



6 December 2013

Agenda Item:

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

RUSHCLIFFE BOROUGH REF. NO.: 8/13/01821/CTY

**PROPOSAL: ERECTION OF 3-CLASSROOM, STAFFROOM AND LIBRARY
EXTENSION. KIDS CLUB EXTENSION, HALL EXTENSION AND
FOUNDATION 2 EXTENSION; EXTENSION TO CAR PARK AND
WIDENING OF EXISTING VEHICULAR ACCESS, NEW
PEDESTRIAN ACCESS FROM COLEDALE AND (CANAL)
BRIDLEWAY; EXTENSION TO ALL WEATHER PITCH; NEW
EXTERNAL METAL STORE AND NEW CYCLE SHELTERS;
ASSOCIATED LANDSCAPE WORKS AND FENCING**

**LOCATION: PIERREPONT GAMSTON PRIMARY SCHOOL, COLEDALE,
WEST BRIDGFORD**

**APPLICANT: CHILDREN, FAMILIES & CULTURAL SERVICES AND
PIERREPONT GAMSTON PRIMARY SCHOOL**

Purpose of Report

1. To consider a planning application for the erection of a three classroom, staffroom and library extension, an extension to accommodate a re-sited Kids' Club, extension to the school hall and an extension to Foundation 2 at Pierrepont Gamston Primary School. The school All-Weather Pitch would be extended. An extension to the car park, a new pedestrian access to the site from the canal bridleway, widening of the existing vehicular access and related landscape works are proposed. The school capacity would increase from 210 to 315 children. The key issues relate to the impact of the increase in pupil numbers on the highway infrastructure and related highway issues, and the impact of proposed built development and operational use of the enlarged school on neighbouring residential properties. The recommendation is to grant planning permission subject to the conditions set out in Appendix 2.

Introduction

2. Members will recall that this application was presented to Committee for determination on 12 November 2013, but was deferred for a Member site visit.
3. In making a presentation to Committee the occupier of 26 Whinlatter Drive, to the west of the school, drew attention to the proximity and elevation of the

proposed extension in relation to their property. The specific points raised are summarised as follows:

- a) The measurement taken from 18 Whinlatter Drive to the current school building is from the corner of the house to the corner of the school. This represents a far less intrusive view than the one proposed for 26 Whinlatter Drive, which is an end view.
- b) The clear difference in elevation of the school relative to the two properties is not stated. Relative to 26 Whinlatter Drive the school is on very high land making the proposed single storey extension more akin to a two storey extension.

Comment: 18 Whinlatter Drive has a floor level approximately 0.65m above that of 26 Whinlatter Drive. The floor level of the classroom extension is 0.3m below the floor level of the school. A plan illustrating the differences in level and relationship between the buildings is attached as Plan 6. This plan will be available for the Members visit to the site.

- c) The conclusion that the proposed extension would not give rise to un-neighbourly impact is at odds to the conclusion drawn by the planning officer of Rushcliffe Borough Council when considering the application for the Kid's Club (application reference 05/01157/FUL). The Kid's Club was initially intended to be located in a similar position to the proposed extension, but after visiting 26 Whinlatter Drive "the planning officer concluded that this would be intrusive and ordered that the building be repositioned in line with the existing school elevation".
 - d) The present application proposes to build a far more substantial pitched roof building at a distance far closer to 26 Whinlatter Drive "than initially proposed for the [Kid's Club]. It is difficult to understand how this could be deemed appropriate given the earlier ruling".
 - e) The main concern is the impact that the extension on elevated land will have on 26 Whinlatter Drive. At the very least the extension should be re-sited in line with the existing school building.
4. The report presented to Committee on 12 November 2013 was in advance of the consideration of the application by Rushcliffe Borough Council. The views of Rushcliffe Borough Council and officer observation are reported at Paragraphs 41-43.

Site and Surroundings

5. Pierrepoint Gamston Primary School is located on a site of 1.2ha on the north side of Coledale, West Bridgford, approximately 2.0km to the south-east of West Bridgford town centre. The 215 place single-form entry primary school has a frontage of 70m to Coledale, and is located opposite residential culs-de-sac Thelkeld Close and Angletam Close. The rear gardens of properties at Stockgill Close/Lingmell Close (east) and Whinlatter Drive (west) adjoin the school. The school northern boundary is separated from a tarmac surfaced bridgeway (West Bridgford Bridgeway No.16) to the north by a narrow strip of un-adopted open

space. The former towpath and disused Grantham canal lie to the north of the bridleway. The canal is a biological Site of Importance for Nature Conservation (SINC). A bridge to the north of Lingmell Close carries the bridleway over the canal, and provides pedestrian access to Waterside Close and other residential culs-de-sac linked by Public Footpath Gamston No.12. The application site includes the school and its grounds as well as a strip of the un-adopted open space, owned by Bovis Homes, that provides continuity between the school site and the public bridleway (Plan 1).

6. Residential properties towards the northern end of Whinlatter Drive, adjacent to the grass playing field and school All-Weather Pitch, have experienced historic surface water flooding.
7. The school site is generally flat with a gentle fall to the north towards the canal. In forming a level plateau on which to build the school, levels at the western end of the site have been raised approximately 1.2m above the level at the site boundary with properties at 18-30 Whinlatter Drive. A detached modular building, referenced in the application as a Kids' Club, is used primarily for pre-school, after-school and holiday activities. The Kids' Club building is sited 20m from the site boundary and is approximately 28m from a conservatory erected to the rear of 26 Whinlatter Drive and 32m from the rear wall of 28 Whinlatter Drive. An All-Weather Pitch to the north of the school building is sited 30m from the residential boundary with 40 Whinlatter Drive, but is generally 37m from the boundary with residential properties to the west (Plan 2).
8. The school building has a generally linear form with a footprint 75m x 21m. The detached Kids' Club building is sited 6m to the north of the main school building. The school is of single storey brick-faced construction with a 18^o pitch tiled roof. The school at closest lies 23.3m from the rear of 18 Whinlatter Drive with an eaves height of 2.9m. The ridge has a height of 6.2m, 31.8m from 18 Whinlatter Drive. Taking account of the approximate 1.6m change in floor level between the house and school, when viewed from 18 Whinlatter Drive the school would appear to have an eaves height of 4.5m and ridge height of 7.8m. A 1.8m high close boarded fence is erected along the western school boundary with properties on Whinlatter Drive.
9. The existing vehicular access to the site is positioned centrally on the frontage to Coledale. The school car park has 19 car parking spaces, in addition to two disability parking spaces, and is also used for service deliveries to the school. An outdoor hard play space is provided outside two classrooms adjacent to the car park.
10. A pedestrian access to the Key Stage (KS) 2 area of the school and main school entrance is located 5m to the east of the vehicular access. A second pedestrian access (principally used to access the Foundation Unit, KS1 and Kids' Club) is formed at the western end of the Coledale frontage, 5m from the boundary with 42 Coledale. The path runs immediately adjacent to the western elevation of the school building at an elevated level relative to properties on Whinlatter Drive. A semi-circular area with a hedge maintained at an approximate height of 1m on its western side is used for cycle parking. The area is formed adjacent to the path leading to the rear of the school building and is located generally opposite the rear gardens 22-24 Whinlatter Drive.

