

Committee: **Regulatory  
Planning Committee**

Date: **14 August 2013**

Report by: **Director of Economy, Transport and Environment**

Proposal: **The removal of the external amphitheatre and the construction of a two storey building, to the northern corner of the School site, to accommodate a nursery on the lower floor with 2 classrooms above, new canopy cover over existing terrace between the main School building and new building, new pathway and 2 metre high weld mesh fence to perimeter of the nursery. The removal of an existing conservatory to the rear (south west) of the main School building and the construction of a two storey extension to accommodate two classrooms. New car park layout and associated landscaping.**

Site Address: **Harbour Primary School and Nursery, Church Hill, Newhaven, BN9 9LX.**

Applicant: **Director of Children's Services**

Application No. **LW/3148/CC**

Key Issues: **i. Need for the Proposal  
ii. Siting and Design  
iii. Effect on Residential Amenity  
iv. Traffic and Parking  
v. Archaeology  
vi. Waste Minimisation**

Contact Officer: **Maresa Kingston Tel: 01273 336697**

Local Member: **Councillor Carla Butler**

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## **SUMMARY OF RECOMMENDATIONS**

**The Committee is recommended to approve the application subject to the completion of the following procedure:-**

**1. The Committee is recommended that the application be approved subject to the completion of the following procedure:-**

**(i) The completion of a Legal Agreement or Undertaking to secure the provision of a financial contribution to cover all traffic survey**

**work; a Traffic Regulation Order and associated works including making the existing School keep clear / zig-zags mandatory; and the submission of a revised Travel Plan for approval prior to the occupation of the development; and**

**(ii) To authorise the Director of Economy, Transport and Environment to grant planning permission upon completion of the Legal Agreement / Undertaking subject to conditions along the lines as indicated in paragraph 8.1 of this report.**

**2. To authorise the Director of Economy, Transport and Environment to refer the application back to this Committee if the Undertaking is not secured within 6 months.**

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**CONSIDERATION BY DIRECTOR OF ECONOMY, TRANSPORT AND ENVIRONMENT.**

**1. The Site and Surroundings**

1.1 The School site is located to the west of Newhaven Town Centre and the North West side of Church Hill, opposite the Parish Church of St Michael. The School site is a rectangular plot of land (1.08 ha in area) that is sited on a north east facing hill that runs down to Newhaven's one way system. To the south west of the site there is a public footpath that adjoins the School's playing field (the highest part of the School site) and connects Church Hill with The Rose Walk. Adjoining the footpath there is a grassed rectangular area that is owned by East Sussex County Council and further to the south is Newhaven Downs Hospital Polyclinic. The remaining surrounding area is predominately residential.

1.2 The current School was originally built in 1996 and comprises a distinct two storey red brick building, which exhibits a variety of design elements including overhang slate tile pitched roofs, incorporating pitched roof extensions to the front and rear elevations, dormer windows, half-hipped gable ends with elevations that comprise French doors and balconettes, decorative stone details to sills, lintels, horizontal banding and semi-circular pediments.

1.3 The steep topography of the School site has resulted in the creation of a number of terraces for external play and circulation space. At ground floor level a terrace to the front of the main School building wraps around to the rear of the School and a hard surfaced playground with steps to the south leading up to the School's playing field.

1.4 To the front and below the main School building are steps leading to a lower terraced playground, and the School car park. Further steps lead down to a second playground area that is also known as the amphitheatre.

1.5 The application site is within an Archaeological Notification Area.

## **2. The Proposal**

2.1 The applicant seeks planning permission to construct a new two storey building to the North West corner of the School site and a two storey extension to the rear of the main School building. The proposed new two storey building will result in the demolition and removal of the existing lower ground amphitheatre, resulting in the removal of overgrown shrubs and trees that are of poor quality. To the rear of the main School building it is proposed to remove a large glazed conservatory, to be replaced by the two storey extension.

2.2 The proposed new two storey building in the North West corner will accommodate a 60 places nursery on the lower ground floor level and, reception teaching and associated rooms on the upper floor. The proposed two storey rear extension will provide two classrooms (one per floor) and additional teaching space for the main School.

