

Application Number

P/2014/0311

Site Address

St Margaret Clitherow RC Primary School
Polhearne Way
Brixham
Devon
TQ5 0EE

Case Officer

Carly Perkins

Ward

St Marys With Summercombe

Description

Construction of a new teaching block.

Executive Summary/Key Outcomes

This proposal was considered at the August 2014 meeting of Development Management Committee, but a decision was deferred to allow officers to negotiate on design and secure an acceptable travel plan. Those matters have now been addressed. The proposal was also considered at the October 2014 meeting of Development Management Committee. Whilst Members considered design issues had been addressed, a decision was deferred as a completed travel plan had not been submitted. A completed travel plan had now been submitted. It is acceptable to officers and has been circulated to Members.

The proposal is for a detached two storey mono-pitched school building to the north west of the existing school building. The proposal will involve partly excavating a grassed bank so that the building will be level with the existing school. The building will house 3 classrooms and a reception area. The proposal will enable the removal of a temporary hut building on completion of the works.

The need for the additional school places and the potential for them not being provided is a material consideration to be assessed against other policy considerations of design and the impact on the setting of the Conservation Area. On balance it is considered that the benefits of the scheme outweigh the slight negative visual impacts of the building. This opinion is based on the fact that the proposed building would now be sited further away from neighbouring residential properties than originally proposed, is partially screened by existing landscaping, the relationship with the existing school building, that it will facilitate the removal of an existing temporary building and the positive social impacts of the new classroom facilities.

There is a poor highway safety record in the locality with 39 casualties in the last 5 years (well above the national average which would suggest there should be approximately 10-11 casualties for a population of this size). In the absence of mitigation measures (e.g. a Travel Plan) there would be serious concerns

regarding the impact of the development on highway safety. However, a recently submitted travel plan now shows proactive commitment by the school to implement mitigation measures, in tandem with the school development plan, that reduce to an acceptable level the highway safety risks associated with the development.

Recommendation

Conditional approval; suggested conditions are listed at the end of this report, however final drafting and determination of appropriate planning conditions to be delegated to the Director of Place.

Statutory Determination Period

8 weeks, the determination date was the 7th June 2014 however it has been agreed to extend this in order for the application to be revised in light of officer concerns regarding design and highway safety.

Site Details

The application site is a primary school building positioned towards the north west of the site with playgrounds and playing fields located towards the south east. The main school building is largely flat roofed and single storey with a pitched roof section over the assembly hall and southern part of the building. There are also some elements of the building that protrude above the main roof which are assumed to house plant and other machinery these elements are also flat roofed.

There are 9 parking spaces towards the front of the school site as well as 10 cycle spaces.

Detailed Proposals

The proposal is for a detached two storey mono-pitched school building to the north west of the existing school building. The proposal will involve partly excavating a grassed bank so that the building will be level with the existing school. The building will house 3 classrooms and a reception area providing accommodation for an additional 60 children. Following consideration by Development Management Committee in August and negotiations by officers the building has now been moved approximately 4.00 metres to the south west and away from properties to the north east of the site. The proposal will enable the removal of a temporary hut building on completion of the works.

The proposals will also include 10 additional cycle storage spaces and 30 scooter storage spaces. There will be no increase in the number of car parking spaces within the site.

The Higher Brixham Conservation Area runs along the north east and south east boundary of the site and the proposal will be partially visible from it such that the proposal will have an impact on the setting of the Conservation Area. The

application site is bounded by residential properties with the closest being located approximately 19m from the proposal.

Summary Of Consultation Responses

Conservation Officer: The existing site is predominantly single storey with a taller school hall towards the centre. The building is highly visible across the valley and the proposal, in its current location, would be highly visible as you enter the school. The revised proposals will lessen its impact on the immediate neighbours. The current scheme has little relationship with the school and does not allow for further expansion in the future.

Transport Officer: In the absence of an acceptable Transport Plan, Strategic Transport objected to the application (as reported to the August Committee). A travel plan has now been submitted and the Transport Officer has confirmed its acceptability. In addition to the travel plan, the Officer has requested the additional measures to help mitigate the impact of the development, these measures include the introduction of a traffic regulation order to manage parking in the area subject to local public consultation.

Education: Torbay is currently experiencing a growth in primary aged pupils across Torbay. The Local Authority has been expanding primary schools in all 3 towns in order to meet this increase in demand. The growth in Brixham is not as significant as in Torquay and Paignton but there is a need to provide some extra places in the town to accommodate a few particularly large year groups from September 2013.