11. The central hub of the school is formed by the main entrance, school hall, staff room and administration areas. The school Foundation unit and KS1 classrooms are located at the western end of the building, with KS2 classrooms provided at the eastern end of the school.

Proposed Development

Planning History

12. Pierrepont Gamston Primary School is a Voluntary Aided School and planning applications other than those funded by the County Council are generally submitted to Rushcliffe Borough Council. Apart for the first phase development of the school granted by NCC in 2000 under application reference 8/00/00101/FUL, the following planning applications have been approved by Rushcliffe Borough Council:
13. Application reference 02/01522/FUL (January 2003): Extension to primary school to provide 3 classrooms, library and ancillary facilities
14. Application reference 05/01157/FUL (December 2005): Erection of building for use as pre-school and post-school playgroup and for school purposes. *The permission allowed use as a playgroup building outside of school term times for a temporary period expiring in December 2006 (Condition 6).*
15. Application reference 06/01757/FUL (December 2006): Continuation of use of building as a playgroup outside of normal term times (Condition 6 of planning permission 05/01157/FUL).
16. Application reference 10/01220/FUL (August 2010): Installation of synthetic sport and play surface.

Background

17. West Bridgford has experienced an increase in demand for primary school places in recent years. Although a significant number of primary school places are to be made available when the expanded Heymann Primary School opens in January 2014, there is still projected to be a shortfall of 10 primary school places in the wider West Bridgford area in 2013/14. This is expected to increase in successive years, with a shortfall of 180 primary school places predicted by September 2017.
18. Pierrepont Gamston Primary School is a Church of England Voluntary Aided school which does not have a school catchment, allocating places by proximity to the school when over-subscribed. The school has consistently filled its Published Admission Number (PAN). Health Authority GP registration data shows that the number of children aged 4+ in the immediate area of the school is greater than the current PAN of 30. For September 2013 the number of children of school starting age locally was 57, and in successive years is 77, 58 and 58.
19. It is proposed to expand the school and to increase the PAN to 45 at first admission, with the number of children attending increasing incrementally as each cohort passes through the school. When fully occupied the capacity of the

school would increase from 215 to 320 places (1.5 form entry), an increase of almost 50% in pupil numbers. In addition to meeting a local demand, the proposal would ease pressure on school places across the Gamston area of West Bridgford.

Proposed Development

Buildings

20. Planning permission is sought for the erection of four extensions to the school. The use of the existing school building would change with the Foundation and KS1 unit moved to the eastern end of the building. A new Foundation classroom would be built with a footprint of 9m x 8.4m, projecting 5.5m forward of the front elevation of the school (Plan 3). The extension would be 3.0m in height, faced with render, and of flat roof construction covered by a single-ply membrane roof covering. A free-standing canopy 6m x 8.4m and 3.0m high would provide a covered play area outside the Foundation classroom. Photo-voltaic (PV) panels would be applied to the canopy roof.
21. The school hall would be enlarged to accommodate the increased school capacity, extended forward of the existing building towards Coledale. The extension would be 13.5m x 9.0m (including an over-sailing roof) and would have an eaves height of 3.0m, and a ridge height of 6.0m. The hall extension would have a render finish, with a tiled roof to match the existing building.
22. The existing Kids' Club modular building subject of planning permission 05/01157/FUL would be removed. A replacement Kids' Club would be provided in a recess formed by the hall and a classroom on the north elevation of the school (Plan 3). The extension would be 11m in width, varying in depth between 9m and 11m, and would have a render finish. The flat roof would be 3.2m in height and would have a single-ply membrane roof covering. An over-sailing roof would create a canopy 'squaring-off' the northern elevation.
23. A three classroom extension, IT/library, staffroom and toilets would be provided to the north of the existing school, connected by a flat-roofed corridor and group room 3.2m in height. The link would be faced in render.
24. The linked extension would present a 15m elevation to properties on Whinlatter Drive. There would be no window openings in the west elevation, other than two roof lights at high level (Plan 4). The extension would project 8.5m closer to properties on Whinlatter Drive than the western elevation of the existing school. The extension would be sited 23.5m from the rear elevation of 24 Whinlatter Drive, a similar relationship to that between the existing school building and 18 Whinlatter Drive (Paragraph 8 and Plan 3). The north elevation of the building (facing the playing field) would be 27m in length. The building would have a traditional hipped roof construction with an eaves height of 3.0m and ridge height of 5.8m. The building would be faced in brick with a tiled roof to match the roof of the existing school.
25. The staff room would be formed in the south-west corner of the extension. A door in the southern elevation would give access to a small break-out area outside the staff room which would be enclosed by a 1.8m high timber enclosure

on its west and south-western sides to safeguard against overlooking of neighbouring residential property on Whinlatter Drive.

Use

26. The school does not currently run Saturday activities and does not have plans to do so. The Kid's Club runs throughout school holidays on Monday-Friday, and on inset days. The applicant has withdrawn an original proposal for Saturday use from the application. Community use is not proposed.

External Works

27. Trees planted to the east of the existing pedestrian access would be removed and the area would be surfaced to provide a Foundation outdoor play area including a 'Pick-Up Sticks' climbing structure on a rubberised surface. An outdoor storage building 4.5m x 3m would be sited within the play area. No details of the height or design of the storage building have been provided.
28. A garden area, with a tool storage area, canopy, picnic area and raised timber-edged planting beds would be provided to the east of the school adjacent to the boundary with 5-11 Lingmell Close.
29. The All-Weather Pitch to the north of the school would be extended by 33m x 27.3m to the west of the existing surface. The finished level of the All-Weather surface would be raised 0.6m above the level of the existing grass field, the effect of which would be to increase the gradient of the slope to the boundary with properties on Whinlatter Drive to 9% (1 in 11). An existing French drain running next to the boundary of properties to the west would be extended adjacent to the All-Weather Pitch (adjacent 36-28 Whinlatter Drive), connecting with existing drainage to intercept potential increase in surface water run-off.
30. At its closest, the All-Weather Pitch would be 6.5m from the boundary and 17.7m from the rear of the house at 36 Whinlatter Drive. A 2.0m high acoustic fence set 0.6m from the existing boundary would be erected between 30 and 40 Whinlatter Drive, subject to further noise assessment first being carried out to determine the need for the implementation of noise mitigation following the All-Weather Pitch being brought into use.
31. An outdoor classroom area of 50m² would replace the existing cycle parking area to the west of the existing school building. The area would not be directly accessed from a classroom and, in an area between two fenced enclosures, would be used under supervision (not an uncontrolled hard play area). Tree and landscape planting is proposed between western side of the building and properties on Whinlatter Drive. Trees to be planted within the site adjacent to 20-36 Whinlatter Drive are anticipated to achieve a height of 5m-15m, depending on each species planted. An evergreen *viburnum* hedge, which should attain a height of 3.5m would be planted along the boundary adjacent to 42 Coedale and 18 Whinlatter Drive, with additional landscape planting proposed on the school side of the hedge (Plan 5). The planting of laurel, which is referenced in representations at Paragraph 78f), had been proposed but would have attained a height of 7m and the evergreen *viburnum* hedge is proposed by the applicant as a more acceptable alternative.

