

ITEM: 02

Application Number: 07/00325/FUL

Applicant: Plymouth City Council

Description of Application: New primary school with associated play, games and car parking areas, and alterations to existing accesses (and phased demolition of existing school building)

Type of Application: Full Application

Site Address: ERNESETTLE COMMUNITY SCHOOL, BIGGIN HILL
ERNESETTLE PLYMOUTH

Ward: Honicknowle

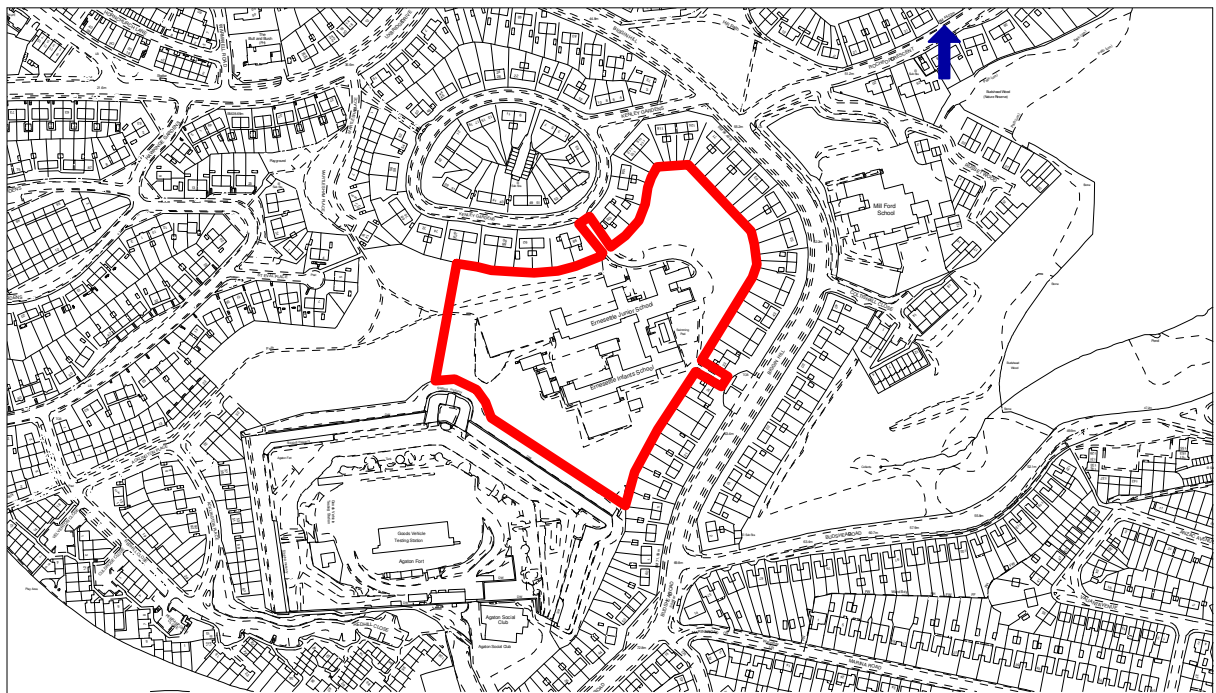
Valid Date of Application: 28/02/2007

8/13 Week Date: 30/05/2007

Decision Category: Major

Case Officer : Jon Fox

Recommendation: Grant Conditionally



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OFFICERS REPORT

Site Description

The application site consists of the site of the existing Ernesettle Junior School, Infants School, and Nursery School. The site measures approximately 3.0ha in extent and is situated on the western side of Biggin Hill, and immediately to the north of Agaton Fort. The school is surrounded by houses in Biggin Hill and Kenley Gardens to the east and north respectively.