Following extensive consultation with all schools, it was agreed that St Margaret Clitherow offered the best solution for the following reasons:

- o It is in the right location - some of the other Brixham schools are located in more peripheral parts of the town so there would be greater distances for parents and children to travel.
- o As St Margaret Clitherow is a Voluntary Aided School there was an opportunity to access some other capital funding for the project that would not be available for a community school. This provided match funding for the Council resources that were allocated to the scheme and offered excellent value for money.
- o The school had a PAN (Planned Admission Number) of 20. This was a difficult number for class organisation and for planning and funding purposes. From September 2013, the school increased their PAN to 30 which is a much better number in terms of curriculum and financial planning and will have educational benefits for the school and its pupils.

The school have already increased their PAN for September 2013. Their existing class structure meant that they could manage for one academic year without the need for additional accommodation. If this project does not proceed then the

school will be unable to accommodate pupils who have already been offered a place for September 2014. The Local Authority would not be able to fulfil its statutory duty to provide sufficient primary school places in Brixham resulting in the Local Authority having to fund expensive transport costs to take these children to other schools in the Bay.

Building Control: No known contaminated land issues. Consider geotechnical issues, fire requirements, radon gas/methane areas, drainage/solid waste storage and disabled provisions. Building Control should be contacted for pre-application advice.

Summary Of Representations

A number of representations of objection and 1 petition have been received. Issues raised:

- o Impact on privacy
- o Proposal not in keeping with local area
- o Proposal sets a precedent for this type of development
- o Impact on parking and highway safety
- o Impact on noise
- o Proposal should be single storey.

Brixham Town Council: Refusal - out of scale and overbearing to the detriment of neighbouring properties

Relevant Planning History

P/1993/0367 Alterations and extensions, erection of temporary classroom, to change school from infant to junior status with additional parking as revised by letters dated 26.4 and 4.5.1993 and plans received 30.3 and 28.4.1993 APPROVED 13.05.1993

P/1995/0383 Variation of condition 2 attached to permission 93/0367/PA to allow permanent siting of classroom unit APPROVED 12.05.1995

P/1995/0922 Formation of an additional classroom APPROVED 03.10.1995

P/1998/0863 Variation of condition 1 attached to permission 95/0383/PA to allow permanent siting of classroom unit APPROVED 06.06.1998

P/1999/0958 Extension to provide classroom and associated facilities APPROVED 28.10.1999

P/2007/1566 Alterations and extension/path APPROVED 31.10.2007

Key Issues/Material Considerations

The relevant considerations are the impact of the proposed development on residential amenity, the character and appearance of the area and highway safety and the availability and need for primary school spaces in Brixham.

The Principle of School Expansion:

As noted in the consultation response from Children's Services, there is a need to provide extra primary school places in Brixham in order to accommodate a few large year groups from September 2013. Following consultation with all schools St Margaret Clitherow was concluded to be the best solution. Paragraph 72 of the NPPF states that great importance is placed on ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities and that Local Authorities should take a proactive, positive and collaborative approach to meeting this requirement. Similarly Policy CF1 and CF10 of the Torbay Local Plan supports the provision of new and improved community facilities such as schools providing they would be readily accessible to the local community including pedestrians and enjoy good access to public transport, would not impact adversely on adjacent properties and surrounding neighbourhood, the schools are of sufficient size to accommodate new school facilities, the proposals safeguard existing playing fields and would not cause serious congestion or a road safety hazard.

In line with both local and national policy, the need for and the principle of providing additional school spaces is considered acceptable.

Highways Safety and Parking Provision:

Representations have been received regarding the impact of the development on highway safety and off-site parking and are noted. The transport assessment noted that currently the most popular mode of transport to school was via the private car either individually or by car share producing 72 pupil related vehicle trips in each peak hour (morning and afternoon). In addition it was noted that 83% (19 vehicle trips) of staff travel to the school by car with some using the school car park and others parking on Polhearn Lane or Longcroft Avenue, the staff however would generally arrive and leave school outside of the morning and afternoon peak hours. The transport assessment gave consideration to the safety of non-motorised users which included consideration of personal injury data for the highway network in the vicinity of the school covering a period of 5 years from 3rd April 2009 until 21st January 2014. There were 34 personal injury incidents which involved 39 casualties during this time of which 18 were pedestrians, 2 were cyclists and 7 involved children under the age of 18. Of these incidents 6 occurred within school peak periods and involved 6 pedestrians, of which 5 were school aged children. When comparing these amounts with national data, it was concluded that the incident rate in this area is very concerning being well above the national average with the national data

indicating that casualties should be around 10-11 over 5 years given the size of the population whereas the amount here is beyond this at 39 casualties.

