

Application Number

P/2015/0927

Site AddressBrookfield House
Brookfield Close
Paignton
Devon
TQ3 2JE**Case Officer**

Mr Alexis Moran

Ward

Preston

Description

Construction of multi-use games area, car park and formation of access adjacent to Torbay School on site of Brookfield House, Paignton

Executive Summary/Key Outcomes

The application seeks permission for the addition of a car parking area, a multi-use games area (MUGA) and a lightweight timber walkway between the proposed MUGA and Torbay School. The site is to be accessed from Brookfield Close with the MUGA being located in place of the existing Brookfield House which is to be demolished. The demolition of Brookfield House is not to be determined as part of this application.

The MUGA will be enclosed by a 4m perimeter fence and will include a 3G artificial surface. The new parking area provides an additional 19 spaces for staff and visitors. The new access between the car park and MUGA area and the school is to be of timber construction.

The proposal is considered to comply with the Policy SC3 (Education, skills and local labour) of the new Torbay Local Plan Local Plan "A landscape for success" 2012- 2030 and beyond and Policies CFS & CF10 of the saved adopted Torbay Local Plan 1995-2011 regarding improvements to the infrastructure and facilities of educational establishments.

The relationship in terms of privacy and neighbour amenity is considered to be acceptable, subject to the imposition of conditions limiting the times of use of the MUGA to within school hours.

This application is submitted because Torbay Council anticipate relocating Torbay School to another site in the Torbay area which would allow the conversion of the existing school buildings to primary school use.

Recommendation

Conditional approval; suggested conditions are listed at the end of this report.

Statutory Determination Period

This application has an 8 weeks determination period which expires on 03.12.2015. The applicant has agreed to an extension of time.

Site Details

The site relates to Brookfield House, a purpose built building of flats which is adjacent to Torbay School and at the end of a cul-de-sac (Brookfield Close). The site is no longer occupied.

Detailed Proposals

The application seeks permission for the construction of multi-use games area (MUGA), car park and formation of an access adjacent to Torbay School on site of Brookfield House, Paignton. The MUGA will be enclosed by a 4m perimeter fence and will include a 3G artificial surface. The new parking area provides an additional 19 spaces for staff and visitors.

A prior notification had previously been submitted to the Council for the demolition of Brookfield House, it was determined that a prior approval for the demolition was not required.

Summary Of Consultation Responses

Highways: No objection

Strategic Transport: The existing entrance to Torbay School is very poor, and using Brookfield Close represents a significant improvement. Because the proposal increases the provision of parking, a Staff Travel Plan should be prepared. This should set out measures to encourage walking, cycling and public transport, set out cycle parking and shower facilities and indicate senior member of staff as a travel plan coordinator. Secure and covered cycle parking should be provided on site.

Green Infrastructure Coordinator: No objection subject to confirmation that the trees to be removed do not have potential for roosting bats should be provided prior to determination. The applicant is in the process of obtaining this.

Birds and bat boxes should be provided in suitable retained trees and details showing the location, number and type of boxes should be secured by condition.

Detailed design plans of the MUGA will be required prior to commencement of

development and should be conditioned.

Senior Environmental Health Officer. No objection subject to a condition which restricts the hours of use and ensures that the MUGA is only used for school activities.

Arboricultural Officer. The proposal is acceptable subject to the works being undertaken in compliance with the methodologies included in the arboricultural report and the submission of a detailed landscaping plan via a condition.

Drainage Engineer. The development is acceptable subject to a surface water drainage condition being added requiring details of a soakaway which shall be submitted and approved prior to the commencement of construction works on site.

Summary Of Representations

One letter of representation has been received in relation to this application, the key issues raised are:

- Loss of light
- Increase in noise
- Loss of privacy

This letter has been sent electronically for Members consideration.

Relevant Planning History

DE/2015/0298 Construction of multi-use games area, car park, playground and formation of access; the applicant was advised that the principle of the development would be acceptable 06.08.2015

P/2015/0232 Demolition of flats and adjacent building - prior notification determined that a prior approval for the demolition was not required 22.05.2015

Key Issues/Material Considerations

The key issues are:

1. The Principle of the Development
2. Design & Layout
3. Access
4. Impact on Amenity
5. Impact on TPO Trees

1. The Principle of the Development

The principle of the development is considered acceptable. Policy SC3 of the Composite new Torbay Local Plan Local Plan "A landscape for success" 2012-2030 and beyond and Policies CFS & CF10 of the saved adopted Torbay Local Plan 1995-2011 which support educational infrastructure in principle and 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.

