

**Application Number**

P/2016/1159

**Site Address**Myplace, Parkfield  
Colin Road  
Paignton  
TQ3 2NR**Case Officer**

Mr Alexis Moran

**Ward**

Preston

**Description**

Alterations and construction of two single storey extensions with courtyard between. Relocation of school.

**Executive Summary/Key Outcomes**

The site, MyPlace, Parkfield, is a modern lottery funded flagship youth facility constructed in 2010 and operated by Torbay Council Youth Services. The MyPlace building was constructed on the site of the former Council nurseries to the north and west of Parkfield House.

The proposal seeks consent to relocate Torbay School to the MyPlace building. The new school would provide places for 64 students with statements of need classified as emotional, behavioural disabilities and support predominantly young males between the ages of 11-16.

In order to meet the required educational and accommodation standards permission is also sought for the addition of two single storey extensions to the east elevation of the MyPlace building with a courtyard between.

The key issues relate to, the principle of the MyPlace building being used as a school, the impact on the amenity of adjoining occupiers, the highways impact and flood risk.

Part 3 (Change of Use) Class T of The Town and Country Planning (General Permitted Development) (England) Order 2015 states that development consisting of a change of use of a building and any land within its curtilage from a use falling within Class D2 (assembly and leisure) of the Schedule to the Use Classes Order, to use as a state-funded school or a registered nursery can be undertaken without planning permission. This is subject to the developer applying to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required as to:

- (i) transport and highways impacts of the development;
- (ii) noise impacts of the development; and

(iii) contamination risks on the site.

Torbay School is a state funded school and therefore the principal of the change of use of the MyPlace building would be considered acceptable, subject to the Council not objecting to the scheme on the above three points.

In this instance it is necessary to extend the original building in order to facilitate the school and therefore prior approval would not be permitted. This proposal must be considered against the relevant planning policies in the local plan. It is however noted that the broad principle of the change of use of the existing building can be undertaken as a permitted development and this should be given consideration in determining the application.

The proposed extensions are of a scale which would not have an overbearing or overdominant impact on the character of the original property or adjoining properties. Given the single storey nature of the proposed extensions and the existing and proposed boundary treatment, it is not considered that the proposal would result in significant issues arising from overlooking.

There have been a number of objections to the proposal many of which relate to the loss of the MyPlace building and facilities as a result of this application. However there will be no change to the existing BMX track or the skate park or the public right of way across the site which will be maintained as existing. The existing youth facilities will continue to be available for the present users outside of school hours (09:15-15:00), at weekends and during school holidays and in accordance with an agreed timetable.

The proposed change of use and extensions would make effective use of this site and would create a good quality development. It is deemed to be appropriate for conditional approval.

### **Recommendation**

Conditional approval subject the receipt of further information relating to design, drainage and highways, final drafting of conditions to be delegated to the Executive Head of Business Services.

### **Statutory Determination Period**

The target date for determination of this application is 02.02.2017.

### **Site Details**

The site, MyPlace, Parkfield, is a modern lottery funded flagship youth facility constructed in 2010, and operated by Torbay Council Youth Services. The MyPlace building was constructed on the site of the former Council nurseries to the north and west of Parkfield House.

The site is situated to the north of the Grade II Listed Building of Parkfield, to the

west of Marine Drive and to the south of Colin Road. Colin Road provides access to the northern boundary through the Council car park.

The railway line is approximately 75 metres to the west. A public right of way crosses the site from north to south. The application site covers an area of 0.49 hectares with the wider site in the ownership of Torbay Council covering 3.5-4 hectares.

Along the northern and eastern boundary of the site are residential and commercial properties fronting Marine Drive, Marine Park and Colin Road. The wider area is in mixed use predominantly comprising residential properties and hotel uses.

The youth facility comprises a national standard BMX track, skate park and the MyPlace, Parkfield building which accommodates a multi-purpose sports hall, theatre or music venue, climbing facilities, leisure facilities, meeting rooms, recording studio and IT suite.

