



2 June 2015

Agenda Item:7

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

MANSFIELD DISTRICT REF. NO.: 2/2015/0057/NT

**PROPOSAL: CREATION OF NEW THREE CLASSROOM TEACHING BLOCK PLUS
ADDITIONAL STAFF CAR PARKING**

**LOCATION: HEATHERLEY PRIMARY SCHOOL, HEATHERLEY DRIVE, FOREST
TOWN**

APPLICANT: NCC ENVIRONMENT AND RESOURCES

Purpose of Report

1. To consider a planning application for a new stand-alone three classroom teaching block and car parking at Heatherley Primary School, Forest Town. The key issues relate to traffic, parking and visual impact. The recommendation is to grant planning permission subject to the planning conditions set out in Appendix 1.

The Site and Surroundings

2. Heatherley Primary School is located towards the west of Forest Town, and approximately 1.8km to the north-east of Mansfield. The wider area is of a suburban residential character, and the school itself is bordered by residential properties on all sides.
3. Also of note in the wider area is a large Asda superstore and other retail development to the north, approximately 250m from the school site.
4. The school site is rectangular with a total area of approximately 1.1ha. Within the school site there is a single brick built school building with a tiled pitched roof and areas of wooden cladding coloured red. The building was constructed in 1988, and is located in the northern half of the site. To the south of the building there is grassed playing field area and hard surfaced playground. To the north of the school building there are areas of car parking.
5. There are numerous trees around the school site, particularly to the north and north-east of the school building, and also immediately to the south-east. The school is secured by a combination of wooden fencing, pallas fencing and

hedge. In terms of topography, the site has a gentle gradient sloping south to north.

6. The school site is accessed off Heatherley Drive in its north-western corner. Heatherley Drive is a cul-de-sac that connects to the A6117 to the north and serves a number of other cul-de-sacs that connect to it.
7. Bordering a short stretch in the south-west corner of the site is the Vale Close Plantation Local Wildlife Site (LWS). This is a valuable deciduous woodland with a characteristic sandstone ground flora.
8. Part of the school site, including land to the south and east of the main school building, is identified for the protection of school/college playing field in the Mansfield Local Plan.

Proposed Development

9. Planning permission is sought for a new three classroom teaching block and 11 new car parking spaces. The development also includes the erection of a coloured sail canopy.
10. The new classroom would be located 8-10m to the south-west of the existing school building, and would have a footprint of 245m². At its nearest point the building would be approximately 3.5m to the east of the school boundary, and the rear of residents' gardens.
11. The building would comprise a large rectangular mono-pitch section forming the classrooms, and an entrance foyer which would be a secondary smaller and lower mono-pitched element on its eastern elevation. The secondary element pitch would fall in the opposite direction of the main building section.
12. The building would measure approximately 19.8m in length and 13.8m in width. The main element of the building would measure 4.26m in height, falling to 3.28m at its south-western elevation. The north-eastern section of the building would be lower at 2.8m falling in height to 2.4m to the north-east.
13. The classroom building would be of a brick construction, with mixed red facing brick elevations. The building would have red timber boarded details on its north-eastern side (facing the main school building) either side of the main access doors. There would also be a red band at eaves level to reflect that of the existing school building. The new roof would be a dark grey single ply membrane with powder coated fascia and soffits.
14. The front (north-eastern) elevation of the building would have a set of double doors and a total of five windows, of varying sizes. In addition, there would be a row of 16 windows above the foyer element, allowing natural light into the main section of the building. On the rear (south-west) elevation there would be three doors, each leading into one of the class rooms, and a total of six windows. The doors and windows would be white powder coated aluminium, apart from the main access doors, which would be coloured red. The windows would be of a

horizontal sliding sash design. There would also be six rectangular roof lights, two per classroom, to provide natural lighting.

15. Within the building there would be three classrooms located within the main building section. Each classroom would measure approximately 6.4m by 10m. Within the entrance foyer section of the building there would be two toilet areas, and a separate disabled toilet. There would be a small group area/meeting room, and two cupboards for cleaning equipment and plant.
16. There would be two air source heat pumps located externally to the south-east of the classroom block. It would be located in a corner formed between the entrance foyer and the main building section. There would also be seven photovoltaic cell panels on the roof of the main section.
17. There would be a 1.2m wide tarmac path around the south-west and north-east of the proposed building, and an area of new tarmac to the front of the proposed building. These hard surfaced areas would connect into the existing footpaths.
18. There would be two areas of new car parking, one to the north-west and one to the north-east. The north-west car parking would comprise six new parking spaces adjacent to the school access road. It would extend westwards into a grassed area, and would involve the removal of a section of hedgerow, which forms part of the school's existing boundary in this location. This new car parking area would be secured by 2.0m high green Herras Pallas Plus fencing, and screened by hedge planting.
19. The proposed parking towards the north-east of the school site would be located in an area of existing car parking. The new parking area would result in the removal of five car parking spaces, which would be replaced with 10 car parking spaces. A net increase of 11 car parking spaces would be provided.
20. The proposal also includes the erection of a new primary colour sail canopy to the south-western side of the existing school building. The proposed sail would include six 150mm diameter powder coated steel column posts, and reach 4.0m in height. The sail would cover an area of 3.7m by 4.7m.
21. The proposed development would involve the felling of nine trees to facilitate the construction of the new classroom and parking areas.
22. There is currently a small sunken area of grass to the north-west of the school site which acts as a soakaway. The proposed development includes the installation of a new basket soakaway designed to accommodate the additional surface water run-off and contain water within the school environment. The grassed area would then be re-profiled to match the existing contours.
23. The proposed development would result in the school's designed capacity rising from 210 to 315 pupils. In addition, full time equivalent staffing numbers would increase from 23 at present, to 34. Staffing comprises full time and part time teachers, teaching assistants, admin staff, midday staff and kitchen staff.