2.3 It is proposed to construct the two storey building with a mono pitched zinc effect roof, rainscreen cladding with a timber effect finish, full height glazed walls to the south west elevation and the upper level to the north east elevation, and low level brick cladding. The building will project 8 metres increasing to 16 metres (maximum distance) from the embankment below the first floor terrace with a width of 9.6 metres increasing to 21 metres and a height of 6.2 metres to the north west eaves (lowest part of the roof) increasing to 9 metres to its ridge, being the highest part of the mono pitch roof. A large balcony (5 metres by 15 metres) is proposed to the upper floor of the north east facing elevation, which will provide a teaching / open space area and canopy cover over the entrance to the nursery below. To the North West elevation obscured windows will be inserted at upper floor level to prevent overlooking into residential properties opposite in The Rose Walk. A new entrance lobby is proposed (southern elevation) at ground floor level opposite the main School building. The entrance lobby will provide a lift and stairs, which will allow access to all floors. Externally, a new canopy will be constructed over the entrance to provide shelter during inclement weather for staff and pupils accessing both buildings.

2.4 Pedestrian access to the proposed two storey building will be via a new path that will run between the northern boundary of the School site and the flank wall to the upper level playground. The pathway will go down to lower ground floor level and the new nursery entrance. It is proposed to remove existing lighting columns in this area and install low level bollards.

2.5 Further access from the nursery will be provided via new steps to the upper level playground with a gentle slope from the playground up to the upper floor balcony of the new building. Steps from the playground will allow access to the ground floor terrace and the main School building.

2.6 A new 2 metres high weld mesh fence is proposed along the North West boundary of the site that is shared with residential properties in The

Rose Walk. The fence will continue along the ramped path to provide security for the nursery. The applicant has confirmed that it is not proposed to install this type of fencing anywhere else on the School grounds.

2.7 The second element of the proposed development will comprise a two storey rear extension. The new building will project approximately 7.8 metres from the rear elevation of the main School building, having a width of approximately 8 metres. The proposed extension will replace an existing conservatory that currently projects approximately 3.6 metres from the rear elevation of the main School building and has a width of approximately 7 metres. It is proposed that the appearance of the new extension will match the existing School building, in terms of pitched hipped roof with slate tiles, external brick walls with stone effect feature sills, lintels and horizontal banding. Windows and doors will be double glazed aluminium and coloured to match those of the main School building.

2.8 The School has two existing vehicular accesses onto Church Hill, the main access being the School car park which is located to the north east of the School site. There is also a second access to the south that is used for servicing and deliveries that also provides 4 car park spaces (subject to there being no conflict with delivery vehicles). Alterations are proposed to the main School car park to provide an additional 6 new parking bays, which includes a disabled parking bay and four short stay spaces, giving a total of 26 spaces.

### **3. Site History**

3.1 2004 – LW/2294/CC – Granted. Erection of 3.3 metres high conservatory, to rear elevation.

3.2 1995 – LW/1608/CC – Granted. Demolition of existing permanent School buildings and erection of new School premises and reinstatement of playing field, following the removal of the temporary buildings.

3.3 1994 – LW/1579/CC – Granted. Provision of temporary buildings in substitute of part of existing School, consisting of 4 double and 1 single classrooms, 2 single buildings to accommodate staff rooms and administration. Work includes formation of vehicle access to existing playing field.

### **4. Consultations and Representations**

4.1 Lewes District Council; The District Council does not wish to make any comments on the application and have advised that the County Council should take into consideration the representations received from Newhaven Town Council. Following further consultation on amended drawings, the District Council has reiterated these comments.

4.2 Newhaven Town Council; Raises objections to the proposal and considers that the site will be overdeveloped and that there is inadequate parking for the additional teachers and other staff working on the site, which

will result in much worse traffic problems in Church Hill and the surrounding streets. The Town Council considers that the scheme is 'short term' with no thought for future accommodation for greater numbers of children in Newhaven, particularly given that 2000 new houses are planned. Furthermore, it is noted that children living near Church Hill and Court Farm Road are to be sent to Meeching Valley School this year because there will not be enough room for them on the Church Hill site. Finally, the use of the old Gray's School site at Western Road for infant children would provide greater flexibility for increased provision on both sites.