In the Torbay Local Plan 2012-2030 the southernmost part of the site is shown as being within the Polsham Conservation Area and includes the listed garden house/poison store (often referred to as a folly). The site is also shown as being within the Core Tourism Investment Area.

### **Detailed Proposals**

It is proposed to relocate Torbay School to the MyPlace building. Torbay school is a special school for students with statements of need classified as emotional, behavioural disabilities and supports predominantly young males between the ages of 11-16. The school would provide 64 spaces. The school would provide 64 spaces with 46 full time-staff and 12 part-time staff.

In order to meet the required educational and accommodation standards permission is sought for the addition of two single storey extensions to the east elevation of the MySpace building with a courtyard between. The courtyard between the north and south extensions will form a playground to the school. A covered walkway will be provided between the two classroom extensions.

A vehicular turning circle is to be constructed at the north end of the site to provide a taxi and mini-bus drop off point in proximity to the entrance. The turning circle will avoid the need for vehicles to reverse. The drop-off point will be managed by Torbay School to ensure that students enter the school safely and to prevent truancy.

The entrance to the school will be to the north of the building in proximity to the vehicle drop-off point. A path leads from the drop-off point around the north east of the building to a student entrance to the playground in the central courtyard.

The north extension will accommodate the main entrance, administration and meeting room facilities. Three classrooms are to be provided on the south side of the north wing accessed from the central courtyard. These classrooms will be set to correspond with the external ground level of the courtyard. The extension is to be a maximum of 27m from the rear of the original building, be 22m wide and have a height of 6m.

The south extension comprises of a single storey building centred on the existing access to the MySpace building. This extension is to be used to provide science and vocational classrooms the latter of which opens out into the external areas. This extension is to protrude by a maximum of 23m from the main building and be 22m in width with a height of 6m from ground level.

The playground will be separated from the external access corridor serving the classrooms in the north extension and provides a covered link to the south extension and MyPlace. The playground is to be treated as a multi use games area for sport, complete with perimeter fencing and a netted roof.

The eastern boundary of the playground is separated from Marine Park by an existing retaining wall and 3.0 metre high timber fence to the existing service yard.

The existing sports hall is to be converted to a multi-use space. This will maintain the function of the existing sports hall and allow part of the space to be used as a dining hall by Torbay School. A temporary removable screen with a high level curtain division is to be provided to allow the sports hall to function within a smaller area while the remainder of the hall is used as a dining hall.

The existing building will be shared between Torbay School and the Youth Trust in accordance with an agreed timetable.

There will be no change to the existing BMX track or the skate park and the external area to the west of the school. The public right of way across the site will be maintained as existing.

The existing pedestrian access to the MyPlace building will be repositioned to form a new entrance to the youth meeting room. The existing sliding entrance door to MyPlace, will be replaced with a double entrance door to provide controlled access to the sports hall for events outside school hours and to provide a fire exit. The existing entrance to the climbing wall is to be utilised to provide an independent access.

Vehicular access to Torbay School will be via Colin Road and through the public car park. The existing barrier gate to the site entrance will remain, and this will be managed by Torbay School to be open at the start and finish of the school day.

The proposal also includes relocating the existing electrical sub-station from the east of the site to the north of the site. This is not considered to be contentious.

### **Summary Of Consultation Responses**

Urban design consultant: The curious form of the existing building arose from a consultation/engagement project with the buildings end-users. It is not wholly successful, but deserves to be respected and the most important aspect of the design is the long western elevation which addresses the primary open spaces of the wider site and forms the most important image of the facility. The proposals only suggest minor modifications and these are not contentious.

Providing the new accommodation at the rear is therefore a sound strategy, but the manner in which the new and old conjoin and form a new composition is less than elegant. Whilst the resultant impacts are evidenced, finally, in how the overall forms are resolved, it is more clearly the internal organisation of the design which is the key generator of the difficulties.

In recognising that the new accommodation for the school will have its own demands set by the school brief and be based on tight cost yard-sticks, then it is to be expected that a different architectural language will naturally emerge and this is apparent from the proposed drawings that have been submitted. There would be merit in establishing between new and old an intermediary linking element. At the southern end of the plan then this is in existence with circulation and external space effectively separating out old from new.