Consultations

24. **Mansfield District Council** – *No objection, subject to conditions relating to landscaping and materials.*
25. **Environment Agency** – *Standing advice relating to surface water management good practice principles and standards should be applied.*
26. **NCC (Highways) Mansfield** – *The expansion of the school is likely to see an additional 50 trips at most associated with pupils arriving and leaving and an additional 10 trips associated with additional teachers. It is acknowledged that there have been local issues with traffic in the vicinity of the school but it is considered that the overall number of additional trips is small, and that the existing roads have the capacity available to deal with these with the availability of the nearby Asda car park. It is considered that the overall impact of additional car trips is not severe.*
27. *The County Council is in the process of making the existing 'School Keep Clear' markings legally enforceable which would assist in controlling parking and it is noted that the successful implementation of a School Travel Plan should have a positive impact in reducing the use of cars by those going to the school.*
28. *The current parking provision on site consists of 12 spaces and it is acknowledged by the applicant that this has not been sufficient to meet demand. It is proposed that the new car parking provision would have 23 spaces and this should ensure that the current on-street parking by teachers is no worse should planning permission be granted.*
29. *In determining the planning application the guidance within the National Planning Policy Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.*
30. *Should planning permission be granted it is recommended that conditions are attached relating to construction details, parking and service areas, and a School Travel Plan.*
31. **NCC Road Safety** – *In the latest three year period (January 2012 – December 2014) there have been no reported injury collisions on the length of Heatherley Drive. It is also understood that some parents park in the Asda car park and use the pedestrian crossing on the A6117 Old Mill Lane. During the same 2012-2014 period there have been no collisions at the crossing.*
32. *The issue of construction traffic mixing with pupils start and finish times should be addressed, and it is suggested that there should be controls relating to delivery times and plant movement.*
33. *The use of a School Travel Plan is encouraged and it should promote safe and sensible travel. Any such plan needs to be managed and enforced, and it is suggested that the school would be best placed to do this.*

34. *The use of markings across residents' driveways to prevent inconsiderate parking is suggested, although it is acknowledged that this is not a safety issue, and funding would have to be sourced.*
35. **NCC (Noise Engineer)** – *The proposed development would increase pupil numbers at the school by approximately 40%. To put this in context a doubling of pupil numbers would give rise to an increase in external activity noise of approximately 3dB which is widely accepted as the minimum perceptible increase of an existing noise source by the human ear. The proposed increase in pupils would lead to an increase in external noise levels by less than 2dB and therefore would not be perceptible.*
36. *There may be some potential for audible noise in garden areas of neighbouring properties near to the proposed classroom during warmer days when windows are open. Whilst audible, noise levels would not be expected to be at a level, or of a duration, that would give rise to noise complaints.*
37. *There is the potential for noise disturbance from construction of the new building. There are no noise objections subject to conditions relating to construction days and hours, and a total noise level of 65dB at neighbouring properties.*
38. **NCC (Nature Conservation)** – *The existing school buildings were assessed as having marginal potential for roosting bats, but in any event these would not be affected by the proposals. A Local Wildlife Site abuts the south west corner of the site, but would not be affected by the proposals.*
39. *No additional surveys are necessary, although conditions should be attached to control vegetation clearance during the bird nesting season, protect mammals from working activities, and require the submission of landscaping for replacement trees.*
40. **NCC (Reclamation)** – *Whilst there has been no intrusive investigation of ground conditions a desk study appraising the potential for such has been carried out. The findings of the desk study indicated that there is no significant potential for contamination of the site.*
41. *A watching brief for any unexpected changes in ground conditions is recommended. No specific investigation of contamination conditions are considered necessary given the findings of the Phase One assessment. It is also understood that the new classroom block would not connect physically with the existing building. If this changes, the development should commence with an asbestos survey.*
42. **Sport England** – *No objection.*
43. **Police Force Architectural Liaison Officer** – *No objection.*
44. No response received from **Severn Trent Water Limited, Western Power Distribution and National Grid (Gas)**. Any response received will be reported orally.

Publicity

45. The application has been publicised by means of site notices and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
46. A total of nine responses have been received. Eight responses were letters/emails, and one petition has been received. All the letters, and the petition, raise concerns in relation to traffic and parking. Some of the responses also raise concern with the location of the building, and its proximity to residential properties.
47. Many residents have highlighted the existing traffic and parking situation around the school as very bad, particularly during weekday mornings and afternoons during the school pick-up and drop-off periods. However, other times have been highlighted as causing traffic to some extent including lunchtimes, school trips, assemblies and school plays. Residents' concerns can be categorised into traffic/parking, and the building itself. The concerns relating to each of these categories are discussed under separate headings below.