4.3 Highway Authority; No objections are raised by the Highway Authority, subject to conditions with regard to parking, including cycle and scooter parking and that a S106 Unilateral Undertaking is secured for a contribution of £10,000 to undertake surveys and TRO works, together with the submission of a revised School Travel Plan.

4.4 Local Representations; 14 letters have been received with regard to the original submission. A further 5 letters have been received following consultation on amended plans, which reiterate their original objections to the scheme, as set out below:

#### **Highways –**

- There is existing congestion and chaos on the roads at the beginning and end of the School day. The proposal will result in additional high volumes of traffic, with cars being left on restriction markings and the hazardous bend in Church Hill and Second Avenue, leading to danger on the highway for vehicles and pedestrians including young children. School traffic will overflow into the surrounding residential streets;
- There are currently 25 parking spaces provided for staff, a further 70 staff will result in a daily problem for staff parking and parents with approximately 500 pupils at the School;
- Suggestions that the grounds at Downs Hospital could be used for parking will lead to further danger with traffic going in different directions. Furthermore, a green space and walnut tree will be lost in front of the hospital if this is planned;
- Have studies been undertaken as to how a one-way road system off Church Hill would affect local residents;
- Where will construction vehicles park during School hours, there is concern that this may be in The Rose Walk;
- The extra housing allocation for the Meeching area will result in more traffic that would impact from Southdown Road to Church Hill.

#### **Loss of Amenity –**

- The two storey building will be close to the boundary with the properties in The Rose Walk that will overshadow the gardens of these properties. The windows will be directly in line of sight with two bedrooms opposite resulting in the loss of privacy;

- Views from neighbouring gardens to the 12<sup>th</sup> Century Church will be blocked due to the new canopy cover at ground floor level, between the new building and existing School building;
- Over development of a limited site and there will be a reduction in quality of environment for both adjacent houses, gardens and the School.

### **Need for the School -**

- Grays School is in an ideal location, it has excellent access, has the capacity to expand and is ideal to support children in their early formative years, why does it need to be demolished;
- Why abandon Gray's School site when land for a new School building is limited in this area of the town;
- The proposal is short sighted given the future increase in population at Newhaven with planning permission already granted for over 2000 new homes. There is a need for a new School.
- The Local Government Framework allocation for extra housing for the Meeching area and the subsequent impact such development would have on traffic in the area and required School places.

### **Landscape –**

- Planting needs to be kept to a minimum height to allow light and sun, into the back gardens of residential properties in The Rose Walk.
- Trees/foliage currently obscures the view of the School and provides privacy to properties backing onto Harbour School. This will be lost, together with wildlife, if trees/foliage are removed.

### **Design –**

- The new building will be squeezed into the tightest part of the site and cut into sloping banks. This will result in a large amount of excavation;
- Existing playground area is sacrificed for minimal play areas;
- There will be a long tortuous route to reach the main nursery entrance via a curved ramp (non compliance with requirements of Part M);
- Main reception in the Nursery building is unsuitable access for parents and buggies because of stairs/lift, with the only practical usable entrance being through classrooms from the large front playground;
- The appearance of the new building is a 'formless lump, a carbuncle' that doesn't relate to the well ordered existing School building; The land outside the new building is moss and will never dry out for the Nursery children's outdoor play. Some of the windows in the proposed build will face a concrete wall one metre from the window.
- The elevations do not reflect the plan;
- The Design and Access statement shows photovoltaic panels and mechanical ventilation plant this is not shown on the roof plan.
- The orientation of main classroom windows East North East will receive minimal sun during the day. No sun will penetrate to the lower ground central areas.

- Overlooking and overshadowing to gardens opposite the new development in The Rose Walk. A single storey building without a canopy should be built to alleviate these concerns.

## **5. The Development Plan and other policies of relevance to this decision are:**

### **5.1 Lewes District Local Plan 2003 – Policies ST3 (Design, Form and Setting of Development), T1 (Travel Management), T7 (Provision for Cyclists) and T14 (Vehicle Parking)**

Lewes District Council has undertaken an assessment of the Saved Policies in its Local Plan to evaluate their conformity with the NPPF. Policies ST3, T1, T7 and T14 are considered to be fully consistent with the NPPF.