Proposal Description

New primary school with associated play, games and car parking areas, and alterations to existing accesses (and phased demolition of existing school building). The proposals involve off-site works in the highway of Biggin Hill including the construction of a new 4.8 metre wide vehicular access way and associated footway from Biggin Hill, as well as alterations to existing on-street car parking and traffic calming measures. These works are primarily concerned with providing an adequate vehicle visibility splay in Biggin Hill.

Relevant Planning History

04/01079 - This was one of a series of seven outline planning applications seeking outline permission to redevelop ageing and run-down school premises in Plymouth with new state of the art schools under the Private Finance Initiative. The other six schools consist of Sir John Hunt Community College, Barne Barton Primary, Chaucer Primary, Montpelier Infant and Juniors, Plym View Primary, and West Park Primary.

This application proposed to demolish all existing buildings on the site and construct a new primary school, nursery school, and children's centre. The submitted illustrative details indicated that the new buildings would be constructed on the site of the existing school buildings. Permission was sought to construct a new vehicular access from Biggin Hill, where a pedestrian access exists at present, and this would replace the existing sub-standard vehicular access in Kenley Gardens. The latter would remain available for use as a pedestrian access to the new school only. The details also indicated that there would be approximately 40 parking spaces on site to serve the new development, where approximately 36 exist at present. This application was granted planning permission, subject to conditions.

07/00336 - Variations to planning conditions 9, 10 and 11 of planning permission 04/01079 to now permit the phased completion of works to new primary school and children's centre. The works referred to in this application relate to the current application for the new school and are recommended for approval under a separate report to this committee.

07/00297 - Installation of security fencing and gates at accesses at Biggin Hill and Kenley Gardens, and on boundary with public open space. This proposed fencing is over and above that which is shown on the plans for the new school. The application for the fencing has been withdrawn following advice from the Local Planning Authority that the application would be refused due to the visual intrusiveness of the fencing.

Consultation Responses

Environment Agency

No response received.

Highway Authority

Have no objections to the development. A number of highway related conditions are reiterated from the outline permission together with a new informative note regarding highway works and traffic orders.

Environmental Services

With regard to the information submitted by the applicant, Environmental Services has no further comment to add.

Access

Level access into the school should be provided from all entrances and the ground landscaped accordingly. The distances proposed on the masterplan are too excessive for disabled people approaching from the north of the site.

An access statement should be provided as soon as possible.

Crime Prevention Officer

No response received.

Representations

Analysis

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The main issues in this case relate to the reserved matters of siting, design, external appearance and landscaping. Although details of access were referred to in the outline approval's description of development, condition 1 of that approval requires details of the segregated vehicular and pedestrian access from Biggin Hill.

With regard to siting, design and external appearance, the proposed new building is concentrated in the southern central part of the site in the form of a semi-circular design that makes more efficient use of the remainder of the site compared with the relatively sprawling layout of the existing school buildings. The buildings are a combination of single and two-storey structures that despite their proximity to the south eastern corner of the site, would not unreasonably reduce the privacy and outlook enjoyed by the occupiers of

nearby houses in Biggin Hill. The use of contemporary materials such as standing seam aluminium roof and timber cladding will compliment the innovative semi-circular design. In these respects the proposals are in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policies CS02, CS14 and CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

The siting of the building allows for more extensive use of the northern part of the site for play purposes, particularly the formal playing field and running track towards the north eastern corner of the site and the organised hard play games court towards the site's north western corner. Providing that neither of these facilities is artificially illuminated, i.e. by floodlights, then their use will not be harmful to nearby residents in Biggin Hill and Kenley Gardens respectively. In this respect the proposals are in accordance with policy AEV31 of the adopted plan and policies CS14 and CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

The proposals include fencing around the entire perimeter of the site, save for the existing section of fencing on the boundary with Agaton Fort. The proposed fencing is 'paladin' fencing, which appears to be acceptable in terms of its height and appearance. However, specific elevation details showing the appearance of the fencing are required as well as details of the means of enclosing/screening the new access from Biggin Hill, adjacent to Nos. 31 and 33 Biggin Hill.