As the school is already in existence criterion 1 is not relevant. It is considered that the proposal accords with criteria 2 and 4. These will be discussed in more detail below. Criterion 3 is not considered to be as relevant as the proposal will not be in place of an existing playing field.

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."

It is anticipated that Torbay School (adjacent to Brookfield House) will be relocated to another site within Torbay to allow the conversion of the existing buildings to a primary school. The proposed development is needed to meet playground space requirements for such a change which is required for the growing demand for primary school places within Paignton. The MUGA provides a cost-effective solution for the school insofar as it provides for a wide range of sporting demands within a small space. Given the restrictions of the site, being within an urban area surrounded by development, its addition overcomes issues of providing separate facilities. It is considered that the site can satisfactorily

accommodate the MUGA and the parking area on the site in accordance with Policy CF10.2.

2. Design & Layout

The design and siting/layout of the MUGA, which is to be surrounded by a 4m high fence, is somewhat fixed by the nature of the form of the games area and of the site. However it is not considered that the MUGA would be overdominant or highly visible in the streetscene particularly when considering that it will be replacing a 3 storey residential building. Views of the MUGA can be improved by a suitable landscaping plan which can be secured by condition.

It is considered that the car park area is located in the most suitable location. The access from the car park and MUGA is to be through a lightweight timber walkway which meanders through the existing trees providing a pleasant route to the school.

Thus, the design and layout of the proposal is considered to be appropriate and that the proposal accords with Policies SC3 and DE1 of the Composite Torbay Local Plan Local Plan "A landscape for success" 2012- 2030 and beyond and Policies CF2, BES and BE1 of the saved adopted Torbay Local Plan.

3. Access

Highways have no technical issues with the proposal and Strategic Transport have confirmed that the revised access via Brookfield Close represents a significant improvement to the very narrow access adjacent to the school which is currently used. The proposal includes a car park with 19 additional spaces for staff and visitors.

This is likely to result in an increase in vehicle movements to and from the site than is presently the case with the flats. However this is only likely to be at the beginning and end of the school day and not late in the evenings or at weekends.

4. Impact on Amenity

The starting point when considering the impact the proposal would have on the amenity of residential neighbours must be that the proposed MUGA and car park are in place of a three storey residential block of flats. The proposal must therefore result in a significant reduction in overdominance and overlooking.

The access, parking and in particular the MUGA, are likely to result in an increase in noise and disturbance however this will only be on week days and during school hours. The applicant has stated that the MUGA will only be used during school times and under supervision. It is however considered that a condition limiting hours of use and the use of lights should be added to ensure that the impact on residential amenity is limited. A condition regarding the submission of a landscaping plan which would include planting along the boundaries with residential properties would aid in reducing any potential visual impact as well as providing a barrier to noise.

It is not considered that the access between the car park and MUGA and the school would cause a significant impact on the amenity of the adjacent neighbouring property (60 Upper Morin Road).

Bearing the above points in mind it is considered that the proposal would have an acceptable impact on the privacy and amenity of neighbouring properties particularly if relevant conditions were also added.

5. Impact on Trees

The proposal includes the loss of some trees which are considered to be of a poor quality and which are not protected by TPO's. One sycamore is to be removed; this will need to be mitigated by additional planting. The impact on trees is considered to be acceptable provided that the supporting arboricultural report, its plans and included methodologies are conditioned and enacted throughout the development and that a detailed landscaping plan is conditioned to be submitted.

S106/CIL -

Not applicable in this instance.

Conclusions

The proposed development is considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations.

This is subject to the following conditions:

- Details of boundary treatment and implementation of approved boundary treatment
- Works to be undertaken in strict accordance with the approved arboricultural report, plans and mitigation
- Details of landscaping
- Landscaping implementation and retention
- Drainage details to be provided including result of infiltration tests in accordance with BRE 365 at the locations and invert levels of the proposed soakaways and soakaway design to show that the proposed soakaways have been designed to cater for the critical 1 in 100 year storm event plus an allowance for climate change
- Restrictions on times of use and the lighting of the MUGA
- Restriction to ensure the MUGA is solely used by the school and its pupils
- The submission of a staff travel plan
- Details of location, number & type of boxes to house bats and birds
- Detailed plans of MUGA to be submitted

Relevant Policies

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