Traffic and Parking

48. With regard to access, Heatherley Drive, the street which the school is located on, is a cul-de-sac with a number of other cul-de-sacs leading off it. There is a high volume of vehicles associated with the school particularly pick-up and drop off periods during the morning and afternoon. Residents state that during these periods cars double park, park on corners, on kerbs, in front of residents drive ways, and on marked restricted (zig-zag) areas. This results in a road that is difficult to navigate in a car and it is sometimes completely blocked.
49. There are existing zig-zag 'School Keep Clear' markings outside the school entrance. However, these are said to be unenforceable and have done little to help the existing parking situation.
50. It is also reported that school staff park on the road during the day, which in some instances reduces the width of Heatherley Road to one lane for the duration of the day.
51. From a safety perspective the residents raise concern that the parking situation makes it difficult for cars to pass one another and reduces visibility for drivers. They consider this makes crossing the road difficult for pupils and parents, particularly as there are no designated crossing areas. They are concerned that it will be a matter of time before a serious accident occurs, and state that 'near misses' happen regularly. In addition, they are concerned that if an emergency vehicle were to be called at a time coinciding with high traffic and parking in and around Heatherley Drive, it would not be able to access some of the street(s).
52. The Transport Statement (TS) reports that there have been no serious accidents, although it is claimed that there are near misses every day. The issues of safety are said to be worse in the winter time as the roads are not gritted, the area is hilly, and drivers struggle to get up to, and from, the school. In this regard, the traffic survey has been criticised, as it was undertaken on a dry

autumn day and therefore did not represent the times when parking and traffic are at their worst, such as when it is raining, cold and foggy. At these times even more pupils are brought to school by car.

53. It has been reported that parents have been contacted by the school regarding parking, although this has made little difference to the situation, and some residents have received verbal abuse from parents. It is also reported that in the past the police have been called to patrol the school gates and prevent inappropriate parking.
54. A selection of images showing the parking and traffic situation during a peak period on Heatherley Road have been submitted by a local resident and Mansfield District Council (MDC) Councillor Mick Barton.
55. All of the above concerns are in relation to the existing situation, and the point made by many residents is that expanding the school would exacerbate the traffic and parking issues that already exist. Residents state that the existing road is not wide enough to serve a larger school. It has also been argued that the conclusion of the TA, that there is ample space to park, is incorrect and that the development would lead to even longer queues of traffic and more streets on the estate being congested.
56. The petition includes signatories from 119 residents located on surrounding roads including Baysdale Drive, Heatherley Drive, Cotterdale Close, Bransdale Avenue, Denton Close, Hambleton Rise and Butterwick Close. The petition covering letter raises concern with the existing congestion on surrounding roads, stating that this is caused by inconsiderate parking by parents dropping off their children in the morning, and picking them up in the afternoon. It also highlights that poor parking at the site includes double parking on a tight bend in Heatherley Drive, and parking across driveways and on kerbs.
57. The petition letter states that 60-70 more vehicles dropping off and picking up children could be associated with the additional 100 places and this would make an existing situation far worse. Concern about access for emergency vehicles is also mentioned in the petition letter.
58. The petition calls for provision to be made within the school grounds for parent parking, or for restrictions to be put in place on Heatherley Drive, Baysdale Drive, Bransdale Avenue and Cotterdale Close to control parking for safety reasons before there is a serious accident. Separate calls have been made for a safe place for children to cross such as a crossing zone, or a crossing patrol. There are also calls for more commitment from the school to make the park and walk scheme from ASDA work, as it is currently underutilised.
59. The petition and some residents have also raised concerns about speeding occurring around the school site.
60. MDC Councillor Mick Barton has objected to the proposal, highlighting that most residents are against the development. The letter queries whether the survey was undertaken at the school and whether it was done during a peak traffic period. It is questioned whether Nottinghamshire County Council could claim against the company that undertook the traffic survey in the event of accidents

occurring. It is also stated that other local primary schools are under capacity, and asks why the catchment area is not relevant.

61. MDC Councillor Mick Barton stated that drop off and pick up points need to be addressed and a solution could be the use of some of the existing school land, such as the front of the school where there is plenty of room to put a drop-off roundabout in and some parking bays. Other residents have suggested that there should be a drop-off point within the school, such as a horseshoe drive-in/drive-out option at the bottom of the drive. There is underused space there, although it is acknowledged that it would involve a re-think of the staff parking. Another suggestion is widening the road opposite the school drive, to allow cars to park and pass safely, as this area of land is grassed and it is claimed that it is not used by residents as a garden or for recreation. An enforceable no parking zone is also put forward around the mouth of the school drive which would allow cars to pass on the bend, and provide a safer area to cross. Another suggestion is to remove the restriction on the Baysdale/Elmhurst Road to allow a second access option, reducing the back up of vehicles on Heatherley Drive.
62. It is noted that the TS shows that there are pupils attending the school from outside of the immediate catchment area, and the question is asked as to why a school in Forest Town is being expended when there are schools in neighbouring towns and villages that have capacity.
63. MDC Councillor Mick Barton has requested that County Councillors undertake a site visit during a peak traffic period, such as school closing time.

The Building

64. The proximity of the proposed classroom has also been raised as an issue of concern. It is highlighted that the building would be 3.5m from the rear of properties at its closest point, and the footpath around the building would be closer. It is felt that this would affect local residents. This concern is also raised by MDC Councillor Mick Barton. It has been suggested that there are other locations within the school site that could accommodate the proposed classroom.
65. Concern has also been raised in relation to planting trees between the proposed classroom building and neighbouring residences as this may, over time, lead to increased shade in the gardens.
66. The building would be located on an area which is currently occupied by an outdoor play area. There is some worry that this would be lost. If the play area is to be moved, the application does not show where it would be moved to.
67. A resident has questioned how the school would be reconfigured to cope with the additional pupils, highlighting that lunchtimes take place in the hall and this would not accommodate an additional 105 pupils. It is claimed that the timetable would have to change to accommodate another three classes. It is also highlighted that since September 2014 children of 3 years old can attend the nursery for 15 hours free care per week, and it is suggested that it would be more logical to create a nursery block rather than build Key Stage 1 and 2 classrooms.