Access and Car Parking

32. Vehicular access to the site would remain as at present. The existing car park would be modified, and extended in a westerly direction to provide a total of 24 car parking spaces and three disability parking spaces. The staff car park would be accessed across a block paved amphitheatre surrounded on its southern side by raised seating and planting. The amphitheatre would be enclosed by gates on its eastern side. Two of the car parking spaces and one disability parking space would be available for visitor car parking. Service deliveries would need to be restricted to the area to the east of the amphitheatre should that outdoor area be in use during the school day.
33. The modifications to the car park would require the existing pedestrian entrance at the western end of the frontage to Coledale to be closed, with a timber fence erected to match fencing to either side.
34. The existing pedestrian entrance to the east of the vehicular access would be retained as the principal school entrance and entrance to the Foundation unit and KS1. A new KS2 pedestrian entrance would be formed at the eastern end of the Coledale frontage, adjacent to the boundary with 1 Stockgill Close.
35. The pedestrian access to the rear of the school running along the western side of the building would no longer be used by parents to bring or collect children from the school. 2.0m high fencing would be provided between the existing school and the boundary with 20 Whinlatter Drive, and the linked extension and 28 Whinlatter Drive to control unauthorised access.
36. A mower and emergency access for a fire appliance would be taken from the car park and would run to the west of the existing school. An emergency vehicle would be able to turn on the extended All-Weather Pitch. The route to the west of the school would have a reinforced grass construction, retaining the appearance of grass but able to withstand the occasional passage of vehicles.
37. A new pedestrian access to the school is proposed from the bridleway to the north of the application site. The applicant has not yet secured an agreement with the land owner to allow the short linking footpath to be provided. If provided, the new access gate would be used at the beginning and end of the school day and offer an alternative to the use of Coledale as the only means of access to the school.
38. Two cycle shelters are proposed. One would be provided adjacent to the boundary with 5-7 Stockgill Close, with a second shelter provided adjacent to the bridleway pedestrian entrance, adjacent to the rear boundary of 21 Lingmell Close.
39. It has been confirmed that the cost of any required Traffic Regulation Order would be met by the applicant department.

Construction

40. The school car park would be used as a construction compound for the development. Construction would take approximately nine months to complete,

and it is intended that the project should be completed to open in September 2014. During the period of construction staff would have to park off-site.

Consultations

41. **Rushcliffe Borough Council (RBC)** – No objection subject to conditions requiring:
 - a) a noise assessment following completion of the extended all-weather pitch to be submitted to RBC and, if necessary, noise mitigation measures to be implemented;
 - b) the provision of landscaping in the first planting season; and
 - c) the surfacing and marking out of proposed car parking spaces before the development is brought into use.
42. In making the recommendation to the Committee of Rushcliffe Borough Council the case officer commented: *Because of the design and scale of the proposed extension, it is not considered that the extension would have an adverse impact on the outlook from the nearest dwellings, whilst the absence of windows in the west elevation of the proposed extension and removal of the existing footpath access would help eliminate issues of overlooking and privacy.*
43. Whilst not objecting to the development it has been advised that RBC Members *had strong concerns that despite a history of flooding in the area, a comprehensive Flood Risk Assessment had not been carried out, as required by Environment Agency Standing Advice, which should be carried out and agreed with the Environment Agency before the application is determined.*
44. **NCC Highways Development Control** - *As there will be a significant increase in pedestrian and vehicle movements associated with the site, improvement/mitigation measures are deemed to be appropriate.*
45. *The proposed improvements to provide access to the north of the site have the potential to decrease the number of car based journeys. The Highway Authority considers that this is a desirable improvement, but if it is not achievable, then it is not essential to the scheme.*
46. *There are vehicles which block the tactile paved pedestrian crossings from the school to the opposite side of Coledale. This has the highest potential of occurring at drop off and pick up times. As there will be an increase in pedestrians associated with the site, the Highway Authority recommends that a scheme to protect the crossing points, and to limit indiscriminate parking in the vicinity of the crossing points would be appropriate. A condition is recommended requiring the submission of a scheme of pedestrian safety improvements.*
47. *The Highway Authority is satisfied that both the layout of the car park, and the proposed amount of parking, are adequate to serve the school.*

48. Conditions are recommended to require the proposed car park to be laid out as proposed in the application, the submission of an updated School Travel Plan, and the on-going monitoring and review of the Travel Plan.
49. **NCC Road Safety Team** – *Comments made by NCC Highways Development Control are endorsed, especially with reference to safer routes to school. The additional pedestrian access route from the tow path is welcomed and may encourage more families to travel on foot if this is successfully achieved.*
50. *The Design and Access Statement and submitted School Travel Plan do not take into account the additional traffic that will be generated by parents and carers travelling to the school and does not suggest any mitigating actions for the effect of this on Coledale or the streets immediately surrounding the school.*
51. *The safer routes to school scheme should include some Traffic Regulation Order protection on the dropped crossing points and on the adjacent road junctions close to the school.*
52. **Sport England** – *No objection. The application proposes a number of elements of which only the classroom extension impacts on playing field area. However the impact is marginal and the area lost is not capable of forming a pitch or part of a pitch given the location of other buildings, the existing All-Weather Pitch (AWP) and the Hard Court/Play Area. The increase in size of the AWP is supported as it increases the size of the existing facility providing the playing field with a consistent surface rather than two differing surfaces. A condition is recommended to require the AWP to be constructed in accordance with Sport England guidance.*
53. **NCC Project Engineer (Noise)** – *No objection subject to a post-completion noise survey. Noise is predicted to marginally exceed 55dB which is considered to be the threshold between the “do-nothing” and “do-something” for noise mitigation purposes.*
54. *A post-completion noise survey should be undertaken to determine the actual noise level in garden areas. If the level exceeds 55dB then adjacent properties should be canvassed on their opinion of noise levels/mitigation measures, before undertaking any works. If all residents agree that the noise levels are acceptable, it seems reasonable to assume that no physical mitigation measures are necessary.*
55. *Noise impact from the extension to the car park and additional traffic flows associated with the increase in pupil numbers is not considered to be significant. An acoustic barrier is not required adjacent to the car park.*
56. *Details of any externally fixed plant and noise levels will need to be controlled by an appropriately worded planning condition.*
57. *Details of construction plant should be provided in a noise management plan outlining how development of the site will comply with the noise limits and guidance in BS5228-1:2009 (Code of Practice for noise and vibration control on Construction and Open Sites – Part 1:Noise).*

