

Application Number

P/2013/0141

Site Address

Cockington Primary School
Old Mill Road
Torquay
Devon
TQ2 6AP

Case Officer

Matt Diamond

Ward

Cockington With Chelston

Description

Single storey extension, comprising three classrooms, staffroom, hall and kitchen with associated storage

Executive Summary/Key Outcomes

The application is to develop a single storey building on the existing play ground at Cockington Primary School, Torquay to provide three classrooms, staffroom, group room, hall, kitchen, toilets and stores. The building is required to meet the growing demand for primary school places within Torbay.

The site is unallocated and unaffected by policy designations in the Adopted Torbay Local Plan 1995-2011 ('the Local Plan'). However, the site is partly within Flood Zone 3 and the playground is within the functional floodplain (zone 3b). In addition, the site adjoins Torre Conservation Area to the north and east.

Determination of the application has been delayed whilst the applicant carried out further work to demonstrate that the proposal is safe on flood risk grounds. The Environment Agency, which objected initially, has removed its objection and considers the proposal to be acceptable with regard to this issue. The Council's Emergency Planner and Engineering - Drainage department have no objections. Therefore, the proposal is considered to be acceptable on flood risk grounds, subject to conditioning the works in the latest updated Flood Risk Assessment.

The design of the proposed development is considered acceptable and would not harm the character of the adjoining conservation area. A number of London plane trees along the boundary with Avenue Road would be retained.

The other key issue is the impact of additional traffic generated by the proposal on local highways. As a result of the proposal, the school would expand from 420 to 630 pupils, an increase of 210. It is estimated this would lead to an additional 73 cars travelling to/from the school during the peak hours. However, the applicant proposes a shift from car travel to more sustainable modes, such as walking, cycling and scooting, through the implementation of a school Travel

Plan. Potentially this would reduce the number of car trips and mitigate the impact on local highways. The Council's Highways department and Strategic Transportation are satisfied with this, subject to securing an updated Travel Plan by condition of planning permission, if granted, requiring more robust targets for reducing car travel. Therefore, the application is acceptable on highways grounds, subject to this condition. A contribution is also required in order to carry out necessary highway measures to restrict on-street parking/loading on the surrounding roads.

Recommendation

Conditional approval; subject to payment of the cost of the required highways measures or s106 agreement securing payment of these costs within 3 months of the date of the committee, otherwise the application be refused; conditions and informatives as drafted.

Statutory Determination Period

The application was validated on 08.05.2013. The 8 week determination date was 04.07.2013. The delay has been a result of waiting for further information on flood risk to remove an objection from the Environment Agency. Therefore, an extended time period will be agreed with the applicant in writing prior to issuing the planning decision notice in accordance with article 29 paragraph (2)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

Site Details

The site is Cockington Primary School, Old Mill Road, Torquay. The land to be developed is the hard surfaced play ground to the east of the site adjacent to Avenue Road. There is a row of London plane trees along the east boundary of the school adjacent to the play ground.

The site is not located within or affected by any policy designated areas in the Local Plan. However, it adjoins Torre Conservation Area to the north and east.

Part of the site is within Flood Zone 3. The playground is within the functional floodplain (Zone 3B).

Detailed Proposals

The proposals are to develop a new single storey building on the existing play ground. The building would comprise three classrooms, staffroom, group room, hall, kitchen, toilets and stores. It would have a gross floor area of c.906 sq m. It would be accessed via two glazed links connected to the existing building. An additional pedestrian access and ramp would be provided to the south.

The primary external materials would be white render with accent (colour TBC) and timber effect cladding, with a brick plinth to match existing. Two standing seam (mill finished aluminium) mono-pitched roofs would be built over the west

and east sides of the building, with a flat roof with three roof lights between. Windows, doors and rainwater goods would be made from powder coated aluminium (colours TBC).

Photovoltaic panels would be provided on top of the glazed links.

Drainage would be to the existing culvert which crosses the site between the playground and existing school building. This would be enlarged to provide extra flow capacity and storage.

