

15 July 2014**Agenda Item: 6****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND
CORPORATE SERVICES****GEDLING DISTRICT REF. NO.: 7/2014/0677NCC**

PROPOSAL: ERECTION OF SPLIT LEVEL (IN PART 2 STOREY) FOUNDATION, STUDIO HALL AND FOOD SCIENCE EXTENSION, CANOPY AND ASSOCIATED EXTERNAL WORKS, RAMPED ACCESSES AND 11 SPACE CAR PARK (INCLUDING 2 DISABILITY PARKING SPACES). NEW PEDESTRIAN ACCESS. 2.4M SECURITY FENCING AND GATES.

LOCATION: RICHARD BONINGTON PRIMARY AND NURSERY SCHOOL, CALVERTON ROAD, ARNOLD

APPLICANT: NCC CHILDREN, FAMILIES AND CULTURAL SERVICES

Purpose of Report

1. To consider a planning application for the erection of a two storey split-level extension with associated external works and ramped access, car park, new pedestrian access with security gates and fencing at Richard Bonington Primary and Nursery School, Arnold. The key issues relate to potential highway impact from expansion of the school, the impact of the extension on the streetscene and neighbouring property, and the potential impact of outdoor play on neighbouring amenity. The recommendation is to grant planning permission subject to the conditions set out in Appendix 2.

The Site and Surroundings

2. Richard Bonington Primary and Nursery School is located on the western side of Calverton Road, approximately 700m to the north of Arnold town centre, and has a frontage of approximately 65m to Calverton Road. The area is predominantly residential in character, although a public house with a large car park (The Longbow) is situated on the western side of Calverton Road 120m to the north (Plan 1). 42a Calverton Road, a grade II listed building and good example of an early 19th century framework knitters' cottage, is situated on the eastern side of Calverton Road approximately 60m to the north-east of the school. Rannoch Rise, a cul-de-sac to the south-west of the school, does not have a footway on its north-eastern side.

3. 91 Calverton Road, a bungalow to the south of the school frontage, has a kitchen window in the side elevation facing the school. A mature hedge, which provides an effective visual screen in summer months, is established along the boundary between the highway frontage and the rear of a garage at 91 Calverton Road. A temporary visual screen has recently been erected at 91 Calverton Road to the rear of the garage on the site boundary (Plan 2).
4. Properties opposite the school occupy elevated positions without direct vehicular access onto Calverton Road. There is a pedestrian (zebra) crossing on Calverton Road adjacent to the school pedestrian entrance gate which is protected by guard rail immediately outside the entrance. A drive at the north end of the school frontage to Calverton Road leads to a staff and visitor car park.
5. A playing field lies to the north-west of the school buildings. Churchmoor Lane to the west of the school is not adopted highway. A public footpath (Arnold Footpath No.11) runs along the western boundary of the school site north of the point at which Churchmoor Lane ceases to be adopted highway (Plan 1). Pedestrian entrances to the school are formed in the western and northern corners of the school playing field. Derrymount Special School is located on the west side of Churchmoor Lane approximately 100m to the south of the southern pedestrian entrance to the application site.
6. The mainly single storey school buildings of Richard Bonington Primary and Nursery School are sited approximately 38m from the highway in an elevated position 3.5m above the level of Calverton Road. The school frontage is set to grass with associated landscaping and is approached by pedestrians up a gradient of approximately 9% (1 in 11). The school entrance and classrooms to the north are 3.65m in height, while the school hall, set back behind the school entrance is 4.85m in height. Security gates and 2.0m high fencing erected above a low wall (2.4m in total) are erected along the frontage to Calverton Road. 2.0m high fencing returns along the southern side of the vehicular access drive to abut the school building.
7. Although the principal hard play area is located to the north-west of the school adjacent to the playing field, an area of hard play is located to the south of school buildings to the rear of 81-91 (odds) Calverton Road.
8. The school has a Published Admission Number (PAN) of 50 pupil places, with a formal net capacity of 365 places although there are currently 407 children on the school roll. 20 full-time and 22 part-time staff, (equating to 24 full-time equivalent (FTE)), are employed. There are presently 22 on-site parking spaces, including one disability parking space, for staff and visitors. The majority of the car parking spaces are located to the rear of the school. The car park layout is restricted with some opportunistic car parking taking place which can restrict space for on-site manoeuvring.