If this strategy could be continued to serve the accommodation north of the playground then this would have the additional benefit of clarifying the internal circulation. Currently the student entrance is tucked away around the corner towards the eastern end of the entrance façade, whilst the visitor entrance is centrally placed. Internal circulation has to endure several 90 degree turns in order to serve the interior parts of the building.

The obstacle to achieving a simpler layout is apparently the new kitchen that must of course be adjacent to and serve the dining hall (which is to be a cordoned off part of the sports hall). A solution could be found which locates the kitchen as part of the landscape space to the north of the sports hall (where a bin enclosure is currently proposed) – with some modification / adaptation of the climbing wall space in order to link to the hall. A kitchen here together with other ancillary spaces would have to be a well-designed and an elegant 'object' in this conspicuous location – possibly integrating with the landscape treatment – but this would free up space on the site and provide an opportunity for the movement zone to be continuous between old and new. This, in turn, might allow the formal response to more elegantly articulate the two ... the current entrance façade is otherwise rather weak.

Suggests consideration could be given to re orientating the proposed extensions

and reconsidering the southern block as a two storey building to liberate more external ground level space.

Strategic Transport - Paragraph 72 of the NPPF states that “great weight” should be given to the need to create, expand or alter schools. I note that the school is only moving a short distance and that much of the use’s impact on the transport network is existing. Because the school will operate in school hours (approximately 0915-1500) and term times, the main impact of the use will be at different times to when Parkfield and the adjoining car park are being used most intensely.

The application is supported by a Transport Assessment and draft Travel Plan. This has modelled the impact of the school upon the Colin Road/Marine Drive junction and found that the junction operates within capacity with an estimated 11.33 second delay in joining the main road from Colin Road in the PM peak. This would not constitute a severe residual impact.

The existing school has little off road parking and the Parkfield site is adjacent to Colin Road car park. The use of the Colin Road car park would appear to be appropriate since the school will not be in use during peak demand periods for the car park. The beach huts may need to be stored elsewhere to ensure that there is sufficient capacity on the car park.

In terms of the modal split, the pupil modal share of less than 10% arriving by private car is already good, and the travel plan should seek to maintain (or improve) this. Over 91% of staff arrive by car. The travel plan should seek to reduce this to 70% (i.e. a 20% reduction rather than a 10% reduction proposed in the Travel Plan) in order to meet the requirement in Policy TA2 of the Local Plan.

In addition, safe pedestrian access to the school must be provided. There will be pedestrian movements from Colin Road car park and a pedestrian demarked footway should be provided to the proposed school entrance. This could be painted rather than a raised pavement, but it will result in the loss of, or need to relocate, parking for four vehicles.

Most pupils (nearly 60%) travel by bus and will need to walk to the main bus routes on Torquay Road. There is an advisory sign for a playground on Lower Polsham Road. Given that Lower Polsham Road is narrow, car speeds are likely to be low; but I suggest an additional school warning sign should be erected to alert drivers of the pedestrian access, which is likely to be used more y pupils arriving via bus stops on Torquay Road to the west. Given that the school caters to vulnerable people it may be appropriate to have adult escorted walking trips to the bus stops. It would not be necessary to impose this as a condition of planning permission, but it should be inserted as a possible option into the Travel Plan (under the public transport actions).

With these relatively minor suggestions, it is considered that the proposed school is acceptable in transport terms.

Senior Heritage and Design Officer: No objection, the proposed extensions are not considered to impact on the setting of the listed garden room or Parkfield House, both to the south of the site.

Environment Agency: No objection.

Natural England: No objection.

National Trust: Comments awaited.

Drainage: Within the site specific flood risk assessment the results of infiltration testing on the site have been included. The results of these infiltration tests confirm that infiltration drainage will not be viable on this development.

As infiltration drainage is not suitable for this site the applicant has identified that the surface water drainage will discharge at a controlled rate to the Occombe Valley Watercourse (designated as main river) located within Colin Road car park. The proposed discharge rate has been set at 1.5l/sec which complies with the requirements of the Torbay Critical Drainage Area.

