



17 April 2013

Agenda Item: 5

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

MANSFIELD DISTRICT REF. NO.: 2/2013/0447/ST

**PROPOSAL: NEW STAND ALONE SINGLE STOREY 4 CLASSROOM EXTENSION
TO THE SOUTH OF THE EXISTING SCHOOL, COVERED WALKWAY,
NEW PEDESTRIAN ENTRANCE, MULTI-USE GAMES AREA (MUGA)
AND ASSOCIATED DRAINAGE, LANDSCAPING AND EXTERNAL
WORKS**

**LOCATION: ST PETER'S PRIMARY AND NURSERY SCHOOL, BELLAMY ROAD,
MANSFIELD**

APPLICANT: NCC CHILDREN, FAMILIES AND CULTURAL SERVICES

Purpose of Report

1. To consider a planning application for the construction of a new stand alone single storey 4 classroom extension to the south of the existing St Peter's Primary and Nursery School, Bellamy Road, Mansfield, together with a covered walkway, new pedestrian entrance, Multi Use Games Area (MUGA) and associated works.
2. The site lies within a predominantly residential area. The key issues relate to the increase in pupil numbers and associated impacts on traffic and highway safety, and potential impact on residential amenity. The recommendation is to grant planning permission, subject to planning conditions as set out in Appendix 2.

The Site and Surroundings

3. St Peter's C of E Primary School occupies approximately 1.4 ha of land, in a predominantly residential suburb of Mansfield, 3.1 km to the south-east of Mansfield Town Centre. Levels fall from north to south but the site is set out principally on three plateaux, with falls of approximately 3.0m - 3.5 m between each level. The main school building is erected on a levelled plateau in the centre of the site (Plan 1).
4. School buildings are all single storey CLASP construction with hardstanding/car parking to the north. Playing fields, walkways and landscaped grass areas lie to the south, east and west of the school buildings.

5. Access to the site for vehicles and pedestrians is gained from Bellamy Road. A car park for nine cars with direct access from Bellamy Road is separated from the pedestrian access to the school by approximately 1.0m - 1.5m. The school is serviced from the car park serving a community centre to the north of the school. The car park of the community centre is used on an informal basis for school staff parking. The community centre and car park is not included within the application site. There are bus stops on Bellamy Road adjacent to the school.
6. Mature trees are established around the perimeter of the site. A habitat area commencing 15m to the south of the existing vehicular entrance has a frontage to Bellamy Road of 68m and is comprised largely of larch, Norway spruce, whitebeam, cypress and are all Category B trees, with the exception of one apple (Category C) and one cherry (Unclassified). Trees along the western boundary of the site adjacent to the existing hard play, marked for formal games, are mixed deciduous species (Category B) with the exception of one almond (Category C) and two cherry trees (Unclassified). There is a beech hedge established along the western boundary and adjacent to the northern half of the hard play area.
7. A group of trees comprised of one oak (Category A), two willow (Category B) and a group of three Scots pine (Unclassified), stand on a bank sloping down to the playing field. The bank separates two area of informal hard play to the south of the school building (Plan 2).
8. A ramped access and steps lead down to the lower playground and playing field, which slopes gently to the southern end of the site.
9. The application site is secured by 2m high green Heras security fencing.
10. The community centre to the north of the application site is of two-storey construction and attached to the main school building and has an associated 25 space car park (including two disability parking spaces). The car park is used by informal arrangement for car parking by school staff. The school is also serviced via the community centre car park entrance. The community centre, which is not in the control of the County Council, is also used as an after school club.
11. The site is bounded to the east by Bellamy Road and to the south, and in part to the west, by residential properties. The closest residential properties (flats with a communal outdoor space) to the west lie 11.4m from the existing school hard play area. The north-west of the site is bounded by mature trees at an elevated level, beyond which lies the A6117.
12. The site currently has 196 children on the school roll (February 2013). The school has a net capacity of 210 primary pupil places and 26 nursery places, and has a Published Admission Number (PAN) of 30 pupils. The school is opened by the caretaker at 06:30 hours with staff generally arriving from 07:30 hours and school children arriving from 08:00 hours. The school day runs from 08:50 hours – 15:15 hours with an After School Club operating at the adjoining community centre until 18:00 hours. The school operates two nursery sessions operating between 08:30 hours – 11:30 hours and 12:30 hours – 15:30 hours.

19 full time staff and six part time staff, a full-time equivalent (FTE) of 22 staff are employed. .

13. The school site is owned by Southwell Diocese and the playing fields are in the ownership of Nottinghamshire County Council.

Proposed Development

Background

14. The Mansfield area has been successful in the Government's Priority for Schools Building Programme. Not all schools within the area are physically capable of expansion and in some cases may not be deemed appropriate for expansion to meet individual school needs. In such cases it is proposed that the demand for places is met at other appropriate sites within the area, such as at St Peter's C of E Primary School.
15. School year 2011/12 has seen a rapid increase in the number of 4 year old children requiring school places. However, as part of a wider review of school capacity, St Peter's C of E Primary School has a projected surplus of 12 places in 2013/14, that would decrease to seven places by 2016/17 and is a reflection of smaller year groups at older ages passing through the school. There is strong demand for places at the school and in September 2012, 53 parents expressed a first or second preference for their child to be admitted whilst only 30 places were available.
16. A planning application granted by Mansfield District Council for redevelopment of four separate sites as part of a Bellamy Road regeneration scheme (application reference 2009/0678/ST) has provided 43 houses of four to seven person properties with an associated demand for 75 school places for children of primary school age. St Peter's C of E Primary School is the closest school to the redeveloped sites (Plan 3).
17. A plan indicative of where pupils at the school currently live (March 2013) shows that 81% of pupils live within a two mile radius of the school (Plan 4).
18. In combination with 14 other Primary schools in the Mansfield area there is a projected overall deficit of 104 school places in 2013/14 increasing to 491 places in 2016/17.
19. It is proposed that part of strategic provision of child places for the wider Mansfield area is to be met through proposed extensions to St Peter's C of E Primary School, increasing the net capacity of the school to 315, with an increase in the PAN from 30 to 45 places each school year.
20. An application for an extension to King Edward Primary School has been approved (February 2013 - application reference 2/2012/0574/ST) which makes provision for an additional 70 school places. 70 additional places have also been approved at Sutton Road Primary School (February 2013 - 2/2013/0017/ST), whilst a further 105 places are proposed to be provided at Berry Hill Primary School (application reference 2/2013/0005/ST) and is subject of a planning application that has not yet been determined. If the four submitted or approved

applications were to be built, Mansfield would have sufficient school place capacity until school year 2015/16.

21. An outline planning application for the development of 169.3 hectares of land for employment, commercial, residential, retail, healthcare, community, educational and leisure uses including the provision of a new primary school, local centre and community park (application reference 2010/0089/ST) on land adjacent to the A617 between Nottingham Road and Southwell Road West, Mansfield has been submitted to Mansfield District Council but has not been determined (Plan 5). The application includes proposed provision of up to 1,700 houses (the Lindhurst development). As the application has not been determined, the demand for school places that would be generated are not included in school place projections. The Lindhurst development would include the provision of a new school, and the trigger for the provision of the first four classrooms would be earlier of 18 months following the completion of development or the first occupation of the 50th dwelling, whichever the sooner. The Lindhurst development lies within the traditional school catchment of Berry Hill Primary School although through parental choice there could be additional demand in the short-term until the new Lindhurst school is opened for some additional places at St Peter's C of E Primary School.