58. NCC Project Engineer (Noise) has commented on noise issues raised in representations:
59. *A comment is raised by a resident concerned at a maximum noise level of 56.5dB ($L_{Aeq, 15mins}$). To clarify the actual maximum predicted noise level is 56.1dB ($L_{Aeq, 15mins}$) and to put this into context, this is the maximum noise level predicted in the garden area of No. 36 Whinlatter Drive. This property has been used as the reference position as this is the closest property boundary to the proposed extended All-Weather Pitch (AWP). Noise levels are expected to be of a similar magnitude in garden areas of properties 34, 32 and 30. Noise levels are then expected to drop in garden areas north of No. 36 and south of No.30 due to increased distance from the AWP. It is considered unlikely therefore that noise levels will exceed 55dB $L_{Aeq, 15mins}$ at any property other than 30-36 Whinlatter Drive.*
60. *Unfortunately it is difficult to accurately predict the noise level generated by a particular number of children using an un-built facility. A number of assumptions are factored into any prediction, which are usually quite conservative to avoid underestimating the noise impact and as such there is potentially some margin of error. All assumptions are detailed in the noise assessment report. For this reason and given the marginal noise level above 55dB ($L_{Aeq, 15mins}$), it is suggested that a post-completion noise survey is undertaken to determine actual noise levels in garden areas. If noise levels are found to exceed 55dB ($L_{Aeq, 15mins}$) then a scheme of noise mitigation will need to be implemented.*
61. *Options for noise mitigation are somewhat limited. The three options are; an acoustic fence around the perimeter of the new AWP; an acoustic fence near the boundary of the properties, or; procedural changes to operational use of the area by the school to minimise the number of children using the outdoor space at any one time. The preferred option (proposed in a revised submission) is an acoustic barrier near property boundaries. Whilst a barrier as close to the noise source as possible is normally favoured, a fence around the perimeter of the pitch has been discounted due to the potential for additional noise problems of ball-rebound which could in fact worsen noise impact.*
62. *It is important that the height of the barrier is appropriate to ensure that there is no inter-visibility between the noise source and receptors. The higher the barrier the more effective it will be, however this has to be balanced with other issues such as visual impact. It is recommended that the fence construction is in accordance with [the acoustic fence design submitted in support of the application – recommended Condition 3o)].*
63. *The noise impact assessment considers the impact from use of the school premises Monday-Friday. This represents the “worst case” based on up to 315 pupils. Saturday use of the facilities would be likely to involve a much lower number of users. As such the noise levels presented in the assessment would be unlikely to be reached during Saturday use.*
64. **NCC Reclamation Team** – *The school site appears to have been used by housing developers for construction of the nearby housing. A limited site investigation should be undertaken to determine near sub-surface conditions*

within the main area of development and a watching brief implemented for previously unidentified contamination that may be identified.

65. **NCC Nature Conservation Team** – No objection subject to conditions. The site has low potential for roosting bats. A condition/informative is recommended requiring compliance with procedure for the unlikely event that bats are encountered during construction works.
66. There is limited potential for nesting birds on the site. A standard condition should be used to control vegetation clearance on the site.
67. **NCC Lead Local Flood Authority** - *The applicant has not yet fully demonstrated that the proposals will not have a detrimental effect on the surface water flooding issues that the adjacent residential property has previously experienced. It is suggested that any permission is conditioned so that further drainage details are provided to demonstrate that there will be no increase in surface water flooding risk.*
68. In commenting on the matter of flooding raised by Rushcliffe Borough Council at Paragraph 42: *it would appear that the only flood issue relates to surface water and the drainage of the site itself. As long as issues relating to surface water are conditioned so that site drainage is adequate and there is no increased surface water flood risk to adjacent properties, this would be regarded as satisfactory.*
69. **Environment Agency Midlands Region** – The site is in Flood Zone 1 (1 in 1000year+ risk of fluvial flooding) with few constraints.
70. **Severn Trent Water Limited** – No objection subject to condition requiring the submission of details of foul and surface water drainage.
71. **Western Power Distribution** – No response received.
72. **National Grid (Gas)** – Attention is drawn to National Grid apparatus on the site.
73. **Canal & River Trust** – No objection.
74. **NCC Countryside Access Team** – West Bridgford Bridleway No.16 runs parallel to the school northern boundary. The proposed path to link the school to the bridleway is in private ownership and will require the land owner's permission. The surface of the proposed path link to the bridleway would need to be maintained by the school, unless adopted by RBC as an area of public open space.
75. **Police Force Architectural Liaison Officer** – No response received.

Publicity

76. 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.
77. Councillor Steve Calvert and Councillor Liz Plant have been notified of the application.

78. Nine letters have been received from seven households on Whinlatter Drive and one on Coledale. Three of the households are generally supportive. One considers the development to be an improvement on other options considered. Acoustic fencing on the boundary is welcome. The following concerns are raised in the representations:

Other Options

- a) Other options should be considered (2) on a large site. Development could take place on the opposite side of the school. The car park should be extended on the opposite side of the school.

Traffic and Car Parking

- b) There will be increased car parking on Whinlatter Drive.
- c) Safety and access concerns for children playing on Whinlatter Drive which is a quiet cul-de-sac.
- d) Impact of exhaust emissions.
- e) 30 car parking spaces are not required for 22 staff. Car park spaces should be off-set from the boundary fence.

Comment: The car park has been reduced in size and off-set from the boundary with 42 Coledale in revised plans.

Privacy

- f) The extension will be closer to properties than existing development at the school (2).
- g) Impact on neighbouring residents. Adjoining property is at a lower level than the school/ the outside staff area is elevated (2).
- h) Overlooking from staff room, use of the external staff door, external staff area, and car park.
- i) Impact of car headlights in the car park.
- j) Additional planting should screen/filter views from the car park. Evergreen planting at a height of 4.5m-5m is suggested.
- k) 2.4m high boundary fencing would mitigate privacy impact that would not be achieved by planting.

Noise

- l) Noise from intensified use (2). Predicted noise when the play area is in use will exceed World Health Organisation (WHO) guidance.
- m) Noise nuisance from use of the outdoor staff area, staff arrivals and departures, and out-of-hours use.

- n) Private evening and weekend letting of the school and outdoor theatre are a potential source of noise nuisance. Noise from Saturday/evening use has not been assessed (3). Saturday Club use will be a source of noise. Noise from dropping-off/picking-up.
- o) Acoustic fencing should be raised to 2.5m.

Surface Water Flooding

- p) Historic surface water flooding and concern over change to the flooding regime (4). The extension will be over ground which currently acts as soakaway. The fire/mower access will compact ground that presently absorbs surface water (2).
- q) Surface water drainage needs to be addressed. That there are no drainage proposals to stop surface water running off the extended all-weather pitch to stop potential increased risk of flooding.

Additional Detail Required

- r) It is unclear which facilities are to be used on Saturdays.
- s) Noise from Saturday use has not been assessed.
- t) Drainage position/details are not provided.
- u) An acoustic fence specification is required prior to installation.
- v) Details of the height of proposed trees are required. Tree planting could potentially block light.
- w) Additional sections to demonstrate impact (Nos. 26 and 28 Whinlatter Drive) are required.

Comment: The applicant has submitted additional information in respect of matters r) – v) and neighbours have been notified. With reference to w), sections through 26 and 28 Whinlatter Drive would not be materially different to that at 24 Whinlatter Drive provided in support of the application.

- x) Low-level car park lighting (if required) should be used, rather than intrusive lighting mounted on the building.

Property Issues

- y) Proximity of the acoustic fence and lack of maintenance access between the acoustic fence and property boundary (2). Maintenance responsibilities need to be clarified.
- z) The existing fence could be replaced on the boundary.