It is noted that 55% of the additional 60 pupils who will attend this school as a result of the proposal are likely to travel by car which is equivalent to an additional 33 pupils travelling by car and an additional 4 teacher trips. The assessment noted no current issues with staff parking but recommended that all staff cars should be accommodated within the grounds of the school in the interests of good neighbourliness. The assessment notes that it is important that the expansion of the school does not generate any more off-site parking and it is vital that all additional staff are accommodated on site. It is noted that road network and nearby junctions could continue to operate effectively when considering the additional traffic demand as a result of the proposal. The assessment also noted that parents were not observed to be contravening parking restrictions during the assessment period however it is noted that a public representation has stated otherwise and provided photographic evidence.

The assessment makes several recommendations in terms of both hard and soft measures in order to improve pedestrian and highway safety. These include road safety lessons, the provision of formal crossing points including a school crossing guard, the potential for a 20 mph zone and the provision of additional school signage. In the concluding paragraph the assessment made it clear that the expansion is likely to raise an issue of safety that requires attention and whilst it is only a rough estimation regarding accident analysis in the area it is nonetheless clear that the information gives sufficient cause for concern that should be given further consideration. Paragraph 32 of the NPPF notes that developments that generate significant amounts of movement should be supported by a transport assessment which take account of whether safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken within the transport network to limit the significant impacts of the development. In addition it states that developments should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. In this instance there are serious safety concerns whether or not there is a safe access to the site for pedestrians in terms of both the existing situation and the proposed situation which increases the amount of vehicles and pedestrians accessing the site such that it is considered that for reasons of highway safety the proposal could be refused in its current form.

In response to the concerns raised by the assessment and by the strategic transport officer, the school has undertaken a school transport survey with the parents of pupils to obtain information regarding how they travel to school and if not, why they don't use public transport, cycle, scoot or walk. This survey confirmed some of the points raised in the assessment regarding the availability of foot paths and safe access to the school. The survey is not sufficient on its own to alleviate the concerns regarding highway safety and this must be

reflected into actions within a travel plan. A travel plan has now been submitted and aims to reduce car travel, encourage pupils and members of staff to walk and cycle, help to bid for funds for facilities like cycle storage and lockers, help to provide road improvements, help to raise levels of physical and mental health and social wellbeing, provide exciting curriculum opportunities and focus on travel issues, encourage positive links between the school and the community, embed the travel plan into the school development plan, monitor how pupils and staff are getting to school and enable the school to achieve best practice. The travel plan acknowledges the issues at the school through the transport assessment and a survey which was carried out with parents. These issues have been analysed and will be monitored in the future. The travel plan sets out several targets to help achieve the aims of the travel plan and when and how these targets will be monitored and evaluated. The Transport Officer has confirmed the acceptability of the travel plan and the overall scheme but has requested that subject to local consultation a traffic regulation order is introduced to manage parking in the area. The traffic regulation order would include the installation of lining, signing and marking improvements on the immediate surrounding highway. The introduction of the traffic regulation order has been included as a recommended condition.

Character and Appearance:

Representations have been received regarding the impact of the development on the character and appearance of the locality noting that the proposal is not in keeping with the area. The existing school buildings are largely flat roofed and single storey expanding over a large footprint. There are some taller pitched roof elements towards the centre and southern end of the building but it predominantly reads as a single storey building. The building is set at a lower level than dwellings adjacent to the north and east such that views from these properties are predominantly above and beyond the school building itself. The proposal is for a two storey detached building positioned approximately 2m north of the existing school building. There is an existing grassed bank to the north of the building which will be partially excavated to provide a building at the same level with the existing school and lessen the impact on the surrounding properties. The proposed building, as shown in revised drawings, is accommodated within the existing school site a minimum of approximately 4.0 m from the northern boundary of the site, demarked by the southern edge of the footpath between Polhearne Way and Polhearne Lane. There is a mature hedge between the footpath and the proposed classroom building.