Proposed Development

22. Planning permission is sought for the erection of a four-classroom Key Stage 2 (KS2) free-standing building that would allow an increase in the net capacity of the school from 210 to 315 pupils. The number of children at the school would increase by an additional 15 pupils each year (through an increase in the PAN from 30 to 45 pupil places). Internal reorganisation of classrooms within the existing school would allow rooms no longer required for KS2 education as a consequence of the development to be used for Foundation and KS1 education.
23. The free-standing four-classroom building would be erected at the top of the bank between the two areas on informal KS1 and KS2 hard play, to the north of the school playing field and would be sited 6m to the south of the existing school building. The oak, two willows and the group of three Scots pine trees would be removed. The building would be sited at the same general level as the existing school buildings. The applicant has considered an alternative siting for the classroom on an existing hard play area. However the hard play area that would be lost would need to be replaced elsewhere. Early discussion by the applicant with Sport England suggested that the creation of additional hard play area on the lower part of the site would adversely impact on the playing field.
24. The building would have a footprint approximately 28.8m x 12.0m and would provide four classrooms, two group rooms, store rooms and toilets (Plan 6). The classroom would be sited partially on the existing bank slope, and the ground would be made-up with subsoil fill to create a level platform. A sports equipment store of 30m², accessed from the adjoining playing field, would be formed below the new classroom. The south-facing elevation of the building would be constructed in brick to plinth level. Above plinth level the building would be finished with a pastel colour or white render, although the precise colour has not

been specified. White coloured window frames would be of uPVC construction and aluminium and timber doors are proposed (Plan 7).

25. The building would be of single-ply mono-pitch roof construction, coloured light grey, with eaves rising from 3.0m to 3.6m above the newly established floor level. The fascia and rainwater goods would be coloured light grey. Six roof lights would be provided and eight photovoltaic (PV) cells would be applied to the roof.
26. A covered walkway 2.0m in width and 2.5m in height, constructed of translucent roof sheeting would link the proposed building to the existing school.
27. The existing hard play court would be replaced and upgraded to a MUGA and extended to the east, encroaching 10m into the grass playing field (Plan 8). In part, the southern half of the MUGA, would be extended to the west by 2.0m to allow a basketball court with appropriate run-off area to be marked in an east-west direction, at closest 12.5m from the nearest residential property to the west. The existing beech hedge would be retained, unaffected by works to the MUGA. The MUGA would be able to accommodate several sports on marked courts, typically netball and small-sided (informal) football. The MUGA would be 14m from the nearest residential property to the south.
28. Additional steps would be provided next to the existing steps and ramp to improve access to the playing field and MUGA. The retained grass playing field would be large enough to allow a marked football pitch 50m x 30m with 2m run-off areas to be marked in a variety of positions on the field (to allow rest and maintenance) in either an east-west or north-south orientation.
29. Play equipment in the informal hard play area to the east of the proposed free-standing classroom block would be either re-sited or replaced. Similarly a log structure on the playing field to the south of the proposed classroom would be likely to be relocated to the east although details have not been provided.
30. A new pedestrian access, secured by a new Heras gate, would be formed from Bellamy Road following the removal of seven trees (three oak, two cherry, one apple and one Scots pine), opposite the junction with Thorpe Road. Steps would lead to an enlarged hard play area to the east of the new classroom building. The existing pedestrian access would be retained and would provide a level access suitable for prams and ambulant disability. Replacement tree planting is proposed within the site on the frontage to Bellamy Road.
31. The number of full-time staff would increase by four to 23 and four additional part-time staff would be employed, a FTE of 28 staff by 2017. No additional car parking is proposed.

Construction

32. Construction access would be taken from Newark Drive, using a maintenance access presently used by mowing equipment gaining access to the playing field. Trackway would be laid to protect areas of retained grass playing field. Site cabins for the period of construction would be set up adjacent to the existing

hard play court. Following a site preparation period of approximately eight weeks, pre-fabricated units would be delivered and assembled on site before the external render finish is applied. Following the completion of development the areas of grass playing field affected by construction traffic/works would be reinstated to a standard not less than prior to the commencement of development (Plan 9).

Consultations

33. **Mansfield District Council** – No objection. It is confirmed that the proposal would comply with Mansfield Local Plan (1998) Saved Policy [28/09/2007] BE1 *New Development*.
34. **Sport England** – No objection subject to a condition that the MUGA shall not be constructed other than in accordance with Drawing No AL (0)200 Rev E and substantially in accordance with Sport England Technical Design Guidance Notes Artificial surfaces for outdoor sports.
35. Any amendment to the wording of their suggested condition or use of another mechanism should first be discussed with Sport England and without such a condition Sport England would maintain a statutory objection to the application.
36. *Originally objected to the proposal but has reconsidered the revised proposals in the light of its playing fields policy which seeks to ensure an adequate supply of quality pitches to satisfy current and estimated future demand for pitch sports within the area. The policy seeks to protect all parts of the playing field from development, not just those currently laid out as pitches. Sport England note that the revisions remove the existing impervious tarmac hard play/marked out sports pitch area, which presently drains poorly, and replaces it with a permeable tarmac MUGA surface 10m wider to the east, which can be laid out as a north-south netball court (as at present) and also now both an (indoor size) 5-a-side football pitch and a basketball court, all with minimum run-off distances of 2 metres. The MUGA pitch has been extended at the south-west corner towards the boundary fence to achieve the 2m run-off for the basketball court.*
37. *The proposal would reduce the size of sports field but it would still facilitate an Under 10's 7-a-side football pitch to the minimum size recommended by the FA of 50m by 30m with an additional 2m run-off distance. The pitch can be laid out in either east-west or the FA preferred north-south orientation, and there is sufficient space to allow marking out in different positions to allow for moving the pitch for maintenance when the goalmouth areas become worn.*
38. *The proposed classroom block does not in itself create any issues for Sport England being proposed on part of the school that is incapable of being used as a pitch or part of a pitch. However, as a direct result of the development and increase in the school roll, it is proposed to provide a replacement MUGA. This would be constructed in part of the playing field and in part on the old hard court area. The proposed classroom block therefore indirectly results in the loss of part of the playing field area.*

39. *However, the applicant has revised the proposal such that there is a reduced impact on the playing field area compared to the original proposals. The proposed MUGA would now be constructed/replaced as a specifically designed MUGA with a permeable surface. Whilst the extended area is needed for the increase in school roll, the whole school would benefit from the upgraded facility. The reduction in size has minimised the impact on the playing field, retained the ability to alter the layout of the pitches and also the ability to retain a running straight for summer athletics use.*

The proposal does result in the loss of playing field area, but the playing field area lost is replaced by a facility which has the potential to be of a significant benefit to sport so as to outweigh the loss of part of the playing field area. Sport England, in this particular case, accepts that the enhanced MUGA facility meets the requirements of Sport England playing fields policy Exception E5 (i.e. 'The proposed is for a sports facility, the benefit of which would outweigh the harm caused by the loss of a playing field').

40. **NCC Highways Development Control** – No objection subject to conditions. *The information supporting the submission indicates that the extension will be able to accommodate a 50% increase in attendees or an additional 105 pupils. This is likely to have significant implications with respect to transport. In these cases the National Planning Policy Framework (NPPF) requires planning applications to be supported by a Transport Statement/Assessment and Travel Plan determined by the scale of development and thresholds set by the Department for Transport in their Guidance on Transport Assessment. Very little information has been submitted in support of this application in relation to transport, and whilst there is an existing Travel Plan, this has not been updated to take into account the proposed changes to the school.*
41. *The Highway Authority's main concern is the resultant on-street parking the proposed classroom extension would likely generate during peak drop off and pick up hours. This is a widespread problem at most schools throughout the country that have outgrown their neighbourhood. However, this problem only occurs over a short duration and generally results from indiscriminate parking by parents in positions on the highway that are likely to cause highway safety problems or irritation to nearby residents. On-street parking on the public highway is acceptable if carried out appropriately. Any other amenity issues are for the County Planning Authority (CPA) to consider.*
42. *School traffic congestion continues to increase as more parents select schools for their children that continually achieve higher performance ratings in the national league tables. These schools can be beyond previous local catchment areas and fewer but larger schools increase reliance on the car for transport. In this particular case, this issue is further exacerbated as the school is a Church of England School and more likely to draw attendees from a larger geographical/catchment area. Furthermore, there is a reluctance for parents to allow children to walk and bicycle to school due to the traffic congestion, perceived traffic danger, lack of alternative transport, poor weather conditions and 'stranger danger'.*