79. Two letters have been received from residents on Whinlatter Drive in response to amended plans submitted by the applicant, raising the following matters:

- a) The proposed 1.8 metre high screen around the external staff area is welcome.
- b) Two outdoor classroom areas, in an elevated position relative to adjoining property are proposed (2). Outdoor activities to the west of the school building are not appropriate.
- c) The outdoor area adjacent to 22-24 Whinlatter Drive will overlook and be a source of noise to adjoining property. No noise impact assessment has been carried out for the outdoor classroom area.
- d) Screening of the outdoor classroom area is required.
- e) An acoustic fence adjacent to the car park has been omitted. Less car parking spaces are now proposed but noise and privacy are not addressed.
- f) Proposed boundary hedge planting (when planted) will not offer the immediate benefit of laurel which was proposed but has now been omitted. Taller evergreen planting is requested.
- g) Proposed planting will not be tall enough to screen view of the car park. Taller planting is requested.
- h) Car park lighting should be considerate, having less impact than existing eaves lighting at the school.
- i) The siting of the proposed hedge adjacent to 18 Whinlatter Drive will not allow maintenance access and may cause damage to property.

80. The issues raised are considered in the Observations Section of this report.

Observations

81. Policies in the Rushcliffe Non-Statutory Replacement Local Plan 2006 (RRLP) referenced in this report have been broadly assessed to be in accordance with the National Planning Policy Framework (NPPF) and should be given appropriate weight in the determination of this application.

Strategic Education Provision

82. 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.

83. Projections for the number of school places in the wider West Bridgford area identifies the need to provide additional primary school places. The local authority has a statutory duty to provide school places for all pupils in Nottinghamshire who require them. Although the number of spaces at the school would increase by almost 50%, rising from 215 to 320 places, it would meet a demand for places in the local area close to the school as well as the wider West Bridgford Schools catchment.
84. RRLP Policy COM1 *New Community Facilities* will allow the development of community facilities provided that they are located in sustainable locations accessible by local transport. The site is located within the developed urban framework and can be easily accessed by various sustainable transport modes in addition to travel by car. The school has historically taken children from the immediate catchment when over-subscribed.

Siting of the Proposed Building on Playing Field

85. 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. The school playing field is subject to RRLP Policy COM4 *Protection of Open Space*, which seeks to ensure playing fields are not lost unless there is a demonstrated need or alternative, suitable provision can be made.
86. The development would result in partial loss of an existing grass playing field, but the area on which the linked extension would be built does not form part of a playing pitch. An existing area of grass playing field would be replaced by an All-Weather Pitch which would permit more frequent use. Attention is drawn to the consultation response received from Sport England. It is considered that the proposal would offer benefit for sport and the development would comply with RRLP Policy COM4 *Protection of Open Space*.

Highway, Access and Car Parking

87. An increase in school places is likely to attract additional cars to the school and cause inconvenience to local residents. However, congestion and parking issues on the highways immediately adjacent to the school are unlikely to worsen, but may extend further on the highway network. Whilst 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.
88. NPPF *Promoting Sustainable Transport* Paragraph 32 advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. NCC Highways Development Control has drawn attention to issues where parents are parking next to pedestrian crossing points on Coledale, and parking close to highway junctions. The proposed development would result in an existing pedestrian access into the school being closed, which may make the nearby crossing point redundant and a less sensitive highway issue. Additional pedestrian guard rail and

protection of access points to the school may be required, in addition to which junction protection may be required to safeguard against inappropriate car parking. This may take the form of physical highway works or require the making of a Traffic Regulation Order. It is recommended that a review of existing road safety measures is carried out, and if appropriate a scheme is installed to reflect revised access points and an increase in pupil numbers that would attend the school (Condition 18).

89. The applicant has proposed the creation of an additional pedestrian access from the bridleway to the north of the site. The additional access could relieve pressure on access points on Coledale but could attract traffic to culs-de-sac on the north side of the canal. An alternative access point may also encourage a greater number of children to walk or cycle to the school, using the local footpath network. The traffic implications of the proposed additional pedestrian access point have been assessed, and on balance it is considered that any potential increase in traffic would be outweighed by the benefits offered. However, at present there is no certainty that the applicant can provide the pedestrian access and the impact of development using Coledale as the sole means of access to the site has to be considered. This matter has been considered by NCC Highways Development Control, but concluded that the bridleway footpath link is not essential to the acceptability of the proposal (Paragraph 45).
90. Sustainable travel to school is to be encouraged and the proposed provision of cycle parking is welcomed. However, the submitted School Travel Plan relates to the existing school and needs to be revised to reflect the significant increase in pupil numbers and subsequently reviewed regularly in successive years, and is the subject of recommended conditions (Conditions 21, 22 and 23).
91. The proposed alterations to the car park would make appropriate provision for staff and visitor car parking. Parking spaces should be constructed, drained and marked out prior to the KS2 linked extension being brought into use and is the subject of a recommended condition (Condition 19). The amenity impact on an enlarged car park is considered at Paragraph 96.

Design

92. RRLP Policy GP2 *Design and Amenity Criteria* will allow development that does not give rise to significant adverse affect on amenity, and where the scale, height, massing, design, layout and materials are sympathetic to the character and appearance of the surrounding area, amongst other criteria. With reference to the re-siting of the Kid's Club reported at Paragraph 3c), a planning decision was not made by RBC as to the acceptability of the proposal, although the building was relocated to a position where it would have lesser impact. Attention is drawn at Paragraph 3a) to the different relationship of 18 Whinlatter Drive to properties closest to the proposed three-classroom extension. Whilst the difference is accepted, the proposed siting is considered to be acceptable. Consideration has been given to the possible re-siting of the building further from properties on Whinlatter Drive (Paragraph 3e)), but the applicant has advised that this would have an unacceptable impact on the tarmac games courts and play area, and also be an unacceptable loss of daylight into some of the existing classrooms and the proposed extension. The design of proposed extensions are considered to be of an appropriate scale and massing that

complement the character and appearance of existing built development on the site. Attention is drawn to the comment made by the RBC case officer reported at Paragraph 42.

93. Particular consideration needs to be given to the impact of the linked KS2 extension and its potential impact on neighbouring property on Whinlatter Drive. The applicant has drawn attention to the proposed extension being sited no closer to the nearest residential property than the current relationship of the existing school building to 18 Whinlatter Drive.
94. The properties closest to the linked extension are set at a level approximately 1.6m below the school. Taking account of boundary fences and mature garden planting, the existing school building does not have an overbearing impact on the neighbouring properties. Although the proposed linked extension would be sited 8.5m closer to the residential properties than at present, it is considered that the extension, with an eaves height of 3.0m, relatively shallow hipped roof, and taking account of the change in level between the sites, would not give rise to un-neighbourly impact. Alternative designs and site layout could be explored by the applicant. However, the proposal presented for determination is considered to offer the best option to deliver education at the site without compromising the amenity which neighbouring occupiers could reasonably expect to enjoy. It is concluded that the proposed development would be in compliance with RRLP Policy GP2 *Design and Amenity Criteria*.
95. The proposed layout would alter the pattern of daily movements at the school. The relocation of pedestrian entrances to the eastern end of the Coledale frontage, would make use of the pedestrian route to the west of the school, at an elevated level relative to adjacent properties on Whinlatter Drive redundant, and offers betterment to the amenity of the adjacent occupiers.

