

**DEVELOPMENT CONTROL AND REGULATORY BOARD****23rd MAY 2019****REPORT OF THE CHIEF EXECUTIVE****COUNTY MATTER****PART A – SUMMARY REPORT**

APP.NO. & DATE: 2018/2083/03 (2018/REG2Mi/0236/LCC) – 11.02.2018.

PROPOSAL: A new 2-storey classroom block, providing 6 classrooms, male and female WCs to each floor, disabled/staff WC, hygiene room and plant room on the ground floor and a small group room, stair and lift access to the first floor. Minor internal alterations in the existing school will take place to re-organise the staff and entrance areas and restore a production kitchen facility. The car park and the hard play area will be extended.

LOCATION: Fernvale Primary School, Somerby Road, Thurnby.
(Harborough District Council)

APPLICANT: Willmott Dixon Construction on behalf of Leicestershire County Council.

MAIN ISSUES: Parking, Traffic, Amenity

RECOMMENDATION: PERMIT subject to conditions as detailed in the appendix to the main report.

Circulation the Under Local Issues Alert Procedure

Mr. S. J. Galton CC

Officer to Contact

Katie Ferguson (Tel. No. 0116 305 7325)

Email: planningcontrol@leics.gov.uk

PART B – MAIN REPORT**Background**

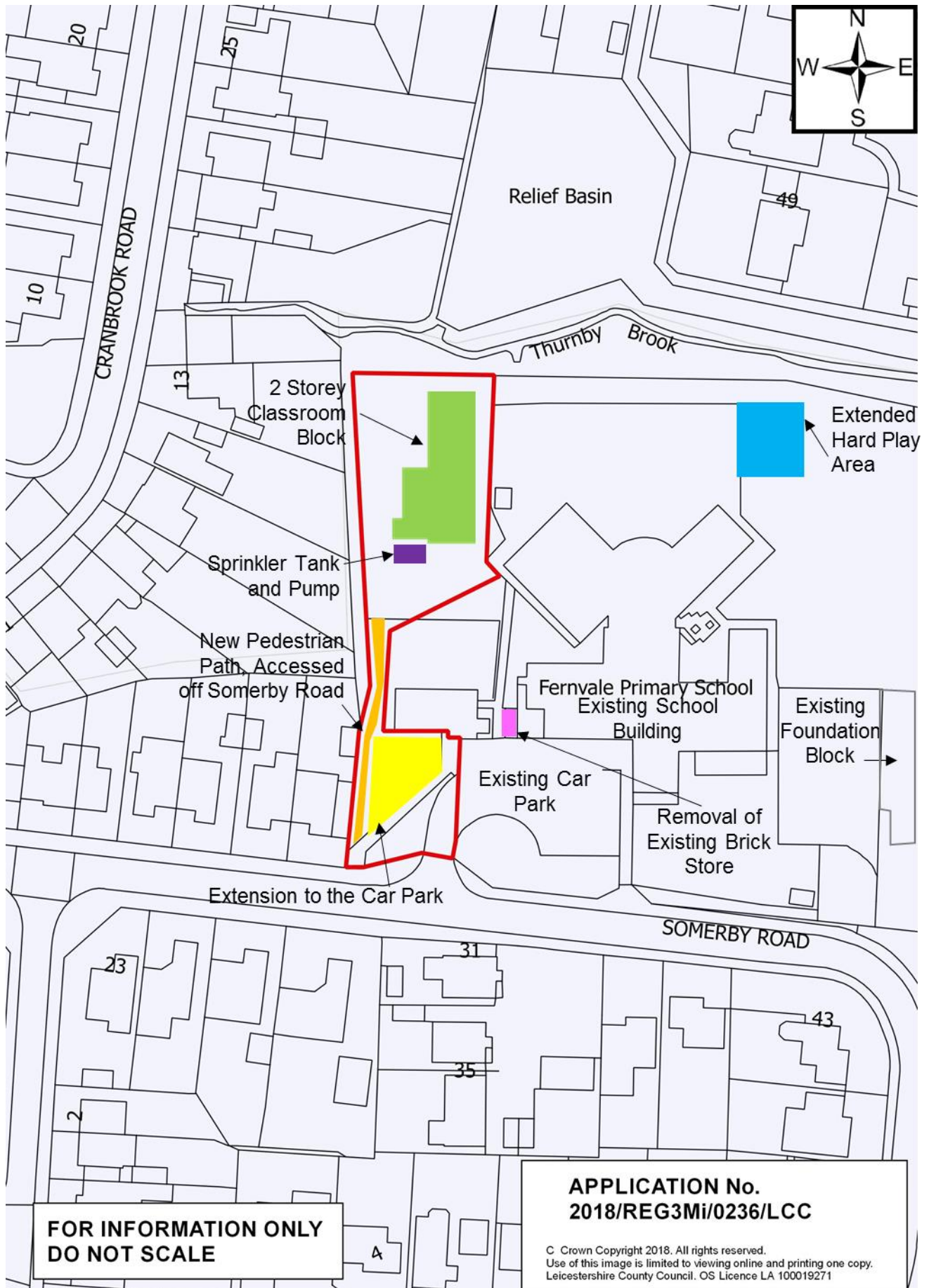
1. Planning permission was granted by Leicestershire County Council in May 2011 (reference 2011/0493/03) for a proposed two classroom extension building and associated external works. In July 2017 permission was granted by Harborough District Council for the erection of a permanent modular pre-school building and associated works. In January 2018 Harborough District Council granted permission to change the use of the caretaker bungalow from residential to school use.
2. Fernvale Primary School currently has 270 pupils. As part of the Local Authority's long-term strategy the pupil numbers would be increased to accommodate 420 pupils.

