



DEVELOPMENT CONTROL AND REGULATORY BOARD

12TH FEBRUARY 2015

REPORT OF THE CHIEF EXECUTIVE

**APPLICATION UNDER REGULATION 3 OF THE TOWN AND
COUNTRY PLANNING GENERAL REGULATIONS**

PART A – SUMMARY REPORT

APP. NO. & DATE:	2014/2401/02 (2014/REG3Mi/0228/LCC) – 4 th December 2014
PROPOSAL:	Lower ground floor refurbishment, single storey extension and over-cladding to the existing library building to create an admin/reception area. Creation of a new visitor parking area to the front of the building with a new pedestrian route alongside the existing access road and new external lighting.
LOCATION:	Longslade Community College, Wanlip Lane, Birstall (Charnwood Borough).
APPLICANT:	Leicestershire County Council
MAIN ISSUES:	Impacts upon residential amenity, impacts on existing sports facilities, highways and educational need.
RECOMMENDATION:	PERMIT subject to 15 no. conditions as set out in the appendix to the main report.

Circulation Under the Local Issues Alert Procedure

Mr. I. E. G. Bentley CC

Officer to Contact

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Background

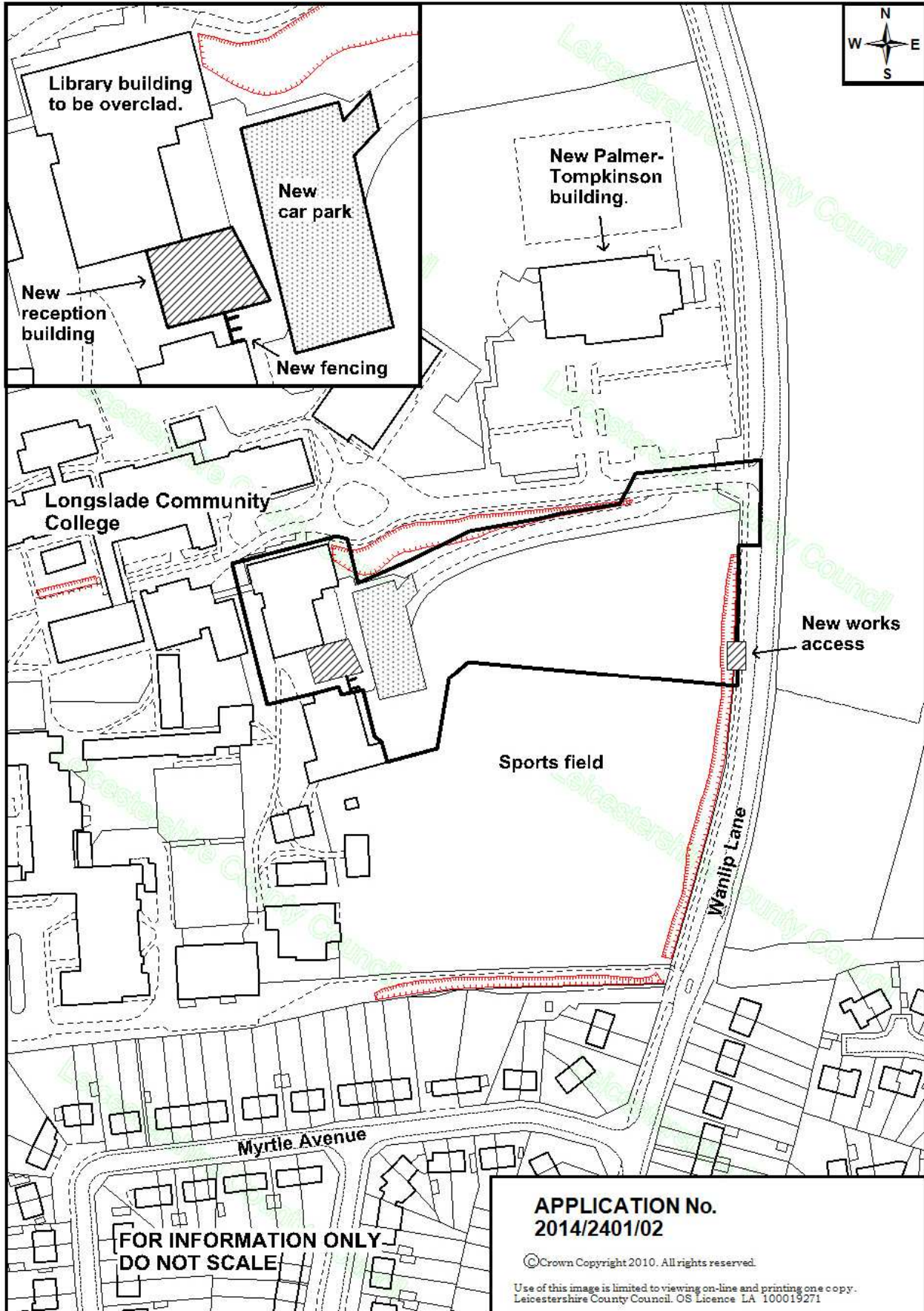
1. The Lionheart Academies Trust (LAT), who currently run Beauchamp College, Oadby, has recently also taken over the running of Stonehill High School, which shares the same campus with Longslade Community College. LAT has an agreement with Leicestershire County Council (LCC) that from April 2015, LAT will also take on Longslade Community College and will combine the Stonehill and Longslade schools to create one secondary school. The combined school will be known as The Cedars Academy.
2. The combining of the two schools has been considered and an indicative masterplan has been produced to show how the development may ultimately be achieved. This application is for a small part of the masterplan and affects the Longslade site only. As the Longslade site remains under the LEA control until April 2015, this particular proposal is considered to be a Regulation 3 application.