Amenity and Landscaping

96. In trying to mitigate the visual impact of the extended car park and linked extension on properties on Whinlatter Drive and 42 Coledale, significant tree planting and other landscape works are proposed. The staff car park is likely to be used at the beginning and end of the school day, with little vehicle movement between those periods. There is already mature planting in the rear garden of 42 Coledale/18 Whinlatter Drive which filters views of existing car park movements. There is considered to be little change in character and usage of that area such as to give rise to harmful impact on the amenity or outlook of neighbouring property. The proposed hedge adjacent to 42 Coledale and 18 Whinlatter Drive should attain a mature height of 3.5m and is considered to be acceptable. Potential impact on private property rights is considered at Paragraphs 107-108.
97. Concern has been raised in representations that use of the break-out area outside the staff room could give rise to overlooking of neighbouring properties and loss of privacy. Revised plans have been received, proposing the erection of a 1.8m high screen fence that would address the issue satisfactorily. It is anticipated that the outdoor classroom area would only be used infrequently, for planned classes and subject to appropriate weather conditions. The area is approximately the size of a single classroom which would limit use of the area. The area is only visible from the first floor windows of houses on Whinlatter

Drive and having regard to the distance of the area, sited 12m from the residential boundary, and its controlled use by a small group, it is considered that use of the area would not give rise to unacceptable loss of amenity. First floor windows in the closest houses on Whinlatter Drive would lie 22m from the outdoor classroom and it is considered that use of the area would not give rise to unacceptable loss of privacy. Only occasional use of the outdoor classroom is envisaged.

98. Trees planted forward of the school towards Coledale would be removed. Whilst offering an attractive setting to the school, the trees are not of particular arboricultural merit, and replacement tree planting is welcomed. Tree planting proposed between the school building and properties on Whinlatter Drive is expected to attain a height of between 5m and 15m depending on species and location. The trees would filter views of the school building, but could have an unsatisfactory impact on the outlook of neighbouring occupiers. Notwithstanding details submitted in support of the application, it is recommended that tree species and the location of planting (without compromising the route of the mower and emergency access) should be the subject of further consultation with neighbouring occupiers (Condition 17a)).
99. It is considered that the siting of play equipment, canopy, cycle shelters and other outdoor equipment should not give rise to adverse impact on the amenity of occupiers on Stockgill Close and Lingmell Close. The submission of elevations of the storage sheds and other miscellaneous external structures is the subject of a recommended condition (Condition 4).

Noise

100. The increase in the number of children at the school and use of the enlarged All-Weather Pitch has the potential to increase noise experienced at adjoining residential properties on Whinlatter Drive. The noise assessment submitted in support of the application identifies that noise experienced may marginally exceed World Health Organisation levels of 55dB(A), which may give rise to *serious annoyance*. However, this is likely to be only for a short period of the day. Mitigation in the form of a 2.0m high acoustic fencing adjacent to the site boundary has been proposed. NCC Engineer (Noise) has drawn attention to a difficulty in accurately predicting noise at an un-built facility and has recommended that a post-completion noise survey is undertaken to confirm whether the proposed noise mitigation will be required. An appropriate condition is recommended (Condition 20). Whilst at Paragraph 41a) it is requested that the noise report is submitted to RBC, NCC would determine its acceptability. However, when received, the report can be the subject of consultation with RBC before the condition is discharged.
101. In response to concerns raised in representations, Saturday use is not proposed. However, NCC Engineer (Noise) has confirmed that although noise generated by Saturday use has not been separately assessed, predicted noise levels from Saturday use would be below those when the school is in normal daily use.
102. There is concern expressed by residents that use of the amphitheatre (by community or unauthorised users) could become a source of nuisance. The

applicant has confirmed that community use is not proposed. The area would be an outdoor school amenity area, used in a manner similar to play equipment or other outdoor facilities at the school and is considered unlikely to give rise to unexpected or significantly detrimental impacts.

103. Although noise that may be generated by use of the proposed outdoor classroom has not been separately assessed, the area would be used by a small group and under supervision. It is considered that further noise assessment is not required, but use of the area, and the site in general, would be subject to the operational noise restriction imposed by recommended Condition 24.

Drainage

104. With reference to the concern raised by Members of Rushcliffe Borough Council (Paragraph 43), the applicant has acknowledged the need to assess potential flood risk presented by the proposed development. NPPF Paragraph 103 advises that when determining planning applications it should be ensured that flood risk is not increased elsewhere. The Environment Agency has been contacted following the receipt of the consultation response from Rushcliffe Borough Council. Whilst agreeing with RBC, the Environment Agency advises that the review of the Flood Risk Assessment will need to be carried out by the CPA, suggesting that the Lead Local Flood Authority should have suitable expertise. Attention is drawn to the comments of NCC Lead Local Flood Authority reported at Paragraph 68.
105. Properties adjoining the application site have experienced historic surface water flooding. Although it is proposed to extend the French drain adjacent to the extended All-Weather Pitch to intercept any potential increase in surface water run-off from the extended surface, insufficient detail has been submitted to demonstrate that neighbouring property would not be adversely affected. Site drainage and the impact of development will require further investigation and is the subject of a recommended condition (Condition 11). A satisfactory drainage scheme would need to be approved prior to the commencement of main site works.

Other Matters

106. No details of lighting have been submitted in support of the application and is the subject of a recommended condition (Condition 15).
107. A grant of planning permission would not supersede any private property rights of access or maintenance. It is proposed that acoustic fencing would be off-set 0.6m from the boundary to allow access for maintenance but would not give rise to materially different planning considerations if sited on the property boundary. Fencing on the property boundary at a height not exceeding 2.0m would be permitted development not expressly requiring planning approval.
108. Although the details of proposed landscaping adjacent to 42 Coledale and 18 Whinlatter Drive are considered to be acceptable, the location of proposed planting should take account of rights of adjoining occupiers to maintain their property. The resiting of the hedge off-set from the boundary so as to allow

access for maintenance would not materially impact on the proposal. The detail of landscaping adjacent to 42 Coledale and 18 Whinlatter Drive is reserved for further consideration by planning condition (Condition 17b)).

Construction

109. The applicant has submitted details to illustrate the logistics of construction of the separate elements proposed in the application. The proposed phasing details are considered to be acceptable, but would result in the staff car park not being available for school staff for the period of construction. It is considered that the highway network near to the school has adequate capacity to accommodate staff car parking during the period of construction. Recommended Condition 19 would allow a degree of flexibility to accommodate construction the various phases of development whilst ultimately requiring the car parking spaces to be provided and marked out, fulfilling the condition recommended by RBC (Paragraph 40c)).
110. A condition is recommended to restrict hours of delivery to site when the school is in use, and to restrict hours of construction, to protect the amenity that neighbouring residents could reasonably expect to enjoy (Condition 8).

Other Options Considered

111. Other options for development of the site were discussed with the applicant prior to the submission of the application presented for determination. It has been suggested in representations that development should take place on the eastern side of the site rather than siting built development closer to properties on Whinlatter Drive. The Foundation unit would be relocated to the east of the school as part of the proposed development, with outdoor facilities provided in a presently little developed area of the site.
112. This report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted.

Statutory and Policy Implications

113. 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.

