

ITEM: 12

Application Number: 07/00486/FUL

Applicant: Plymouth City Council

Description of Application: Installation of temporary classroom, new footpath, rationalisation of car parking and playground areas, and installation of ball catch fence on boundary with Leypark Drive

Type of Application: Full Application

Site Address: ESTOVER PRIMARY SCHOOL MILLER WAY
ESTOVER PLYMOUTH

Ward: Moor View

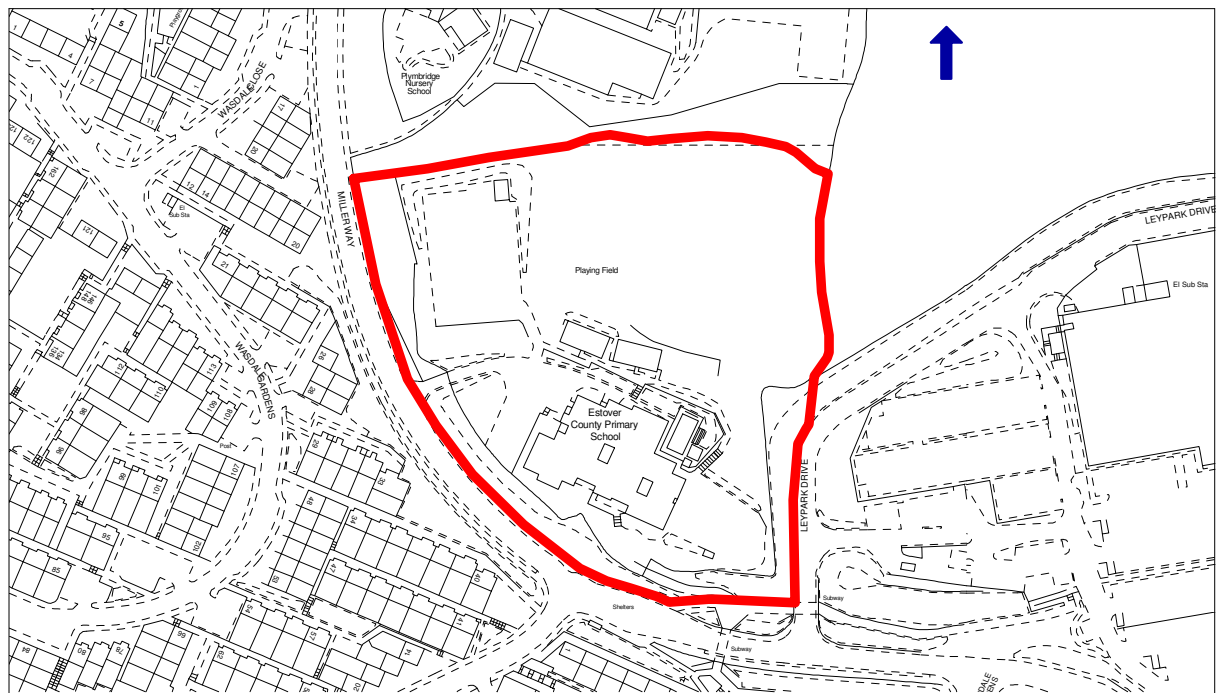
Valid Date of Application: 22/03/2007

8/13 Week Date: 21/06/2007

Decision Category: Major

Case Officer : Stuart Anderson

Recommendation: Grant Conditionally



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OFFICERS REPORT

Site Description

The site of the proposed development is Estover Primary School, off Miller Way, in the Estover area of the city.

When visiting this site, the immediately noticeable feature of the site is that it is well screened by trees and vegetation on the Miller Road and Leypark Drive frontages, which means that the site itself is not visually prominent.

Proposal Description

Installation of temporary classroom, new footpath, rationalisation of car parking and playground areas, and installation of ball catch fence on boundary with Leypark Drive.

The proposed temporary classroom would be sited to the north of the main school buildings, on a flat area of waste ground. It would measure approximately 8.40 by 24.0 metres, and would be single-storey. Concrete fire escape paths would be laid out around this building.

The proposed new footpath would be sited alongside the main school entrance onto Miller Way. The footpath is intended to improve safety for parents and children walking into the school grounds. A handrail will be provided and a barrier or fencing will also be installed in order to protect pedestrians from traffic.

The proposal would also include the changing of an existing car park into a playground, and the changing of an existing playground into a car park. The use of the existing car park as a playground would enable children to be under closer supervision at playtimes, as it is closer to the main school building than the existing playground. Also, the use of the existing playground as a car park would satisfy the parking requirements for the site, as the current car park is not big enough to satisfy these requirements.

