



**12 March 2019**

**Agenda Item: 5**

**REPORT OF CORPORATE DIRECTOR – PLACE**

**GEDLING DISTRICT REF. NO.: 7/2018/1075NCC**

**PROPOSAL: VARIATION OF CONDITIONS 8 AND 9 OF PLANNING PERMISSION 7/2011/0268NCC TO INCREASE THE NUMBER OF PUPILS.**

**LOCATION: CARLTON DIGBY SCHOOL, DIGBY AVENUE, MAPPERLEY**

**APPLICANT: NCC CHILDREN, FAMILIES AND CULTURAL SERVICES**

**Purpose of Report**

1. To consider a planning application for the variation of conditions attached to planning application reference 7/2011/0268NCC to allow an increase in the number of pupils at Carlton Digby School. The key issues relate to potential traffic and noise impacts that may arise from more than 70 pupils attending the school. The recommendation is to grant planning permission subject to the conditions set out in Appendix 2.

**The Site and Surroundings**

2. Carlton Digby School is a Special Educational Needs (SEN) school with a roll of 69 children (October 2018) aged 3-18 located on the north side of Digby Avenue approximately mid-way between the junctions of Digby Avenue with Lambley Avenue and Shelford Road/Holyoake Road (Plan 1). The wider highway network is shown on Plan 2.
3. Westdale Junior School and Westdale Infants School are located to the west of Carlton Digby School on the southern side of Digby Avenue. The schools are run separately but occupy a joint school campus. The entrance to Westdale Infants School is formed on Digby Avenue while Westdale Junior School has entrances onto both Digby Avenue and Westdale Lane. In addition, the pedestrian entrance to Westdale Childcare and Education Unit is formed on Digby Avenue at the eastern end of the Westdale schools' campus.
4. Carlton Digby School is bounded to the west by St Andrew's House, a warden assisted two-storey and three-storey development of 52 retirement flats managed by Gedling Homes/Jigsaw. Three-storey residential development on College Road, taking access from Digby Avenue, in the form of blocks of

terraced houses, semi-detached housing or apartments is erected to the north and east of the playing field.

5. The three-storey school is built on an obtuse angled footprint with adjacent areas of outdoor play provided principally to the east and north-east between the school building and boundary with residential properties on College Road. An all-weather games area is provided to the west of the school building and is jointly used by Westdale Junior School. The Junior school manages lettings to the community.



6. A car park for 20 cars including two disability parking spaces is provided within a securely enclosed compound adjacent to the frontage with Digby Avenue (Plan 3). 17 spaces are provided in a herring-bone layout with a further three spaces provided adjacent to the site sprinkler tank. Vehicles enter the site towards the north-western end of the site frontage and exit towards the south-eastern end. A lay-by 45m in length is provided on the northern side of the car parking area and can accommodate 8 vehicles. Parking bays within the lay-by are not marked.
7. Eleven transport vehicles are used to bring and collect school children in two transport groups. Seven 8-seat tail lift vehicles transport 21 pupils, one car carries two pupils and three 16-seat minibuses transport 27 pupils. School transport vehicles cover different areas and journeys are made with some under-occupancy. The remaining 19 pupils are dropped-off and collected via the school gate and if travelling by car will park on the public highway. A one-way system operates within the car park.
8. The school needs to be very organised in the management of school transport and the School Drop-off and Collection Protocol is attached as Appendix 1.

Children only alight or board transport vehicles within the parking compound when the entrance and exit gates are closed. Vehicles leave together after all children have boarded. This currently take place in the afternoon in two sessions with eight transport vehicles arriving after an initial group of three vehicles have left the site. Waiting transport vehicles assemble on Digby Avenue to the south-east where drivers can see the first group of vehicles depart.

9. 32 teachers /support staff and four administrative staff are at the school all day (36 FTE), while the additional 14 mid-day supervisors and six cleaning staff employed are in attendance on a part-time basis. The usual school teaching time is 09:00-15:15 hours with an after-school club on Monday-Wednesday until 17:45 hours. Pupils arrive between 08:45-09:00. A community toddler group runs on Monday between 13:30-14:25 hours.
10. Teaching times at Westdale Junior School are 08:50-15:20 hours, and 09:00-15:25 hours at Westdale Infant School.
11. The Planning Statement supporting the application identifies that four teaching/support/administrative staff vehicles park on the highway, with 15 staff members parking in the school car park. However, the travel modes for six staff are not accounted for in the supporting staff survey. Considering the percentage of staff that travel by car it is anticipated that an additional four staff (eight in total) may travel by car and park on the highway network nearby.
12. Currently all children participate in outdoor play at breaks during the school day at the same time.