With regard to landscaping the existing trees that should be retained are the two trees either side of the proposed vehicular/pedestrian access from Biggin Hill. Although these trees are outside the application site they are nevertheless within land controlled by the Council and will need to be protected during the construction works. The proposed on-site landscaping proposes some architectural type planting of individual trees on various parts of the site and more informal groupings of trees around much of the school perimeter. Where these groupings are adjacent to residential properties the long term effect could be to overshadow those properties and consequently it is recommended that the details of plant species in these areas needs to be amended to ensure that unreasonable overshadowing does not occur, notwithstanding the submitted landscaping details.

With regard to drainage, surface water will be drained to the existing surface water sewer, via an attenuation system to regulate flows. In this respect, and in respect of the submitted flood risk assessment, the views of the Environment Agency are awaited.

With regard to policy CS20 (renewable energy) of the Core Strategy of Plymouth's emerging Local Development Framework 2006, the proposals do not include specific renewable energy measures. This might still be a possibility when the detailed design is completed and might be a requirement of the building regulations. However, from a planning point the outline consent places no such requirement on the scheme and therefore it is not considered appropriate to require such measures now. In other respects the

design of the scheme incorporates a number of energy saving measures and sustainable practices, including use of recycled aggregates, cut and fill of the site to ensure reduction in transport movements and provision of cycle sheds.

With regard to access, the main issue is the creation of a new vehicular access, and associated footway, from Biggin Hill. The new access passes between Nos. 31 and 33 Biggin Hill. Despite its proximity to these properties the use of the vehicular access will not be demonstrably harmful to the neighbours, although the means of screening the road from the properties will need to be carefully considered.

The numbers of staff (teaching and non-teaching) will increase from 61 to 71. In the circumstances it is recommended that a school travel be required to demonstrate the school's aims and ability to help reduce the number of trips made by the private car.

With regard to the phasing of the demolition and construction works, the outline approval required a certain sequence of events regarding the closure and opening of the accesses from Kenley Gardens and Biggin Hill, and also required the provision of 40 cars to be parked. Leaving aside the provision of the car parking spaces these requirements would impede the now proposed phasing of the works and therefore a separate planning application (ref 07/00336) has been submitted for the amendment of the relevant conditions, 9, 10 and 11. However, for the purposes of this application it is recommended that these three conditions be reiterated.

With regard to policy ACR1 (access), the proposals are considered to provide satisfactory access for disabled persons. With regard to the comments of the Access Officer (that the distances proposed on the masterplan are too excessive for disabled people approaching from the north of the site), the site benefits from dual access points and for this reason the siting of the school is not considered to exclude persons with disabilities.

Section 106 Obligations

There is no S106 obligation in respect of this application.

Conclusions

The new primary school will provide an efficiently laid out and sited building that is of a modern and attractive design and materials. The scheme makes more efficient use of the whole site in terms of teaching and play areas. The impacts on residential amenity are not significant and the proposed access for vehicles and pedestrians is fit for purpose and no longer requires car-borne visitors to negotiate the more convoluted route to the school via Kenley Gardens. For these reasons it is recommended that planning permission be granted, subject to the conditions still in force on the outline consent. The following conditions are considered to be discharged:

Condition 1 (approval of reserved matters).

Condition 5 (tree survey).

Condition 15 (archaeological work programme): The Historic Environment Officer considers this condition to be redundant and therefore discharged.

Condition 16 (drainage).

Condition 17 (code of practice during construction): Details are submitted with this application that are considered acceptable and therefore discharge this condition.

All the remaining conditions on the outline planning permission are still in force.

One new condition is required in respect of the proposed planting in areas marked as '2 – Structure Planting' on plan 07701 APP – 3. This planting could result in overshadowing of nearby residential properties.

