



**Leicestershire
County Council**

DEVELOPMENT CONTROL AND REGULATORY BOARD

13th FEBRUARY 2020

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

APP.NO. & DATE:	2020/0012/03 (2020-VOCM-0001-LCC) – 06.01.2020
PROPOSAL:	Variation of condition 3 of planning permission 2018/2083/03 to seek permission for weekend working at Fernvale Primary School.
LOCATION:	Fernvale Primary School, Somerby Road, Thurnby. (Harborough District Council)
APPLICANT:	Leicestershire County Council.
MAIN ISSUES:	Noise and Highways.
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

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PART B – MAIN REPORT**Background**

1. Planning permission was granted by Leicestershire County Council in May 2011 (reference 2011/0493/03) for a 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. Planning permission (reference 2018-2083-03) was granted in September 2019 by Leicestershire County Council for a two-storey classroom block and a sprinkler tank on the north-western part of the school site to the west of the existing school building, internal alterations and extensions to the existing car park.

Location and Description of Site

2. 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 on Cranbrook Road.
3. The school site consists of the original single storey school building located slightly westward of a central position within the wider school site, the former 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-play area 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

4. The proposal is to vary condition 3 of planning permission 2018/2083/03 to seek permission for weekend working at Fernvale Primary School.
5. The proposal seeks the variation to allow weekend working on two weekend occasions to allow for the works associated with the construction of the new standalone 2-storey building, providing six classrooms and ancillary spaces, which was granted planning permission in September 2019 (reference 2018-2083-03). The works relating to the delivery and installation of the modular classroom block is proposed to be undertaken during February half term week, when Fernvale Primary School will be closed. The proposal to allow weekend

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working would only be used should adverse weather affect working conditions and prevent the operation of the crane during half term week. Weekends that could be affected are February 29th/1st March and 7th/8th March.

6. The proposed variation of condition 3 of planning permission 2018/2083/03 proposes working hours from 0800-1600, weather and light permitting, but it is proposed that the crane would be on site at 0700 to start rigging.
7. No road closures are required for the weekend working, or for the operation of the crane.

Planning PolicyDevelopment Plan

8. The Harborough Local Plan (adopted April 2019)
 - Policy GD8 (Good Design)

National Policy

9. Paragraph 94 of the National Planning Policy Framework 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 school's promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Consultations

10. **Harborough – Planning:** No objection.
11. **Leicestershire County Council - Highway Authority:** No objection.
12. **Thurnby and Bushby Parish Council:** Support the application.

Publicity

13. The application was publicised by neighbour notification letters dated 7th January 2020 and site notices dated 8th January 2020.

Representations Received

14. One representation was received in relation to the application. The representation objected to the proposal due to already having to endure noise and vibration associated with building works.

Assessment of Proposal**Principle and Location of Development**

15. The proposal is to vary condition 3 of planning permission 2018/2083/03 to seek permission for weekend working at Fernvale Primary School. The variation would allow weekend working, on a maximum of two occasions, to allow for the delivery and installation, by crane, of the two-storey standalone modular classroom block, granted planning permission in September 2019 (reference 2018-2083-03).
16. The delivery and installation of the classroom block is undertaken by crane, and for health and safety reasons it is not possible for this to be carried out during school operating hours. The works associated with craning in the modular classroom block are proposed to be completed during February half term week, whilst the school is closed. However, if there are adverse weather conditions during the half term week the operations will not be able to be undertaken, as winds over approximately 20mph will impact the use of the crane. Due to the time of year the crane will be operated, the proposal of weekend working on two occasions (February 29th/March 1st and 7th/8th March) provides the opportunity to still deliver and install the crane and modular classroom block outside of school hours.

Highways and Parking

17. Road closures are not required as part of the proposal for weekend working, however, should weekend working be required vehicle parking will be restricted at the school entrance, which will be managed via the construction company, Willmott Dixon through a leaflet drop. The area for the restrictions would be directly outside of the school entrance and east along Somerby Road. The Local Highway Authority raised no objections to the proposal and therefore the proposal is considered acceptable in line with development plan policies.