## **Planning History**

13. In May 2011, the County Council granted planning permission for the construction of replacement school buildings and ancillary outdoor facilities including parking, fencing and service areas followed by demolition of existing school buildings and former caretaker's house to accommodate re-provision of outdoor play space (reference 7/2011/0268NCC) including the following conditions:

Condition 8 - Not more than 77 children shall be registered on the school roll at any time.

*Reason: In order that the CPA may control and assess the wider planning impacts of the future intensification of use of the site.*

Condition 9 - Prior to the number of children on the school roll at any time being greater than 70 and not exceeding 77, a traffic study assessing the parking and highway impacts of a temporary increase in the number of children tailored to the special educational needs of the children shall be submitted to and approved in writing by the CPA. Any temporary increase in the number of children on the school roll shall be exercised in accordance with specific conditions that may be imposed.

*Reason: In order that the CPA may assess the parking and traffic implications of a temporary intensification of the use of the site.*

14. A *Note to Applicant* was attached to the Decision Notice to advise that any application in compliance with Condition 9 of the permission would be reported to Committee for determination.

Condition 38 - Following the completion of the development, noise levels generated by the development or activities on site shall not exceed noise levels submitted in compliance with [a baseline noise assessment – approved 8 July 2011 – approved a level of 56.7dBL<sub>aeq</sub>], 1 hour, between 08:00 – 18:00 hours measured within the curtilage of any adjoining residential property.

*Reason: To protect the amenities at present enjoyed by the occupiers of nearby residential properties in compliance with Gedling Borough Replacement Local Plan 2005 Policy ENV9 – Noise Generating Developments.*

15. Condition 11 of the permission required the submission of a methodology for surveying traffic and a pre-development traffic survey to be undertaken. A post-occupation survey was also to be undertaken and a report submitted making any recommendations that may be required to address parking or highway safety issues identified. Whilst the baseline survey was undertaken the follow-up survey was not carried out.

### **Proposed Development**

16. Planning permission is sought to vary Conditions 8 and 9 of planning permission reference 7/2011/0268NCC to increase the number of pupils that may attend the school to 90.
17. The applicant Department has identified a need for additional school places for pupils with a range of special educational needs. *Between January 2014-January 2018 the number of people with a primary need of Autistic Spectrum Disorder/Condition who also have an Education Health and Care Plan has increased by 26%. The increase in demand has placed pressure on existing places in publicly funded Special Schools. Where locally funded places are not available the Local Authority has to commission alternative education providers. In most cases these placements cost considerably more (an average of 50% premium) and because they are not usually local such placements also result in increased journey times and transport costs.*
18. The application identifies that a total of nine additional teachers and support staff and three mid-day supervisors would be employed, with an additional nine staff travelling by car. The applicant states that mid-day supervisors would not arrive/depart during the highway network peak times of 08:00-09:00 and 17:00-18:00 hours. Contractors visit before the school day starts or after pupils have left.

19. The school Head has commented: *We generally ask visitors to site to arrive after 09:30 hours when we know that the school transport will have left the site. It doesn't return until 14:45 hours. Whilst our car park has bays for staff cars, disabled bays and some visitor availability, we would be able between 09:30-14:30 hours to offer additional visitor parking along the main school drive. There would still be adequate room for staff vehicles to be moved during the day without disturbance. This could provide up to eight additional car parking spaces for visitors (Plan 3). This has not been done before as we have never had to consider this a need.*
20. The application proposes that additional children travelling by school transport will be accommodated in existing vehicles and one additional mini-bus. Based on 19 children currently being brought to school by car, in considering an increase in pupil numbers from 70 and 90 and applying a proportionate increase in car journeys, an additional five vehicles are anticipated to park on the public highway for school drop-off or pick-up.
21. In acknowledging advice in the consultation response from NCC Project Engineer (Noise) (Paragraph 30), the applicant is proposing that an outdoor noise assessment is undertaken once the number of pupils at the school reaches 80. It is proposed that the school will adopt phased periods of outdoor play if noise generated by outdoor activity from increased pupil numbers is too noisy and exceeds 56.77dBL<sub>aeq</sub>, 1 hour.
22. No change to school operational hours are proposed. Additional goods can be accommodated on existing vehicle trips and no additional school deliveries are anticipated.
23. No extension or other physical works are proposed at the school.