The proposed ball catch fence would be sited at the far end of the existing playground on the eastern boundary of the site. The fence would be approximately 8 metres in height. The purpose of the fence would be to increase road safety, as it would prevent balls from being kicked into the road beyond.

In addition to the works described above, there are a number of other minor ancillary works shown on the plans. These include:

- installation of lighting along proposed new footpath,
- replacement school gate at Miller Road entrance with added pedestrian leaf,
- new gate at (slightly widened) entrance to new car park,
- renewed fencing to enclose new playground,
- footpath to block off new playground from roadway,
- overlaying of new playground with tarmac,
- provision of two new disabled parking spaces,

- new gate on steps leading down to new playground,
- marking out of car and taxi parking spaces in new car park,
- renewal of speed humps
- laying out of a zebra crossing from new playground to new car park entrance,
- double yellow lines to be marked out, and road surfaces repaired, where required.

Relevant Planning History

07/00274/FUL - Installation of double temporary classroom, new footpath and alterations to car park and playground (withdrawn – it is understood that this application was withdrawn, as circumstances changed shortly after the application was submitted, meaning that the application did not show the full extent of the works that were required, hence the submission of the current application)

01/00945/FUL – alterations to form teaching and storage accommodation (granted)

81/03951/FUL – erection of double motor garage (granted)

81/00587/FUL – erection of changing room (granted)

81/02959/C1 – extension of school and siting of prefabricated classroom and toilet (regulation 10 consultation) (granted)

79/00691/FUL – provision of three mobile classrooms with toilets and one mobile dining hall (granted)

78/02606/C1 – provision of two double mobile classrooms (granted)

77/02884/FUL – proposed double mobile classroom unit (granted)

Consultation Responses

Transport Officer – no objections in principle. However, there is some concern about certain aspects of the scheme, which should be addressed by condition (see report below).

Representations

At the time of writing this report, no representations had been received. Any representations received after drafting this case officer report will be presented to committee by addendum report.

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 most relevant policies on this proposal are CS14, CS18 (included because the proposal is understood to involve the felling of trees near the site entrance), CS28, CS30 (included due to the formation of a new playground),

and CS34, of the Core Strategy. Policies AEV4, ATR5, and AEV31 of the adopted City of Plymouth Local Plan First Alteration 1996 are also considered to be relevant on this proposal. The different components of the proposal are discussed below.

PROPOSED TEMPORARY CLASSROOM

The proposed temporary classroom would be sited fairly deep within the school grounds, and therefore not easily visible from Miller Way or Leypark Drive. It would also make use of a part of the site which is currently under-used. It is also understood that a temporary classroom has previously been sited here. Therefore, it is considered that the proposed temporary classroom is acceptable, subject to a standard temporary building condition.

PROPOSED NEW FOOTPATH

It is understood that some trees would need to be felled in order to accommodate the proposed new footpath. Trees and vegetation on the Miller Way frontage provide some screening for the site. Therefore, policies AEV4 and CS18 (in particular criteria 4 and paragraph 11.34 of this policy), need to be taken into consideration. An arboricultural report has been submitted with the application. This report states that a full survey in accordance with BS5837 is not necessary, considering the condition of the trees and the limited level of development, and that the trees are of low quality and value. This issue was considered during the site visit, and it is agreed that the trees on the site of the proposed footpath are not important trees in the streetscene. Even with the removal of these trees, adequate screening of the site would remain.

The arboriculturalist's report draws attention, however, to a group of Ash trees near the site entrance, and states that if development is restricted to within 3m of the existing road, and the construction activity undertaken from the road side, the retention of many of the young trees within the group is possible, and the larger Ash trees will retain more than enough critical root zone. In order to keep the loss of trees to a minimum, it is considered that this issue should be addressed by condition.

It is considered that the proposed new footpath raises no other issues.

RATIONALISATION OF CAR PARKING AND PLAYGROUND AREAS

The Transport Officer has raised some concern about apparent over-provision of taxi parking spaces in the proposed new car park. He has also raised some concern about the proposed layout of the new car park, and vehicular circulation within it. It is suggested that an integrated circulatory route for vehicles should be established around the car park, which could incorporate a lay-by type arrangement that would aid the picking up, dropping off, and short term waiting by taxis. This could be achieved within the layout of the car parking area or alternatively the car park could be sub-divided using some simple form of barrier to separate the turning and waiting functions from that of staff car parking. This issue could be addressed by condition.

The Transport Officer has also offered some helpful suggestions with regards to the setting down area next to the two proposed disabled parking spaces, which could be addressed by an informative note.