The hydraulic design for the proposed surface water drainage system has been included within the site specific flood risk assessment however there are no drawings identifying the proposed discharge location for the surface water drainage to the watercourse. The levels quoted for the discharge location within the hydraulic model do not agree with the level information we hold for the culverted watercourse in Colin Road. The developer must supply a plan showing the proposed discharge location together with the cover and invert levels of the culverted watercourse and invert level of the proposed discharge pipe.

It should be noted that during major storm events the Occombe Valley watercourse is known to flow at pipe full capacity through the culverted section in Colin Road car park. Therefore, unless the developer is proposing to connect the surface water drainage system from the development to the culverted watercourse above the culvert soffit level the outfall cannot be assumed to have a free discharge as identified within the hydraulic modelling.

The information relating to manhole cover and invert levels on the surface water drainage layout within the site specific flood risk assessment does not correspond to the levels identified within the hydraulic modelling.

Arboricultural Officer: There is potential for development within the application site however a full recommendation cannot be given until the following points are addressed to allow for the full understanding of the impact of the development on

the visual amenities of the site.

- A Tree Protection Plan is to be prepared to ensure the healthy retention of all planting to be retained in situ as well as the offsite trees, including methodology for tree protection and a schedule of pre-commencement tree surgery works.

Greenspace Coordinator: The Preliminary Ecological Appraisal is considered to be a fair assessment of the ecological impacts of the proposed development. It is recommended that the following conditions be secured:

- Development should be undertaken in strict accordance with the Conservation Action Statement (Appendix 4) of the Preliminary Ecological Appraisal, Acorn Ecology, September 2016 in order to avoid, mitigate and compensate for anticipated ecological impacts.
- It is recommended that the avoidance and mitigation measures set out in the Conservation Action Statement are included in any Construction Method Statement required to be submitted to Torbay Council for approval prior to commencement.
- It is recommended that the compensation and enhancement measures set out in the Conservation Action Statement are reflected on a landscape plan to be submitted for approval by Torbay Council prior to commencement. The landscape plan should include details of proposed species, plant sizes and plant numbers/densities, as well as on-going management. The number, type and locations of the proposed bird nesting boxes should also be shown on this plan.

The inclusion of a MUGA is welcomed. The possibility of this being available for community use/use by the Youth Trust during evenings, weekends and holidays should be explored and, if this is possible, secured by condition.

### **Summary Of Representations**

A total of 45 objections have been received in relation to this application, the main points raised in these are:

- Loss of facilities
- Loss of privacy
- Noise.

### **Relevant Planning History**

P/2010/1308 - Revised siting of BMX track and omit proposed on site parking area due to discovered badger setts; approved 14.06.2011

P/2010/0155 - Change of use of existing folly from garden storage to skatepark kiosk and first floor office, adjustment and widening of exit pillars onto Lower Polsham Road from approved site; approved 14.06.2010

P/2009/0983 - Demolish nursery buildings. Replace with new build 'My Place' building containing indoor sports hall, associated changing and toilet facilities,



cafe/internet areas, recording and sensory rooms. Outdoor facilities to include BMX and skate board tracks, on site car parking and landscaping. Renovation and change of use to Parkfield House from Council offices to 30 bed youth hostel for new 'My Place' building. Landscaping to existing grounds; approved 26.11.2009

### **Key Issues/Material Considerations**

The key issues relate to, the principle of the MyPlace building being used as a school, the impact on the amenity of adjoining occupiers, the highways impact and flood risk.

#### 1. The principle of the MyPlace building being used as a school

Planning permission is not required for a change of use of a building in leisure use (Class D2) to a state funded school, subject to the LPA determining whether prior approval is required in respect of transport and highways, noise and contamination.

In this case as it is necessary to extend the original building in order to facilitate the school the prior approval procedure could not be used. Therefore the proposal must be considered against the relevant planning policies in the local plan. However the broad principle that the change of use of the existing building could be undertaken as permitted development is a material consideration in the determination of the application.