68. Councillors Colleen Harwood and Alan Bell have been notified of the application.
69. The issues raised are considered in the Observations Section of this report.

Land Owner Notification

70. It came to light late in the determination process that there was a minor inaccuracy in the planning application boundary, as indicated by the red-line on Drawing No. PY BE 29186 AI (0) 8. The red line marginally enters the curtilage of no. 2 Baysdale Drive and no. 31 Heatherley Drive.
71. As part of a planning application, the applicant is required to certify that all landowners subject to the application have been notified. This notice is required under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The certificate was submitted with the planning application. However, given that the red-line matter only recently came to light, these properties were not notified at the outset of the planning application. Nevertheless, the applicant has now notified no. 2 Baysdale Drive and no. 31 Heatherley Drive that part of the planning application area falls within these properties.
72. The required notice invites those notified to make representations regarding the planning application within 21 days beginning with the date of service of the notice. The letters of notification were issued on 12th and 13th May 2015, which means the representation period finishes on 3rd June 2015. It is of note that this is after the date of this Planning and Licensing Committee.
73. The proposed development is intended to provide classroom space for the school starting from September's intake. As such, any postponement in the decision making process will consequently delay provision at the school for pupils.
74. As such, it is suggested that the practical course of action is for Planning and Licensing Committee to come to a decision on 2nd June 2015 and the decision notice to be issued following the expiry of the 21 day representation period, subject to no new material planning issues being raised in relation to landownership by the two properties affected.
75. It is important to note that this course of action is to resolve a procedural error made by the applicant, and has no bearing on what is being proposed or the planning considerations involved in the determination of this application.

Observations

Introduction and Background

76. The proposed development is the construction of a single storey stand-alone three classroom teaching block, and an additional 10 car parking spaces at Heatherley Primary School, Forest Town, Mansfield.

77. The existing school was designed for 215 pupils. It currently accommodates 206 pupils and 23 staff. The purpose of the proposed development is to increase the capacity of the school to 315 pupils. This would also result in an increase in staff numbers of 11 taking total staff numbers to 34.

School Numbers

78. Nottinghamshire has seen an increase in birth rates since 2007, in line with national trends. The total primary school Number on Roll (NOR) saw a decline between 2001 and 2010, but has seen a steady increase from 2010-2014.
79. In addition, the number of 4 year olds entering the school system has increased since 2006. Given the falling NOR of previous years, the increase in the number of 4 year olds did not impact on the County's overall ability to provide pupil places. However, as smaller cohorts of older children are replaced by larger cohorts of young children, pressure on places increases.
80. The County Council groups primary schools across the County into 'planning areas', which have been created following the movement of children across school catchment areas. Using this data, the NCC Admissions Team provides a reasonably accurate reflection of the specific areas and schools within the county that are likely to become pressure points.
81. The NCC Admissions Team group together the following schools in a planning area known as 'Forest Town': Forest Town Primary and Nursery School; Heatherley Primary School; Holly Primary School; John T Rice Infant and Nursery School; and Newlands Junior School. The existing pupil number, Planned Admission Number and projected pupil numbers for each school are set out in Table 1 below.

Table 1 – Pupil Numbers and Projections for Mansfield Schools

School	Net Cap ¹	PAN ²	Projected Total School Numbers					Projected Surplus / Deficit				
			2014/15	2015/16	2016/17	2017/18	2018/19	2014/15	2015/16	2016/17	2017/18	2018/19
Forest Town Primary and Nursery	420	60	291	297	303	314	319	129	123	117	106	101
Heatherley Primary	210	30	215	216	223	230	234	-5	-6	-13	-20	-24
Holly Primary	280	40	304	308	322	332	339	-24	-28	-42	-52	-59
John T Rice Infant and Nursery	135	45	147	152	163	161	166	-12	-17	-28	-26	-31
Newlands Junior School	180	45	176	187	197	210	214	4	-7	-17	-30	-34
Total surplus / deficit								92	65	17	-22	-47

82. It is important to note that the above table is a projection, and subject to change. In this regard, whilst the project indicates 215 pupils for the 2014/15 year at Heatherley Primary School, as of January 2015 this number was actually 206.
83. The Forest Town planning area has seen recent expansion at Forest Town Primary School, which received planning permission for a foundation and reception unit for up to 100 children in July 2014. Despite the additional places provided by this development, the NCC Admissions Team has identified an excess of demand over supply of primary places in coming years. In this regard, by the school year 2017/18 there would be a deficit of 22 places, and by 2018/19 it would increase to 47 places. In addition, it is noted that the area has seen a growth in local housing stock, mainly in the vicinity of Heatherley Primary School.

Planning Policy

National Planning Policy Framework (NPPF)

84. Chapter 8 (Promoting healthy communities) of the NPPF highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. With reference to schools the NPPF attaches great importance to ensuring that a sufficient choice of school places is

¹ The total existing capacity of the school.

² Planned Admission Number (PAN) is the number of pupils that the school can admit each year. Schools are legally obliged to admit up to their PAN.

available to meet the needs of existing and new communities. It also states that Local Planning Authorities (LPAs) should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. LPAs should give great weight to the need to create, expand or alter schools.

85. The NPPF places great weight on development that ensures a sufficient choice of school places is available to communities. The proposed development would result in an additional 105 places at the school. As such, there is strong support within the NPPF for this development.
86. In addition, 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).