Location of Proposed Development

3. Longslade Community College lies at the northern edge of Birstall (within Wanlip Parish) and is accessed off Wanlip Lane which runs along its eastern boundary. The College shares a large campus with Stonehill High School, which has a separate access off Stonehill Avenue. The educational buildings of the school and college are located centrally within the site with playing fields to the east and west.
4. Agricultural land is located to the north of the site and housing along Myrtle Avenue immediately to the south. The Birstall Park and Ride is about 150 metres to the north west of the school.

Description of Proposed Development

5. This application is to provide a single storey extension and over-cladding to the existing library building to create an admin/reception area. It also proposes the creation of a new visitor parking area to the front of the building with a new pedestrian route alongside the existing access road and new external lighting.
6. The single storey extension would provide an additional 180m² of floorspace to be used as a new visitor reception block with ancillary office and meeting space. It would connect directly into the existing library building (Block E), which is also proposed to be internally refurbished (does not require express planning permission). The new visitor reception block will require an amendment to the internal access roads within the site to emphasise the route to the new reception. A new footway would be created alongside a new access road leading to the reception and an existing small car park in front of the new building would be extended to provide visitor and disabled parking spaces.
7. In creating the extended car park, it would be necessary to remove part of the playing field to the east of the school. Part of a football pitch is currently marked out in this area, which would be re-orientated to ensure that there was no loss



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of a formal sports pitch. Some of the grass area to be lost to the car park forms part of a steep bank that cannot be used for formal recreation, but about 300 square metres of level playing field would be lost.

8. The proposal also involves over-cladding the South and East elevations and part of the North elevation of the existing library building to improve the aesthetics of the approach to the school and to thermally improve the building. The applicant states that the newest building on the site, the 'Palmer Tomkinson' building, has been used to inspire the choice of materials in order to provide a unified aesthetic for the school when viewed from Wanlip Lane. Materials proposed include blue/grey render and cedar wood cladding with aluminium trim details.
9. Additional security fencing is also proposed to link the new proposed reception building to the existing building to the south (which is not affected directly by this application). This would prevent the public from accessing school buildings from the Wanlip Road direction other than through the new reception building.
10. Replacement and additional external lighting is proposed for the car parking area and access routes. It is also possible that in the future, the school may wish to have the new proposed signage back-lit, although such lighting has not formed part of this application.
11. A temporary works access is proposed to the site off Wanlip Lane, about 60 metres to the south of the existing main access. This would reduce potential conflict between works vehicles and pupils, staff and visitors on the site during the construction period. A section of hedgerow would be removed to create the temporary access, which would be replaced upon completion of the development.
12. The applicant has also submitted an extended Phase 1 Habitat Survey. This report recommends that additional bat and full badger surveys be carried out (a bat survey has subsequently taken place and a full badger survey is proposed ahead of any works taking place), that as many mature trees and hedgerows as possible be retained and that any vegetation clearance be outside the nesting season.