The floor level of the building would be set at 11.1m, which is a minimum of 400mm above the highest existing ground level. A 100mm high kerb would be provided along the back of the footpath along Avenue Road to ensure flood flows are contained within Avenue Road. The access to the school along Avenue Road would be lowered to divert flood flows from Avenue Road to across Torre Valley North greenspace.

Summary Of Consultation Responses

Environment Agency: Objected originally due to potential flooding of new extension and existing school, and the potential adverse affect of the development on the functional floodplain. Withdrew objection following updated Flood Risk Assessment showing that the layout would act to manage overland flows and mitigate against the risk of internal flooding to the proposed building. The Council's Emergency Planner should also be consulted.

Engineering: Drainage: No objections provided the development proceeds in accordance with the updated Flood Risk Assessment.

It should be noted that the works to replace the culverted watercourse that runs through the school grounds will require land drainage consent from Torbay Council. The developer should contact the Council's drainage section to discuss the information required to be submitted when applying for the land drainage consent.

South West Water: No objection or comment.

Network Rail: Submitted a holding objection originally, due to potential flooding affecting embankments running parallel with the school which could cause failure, and concerns over drainage. Withdrew holding objection following further details from developer's flooding consultants. Made a number of comments and requirements with regard to the safe operation of the railway and protection of Network Rail's land.

Highways/Strategic Transportation: No direct effect on the highway, however increased pupil numbers are likely to lead to additional traffic congestion

and potential increase in danger at school dropping off and collection times. Strategic Transportation will lead on the development of a revised Travel Plan and Highways recommends that a solution is found to ensure the already congested area is not made worse by additional car journeys. A £2500 contribution is required to review traffic regulation orders with a view to implement further parking and loading restrictions. If pedestrian access arrangements changes the Road Safety Team must be consulted with regard the impact on the two School Crossing Patrol sites serving the school.

Strategic Transportation: stated no objections provided the Travel Plan is amended and reviewed annually to show whether the objectives and targets have been met. The £2500 contribution shall be split as follows:

£1000 - time related 'No Loading' Traffic Regulation Order (TRO) restriction in the vicinity of the Avenue Road School Crossing Patrol site

£1000 - for a time related 'No Loading' TRO restriction in the vicinity of the Old Mill Road School Crossing patrol site

£500 - associated signage

With staff already double parking on-site and relying upon street parking, and the additional traffic created (between 50 and 73 cars per peak period), without successfully implementing the Travel Plan, any additional expansion could increase staff parking problems and increase congestion in an area with an accident record.

Arboricultural Officer: Suitable for approval on arboricultural merit if the following points can be addressed by way of pre-commencement conditions:

- That the noted supporting arboricultural report, its plans and included methodologies be conditioned as approved plans that should be enacted in their entirety as per their contents throughout the build process if approved.
- Heras fencing to be installed on the radius defining the root protection area as detailed within the supporting arboricultural plan and report.

Community Safety: No response

English Heritage: No response

Torbay Local Access Forum: No response

Summary Of Representations

Representations have been received for this application and have been sent

electronically for Members consideration.

Relevant Planning History

P/2012/0723/PA: Adjustment of school site boundary to create additional play area: Approved 25.04.2013

P/2011/1102/PA: Installation of solar panels on roof(s) of building(s): Approved 11.11.2011

DEP/2009/0269/PD: Childrens play area at Acorns Pre-school (permitted development enquiry): Split decision 28.07.2009

P/2008/0129/PA: Boundary Extension And New Fence To South Of Site: Approved 14.03.2008

P/2006/1654/PA: Single Storey Extension: Approved 28.12.2006

ZP/2006/0336/ZP: Child Centre Extension (pre-application enquiry): Approve 19.05.2006

P/2003/0451/PA: Complete Re Roofing Of School Building With New Double Pan Tiles: Approved 09.05.2003

P/2001/0184/PA: Formation Of Pedestrian Access To Avenue Road Including Gate, Guardrail, Ramps And Paths: Approved 04.04.2001