Proposed Development

Background

9. Nottinghamshire continues to reflect a national trend which since 2011 has seen a rapid rise in the number of four-year olds requiring school places. Forecasts show that this is likely to continue for the foreseeable future. The pupil population will increase correspondingly as cohorts progress through schools. The increasing impact of parental preference for specific schools creates greater demand for places in some areas.
10. The Arnold area is projected to be subject to increasing pressure for school places. Richard Bonington Primary and Nursery School is projected to be at or over capacity during the next five years, and the ability to absorb demand is restricted by its poor internal classroom structure.
11. Not all schools in the area are physically capable of expansion and in some cases may not be appropriate for expansion to meet individual need. Richard Bonington Primary and Nursery School is proposed to be expanded to provide additional capacity in the area, to meet demand from an increasing birth rate and new housing development. It is considered appropriate by the applicant to expand the school to 420 places, a PAN of 60, and is the next size that would provide effective school organisation

Proposed Development

12. Planning permission is sought to erect a split-level two storey extension at the front of the school to provide a Foundation unit on the ground floor with a food science/teaching group room and studio at first floor level. Curtain partitions would provide flexibility to the use of the internal floor area created. Although the submitted floor plan provides an illustrative layout of how the space could be used, the Foundation unit has been designed to accommodate 99 children comprised of a 60 place intake and 39 nursery places (which could be used by 39 children each session in the morning and afternoon).
13. In addition to accommodating the increase in the PAN, the proposed extension would allow better use of space within the school for other year groups and enable the school to teach in two classes per year group. The extension would be linked to the existing school by a corridor link with an administration office and school reception lobby.
14. The extension would be sited between 9.2m and 13.5m from the Calverton Road frontage and 9.0m from the boundary with 91 Calverton Road (Plan 3). The extension would be off-set from the front of the existing school by a flat roof corridor link 10.5m in length and 3.1m in height.
15. The lower floor, with a footprint of 18.3m x 18.5m, would have a floor level 1.4m below the floor level of the existing school, accessed internally by a flight of stairs or platform lift. By way of comparison, the front elevation of the extension would be 0.2m above the existing ground level.

16. The upper floor of the extension, with a footprint of 18.3m x 9.9m, would have a floor level 1.1m above the floor level of the existing school, also accessed internally by stairs or the platform lift.
17. The eaves of the extension closest to the school would be 5.5m in height (4.2m relative to existing ground level), rising to a ridge height of 6.2m (approximately 5.95m relative to existing ground level). The eaves of the front elevation would be 3.1m in height (approximately 3.9m relative to existing ground level) (Plan 4).
18. The extension would have an asymmetric roof pitch covered with a medium grey coloured single-ply membrane (RAL 7040). The roof slope closest to the school would have a pitch of 3° and incorporate roof lights and photovoltaics (PVs), whilst the elevation facing Calverton Road would have a roof pitch of 20° and incorporate rooflights to the void behind. The building would be finished with a cream coloured render (RAL 9001) above a blue brick plinth. Doors and windows would be coloured white (RAL 9003). A green coloured (RAL 6029) mono-pitch canopy covering an area 18.3m x 2.8m, and up to 2.8m in height would be erected along the front elevation of the extension to provide partial cover to an area of outdoor play (Plan 5).
19. Windows to the ground floor extension would be formed in the front and both side elevations. At first floor level, windows would be formed in the rear (facing the school) and side elevations, including the elevation facing 91 Calverton Road. That window would have a sill level 3.4m above the finished floor level of the building (approximately 3.2m above the existing ground level). The window would at closest be 17m at an angle of 45° from the rear elevation of 91 Calverton Road. The pitch roof garage at 91 Calverton Road lies between the proposed window and the rear elevation of the bungalow.
20. An external play area 5m in depth would be provided outside the south-east and south-west elevations of the Foundation unit, partially shaded by the external canopy to the building (Paragraph 18). At its closest point, the play area would be 4m from the frontage to Calverton Road and 3.5m from the boundary with 91 Calverton Road, 1.2m above the corresponding existing ground level.
21. The existing school pedestrian entrance would be closed and security fencing reinstated on a low brick wall to match the existing. A new pedestrian entrance would be formed on the Calverton Road frontage 14m to the north. A ramped access (1 in 15 or 6.6% gradient) with level rest areas would run from the new pedestrian entrance along the external edge of the outdoor play area of the Foundation unit and would be used by parents and children as the principal access to the school from Calverton Road.
22. The perimeter of the outdoor play area would be enclosed by a 1.5m high log wall retaining structure on the frontage to Calverton Road. Having regard to the change in level relative to the ramp, the external face of the log retaining wall would be approximately 2.2m in height at the bottom of the ramp when viewed from Calverton Road. At the corner, closest to 91 Calverton Road the path would be level with the play area. A semi-circular parent assembly area

enclosed by a log wall 1.1m in height would be formed outside the Foundation entrance gate, 6.0m from the boundary with 91 Calverton Road.

