surrounding area by existing boundary treatment, with a mix of mature trees, hedgerow and fencing to the adjacent site boundaries. This aspect together with the separation distance of the development from adjacent residential property and the suitable design of the proposal would ensure that there would be no undue loss of visual amenity to neighbouring occupiers in Springfield Close in accordance with Policy GP2 of the RLP and the NPPF.

Other residential amenity impacts

71. The use of the modular building for extended school services has the potential to adversely affect the residential amenity of adjacent occupiers in Springfield Close given that its activities extend beyond core hours, including, under these proposals, an all year round provision for the holiday club. In particular, an extended use of the modular building for the duration of the school holidays has the potential to lead to a loss of amenity to the nearest sensitive receptors.
72. Neighbouring properties within Springfield Close currently benefit from the facility being closed for part of the school holidays, although the casual holiday use of the previous modular building for out of school provision has established an operational use of the building beyond core term-time hours.
73. On balance, it is considered that general amenity impacts, in terms of noise impact, are capable of being acceptably mitigated. It is considered that controls over operational hours, and the number of children permitted to use the modular building at any one time, would ensure that the proposal would result in less than substantial harm to the amenity of neighbouring occupiers, particularly when weighed against the wider public benefits the scheme would provide.
74. Planning conditions would seek to maintain the hours of operation established under the previous planning permissions, thereby ensuring that the facility does not operate beyond the proposed hours of 0730 hrs to 1800 hrs Mondays to Fridays. As such, the nearest occupiers would continue to benefit from their present level of amenity at weekends, and in the evenings, as well as on Bank and Public Holidays.
75. On balance, whilst the proposals would extend the use of this part of the school site, to an all year round provision of extended school services, it is considered that any impact on residential amenity is capable of being

suitably mitigated by controls over operational hours and the number of children using the modular building and play area. This aspect, together with the distance of the facility from residential property, which is approximately 15m, and the existing robust boundary treatment to the shared boundary, would ensure that any amenity impacts would be acceptable, in accordance with RLP Policy GP2.

76. In terms of the construction phase, it is acknowledged that there is the potential for the works to impact on the general amenity of local occupiers, particularly those living on Stockwell Lane, and along the private access road, as this route provides vehicular access to the site for construction traffic. However, the duration of the works would be for a temporary period only, of relatively short duration, and it is considered that subject to controls over working hours, the amenity impacts would on balance not be unacceptable.

Traffic, access and parking

77. In terms of the highways implications, it is recognised that there is a perceived problem with traffic congestion and parent parking, in what is a somewhat constrained location. Given that the school is accessed by a narrow private access road, off Stockwell Lane, which is in itself a narrow carriageway, parents allegedly park on Springfield Close. With respect to Springfield Close, it is a cul de sac location, with no through road access, and as well as residential housing there is also a large sheltered housing complex for the elderly, with associated visitor parking.
78. Whilst the County Council, as Highway Authority, does not object to the proposal, this is on the understanding that the number of children being catered for and associated staff does not increase above that permitted to use the facility to date. It is also on the understanding that in terms of parking, the surrounding roads would not be adversely affected by the development.
79. Planning conditions would ensure that the number of children using the building at any one time does not exceed the twenty-four permitted under the previous permissions issued by the borough council. With regards to the proposed activities associated with the modular building, the start and finish times for the day care/nursery provision are normally outside those of the main school times, so it is anticipated that traffic associated with drop off and pick up times would be staggered throughout the day. Associated staff would use the on-site school car park throughout the year, including during the school holidays.
80. It is understood that the holiday club, which has to date operated on a demand led, casual basis, has not led to traffic impacts on Springfield Close. Representations received from occupiers living in the close, indicate that traffic congestion and parent parking has not been apparent during the school holidays. The school has indicated that its intentions are to work with residents in Springfield Close to ensure that traffic impacts associated with the development remain low and this co-operative approach is to be welcomed.