P/2000/0780/PA: Installation Of Velux Windows To Hall And Erection Of Store: Approved 21.07.2000

P/1994/0204/R3: Two Additional Single Storey Classrooms: Approved 13.04.1994

P/1986/0141/R4: Single Mobile Classroom: Approved 24.04.1986

Key Issues/Material Considerations

The key issues are:

1. The Principle of the Development
2. Flood Risk
3. Design
4. Impact of Traffic on Highways and Road Safety
5. Impact on Trees
6. Impact on Network Rail Land

1. The Principle of the Development

The principle of the development is acceptable. Local Plan Policy CFS approves all educational infrastructure in principle and Policy CF10 permits the improvement of educational facilities at existing schools provided that:

1. Sites for new schools are well related to existing or proposed residential areas, accessible to public transport and have safe pedestrian and vehicular access;
2. School sites are of a sufficient size to accommodate the satisfactory design and layout of new or improved school facilities;
3. Proposals have regard to the need to safeguard existing playing fields within the school site; and
4. Proposals can be accommodated without undue detriment to surrounding residential areas.

It is considered that the proposal accords with criteria 1, 2 and 4. With regard to criterion 3, paragraph 7.72 under Policy CF10 states:

"Extensions onto school land must have regard to the need to retain sufficient outdoor space to provide playing field and recreational needs."

Whilst the proposed development would be located on the existing playground, planning permission has been granted to form a replacement playground to the south of the existing school building (ref. P/2012/0723/PA). Therefore, the proposal accords with criterion 3.

Furthermore, paragraph 72 of the NPPF states:

"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."

As can be seen, the NPPF places great weight on providing new school facilities where they are needed and local planning authorities should work positively to meet this requirement. The proposed development is needed to meet the growing demand for primary school places within Torbay.

2. Flood Risk

The site is located within Flood Zone 3 and the playground is within the functional floodplain (zone 3b). The NPPF states:

"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere." (para 100)

"When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems." (para 103)

Applying the Sequential Test, there are no sites available within the school boundary with a lower probability of flooding that could accommodate the proposed building. The only reasonable alternative site is on the playing field land to the south of the existing school building. However, the majority of this land is also within Flood Zone 3, including zone 3b (functional floodplain).

It is considered that the proposed development passes the Exception Test because it would provide wider sustainability benefits to the community in the form of much needed new school facilities that outweigh flood risk, and a site-specific flood risk assessment has been submitted that demonstrates that the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

The flood risk mitigation measures that have been included in the design to ensure the building is safe include:

- Raising the floor level to 11.1m (above sea level), which is minimum of 400mm (0.4m) above the highest existing ground level.
- Provision for attenuation storage with controlled discharge.
- Removal of existing raised flower bed enabling flood flows to pass to the east of the building instead of the middle of the playground. A grated open channel will be provided to the east of the building to ensure a minimum of 200mm of freeboard in the 1:100 year event plus climate change.
- Provision of a 100mm high kerb along the back edge of the western

- footpath along Avenue Road to ensure flood flows are contained within Avenue Road.
- Lowering of the entrance to the school along Avenue Road to divert flood flows from Avenue Road to across Torre Valley North greenspace.

Safe access and escape routes would be provided to the west of the new building on raised platforms, which calculations have shown would remain above the flood waters should flood flows occur along the western side of the building.

The proposed development would not increase flood risk elsewhere, as surface water runoff would be attenuated by enlarging the existing culvert.

The Environment Agency has withdrawn its initial objection to the application. It considers that the layout would act to manage overland flows and mitigate against the risk of internal flooding to the proposed building. In addition, the risk of flooding to the existing property would not be exacerbated by the proposal.

The Council's Emergency Planner and Engineering - Drainage department have been consulted and have no objections provided the development proceeds in accordance with the updated Flood Risk Assessment.

Therefore, subject to conditioning the works in the updated Flood Risk Assessment, the proposal is considered acceptable on flood risk grounds and accords with Local Plan Policy EPS and paragraph 103 of the NPPF.