Implications for Service Users

114. Construction activities may give rise to short-term inconvenience in the vicinity of the school arising from on-street parking by staff.

Financial Implications

115. The applicant has confirmed that costs associated with the making of a Traffic Regulation Order, if required, would be met by Children, Families and Cultural Services.

Equalities Implications

116. None.

Crime and Disorder Implications

117. Although there is internal fencing to segregate and control access to areas of the school, and 2.0m high perimeter fencing is erected on the northern school boundary, the frontage to Coledale is not secured. This would not change as a consequence of the proposed development.

Human Rights Implications

118. The relevant issues arising out of consideration of the Human Rights Act have been assessed in accordance with the Council's adopted protocol. Rights under Article 8 and Article 1 of the First Protocol may be affected. The proposals have the potential to introduce impacts of noise and disturbance from intensified use of the site and loss of privacy impacting upon residents adjoining the site to the west of the school. However, these considerations need to be balanced against the wider benefits the proposals would provide in providing additional school places in West Bridgford. Members will need to consider whether these benefits would outweigh the potential impacts.

Safeguarding of Children Implications

119. The proposed development would not introduce new issues related to the safeguarding of children.

Human Resources Implications

120. None.

Implications for Sustainability and the Environment

121. 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.
122. The proposed development would not give rise to any ecological impacts. The design of the building would incorporate photovoltaic cells that would reduce the energy requirements of the development.

Statement of Positive and Proactive Engagement

123. In determining 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 and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

RECOMMENDATIONS

124. 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 Policy, Planning and Corporate Services

Constitutional Comments

Planning and Licensing Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference. [NAB 22.11.13]

Comments of the Service Director - Finance

The financial implications are set out in the report. [SEM 25.11.13]

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

West Bridgford Central
and South

Councillor Steve Calvert
Councillor Liz Plant

Report Author/Case Officer

David Marsh

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



Policy statement – planning for schools development

The Secretary of State for Communities and Local Government (Mr Eric Pickles) and the Secretary of State for Education (Mr Michael Gove) wish to set out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. This statement supersedes the Statement of 26 July 2010.

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. For instance, creating free schools remains one of the Government’s flagship policies, enabling parents, teachers, charities and faith organisations to use their new freedoms to establish state-funded schools and make a real difference in their communities. By increasing both the number of school places and the choice of state-funded schools, we can raise educational standards and so transform children’s lives by helping them to reach their full potential.

It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations. We expect all parties to work together proactively from an early stage to help plan for state-school development and to shape strong planning applications. This collaborative working would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes”.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

- **There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.**
- **Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their**

planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

- **Local authorities should make full use of their planning powers to support state-funded schools applications.** This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- **Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.** Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- **Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible,** and in particular be proportionate in the information sought from applicants. For instance, in the case of free schools, authorities may choose to use the information already contained in the free school provider's application to the Department for Education to help limit additional information requirements.
- **A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.** Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.
- **Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.** Where permission is refused and an appeal made, the Secretary of State will prioritise the resolution of such appeals as a matter of urgency in line with the priority the Government places on state education.
- **Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.**

This statement applies to both change of use development and operational development necessary to the operational needs of the school.

The Government is today publishing a summary of the responses to its consultation, *Planning for Schools Development*, and will continue to explore whether there is further scope and need for the planning system to do more to support state-funded schools, and in particular, free schools in the future.

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RECOMMENDED PLANNING CONDITIONS

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

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

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

Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents and recommendations of reports, and the following plans:

- a) Location Plan (Drawing AL-0-1 Rev 1) received by the CPA on 2 September 2013.
- b) Proposed Site Plan (Drawing AL-9-1 Rev 3) received by the CPA on 23 October 2013.
- c) Proposed Site Sections (Drawing SK101 Rev 5) received by the CPA on 16 October 2013.
- d) Proposed Floor Plan (Drawing SK13 Rev 6) received by the CPA on 2 September 2013.
- e) Proposed Elevations (Drawing SK12 Rev 4) received by the CPA on 2 September 2013.
- f) Proposed Sections and Elevations (Drawing SK11 Rev 1) received by the CPA on 2 September 2013.
- g) Proposed Roof Plan (Drawing SK19) received by the CPA on 29 October 2013.
- h) Landscape Works General Arrangement (Drawing LR/P.Y.BE.29134.01/001 Rev D) received by the CPA on 22 October 2013.
- i) Landscape – Area 1 (Drawing LR/P.Y.BE.29134.01/002 Rev C) received by the CPA on 21 October 2013.
- j) Landscape – Area 2 (Drawing LR/P.Y.BE.29134.01/003 Rev A) received by the CPA on 22 October 2013.

- k) Landscape – Area 3 (Drawing LR/P.Y.BE.29134.01/004 Rev A) received by the CPA on 22 October 2013.
- l) Landscape – Area 4 (Drawing LR/P.Y.BE.29134.01/005) received by the CPA on 10 October 2013.
- m) Landscape – Area 5 (Drawing LR/P.Y.BE.29134.01/006) received by the CPA on 21 October 2013.
- n) Pick-Up Sticks 1 illustration received by the CPA on 10 October 2013.
- o) 2.0m Timber Noise Barrier (Drawing ESD 2/4) or Noisewall (Drawing RANS/Noisewall©/Timberpost/001) received by the CPA on 14 October 2013.

Reason: For the avoidance of doubt as to the development that is permitted.

- 4. Prior to the following development taking place on site, plans, elevations and other details as appropriate of the;
 - a) storage building and tool shed ;
 - b) outdoor canopy (no part of which shall exceed 4m in height measured from existing ground level);
 - c) cycle shelter design; and
 - d) colour of security gates and fencing

shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development that is permitted.

- 5. Details of any external fixed plant or machinery shall be submitted to and approved in writing by the CPA prior to being erected or installed. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt as to the development permitted.

- 6. Unless otherwise agreed by the CPA in writing, no tree, shrub, scrub or other vegetation clearance works shall be carried out between the months of March to August inclusive.

Reason: To avoid disturbance to birds during the breeding season.

- 7. Prior to the commencement of main site works, a noise management plan outlining how construction plant and development of the site will comply with the noise limits and guidance in BS5228-1:2009 (Code of Practice for noise and vibration control on Construction and Open Sites – Part 1:Noise) shall be

submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of nearby residents.

8. Unless in the event of an emergency, or otherwise may be previously agreed in writing with the CPA;
- a) no deliveries or site construction shall take place on Sundays, Public or Bank Holidays;
 - b) deliveries to site shall only be made between 07:30-08:15, 09:15 - 15:00, or 15:45-18:00 hours Mondays to Fridays during term time, or between 07:30 hours – 13:00 hours on Saturdays;
 - c) no deliveries to site shall be made except between 07:30 hours - 18:00 hours Mondays to Fridays outside term time, or between 07:30 hours – 13:00 hours on Saturdays; and
 - d) no construction shall take place except between 07:30 hours - 18:00 hours Mondays to Fridays, or between 07:30 hours – 13:00 hours on Saturdays

Reason: To safeguard the amenities presently enjoyed by the occupiers of nearby residential properties.

9. In the event that bats are encountered in the building during development, works shall cease until an appropriate scheme of mitigation has been submitted to and approved in writing by the CPA. Works of construction shall proceed in accordance with the approved scheme of mitigation.