Mansfield Local Plan

87. Policy LT7 (Protection of school / college playing fields) of the Mansfield Local Plan (MLP) states that planning permission will not be granted for development which would lead to the loss of playing fields unless they would only result in the loss of a small part of the area used for recreational purposes and meet one of a number of criteria, including being for educational use essential for the continued operation of the establishment.
88. The area of the proposed development is located within an area designated as protected school playing field as shown in the Mansfield Local Plan. The area subject to the proposed development is currently occupied by play equipment. The area to be lost to this development is relatively small, and there is a demonstrable need for additional school capacity within the Forest Town area of Mansfield, and specifically at Heatherley Primary School. As such, the proposed development does meet the requirement as being necessary for the continued operation of the school, in accordance with the requirements of Policy LT7 of the MLP.
89. Notwithstanding the above, the loss of an area currently being used for play is noted. As such, it is recommended that a condition is attached should planning permission be granted to require the play area to be relocated elsewhere within the school site, to ensure that it is not lost.

Traffic and Parking

90. Heatherley Primary School is sited in a somewhat constrained location, accessed off Heatherley Drive, a winding residential cul-de-sac which provides the access to a network of further cul-de-sacs off the A6117 (Old Mill Lane).
91. The existing school has a capacity of 210 pupils (total pupil numbers are currently at 206) and there are also 23 staff. The proposed development would result in the potential capacity of the school rising to 315 pupils, and 34 staff.

92. The applicant has undertaken a TS which analysed existing transport behaviour and the impact that the proposed development would have on the local transport network. It has identified that approximately 52% of pupils walk to school and 48% come by car. If the existing split is maintained, for the potential additional pupils there could be an expected additional 50 cars per peak period. The TS highlights that this assumption does not account for any modal changes resulting from the implementation of a travel plan. In addition, it is reported that 17% of existing trips by car, park at the nearby Asda where there is an informal agreement between the school and the supermarket providing parking for parents allowing journeys to be completed on foot.
93. The TS also includes a study of parent parking within the vicinity of the school considering the extent of where parking occurs. The TS reports that there is some spare capacity on the residential roads surrounding the school site to accommodate the anticipated increase in car parking following the proposed development. It is also reported that there is more than sufficient car parking space within the nearby Asda car park.
94. The TS also includes a review of safety records within the surrounding highway network over the past five years. There is a reported eight collisions of slight severity, one of which involved a pedestrian and two involved cyclists. In addition there was one serious collision. The TS reports that none of the accidents involved pedestrians or cyclists of primary school age.
95. Having reviewed the planning application, and the accompanying TS, the NCC Highways Team are of the view that given the overall small number of additional trips likely, and the additional observed capacity available, the overall additional car trips cannot be considered severe. However, a number of conditions are recommended relating to an environmental management plan; the parking and manoeuvring areas; the proposed service area; and a School Travel Plan. At the time of writing the consultation response NCC Highways reported that the County Council were in the process of making the existing 'School Keep Clear' markings on Heatherley Drive legally enforceable. It can be confirmed that the relevant signage preventing parking on weekdays between 08:00 and 16:30 has now been erected.
96. The existing problems that have been reported by local residents relate to access, inconsiderate and illegal parking, blocking of driveways; confrontations between pupils' parents and residents; and potential health and safety issues associated with visibility, high numbers of cars and a lack of access for emergency vehicles.
97. The objections raised all highlight the existing problems with vehicles and parking around the school and object to the proposed development because it would result in additional pupils and staff, and therefore vehicles, exacerbating the existing traffic and parking issues.
98. Residents have questioned the conclusion of the TS that there is sufficient parking space to accommodate the increase in vehicles associated with the proposed development and are of a view that it would lead to increased congestion and queues. The main concerns with this relate to safety, from a pedestrian crossing perspective, and also in relation to the ability for emergency

vehicles to navigate the streets during congested periods. Also, the issue of potential accidents and 'near misses' occurring regularly has been raised.

99. The proposed development would result in an increase in vehicles visiting the school during peak times. It is considered that the parking and congestion probably would not worsen immediately around the school entrance as it is already at saturation point. However, the parking and traffic impact would likely occur over a wider area than at present. As such, it is acknowledged the proposal would have some adverse impact on the existing parking and traffic situation. However, over the past five years there have been no accidents involving pedestrians or cyclists of primary school age. In addition, over the past three years there have been no accidents on Heatherley Road or the pedestrian crossing over the A6117, as highlighted by NCC Road Safety. The NCC Highways Team has reviewed the TS and are satisfied with its contents, and concluded that the impact would not be 'severe'. NCC Road Safety do not raise safety concerns, but suggest that conditions should be used to control construction traffic during school drop-off and pick-up times.
100. There has been some criticism that the parking survey was undertaken on a dry autumn day, and therefore does not represent a worst case scenario such as a winters day when it is cold, foggy, raining and/or snowy. This criticism is acknowledged, and there will be occasions when inclement weather would likely give rise to more vehicles visiting the site. However, there will be other occasions during the summer months when good weather results in lower vehicle numbers. As such, it is recognised that there will inevitably be variation in vehicle numbers, but the parking survey represents a reasonable average.
101. Mansfield District Councillor Mick Barton has asked, in the event that an accident occurs, whether Nottinghamshire County Council could claim against the company that has undertaken the TS. The purpose of the TS is to report the existing traffic and parking situation and assess the impact that the proposed development would have. The NCC Highways Team has not raised any concerns with the accuracy or methodology of the TS. The issue of future potential accidents and subsequent compensation claims is not a matter for consideration in the determination of this planning application.
102. The issue of cars speeding has been raised by residents. As the proposed development would result in an increase in vehicle numbers, and potential congestion, it may positively reduce the speed of vehicles. However, this development is not considered to affect the propensity of drivers to disobey the speed limit.
103. There have been complaints that the existing zig-zag 'School Keep Clear' markings are unenforceable and, as such, do little to help prevent unacceptable parking. However, the TS highlights that existing markings are in the process of being made enforceable, with no parking between 08:00-16:30 Monday to Friday signs being erected as part of a Traffic Regulation Order (TRO).
104. Residents have raised concerns about staff parking on Heatherley Drive during the day. The proposed development includes the provision of 11 new car parking spaces, one of which would be disabled. However, the development