43. *Notwithstanding the above, the Highway Authority is satisfied that opportunities for sustainable transport modes can be taken within the transport network that cost effectively limits the significant impacts of the development such that the residual cumulative impact of the development will not be severe and therefore warrant a recommendation of refusal on transport grounds. However, a Transport Statement will still be required.*
44. *This should be a comprehensive and systematic document that sets out transport issues relating to a proposed development. It should identify what measures will be taken to deal with the anticipated transport impacts of the scheme and measures to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and should focus particularly on car parking. An update to the Travel Plan should then go on to promote the sustainable transport initiatives set out in the Transport Statement throughout the lifetime of the development.*
45. *To assess the proposed impact on the surrounding public highway network, the Highway will require the Transport Statement to include morning and evening peak parking accumulation surveys of the neighbouring streets in order to understand the existing parking behaviour for St Peters C of E Primary School to be used as a proxy to establish the additional demand the proposal is likely to generate. This should be accompanied by an on-street parking analysis to gauge the adequacy of the parking supply to accommodate any additional on-street parking demand. All main access and surrounding streets used for pick up and drop off points must be included, with details of road widths and speed limits.*
46. *To ensure the survey data is robust, the Highway Authority suggests that the Transport Statement includes an appropriate TRICS analysis (a system that challenges and validates assumptions about the transport impacts of new developments), which validates the survey findings. The report should also include the extent of any proposed Traffic Regulation Orders (TRO) that will be used to control on-street parking at locations where there may be conflict between vehicles and more vulnerable road users or to protect vehicle access. Any proposed TRO will be subject to a separate public consultation exercise before final implementation.*
47. *The amount of off-road parking available for staff and visitors is not clear from the submitted plan AL(0)102 but other supporting documents suggests there are 9 spaces available. Clearly this is not sufficient to accommodate the projected number of full-time and part-time staff at the school. However, the submitted Transport and Parking appraisal indicates there are 25 spaces available at the adjacent Community Centre and these are used on an unofficial basis. The Highway Authority recommends shared use of facilities for parking where possible but recognises that the continued future use may be difficult if the applicant has no control over this area or a written agreement with the landowner.*
48. *The Highway Authority recommends that a parking allocation plan is submitted which clearly shows how staff and visitor parking will be accommodated on the site with any necessary supporting evidence. The plan should also indicate how*

servicing arrangements would be accommodated including deliveries, refuse and waste collection.

49. In order to address the above, the Highway Authority recommends the imposition of conditions to require the appointment of a Travel Plan Co-ordinator to be responsible for the implementation, delivery, monitoring and promotion of sustainable transport initiatives set out in an updated Travel Plan to be submitted to the CPA within 3 months following occupation of the extension. Annual reports are to be submitted for a minimum of five years. On-street parking restrictions and associated Traffic Regulation Orders may be required.
50. A condition to require traffic surveys of staff parking and on-street parking prior to the commencement of development is also recommended. Measures to address any resultant highway safety and/or through traffic issues are to be implemented in accordance with a timetable to be agreed.
51. A S278 Agreement would be required to carry out work in the public highway.
52. **NCC Road Safety Team** - *Endorse the comments made by NCC Highways Development Control and support the requested planning conditions. The School Travel Plan presented is not current (2007) and takes no account of the proposal or the impact that the increased school population will have on the highways/adjacent residents. Parents currently have concerns about crossing the roundabout on Lindhurst Lane and this walking route should be investigated as part of the Transport Statement as a condition of planning permission in order to encourage walking to school.*
53. **NCC Project Engineer (Noise)** - *The potential for noise impact on nearby receptors from the proposed development is limited to use of the new and extended MUGA. An increase in the number of pupils by a maximum of 105 from an existing 210 playing on the MUGA should give rise to a maximum increase in noise level of less than 3dB. A change in noise level of 3dB is widely accepted as being the minimum perceptible change in noise level by humans with average hearing. An adverse reaction to noise from residents due to increased pupil numbers using the facility is not anticipated.*
54. *The proposals include extending the existing hard surface 2m west on the southern half of the MUGA. However the distance to the nearest property to the north-west remains unchanged. This is expected to have a negligible impact on noise levels and again is not expected to cause any adverse reaction. Given the proximity of nearby properties and to protect residential amenity, noise conditions are recommended to ensure that nearby residential receptors do not experience a noticeable increase in noise level above a level which could be considered unacceptable.*
55. *There is potential for short term noise disturbance related to construction of the new MUGA which lies close to residential properties. Additionally, deliveries arriving early in the morning could give rise to adverse reaction given the residential nature of the access road leading to the site entrance. Working times, both during construction of the MUGA and the arrival of deliveries to the site,*

should be controlled by condition to minimise the risk of noise impact and to protect residential amenity.

56. **Police Force Architectural Liaison Officer** - No response received.
57. **NCC Nature Conservation Team** – No objection. Vegetation on site has the potential to support nesting birds and a standard condition for site clearance should be attached to any permission granted.
58. The ecology report recommends that bat boxes could be affixed to the school building and/or trees to provide ecological enhancement of the site. It is recommended that four bat boxes are provided as a condition of permission.
59. **Severn Trent Water Limited** – No objection subject to a condition requiring the submission of a scheme of foul and surface water drainage.
60. **Western Power Distribution** - No response received.
61. **National Grid (Gas)** - No response received.

Publicity

62. The application has been advertised by site notice and neighbour notification in accordance with the County Council's adopted Statement of Community Involvement.
63. Representations have been received from six households of which five are from residents living locally and one from a resident of Warsop. Two of the letters received are identical and raise the following objections, concluding that the application is fundamentally flawed and will have an adverse impact on children's education:

Traffic and Parking

- a) Taking into consideration the proposed Lindhurst development which is also going to add increased traffic why does St Peter's need to expand when it is proposed to build a school on this new development?
- b) The School Travel Plan highlights a historic problem pre-2007 of excessive speed on Lindhurst Lane and Bellamy Road. These problems will continue to be further exasperated by the increased traffic flow by people who use this route as an inappropriate through route created by a substantial housing development on the former Mansfield Sand Quarry site (*Berry Hill*).
- c) Near the roundabout and the crossing of Chatsworth Drive, it is extremely dangerous and objections are raised over that fact that this proposed development would bring about a further significant increase in traffic as a result of an increase in the school population by 50% (105 pupils) and an increase in staff members of on average 43% therefore placing an even

greater risk to pedestrians using the highway safely and it is particularly noted that this application fails to address this known risk.

- d) There is severe congestion and inappropriate unsafe parking particularly opposite the main vehicular entrance to the school from the public highway with parking on the zig-zag lines at peak times along with parking in the bus stop area, being a common occurrence which is prejudicial to highway safety.
- e) Concerns are raised over the increase in staff at the site and the lack of increase in onsite car parking provision to address this issue.
- f) Concerns are raised over the school's Transport and Parking Appraisal that states that 'additional parking is available in the adjacent Community Centre car park on an unofficial basis'. Without the benefit of a continuous red line on either the location plan or the 'location plan with proposal' it is impossible to determine the extent of the application site, and with there being no blue lines one can only question the validity of the application. In addition the appendices of the adopted plan (the objectors refer to the Mansfield Local Plan Appendix 3 D1 – Non-residential Institutions) specifically discourage parking areas which are detached from the development and require that they are under the control of the developer and that satisfactory and legal arrangements for their continued use in connection with the development can be agreed and are in place, which is clearly not the case in this application.
- g) The adopted Mansfield District Local Plan requires hard surfaced play areas to be accessible to vehicles so that they can be made available for parking on open days and special assemblies, yet the application does not address this issue.
- h) It is further noted that the design makes no provision for servicing of the development with inadequate room on site for fire appliances/refuse collection or the delivery of food and raw materials or on-site loading/unloading manoeuvring/waiting space to accommodate vehicles likely to service the school. Without the use of the adjacent car park, which is beyond the applicant's control, there is only one means of access and egress to the site from the public highway which does not allow service vehicles to enter and leave the site in forward gear and has no provision for adequate turning facilities within the curtilage of the application site. It should be noted that the adopted plan calls for a minimum of 50 m² for deliveries as noted in Appendix 3 of the adopted plan.
- i) There is inadequate means of safe access and egress coupled with the current practice of permanently securing the main vehicle gate to the school which adjoins the public highway on to Bellamy Road. This results in severe congestion with no provision in the proposal for setting down and picking up children brought to school by motor transport which in accordance with supporting documentation for the application represents some 65% of current travel modes currently. This has a resultant impact upon the inadequate current road system and prejudices highway safety.