Planning Policy**National Planning Policy Framework (NPPF)**

13. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through when making decisions on planning applications. The NPPF identifies the three interdependent dimensions of sustainable development, namely the economic, social and environmental roles, and the need to balance economic growth with the protection and enhancement of the environment (including the minimisation of waste and pollution).

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14. Paragraph 72 states that ‘the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - give great weight to the need to create, expand or alter schools; and
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.’

15. Paragraph 74 states that ‘existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.’

16. Paragraph 118 states that ‘when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: (inter alia)
 - if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - opportunities to incorporate biodiversity in and around developments should be encouraged;
 - planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.’

Local Plan Policies

17. Saved Policy EV/1 of the Charnwood Borough Local Plan (adopted January 2004) seeks to ensure that new development achieves a high standard of design and safeguards residential amenity.

18. Saved Policy TR/6 seeks to ensure that traffic generated by proposed development on non-allocated sites would not result in unsafe and unsatisfactory operation of the highway system or have a significant adverse impact upon the environment. Where permission is granted, measures should be included to mitigate any harm caused and help reduce car use to and from development.

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19. Saved Policy ST/3 seeks to ensure (inter alia) that, where appropriate, on or off site facilities will be sought from developers to meet the recreational needs of the community.

Consultations

Charnwood Borough Council – Planning

20. No objection.

Environment Agency

21. No objection.

Leicestershire County Council – Landscape

22. No objection, but wishes to see a landscape scheme submitted in due course that provides for replacement trees in suitable locations. Also raises concerns about the possibility of any signage being illuminated.

Leicestershire County Council – Ecology

23. No objection, subject to the development taking place in accordance with the submitted bat survey and a condition being imposed requiring a badger survey ahead of any works taking place.

Leicestershire County Council – Highways Authority

24. No objection, subject to conditions including a request that ball netting be provided along Wanlip Lane to reduce the risk of footballs entering the public highway from the football pitch.

Sport England

25. Originally objected due to the loss of formal playing field, but have since removed their objection as a significant proportion of the playing field to be lost was a bank that was actually unusable for formal sport. In addition, Sport England considers that the provision of a new formal entrance, including parking, is essential to secure a successful amalgamation of the two existing schools into one and the provision of parking in the right place will assist the school to offer visitor access to the east and west playing fields.

Publicity

26. The application was advertised by means of site notices posted on 4th December 2014. In response, one representation has been received. The representation does not raise an objection, but raises concerns about future developments at the site that may see the Wanlip Lane access promoted over the Stonehill Avenue entrance. The representation states that the Stonehill Avenue access provides distinctly better connectivity and travel times to the

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catchment area and being accessed via low speed estate roads is clearly a safer route than Wanlip Lane. Also wishes to see the Academy [Lionheart Trust] reminded of the need in future years to improve this link as well as delivering improved connections to the A6 via cycleways.

Assessment of Proposal

27. The starting point for the assessment of this application is the Development Plan and other relevant planning policies. In this case the constituent parts of the development plan are detailed in paragraphs 17 to 19 above.
28. This application is for a relatively small new single storey building to provide new visitor reception and ancillary office accommodation. It is also proposed to over clad an existing building to improve its aesthetics and improve energy efficiency. Improvements are also proposed to the internal vehicular arrangements and an extended car park would also be created. The creation of the car park would mean the loss of a small section of an existing playing field to the east of the school, although no formal pitches would be lost.
29. It is considered that the design of the proposed developments at the school are acceptable and in conformity with EV/1 of the Charnwood Local Plan. The new building would be single storey, well distanced from Wanlip Lane and seen against the backdrop of generally much larger buildings. The proposed cladding would improve the visual aesthetics of the current library building and be similar to the external materials used in the recent Palmer-Tompkinson building on the campus.
30. The proposed internal vehicular arrangements and new car park would better segregate on-site traffic movements from other site users and make accessing the site as a visitor more legible. The additional car parking outside the new reception building would improve the current facilities and allow for better access to the existing sports facilities. There are no proposals to increase pupil or staff numbers as a result of this application.
31. A new access would be provided to the south of the existing access off Wanlip Lane to provide access to a designated works compound. This would minimise the potential for conflict between staff, pupils and visitors and the builders' vehicles needed on site, but would require the removal of a small section of hedgerow fronting Wanlip Lane. It is considered that the benefits of having a separate works compound outweigh the relatively minor impacts on the hedgerow.
32. While there would be a minor loss of playing field, this would not impact on the quantity or quality of the existing formal playing fields on the campus. Sport England is satisfied that the loss of playing field is outweighed by the improved access arrangements for the wider community. While the Highway Authority (HA) wishes to see ball netting erected along the side of the pitch closest to Wanlip Lane, the realignment to the existing football pitch to make room for the new car park would actually take the pitch further from Wanlip Lane. It is considered that the request from the HA in this instance is unreasonable and such netting would have other impacts, such as on the existing street scene.

