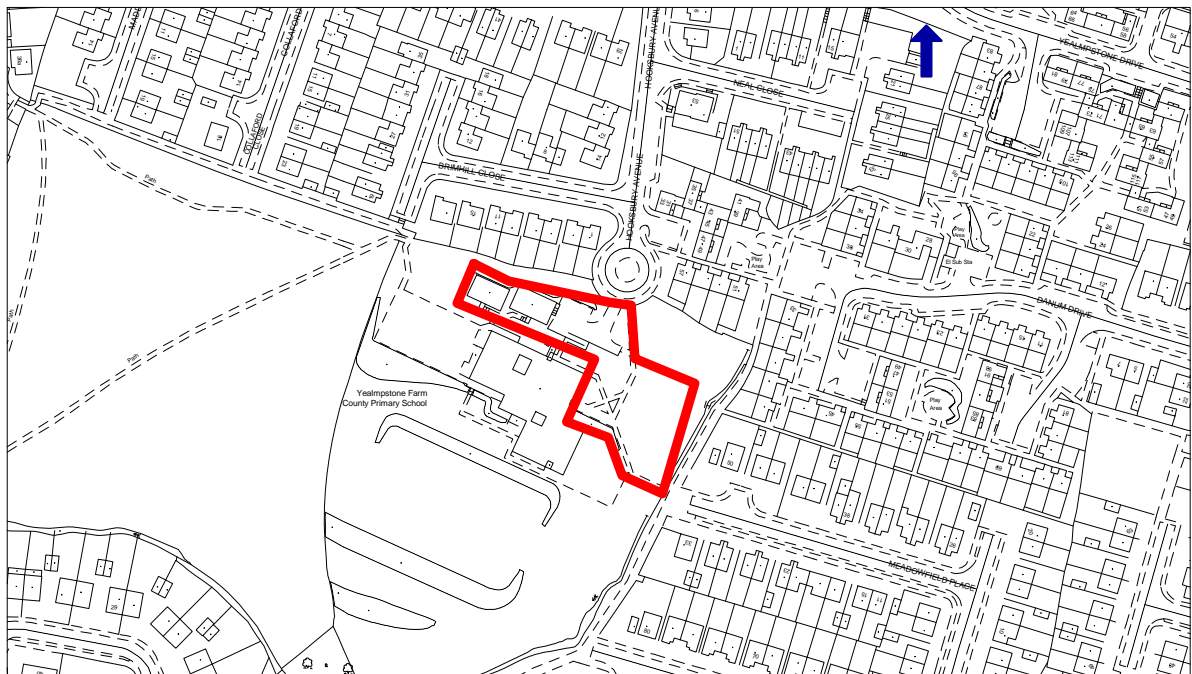


**ITEM: 01**

|   |  |
|---|--|
| <b>Application Number:</b>              | 10/00474/FUL   |
| <b>Applicant:</b>                       | Yealmpstone Farm Primary School  |
| <b>Description of Application:</b>      | Demolition of nursery building and erection of new, single-storey nursery building and provision of hard and soft play areas and redirected footpath |
| <b>Type of Application:</b>             | Full Application   |
| <b>Site Address:</b>                    | YEALMPSTONE FARM PRIMARY SCHOOL,<br>MEADOWFIELD PLACE PLYMOUTH   |
| <b>Ward:</b>                            | Plympton Erle  |
| <b>Valid Date of Application:</b>       | 26/04/2010   |
| <b>8/13 Week Date:</b>                  | <b>26/07/2010</b>  |
| <b>Decision Category:</b>               | Member Referral  |
| <b>Case Officer :</b>                   | Jon Fox  |
| <b>Recommendation:</b>                  | Grant Conditionally  |
| <b>Click for Application Documents:</b> | <a href="http://www.plymouth.gov.uk">www.plymouth.gov.uk</a>   |



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## **OFFICERS REPORT**

### **Site Description**

The school site is situated at the southern end of Hooksbury Avenue within the suburban area of Chaddlewood, Plympton. The site is bounded to the north, east and south by a majority of terraced and semi-detached houses and the west by open space.

### **Proposal Description**

Demolition of the existing nursery building and the erection of a new, single-storey, nursery building. The proposed building is positioned on the north eastern side of the main school building, between the main building and the existing nursery building, and on the line of the footpath that runs between Hooksbury Avenue and Meadowfield Place. The new building would be of similar size to the existing nursery but would be a pentagonal shape instead of the existing rectangle. It would have painted render and cedar clad walls and a flat roof.

The application also involves provision of hard and soft play areas and a redirected footpath.

### **Relevant Planning History**

Various extension and additions to the school.

### **Consultation Responses**

#### **Highway Authority**

No objections subject the submission of an updated School and staff travel plan. It is recommended that as part of the School Travel Plan initiative, the school carry out a car parking survey around and in the nearby vicinity of the turning head and entrance to the school in Hooksbury Avenue, to establish the extent of any undesirable car parking associated with the school that might occur there, along with any associated safety concerns or necessary remedial action.

#### **Public Protection Service**

No objections subject to the reporting of unexpected contamination and the implementation of any necessary remedial measures.

#### **Police Architectural Liaison Officer**

The Devon and Cornwall Constabulary are not opposed to the granting of planning permission for this application. They have been fully consulted at the pre-application stage and support this application in its current design and layout.

### **Representations**

None.