It is further noted that the application fails to provide turning and waiting areas despite this significant enlargement of the pupil population.

- j) The adopted plan calls for space within the site preferably as part of a one-way system for contract buses to set down and pick up children. Furthermore, where schools are accessed directly from a classified or busy road (e.g. Bellamy Road), the application falls way short of the requirement to provide space within the school grounds for parents vehicles setting down/picking up or provision of a lay-by within the adjacent highway.
- k) The proposed relocation of the main pedestrian access and egress to the school fails to address highway and safety issues and only serves to increase security risks by moving it further away from a point of sensible observation and is wholly inadequate and discriminatory to those with disabilities requiring the use of wheelchairs or those with young children in buggies.
- l) The proposed development fails to improve the environment for pedestrians and those utilising motor vehicles, does not enhance safety and makes inadequate provision. As such it is contrary to the substance of planning policy and should be refused on these grounds alone. (The objectors refers specifically to chapter 5 of the Mansfield Local Plan Policy M6).
- m) There are no incentives to encourage alternative modes of transport to school other than by car.
- n) It is considered that the proposed development creates a conflict between pedestrians and vehicles at access / egress to the school. The access to the site is restricted and the proposed creation of a new pedestrian access directly opposite to Thorpe Road will only make the situation worse particularly when the needs of wheelchair users the disabled and those with young children and buggies are taken into account.
- o) The junction between the application site and Bellamy Road has seen a number of accidents and near misses in recent years (hence the move of securing the main vehicle gate at all times by the school and using a trespass access through the local community centre not forming part of the application) and the problem will only be exacerbated with the increase in student population.
- p) There is insufficient parking for disabled people dropping off and collecting pupils from the school and the development fails to meet Mansfield District Council's standards for parking, servicing and access/egress to the school.
- q) There will be a considerable amount of environmental damage caused by an increase in vehicles using the inadequate road system in the vicinity of the school.

- r) There should be a report dealing with highway safety submitted in support of the planning application.

Open Space/Play Equipment

- s) This current proposal sees the reduction in size of the current open space playing field and more importantly the current grassed Junior Football pitch has been inaccurately sized and depicted on the applications drawings (it should be noted that the topographical survey for this part of the site is missing from the application and that the Drawing AL (0) 50 rev – dated July 2012, which indicates the correct size of the pitch is also missing from the application). The size of the pitch shown on application Drawing AL(0) 150 Rev B dated July 2012 states “football pitch (primary) 7-a-Side 50yds x 30yds within 55m x 36.6m zone (2000m²) is incorrect and is an obvious attempt by the applicant to prove it is capable of being turned through 90 degrees which it is not when the true pitch size is utilised. It is requested this matter be addressed directly with the applicant/agent and trust it is not an attempt by a person in public office to mislead which carries serious consequences if proven.
- t) Concerns are raised in relation to the existing play equipment currently found on site which if removed and not replaced by suitable equivalent equipment would be detrimental to the educational development of the young children.
- u) There appears to be a significant loss of school playing field and play equipment which is contrary to current political and social economic practices. The application is contrary to the exceptions of Sport England, which does not allow for development on playing fields.

Design and Amenity

- v) The proposed development fails to improve and enhance the “leisure” environment for the young people and community at large and has inadequate provision. As such it is contrary to the substance of planning policy and should be refused on these grounds alone.
- w) The location of the proposed building will have a significant detrimental impact on existing buildings and will dominate the existing classrooms.
- x) Consequential loss of natural daylight to the existing classrooms which currently suffer from inadequate levels of natural luminance and have inadequate fenestration for their use as classrooms.
- y) The location of the building is such that it creates spaces which are hidden from view and natural surveillance which in turn leads to a greater risk from crime and disorder in a known area of security risk for the school following a number of incidents in the area immediately adjacent to the proposed location.
- z) The proposed development is incompatible with the design of the existing buildings and suffers from a poor relationship with the adjacent buildings

hence the inclusion of a covered walkway in order to attempt to create some form of cohesion and sense of joined up community with the existing school buildings.

Hours of Opening

- aa) The proposed hours of use appear wholly inappropriate for a local church school and represent an unsociable commencement time of 06.30 hours for the local residents adjoining the development resulting in a significant loss of privacy and noise nuisance.

Environment

- bb) There is an unnecessary loss of valuable trees and habitat.

Educational Requirements

- cc) The particular school does not have a specific catchment area and as a church school, the admission criteria are fundamentally different. As a result of this many pupils travel some distance to attend this school and should planning be granted the pupils attending this school may well be drawn from a greater geographical populace than the norm which fundamentally has a greater impact on movement.

Noise

- dd) The location of the proposed MUGA replaces valuable surfaced playing areas nearer to the residential properties to the east of the site and would generate a considerable amount of noise and disturbance with an addition of 135 children playing in this vicinity at break times.

Other Matters

- ee) Procedural issues in respect of the determination of an application using delegated powers have been raised which have been addressed by the application being reported to Committee for determination.
64. The objectors have submitted conditions, should planning permission be granted, to address issues of highway safety; noise; landscaping and tree works; formal use of the community centre car park; the construction and provision of the MUGA; materials to be used in construction of the proposed walkway; outdoor play equipment, and Informatives for construction work and temporary vehicular access during construction.
65. In addition, four objectors raise the following matters:
- a) The highway in the vicinity of the site is inadequate and highway/pedestrian safety will be affected (3).
 - b) School parking issues/parking does not meet standards/lack of drop-off and collection facilities for children and for disability (4).

- c) Increased traffic on Lindhurst Lane and adjoining roads (3).
 - d) Additional tarmac play space nearer to residential properties will generate noise and disturbance.
 - e) The proposal is poorly related to existing buildings and will cause loss of daylight.
 - f) The building will dominate and is incompatible with existing building design.
 - g) The siting will reduce natural surveillance of the site and increase risk of crime.
 - h) Loss of trees and habitat.
 - i) Loss of play equipment/play space (2).
 - j) The Lindhurst development will add to traffic. This development is not needed as a new school is to be built at the Lindhurst development.
 - k) Change in character of a small school selected by parents because of its size and location, providing a good educational standard (2).
66. Full re-consultation, including the advertisement of a revised description of development and the receipt of additional information by site notice and neighbour notification has been carried out. In response, two additional letters have been received from one local household raising the following matters:
- a) The revised application as submitted remains fundamentally flawed and will have an adverse effect on the children's education and should be withdrawn or refused planning consent. In any event the application should be supplemented by a report dealing with highway safety and the proposal further amended. Should the Council be minded to grant consent a number of conditions and informatives should be imposed.

Traffic

- b) Other than to fund required traffic surveys which at the time of writing are ongoing and the results as such unpublished, the revision of the application has not significantly addressed any traffic concerns. Paragraph 5.4.1. of the Adopted plan states that "at a local level there is a continuing need for environmental improvement and traffic management schemes which will assist in:-
 - i) The smooth operation of public services
 - ii) Reducing through traffic, parking or servicing difficulties
 - iii) Reducing environmental problems and pedestrian/vehicular conflict.
- c) Traffic regulation Orders historically have had little impact on improving road safety.