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33. There would be the loss of a small section of hedgerow along Wanlip Lane and one tree close to the existing site access. It is considered that a condition requiring a scheme to provide for replacement planting can mitigate these impacts over the longer term and that the impacts are in themselves not unacceptable.
34. The ecological impacts have been assessed and no objections have been raised. Subject to appropriate conditions it is considered that the development proposed would not have an unacceptable impact on protected species in and around the site.

Conclusions

35. The new building would be relatively small and seen against the backdrop of much larger school buildings. The new cladding to the existing library building would improve both the aspect of that building from Wanlip Lane and its energy efficiency.
36. The changes to the vehicular layout, lighting and car parking would benefit the site's users and provide parking for both school and community sports users. The minor loss of playing field is considered acceptable in these circumstances.
37. The existing Stonehill Academy and Longslade College are to join as one Academy in April 2015. It is planned that the two schools merge soon thereafter to create one large educational establishment. The developments proposed under this application are relatively small and form one aspect of potentially larger developments at the site post April 2015. There are no objections to the current proposal from statutory consultees and it is considered that the proposal, subject to conditions, does not conflict with the Development Plan.

Recommendation

1. PERMIT Application 2014/2401/02, subject to the conditions as set out in Appendix C.
2. To endorse, as required by The Town and Country Planning (Development Management Procedure) Order 2010 (as amended), a summary of:
 - a. How Leicestershire County Council worked with the applicant in a positive and proactive manner:

In dealing with the application and reaching a decision account has been taken of paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions

1. The development hereby permitted shall be commenced within three years of the date of this permission.
2. The development hereby permitted shall only be carried out in accordance with the details contained in the documents accompanying planning application no. 2014/2401/02 and drawing nos.
 - Covering letter from GSS Architecture dated 3rd November 2014;
 - (SK) 03 Rev B dated 25th September 2014;
 - (SK) 04 (undated);
 - (SK) 05 Rev B dated 8th October 2014;
 - (SK) 06 Rev A dated 8th October 2014;
 - (SK) 07 dated 23rd October 2014;
 - (SK) 08 (undated);
 - Extended Phase 1 Habitat Survey prepared by Lockhart Garratt Ltd dated September 2014;
 - 141200/E/2251 Rev I3 dated October 2014;
 - PDF document entitled 'External Light Fittings Information';
 - S 01 'Site Location Plan' dated 8th October 2014;
 - E02 'Proposed Drainage Plan' Rev A dated 24th October 2014;
 - Bat Survey Report prepared by Lockhart Garratt dated December 2014;
 - Expanded Statement on Playing Fields submitted by email from Tom Jagger dated 6th January 2015; and
 - Three Emails from Tom Jagger of GSS Architecture dated 6th January 2015 relating to Ecology Comments, Highway Observations & Sport England's Holding Objection.

Landscaping and trees

3. Before the development authorised by the permission is commenced including site works of any kind, a detailed landscaping scheme showing the treatment of all parts of the site (to remain un-built upon) shall be submitted to and agreed in writing by the County Planning Authority. The scheme shall include details of:
 - i) the position and spread of all existing trees, shrubs and hedges to be retained or removed;
 - ii) new tree and shrub planting, including plant type, size, quantities and locations;
 - iii) means of planting, staking and tying of trees, including tree guards;
 - iv) other surface treatments;
 - v) fencing and boundary treatments;
 - vi) any changes in levels;
 - vii) replacement hedgerow following cessation of use of the proposed temporary access, including plant types, sizes and quantities; and
 - viii) the provision to be made for the management and maintenance of existing vegetation on the application site.