would result in up to 11 new staff. As a result, the proposed development would have a neutral impact on staff parking on Heatherley Drive during the day.

105. Policy M16 of the MLP sets out a series of traffic and transport related criteria that should be met in order for development to be acceptable. The criteria includes:
 1. The needs and safety of all modes of travel;
 2. Not having a detrimental effect on the surrounding highway network;
 3. Safe vehicle access;
 4. A minimum level of car parking;
 5. Where necessary, safe servicing, preferably segregated from pedestrian flows;
 6. Located where there is easy access to public transport.
106. In line with Policy M16 the planning application has had regard to alternative modes of transport including public transport and cycling. The access to the school is existing and no change is proposed, indeed, given the school's surroundings there would be no realistic alternative access arrangements. There would be an increase in staff car parking, but the proposal would also increase staff numbers by the same amount of spaces to be provided, therefore, this would have a neutral impact. The existing service and delivery area would remain, and the site is accessible by public transport with the nearest bus stop located approximately 280m from the school.
107. Notwithstanding the above, Part 2) of Policy M16 requires development to "Not have a detrimental effect on the surrounding highway network". There is no threshold which allows some detrimental effect to be acceptable. As such, the proposed development is not in accordance with this section of the Policy.
108. Chapter 4 (Promoting Sustainable Transport) of the NPPF provides guidance on traffic and transportation matters. It states that decisions on development which would generate significant amounts of traffic should take into account whether improvements can be made within the transport network that cost effectively limit the significant impacts of the development. In addition, development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.
109. It is recognised that there are existing traffic and parking issues on Heatherley Drive and other streets around the school. It is also acknowledged that the proposed development would in all likelihood have an adverse effect, probably widening the area of impact. However, NCC Highways have assessed the proposed development and conclude that the impact would not be severe, with the imposition of suitable conditions. As such, in line with the NPPF, the development should not be refused on highway grounds.

110. There is clearly some conflict on this issue between Policy M16 of the MLP and the NPPF. However, the NPPF advises that where Plans have been produced before the NPPF, due weight should be given to relevant policies according to their degree of consistency with the NPPF. In this regard, the policy is not consistent and the NPPF position that development should only being refused on transport ground where residual cumulative impacts of the development are severe should take precedence.
111. The question of catchment area has been raised by residents, and it has been asked why development is proposed at this school when there is capacity at other nearby school. Indeed, the recent expansion of Forest Town Primary School is acknowledged. However, the NCC Admissions Team have analysed primary school places in the wider area and undertaken pupil projections. This demonstrates that there is currently a surplus of primary school places across the schools that serve the Forest Town area, however, there will be a deficit by the school year 2017/18. Therefore, development has to be planned sufficiently in advance to accommodate future pupil numbers.
112. It is also worth noting that the pupil projection numbers estimate that Heatherley Primary School will have an additional 13 pupils in 2016/17, 20 pupils in 2017/18 and 24 pupils in 2018/19. As such, the actual additional vehicle numbers associated with the proposed development are unlikely, in the short to medium future, to be as high as those set out in the TS, which bases its figures on worst case scenario of an additional 105 pupils. However, it is likely that the school will reach its capacity in the longer term.
113. There have been a number of suggestions in relation to the proposed development, including:
- a) The introduction of a safe place to cross or crossing zone, and/or a crossing patrol;
 - b) More commitment to the Asda park and walk scheme;
 - c) Use of the existing land to the north of the school where car parking is located to introduce a drop off/pick up area. This could potential involves a horseshoe one way drive in, drive out, arrangement.
 - d) Widening of the road, particularly by removing an area of grassed land opposite the school entrance.
114. With regard to a safe place to cross, this falls outside of the planning application area. Nevertheless, the 'school keep clear' markings outside the school have now been made enforceable with signs indicating 'no stopping' between 08:00 and 16:30 Monday to Friday.
115. The applicant indicates that the school has considered measures to encourage alternative means of travel has to reduce the reliance on private cars by parents, staff and visitors, and has recently revised the School Travel Plan to include measures to safely absorb the increase in school roll numbers over the next five years. The School Travel Plan referenced has not been submitted as part of the planning application, but the NCC Highways Team has requested

that a condition is attached should planning permission be granted to require the submission of a School Travel Plan, with a named travel plan coordinator. The Travel Plan would need to set out proposals (including targets, a timetable and enforcement mechanisms) to promote travel by sustainable modes. Such a Travel Plan may include provisions relating to the Asda park and walk scheme, and a school crossing patrol.