Outdoor Play Provision

- d) Without the proposed classroom extension the multi use games court would not be required. Sport England would not have objected originally to the proposal if the additional hard court MUGA was removed from the application and the needs for the provision of additional hard surfaced play were accommodated in another location on or adjacent to the school site.
- e) The provision of 'suitable out door space' for the provision of 'physical education to be provided in accordance with the school curriculum' and space for 'pupils to play outside' as required by The School Premises (England) Regulations 2012 has only been partially met.
- f) Attention is drawn to the significance placed by the applicant on the 'benchmark standards' of BB99 in the application. The same applicant applying for planning permission at the nearby Berry Hill Primary School has specifically made reference to 'the need to retain and improve existing outdoor spaces for social and amenity purposes....[where] essential area (*sic*) to Building Bulletin 99 can be dedicated for outdoor play'. It would be contrived to suggest that such provision is not the same for this application.
- g) An enlargement of the playground to the east of the classroom is not shown on the revised application drawings. No commitment has been made to a timescale to construct the covered walkway.
- h) The County Planning Authority should not grant planning permission for an application which is clearly deficient when the Supplementary Guidance - Standards for School Premises has been unashamedly ignored. The Guidance makes very clear the difference between the two types of outdoor space used for Physical Education. Planning conditions are requested to ensure the applicant complies with this element of the Regulation. The Guidance acknowledges that the current area guidelines in Building Bulletins 98 & 99 are being revised and in the absence of these revisions it is Nottinghamshire County Councils policy to design to the current guidelines.
- i) Drawings submitted 'For Information Only' are misleading and contain a number of significant errors that misrepresent the existing provision of space, surface features and topography, as well as the proposed provision of space which are material in determining the amount of space for 'pupils to play outside'. *Detailed examples of alleged deficiencies in the plans are provided by the objectors and will be available on file for inspection by Members prior to the meeting.*
- j) The objectors are pleased to see the applicant is to provide replacement play equipment of equivalent quality to those affected by the works elsewhere on the site. A condition should be included to require the

location and specification for this equipment, and that it is provided provided prior to the new development being brought into use.

MUGA and Drainage

- k) The proposal has changed in relation to the location and size of the multi use games court. It is noted that Severn Trent Water Limited have been re-consulted on the possible drainage implications of this large macadam surfaced area but to date there has been no on-site testing undertaken to prove a Sustainable Urban Drainage System would be appropriate.
- l) The application is silent on the matter of fencing, screening and ball rebound systems to the games court area. The proposed location of the equipment stores has no physical footpath access/connection. Changing facilities for children are not provided and is wholly inappropriate.
- m) The location of the MUGA in terms of ecology has not been addressed and the retention of the beech hedge will increase the risk of root penetration to the court.
- n) The impact of the use of this area with regard to residential amenity has not been addressed and there has been no attempt to obviate noise breakout which would be worsened by bringing the proposal closer to the residential properties to the west of the games court by some 2 metres.

Daylighting

- o) The applicant's agent has suggested that the new classrooms will not significantly affect the natural light to the existing classrooms, relying on reference to "a recent school extension" sited elsewhere in the County with no attempt to note its solar orientation. The orientation of the buildings is of great importance when determining daylight factors, not purely the distance from other sources of shade such as buildings and trees.
- p) The representations reported at Paragraphs 63 w) and 63 x) are repeated.

Pedestrian Access

- q) The applicant proposes to retain both the new and existing pedestrian access points. No attempt has been made to ensure the new 1.5m wide pedestrian access and steps are suitable for the those people with disabilities or those who have to use it with young children and buggies.
- r) To create the new access requires the removal of a number of mature trees that have a future lifespan in excess of 20 years and are of good quality stock. Objection is raised to the loss of the trees and the infringement of human rights by discrimination through not providing equally accessible access and egress points, and as such the application fails to improve the environment for pedestrians.

Procedure

- s) Publication of the report on 9 April is in advance of the date for the receipt of comments (10 April 2013). This disadvantages neighbours both in attending and speaking at Committee. NCC is using its position as applicant and determining authority in order to facilitate a desired outcome.
 - t) A decision on the application should not be made in the pre-election period, particularly where there is considerable public and political interest.
 - u) The application is made by NCC but the site is owned by Southwell Diocesan Board of Finance. As such the application should be made to and be determined by Mansfield District Council.
 - v) Means of access for construction is not included in the ownership of the applicant or the application site.
 - w) There is more than one location plan (Drawing AL(0)100 A) which shows different detail and do not show a continuous red line to define the application site. Planning conditions may not be enforceable.
67. Councillor Bob Cross and Councillor Martin Wright have been notified of the application. Councillor Martin Wright has commented that some residents of Lindhurst Lane are concerned that extra traffic generated will add to speeding that already occurs when the school opens and closes, added to the general increase in traffic using Lindhurst Lane as a route to and from the MARR (Mansfield – Ashfield Regeneration Route). It is asked whether an Integrated Speed Sign can be installed on Lindhurst Lane as part of the proposed school extension.
68. The issues raised in representations are considered in the Observations Section of this report and/or where appropriate in recommended planning conditions.

Observations

69. Members are advised that from April 2013 National Planning Policy Framework (NPPF) Paragraph 215 comes into force and states that due weight should be given to relevant policies in existing Development Plans according to their degree of consistency with the Framework. The closer policies are to policies in the Framework, the greater the weight that may be given.
70. At the time of writing this report policies of The East Midlands Regional Plan (RS) (March 2009) are part of the Development Plan. However the RS is to be revoked on 12 April 2013. Policies of the RS in this report should be given negligible weight and have been included for completeness.

Strategic Education Provision

71. Great importance is attached to ensuring that a sufficient choice of school places is available to meet the needs of new and existing communities in NPPF

Promoting healthy communities (Paragraph 72). Great weight should be given to the need to create, expand or alter schools. In a letter to Chief Planning Officers the Secretary of State for Communities and Local Government has stated that there should be presumption in favour of the development of state-funded schools and the delivery of development that has a positive impact on the community. (Appendix 1). In determining this application, consideration needs to be given to whether the proposed development would give rise to significant harm that could not be mitigated through the imposition of conditions.

72. Projections for the number of school places required in the Mansfield area indicate that several schools need to extend, or that new school place provision needs to be made available, by 2015/16. Longer term statutory place provision requirements would be met if the approved additional places at Sutton Road Primary School and King Edward Primary School, and applications at Berry Hill Primary School and this application proposed at St Peter's C of E Primary School are approved and built. Recent development locally, such as the Bellamy Road regeneration (application reference 2009/0678/ST) may explain why there is demand and larger classes at younger age groups, and the demand for school places, greater than the number of places available, provides appropriate justification for an expansion of St Peter's C of E Primary School. Furthermore there may be additional short-term demand for school places before a new school related to the Lindhurst development is built. Whilst parental choice may be a factor, the development would take place in the Berry Hill Primary School catchment which may be the preferred choice of school for many parents.
73. Mansfield District Local Plan 1998 (MDLP) Policy ECH1 *Community Facilities* will allow the development of community facilities provided that the proposal, in addition to other criteria, would not have a detrimental effect on the character, quality and amenity of the surrounding area, and would be located where there is easy access to public transport. The proposed development would meet an identified strategic need for education places in Mansfield. In principle the expansion of the school in a sustainable location within the urban area is considered to be acceptable.
74. Proposals for development at schools that would change the use of 'school playing field' to some other purpose are subject to separate scrutiny through a submission to the Education Funding Agency under Section 77 of the School Standards Framework Act 1998. For the purpose of Section 77, the definition of playing field is broad ranging and includes grass pitches and artificial surface pitches, hard surface games courts, informal and social areas including grassed and paved areas, and habitat areas set aside for teaching of nature or informal curriculum purposes. Development at schools also needs to comply with The Schools Premises (England) Regulations 2012 which sets a requirement to provide suitable lighting in each room having regard to the nature of activities which normally take place in that space (Regulation 8) and the provision of outdoor space suitable to enable physical education to be provided in accordance with the school curriculum and for pupils to play outside (Regulation 10). Matters raised in representations related to the adequacy of the proposals for the delivery of education fall outside the realm of planning control, but development would need to comply with statutory and other regulatory requirements.