## **Consultations**

24. **Gedling Borough Council** – No objection.
25. **NCC Highways Development Control** – No objection subject to conditions requiring: revision of the mini-bus and off-street parking protocol; an up-dated school travel plan; and a review of the School Zone. An informative is recommended to advise that the review of the School Zone and need for highway mitigation measures should include an assessment of the Digby Avenue junctions with College Road, Shelford Road and Holyoake Road.
26. *No additional off-street parking is proposed, but there will be a significant increase in staff vehicles predicted. Due to the existing staff numbers, the school car park is likely to be fully occupied on most occasions, with some staff parking on-street. The proposed increase in staff numbers will result in an increase in on-street staff parking in the vicinity of the school. This [on-street parking] has been noted when visiting the site before school closing time, as well as after pupils have left.*
27. *As there will be additional on-street parking associated with the school compared to that already taking place, there is a likelihood that parking would*

spread further to the east of the site. Vehicles would then be parked in the vicinity of the College Road junction, and possibly near the Shelford Road and Holyoake Road junctions. It is recommended that the review of the School Zone should consider the need for highway mitigation measures.

28. *The Transport Statement indicates that the first phase of drop-off/pick-up (currently including three buses and one taxi) will be increased in size to accommodate an additional minibus. The Highway Authority is satisfied that the proposed phasing arrangements can be amended to accommodate the proposed increase in minibuses. If the proposal results in an increase of more than a single minibus, then allocating them to the first phase would overcome any capacity issues that could arise within the site.*
29. *The Highway Authority considers that the aisle which is used for minibus pick-ups and drop-offs could be utilised through the day by short stay visitors and staff, and midday supervisors who drive to the site. The requirement for the aisle to be freed up for the use of minibuses could then tie in to the minibus phasing arrangements. This should serve to reduce the number of vehicles associated with the school having to park on-street.*
30. **NCC Project Engineer (Noise)** – No objection subject to an additional condition to require the submission of a noise assessment within 3 months of pupil numbers exceeding 80 to ensure on-going compliance with Condition 38 of planning permission reference 7/2011/0268NCC, with a scheme of noise mitigation to be submitted if the noise level is exceeded.
31. *The proposed increase in the number of pupils equates to less than a 30% increase, so in acoustic terms less than 1dB during periods of outdoor play if all pupils are outside together and all other things are equal. To put this in to context, an increase of over 3dB of an existing noise source is usually considered to be the point at which the human ear can detect a notable change in noise level. The proposed increase in numbers is not expected to give rise to any additional notable noise impact at adjacent noise sensitive receptors.*
32. *Notwithstanding this, Condition 38 requires noise levels generated by the development not to exceed 55dBLAeq, 1hr between 08:00-18:00 hours within the curtilage of any adjoining residential property. A further assessment of noise levels once pupil numbers reach 80+ to ensure ongoing compliance with the condition is advised.*

## **Publicity**

33. 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.
34. Five letters of representation have been received; three from two residents of College Road, one from Digby Avenue, and one from Pilkington Road (2.0km from the school). Residents comment that maximum use of the school should

be made to benefit the pupils/support provision for more pupils (2), that the school is a good neighbour and that the facility is a valued resource for the area.

35. The following objections have been received:

- a) In determining the original application restrictive planning conditions to control pupil numbers were imposed and permitted development rights for extensions/buildings were removed. By doing so it was recognised that any extension or expansion would impact on neighbouring properties. Condition 9 made provision for a *temporary* increase in pupil numbers supported by a traffic survey.

#### Inadequate Information

- b) No evidence of service needs. A lack of detail or evidence to allow an assessment of the impacts of intensification on neighbouring properties to be carried out. Noise management is only referred to briefly.
- c) Lack of methodical evidence or assessment of existing conditions/photographic evidence/parking survey. Future impacts cannot be considered if the current situation has not been properly assessed. No attempt has been made to assess vehicular movements.
- d) The application relies on a desktop traffic assessment with no 'real time' survey of parked traffic (2). A proper traffic assessment is required to look at the effect of Digby Avenue and the cumulative impact with traffic at nearby schools.
- e) The proposed number of pupils is unclear. Is this a staged proposal with further expansion proposed?
- f) Will intensification of the use alter school opening hours? Will there be additional site deliveries?