81. Within this context, the school is working with the County Council's Road Safety Officer to update its School Travel Plan. The Travel Plan would set out objectives, targets and actions aimed at reducing the number of cars arriving at the school, to maximise pupil safety and minimise the impact on local residents. Actions would be short term to cover the modular building coming into use, as well as medium and long term, to demonstrate the school's commitment to the neighbouring community. Options which are open to consideration include a partnership with the local public house to enable parent parking; a park and stride and walking bus; and the potential use of the school car park during summer holiday activities. These measures would specifically seek to address traffic impacts on Springfield Close.
82. Planning conditions would seek to ensure that the plan is in place before the modular building becomes operational. As such, it is anticipated that traffic impacts associated with the day care/nursery facility would continue to be relatively low level, and that the development is capable of according with Policy GP2 of the RLP. In accordance with this policy, there would be no significant adverse effect upon the residential amenity of the surrounding area by traffic generation associated with the development.

Other Issues

83. Concerns have been raised in relation to the cessation of the former external provider, Cropwell Bishop Pre-School Playgroup, in terms of delivering the playgroup facility. However, this is a management issue for the school and is outside the planning remit.
84. The extended school provision provided by Cropwell Bishop Primary School is separate to the provision provided in the Methodist Chapel, alluded to in neighbour representations, and would not be associated with the closure of this facility.
85. With regards to the funding of this project, it is understood that the school is investing in a modular building so that it is able to retain control over its day care/pre-school, and extended school services provision.

Conclusions

86. Whilst the proposal does conflict with RLP Policy EN14, there are material considerations to justify an exception to this policy. The NPPF Green Belt policy, which allows for 'like-for-like' replacement development provided the building is put to the same use and is not materially larger than a previous building, as in the case of the development under consideration in this report; and the fact that general amenity impacts are capable of being suitably controlled subject to planning conditions, argue in favour of the development.
87. By virtue of its design and location, the proposal would be a low-level, low impact replacement development, and one which would not give rise any unacceptable residential amenity impacts. The proposal would be

sympathetic to the nearest neighbouring properties and to the school's Green Belt location and semi-rural character of the surrounding area.

88. Overall, there are deemed to be material considerations sufficient to outweigh conflict with RLP Policy EN14. As such, the proposal is considered capable of being supported. The development would provide a useful local facility in the interests of the wider public.
89. 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.

Other Options Considered

90. 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

91. 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.

Equalities Implications

92. The development would deliver a fully accessible and inclusive day care/pre school facility, which would accord with the requirements of the Equality Act 2010.

Crime and Disorder Implications

93. The development would be located within an established school site benefiting from an element of both internal and perimeter security fencing, which offers an appropriate level of site security. No objections are raised by the Police Architectural Liaison Officer.

Safeguarding of Children Implications

94. Any children attending the day care/pre-school facility would have the benefit of being safeguarded by an element of security fencing around the wider school site.

Implications for Sustainability and the Environment

95. In accordance with the principles of sustainable development established under the NPPF, sustainable materials and design features have been incorporated into the development. This includes the use of high levels of

natural daylight, double glazing to the doors and windows; and highly insulated walls, flooring and roof elements, designed to be energy efficient. The development would also make use of existing resources, such as linking the associated surface water and foul drainage into the existing system. The proposal therefore accords with Policy GP1 of the RLP, and the NPPF.

96. There are no service users, financial and human resources implications that are material to the determination of the planning application.

Human Rights Implications

97. 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) may be affected. The proposals have the potential to introduce general residential amenity impacts and traffic impacts upon local residents, particularly occupiers on Springfield Close, Stockwell Lane and the private access road. However, these potential impacts need to be balanced against the wider benefits the proposals would provide such as delivering extended school services for the wider community, including early learning and day care provision.
98. In respect of Article 6, it is considered that appropriate publicity/consultation has taken place, involving the application being advertised by a press notice, site notice and neighbour notification letters have been sent to nearby occupiers of residential properties in Springfield Close, Stockwell Lane, and Church Street, Cropwell Bishop, in accordance with the County Council's Adopted Statement of Community Involvement. Any representations received have been given due consideration in considering whether the benefits of the proposals outweigh the potential impacts, and reference has been made to these in the Observations section of the report.
99. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Statement of Positive and Proactive Engagement

100. In determining this application the County Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

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.