Location and Description of Site

3. Fernvale Primary School is located north of Somerby Road, Thurnby in a predominantly residential area. The school site is bound to the north by established trees and Thurnby Brook, to the east by Pulford Drive, to the South by Somerby Road from where vehicular and pedestrian access to the site is obtained and to the west by residential dwellings off Cranbrook Road.
4. The school site consists of the original single storey school building located slightly westward of a central position within the wider school site, the caretaker's bungalow to the west of the original building and the modular pre-school building to the east of the main school building, on the south west corner of the playing field. There is a hard-playing field to the north of the existing school buildings and a large playing field to the east. There is a car park to the south of the school building at the front of the site. There are a number of trees of varying ages on the school site located both around the site boundary and close to the existing school buildings.

Description of Proposal

5. The proposed development is for a 2-storey classroom block consisting of the following elements: six classrooms, male and female WCs, disabled/staff WCs, hygiene room, stair and lift access to floor one and a plant room. The proposed classroom block would have a ramped entrance, covered with a canopy, which is accessed from the existing playground. The proposed 2 storey building would be accessed by a new pedestrian path which connects with the existing pedestrian access off Somerby Road. In addition, there will be some re-organisation of the existing school building including: a new studio space formed from an existing classroom, an enlarged staff room, a new reception area, a refurbishment of the existing kitchen to re-instate a production kitchen and a small flue required to the



roof above for mechanical air extraction. Part of the proposal also includes the removal of the existing brick store building located between the bungalow and existing school.