#### Traffic

- g) No details of where additional staff will park. No provision/explanation of how more buses will be accommodated.
- h) Pupil numbers would increase by 30.4%. Staff numbers would increase by 21.4%. Up to 18 vehicles will be using already overcrowded roads twice daily. Figures for vehicles numbers in the Transport Statement are not accurate/realistic. An additional 6 buses or taxis and 6 additional private cars will bring children to the school. All additional staff travelling by car would have to park on the road.
- i) Lack of highway capacity. Existing on-street parking is fully used. Digby Avenue is used for commuter parking. Traffic on Digby Avenue is hazardous with high traffic volumes (2). Worsening traffic congestion.
- j) No details of how additional pupils will be transported to school. Not all additional children will travel by school transport.

- k) A convoy of mini-buses park-up and cause congestion which cannot be regulated. Additional school transport will worsen traffic. There will be more traffic than just one more bus (2). The number of additional vehicles needed to transport children is questioned.
- l) Parking problems of Digby Avenue (2) with dangerous parking at the junction of Digby Avenue and College Road. Obstruction of access to property. Poor visibility between parked cars/visibility of young children.
- m) Inconsiderate/dangerous parking by staff/parents. Worsening safety. Dangers of high traffic volumes are ignored. No accidents have been reported which can be attributed to traffic gridlock. A lack of accidents does not mean that the proposal is acceptable. Impact on the school run.
- n) Speeding vehicles short-cut along Digby Avenue to avoid Westdale Lane. A 20mph limit at all times is suggested.

#### Pollution

- o) Pollution from mini-bus engines left running. Impact of exhaust emissions on health.

#### Suggested Highway Changes

- p) Digby Avenue should be made one-way between College Road and Lambley Avenue to help traffic flow at peak times.
- q) Double yellow lines on the north side of Digby Avenue between College Road and entrance to Digby park to keep a clear-way for traffic.

#### Other Matters

- r) The County Council is determining applications for its own development proposals.
36. Issues have been raised by a resident of College Road related to the original school construction in 2011 which have been referred to the Monitoring and Enforcement Team for investigation.
  37. Councillor Muriel Weisz and Councillor John Clarke have been notified of the application.
  38. The issues raised are considered in the Observations Section of this report.

#### Observations

39. The principal issues in the determination of this application are the potential traffic and noise impacts that may arise from intensification of the use of the site. The school has a physical capacity capable of accommodating more children than originally proposed in 2011, and greater than the number now proposed. In considering the proposal in 2011 it was reasonable to limit the number of



children at the school, particularly with regard to the size of the car park being proposed to serve the operational needs of development. A limit of 70 places was not an absolute maximum number of children that would ever be permitted, evidenced by the imposition of Condition 9 of planning permission reference 7/2011/0268NCC that would allow a temporary increase in pupil numbers to address urgent or short-term needs subject to a satisfactory assessment of traffic impacts and a requirement for any conditions that may need to be imposed.

40. Whilst Condition 9 could allow a temporary increase in pupil numbers, Condition 8 of the permission set an upper limit on the number of pupils that can attend the school without a further grant of planning permission. In determining this Variation of Condition application Members need to consider the impacts that may arise from an increase in the school roll and, if minded to grant planning permission, consideration needs to be given to the re-imposition of existing conditions particularly those related to the operation of the school and any new planning conditions that may be required.

#### Pupil Numbers

41. The application proposes an increase in pupil numbers to 90. Although the building would be capable of accommodating a greater number of children, for the purpose of this application the operational needs, potential traffic impact and impact on the immediate area through increased noise for a school roll of 90 are the matters that have been considered. On that basis it is recommended that the maximum number of children on the school roll should be limited to 90, and that the wider planning impacts of a greater intensification of use of the site would need to be assessed through a further planning application (Condition 7).
42. However, in order to meet service needs it is recognised that there may be circumstances or an urgent need to temporarily accommodate a number of children in excess of the 90 that would be permitted by Condition 7. It is anticipated that a temporary increase in the number of children by up to 10% is unlikely to give rise to significant highway impacts and may be acceptable subject to a traffic assessment being undertaken to demonstrate that this is the case. It is recommended that a temporary increase should be allowed for one academic year only, which will allow the applicant to consider the need to permanently increase the school capacity through a further planning application or to offer school places elsewhere (Condition 8).