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4. The approved landscape scheme approved under condition 3 shall be carried out in accordance with a programme of implementation to be first agreed in writing by the County Planning Authority. All planted material shall be suitably maintained and replaced as necessary by the applicant or owners of the land at the time for a period of not less than 10 years from the date of planting.
5. Before the development hereby permitted is commenced, including site works of any kind, existing trees, shrubs or hedges to be retained under the provisions of condition nos. 3 and 4 above shall be protected by fences erected at a distance equivalent to not less than the existing spread of the branches from the trunk, in accordance with details to be agreed by the County Planning Authority. No materials whatsoever shall be stored, rubbish dumped, fires lit or buildings erected within these fences; no changes in ground level shall be made within the spread of any tree, shrub or hedge without the previous written consent of the County Planning Authority. If any trenches for services are required in the fenced off area(s), they/it shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 5 cms. or more shall be left un-severed.
6. Details of siting, design and appearance of all fencing to be erected on the site shall be submitted to and agreed in writing by the County Planning Authority before development commences. All fencing erected on site shall be in accordance with the agreed scheme.

External Signage

7. No illuminated signage shall be erected unless and until details of such signage have been agreed in writing by the County Planning Authority.

Transportation and Access

8. Before the proposed development is first brought into use, the replacement car parking facilities shown on drawing no. (SK) 05 Rev A shall have been provided, hard surfaced, marked out and made available for use. Once provided these facilities shall thereafter be permanently so maintained and available for use.

Ecology

9. Prior to the commencement of the development, a full Badger Survey shall be undertaken in accordance with the recommendations contained in the Extended Phase 1 Habitat Survey document dated September 2014.

Drainage

10. Prior to the first use of the development hereby approved, the drainage scheme set out on drawing no. E02 Rev A dated 24th October 2014 shall be completed and thereafter maintained for the life of the development.

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Playing Fields

11. Prior to the first occupation of the school building hereby permitted, the playing field between the school and Wanlip Lane shall be marked out and available for use in accordance with drawing number (SK) 05 Rev A dated 8th October 2014.

Limitations on Use

12. The development hereby permitted, including the car parking area, shall only be occupied for purposes in connection with, or ancillary to, educational activities on the site and for no other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any other Order revoking or re-enacting that order).

Construction Works

13. All external site preparation, movement of materials and machinery and construction and demolition works within the site in connection with the approved development, shall only take place between 07:30 – 17:30 hours (Monday to Friday) and 08:00 – 14:00 hrs on Saturdays. No such activities shall take place at any time on Sundays or Statutory Public or Bank Holidays.
14. All site cabins to be placed on the site during the construction period shall be single storey only and all cabins shall be removed from the site prior to the first use of the new school.
15. Before any development commences on site, the developer shall make provision at any access from the site for the wheels of vehicles to be cleaned before leaving the site to prevent the deposit of mud and detritus on the public highway.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990.
2. For the avoidance of doubt and to ensure the development is carried out in accordance with the approved scheme.
- 3&4. To safeguard the appearance of the school and appearance of the locality.
5. To ensure that proper steps are taken to safeguard the existing vegetation during the course of construction.
- 6,7 &14. In the interests of local visual amenity.
8. To ensure that suitable off street parking is provided within the site.

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9. To ensure that possible impacts upon badgers are fully assessed and mitigated prior to the commencement of development.
10. To ensure that adequate surface drainage is provided within the development.
11. To ensure that adequate replacement formal playing fields are provided at the school.
12. To ensure that the use of the premises remains compatible with the existing development in this locality and to enable the County Planning Authority to assess the impact of any alternative or additional uses, particularly on the amenities of the nearest residential properties.
13. In the interests of local amenity.
15. In the interests of highway safety and local amenity.

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the following applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equal opportunities implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the County Council's Human Resources Department if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

Section 70(2)	:	determination of applications;
Section 77(4)	:	called-in applications (applying s. 70);
Section 79(4)	:	planning appeals (applying s. 70);
Section 81(3)	:	provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
Section 91(2)	:	power to vary period in statutory condition requiring development to be begun;
Section 92(6)	:	power to vary applicable period for outline planning permission;
Section 97(2)	:	revocation or modification of planning permission;
Section 102(1)	:	discontinuance orders;
Section 172(1)	:	enforcement notices;
Section 177(2)	:	Secretary of State's power to grant planning permission on enforcement appeal;
Section 226(2)	:	compulsory acquisition of land for planning purposes;
Section 294(3)	:	special enforcement notices in relation to Crown land;
Sched. 9 para (1)	:	minerals discontinuance orders.

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