6. A sprinkler tank and pump are also part of the proposed development. It is proposed that the sprinkler tank and pump will be located to the south of the proposed six classroom block and is located within a timber enclosure, measuring approximately 8.5m x 5.4m
7. As part of the proposed development the hard play area would be extended by approximately 134m² to the east of the existing basketball court.
8. The proposed six-classroom block would be located in the north west corner of the school site which is currently overgrown and used as the school garden. The polytunnel and planters associated with the garden will be relocated. The proposal does not encroach on the playground or the school playing field.
9. The overall shape of the six-classroom block is a backwards L. The main part of the proposed development is rectangular in shape, with the width equating to 9.6m and the length 15.3m. The additional area has maximum measurements of approximately 7.7m width by 13.8m in length. The maximum height of the six-classroom block is 7m. All classrooms within the proposed development face into the school site and the minimal window areas facing the boundary will have obscure glazing.
10. The proposed development includes the implementation of two new fences. A new 1.9m close boarded timber or metal security fence will run along the boundary with existing houses on Cranbrook Road. In addition, a new 0.9m timber picket fence is proposed to follow the pathway.
11. The materials of the proposed development would consist of:
 - Walls - buff brick ground floor, white render to upper storey with areas of cedar cladding.
 - Canopy - dark grey powder coated aluminium.
 - Roof - flat roof with singly ply membrane covering.
 - Windows - grey aluminium.
 - Doors - grey aluminium/glazing.
 - Boundary treatments - close boarded timber.
12. The existing car park would be altered to create 13 additional spaces to cater for the new teaching staff, in accordance with the County Council's design guide. It is proposed that the car park would be extended to the west, by creating an additional hard standing area of 568m², the hard standing proposed would be a new porous hard surface, constructed of porous asphalt. Further parking spaces are proposed to be available by creating new porous

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asphalt in the south-east of the existing car park. In addition, four of the 13 new parking spaces would be provided by doubling up, (where additional spaces are created by blocking other parking spaces); these spaces would be managed by the school.

13. The proposal would result in an increase of nine full time staff members, six full time teachers and three full time teaching assistants.
14. To facilitate the development, it would be necessary to undertake the removal of five trees: one Purple Leaf Plum and one Red Oak, both of high quality and both located on the northern boundary of the school site; one Dogwood of moderate quality, located at the pedestrian entrance; one Oak of high quality and one Apple of moderate quality, both located to the west of the existing school building.
15. A Transport Statement has been submitted with the application, it concluded that the existing sustainable travel facilities in close proximity to the Fernvale Primary School site are considered to be suitable, facilitating access to the site from the surrounding residential areas and providing pupils, parents/carers and staff options to make journeys on foot, by bike or by public transport. Fernvale Primary School also has a travel plan in place.
16. An Ecological Report has been submitted with the application, which concluded that there are no endangered species within the development site.

Planning PolicyDevelopment Plan

17. The Harborough Local Plan (adopted April 2019) – Policy GD8 Good design in development, developments will be permitted where it achieves a high standard of design. Policy IN2: Providing Sustainable Transport, seeks to maximise the use and efficiency of existing transport facilities and where necessary provide mitigating measures to deal with the impacts of development on the transport network.

National Policy

18. The National Planning Policy Framework (NPPF) provides the government's policies for the delivery of sustainable development through the planning system. In paragraph 11 it advocates a presumption in favour of sustainable development, and for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly

and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

19. Paragraph 94 of the NPPF states that it is important that a sufficient choice of school places are 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 through the preparation of plans and decisions on applications; and work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Consultations

20. **Harborough – Planning:** It appears that the building is sited far enough away from the neighbouring properties on Cranbrook Road to not have an overbearing impact. However, the main school building is single storey as are the nearest properties on Somerby Road. The impact of this proposed two storey building on the character and appearance of the street scene should be considered.
21. **Leicestershire County Council – Landscape:** The proposals will be fairly well screened from adjacent properties and will not have a major adverse visual impact on the surrounding landscape. The existing mature trees and hedgerow vegetation on the site and particularly along the western boundary of the school, provide a valuable screen, have amenity value, provide valuable wildlife habitat and should be retained wherever possible, and protected throughout the construction works. Any trees lost as a result of the proposed development should be replaced with appropriate species of suitable size and in agreed locations. A detailed landscape scheme showing a specification for replacement tree planting covering earthworks, size, species, including protection and aftercare is expected. The revised plans submitted by the applicant received the following comments - The revised car park layout proposed along the southern boundary of the school will encroach further into the Root Protection Area (RPA) certain trees. Therefore any works required, including excavation within the RPA and within the tree canopy, shall be kept to a minimum and carried out by hand to minimise damage to the tree's vital root system and to avoid compaction of the soil. Furthermore, any tree roots encountered with a diameter of 5 centimetres or more shall be left un-severed.
22. **Leicestershire County Council - Highway Authority:** The residual cumulative impacts of development can be mitigated and are not considered severe, subject to conditions relating to a construction traffic management plan, the implementation of parking and turning facilities; and an updated School Travel Plan.
23. **Leicestershire County Council – Ecology:** The survey submitted as part of the application indicates that no protected species are likely to be impacted by the development and we would therefore recommend that the applicant's attention is