23. The ramped path would turn north-west to run parallel and between 1.5m-2.0m from the boundary with 91 Calverton Road. Evergreen planting would take place between the new path and the boundary between the front of the bungalow and the front of the garage at 91 Calveton Road, reinforcing the established visual screen. A 2.0m high close boarded timber fence would be erected on the school site, to the rear of the garage along the northern boundary of 91 Calverton Road (Plan 6).
24. The internal face of the timber enclosure of the outdoor play area would have a minimum height of 1.5m and would be constructed as a vertical log wall. However, the first 11m from the south-east corner running parallel to 91 Calverton Road would be constructed to an acoustic fencing specification, as recommended by NCC Project Engineer (Noise) (Paragraph 39). In maintaining a minimum height of 1.1m on the external face of the outdoor play area enclosure as the adjacent path rises in level, the log retaining wall would be stepped, achieving a height of 2.4m on its south-east facing elevation within the outdoor play area closest to the school. A flat roof store building with a footprint of 3m x 3m would be erected on the north-western end of the outdoor play area. Details of the external finish of the storage building have not been submitted in support of the application.
25. The number of full-time staff would remain at 20 and although the number of part-time staff would increase by two to 24, this would still equate to a full-time equivalent of 24. Eleven car parking spaces, including two disability parking spaces sited forward of the school towards Calverton Road and accessed from the existing school vehicular access are proposed. The site of the proposed car park would need to be levelled, requiring the ground to be cut and retained (0.35m) closest to the school, and raised by 0.6m closest to Calverton Road. Ground forward of the car park towards Calverton Road would be a graded down towards the highway and grass seeded. 2.4m high Heras security fencing with an access gate at each end would be erected along the north-west edge of the new car park spaces off-set 2.3m from the existing school building proving a secure outdoor area accessible from the adjacent classrooms.
26. Steps from the new pedestrian entrance would lead to the main school entrance/reception area in the new corridor link extension. The path would incorporate a ramped alternative so as to provide suitable access between disability parking spaces and the school building.
27. The Transport Statement supporting the application identifies opportunities for improvement. It is proposed that the existing zebra crossing and associated road markings are repainted and that school *Keep Clear* markings are introduced along the north-west side of the Calverton Road frontage of the school. Ten covered cycle parking spaces would be provided on the site to replace existing informal cycle parking arrangements.

28. The school safety zone on Calverton Road would be reviewed, giving consideration to the relocated school pedestrian entrance and associated footway guardrail, road markings and advance signage.

Construction

29. The building would be of modular construction, partially constructed off-site, allowing quicker delivery of the project. The proposed car park area would be formed first and used as a construction compound for the duration of the build. A crane would be used to unload modular units brought to site by lorry from Calverton Road.

Consultations

30. **Gedling Borough Council** – Although a formal consultation response has not been received, concern is expressed about the level of activity close to the residential property of 91 Calverton Road, as the height of the acoustic fencing is thought unlikely to be effective. Noise conditions may not be necessarily realistic. A large amount of fencing is being proposed.

[Comment: Any additional matters raised a formal consultation response will be reported to the meeting.]

31. **NCC Highways Development Control** – *On visiting the site there was no indiscriminate parking on Calverton Road. Parents were using The Longbow public house and side streets to park. The application indicates that there would be two additional part time staff but no increase in the full-time staff equivalent. However, additional parking is proposed to accommodate additional staff if required.* No objection subject to a condition to require the car park to be surfaced, drained (so as to prevent surface water draining onto the highway) and marked out before being brought into use.
32. **NCC Road Safety Team** – No objection subject to conditions requiring a review of the School Safety Zone and the School Travel Plan. *The proposed new pedestrian access point on the Calverton Road frontage would be beyond the current limit of pedestrian guardrail deterring pedestrians from crossing the road in the zig-zag area of the pedestrian crossing. This will need to be reviewed with a view to extending the guardrail, which will probably require the localised widening of the footway. Although an increase in pupil numbers may increase risk to all users, there is no evidence to suggest that there is a current problem either on the frontage or in the local area.*
33. **NCC Countryside Access Team** - The availability of Arnold Parish Footpath No.11 (Churchmoor Lane) must remain available unless subject to appropriate diversion or closure orders. Potential path users should not be impeded or endangered.
34. **NCC Project Engineer (Noise)** – No objection subject to the implementation of measures to minimise noise impact through acoustic fencing, and a condition limiting external activity noise levels arising exclusively from the new play areas not exceeding 55dB L_{Aeq, 15mins} except during defined break / lunch

times (when the total noise level from the school site shall not exceed 67dB $L_{Aeq, 15mins}$). Construction should be limited to between 07:30 – 18:00hrs Monday – Friday and 08:00 – 13:00hrs on Saturday.

35. *The new extension is expected to cater for pre-school/reception year children. An external hard surfaced play area is included around the eastern and southern perimeter of the building and is expected to be used periodically throughout the day by up to 30 children at any one time between the ages of 3-5years. The boundary of the nearest receptor, 91 Calverton Road, is located south of the development; approximately 3.2m from the perimeter of the external play area at its closest point.*
36. *Noise from children's playtime activities on school sites are generally short duration and occur only on school days during term-time. Reasonable measures should be implemented to minimise the noise impact on neighbouring properties. A baseline noise survey has been undertaken in the rear garden of 91 Calverton Road and produced the following recorded noise levels:*
- During morning break time – 64dB $L_{Aeq, 15mins}$*
Children inside school – 50dB $L_{Aeq, 15mins}$
37. It is recommended that future noise levels should be minimised to pre-existing levels +3dB subject to a minimum of 55dB. An increase of 3dB is considered the minimum perceptible increase by the human ear of a continuous noise source.
38. *The 55dB limit is taken from World Health Organisation (WHO) guidance which states that noise levels exceeding 55dB could lead to serious annoyance. However the duration and type of noise source (children playing) needs to be taken into consideration in the setting of any limits. Also people's attitudes to this type of noise can vary considerably. The external activity noise is currently restricted to certain times of the day (break/lunch/PE) and occurs during term time only. The 55dB threshold stated in the WHO guidance can refer to any type of environmental noise during the day (07:00-23:00hrs) and 365 days a year. Therefore it is not considered unreasonable for noise from the school to exceed this level during defined periods of the school day i.e. during play times and break times. However further development and expansion of the school site should seek to prevent further exceedance of 55dB during other times of day when the neighbouring properties normally enjoys respite from elevated levels of noise from the school.*
39. *An 11m acoustic fence (with an effective minimum height above the playground of 1.5m) should be provided at the edge of the south-east corner of the hard play area, running parallel to the boundary with 91 Calverton Road. Beyond this point the boundary of the playground cuts into the existing ground and a log retaining boundary wall with effective height of 1.5m will continue up to the south western corner of the playground. As the log retaining wall may not be without gaps, noise may still penetrate through, so a further 2.0m solid timber fence (without gaps) should be installed along the property boundary of 91 Calverton Road from the bottom of the garden to a point overlapping the*