Reason: To safeguard protected species.

10. Prior to the commencement of main site works a scheme for the provision of foul water drainage works shall be submitted to and approved in writing by the CPA. The foul drainage works shall be completed prior to the development hereby approved first being brought in to use, in accordance with the approved details.

Reason: To prevent the increased risk of flooding and minimise pollution by ensuring the provision of a satisfactory means of foul water disposal.

11. Prior to the commencement of main site works a surface water drainage scheme for the site, shall be submitted to and approved in writing by the County Planning Authority. The scheme to be submitted shall demonstrate that the approved development would not place properties on Whinlatter Drive at increased risk of surface water flooding. The scheme shall be implemented in accordance with the approved details. Measures to safeguard against properties on Whinlatter Drive being placed at increased risk of flooding shall be implemented in accordance with approved details prior to the commencement of the linked extension (the extension generally on the site of the existing Kids' Club building) or the extension of the All-Weather Pitch.

Reason: To prevent the increased risk of flooding.

12. Prior to the commencement of main site works for each respective phase of development, details of the means by which children, parents, staff and visitors to the school will be segregated from construction activities within the school site shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise previously agreed in writing by the CPA.

Reason: To safeguard children, staff and visitors attending the school throughout the period of construction.

13. If during development, contamination not previously identified is found to be present, no further development shall be carried out, unless first agreed in writing by the CPA, until a remediation strategy to deal with unsuspected contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the site is remediated to an appropriate standard.

14. Prior to their use on site, samples of facing materials of the classroom building, and a material/colour schedule of proposed finishes to the roof, doors, windows, fascia, guttering and downpipes, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details, other than with the prior written consent of the CPA.

Reason: In the interest of visual amenity.

15. Prior to their installation on site, details of external lighting to be installed on the site, including a lux plot) shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details. All light fittings shall be shielded as appropriate to minimise the level of light spillage outside the application site.

Reason: To protect the privacy of nearby residents.

16. The extended All-Weather Pitch permitted by this development shall not be constructed other than in accordance with the design and layout details set out in the planning application and substantially in accordance with Sport England/National Governing Body Technical Design Guidance Notes *Artificial Surface for Outdoor Sports*.

Reason: To ensure the development is fit for its intended purpose.

17. Notwithstanding details submitted in support of the application, within 6 months of the date of commencement of development:
- a) the location, species and planting sizes of trees to be planted between the school and properties on Whinlatter Drive;
 - b) the location of the hedge to be planted adjacent to 42 Coledale and 18 Whinlatter Drive;

and a scheme, including:

- c) a specification for the seeding of grassed areas;
- d) a specification for tree pits; and
- e) a schedule of planting maintenance;

shall be submitted to and approved by the CPA in writing.

The approved scheme shall be completed no later than the first planting season following the development first being brought into use. Any tree, plant, shrub or grass seeded area that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

Reason: In the interest of visual amenity.

18. Prior to the development approved by this permission first being brought into use, a review of the School Safety Zone taking account of alterations to pedestrian access points to the school approved by this development shall be submitted to and approved in writing by the CPA. Recommended measures in the review of the School Safety Zone shall be implemented to the satisfaction of the CPA in accordance with the approved details and agreed timescales for implementation.

Reason: In the interest of highway and pupil safety.

19. Prior to the extensions approved by this development first being brought into use (or such other times scale as may first be agreed in writing by the CPA), the car parking spaces approved by this development shall be constructed, surfaced, drained and marked out to the satisfaction of the CPA.

Reason: To ensure the provision of adequate operational car parking on the site for the completed development.

20. Within two months of the extended All-Weather Pitch approved by this development first being brought into use, a report assessing noise generated when the extended All-Weather Pitch is in use shall be submitted to the CPA. Notwithstanding the extent of acoustic fencing shown on approved Drawing AL-9-1 Rev 3, acoustic fencing equivalent to the specification approved by this permission, shall only be required to be erected in the event that noise when the All-Weather Pitch is in use exceeds 55dB ($L_{Aeq, 15mins}$) when measured within the curtilage of any residential receptor.

Reason: For the avoidance of doubt as to the development permitted and to safeguard the amenity that residents of nearby residential properties could reasonably expect to enjoy.

21. Notwithstanding details submitted in support of the application, within three months of the development hereby permitted first being brought into use, a review of the School Travel Plan shall be submitted to and approved in writing

by the CPA. The School Travel Plan review shall set out proposals (including targets, a timetable, monitoring and enforcement mechanism) to promote travel by sustainable modes, including on-site provision for cycling, which are acceptable to the CPA and shall include arrangements for the monitoring of progress of the proposals. The School Travel Plan review shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority.

Reason: To promote sustainable modes of travel and in the interest of highway safety.

22. The Head Teacher of the school, or other suitably authorised person, shall appoint and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the School Travel Plan.

Reason: To promote sustainable travel.

23. The Travel Plan Coordinator shall first submit a report to the CPA within 6 months following the development approved by this permission first being brought into use, and thereafter submit annual reports for a minimum period of 5 years and until Travel Plan targets have been met. The monitoring reports shall summarise the data collected over the monitoring period and propose revised initiatives and measures where Travel Plan targets are not being met, including implementation dates, to be approved in writing by the CPA, and including the extension/addition of on-street parking restrictions and associated Traffic Regulation Orders where necessary.

Reason: To promote sustainable travel.

24. Following the completion of the development, noise levels generated by operational use of the site shall not exceed 55dB ($L_{Aeq, 15mins}$) measured at a distance of 3.5m from the nearest façade of a property. Where the specified noise level is exceeded, a scheme of noise mitigation shall be submitted to the CPA for approval and shall be implemented within a timescale agreed by the CPA.

Reason: To protect the amenities enjoyed by the occupiers of nearby residential properties.

25. Notwithstanding the requirement of Condition 24, following the completion of the development, noise levels from any fixed plant shall not exceed the existing background noise level of $L_{90}+10dB$ during the daytime (07:00-23:00 hours) and $L_{90}+5dB$ during the night-time (23:00-07:00 hours) including a 5dB tonal penalty, measured in the garden of any property adjoining the site boundary.

Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties.

Informatives/notes to applicants

1. With reference to Condition 4b) the specified height relates to development that may be carried out by the CPA as permitted development (Town and Country Planning (General Permitted Development) Order 1995 as amended – Schedule 2 - Part 12 *Development by Local Authorities*). However, consideration should be given to the impact of the canopy on the amenity of the neighbouring occupier.
2. With reference to Condition 13, NCC Reclamation Team advises that limited site investigation should be undertaken to determine near sub-surface conditions within the main area of development.
3. With reference to Condition 17a), it is advised that the species of trees to be planted should be discussed with neighbouring occupiers of properties on Whinlatter Drive, with consideration given to the impact that mature trees may have on the adjoining properties.
4. With reference to Condition 17b), the location of the planting of the hedge should be discussed with neighbouring occupiers taking account of property rights of access for the purpose of maintenance.
5. With reference to Conditions 21, 22 and 23, School Travel Plan advice can be obtained from Steve Stevenson - School Liaison Officer (0115 9772360).