JAYNE FRANCIS-WARD

Corporate Director Policy, Planning and Corporate Services

Constitutional Comments

The Planning and Licensing Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference. [NAB 5.06.14]

Comments of the Service Director - Finance (SEM 05/06/14)

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

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

Cotgrave Councillor Richard Butler

Report Author / Case Officer

Deborah Wragg

0115 9696510

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

offrep.doc
PPCS.DW/ep5185
29 May 2014

RECOMMENDED PLANNING CONDITIONS

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

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

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

Reason: To enable the CPA to monitor compliance with the conditions of the planning permission.

3. The development hereby permitted shall only be carried out in accordance with the following documents, unless otherwise agreed in writing with the CPA or where amendments are made pursuant to the other conditions below:

- a. Planning Application Form received by the CPA on 28th March 2014;
- b. Design and Access Statement received by the CPA on 28th March 2014;
- c. Location Plan received by the CPA on 28th March 2014;
- d. Plan titled 'Scheme Proposals' Drawing No. CSA-T217-SK.05 Rev. D received by the CPA on 28th March 2014.

Reason: For the avoidance of doubt.

4. Except with the prior written agreement of the CPA, no construction work shall be carried out or plant operated other than between the following hours: 0730 hrs to 1800 hrs Mondays to Fridays, 0800 hrs to 1330 hrs on Saturdays and at no times on Sundays, Bank or Public Holidays.

Reason: In the interests of amenity and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

5. The development hereby permitted shall not commence until the colour of the external finishes to the modular building has been submitted to and agreed in writing with the CPA. The external finishes of the building shall thereafter be maintained in good condition in accordance with the approved details.

Reason: In the interests of amenity and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

6. No development shall commence until drainage plans for the disposal of surface water and foul sewage have been submitted to, and been approved in writing by, the CPA. The drainage works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the development does not result in an unacceptable pollution impact on the surrounding area in accordance with Policy EN22 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

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 or onto the private access road off Stockwell Lane.

Reason: In the interests of highway and general road safety.

8. Within three months of the development hereby permitted first being brought into use, a review of the School Travel Plan shall be submitted to and approved in writing by the CPA. The School Travel Plan Review shall be revised in accordance with the options set out in an email from the County Council's Road Safety Officer, received by the CPA on 20th May 2014, with the aim of:

- a) reducing the number of cars arriving at the school;
- b) maximising pupil safety;
- c) minimising the impact on local residents.

The School Travel Plan Review shall set out proposals (including targets, a timetable, monitoring and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the CPA and shall include arrangements for the monitoring of progress of the proposals. The School Travel Plan Review shall be implemented in accordance with the timetable set out in that document unless otherwise agreed in writing by the CPA.

Reason: In the interest of the safety of users of the site, and to minimise the impact of the development on neighbouring occupiers in compliance with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

9. The development hereby permitted shall only be used between the hours of 0730 hrs to 1800 hrs Mondays to Fridays and at no times on Saturdays, Sundays, Bank or Public Holidays.

Reason: To protect the amenity of nearby residential properties and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

10. No more than twenty-four children shall use the modular building hereby permitted at any one time.

Reason: To protect the amenity of nearby residential properties and to accord with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (Adopted December 2006).

Note to Applicant

1. With reference to Condition 8 the applicant is advised to discuss the review of the School Travel Plan with Steve Stevenson (NCC Road Safety Officer – School Liaison) on 0115 977 2360.
2. The applicant is encouraged to consider the provision of photo voltaic panels in relation to roof specification details as encouraged by Policy 1 of the Rushcliffe Core Strategy (March 2012).