#### Traffic

43. The school car park is fully used throughout the school day. The application identifies that nine additional staff would be employed. Applying the modal split from the existing staff census it is anticipated that six additional members of staff would be likely to park on the highway network nearby.
44. NPPF Paragraph 109 advises that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*. There is capacity to park on Digby Avenue that is used by parents when collecting children from the Westdale schools. Through an assessment of

existing patterns of parking on the highway close to the school it is considered that there would be available capacity to accommodate the parking of existing and additional staff vehicles on the highway associated with the proposed development. Whilst an increase in school places is likely to attract additional cars to the school and may cause inconvenience to local residents, it is noted that no representations have been received from residents living immediately opposite the school. However, a reduction in available on-street parent parking for school drop-off or pick-up is likely to spread the effect of parked vehicles further afield.

45. As advised at Paragraph 15, Condition 11 of the original grant of planning permission required the submission of a post -occupation traffic survey together with a report detailing proposed measures and method of implementation to overcome parking or highway safety issues identified. Although the baseline survey was undertaken the second survey and report was not. However, it is considered that the need for the second survey has been superseded by the recent survey data used to inform the Transport Statement supporting this application, and satisfactorily captures existing parking conditions.



Parking at the junction of Digby Road and College Road (provided by resident)

46. Poor parking on the junction of Digby Avenue and College Road has been identified in representations, although from observation it is noted that it does not happen on all days. As the impact of parking may spread further along the highway as a consequence of a grant of this planning application, it is recommended that the adequacy of the School Zone is assessed and consideration given to the need for the introduction of additional highway safety measures (Condition 9). Junction protection on College Road may be required to safeguard against inappropriate car parking and the investigation can be extended to consider the junctions with Shelford Road and Holyoake Road (Note 1). This may take the form of physical highway works or require the making of a Traffic Regulation Order. A Traffic Regulation Order would be subject to separate statutory process.
47. School drop-off and pick-up at Carlton Digby School is carefully managed from the perspective of child safeguarding evidenced by the Transport Protocol attached as Appendix 1. There is capacity for up to an additional five vehicles in

the first wave of school transport afternoon pick-up to be accommodated on the site. It is recommended that the Protocol is reviewed and expanded to the accommodation of vehicles arriving at the site, including staff, parents, mini-buses, school transport, visitors, service deliveries and refuse collections. The school has suggested how day visitors can be accommodated on the site in between drop-off and pick-up by school transport vehicles which would reduce additional potential demand for on-street parking during the school day. Although referenced at Paragraph 50, it should also consider the parking of school transport vehicles waiting on the highway in the vicinity of the school before being admitted to the school site in order to mitigate the amenity impact of highway parking (Condition 6).

48. A review of Westdale Infants School Travel Plan and Westdale Junior School Travel Plan in conjunction with the Carlton Digby School Travel Plan was to be undertaken as a condition of the 2011 planning permission, aimed at reducing reliance on the use of private cars as a principal means of staff transport to and from the school; reducing reliance on private cars to bring children to and from the school; considering the traffic implications of staggering the start and finish times of the three schools; and the safe movement of children across Digby Avenue to use the all-weather pitch. Although no submission has been made it is noted that the three schools operate staggered start and finish times. Carlton Digby is the first of the schools to finish and parents arriving to pick-up at the end of the school day are likely to be the first to arrive and occupy available on-street parking places. It is considered that the short-term parking to pick-up and drop-off an additional five children at the school would not lead to an unacceptable impact on highway safety as expressed in NPPF Paragraph 109. The review of the School Travel Plans required by the 2011 permission has not been undertaken and may, by working with parents, reduce reliance on the car as the principal mode of transport to and from the schools. It is recommended that this outstanding condition from the 2011 permission is re-imposed (Condition 10).