garage by 1.0m. This in combination with the acoustic fence adjacent to the playground would provide an effective continuous barrier to noise. (Plan 3)

40. *If the noise mitigation is implemented as described, then noise levels from the new external play area are not expected to exceed recommended noise levels. However, should persistent exceedance occur, which then leads to noise complaint, then further options are possible to provide increased screening from noise. This can take the form of operational controls to limit number and duration of external activities as well as further physical measures such as an increased standard of screening along any impacted boundary.*
41. **NCC Nature Conservation Team** - Although survey has not revealed the presence of roosting bats an Informative should be attached to a grant of planning permission advising that work should cease and the advice of an ecologist should be sought in the event of a bat being encountered during construction. In accordance with good practice, conditions are recommended to require the installation of bat boxes, and the landscaping scheme to include the planting of native or wildlife friendly tree and shrub species in accordance with the Ecological Appraisal supporting the application. A condition is also recommended in relation to the site clearance not being undertaken during the bird nesting season.
42. **NCC Built Heritage Team** - The application complies with National Planning Policy Framework (NPPF) Paragraph 128, which requires the applicant to describe the significance of any heritage assets affected including any contribution made by their setting. NPPF Paragraph 129 requires an assessment of the heritage impact assessment.
43. *The setting of 42a Calverton Road, a grade II listed former framework knitters' cottage was a rural one on the outskirts of Arnold village. The original setting has been subject to considerable change. The green area in front of Richard Bonington School is notable as a small but highly visible green area with mature trees that helps to soften the urban character of 20th century development along Calverton Road, but although it recalls village origins, the space is not itself rural in character.*
44. *The proposals will not be immediately visible within the visual context of 42a Calverton Road so long as the mature trees bordering the site are retained and maintained. There will be an impact on the setting of the listed building by the removal of the green area within the vicinity of the cottage however, this impact is negligible and should be very much less than harmful. No objection is raised so long as existing tree cover around the site is not compromised by the scheme, as stated in section 2.6 of the Design and Access Statement supporting the application.*
45. Police Force Architectural Liaison Officer – No response received.
46. **NCC Land Reclamation) Team** – No concern in respect of site contamination. Ground investigation for foundation design should provide verification of the desk study supporting the application. The school was erected in the 1950s giving cause for concern over the historic use of asbestos containing materials, and the extension would adjoin the original school building. A

condition is recommended to require an asbestos survey to be undertaken in accordance with NCC *Code of Practice*.

47. Severn Trent Water Limited – No response received.
48. Western Power Distribution – No objection. Western Power has network in close proximity to the site.

[Comment: The proposed siting of the extension would require a low voltage cable to be diverted.]
49. National Grid (Gas) – National Grid has network on the site that would be affected by the development.

Publicity

50. 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.
51. Five letters have been received from four residents of Calverton Road in proximity to the school raising the following issues:

Location

- a) Locating the extension to the rear of the school would not impact on neighbours/more space (3).

Visual Impact, Privacy and Amenity

- b) Impact of the building on the streetscene. The building will be commercial in appearance.
- c) Loss of privacy from windows overlooking neighbouring property (3).
- d) Windows should be obscure glazed.
- e) The school entrance path will be 2m from the site/adjoining property boundary.
- f) Noise from the external play area (3) and path. Noise from use of the building. The adequacy of the baseline noise reading is questioned as playground noise was recorded during the morning break, but children were on the field to the rear of the school at lunchtime.
- g) The fence on the boundary with 91 Calverton Road (to the rear of the garage) should be 2.0m in height and run the full length of the garage. Evergreen planting should be planted against the new fence (Paragraph 23).

Traffic

- h) Existing parking issues outside the school are already intolerable/dangerous (3). Traffic-calming by narrowing the road has reduced traffic free-flow.
- i) Existing traffic issues will be worsened by expansion of the school (4). Noise from increased traffic.
- j) Inconsiderate parking/obstruction of drives (3).
- k) Parents abusive/threatening when confronted by residents about inconsiderate parking.
- l) Unreported traffic incidents are not referenced. Obstruction of the Calverton Road bus service.
- m) A Traffic Regulation Order (yellow lines or permit parking) should be considered along Calverton Road. Action will only be taken after a serious injury.