drawn to the recommendations on the site. Therefore, no objections to the application.

24. Thurnby and Bushby Parish Council: Supports the proposal.

Publicity

25. The application was publicised by neighbour notification letters dated 6th December 2018 and site notices dated 7th December 2018.

Representations Received

26. Seven representations have been received objecting to the proposal, on the following grounds:

- The increase of traffic and congestion;
- Inadequate road infrastructure;
- Parking – relating more specifically to individual concerns:
 - Teacher parking;
 - Pick up and drop off;
 - After school / out of school activities;
 - Construction parking;
- Location of the six-classroom block;
- Wildlife / ecology concerns;
- Visual amenity;
- Character of the new development in relation to the existing school building;
- Construction impact – drainage, pollution and flooding into Thurnby Brook;
- Noise and disruption;
- Soil spilling and subsidence impact on neighbouring properties;
- Lack of playground facilities for increased pupils, resulting in more noise if playtime is staggered and not meeting the needs of the pupils.

Assessment of Proposal

Principle and Location of Development

27. The proposed development at Fernvale Primary School is required to meet the Local Authority's long-term strategy to enlarge the school to accommodate 420 pupils. This is proposed to be achieved by re-organising the existing school and constructing a new standalone 2-storey building, providing six classrooms and ancillary spaces.

28. The proposed development would be located in the north west corner of the school site which is currently overgrown and used as the school garden. The proposed 2 storey building would be accessed by a new pedestrian path which

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connects with the existing pedestrian access off Somerby Road. The proposal is fairly well screened to the north and west by hedgerows and mature trees from adjacent properties, although there are some gaps in the treeline along the north-western boundary. The positioning of the proposed classroom block has been chosen to provide effective links with the existing school building so it can be directly accessed from the playground. A concern was raised from a representation about the location of the proposed six-classroom block.

29. The location chosen for the proposed classroom block does not conflict with the existing school playing field and is easily accessible from the existing school building, and therefore is considered acceptable.

Landscaping

30. As part of the development, five trees will be removed, two located on the northern boundary of the school site, one located at the pedestrian entrance, and two located to the west of the existing school building. While the loss of trees is regrettable, it is possible to mitigate against the loss by requiring replacement tree planting and additional landscaping, secured by planning condition. This would also improve the amenity and biodiversity of the school site. The landscaping scheme would need to address gaps in the treeline along the north-western school boundary which would help further screen the proposed development from nearby properties. A representation raised a concern about the visual impact. A proposed landscaping scheme could help improve the visual amenity of the school and provide a valuable screen for the development.
31. The proposed development would be in close proximity to existing trees which are to be retained. It is considered that a condition should be imposed requiring the root protection areas of all trees in close proximity of the works (as identified in the tree survey) in accordance with BS 5837: 2010 'Trees in Relation to Design, Demolition and Construction Recommendations'. Any works to the trees should also be controlled by condition. Subject to the control of the above vegetation protection matters and a landscaping scheme, it is considered that the development would be considered acceptable.

Highways and Parking

32. The existing traffic and parking issues at Fernvale Primary School are the main concern for local residents living nearby; including the reported discourteous behaviour by parents, teacher parking and the potential for the proposed development to add to the busy periods at the start and end of the school day, and for after of school activities. A concern was also raised about an inadequate road infrastructure. The development is likely to result in an increase in the number of parents dropping off children outside the school which could potentially cause congestion and disturbance for local residents. This has to be balanced against the benefits of providing additional education facilities which would be of benefit to the wider community. In order to reduce the impact on

residents, it is recommended that the school be required to update its travel plan to alleviate parking problems surrounding the school by seeking to encourage more sustainable modes of transport and reducing reliance on car use.