Recommendation

In respect of the application dated **28/02/2007** and the submitted drawings, **06159 L01.01, 06159 L02.07, 06159 L01.02A, 06159L0401, 06159 L02.04, 06159 L02.03, 06159 L04.02, 07701 APP7A (cross section of structure planting), 07701 APP7A (Paladin perimeter fencing), 07701 APP1 0, 07701 APP-2 0, 07701 APP-3 0, 07701 APP-4 0, 07701 APP-5 0, 07701-06, 234325/SK/4005 P2, 234325/SK/4008 P1, 234325/SK/4009 P1 and accompanying flood risk assessment and aboricultural assessment** , it is recommended to: **Grant Conditionally**

Conditions

DETAILS OF LANDSCAPING

(1) Notwithstanding the submitted details the planting in areas marked as '2 - Structure Planting' on plan 07701 APP - 3 are not approved because such planting could result in overshadowing of nearby residential properties. Further details of the species of planting in these areas is therefore required to be submitted to and approved in writing by the Local Planning Authority and the approved planting shall be carried out in the first planting season following the completion of the development or the first use of the school, whichever is the sooner.

Reason:

To enhance the development and to preserve the amenities of nearby residents.

ILLUMINATION OF OUTSIDE PLAY AREAS

(2) The playing field/running track and hard play games courts hereby permitted shall at all times be non-illuminated.

Reason:

In order to preserve the amenities of nearby residents in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

EXTERNAL LIGHTING

(3) The location, design and specifications for all means of external lighting at the site shall be submitted to and approved in writing by the Local Planning Authority before development commences and the works shall accord with the approved details.

Reason:

To preserve the appearance of the site and to protect residents from the potentially harmful effects of external lighting, in accordance with policy AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 and policy CS34 of the Core Strategy of Plymouth's emerging Local Development Framework 2006.

INFORMATIVE - BUFFER ZONE FENCE

(1) The applicant is advised that condition 14 of the outline planning permission (application 04/01079) requires the erection of a fence to protect the 25 metre buffer zone between Agaton Fort and the school. Such a fence is not shown on the plans submitted with the reserved matters application and therefore a separate application is required to remove the requirement for the fence and such an application will be considered on its merits.

INFORMATIVE - DETAILS OF ENCLOSURE AND SCREENING

(2) The applicant is advised that this condition is not discharged because there are no specific elevation details submitted with the application and no details of the means of enclosing/screening the new access from Biggin Hill, adjacent to Nos. 31 and 33 Biggin Hill.

INFORMATIVE - HIGHWAY WORKS/TRAFFIC ORDERS

(3) Before any works commence that have an impact on the highway the developer shall; Submit for approval a Method Statement and Risk Assessment and further copies of the drawing for the off-site highway works numbered 234325/SK/4005 - Rev P2; Associated Traffic Order and related costs to be the responsibility of the developer and may take up to 6 months to secure; Obtain an Access to Site Permit from the Highway Authority prior to any work starting on site. For Access to Site Permit contact Peter Harvey on 3045.

INFORMATIVE - DISCHARGED CONDITIONS

(4) The applicant is advised that the following conditions on the outline planning permission are discharged:

Condition 1 (approval of reserved matters).

Condition 5 (tree survey).

Condition 15 (archaeological work programme): The Historic Environment Officer considers this condition to be redundant and therefore discharged.

Condition 16 (drainage).

All the remaining conditions on the outline planning permission are still in force.

INFORMATIVE – CODE OF PRACTICE

(5) The applicant is advised that the details submitted in respect of Condition 17 (code of practice during construction) are not approved at this stage.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: the reserved matters of siting, design, external appearance and landscaping the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymouth Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

ACR1 - Access for People with Disabilities

AEV11 - Archaeological Preservation

AEV31 - Townscape

AEV4 - Loss of Existing hedgerows, trees or wood

ATR18 - General Parking/Servicing Requirements

ATR5 - The Road Network

CS02 - Design

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS14 - New Education Facilities

CS18 - Plymouth's Green Space

CS20 - Resource Use

CS03 - Historic Environment