Traffic and Parking

75. RS Policy 43 *Regional Transport Objectives* seeks to support sustainable development, promote accessibility, improve safety, reduce traffic growth, improve air quality and reduce carbon emissions and promote a modal shift away from the private car. An increase in school places would be likely to attract additional cars to an area where on-street parking for parent drop-off and pick-up can become congested and cause inconvenience to local residents. However, properties on the east side of Bellamy Road gain vehicular access from side roads and garage courts, rather than parking on Bellamy Road. Whilst congestion and parking issues on the highways immediately adjacent to the school are unlikely to worsen, they may extend further on the highway network. Although parent parking at schools can cause inconvenience to nearby residents the duration of parent parking at the beginning and end of the school day is relatively short lived. In this instance it is noted that no residents living in close proximity to the school have submitted representations.
76. The representation reported at Paragraph 66 b) refers to aims for environmental improvement and traffic management that are not related to specific highway schemes within the Development Plan. Weight should be given to current guidance in NPPF *Promoting Sustainable Transport* Paragraph 32 which advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Attention is drawn to Paragraph 43 of the report and the recommendation from NCC Highways Development Control that the proposal does not warrant refusal on transport grounds. NCC Highways Development Control has drawn attention to the need to assess the impact of the proposal on the surrounding public highway network through survey in order to better understand existing parking behaviour. Appropriate traffic surveys to provide a suitable baseline against which to assess any increase in traffic, and related parking issues once the proposed building is brought into use should be undertaken. An initial survey indicates that parking in the vicinity of the school does not cause congestion through vehicles queuing to park, or create a particular highway problem. Vehicles in the morning park for approximately 30 seconds to drop-off, but park for considerably longer in the afternoon. However, a survey in accordance with a methodology yet to be agreed needs to be carried out and is the subject of a recommended condition. The number of pupils at the school will grow incrementally by 15 each school year and the submission of reports, and implementation of measures to address identified highway safety or through traffic issues, will be required. Depending on the outcome of surveys a Traffic Regulation Order (TRO) may be required. The applicant has confirmed that Children, Families and Cultural Services would fund the required traffic surveys and, if required, a Traffic Regulation Order.
77. With reference to the comments received from Councillor Martin Wright (Paragraph 67), if traffic survey identifies a speeding issue on Lindhurst Lane in potential conflict with school children, an interactive sign may be appropriate in compliance with recommended Conditions 15 and 22. However, if speeding traffic is not associated with the proposed development, to require a sign as a condition of planning permission for the proposed development would not meet the test that conditions should be '*relevant to the development to be permitted*'

set out in Circular 11/95 *Use of Conditions in Planning Permissions*. If a link to the school is not established the issue of traffic speed on Lindhurst Lane may also be investigated separately by NCC Highways Management.

78. The school is presently serviced from a vehicular access that is also shared by the adjoining community centre and school staff, in addition to the car parking spaces available within the school boundary, park in the community centre car park. That service access and car park does not form part of the application site, but NCC Legal Services has indicated that the County Council does have a vehicular right of way to and from Bellamy Road. The area to be used by staff car parking needs to be formalised if the operational needs of the school are to be met. The development of land outside of the application site may not be the subject of a planning condition. However in this case a condition can be included in a grant of permission, requiring appropriate user rights to be formalised, as the use of the car park would entail neither a change of use nor operational development. Development should not commence until such an agreement is in place to the satisfaction of the County Planning Authority (Condition 5).
79. Subject to confirmation that the necessary rights have been secured, it is considered that the existing 34 car parking spaces, 25 of which would be shared with daytime use of the community centre, would meet the operational needs of the school and that appropriate service access would be provided. Deficiencies in spaces for staff parking would be identified in the required surveys.
80. The submitted School Travel Plan dating from 2007 identifies parking issues, traffic speed, inappropriate parking on zig-zag lines outside the school and a lack of cycle parking opportunities, and the need for review in 2010. Positive actions to address issues have been identified, but the plan needs to be reviewed, in particular to address potential issues that could arise through the proposed increase in the size of the school. Suitably worded conditions are recommended to require the submission of a review of the School Travel Plan three months after the proposed classrooms are first brought into use, to include targets, a timetable, monitoring and enforcement mechanism to promote travel by sustainable modes is recommended (Conditions 23-25). The School Travel Plan review should investigate the provision of additional cycle parking provision. It is further recommended that the school safety zone at the school is reviewed (Condition 21).
81. With reference to the representation reported at Paragraph 63 g), the relevant parking standard in Appendix 3 Section C states that "*Hard surfaced play areas should be accessible to vehicles so that they can be made available for parents parking on open days etc.*". The existing hard play area is remote from Bellamy Road is not currently available for event parking. The statement that they 'should' be accessible is aspirational and not a requirement. Notwithstanding the above point, and also relevant to the representation reported at Paragraph 63 j), Mansfield District Council has produced Draft Interim Planning Guidance Note 10 *Parking for New Developments* until relevant Local Development Framework documents are adopted which no longer makes such references.
82. With reference to the representation reported at Paragraph 63 i), it is not considered appropriate to provide on-site parking for parents for the drop-off and

pick-up of children. The provision of such facilities does not encourage travel by more sustainable modes of transport, and potentially increases risk to children and pedestrians from the manoeuvring of vehicles within the school site.

83. In combination with the findings of required traffic surveys and implementation of measures to address identified issues, a review and provision of a school safety zone on Bellamy Road and the surrounding highway network, and a review of the School Travel Plan (made relevant to the enlarged school), it is considered that highway impacts of the proposal would be satisfactorily mitigated. It is considered that the proposed development, subject to recommended conditions of this permission, would satisfy MDLP Saved Policy [28/09/2007] M16 *Development Requirements* which seeks to ensure that new development, in relation to movement, has regard to different transport modes; is not detrimental to the surrounding highway network; allows for safe vehicular and pedestrian movement; provides operational minimal levels of car parking; includes safe servicing; and is located within easy access to public transport. Although reference is made in representations to MDLP Saved Policy [28/09/2007] M16 *Traffic Management* (Paragraph 63 l)), that policy seeks to resist development that would prevent the implementation of traffic management schemes, which is not the case in respect of the proposal being considered.

Amenity Impact of Traffic

84. The proposed development, whilst likely to increase traffic using Bellamy Road and the adjoining highway network at the beginning and end of the school day, would not significantly alter the character of area although the impact of on-street parking may extend further afield. On-street parking may become an inconvenience to residents but it is considered that the parking of cars on the public highway for relatively short periods on weekdays during school terms would not cause significant detriment to residential amenity such that permission should be refused. The privacy of occupiers of properties near to the relocated school entrance on Bellamy Road, where an increased number of parents are likely to assemble, would not be significantly eroded. Both the existing and proposed pedestrian access gates would be retained in use and would help dissipate the impact of parent assembly around a single school entrance gate. With reference to the representation reported at Paragraph 66 r), it is considered that the provision of alternative pedestrian access either by means of steps or ramped access in close proximity to one another would provide suitable choice of access for either wheelchair users or prams/pushchairs.
85. Members will need to consider whether the intensification of use of an existing school and change that may arise in the character of the local area would give rise to such harm as to outweigh the presumption that school development should be supported, as expressed in the NPPF and the letter from the Secretary of State for Communities and Local Government (Appendix 1).

Loss of Trees, Ecology and Design

86. The siting of the proposed free-standing four classroom building would require the removal of six trees, including a Category A oak tree. The site is constrained and the only practical alternative site that could deliver a building appropriate for

education would require the provision of replacement informal hard play elsewhere within the site and in a location that would permit suitable supervision. It is considered that whilst the loss of trees, especially the oak tree is regrettable, the applicant has provided justification for their removal. The trees are not located such that they are visually prominent when viewed from public land and their loss needs to be balanced against the educational value of the proposed development. Trees would need to be removed for the construction of the new pedestrian entrance gate on Bellamy Road, but none are of outstanding merit. Category A and Category B trees lost as a consequence of the development would be replaced as part of a landscaping scheme recommended as a condition of planning permission. The oak tree should be replaced by a semi-mature specimen and the suggested location, adjacent to the south of the extended area of hard play, would offer shade to the play area when in leaf (Condition 18).