Noise and Vibration

18. The proposal is to vary condition 3 of planning permission 2018/2083/03 to allow for weekend working, on a maximum of two occasions. The proposal has been applied for as a fall-back option should the weather adversely affect the use of the crane during February half term. The proposal does not include any additional construction and the proposed hours would be from 0800 to 1600, with the crane arriving on site at 0700 on the Saturday morning to start rigging. A representation was received relating to noise and vibration disruption. The two-

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storey standalone modular classroom block was granted planning permission in September 2019 (reference 2018-2083-03). The modular building is required to be delivered and installed by crane which cannot be operated during school operating hours for health and safety reasons. However, the working hours for the 2018-2083-03 planning permission are 0730-1800 hours Monday to Friday and 0730-1300 hours on Saturdays which are considered reasonable. Therefore, it is recommended that the start time for the operational hours for the proposal coincide with the 2018-2083-03 planning permission of 0730. While these construction works would not normally be permitted at weekends, when residents typically expect a quieter and more peaceful living environment, as these works would be for such a short duration (and may not be necessary at all), in order to facilitate additional classrooms at the school, the impact would not be so significant to justify a refusal. Subject to a condition on working hours, the proposal is considered acceptable.

Conclusion

19. The proposal to vary condition 3 of planning permission 2018/2083/03 to seek permission for weekend working at Fernvale Primary School, would not have a significant impact on the highway or amenity, subject to the imposition of appropriate conditions. The proposal would allow the site to deliver and install the two-storey standalone modular classroom block, granted planning permission in September 2019 (reference 2018-2083-03).
20. It is considered that the proposed development is acceptable, subject to the controls detailed above, the ongoing controls at the site, under planning permission 2018-2083-03, and that the development is for a short period of time.

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.

Conditions**Scope of Permission**

1. The development hereby permitted commenced on 14th October 2019.
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 No. 2018/2083/03 and the accompanying details and plans:
 - Application form dated 11.02.2019;
 - Site location plan, drawing number 100, revision, dated 21.05.19;
 - Proposed site plan, drawing number 101, revision D, dated 21.05.19;
 - Proposed 6 classroom block plans, drawing number 110, revision B, dated 21.05.19;
 - Proposed classroom block elevations, drawing number 150, revision B, dated 21.05.19;
 - Planning, Design & Access Statement, dated 'Revised 28.05.19', project no. L1838 C;
 - Transport Statement, Project 18-0600, dated 19.10.18;
 - Fire Tender Access Plan, drawing number 102, revision C, dated 28.05.19;
 - Fernvale Primary School Ecology Report, dated August 2018;
 - Fernvale Primary School Tree Survey UPRN 508, dated October 2018;
 - Topographic Survey, drawing number 8512 Ferndale, dated 20th August 2018.
 - Application No. 2020/0012/03 and the accompanying application form dated 03.01.2020 and supporting statement dated 03.01.2020

Construction Works

3. The development hereby permitted shall be subject to the following construction hours:
 - a) Site preparation and construction works, delivery of and movement of materials and machinery, in connection with the hereby approved development, shall only take place between 0730-1800 hours Monday to Friday and 0730-1300 hours on Saturdays.
 - b) The delivery and installation of the building components requiring crane lifting into the school site shall take place on no more than two weekends, the date of which the County Planning Authority shall have previously been notified of. This activity shall only take place between 0730-1800 hours;
 - c) With the exception of b) above no such activities shall take place at any time on Sundays, Public or Bank Holidays.
 - d) There shall not be any work carried out at any time 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.
5. The development hereby permitted shall be carried out in accordance with the details included in the Construction Management Plan, submitted to the County Planning Authority on 29.05.2019 as part of the revisions to the development.

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 D, dated 21.05.19. 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. The scheme shall be fully implemented in accordance with the approved details.

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

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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 used 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.

Ecology

12. The development hereby permitted shall not be occupied until a scheme for the installation of bird boxes has been submitted to the County Planning Authority and approved in writing. The scheme shall include for the provision of a minimum of three sparrow or starling boxes to be erected around the existing mature tree screen on the western boundary of the school site or on the western side of the proposed classroom block. Within six months of the date of approval of such a scheme, the scheme shall be implemented.

Reasons

1. For the avoidance of doubt that development has commenced.
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.
12. In the interests of biodiversity.

Note to Applicant

Parking restrictions along Somerby Road will require separate approval from Leicestershire County Council's Network Management Team and is likely to involve the provision of a Temporary Traffic Regulation Order (TTRO) under the Road Traffic Regulation Act 1984. TTRO applications require a 12 week lead in time for processing. As such the applicant is encouraged to contact networkmanagement@leics.gov.uk at the earliest opportunity.

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