The building is located in an area where there is already activity associated with the car park, proximity to the sea front and commercial properties in Colin Road, and Marine Drive. Therefore the additional activity and trips generated by the change of use to a school would have a limited effect on the character of the area. The school use would occur only during daytime hours which means there would be no impact during quieter night time periods. In comparison with the existing use of the building for leisure purposes the level of activity and noise generated by the school is unlikely to be significantly greater.

The site is within a Core Tourism Investment Area therefore Policy TO1 (Tourism, events and culture) must be considered. Within these areas the promotion and enhancement of tourism activities and facilities is encouraged. The Policy seeks improvements of existing and provision of new tourist accommodation and attractions in areas which are seen as the main focus for investment in tourism.

The area is close to the seafront and would benefit from retaining a tourism related use. The application states that the existing facilities will remain available for the present users outside of school hours, at weekends, school holidays and bank holidays.

The sports hall will be retained at the existing size and a removable screen

curtain is to be introduced to subdivide the sports hall making the transition between school activities and activities out of school, simple. It is considered on balance that the building could still provide suitable tourist facilities if properly managed, particularly during the height of the tourist season when the school is closed for the summer holidays.

With regards to the impact the proposal would have on those existing commercial/holiday uses in the immediate area such as hotels and B&Bs; as the change to a school would only affect the area outside of the main tourism season, during term time, it is not considered to have a significant impact on commercial trading. It is deemed that the proposal would

Policy SC1 (Healthy Bay) promotes healthy, safe and active living for all age groups, including healthy living options for older people; and Policy SC2 (Sport, leisure and recreation) states that there will be a presumption against loss of existing recreational and leisure facilities unless:

- i) An assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements; or
- ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity or quality in a sustainable location; or
- iii) The development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

The facilities in the MyPlace building will be available to existing and future groups and members of the public outside of school hours. The sports facilities will however be unavailable during the construction phase of the development which is proposed to be one year. The current providers are seeking alternative accommodation for existing users.

It is considered that the proposal would comply with Policy SC2. The facilities will remain available to new and existing user groups and members of the public outside of school hours. The facilities would therefore be made available to all users in the peak activity times which would be outside of school hours, at weekends and school holidays. It is proposed that the existing underutilised sporting facilities will be used by Torbay School during the school day.

There will be no change to the existing BMX track, the skate park or the public right of way across the site. Outside of school hours, at week-ends and during school holidays, the existing youth facilities at MyPlace will continue to be available for the existing users.

A mission statement setting out the shared goals of Torbay School and the Youth Trust is included in the appendix to the submitted Design and Access statement. This sets out the shared aspirations for the project and the need to separate the identity and education function of the MyPlace building from the existing youth

provision. The aim is to preserve the sense of ownership of the youth facilities by the Youth Trust, and to create a separation from the education function of Torbay School.

Bearing these points in mind and subject to conditioning the above arrangements, the proposal is deemed to comply with Policies SC1 & SC2 of the Torbay Local Plan 2012-2030 as the existing facilities are proposed to be retained.

Policy SC3 (Education, skills and local labour) of the Torbay Local Plan 2012-2030 states that the Local Plan will support the improvement of existing and provision of new educational facilities to meet identified needs in Torbay. This includes both the expansion of schools to meet identified short to medium-term needs, and construction of new schools.

The proposal requires Torbay School to be relocated to the MyPlace building as its current site on Torquay Road, Paignton is to be altered to provide for the addition of a new primary school. The extensions and alterations to the MyPlace building are required in order to provide appropriate facilities for Torbay School to relocate. The proposal is considered to be compliant with Policy SC3 as it aims to provide an expansion to an existing building to provide a new educational facility.

In terms of the visual impact of the proposal the extension have been sited so as to avoid intrusion onto the sensitive area of the site in proximity to the Grade II listed Parkfield House and garden room to the south. The proposed extensions are located to the rear of the main building and thereby aid in retaining the original design concept of the buildings principle elevation. The Council's Urban Design advisor has suggested the design could be improved and the applicant has been requested to consider these points.