Other Matters

- n) Preparation for the extension is already underway through the felling of mature trees and removal of security fencing.
- o) Impact on health from intensification of use of the site and associated traffic/parking impacts.
- p) Loss of view/outlook.
- q) Loss of value (2).

Comment: Loss of value and loss of view are not material considerations in the determination of a planning application.

- 52. Councillor Pauline Allan and Councillor Michael Payne have been notified of the application.
- 53. The issues raised are considered in the Observations Section of this report.

Observations

Strategic Education Provision

- 54. Great importance is attached to ensuring that sufficient choice of school places is available to meet the needs of new and existing communities in National Planning Policy Framework (NPPF) *Promoting Healthy Communities* (Paragraph 72). Great weight should be given to the need to create, expand or alter schools. In a letter to Chief Planning Officers the Secretary of State for Communities and Local Government has stated that there should be a presumption in favour of the development of state-funded schools and the

delivery of development that has a positive impact on the community (Appendix 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.

55. The applicant has demonstrated a justified need for the provision of additional pupil places in the local area, and the school has been identified as being suitable for expansion. Subject to observations below and consideration of impact on the amenity of adjoining and nearby property, the development would be in compliance with Gedling Borough Replacement Local Plan 2005 (GBRLP) Policy C1 *Community Services General Principles* which will grant planning permission for proposals in easily accessible locations that improve community facilities.
56. Although the school has a current PAN of 50 (which corresponds to a school size of 350 pupils), there are currently 407 children on the school roll. The proposed increase of the PAN to 60 would increase the school size to 420, while the 39 nursery places would replicate existing provision. An additional 13 children would represent an approximate 3% increase in pupil numbers and is considered unlikely to result in significant change to impacts already experienced outside the school.

Traffic

57. The impact of traffic has been raised in representations reported at Paragraph 51 h) - j). As at many schools, on-street car parking can be an issue at school drop-off and pick-up times and can become an inconvenience to local residents. Whilst congestion and parking issues on the highways immediately adjacent to the school are unlikely to worsen, impacts may extend further along the highway network. The behaviour of motorists cannot be controlled through the planning system, and although Traffic Regulation may modify behaviour, it cannot ensure that the issues raised in representations, such as the blocking of drives at neighbouring properties, would not occur. 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. Parent behaviour may be most effectively influenced by the school as a targeted issue in a School Travel Plan. The existing School Travel Plan dates from 2009 (based on 333 pupils at that time) and should be reviewed to reflect the expansion of the school in a grant of planning permission (Condition 21).
58. 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. The consultation response from NCC Highways Development Control does not raise concerns about parking on Calverton Road and it is noted that parents use The Longbow public house car park as an informal parent parking area. A review of the school safety zone would be required to reflect the position of the new pedestrian access on the Calverton Road frontage and is the subject of a recommended planning

condition (Condition 20). The applicant has confirmed that proposed off-site highway works would be fully funded by the project.

59. Although two additional part-time staff would be employed there would be no increase in the equivalent number of full-time posts. The existing car park does not allow for easy on-site manoeuvring and the proposed provision of additional car parking spaces at the front of the school would relieve parking difficulties. The proposed additional car parking spaces, including provision for disability parking is considered to be acceptable subject to a condition requiring the car park to be surfaced, drained (so as to prevent surface water draining onto the highway) and marked out before being brought into use, in accordance with the recommendation of NCC Highways Development Control (Condition 19).

Location of Built Development and Impact on Amenity

60. It has been suggested in representations (Paragraph 51a)) that the extension could be located to the rear of the existing school without giving rise to impact on neighbouring property. Consideration needs to be given to how activities and the delivery of education in the school could be effectively managed. Development to the rear of the school could also impact on school playing field and issues that may be raised by Sport England would need to be addressed. The practicality of construction also needs to be considered. Although alternative locations for development could be available it does not mean that more challenging locations for development are not suitable if arising impacts are satisfactorily mitigated.
61. The changes in level at the front of the site between Calverton Road and the existing finished floor level of the school present challenging design issues. The proposed split-level design seeks to reduce the visual impact of the prominent extension when viewed from the highway, requiring cut-and-fill of the existing site topography. The consultation response from NCC Built Heritage Team has drawn attention to the original rural setting of the nearby listed former framework knitters' cottage and the green space to the front of the school is the last remnant in an otherwise urban area. However, the green space lies within an enclosed school frontage. GBRLP Policy ENV21 *Setting of Listed Buildings* will not grant planning permission for development which would adversely affect the setting of a listed building. NPPF Paragraph 134 advises that where development will lead to less than substantial harm, as advised by NCC Built Heritage Team, the harm should be weighed against the public benefits of the proposal. The merits of expanding the school to meet a justified demand for school places is considered to outweigh potential heritage harm which may arise, in compliance with GBRLP Policy ENV21 *Setting of Listed Buildings*.
62. The Foundation unit would be sited on an alignment to the rear of 91 Calverton Road. Although elevated above existing site levels in the southern corner, the scale and visual impact of the proposal in relation to 91 Calverton Road and the streetscene is considered to be acceptable. Gedling Borough Council has raised a concern over the length of proposed fencing included in the proposed development. The fencing is functional, either serving to retain

adjoining land because of the need to cut/fill the site to accommodate the development, or to provide visual screening. The proposed use of vertical logs to retain land is considered to be visually more appealing than an alternative such as brickwork, blockwork or stone filled gabions in the context of this school.

