

Application Number

P/2017/0121

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

Mr Alexis Moran

Ward

Preston

Description

Relocation of Torbay School to MyPlace, Parkfield. Alterations to MyPlace, Parkfield and construction of new single storey extension for Torbay 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 development area is currently in use as a service yard for the Council and includes a number of single storey buildings.

The application is a revised scheme to that which was brought to the DMC on 12.12.2016. The previous application ref: P/2016/1159 had an officer recommendation of approval however Members did not consider the application acceptable and resolved to refuse it. The decision on this application has not yet been issued. The aim of the revised scheme is to address and overcome the issues raised by DMC.

The following points summarise the main design changes, other alterations to the scheme are summarised in section 5 of this report:

- Minibus parking relocated to minimise impact on neighbours
- Additional planting and green buffer space introduced to maintain separation between school and neighbours
- Student entrance relocated to avoid disruption to neighbours
- Front elevation redesigned to provide visual separation between existing

building and proposed extension.

As with the previous scheme 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.

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.

Torbay School is a state funded school and therefore the principle 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 the prior approval process is not available. 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.

This scheme provides the entrance for pupils on a new, stronger, north elevation and thus away from the properties to the east. This however requires the single storey extension to the north to protrude by a further 1.2m to the east towards the boundary of the site with no. 8 Marine Park. The majority of this extension is adjacent to the car parking area to the rear of Colin Road and the pitched roof garage of no. 8 Marine Park. The southern corner of this extension will be within 7 metres of the side elevation of no. 8 Marine Park which has secondary windows above ground floor level. In an urban environment a distance of 7 metres between side elevations is not uncommon. Due to the single storey nature of the proposed extension it is not considered that overlooking will be a significant issue, the scale of the extension would not result in the development being overbearing on the residents of 8 Marine Park.

It is considered that as 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 and differences in levels, it is not considered that the proposal would result in significant issues arising from overlooking.

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. Some of the facilities in the proposed school extension will be available to the community and youth services outside of school hours as soon as the school is open. During the construction phase part of the existing building to the south will remain open for youth services.

The proposed extensions would make effective use of this site which is currently used as a service yard. Improvements have been made to the entrance elevation to create a stronger feel of legibility and overall the proposal is considered to be a good quality development. It is deemed to be appropriate for conditional approval.

Recommendation

Conditional approval subject the receipt of further information relating to drainage, 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 10.05.2017.

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. There is a Grade II Listed folly within the application site to the south of the proposed development. To the west are properties fronting Marine Drive and Marine Park and to the north are properties fronting 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. 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. 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 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 large 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.

Previously concerns had been raised with regards to the impact of the mini-bus parking and its proximity to the site boundary and adjacent properties on Colin Road and Marine Park. As a result of this the minibus parking area has been relocated away from the side boundary to a position in front of the sports hall to mitigate impact on neighbours. Improved boundary fencing and landscaping in this area is also proposed.

The entrance to the school will be to the north of the building in proximity to the vehicle drop-off point.

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 would project a maximum of 29m from the rear of the original building, would be 22m wide and have a height of 6m.

This scheme provides a student entrance on the north elevation through the school and thus away from the properties to the east. This however requires the single storey extension to the north to protrude by a further 1.2m to the east towards no. 8 Marine Park in comparison with the previous application under reference P/2016/1159.

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. The previously proposed net over the playground has been deleted from the current proposal.

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. There is a dedicated storage area included on the layout to accommodate dining hall furniture when not in use. Dining furniture would be erected and removed daily over the lunch period.

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: Comments awaited.

Strategic Transport: NPPF 72 places great weight on the provision of school places. There is a pressing need for additional school places in Paignton.

A number of points had been made in relation to application ref: P/2016/1159 dated 30 November 2016, which remain relevant. It is welcomed that several of the comments in my earlier email have been taken on board in the updated Transport Statement and Travel Plan.

It is noted that the beach huts may need to be removed from the car park, to ensure that adequate parking for staff and visitors can be provided and reduce the risk of overspill onto Colin Road. The updated Transport Statement notes that Colin Road Car Park has 87 spaces, of which weekday occupancy peaks at about 25% (table 3.5) i.e. 22 spaces taken and 65 free. The Transport Statement indicates 30 staff travel by car, plus visitors and offsite staff. In addition 6 students travel by car and it is proposed to make 8 spaces available for dropping-off and picking-up. Hypothetically this leaves a capacity of 27 spaces for other purposes (i.e. beach hut storage). On this basis it would appear unnecessary to insist on a condition requiring the removal of beach huts, so long as they take no more than 20 spaces (i.e. leaving a buffer of 7 spaces above the usage noted above). In the event of conflicts arising over parking, the Council/TDA control the use of the car park and can secure the removal of beach huts.

It is in any event desirable to achieve a higher take up of sustainable transport modes by staff (to 70% non car use) and to maintain the already high take up of non-car transport by students. The Travel Plan also identifies measures to avoid conflict over on-street parking.

It is understood that a painted line demarcation will provide separation of pedestrians and vehicles using the vehicular access.

The supporting information deals with the specific relocation of the Torbay School from the current location in Torbay Road. This generates less traffic than a different type of school e.g. a primary school or other Class D1 use. In addition it complements the other activities at Parkfield which largely operate outside school hours, thereby diffusing the traffic impact as well as providing a dual use facility with community benefits. Since a different proposal would need to be considered in terms of levels and times of traffic generation, I would ask that any permission is made specific to the scale and nature of the school set out in the submitted details (i.e. not an open D1 consent).