The site is open to the north from the Colin Road car park allowing a clear view of the entrance to the school and the single storey wing to the east of MyPlace. The development is proposed to be single storey so as to minimise its visual appearance. The scale of the development is considered to be appropriate to that of the original building and subservient in terms of its size and siting. The Council's Urban Design advisor has suggested that the extension could be separated from the main building, which would provide a stronger distinction between the old and new elements of the building.

The south west boundary of the site adjoins the side elevation of properties at the end of Marine Park cul-de-sac which is approximately 2 metres lower than the site level. At present there is a substantial 3.0 metre high boundary fence and wall at the end of Marine Park which will aid in reducing the visual impact of the proposed extensions and aid in them blending into the backdrop of the larger main building. The reinforced boundary treatment will also aid in screening the

playground and help to reduce noise levels. This will be supplemented with additional landscape planting. Landscaping details will be sought by condition.

Similarly the boundary fence limits the visual impact of the proposed extensions from the rears of the properties on Marine Drive, the main rear two storey elevations of which are in excess of 20m away.

To the north west the site bounds the rear of the residential and commercial properties on Colin Road, improvements to landscaping here are proposed in order to limit the visibility of the proposed extensions.

The proposed extensions to the MyPlace building have been considered in terms of their impact on the setting of the Grade II listed garden area at the south of the development site and the Grade II listed Parkfield House further to the south. Due to the size and scale of the proposed extensions it is not considered that their addition would be of detriment to the setting of the listed buildings. .

## 2. Impact on amenity

Policy DE3 (Development amenity) of the Torbay Local Plan 2012-2030 states that all development should not unduly impact upon the amenity of neighbouring and surrounding uses. The following criteria are amongst those which this Policy is assessed against:

- The impact of noise, nuisance, visual intrusion, overlooking and privacy, light and air pollution;
- Impacts on existing living conditions and standards of accommodation of other uses:

The single storey school buildings are not of sufficient size to cause overlooking to the adjoining properties nor do they have a residential element which would entail excessive overlooking. As previously mentioned the rear boundary fence and wall, which are proposed to be improved in areas by additional landscaping, prevents any significant direct overlooking issues. This also alleviates any issues with the proposed extension appearing to be overdominant.

The site is 20m from the main rear elevations of the properties in Marine Drive a distance which is considered to result in an acceptable relationship and one which would not result in a loss of light or cause a loss of residential amenity to neighbouring occupiers.

The properties on Marine Park have a side to side relationship with the proposed single storey extensions to the building. In combination with their small scale, the boundary treatment and the urban setting of the location, this side by side relationship would not be overdominant on the residential amenity of residents or the character of the properties in Marine Park.

The main impact on neighbouring properties and the wider area will be as a

result of vehicle and pedestrian movement at the start and end of the school day. The visual and noise issues related to this are considered to have a limited impact on the residential amenity of neighbouring occupiers as it will be infrequent and for short periods and only on weekdays. The existing fence also provides an effective visual and acoustic screen to the proposed development. As the site is accessed via a car park it is considered that there should be no issues with regards to parking or access egress to residential properties.

The playground will be in use at limited times of the day during school terms. The prime period for the occupation of the holiday let properties in the Colin Road/Marine Park will be during the school holidays, thus minimising the risk of noise disturbance to the adjoining properties. The playground for the proposed school is sited in the most favourable residential location, between the properties on Marine Park. This location is well screened by a 3m boundary wall and fence which will aid in reducing the noise impact associated with the playground.

When considering the points above the proposal is deemed to comply with Policy DE3 of the Torbay Local Plan 2012-2030.

The overall design of the proposed extensions is deemed to be acceptable and fit for the purpose intended. There would however be merit in establishing a link between the existing and both proposed extensions in order to provide some distinction, revised drawings showing this have been requested. Improvements to the proposed entrance façade to the north have also been sought, a stronger elevation in this location would aid in the legibility of the development and some internal alteration would improve circulation space.

### 3.Highways impact

Overall the proposal is considered to have an acceptable impact on highways capacity and safety. The application is supported by a Transport Assessment and draft Travel Plan which state that the Colin Road/Marine Drive junction operates within capacity. The use of the MyPlace building as a school would have an acceptable impact on the highway.