87. Trees in proximity to proposed construction works, including the beech hedge to the west of the proposed MUGA will need to be protected during construction (Condition 11). A condition is recommended to require the areas where proposed replanting would take place to be protected from construction activity to enhance the likely successful establishment of replacement trees (Condition 12). With reference to the representation reported at Paragraph 66 m), ecology would not be impacted by the location of the MUGA. The MUGA would not be extended adjacent to the beech hedge. If appropriate, root protection measures could be incorporated the design to safeguard against root penetration, but is not a matter material to the determination of the application.
88. Vegetation should be removed outside of the bird nesting season, unless first inspected by a suitably qualified ecologist (Condition 7).
89. The East Midlands Regional Plan (March 2009) (RS) Policy 2 *Promoting better Design* seeks to ensure new development proposals are designed and constructed to provide resilience to future climate change by minimising energy use and using renewable energy technologies and making efficient use of land. The policy also seeks to ensure amenity and privacy is maintained and people's quality of life is improved.
90. MDLP Policy BE1 *New Development* will allow development of a high standard of design where the scale, density, massing, height, layout and access relate well to neighbouring buildings and the local area, materials are in keeping, hard and soft landscaping is consistent with the type and design of the development, and the proposal integrates existing landscape and nature conservation features. The proposed building would be sited centrally on the school site and would not give rise to adverse impact on neighbouring property.
91. The proposed alteration to outdoor sports provision would not require the provision of changing facilities (Paragraph 66 l)). Changing would continue as at present. The equipment store beneath the proposed classroom building does not necessarily require a paved access.
92. The proposed building linked to the school by a covered walkway is sited well in relation to the existing principal school building. With reference to the

representation reported at Paragraph 63 z), it is not unusual for school campuses to be comprised of linked or a series of related detached buildings. The structure is of a modern innovative design based on the off-site assembly of modules that are then brought to site, resulting in quicker on-site construction and less disruption to day-to-day school activities. The proposed use of brick up to plinth level, most noticeable on the south elevation, and render as the principal facing material is considered to be acceptable. The submission of samples and a schedule of proposed facing materials, including the covered walkway is the subject of a recommended condition (Condition 16). With reference to the representation reported at Paragraph 66 g), the covered walkway would be provided prior to the classroom development first being brought into use (Condition 16).

93. With reference to the representation reported at Paragraph 66 o), the extension referenced by the applicant has been erected at Jesse Gray Primary School, West Bridgford and is on an east-west orientation to the south of existing classrooms, a similar relationship to that proposed in the application. The building would need to be constructed to standards for lighting set out in The School Premises (England) Regulations 2012.

Reduced Grass Playing Field and Provision of MUGA

94. NPPF Section 8 *Promoting Healthy Communities* (Paragraph 74) seeks to ensure that open space, sports and recreational buildings and land, including playing fields, are not built on unless an assessment shows there is a surplus, the equivalent loss would be suitably provided elsewhere, or the development would be for alternative sports and recreational provision and the need clearly outweighs the loss. RS Policy 41 *Regional Priorities for Culture, Sport and Recreation* seeks to ensure there is adequate provision of sports and recreation facilities. The school playing field is subject to MDLP Policy LT7 *Playing Fields at Educational Establishments* which does not permit development that would lead to the loss of school playing fields unless it would only result in the loss of a small part of area used for recreational purposes and meet one of specified criteria. The development would reduce the size of the grass playing field through a 10m eastward extension of the existing hard play area. However the retained grass area would meet the FA minimum standard for football, allowing a pitch to be marked in several locations in either an east-west or north-south layout direction. The retained roughly square area would be suitable for sports such as cricket whilst a longer running track could be marked adjacent to the southern boundary. With regard to the representation reported at Paragraph 63 s), the markings shown on submitted drawings are not intended to show what is actually provided on the site but to demonstrate what can be provided and that relevant pitch sizes can be accommodated. The topography of the playing field is not required to be submitted as levels remain unaltered.
95. Attention is drawn to the consultation response from Sport England. Only a small part of the grass playing field would be lost and the proposal would result in the enhancement of the recreational use of the site in compliance with MDLP Policy LT7 *Playing Fields at Educational Establishments*. In addition the development would be for educational use essential for the continued use of the establishment, as additional formal hard play would be needed to meet the

outdoor requirements of the enlarged school. The Sport England condition detailed in the consultation response is recommended as Condition 4.

96. Although reference is made at Paragraph 66 h) of the report to Standards for School Premises, the Department for Education has stated that advice is non-statutory and has been produced to help Local Authorities understand their obligations and duties in relation to the School Premises Regulations 2012. Building Bulletin 99 sets out simple, realistic, non-statutory area guidelines for primary school buildings that help guide school projects. Whilst representation is made at Paragraph 66 d) - 66 h) that the proposals would not provide suitable outdoor space, this would be a matter dealt with by separate regulation and statutory control. To impose conditions or requirements to comply with other legislation would fail the test of 'need' set out in Circular 11/95 *Use of Conditions in Planning Permissions*.
97. Enhancement of the formal hard play area to the west of the playing field is proposed, with the existing surface to be re-laid and the extended area of hard play constructed as a MUGA which would allow greater use by the school for the delivery of the curriculum. The enlarged surface would allow courts for a variety of sports to be marked out, thereby improving provision of sports facilities for the whole school. It is considered that the proposal would comply with NPPF Paragraph 74 by making enhanced provision for sport. A condition suggested by objectors would require the submission of details of enclosure fencing of the MUGA. However, fencing is not proposed. Should fencing be required it would be likely to exceed 2.0m in height and would need to be the subject of a separate application. An Informative is recommended.
98. With reference to the representation reported at Paragraph 66 k), the area of the MUGA is approximately 25% smaller than the combined area of hard play and MUGA originally proposed in the application. Severn Trent Water Limited did not object to the larger play area and a condition requiring the submission of drainage details is recommended (Condition 14).
99. The provision of two additional flights of steps adjacent to an existing flight of steps and ramped access would provide improved accessibility between the school buildings and the MUGA and playing field at the lower level of the site.

Noise

100. It should be noted that no objections have been received from any properties directly adjacent to the site in terms of potential noise impacts. Attention is drawn to the consultation response from NCC Project Engineer (Noise) (Paragraph 53-55). Increased noise from greater use of the MUGA is unlikely to give rise to unacceptable noise impacts to nearby occupiers. Conditions are recommended to require a baseline noise survey against which increase in noise generated by activities on the site can be assessed (Conditions 6 and 26).
101. With reference to potential noise and disturbance from school use at 06:30 hours reported at Paragraph 63 aa), the early start refers to the time at which the caretaker would open the school to prepare for the start of the school day at

08:30 hours with teachers arriving at the school, typically from 07:30 hours. This accords with the way in which the school currently operates.

Play Equipment

102. The proposed classroom building and potential reorientation of a marked pitch on the grass playing field would require play equipment and a log structure to be removed. The relocation or replacement of play equipment is the subject of a recommended condition (Condition 20).
103. The siting of the proposed classroom would result in the loss of an area of informal hard play. The provision of a replacement area of informal hard play to the east of the classroom is considered to be acceptable.