The Transport Officer has also drawn attention to the existing school travel plan. The travel plan is well advanced, but as it is a live and ongoing document to help manage travel, a condition relating to this should be added.

The proposed new car park is not considered to raise any other issues.

It is considered that the proposed new playground is satisfactory to policy CS30 (criteria 3a and 3c of this policy are the applicable criteria). The playground is not considered to raise any other issues.

PROPOSED BALL CATCH FENCE

At 8m in height, the proposed ball catch fence would be high. However, the bank and high trees on the Leypark Drive side of the site provide a good level of screening. The fence might be partly visible from Leypark Drive and the end of Miller Way, but the screening means that minimal visual impact would result.

Conclusions

It is considered that the proposed development might result in a general improvement to this site, which at the time of the site visit seemed to be in need of investment/attention. It is therefore recommended that conditional planning permission is granted.

Recommendation

In respect of the application dated **22/03/2007** and the submitted drawings, **Site Location Plans, Proposed Classroom Layout, Ball Catch Fence drawing no J2/04041 (sheets 1 of 2, and 2 of 2), 26631/05, 26631/01a, 26631/02b, 26631/04b, 24844-1 Issue A, Arboricultural report by Devon Tree Services Ltd (dated 1st March 2007, accompanying Design and Access Statement, photographs and supplementary information for full plans application** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

TEMPORARY BUILDING:REINSTATEMENT

(2) The temporary classroom building hereby permitted shall be removed and the land restored to a reasonable condition, on or before 30th April 2012, in

accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any works commence on site.

Reason:

In the opinion of the Local Planning Authority the temporary building to which this permission relates will by the said date have fulfilled its required purpose.

TREE RETENTION

(3) The agent/applicant's attention is drawn to the advice given in paragraph 2 of the Arboricultural report submitted by Devon Tree Services Ltd, dated 1st March 2007. Development of the new footpath hereby permitted next to the Miller Way entrance to the site shall be restricted to within 3m of the adjacent entrance road, and the construction activity undertaken from the road side.

Reason:

In order to allow for the retention of young trees within the adjacent group of Ash trees, and to retain critical root zone on the larger Ash trees. In the opinion of the Local Planning Authority, tree and vegetation cover on the Miller Way frontage provides important screening for the site, which enhances visual amenity. This condition seeks to minimise the loss of tree cover on this frontage, in accordance with Core Strategy policy CS18, and adopted Local Plan policy AEV4.

FURTHER DETAILS - CAR PARK

(4) No work shall commence on site until details of an improved car parking layout and a route for vehicular circulation within the car park have been submitted to and approved in writing by the Local Planning Authority. The works shall conform to the approved details.

Reason:

To ensure that the car park provides safe and convenient pedestrian, cycling, and vehicular movement around the car park, in accordance with Core Strategy policy CS28.

STAFF TRAVEL PLAN

(5) The development hereby permitted shall not commence until an amended School Travel Plan (STP), which takes into account the aspects of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The said STP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the STP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of approval of the amended STP, the occupier shall operate the approved STP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single

occupancy journeys) and to assist in the promotion of more sustainable travel choices, in accordance with Core Strategy policy CS28.

INFORMATIVE - SETTING DOWN AREA

(1) To dissuade general vehicular use of the setting down area next to the two disabled parking spaces, it is suggested that this area is cross hatched and indicated as a 'no parking' area. It may also be beneficial, but not essential, toward safety and the operational needs of the school, to consider a physical barrier preventing vehicular access to this parking area near the school entrance except by arrangement, and it could be controlled by way of some form of movable barrier.

INFORMATIVE - FURTHER DETAILS OF IMPROVED CAR PARK LAYOUT

(2) With regards to condition 4 of this grant of planning permission, the applicant/agent is advised that the City Council's Transport Officer has raised concern about the suitability of the layout for the proposed new car park, and vehicular circulation within it. It is suggested that an integrated circulatory route for vehicles should be established around the car park, which could incorporate a lay-by type arrangement that would aid the picking up, dropping off, and short term waiting by taxis. This could be achieved within the layout of the parking area or alternatively the car park could be sub-divided using some simple form of barrier to separate the turning and waiting functions from that of staff car parking.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations which in this case are considered to be: transport/parking considerations, visual impact, impact on trees, 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 Plymstock 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:

AEV31 - Townscape

AEV4 - Loss of Existing hedgerows,trees or wood

ATR5 - The Road Network

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS14 - New Education Facilities

CS18 - Plymouth's Green Space

CS30 - Sport, Recreation and Children's Play Facilities