## **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 application turns on policies CS02 (design), CS18 (trees), CS28 (access and parking) and CS34 (general planning considerations) of the Core Strategy of Plymouth's Local Development Framework 2007 and the main issues in this case are the impact of the proposals on the character and appearance of the school; the impact on neighbours; the impact on trees; drainage and the principle of providing new education facilities.

With regard to visual impact, the proposed building is situated in front of the existing school entrance and in this sense could be better integrated with the existing structures. However, the proposed building is an improvement on the existing nursery and has been designed in such a way as to be adequately subservient to the school, which has been achieved by designing the building with angled walls that allow the footpath network to be linked with the main school entrance. The use of painted render is different from the use of brick in the school buildings, although this is considered better than attempting a match with old brickwork. The proposed building is set back a considerable distance from the school boundary and will not affect the street scene. The proposals are therefore considered to be in accordance with policies CS02 and CS34 of the Core Strategy.

The distance from the school boundary means that the building would have less impact than the existing one on residential amenity, in terms of both its appearance and its use. The redirected footpath from Meadowfield Place is not considered to seriously affect neighbours. The proposals are therefore considered to be in accordance with policies CS02 and CS34 of the Core Strategy.

The submitted tree survey identifies the loss of an ornamental cherry outside the school entrance and limited impact on three trees to the south and east of the proposed building. The loss of the cherry, which appears to be a fine specimen, is regrettable. However, this tree is close to the school buildings and is well away from the boundaries; it is not considered to be of such worth to the character of the area that it should be retained in the face of a needed school facility. The hawthorn, oak and Norway maple that are affected by the access for construction and/or the new footpath are recommended in the tree survey for some reductions. The proposals are therefore considered to be in accordance with policy CS18 of the Core Strategy.

The site is within an area where surface water drainage can lead to flooding downstream. However, in this case the surface water would be disposed of to

soakaways and, given that the existing nursery drains to the sewer, the proposals will result in less water running straight to sewers and contributing to flooding elsewhere.

### **Equalities & Diversities issues**

The proposed accessible toilet is undersized and this should be brought to the applicant's attention.

### **Section 106 Obligations**

None.

### **Conclusions**

The proposed nursery building provides modern facilities that help to progress young children through their education and the proposals are considered to be in accordance with policy CS14 and Strategic Objective 9 in these respects. The proposals are not considered to raise any significant issues that would warrant resisting the development and it is therefore recommended that planning permission be granted subject to conditions.

### **Recommendation**

In respect of the application dated **26/04/2010** and the submitted drawings, **09697 EX 01A, 09697 EX02, 09697 SD04C, 09697 SD05C, 09697 SD06A, 09697 SD07A, 09697 SD08B, 09697 SD09A, 0200-LN01346-P2, tree survey, phase I study and phase II report, Hyder letter dated 22 April 2010, and accompanying design and access statement (revision A)**, 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.

### **SCHOOL AND STAFF TRAVEL PLAN**

(2) The nursery building hereby permitted shall not be occupied until an updated School & Staff Travel Plan (SSTP) has been submitted to and approved in writing by the Local Planning Authority. The said SSTP shall seek to encourage the use of 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 SSTP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation, the occupier shall operate the approved SSTP.

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 Core Strategy of Plymouth's Local Development Framework 2007.

#### REPORTING OF UNEXPECTED CONTAMINATION

(3) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

#### LANDSCAPE WORKS IMPLEMENTATION

(4) Within six months of the first use of the nursery building hereby permitted, the existing nursery building shall be removed from the site and the site reinstated in accordance with details to be submitted to and approved in

writing by the Local Planning Authority, and within the same time period all other hard and soft landscape works shall be carried out in accordance with the approved details or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### EXISTING TREE/HEDGEROWS TO BE RETAINED

(5) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first use of the nursery:

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with BS 3998:1989 (Recommendations for Tree Work).

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or is lopped or topped in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars (or in accordance with Section 9 of BS 5837:2005 (Guide for Trees in relation to construction) 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 areas within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

#### INFORMATIVE - SIZE OF ACCESSIBLE WC

(1) The applicant is advised that the accessible WC should be 2.2 metres by 2 metres, not 2.2 metres by 1.5 metres.

#### INFORMATIVE - TREE WORKS

(2) The applicant is advised that the following trees referenced in the submitted tree survey (hawthorn, 02474, and the oak, 02475), should have their lower branches removed on their south and west sides in order to give a clearance of 5m. The Norway maple, 02488, should have its lower crown raised on the south and west sides to give a clearance of 5m.

#### INFORMATIVE - SCHOOL TRAVEL PLAN

(3) The applicant is advised strongly that, as part of the School Travel Plan initiative, the school carry out a car parking survey around and in the nearby vicinity of the turning head and entrance to the school in Hooksbury Avenue, to establish the extent of any undesirable car parking associated with the school that might occur there, along with any associated safety concerns or necessary remedial action.

#### **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 character and appearance of the area, neighbours, trees, drainage/flooding and the promotion of new educational facilities, 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 and Supplementary Planning 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 Government Policy Statements and Government Circulars, as follows:

PPS23 - Planning & Pollution Control  
CS28 - Local Transport Consideration  
CS34 - Planning Application Consideration  
CS14 - New Education Facilities  
CS18 - Plymouth's Green Space  
CS02 - Design  
SO9 - Delivering Educational Improvements