

ITEM: 07

Application Number: 08/01433/FUL

Applicant: Plymouth City Council

Description of Application: New playground area, Devon bank and outdoor teaching area, new parking spaces within existing playground

Type of Application: Full Application

Site Address: WIDEY COURT PRIMARY SCHOOL, WIDEY LANE
CROWNHILL PLYMOUTH

Ward: Eggbuckland

Valid Date of Application: 22/07/2008

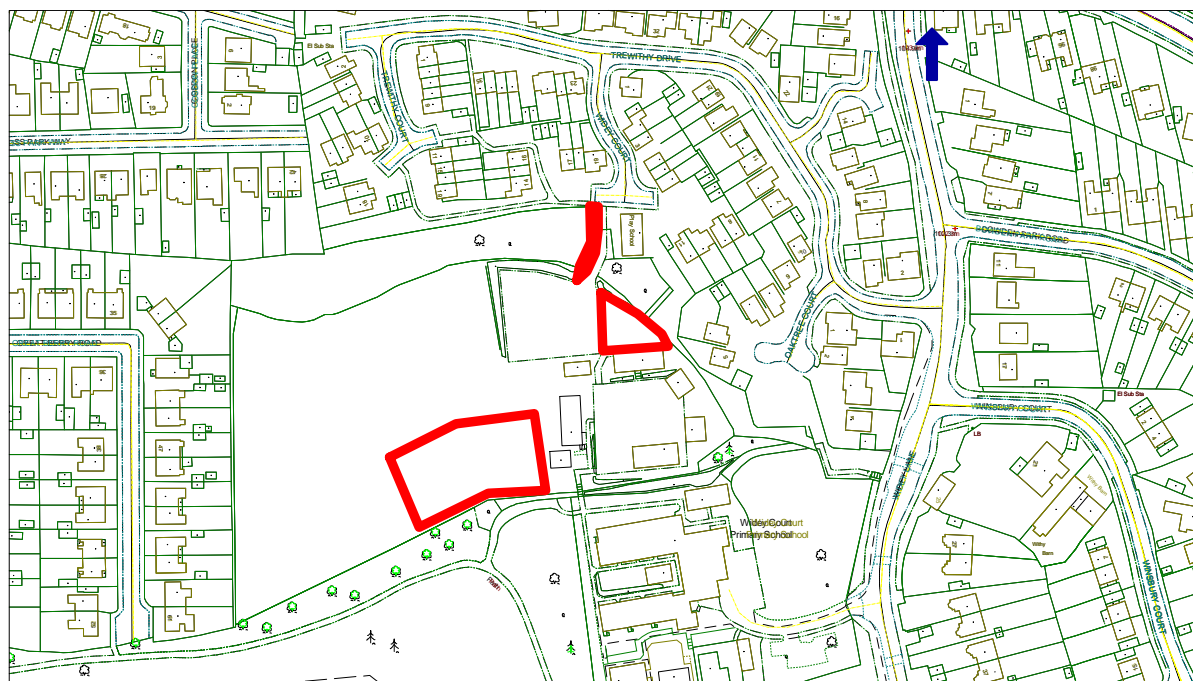
8/13 Week Date: **21/10/2008**

Decision Category: Major Application

Case Officer : Carly Francis

Recommendation: Grant Conditionally

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OFFICERS REPORT

Site Description

This is Widey Primary School located in Crownhill. The proposed playground and outside teaching area are proposed at the rear of the school, the parking area proposed is currently used as a playground and is situated near the entrance to the site from Widey Court. There is public open space to the west and south of the school, this comprises of a public footpath through a wooded area. There are residential properties to the north and east of the school site. The school can be accessed from Widey Lane to the east and Widey Court to the north.

Proposal Description

New playground area, Devon bank and outdoor teaching area, new parking spaces within existing playground and new pedestrian access.

Relevant Planning History

08/00875 (FULL) New playground, outdoor teaching area and additional car parking area- WITHDRAWN.

07/00751 (FULL) Extension to provide 4 classrooms and an ICT suite- PERMITTED.