The location has been chosen in order to prevent the loss of any outside playground space. The site is outside of the Conservation Area but will be partially visible from it such that the proposal will have an impact on its setting such that any proposal should preserve or enhance the character and appearance of the Conservation Area.

The proposed building features a mono-pitched roof sloping away from the neighbouring properties to the north and takes on a more modern design than the existing buildings on site. Generally speaking extensions to existing buildings should be subservient to the host building allowing for a clear distinction between the existing and the extended. However, it is often the case with schools that old, single storey buildings have become outdated; there is pressure for more classroom space and a need to retain outdoor play space. Consequently, two storey extensions are often required and make the best use of limited space within a school site.

The proposed building would be sited close to the main school building, is orientated with the main school building and has evidently been designed to work in conjunction with the main school building. The building relates well to the main entrance of the school and will be a focal point when arriving at the school. The design of the new classroom building will, however, be at odds with the design of the existing school. Officers have sought to secure a design that reflects, but doesn't mimic the character and appearance of the existing school, or an innovative piece of architecture. Several revisions of the proposed design have been submitted for consideration but these revisions have only made amendments to the elevational treatment of the building and retained the original form and scale.

Officers have, through negotiation, sought to improve the proposed design of the building - with some, but limited, success. Alternative design options have been explored. The design of the building, as proposed, is very much as considered by Committee in August and October. The Committee asked officers to negotiate on the siting of the building (to reduce impact on residential properties) and the detail of windows to the north east elevation.

The need for additional primary school spaces and the expansion of the school is noted and the principle is accepted.

On balance and having noted that the building is partially screened by existing landscaping and surrounding buildings, that it will facilitate the removal of an existing temporary building and that it will provide 60 additional child school spaces in line with national and local planning policy objectives it is considered that the social benefits of the scheme outweigh the negative visual impacts of the building.

Residential Amenity:

Representations have been received regarding the impact of the development on the residential amenities on nearby dwellings. The proposal will be located at a lower level than properties to the north and separated from those properties by an existing mature hedge and footpath. Revised drawings now show the building sited some 4 metres further away from residential properties to the north east(i.e.

those most impacted). As such, the revised proposal is not considered to result in any serious detriment to residential amenity by reason of loss of light or by reason of being unduly dominant for the occupiers of these properties.

There are no windows in the northern elevation of the building. In addition the windows located in the north eastern elevation are angled in such a way as to provide a view to the south east only (over the main school building) and not over residential properties. The proposal is not considered to result in any serious detriment to residential amenity by reason of loss of privacy.

Whilst the outlook from the property immediately to the east of the new classroom building will change as a result of the proposal it is not considered that there will be a serious detriment to residential amenity by reason of loss of light or by reason of being unduly dominant due to the separating distances between the proposal and the boundary of the neighbouring site. Representations regarding noise have been noted but having considered the existing use of the site, the hours of occupations and the number of pupils already occupying the building the proposal is not considered to result in any serious detriment to residential amenity by reason of noise.

Comments regarding the setting of precedents have been noted however every proposal is considered on its own merits and site circumstances and therefore the setting of precedent would not constitute a reason to refuse the application.

S106/CIL -

If necessary, to secure costs of the Traffic Regulation Order and any associated works. The Strategic Transport Officer has estimated this at £5,000.

Conclusions

The need for the additional school places and the potential for them not being provided is a material consideration to be assessed against other policy considerations of design and the impact on the setting of the Conservation Area. On balance having noted that the building is partially screened by existing landscaping, the existing school building and surrounding dwellings, that it will facilitate the removal of an existing temporary building and the positive social impacts of the building it is considered that the benefits of the revised scheme outweigh the negative visual impacts of the building. Through the submission of a travel plan and the inclusion of conditions the proposal is considered acceptable in terms of highway safety and transport impacts.

Condition(s)/Reason(s)

01. Retention of hedgerow on north western and north eastern boundary at a height no less than 2m.
02. Submission of material samples.

03. Construction of bay windows in accordance with approved plans.
04. Removal of permitted development rights.
05. Introduction of Traffic Regulation Order to manage parking on immediate highway surrounding school.
06. Submission of surface water drainage details.

Relevant Policies

CF1 - Provision of new and improved community
CF10 - New schools and improved school facilities
BES - Built environment strategy
BE1 - Design of new development
BE5 - Policy in conservation areas
TS - Land use transportation strategy
NPPF - National Planning Policy Framework