63. The submitted plans and analysis of the relationship to 91 Calverton Road suggests that the height and position of the garage at that property in combination with the proposed boundary fence to be erected on the site boundary to the rear of the garage would obstruct views that would otherwise potentially overlook from the first floor window in the south-west facing side elevation. To be certain that privacy would be adequately protected, it is recommended that the site is inspected during construction once the window opening is in place to determine whether any further measure, such as obscure glazing, is required in order to safeguard privacy (Condition 17).
64. The proposed extension would be 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. Although a proposed render finish would not match the brick of the original school, the proposed finish in combination with grey roof, guttering and rainwater goods is considered to be acceptable. The scale, siting and design of the proposed extension, including the palette of external materials specified on submitted drawings is considered to be acceptable in compliance with GBRLP Policy ENV1 *Development Criteria* which seeks to ensure that new development meets criteria related to design by means of scale, bulk, form, layout or materials. A specification for the brick has not been provided and is the subject of recommended Condition 13.
65. Particular consideration has been given to potential impact of noise, raised as a concern by Gedling Borough Council. The proposed height of the outdoor play enclosure, including acoustic fencing, has been determining having regard to the age/height of Foundation unit children. The proposed outdoor play area to the Foundation unit has been identified as a potential source of noise nuisance and the application has been modified in accordance with the recommendations of NCC Project Engineer (Noise) (Paragraph 39). Notwithstanding the concern raised by Gedling Borough Council and in consultation with NCC Project Engineer (Noise), it is considered that proposed mitigation would suitably attenuate noise impact affecting 91 Calverton Road, and as a safeguard, operational noise limits are recommended in Condition 22 (Plan 7).
66. The representation reported at Paragraph 51g) suggests that the fence should be extended along the whole length of the garage. However, NCC Project Engineer (Noise) has confirmed that this would not offer substantial benefit and is not considered to be necessary to make the development acceptable.
67. The adequacy of the baseline noise assessment has been questioned at Paragraph 51f), but NCC Project Engineer (Noise) has confirmed that the noise readings taken are representative and adequate for the purpose of establishing existing noise levels.

68. Noise from construction has the potential to impact on the amenity of neighbouring occupiers and a noise limit for construction activities is specified in recommended Condition 7, together with limits on hours of construction activities. The recommended condition includes a restriction on the hours during which earth shifting can take place on the site.
69. Parents and children approaching the school would pass close to the boundary with 91 Calverton Road, and the point at which the path turns would be at a level approximately 1.2m above existing ground level. The existing boundary hedge forms an effective screen to the neighbouring property when in leaf. Although a detailed specification has not been provided it is considered that evergreen planting between the path and the site boundary would mitigate potential loss of privacy to the kitchen window of 91 Calverton Road facing the school site. An appropriate landscape condition is recommended (Condition 15).

Other Options Considered

70. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application as submitted. Accordingly no other options have been considered.

Statutory and Policy Implications

71. 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

72. Off-site highway works would be fully funded by the applicant as part of the project. There are no other financial implications arising from the development.

Crime and Disorder Implications

73. The site is located in an established residential area and benefits from perimeter security fencing. Although changes to school fencing are proposed, site security would not be compromised.

Human Rights Implications

74. Relevant issues arising out of consideration of the Human Rights Act have been assessed (including Right to a Fair Trial under Article 6). Rights under Article 8 (Right to Respect for Private and Family Life) and Article 1 of the First Protocol (Protection of Property) may be affected due to expansion of the school. The proposals have the potential to introduce noise and disturbance arising from increased activities close to the site boundary with 91 Calverton

Road. These potential impacts need to be balanced against the wider benefits the proposals would provide in meeting demand for school places set out in the National Planning Policy Framework. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

Safeguarding of Children Implications

75. The proposal would impact on the secure line of the existing school, but would be satisfactorily addressed through the proposed alignment of replacement fencing.

Implications for Sustainability and the Environment

76. Sustainable construction design features are proposed, including heating and water efficiency, and the provision of PVs to reduce carbon impact in excess of Building Regulation requirements.
77. There are no implications for Service Users, Equalities, or Human Resources.

Statement of Positive and Proactive Engagement

78. In determining this application the County Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies, all material considerations, consultation responses and any valid representations that may have been received. 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

79. 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 & Licensing Committee is the appropriate body to consider the content of the report.

[SLB 03.07.14]

Comments of the Service Director - Finance

The financial implications are set out in the report.