Consultation Responses

Highway Authority- no objections.

Tree Officer- no objections.

Representations

21 letters of representation all objecting to the proposal for reasons which include concerns relating to:

- Traffic congestion.
- Loss of the playground area.
- The proposed footpath.
- Increased flood risk.
- The impact on trees.

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 for consideration in this case are the impact to the amenity of the school, on surrounding properties, to the natural environment and on the highway. The policies relevant from the adopted Core Strategy include CS18, CS28 and CS34.

The application comprises of two distinct elements where one would not appear to be dependent on the other, firstly the provision of a new playground, to replace play space previously lost to development, along with a new outdoor teaching area; and secondly, the change of use and creation of an additional car parking area for nine cars on part of an existing playground, along with associated alterations to the existing access-way to Widey Court.

The previous application submitted for the new playground, outdoor teaching area and additional car parking area was withdrawn as objections were raised by the Tree Officer and therefore significant amendments were necessary in order to ensure that there would be no harm to important trees on the site.

Following extensive discussion with the Tree Officer the resubmission includes a Tree Report to standard BS 5837:2005 and the outdoor teaching area and playground are now proposed in revised positions further away from any trees. The Tree Officer supports the application providing works follow the recommendations made in the Tree Report. The proposal therefore accords with policy CS19.

The outdoor teaching area would consist of a picnic style table surrounded by timber planks to form seating. The playground area would be an open area with a tarmac finish.

The playground and teaching area would not cause significant disturbance to local residents when used due to the distance away they would be located from residential properties. The proposal therefore accords with policy CS34. These additional facilities are supported, as they would improve the amenities of the school to the benefit of the school children in accordance with Strategic Objective 9 and CS14.

The Transport Officer initially expressed concern regarding the original proposal for creation of additional car parking on the playground however the plans have now been amended and the Transport Officer is now able to support the application. It was initially felt that the parking area would have been likely to generate and encourage a significant increase in vehicle trips associated with parents cars picking-up and dropping-off of children, in Widey Court and Trewithy Drive. It is considered that the group of cul-de-sac streets have a particular design capacity and are not designed to allow for significant increases in vehicular trips and traffic flows. Currently Widey Court accommodates 16 residential dwellings and a Children's Nursery, and could not safely accommodate further significant traffic movements associated with picking-up and dropping-off children at the school, and the likely resultant conflict with the existing uses.

The low level of traffic movements associated with nine car parking spaces for use by full-time teaching staff (generally, 9 in am & 9 out pm) is considered unlikely to be detrimental to the local road network or local residents always providing that the access/egress for vehicles was restricted to authorized users only and strictly controlled at all times, to prevent pedestrians from

being able to use the access and ensure that parents would not be encouraged to pick-up and drop-off children there. The existing access is single track and not wide enough for two cars to pass one another, however with parking for just 9 cars belonging to full time members of staff the single track, with good forward visibility along its length, and staff generally moving in the same direction at or about the same time, the arrangement is considered satisfactory for the proposed low level use.

The Transport Officer would not wish to raise any objections in principal to increasing the provision of off-street car parking that may help to ease congestion in the existing surrounding streets and improve convenience and amenity for local residents. The application indicates that currently the school has 28 car parking spaces, the proposal would increase the number to a total of 37, the Transport Officer reasonably considers that the guidance on parking standards would allow for a further increase in car parking at the site over and above this number, taking account of full time teaching assistants, 42 to 50 car parking spaces may be sought. The Transport Officer would however encourage the use of sustainable travel which is why a Staff Travel Plan should be implemented at the school.

The proposed new pedestrian access/egress from Widey Court into the school no longer forms part of this application and would not be progressed or formed. Therefore the Transport Officer has removed the concerns he initially had in relation to the likely resulting associated increase in vehicle trips.