3. Design

The design of the new building is considered acceptable and in accordance with Local Plan Policies BES, BE1 and BE5. The scale and layout of the proposed building fit in with the site context. It is of similar scale to the existing school building and would not be overly dominant. It would have a positive relationship with Avenue Road by providing an 'active' and visually interesting elevation to the road, which would be glimpsed through the existing trees (which are to be retained). It would not harm the conservation area, which borders the site to the east. The contemporary design is considered to be acceptable.

4. Impact of Traffic on Highways and Road Safety

The proposal would result in the school increasing in size by 210 pupils from 420 to 630. The Transport Statement (TS) submitted with the application anticipates this will lead to an additional 73 cars travelling to/from the school during the peak hours.

The TS proposes a number of mitigation measures to secure a modal shift away from car travel to more sustainable modes of travel, such as:

- Provision of secure covered bike/scooter storage (the TS states this is not provided currently).

- Targeted classes and assemblies, and promotional material sent home to promote the benefits of sustainable travel.
- Provision of 'Safety Awareness' information to pupils and parents to support sustainable modes.
- Implementation of Walking Buses and Cycle Trains.
- Implementation of a Travel Plan, which would be regularly reviewed and updated if necessary.
- Close working with Council to manage inconsiderate parking.

The Travel Plan submitted with the application includes the target of achieving a 5% reduction in the number of pupils being driven to school, and a comparable increase in walking and cycling and scooting over a two year period following expansion. Highways and Strategic Transportation require this target to be updated to achieve a 5% reduction in the number of pupils being driven to the school by July 2014 and a further 5% reduction one year after expansion.

In addition, Highways and Strategic Transportation require more cycle parking for pupils and separate cycle parking for staff. A target is also required to reduce the level of staff car parking. The Travel Plan should be reviewed annually to see whether the objectives and targets have been met. If they have not, a new Travel Plan should be submitted containing further actions to meet the objectives and targets.

Therefore, the submission of an updated Travel Plan incorporating the changes above should be a condition of planning permission if granted. It should be submitted before development of the new building commences.

Highways requires prior notification if the pedestrian entrance/exit arrangements are changed to ensure the existing School Crossing Patrol sites are unaffected. The costs of relocating the Patrol sites must be met by the school. The application does not propose to change the pedestrian entrance/exit arrangements. Therefore, this requirement should be added as an informative on the planning permission if granted.

Highways and Strategic Transportation also require a contribution to secure parking and loading restrictions on the roads around the site. This is detailed under S106/CIL below.

Therefore, subject to the condition and informative above, and securing the necessary contribution, the proposal is acceptable in terms of traffic impact and road safety, and accords with Local Plan Policies CF1.3 and T26.2.

5. Impact on Trees

A Tree Report has been submitted with the application. The most significant trees are six London planes along the eastern boundary, which are growing in a restricted area and are unable to reach their full size potential. Five of these trees

are assessed as fair quality and one is good quality. These trees would be retained.

The new building would be 4m from the London plane trees. Protective fencing would be erected during construction 3m from the building. Whilst tight, this is considered sufficient to carry out the construction works and protect the trees. The Council's Arboricultural Officer does not object to this.

A horse chestnut tree of fair quality and two small ornamental trees would be removed as a result of the proposal. These are located to the north of the existing play ground. As they are within the site, their loss would not have a significant impact on the character of the area.

Therefore, subject to a condition securing the tree protection measures, the proposal is acceptable in terms of impact on trees and accords with Local Plan Policy L9.