Construction

104. The use of the school field maintenance access from Newark Drive for construction would be remote from the school entrance and would minimise disruption to the delivery of education as work progresses. Tracking would be laid to protect the grass playing field affected by construction, and the field would be reinstated following the completion of works. Conditions are recommended to require the undertaking of a baseline pitch assessment and the reinstatement of the grassed area including pitch to a standard equivalent to that prior to the commencement of development (Conditions 13 and 17).
105. Given the scale and nature of the proposed development it is considered that construction work associated with the proposed classroom building is unlikely to give rise to loss of amenity to nearby residents. The safety of children attending the school would be safeguarded by details to be submitted in compliance with recommended Condition 10. Early morning deliveries have the potential to cause disturbance to residents and restricted delivery hours and hours of construction of the MUGA, closest to residential properties are the subject of recommended Condition 8.
106. Should issues of noise from construction arise, they would be regulated by the Environmental Health Officer of Mansfield District Council under separate legislation.

Other Matters

107. With regard to the representation raised at Paragraph 63 cc) St Peter's C of E Primary School is an Anglican School that does not have a defined catchment. Although this matter is not a material consideration in the determination of this planning application in itself, the issue of movement to and from the school is a material planning consideration which has been considered in the report.
108. With regard to the representation raised at Paragraph 65 k), the issue of St Peter's school providing a good educational standard is not a material planning consideration.

109. For clarification, in response to the representation reported at Paragraph 66 i), drawings marked 'For Information Only' are illustrative and do not form part of the approved plans subject of recommended Condition 3.

Procedure

110. The period for the receipt of consultation responses and neighbour comments expires on 10 April 2013. Any additional comments received within the period allowed for responses will be reported at the meeting. With reference to the representation reported at Paragraph 66 s), NPPF Paragraph 14 advises that development that accords with the Development Plan should be approved without delay. Appropriate consultation responses have been received from all consultees to enable a planning decision to be made, and it is considered that should new issues arise following publication of the report that they can be satisfactorily considered at the Committee meeting.
111. With reference to the representation reported at Paragraph 66 t), the pre-election period does not stop the Authority determining a planning application for school development intended to meet an identified educational need for school places in September 2013.
112. In response to representation reported at Paragraph 66 u), the application which seeks to address an identified need for education places and which is being funded by Nottinghamshire County Council fulfilling its statutory duty as Education Authority has been correctly made under Regulation 3 of the Town and Country Planning General Regulations 1992.
113. In response to representation reported at Paragraph 66 v), the means of access for construction does not form part of the planning unit. However, the applicant will need to secure appropriate rights to ensure that development can be carried out in accordance with conditions of the permission.
114. In response to representation reported at Paragraph 66 v), the correct plan held on the working file was clearly marked for the avoidance of doubt at the time that the file was inspected, and is the plan displayed on the County Council's web site. The CPA is satisfied as to the extent of the application site defined by the red line, particularly when read in conjunction with the red line shown on Drawing AL(0)110 Rev A. The CPA is satisfied that recommended planning conditions can be enforced.

Other Options Considered

115. The report relates to the determination of a planning application. During the course of considering the application the applicant has revised proposal for the provision of the formal hard play area, impacting on the grass playing field, and has been able to demonstrate flexibility in pitch layouts for a variety of sports. The County Council is under a duty to consider the planning application as submitted.

Statutory and Policy Implications

116. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment, and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

117. Recommended conditions, should planning permission be granted require the applicant to undertake traffic surveys and to implement if required mitigation measures, which may require the making of a Traffic Regulation Order. The applicant has confirmed that the costs associated with such an order would be met by the applicant department.

Crime and Disorder Implications

118. The development would be sited within an existing school site and would benefit from existing security measures.

Human Resources Implications

119. The relevant issues arising out of consideration of Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol may be affected. The proposals have the potential to introduce impacts of noise and disturbance from increased traffic movements from coming and goings associated with increased activity at the school. Intensified use of the site for outdoor play has the potential to impact on the amenity of nearby neighbours. However, these considerations need to be balanced against the wider benefits the proposal would provide in meeting strategic need for additional school places in Mansfield, and the importance given by the Government to ensuring that a sufficient choice of school places is available to meet the needs of new and existing communities. Members will need to consider whether these benefits would outweigh the potential impacts.

Implications for Sustainability and the Environment

120. NPPF (paragraph 11 et seq.) states a presumption in favour of sustainable development. For decision taking this means approving development that accords with the development plan without delay and, where policies are out of date, grant planning permission unless adverse impacts would significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole or policies indicate that development should be restricted.
121. The proposed development would not give rise to any ecological impacts. The design of the building would incorporate photovoltaic cells on the roof that would reduce the energy requirements of the development that would otherwise be derived from non-sustainable sources. In addition a number of energy efficient internal/external fittings such as low flushing toilets, double glazed doors and windows and an 'A' rated boiler would be incorporated in the design, contributing to the overall sustainable performance of the building.

Conclusions and Statement of Reasons for the Decision

122. The proposed development would meet an identified strategic demand for pupil places in Mansfield. Whilst the capacity of the school would increase, the number of children attending the school would rise incrementally by 15 in successive school years.
123. In determining the application consideration has been given to the great importance attached by Government to ensure that a sufficient choice of school places is available to meet the needs of new and existing communities. A grant of planning permission is in accordance with Paragraph 72 of the National Planning Policy Framework (NPPF) *Promoting healthy communities* and the letter from the Secretary of State for Communities and Local Government which sets out a presumption in favour of the development of state-funded schools.
124. Mansfield District Local Plan (MDLP) 1988 Policy ECH1 *Community Facilities* allows development of such facilities provided that the proposal would have no detrimental effect on the character, quality and amenity of the surrounding area and would be located where there is easy access to public transport. The expansion of the school which occupies a sustainable location within the urban area is considered acceptable.
125. NPPF Paragraph 32 *Promoting Sustainable Transport* advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. NCC Highways Development Control has recommended traffic surveys be undertaken to better understand existing parking behaviour against which to assess any increase in traffic and related parking issues. The outcome of such surveys may require a Traffic Regulation Order which the applicant is willing to fund. The applicant would also need to demonstrate suitable rights of access prior to the commencement of the development and, in addition, the existing School Travel Plan and school safety zone would be reviewed. The school is served by public transport links. An increase in school places would be likely to attract additional cars to the area. Whilst parent parking at schools can cause inconvenience to local residents and other road users, the duration of parent parking at the beginning and end of the school day is relatively short lived. NCC Highways Development Control considers that the proposal does not warrant refusal on transport grounds.
126. Consideration has been given to the design of the proposed building. It would be incorporate renewable energy technologies and is considered acceptable in compliance with MDLP Policy BE1 *New Development* which will allow development of a high standard of design where the scale, density, massing, height, layout and access relate well to neighbouring buildings and the local area, materials are in keeping, hard and soft landscaping is consistent with the type and design of the development, and the proposal integrates existing landscape and nature conservation features. The development would entail the loss of six trees including a Category A Oak tree. However the site is constrained in terms of offering practical alternative locations and therefore the removal of the specimen is considered justified. Conditions provide for appropriate replacement planting.

127. The school playing field is subject to MDLP Policy LT7 *Playing Fields at Educational Establishments* which does not permit development that would lead to the loss of school playing fields unless they would only result in the loss of a small part of area used for recreation and meet one of specified purposes. The hard play area, in the form of a purpose designed Multi-Use Games Area would be extended to provide for the increase in pupil numbers. Revisions to the application have demonstrated that this is capable of being done such that a variety of sports could be accommodated on the extended play area whilst allowing the retained grassed playing field to be marked out in several locations. Sport England has raised no objection subject to a condition which has been incorporated in the decision.
128. The County Council is of the opinion that the proposed development is in accordance with the relevant Development Plan policies and there are no material considerations that indicate that the decision should be made otherwise. 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.

Statement of Positive and Proactive Engagement

129. In resolving to determine this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses, particularly in overcoming an initial objection from Sport England, and 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

130. 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 2. 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 for Policy, Planning and Corporate Services

Constitutional Comments

Committee have power to decide the Recommendation.

[SHB.09.04.13]

Comments of the Service Director - Finance

The contents of the report have been duly noted; there are no financial implications arising.

[DJK 06.04.2013]

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 Bob Cross
 Councillor Martin Wright

Report Author / Case Officer

David Marsh

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09 April 2013