33. The Highway Authority considers that the residual cumulative impacts of the proposed development can be mitigated and are not considered significant subject to conditions relating to a construction traffic management plan, parking and turning facilities and an updated travel survey. An updated travel plan would encourage travel by sustainable modes to and from the primary school site. Therefore, the proposal would be acceptable in accordance with Policy IN2, Providing Sustainable Transport of the Harborough Local Plan.
34. The proposal includes the expansion of the car parking facilities, providing for an additional 13 spaces to cater for the projected increase in teaching staff. The existing car park would be extended at the western end to accommodate these spaces and would result in the loss of one tree as detailed above. The level of parking proposed satisfies the requirements of the County Council's design guide and is therefore, considered to be satisfactory. Subject to the control of the above parking provision it is considered that the development would be in accordance with the school parking requirements included in the County Council's design guide.
35. Representations raised concerns over construction parking and impact. In order to limit the construction impacts conditions are recommended that will limit the times of construction works, deliveries and movement of materials and machinery and that any vehicles associated with the construction shall be parked within the school site. These conditions would help mitigate the impacts of the construction traffic by reducing the potential conflicts of movements at peak times when pupils are arriving at, or departing from, the school premises. Subject to conditions controlling construction work times, deliveries, movement of materials and machinery and parking, the development is considered acceptable.

Materials and Design

36. The existing main school building consists of a buff brick single storey steel frame flat roof structure built in the late 1960s and has white aluminium windows and door frames. The foundation block (added in 2017) has areas of Western red cedar vertical cladding and white steel cladding panels with dark grey powder coated aluminium window and door frames. The proposed classroom complements the existing school buildings with matching buff brick as the main facing material on the ground floor of the classroom block. The upper storey of the extension is to have a contemporary appearance that will match the new foundation block, with a white facing material with areas of western red cedar cladding. The external doors and frames, window frames and entrance canopy will have a dark grey powder coated aluminium finish to match the new

foundation block. The materials for the proposed classroom block will complement the existing school buildings and therefore is considered acceptable

37. To reduce the impact on neighbouring properties that back onto the western boundary of the school site and the established street scene and character of the neighbouring residential areas, the classroom block is compact with a flat roof to keep the overall height to a minimum. In addition, the classrooms within the building are located on the eastern side of the building, furthest away from the residential properties. To protect residential amenity and privacy it is recommended that a condition is imposed for the windows on the western side of the proposed development to be obscured glass. In addition, the existing screening and additional planting would also reduce the impact on neighbouring properties and the established street scene.
38. The building has been designed to complement the existing school buildings, and subject to the windows on the western side of the proposed development being obscured, it is considered that the development is in accordance with Policy GD8 of the Harborough Local Plan.

Ecology

39. An ecological appraisal has been carried out as part of the application, which identified that there are no protected species located within the application site. The majority of buildings on site were assessed as having negligible potential for supporting roosting bats, with one building assessed as having moderate bat roost potential. None of the trees within the site are considered to support bat roosts. The scattered trees, hedgerow and ornamental planting may provide nesting and foraging opportunities for birds, with woodpigeon, magpie and great spotted woodpecker present during the survey. There was no evidence of badgers within the site. The report makes a number of recommendations to minimise the impact of the development and these will be brought to the applicant's attention.

Conclusion

40. It is considered that the proposed development is satisfactory and that the requirements of the development plan mentioned above have been met. The proposed classroom block is well located in relation to the main school building. Subject to conditions, the proposed development and associated works would not have a significant impact on the local environment or amenity of the area and no protected species would be affected.

Recommendation

1. PERMIT subject to the conditions, as set out in the appendix.

2. To endorse as required by the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) a summary of 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 paragraph 38 of the National Planning Policy Framework.