116. Residents have suggested rearrangement of internal school manoeuvring areas to allow a drop-off/pick-up point, and also a widening of the road. The County Planning Authority is under a duty to consider the planning application as submitted. The NCC Highways Team has not assessed the impacts as severe and has not recommended any revisions to access and/or manoeuvring arrangements.

Design and Visual Impact

117. One local resident, and MDC Councillor Mick Barton, have raised the proximity of the proposed development to residential properties as an issue of concern. It is highlighted that, at its closest, the development would be 3.5m from residents' rear gardens, with the footpath that surrounds it even nearer.
118. Policy BE1 of the MLP states that planning permission will be granted for development which achieves a high standard of design provided it meets a series of criteria, including:
- a) The scale, density, massing, height, layout and access relate well to neighbouring buildings and the local area generally;
 - b) The materials used are in keeping with the site's surroundings;
 - c) The level of hard and soft landscaping is consistent with the type and design of the development and its settings;
 - d) The proposal integrates existing landscape and nature conservation features.
119. Chapter 7 (Requiring good design) of the National Planning Policy Framework (NPPF) seeks that development contributes positively to making places better for people. The NPPF highlights the importance to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
120. It is acknowledged that the proposed building is close to residential properties, approximately 3.5m from a rear garden at its nearest point. However, it should be noted that the distance to the actual house is further at approximately 14m. In addition, the building would be separated and screened from the residences by an existing 3.5m high boundary hedge, which is dense although not evergreen.

121. The building would measure 4.26m in height at its highest point. However, the orientation of the building along with its monopitch design means that the roof would be 3.28m high at its western elevation. The 3.5m hedge would therefore provide substantial screening.
122. The building itself has been designed to reflect architectural aspects of the main school building. This has been achieved through the proposed use of red-facing bricks, red wood panel diagonal cladding either side of the entrance and a red timber fascia board underside the roof line. In addition, the use of a single pitch design with the lowest part of the roof nearest to the residents' boundary demonstrates that visual impact has been taken into account. The extension has been designed so as to match the existing school and therefore ties in well with the existing building from a design perspective.
123. It has been suggested that there are other locations within the school site that could accommodate the proposed building. In regard to this, it should be remembered that the school site is enclosed by residential properties on all sides, as such, it would be proximate to residential properties wherever it is located on site. In addition, much of the school site to the south is a formal playing pitch, and to locate the development in this area would impact on this. In addition, the application has identified that the location has been considered to provide a short transfer time for pupils from the main school building. The entrance faces the existing school providing interconnectivity and ease of movement between buildings.
124. The proposed development includes a number of new trees, which would replace those removed as part of the provision of the development. The landscaping also includes new hedgerow to screen the proposed car parking adjacent to the access.
125. In light of the above, the proposed development would have little visual impact and is of a high design standard taking into account scale, density, massing, height, layout and access, relating well to the neighbouring school building. In addition, there is new landscaping appropriate to the proposed development. Overall the development is in accordance with the requirements of Policy BE1 of the MLP and Chapter 7 of the NPPF.
126. The issue of the removal of existing play equipment has been raised in the public consultation responses. The applicant has indicated that some additional all weather play area would be provided by removing some underutilised raised planters, levelling the area and then providing a tarmac surface under the shade provided by the proposed new sail canopy. Whilst this is seen as a positive aspect of the development, it is considered that it does not adequately replace the loss of the existing play equipment. As such, it is recommended that a condition is attached requiring the existing play equipment to be relocated within the school site.
127. A resident has raised a concern with the proposed planting of trees between the new classroom block and the existing boundary hedge. The concern is that these trees would grow to a height that would create shade and block out sunlight into the rear garden. As the garden is east facing, tall trees could reduce sunlight in mornings. As such, it is suggested that a condition is used to

require the submission of a replacement tree planting scheme, which can then locate replacement tree species appropriately.

Trees

128. The applicant has undertaken a tree survey in support of the proposed development. The survey has identified nine trees that would have to be removed to facilitate the development. The trees include Oak, Aspen, Silver Maple, Rowen and Lime. Of the trees to be removed, five are A1 category (a tree of highest quality whose retention is most desirable) and four are B1 (trees of moderate quality whose retention is desirable).
129. Whilst the trees are of a high category, they are not 'aged or veteran trees', and the need for the proposed development is considered to outweigh the value of the trees. However, it is recommended that compensatory tree planting is undertaken elsewhere within the site to mitigate the loss of the trees, as proposed within the planning application. This can be secured through condition.
130. In addition, development would take place near to other trees that are proposed to be retained. The protection measures recommended in the tree survey should be secured by condition to ensure that retained trees are not harmed during construction works.

Noise

131. The proposed development is unlikely to lead to any adverse noise impact on local residents. The NCC Noise Engineer has reviewed the proposed development and highlights that in relation to schools, a doubling of pupils would lead to an approximate 3dB increase in noise. Given that the proposed development would lead to a potential increase of up to 50% in terms of pupil numbers, the proposed development would result in an increase of less than 2dB. To put this into context a 3dB increase in noise levels is widely accepted as the minimum perceptible increase of an existing noise source by the human ear.
132. The NCC Noise Engineer has highlighted that construction noise may have some temporary impact on local residents. As such, it is recommended that, should planning permission be granted, conditions are attached relating to construction hours and a maximum noise limit at nearby properties. This would be in accordance with the NPPF's aim of avoiding noise from giving rise to significant adverse impacts on health and quality of life.

Ecology

133. The proposed development is not located within any areas of designation. The nearest designated area is the Vale Close Plantation Local Wildlife Site (LWS) to the south-west of the school site which is a valuable deciduous woodland with a characteristic sandstone ground flora. The proposed development would not have any adverse impact on this LWS.