6. Impact on Network Rail Land

Network Rail has provided a number of comments and requirements for the safe operation of the railway and the protection of Network Rail's land. These include:

- The requirement for a trespass proof fence (minimum 1.8m high) adjacent to Network Rail boundary if not already provided. Existing fencing/wall must not be removed or damaged. No vegetation on Network Rail's land may be disturbed.
- Additional or increased surface water flows should not be discharged onto Network Rail land or into Network Rail's culverts or drains. Soakaways should not be constructed within 20m of Network Rail's boundary.
- No construction works should be carried out that may endanger the safe operation of the railway or the stability of Network Rail's structures and land. The developer should contact Richard Selwood at Network Rail before commencing development.
- Network Rail must be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.
- New buildings should be situated at least 2m from Network Rail's boundary fence to allow construction and maintenance without entering Network Rail land. Design of foundations close to boundary must take account of root penetration of any trees on Network Rail land in accordance with Building Research Establishment guidelines.
- Children's play areas, open spaces and amenity areas must be protected

by a secure fence along the boundary. This should be a minimum of 2m high and not climbable. It should either be concrete post and panel, iron railing, steel palisade or such other fence approved by the LPA in consultation with the railway undertaker.

- The design and siting of buildings should take account of the possible effects of noise and vibration, and dust generation resulting from the operation of the railway.
- Trees and shrubs planted adjacent to railway boundary should be positioned at a minimum distance greater than their predicted mature height from the boundary. Landscaping adjacent to the railway should be agreed with Network Rail. Hedges should not damage fencing or provide means of scaling it.
- No scaffolding allowed to over-sail or fall onto railway. All plant and scaffolding must be positioned that in the event of failure it will not fall onto Network Rail land.

These appear to be standard comments and requirements and not bespoke to the proposed development. The new building would be between 68 and 86 metres away from the railway boundary. Therefore, it is considered that the requirements should not be added as a condition, but should be added as an informative on the planning permission if granted.

S106/CIL -

Highways/Strategic Transportation require the following highways measures to be paid either as an upfront payment or secured in a s106 agreement:

£1000 - time related 'No Loading' Traffic Regulation Order (TRO) restriction in the vicinity of the Avenue Road School Crossing Patrol site

£1000 - for a time related 'No Loading' TRO restriction in the vicinity of the Old Mill Road School Crossing patrol site

£500 - associated signage

Conclusions

The application is acceptable, subject to conditions discussed above. The proposal is needed to meet the demand for additional primary school places and this material consideration carries great weight in the overall planning balance. The development site is located within the functional floodplain and further technical work has been necessary to demonstrate that the proposal is safe on flood risk grounds, which has caused delay in determining the application. The Environment Agency has removed its initial objection following the submission of an updated Flood Risk Assessment and the Council's Emergency Planner and

Engineering - Drainage department have no objections. Therefore, the application is considered to be safe on flood risk grounds and to pass the Sequential Test and Exception Test in the NPPF.

The proposed design is appropriate for the site context and would not harm the character of the adjoining conservation area. The London plane trees along the eastern boundary with Avenue Road would be retained and protected during the construction period.

The size of the school would increase by 210 pupils from 420 to 630, leading to approximately 73 more cars travelling to/from the school during the peak hours. A Travel Plan has been submitted with the application proposing a shift from car travel to more sustainable modes, including walking, cycling and scooting. Highways and Strategic Transportation require an updated Travel Plan by condition with more robust targets in order to mitigate the impact of the development on local highways, as well as a contribution to restrict parking/loading on the roads surrounding the site for safety.

Condition(s)/Reason(s)

01. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:(a) the parking of vehicles of site operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials used in constructing the development (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate (e) wheel washing facilities (f) measures to control the emission of dust and dirt during construction (g) a scheme for recycling/disposing of waste resulting from demolition and construction works (h) measures to minimise noise nuisance to neighbours from plant and machinery

Reason: To safeguard the Local Planning Authority's rights of control over these details to ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the convenience of highway users.

02. No development shall take place until an External Materials Schedule has been submitted to and approved in writing by the Local Planning Authority showing full details of all external building materials, including specification and images. The External Materials Schedule shall include the arrangements for the display of samples of materials on site prior to the approval of the same. The development shall be constructed from the building materials approved.

Reason: In the interests of design and in order to accord with saved Policies BE1 of the Adopted Torbay Local Plan 1995-2011, and paragraph 58 of the NPPF.