Police Liaison Officer: No objection.

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: No objection.

Drainage: Requests further information from the hydraulic modelling and confirmation of the discharge rate to the watercourse.

Arboricultural Officer: Comments awaited.

Greenspace Coordinator: The Preliminary Ecological Appraisal is considered to be a fair assessment of the ecological impacts of the proposed development. Recommends the following conditions be imposed:

- Development should be undertaken in strict accordance with the Conservation Action Statement
- the avoidance and mitigation measures set out in the Conservation Action Statement to be included in any Construction Method Statement
- the compensation and enhancement measures set out in the Conservation Action Statement to be reflected on a landscape 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 6 objections have been received in relation to this application, the main points raised in these are:

- Loss of facilities
- Noise
- Impact on local area
- Crime
- Impact on young people
- Inappropriate use as a school
- Loss of privacy
- Impact on tourism uses.

Relevant Planning History

P/2016/1159 - Alterations and construction of two single storey extensions with courtyard between. Relocation of school; DMC resolved to refuse this application on 12.12.2016 - decision pending

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.

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 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. Some of the proposed new school buildings facilities would be available to the community and youth service outside of school hours as soon as the school is open. During construction part of the existing building to the south will remain open for youth services activities.

It is considered that the proposal would comply with Policy SC2. The facilities will remain available to 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 folly 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 building's principle elevation. The design of the entrance to the school to the north has been amended to provide a stronger sense of arrival with separate staff/visitor and pupil accesses. These alterations are in line with recommendations made by the Council's Urban Design advisor as part of application P/2016/1159.

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

extension to the north is recessed where it adjoins the original building to provide some distinction between the old and new elements.

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 rear 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:

- o The impact of noise, nuisance, visual intrusion, overlooking and privacy, light and air pollution;
- o 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 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.

Alterations to the entrance elevation result in the single storey extension to the north to protrude by a further 1.2m to the east towards no. 8 Marine Park. The majority of this extension is adjacent to the car parking area to the rear of Colin

Road and the pitched roof garage of no. 8 Marine Park. The southern corner of this extension will be within 7 metres of the side elevation of no. 8 Marine Park which has secondary windows above ground floor level. However in an urban environment a distance of 7 metres between side elevations is not uncommon. Due to the single storey nature of the proposed extension it is not considered that overlooking will be a significant issue, the scale of the extension would not result in the development being overbearing on the residents of 8 Marine Park.

As a result of providing the school entrance on the north elevation the previously proposed pathway along the boundary with 8 Marine Park is no longer be accessed by pupils as was the case under application P/2016/1159. The access to this side of the extension is now via an internal fire escape door or a gate. The gate provides access to the plant room.

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 minibus parking area has been relocated away from the side boundary to a position in front of the sports hall to mitigate impact on neighbours. Improved boundary fencing and landscaping in this area is also proposed.

The refuse/recycling area is located in a somewhat prominent location but is well screened by hard and soft landscaping. The potential for this to be relocated next to the electricity substation has been considered. However its current location is immediately outside of the kitchen area and on balance is considered to be acceptable.

The site is approximately 29m from the ground floor extensions at the rear 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 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 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. The north entrance elevation has been strengthened in order to aid in the legibility of the development and in order to provide internal alteration to improve circulation space.

Concerns have been raised about crime and the behaviour of pupils and the impact of this on local residents however the Police Liaison Officer has not raised any concerns and Catch 22 have submitted details of a student management plan and a vision for MyPlace which will promote appropriate behaviour in and around the school.

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 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.

A painted line demarcation will provide separation of pedestrians and vehicles using the vehicular access. This is considered to be acceptable and an improvement on the existing situation.

The submitted Travel Plan states that 90.63% of the schools staff currently travel to work by car. The Travel Plan targets a 20% reduction in single occupancy staff car trips over a five year period through encouraging staff to car share and also encouraged other modes of sustainable transport. The Travel Plan also identifies measures to avoid conflict over on-street parking.

The proposal is deemed to comply with Policy TA2 (Development access) and Policy TA3 (Parking requirements) of the Torbay Local Plan 2012-2030.

4. 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.

5. *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.

6. *Other issues covered by the applicant in the submission*

- Car repair workshop - the car repair workshop on the ground floor of the extension to the south will be for repairing parts of cars rather than requiring access to accommodate whole vehicles.
- Size of playground - the restricted playground area is offset by the opportunity for students to use the sizeable sports hall, the other specialist facilities and the additional space available throughout MyPlace. The proposed sports play area is larger than the existing MUGA at the current Torbay School site.
- Playground net - The playground netting has been omitted to alleviate the concerns of the DMC.

- Treatment of site boundary - modest boundary fencing to be considered with upgraded premier landscaping.
- Provision of staff accommodation - staff accommodation is spread across the school complex including the first floor of the existing building to provide distributed management. This was the rationale for placing the staff room on the first floor which also provides surveillance over the external areas. The admin area has been redesigned to include additional facilities.
- Space standards - the accommodation area has been carefully considered to take account of the existing facilities at MyPlace, with reference to BB102 Government Guidance.
- External access to the playground - Torbay school will manage student behaviour to prevent nuisance to neighbours under the MyPlace behavioural management strategy and student management plan.

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. Consequently subject to the receipt of additional information relating to drainage, 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
- Implementation of 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 & 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

-