[SEM 04.07.14]

Background Papers Available for Inspection

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

Electoral Division and Members Affected

Arnold North

Councillor Pauline Allan

Councillor Michael Payne

Report Author / Case Officer

David Marsh

0115 9696514

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

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4 July 2014

RECOMMENDED PLANNING CONDITIONS

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

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

2. The County Planning Authority (CPA) shall be notified in writing 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 (and addendum received by the CPA on 5 June 2014), documents and recommendations of reports, and the following plans:

- a) Location Plan (Drawing AL(0)01 Rev A) received by the CPA on 19 May 2014.
- b) Block Plan (Drawing AL(0)02 Rev A) received by the CPA on 19 May 2014.
- c) Proposed Site Plan (Drawing AL(0)05 Rev D) received by the CPA on 2 July 2014.
- d) Proposed Lower Ground Floor Plan (Drawing AL(0)06 Rev B) received by the CPA on 18 June 2014.
- e) Proposed Upper Ground Floor Plan (Drawing AL(0)07 Rev B) received by the CPA on 18 June 2014.
- f) Proposed Elevations – Sheet 1 (Drawing AL(0)09 Rev C) received by the CPA on 2 July 2014.
- g) Proposed Elevations – Sheet 2 (Drawing AL(0)09 Rev B) received by the CPA on 18 June 2014.
- h) Proposed Roof Plan (Drawing AL(0)08 Rev B) received by the CPA on 18 June 2014.
- i) Existing Elevations with Proposed Building Outline (Drawing AL(0)04 Rev B) received by the CPA on 18 June 2014.
- j) Proposed Site Sections (Drawing AL(0)09 Rev B) received by the CPA on 2 July 2014.

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

4. Notwithstanding details shown on the approved plans, 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.

5. 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.

6. Prior to the commencement of development, details of the method of working during the construction phase, in the form of an environmental management plan, to include:
 - a. measures for the control of noise, vibration and dust emissions;
 - b. a scheme for the recycling/disposal of surplus soils and waste resulting from construction;
 - c. segregation of school users from construction activities; and
 - d. measures to reasonably safeguard the privacy of the occupiers of 91 Calverton Road

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

Reason: In the interest of highway safety and to protect the amenities at present enjoyed by the occupiers of nearby residential properties.

7. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA;
 - a. no construction work shall take place on Sundays, Public or Bank Holidays;
 - b. no construction deliveries to site shall take place on any school day other than between 09:15-14:30 hours and 15:30-18:00 hours;
 - c. no construction deliveries to site shall take place on any non-school day other than between 07:30-18:00 hours;
 - d. no construction work shall be carried out or plant operated except between 07:30 hrs – 18:00 hrs Mondays to Fridays and 07:30 hrs – 13:00 hrs on Saturdays;

- e. no earth moving operations shall be carried out except between 08:00 hrs – 18:00 hrs Mondays to Fridays and 08:00 hrs – 13:00 hrs on Saturdays; and
- f. noise generated by construction activities on the site shall not exceed 65dB (L_{Aeq, 15mins}) measured at position X on Drawing 7/2014/0677NCC/1 attached to this grant of planning permission.

Reason: To safeguard the amenity of nearby residents.

- 8. 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 the 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.

- 9. Prior to any works of demolition of the existing school building taking place, a destructive asbestos survey at the interface of the existing building and proposed extension shall be undertaken in accordance with Nottinghamshire County Council's *Code of Practice for Carrying Out Work that may Disturb ACMs (Asbestos Containing Materials)* (NCC Code of Practice) in respect of asbestos containing materials, and submitted to the CPA. In the event that the survey indicates the presence of asbestos, details of the steps to be followed in the NCC Code of Practice to manage the risk associated with asbestos shall be submitted to the CPA, and development shall be carried out in accordance with the approved details.

Reason: To ensure that the risk associated with asbestos containing materials is appropriately managed.

- 10. Prior to the commencement of main site works, a scheme of foul and surface water drainage works shall be 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 drained in a satisfactory manner and to safeguard against risk of flooding.

- 11. Prior to the commencement of main site works, a 2.0m high close boarded fence shall be erected on the boundary with 91 Calverton Road in the position indicated on approved Drawing AL(0)05 Rev D in accordance with a design specification that shall first be submitted to and approved in writing by the CPA.

Reason: To safeguard the privacy that the occupiers of 91 Calverton Road could reasonably expect to enjoy.

12. Prior to the commencement of main site works, or such other timescale as shall first be agreed in writing by the CPA, details of the appearance and acoustic qualities of permanent acoustic fencing to be erected on at the edge of the outdoor play area in the position shown on approved Drawing AL(0)05 Rev D, shall be submitted to and approved in writing by the CPA. The acoustic fence shall be installed in accordance with the approved specification prior to the outdoor play area first being brought into use.

Reason: To reasonably safeguard against noise breakout from the outdoor play area.

13. Prior to use on site, a sample of the proposed facing brick (brick plinth) shall be submitted to and approved by the CPA in writing. The development shall be constructed using the approved facing materials and finishes specified in the application and as approved pursuant to this condition, other than with the prior written consent of the CPA.