#### Noise

49. Gedling Local Plan Part 2 Policy LPD 32 *Amenity* will allow development that does not have a significant adverse impact on the amenity of nearby residents, including (amongst other criteria) noise, taking into account potential mitigation measures. The consultation response from NCC Project Engineer (Noise) identifies that an increase in outdoor noise is anticipated to be small, and below the level likely to be perceived by the human ear. It is considered that the proposed increase in the number of children would be unlikely to give rise to an unacceptable noise impact. Condition 38 of planning permission 7/2011/0268NCC specified a limit for noise generated by the development or activities on the site, and it is recommended that a similar condition is re-imposed (Condition 13). Furthermore, as advised by NCC Project Engineer (Noise), it is recommended that a noise assessment is carried out to demonstrate compliance with the specified noise limit once there are 80 or more children on the school roll (Condition 14). The applicant has suggested that if outdoor activity generates excessive noise the number of children taking part in outdoor play at one time could be restricted. It is considered that this measure

could be easily implemented by the school if excessive noise needs to be controlled in order to comply with recommended Condition 13.

#### Pollution

50. With reference to the representation raised at Paragraph 35 o), the impact of waiting traffic can be addressed through a review of the School Drop -off and Collection Protocol (Appendix 1) Transport vehicles standing on the highway can be instructed to wait with the engine not running. A review of the Protocol to incorporate school transport vehicles waiting on the highway in the vicinity of the school before being admitted to the school site is the subject of recommended Condition 6b).

#### Other Conditions

51. Many of the planning conditions imposed on the original grant of planning permission related to construction and are no longer required. Condition 7 of planning permission reference 7/2011/0268NCC removed permitted development rights for extensions or small ancillary buildings at the school without first obtaining express consent so that the planning impacts of future development on neighbouring properties could be considered. Condition 4 required approved obscure glazed windows to be so retained to safeguard the privacy of neighbouring occupiers. The issues remain relevant and are addressed by recommended Condition 3 and Condition 4. Condition 5 of planning permission 7/2011/0268NCC required the enclosure of a climbing tower to safeguard against overlooking of neighbouring property and its retention is the subject of recommended Condition 5.
52. A condition is recommended to control hours of use of the school building and all-weather pitch (Condition 11). A Community Use Agreement for community use of the all-weather pitch was required as a condition of the original school permission. However, details have not been received and it is recommended that this condition is re-imposed requiring an agreement to be entered in to within 3 months of a grant of planning permission (Condition 12).

#### Other Matters

53. With reference to the representation raised at Paragraph 35 r), procedurally, the application falls for determination by the County Council. The challenge to the transparency of decision making is not material to the determination of this application.

#### **Other Options Considered**

54. 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**

55. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and sustainability and the environment, and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### Crime and Disorder Implications

56. The application is for the intensification of an existing use. No changes to boundary treatments or site security are proposed.

### Data Protection and Information Governance

57. Any member of the public who has made representations on this application has been informed that a copy of their representation, including their name and address, is publicly available and is retained for the period of the application and for a relevant period thereafter.

### Financial Implications

58. The applicant has confirmed that the cost of works associated with a review of the School Zone and possible requirement for a Traffic Regulation Order would be met by the project budget.

### Human Rights Implications

59. Relevant issues arising out of consideration of the Human Rights Act have been assessed. Rights under Article 8 (Right to Respect for Private and Family Life), Article 1 of the First Protocol (Protection of Property) and Article 6.1 (Right to a Fair Trial) are those to be considered. The proposals have the potential to intensify impacts such as noise from increased outdoor activity and impact on amenity of nearby residents though an increase in traffic movements. However, these potential impacts need to be balanced against the wider benefits the proposals would provide through the provision of additional school places. Members need to consider whether the benefits outweigh the potential impacts and reference should be made to the Observations section above in this consideration.

### Implications for Sustainability and the Environment

60. The development would allow greater flexibility to the allocation of school places to meet an identified local need. The school transport service would be able to

work more efficiently by running more vehicles to different destinations rather than fewer vehicles making longer journeys.

61. There are no Human Resources, Public Sector Equality Duty, Safeguarding of Children and Adults at Risk implications or implications for Service Users arising from the proposed development.

### **Statement of Positive and Proactive Engagement**

62. 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**

63. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues set out in the report and resolve accordingly.

**ADRIAN SMITH**

**Corporate Director – Place**

### **Constitutional Comments [RHC 27.2.2019]**

Planning & Licensing Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

### **Financial Comments [RWK 28.02.2019]**

The financial implications are set out in Paragraph 58 of the report.

### **Background Papers Available for Inspection**

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

## **Electoral Divisions and Members Affected**

Arnold South

Councillor Muriel Weisz

Arnold South

Councillor John Clarke

Report Author/Case Officer

David Marsh

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

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