134. The applicant has undertaken an Extended Phase 1 Ecological Survey. None of the plant species recorded on site plants which are protected as defined by the Wildlife and Countryside Act. The existing school has been assessed as having marginal potential for roosting bats, but would not be affected by the proposed development. The site is assessed as having poor habitat for badgers and nesting birds, and the habitat affected by the separate extension provides no opportunity for reptiles.
135. NCC Ecology has assessed the application including the Phase 1 Ecological Survey, and is satisfied with its contents. They have no objection subject to a number of conditions relating to the control of vegetation removal during bird nesting season; the submission of the landscaping plan details replacement tree planting; and provision to all mammals to escape trenches during construction works.

Other

136. A contamination appraisal has been undertaken for the site. NCC Reclamation team have reviewed the appraisal and are of the view that no specific investigation of contamination is necessary given the findings of the assessment. Nevertheless, it is suggested that a condition relating to unexpected contamination is attached should planning permission be granted.
137. The proposed development would result in development in Flood Zone 1 (less than 1 in 1,000 annual probability of river or sea flooding), and the overall development would be of less than 1ha. As such, the Environment Agency's standing advice applies, as identified in their consultation response. The standing advice promotes the use of Sustainable Urban Drainage (SuDS) for surface water runoff. The surface water run-off from the proposed development would be directed to an on-site soakaway. This approach is in line with the Environment Agency's standing advice.
138. A resident has raised concern with how the school would be reconfigured to accommodate the additional pupils, specifically referencing the size of the school hall and saying that it is not of a sufficient size for all the pupils to lunch in, and that timetables would have to be altered. It is also suggested that the proposed classroom would be more appropriate as a nursery block rather than Key Stage 1 and 2 classrooms. The way in which the school timetable runs, when children take their lunch, and which classes occupy different classrooms, are management issues outside this planning application.

Conclusion

139. The proposed development has received numerous objections from local residents, primarily due to the potential impact on the local road network, but also due to the proximity of the new building to residential properties.
140. The proposed classroom block itself is well screened from residential properties by an existing 3.5m high boundary hedge. The orientation is not considered to have any significant adverse impact on neighbouring properties. The building is of an appropriate design and is in an acceptable location. As such, it is in

accordance with Policy BE1 of the Mansfield Local Plan and the relevant sections of Chapter 7 of the NPPF.

141. The development would result in an increase in pupils at the school. In the short to medium term future this is unlikely to be the full 105 pupils that the development could provide for, however, in the long term it is expected that the total capacity would be reached. This will have an adverse impact on an already poor traffic and parking situation on Heatherley Drive and other roads around the school. As such, the development is not in accordance with Policy M16 of the MLP. However, the level of impact that the proposed development would have has been assessed as not being severe. As such, the NPPF is clear that planning permission should not be refused on transport grounds, and in this case the NPPF takes precedence. In addition, a condition would be attached relating to a School Travel Plan, which would provide a level of mitigation.
142. It is of significance to this application that Chapter 8 (Promoting healthy communities) of the NPPF gives great weight to the need to create, expand or alter schools.
143. In light of the above, the proposed design of the development is acceptable, and there is great weight in favour of school place provision. Whilst there would be an adverse traffic impact, it is not considered severe. As such, it is recommended that planning permission is granted, subject to planning conditions.

Other Options Considered

144. 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

145. 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.

Human Rights Implications

146. 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. Rights under Article 8 and Article 1 may be affected due to an increase in traffic and parking during school drop off and pick up times, associated with an increase in pupil numbers at the school. However, this potential impact needs to be balanced against the wider benefits the proposals would provide such as the provision of necessary school places

for children in Nottinghamshire. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Crime and Disorder and Safeguarding of Children Implications

147. The school site is secured by a mix of Pallas security fencing, wooden fencing and hedges. Perimeter security would remain unaltered except for the proposed new parking area adjacent to the entrance. This would benefit from new fencing, and additional hedge planting.

Implications for Service Users

148. The proposed development would provide additional school places to meet an identical need.

Implications for Sustainability and the Environment

149. The proposed classroom block incorporates photovoltaic cells and an air source heat pump.

Financial, Equalities and Human Resources Implications

150. None.

Statement of Positive and Proactive Engagement

151. 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 all valid representations that have been received. Issues of concern have been raised with the applicant and addressed through negotiations and suitable planning conditions discussed with the applicant. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

152. 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 and for the Group Manager Planning to issue the planning permission subject to no representations being received raising material planning issues before the end of 3 June 2015 in relation to properties 2 Baysdale Drive and 31 Heatherley Drive, that have not previously been considered in the report.
153. It is FURTHER RECOMMENDED that the Group Manager Planning shall determine following consultation with the Chairman and Vice Chairman whether any issues raised before the end of 3 June 2015 but after Committee in relation to properties 2 Baysdale Drive and 31 Heatherley Drive are material in planning terms and if those conditions as set out in Appendix 1 are satisfactory to deal

with those issues or alternatively that the said conditions should, and can, be appropriately amended to meet those issues, and if not, that the application will be reported back to Committee for further consideration. 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 this report.

[DWK 19/05/15]

Comments of the Service Director - Finance

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

[SES 11/05/15]

Background Papers Available for Inspection

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

Electoral Division(s) and Member(s) Affected

Mansfield East – Councillor Colleen Harwood
Councillor Alan Bell

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W001409 – DLGS REFERENCE