The amended proposal and drawing has altered the layout of the proposed car park area by adding a fence as a physical barrier, segregating the car park area and vehicle movements from the playground and children in order to overcome and avoid potential conflict between pedestrians and vehicles and improve safety. A single pedestrian gate is provided in the fence for linking the playground, car park, and an existing access/egress to the adjacent nursery site, where an indicative pedestrian route is shown by shading on the revised drawing. Double gates are shown for emergency and maintenance purposes, in the interest of safety the double gates for vehicular use should be kept locked at all times other than when they are in use and it is recommended that this should be conditional in any grant of planning permission.

The school shall be required to operate a Staff Travel Plan, in conjunction with the School Travel Plan to encourage staff as well as parents and children to use sustainable forms of travel to and from school. To further encourage this adequate weather-proof cycle storage facilities should also be available and well situated to promote cycling as a sustainable means of travel; details of such have not been included in the application. Transport would recommend that; a Staff Travel Plan; up-dated School Travel Plan, to take account of proposed changes; and cycle parking; should be conditional in any grant of planning permission.

The views of the Highway Authority are supported on the strict understanding that access and road network leading thereto would not be of an appropriate

standard to safely accommodate any significant increase in use beyond the nine car parking spaces proposed. It is also essential that access to the proposed car park is strictly controlled and limited to authorized and named users only (authorized users named in the Staff Travel Plan) to prevent pedestrian and other unauthorized use. The use of the access/egress and car park shall not be varied or in any way increased beyond that which is authorized conditionally in accordance with any grant of planning permission. Providing the above measures are adhered to it is considered that the proposal complies with policy CS28.

A number of concerns have been raised by local residents. Those relating to transport and tree concerns have been dealt with through negotiations with the Transport Officer and Tree Officer. The objection raised with regard to the loss of the playground area to car parking, has been dealt with as part of this application, a new playground large enough to cater for the needs of the school is proposed. It is not considered that the new playground would result in the site suffering flooding as suitable drainage is proposed and the footpath previously proposed has now been removed in order to satisfy the Transport Officers requirements.

Conclusions

The proposed playground, outdoor teaching area and additional parking spaces would improve amenities for the school and are not considered to be harmful to neighbouring properties or users of the highway. This application is therefore recommended for approval.

Recommendation

In respect of the application dated **22/07/2008** and the submitted drawings, **AL(01)01, AL(90)02, AL (90) 04 Amended version received on 22/09/08), AL(90)03, AL(90)01 and accompanying Design and Access Statement,** 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.

TREE PROTECTION PLAN

(2) The development hereby permitted shall be carried out in accordance with the approved Tree Protection Plan unless subsequently otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that the details of the proposed development protects trees and vegetation on site in accordance with policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TREE PROTECTION DURING CONSTRUCTION

(3) The existing trees and/or hedgerows on site shall be retained and properly protected with appropriate fencing during construction works as detailed in the Arboricultural Report submitted with the application. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to construction - recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the local planning authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(4) The development shall not be occupied until space has been laid out within the site in accordance with the Approved plan for a maximum of 9 cars to be parked

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

VEHICLE ACCESS DETAILS

(5) No work shall commence on site until details of secure and controlled vehicle access/egress arrangements at the gate between Widey Court and the car parking area have been submitted to and approved in writing by the Local Planning Authority. This should include the fixing of automatic security gates, that may only be activated and used on a daily basis by a maximum of 9 named and authorized car park users. The security gates shall not operate between the hours of 8.30am and 4.30pm. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SECURE PARKING AREA

(6) Before the development hereby permitted is first brought into use the fencing between existing playground and new car parking area must be in place and the double gates between the playground and new parking area must be locked and kept locked at all times except during use.

Reason:

To ensure that the car parking area is secured before it is used, in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(7) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 8 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STAFF TRAVEL PLAN

(8) The developments hereby permitted shall not be used until a Staff Travel Plan (STP) 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 the commencement of the use 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SCHOOL TRAVEL PLAN

(9) The developments hereby permitted shall not be used until an updated and revised School Travel Plan (STP) has been submitted to and approved in writing by the Local Planning Authority. The said STP shall be revised to reflect the proposed changes and 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 the commencement of the use 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 Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the amenity of the school, to surrounding properties and on the highway, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS14 - New Education Facilities
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- SO9 - Delivering Educational Improvements