The use of the Colin Road car park to access the site and parking, pupil drop off, would appear to be appropriate since the school will not be in use during peak demand periods for the car park.

At present less than 10% of pupils arrive at Torbay School by private car whereas over 91% of staff arrive by car. The travel plan will need to be amended to seek a reduction of this to 70% (i.e. a 20%) in order to meet the requirement in Policy TA2 of the Local Plan.

A demarked (painted) footpath is considered necessary between the Colin Road car park and the proposed school entrance in order to provide safe pedestrian access. It is suggested that an additional school warning sign is added on Lower

Polsham Road to alert drivers of pedestrian access. The justification for this is that as nearly 60% of pupils travel to the school by bus and the stop on Torquay Road is the most likely to be used, pupils will walk down and access the school via Lower Polsham Road.

As the school caters to vulnerable people consideration should be given to whether adult escorted walking trips to the bus stop is also appropriate. These alterations can be inserted into an updated travel plan.

### 3. Flood risk

The site is within Flood Zone 1, which is considered to be at a very low risk of flooding.

Infiltration tests on the site confirm that infiltration drainage will not be viable on this development.

As infiltration drainage is not suitable for this site the applicant has identified that the surface water drainage will discharge at a controlled rate to the Occombe Valley Watercourse. The proposed discharge rate has been set at 1.5l/sec which complies with the requirements of the Torbay Critical Drainage Area.

The hydraulic design for the proposed surface water drainage system has been included within the site specific flood risk assessment however. Further information on the specification of the system is required before planning permission can be issued.

### 4. Ecology

The majority of the site consists of buildings and hardstanding which provides very little ecological value. The features of highest ecological value on site are the small area of dense scrub and long grass to the north of the site. Part of the area of scrub and long grass will be lost to the mini bus parking and the relocated substation.

No evidence of bats roosting in the application area have been recorded and there is considered to be low potential for foraging bats due to the lack of suitable habitat.

There is potential for birds to nest in the building and the dense areas of scrub to the north and as such all works will need to take place outside of the nesting season and a condition requiring this will be imposed.

The proposed scheme has been considered in regard to any likely significant effect on the environment in accordance with the requirements of the Town and County Planning (EIA) Regulations 2011 and it has been determined that an Environmental Statement is not required.

## **Conclusions**

The proposed development would result in the use of a building which is underutilised during school times by providing a new educational facility and the extensions to the building would comply with Policy SC3 (Education, skills and local labour) in the Torbay Local Plan 2012-30. The form, layout and design of the proposed extensions are principally of a suitable scale and siting to not dominate the character of the original MyPlace building or be of significant detriment to the privacy and amenity of neighbouring residential properties and holiday accommodation, although the applicant has been asked to consider a number of minor revisions. Consequently subject to the receipt of additional information relating to drainage, design it is, on balance, considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations, subject to the conditions itemised below:

- Opening hours between the school and youth services to be set to ensure the retention of the existing facility
- Staff travel plan
- Removal of permitted development rights to prevent a change of use without first gaining the consent from the Council
- Submission of finished floor levels taken from a fixed ordnance datum point.
- Lighting strategy
- No ground/clearance works in bird nesting season
- Submission of boundary treatment and landscaping plan
- Landscape implementation
- Materials Implementation of drop off area and parking
- Implementation of drainage strategy
- Development should be undertaken in strict accordance with the Conservation Action Statement (Appendix 4) of the Preliminary Ecological Appraisal, Acorn Ecology, September 2016 in order to avoid, mitigate and compensate for anticipated ecological impacts.
- Submission of a Construction Method Statement which includes the avoidance and mitigation measures set out in the Conservation Action Statement
- The compensation and enhancement measures set out in the Conservation Action Statement are reflected on a landscape plan to be submitted for approval by Torbay Council prior to commencement. The landscape plan should include details of proposed species, plant sizes and plant numbers/densities, as well as on-going management. The number, type and locations of the proposed bird nesting boxes should also be shown on this plan.

## **Relevant Policies**

-