Appendix**Conditions****Commencement**

1. The development hereby permitted shall commence within three years of the date of this permission.
2. The development shall be carried out in accordance with the following plans and documents; unless otherwise specified by other conditions attached to this permission.
 - Application form dated 11.01.2019
 - Site location plan, drawing number 100, revision A, dated 13.02.19;
 - Proposed site plan, drawing number 101, revision C, dated 06.02.19;
 - Proposed 6 classroom block plans, drawing number 110, revision A, dated 30.01.19;
 - Proposed classroom block elevations, drawing number 150, revision A, dated 30.01.19
 - Planning, Design & Access Statement, dated 'Revised 11.02.19', project no. L1838;
 - Transport Statement, Project 18-0600, dated 19.10.18;
 - Fire Tender Access Plan, drawing number 102, scale 1:200;
 - Fernvale Primary School Ecology Report, dated August 2018;
 - Fernvale Primary School Tree Survey UPRN 508, dated October 2018,
 - Topographic Survey, drawing number 8512Ferndale, dated 20th August 2018.

Construction Works

3. All site preparation and construction works, deliveries of and movement of materials and machinery, in connection with the approved development, shall only take place between 0730-1800 hours Monday to Friday and 0730-1300 hours on Saturdays. No such activities shall take place at any other time on Saturday or Sundays or Statutory Public or Bank Holidays. There shall not be any work carried out under floodlights on the construction site.
4. Notwithstanding the provisions of condition number 3 above, deliveries of materials or plant/machinery to and from the site shall not take place between 0800-0930 hours or 1400-1600 hours on any school day.

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5. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the County Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Car Parking Facilities

6. The development hereby permitted shall not be used until the parking and turning facilities have been implemented in accordance with the details shown on the Proposed site plan, drawing number 101, revision C, dated 06.02.19. Thereafter the onsite parking provision shall be so maintained and kept available for use.

Materials and Finishes

7. All windows on the western side of the development shall be obscured privacy glass.
8. The development hereby permitted shall be constructed in accordance with the schedule of materials as set out below:
 - Walls - Buff brick ground floor, White render to upper storey with area of cedar cladding;
 - Roof - Flat roof with singly ply membrane covering;
 - Windows and Doors - Grey aluminium
 - Canopy - dark grey powder coated aluminium;
 - Boundary Treatments - Close boarded timber.

Landscaping

9. Prior to the completion of the construction works, a landscaping scheme (showing a specification for replacement tree planting covering earthworks, size, species, protection and aftercare) shall be submitted to and agreed in writing with the County Planning Authority. The scheme shall include details of new tree planting on the site to replace those lost as a result of the development plus additional planting to fill gaps in the planting along the western boundary of the school site

Tree Protection

10. Prior to construction works, any trees to be retained within the extent of works, should be adequately protected with adequate temporary fencing in accordance with the provisions of BS 5837, 2012: 'Trees in Relation to Design, Demolition and Construction - Recommendations', and with reference to the root protection areas shown on the submitted tree survey.

Travel Plan

11. No part of the development hereby permitted shall be first occupied until an updated School Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the County Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, and to enable the County Planning Authority to review the position at the end of this period.
2. To ensure a satisfactory form of development.
3. To minimise the impact of the construction works on the surrounding area, and to minimise the impact on the amenities of nearby residents.
4. In the interests of highway safety and to avoid conflicts of movements at times when pupils are arriving at, or departing from, the school premises.
5. To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.
6. To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety.
7. To protect the privacy of local residents.
8. To ensure a satisfactory external appearance.
9. To ensure that the landscaping scheme is implemented as soon as possible and that the planting becomes established.
10. To ensure that important trees on the site are protected during the construction of the development.
11. To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2019).

Note to the ApplicantEcology

1. The Applicant's attention is drawn to the recommendations contained in section 4 of the Fernvale Primary School Ecology Report, dated August 2018.

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