03. No development shall take place until fencing has been erected to protect the trees along the eastern boundary of the site in accordance with the Draft Tree Protection Plan (2120) submitted with the application. The fencing shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by the fencing.

Reason: To protect the trees to be retained in the interest of amenity and in order to accord with saved Policy L9 of the Adopted Torbay Local Plan 1995-2011.

04. The building hereby permitted shall be constructed in accordance with the details contained within the Flood Risk Assessment and Drainage Strategy (Atkins, February 2013) Revision 3 (07/10/13). Drainage shall be constructed in accordance with the Drainage and CBR Assessment at Appendix D. The building shall not be usefully occupied until the building and drainage has been constructed in accordance with these details and it has been confirmed in writing by the Council's Engineering department that the details have been completed to the satisfaction of the Council.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with saved Policy EPS of the Adopted Torbay Local Plan 1995-2011 and paragraph 103 of the NPPF.

05. No development shall take place until an updated Travel Plan has been submitted to and approved in writing by the Local Planning Authority. This shall amend the Target in the Travel Plan submitted with the application to achieve a 5% reduction in the number of pupils being driven to school and a comparable increase in walking, cycling and scooting by July 2014 and a further 5% reduction over a 1 year period after the new building is first usefully occupied. It shall also add a target to reduce the level of staff car parking on the site and on surrounding roads over the same period. It shall also commit to the provision of additional cycle parking for pupils and staff. A review of the approved Travel Plan shall be submitted to the Local Planning Authority on 1 August 2014 and annually on the same date thereafter to show whether the objectives and targets have been met. In the event that they have not, the School shall submit a new Travel Plan to the Local Planning Authority containing further actions to meet the objectives and targets on 1 September 2015 and annually on the same date thereafter.

Reason: In the interests of road safety and sustainability, and in order to accord with saved Policy T26 of the Adopted Torbay Local Plan 1995-2011 and paragraphs 29, 30, 35 and 36 of the NPPF.

Informative(s)

01. The works to replace the culverted watercourse that runs through the school grounds will require land drainage consent from the Council. The developer should contact the Council's Engineering - Drainage department to discuss the information required to be submitted when applying for the land drainage consent.

02. The Council's Highways department should be consulted if pedestrian access and egress arrangements are changed at the school in the future to ensure that the existing School Crossing Patrol sites remain unaffected. The costs of relocating the Patrol sites must be met by the school, if required as a result of the changes.

03. Torbay Council Emergency Planner comments: Please note that the Environment Agency does not provide a specific flood warning service for this type of flood risk. As flood risk cannot be fully mitigated, the School should be made aware of the residual risk. The School's flood evacuation procedure should be updated to take into account the raised platform escape routes to the west of the new building. The School is recommended to write a business continuity plan if it does not have one already in case the building is lost due to flooding, fire, etc.

04. Network Rail Comments and requirements:

FENCING If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

DRAINAGE Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long-term stability of the railway, it is recommended that soakaways should not be constructed within 20 metres of Network Rail's boundary.

SAFETY No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at

Network Rail on AssetProtectionWestern@networkrail.co.uk before works begin.

GROUND LEVELS The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

SITE LAYOUT It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

CHILDRENS PLAY AREAS/OPEN SPACES/AMENITIES Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railing, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should be not able to be climbed.

ENVIRONMENTAL ISSUES The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

LANDSCAPING Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaeagus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted: Alder (Alnus Glutinosa), Aspen - Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

PLANT, SCAFFOLDING AND CRANES Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

Relevant Policies

- CFS Sustainable communities strategy
- CF1 Provision of new and improved community
- CF2 Crime prevention
- CF6 Community infrastructure contributions
- CF10 New schools and improved school facilities
- IN1 Water, drainage and sewerage infrastructure
- L9 Planting and retention of trees
- EPS Environmental protection strategy
- EP5 Light pollution
- BES Built environment strategy
- BE1 Design of new development
- BE5 Policy in conservation areas
- TS Land use transportation strategy
- T1 Development accessibility
- T2 Transport hierarchy
- T26 Access from development onto the highway