Reason: In the interest of visual amenity in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

14. Prior to being erected on site, details of the facing materials to be used in the construction of the storage building to be sited on the outdoor play area shall be submitted to and approved by the CPA in writing. The storage building shall be constructed in accordance with the approved details.

Reason: In the interest of visual amenity in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

15. Within 3 months of the commencement of development, a scheme of landscaping to include:

- a) tree and shrub types, sizes and planting densities which shall be native and/or wildlife friendly ornamental species;
- b) details of tree pits;
- c) a seed mix specification for grassed areas;
- d) a programme and specification for the provision and maintenance of proposed landscaping, including reference to the maintenance of proposed evergreen planting adjacent to 91 Calverton Road (Drawing AL(0)05 Rev D) at a height appropriate to safeguard against overlooking of the neighbouring property; and
- e) temporary screening to reasonably safeguard the privacy of the occupiers of 91 Calverton Road until such time as screen planting becomes established to the satisfaction of the CPA

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

Other than as may be agreed in the programme for the provision of landscaping and planting, the approved landscaping and planting scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree, plant or shrub 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 in compliance with Gedling Borough Replacement Local Plan Policy ENV1 Development Criteria.

16. Within 3 months of the commencement of development, a scheme making provision for bat roosting in accordance with Paragraph 5.4.5 of the Ecological Appraisal supporting the application and a timescale for implementation, shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

Reason: In the interest of ecology in compliance with National Planning Policy Framework Section 11 – Conserving and enhancing the natural environment.

17. Notwithstanding details submitted in support of the application, prior to the south-west facing first floor window of the approved development being glazed (Drawing AL(0)09 Rev B – Elevation 2), the site shall be inspected by the CPA to determine whether additional treatment will be required, other than the installation of clear glazing. The form of glazing or other treatment of the window shall be approved in writing by the CPA prior to being installed. Development shall be carried out in accordance with the approved details and shall be so retained throughout the life of the development.

Reason: In order to safeguard the privacy that neighbouring occupiers could reasonably expect to enjoy.

18. Details of external light fittings and columns to be installed on the building and within the grounds of the site shall be submitted to and approved in writing by the CPA. Prior to being installed a lux plot of proposed lighting shall be submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details and shall be installed prior to the development first being brought into use, unless otherwise first agreed in writing with the CPA. All light fittings shall be shielded as appropriate to minimise the level of light spillage outside the application site.

Reason: In the interest of visual amenity.

19. Prior to first being brought into use in conjunction with the school extension approved by this planning permission, the car parking spaces approved by this application shall be constructed, drained so as to prevent surface water running on to the public highway, surfaced and marked out to the satisfaction of the CPA.

Reason: To ensure the provision of satisfactory car parking in accordance with the permission granted.

20. Prior to the development approved by this permission first being brought into use, a review of the School Safety Zone, including a timetable for implementation of measures to be carried out on the public highway, shall be submitted to and approved in writing by the CPA. Recommended measures in the review of the School Safety Zone (to be approved) shall be implemented to the satisfaction of the CPA in accordance with the approved details.

Reason: In the interest of highway and pupil safety.

21. 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 which are acceptable to the CPA and shall include arrangements for the monitoring of progress of the proposals. The School Travel Plan Review shall be implemented in accordance with the timetable set out in that document unless otherwise agreed in writing by the CPA.

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

22. External activity noise levels arising exclusively from the new play areas shall not exceed 55dB $L_{Aeq, 15mins}$ except during defined school break/lunch times when the total noise level from the school site shall not exceed 67dB $L_{Aeq, 15mins}$ when measured at position X on Drawing 7/2014/0677NCC/1 attached to this grant of planning permission. In the event that noise levels exceed those specified in this condition, mitigation measures (which may include a management plan to ensure compliance with the specified noise limits) and a timescale for implementation, shall be submitted to and approved in writing by the CPA.

Reason: To safeguard the amenity which neighbouring occupiers could reasonably expect to enjoy.

Informatives/notes to applicants

1. With reference to Condition 6a), the applicant should submit a construction noise management plan detailing the proposed plant to be used on site, along with an assessment of the predicted noise levels at the nearest receptors proposing where necessary noise mitigation measures to comply with the noise limit of 65dB(A) in BS5228-1:2009 *Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1:Noise*.
2. In the unlikely event that a bat is encountered during construction, the CPA should be advised, the advice of an ecologist should be sought and work should cease until a methodology as to how to proceed has been agreed.

3. NCC Countryside Access Team advises that a public footpath runs adjacent to the site. The availability of Arnold Parish Footpath No.11 (Churchmoor Lane) must remain available unless subject to appropriate diversion or closure orders. Potential path users should not be impeded or endangered.
4. Western Power Distribution has identified low voltage cables crossing the application site that would be impacted by the proposed development. A copy the consultation response dated 28 May 2014 is enclosed.
5. National Grid has identified that apparatus would be impacted by the proposed development. A copy the consultation response dated 30 May 2014 is enclosed.