### **5.2 National Planning Policy Framework March 2012**

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and the Framework applies with immediate effect. It does not change the status of the development plan as the starting point for decision making. It constitutes guidance as a material consideration in determining planning applications. For 12 months following publication, full weight can continue for development plan documents adopted since 2004 even if there is a limited degree of conflict. In other cases and following this 12 months period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF does not contain specific waste policies, but regard should be had to NPPF policies so far as relevant. There are policies facilitating the use of minerals and there are provisions covering transport, good design, protecting the natural environment and references to avoiding noise giving rise to significant adverse impacts and limiting light pollution.

### **5.3 Policy Statement on Planning for Schools Development:**

On the 15 August 2011 the Government issued, with immediate effect, a new policy statement on planning for school development. In this context, the policy statement states that the planning system, when dealing with planning applications for state-funded schools should operate positively and there should be a presumption in favour of the development of state-funded schools. The policy statement encourages a collaborative approach to applications, particularly encouraging pre-application discussions and the use of planning obligations to help mitigate adverse impact of developments. It further asserts that where it is necessary to impose conditions, they should be necessary in order to make the development acceptable and be clearly justified, thereby demonstrably meeting the tests as set out in Circular 11/95. The policy statement indicates that the Secretary of State will be minded to consider refusal of any application for state-funded schools to be unreasonable conduct, unless it is supported by clear and cogent evidence.

## **6. Considerations**

### **Need for the Proposal**

6.1 The National Planning Policy Framework (NPPF) makes reference to 'Promoting Healthy Communities'. In particular Paragraph 72 states that the Government gives great weight to the need to create, alter or expand Schools and resolve key planning issues before applications are submitted. In addition, Paragraph 66 states that proposals which can demonstrate that in developing the design of the new development the views of the community directly affected have been taken into consideration should be looked on more favourably.

6.2 The applicant has advised that the County Council's Children Services Department has reached the decision to discontinue Southdown Junior School and Gray's Infant School, in order to create an all through Primary School at the Church Hill site. This will make a major contribution to a sustainable strategy for raising standards and improving teaching and learning in order to achieve higher standards at Key Stage 2 level. Furthermore, the applicant has stated that there is evidence that the current performance of Junior Schools in East Sussex have been found to be significantly below the performance of all-through Primary Schools and that a higher proportion of Junior Schools are subject to an Ofsted category of 'concern', in comparison to all-through Primary Schools. Junior Schools require more resources and support to raise and sustain educational standards.

6.3 Currently the Harbour School is split between two sites; Western Road (Infants) and Church Hill (Juniors and Nursery). It is anticipated that the completion of the amalgamation and extensions to the School building will be by September 2014 with the School being formally occupied for the beginning of the new School term.

6.4 It is noted that the applicant held a public consultation and information meeting on the 24 April 2013, setting out the proposed development to increase the School's accommodation. 116 people and 50 pupils from the School attended the presentation

6.5 The concerns that have been raised as a result of the planning consultation include reference to 2000 new houses in Newhaven and the alleged 'short term nature' of the proposal. In response to these comments the applicant has advised that the proposed amalgamation of the two Schools forms part of the Council's strategy for delivering additional School places in the medium to long term having regard to Lewes District Local Plan Core Strategy and the Proposed Submission Documents January 2013. These documents refer to the proposed housing level in Newhaven, being a total of 1,571 over the plan period 2010-2030.

6.6 The housing figures indicate that there will be a requirement for an additional Primary School providing 1 form entry (210 places). If planning



approval is given for the proposal at the Harbour School, the Western Road site (formerly Grays School) will not be vacated until Autumn 2014. The Applicant has advised that by the time the Western Road site would be vacated, the Education Authority would have a strategy in place for delivering the additional places that will be required in Newhaven, having investigated all options including the use of existing building stock. Therefore, the Western Road site will be considered as part of the Education Authority's strategy for future school provision in Newhaven.

6.7 Given the background to the proposal and the need to expand the School to provide additional classroom accommodation for the all-through Primary School, the proposal is considered to be acceptable in principle and will accord with the aims of the NPPF.

### **Siting and Design**

6.8 Policy ST3 (a-c) of the Lewes District Local Plan sets out a broad range of criteria that all development is expected to satisfy in respect of; the character of the adjoining development; having regard to the scale, form, site coverage, use of materials and landscaping.

6.9 The National Planning Policy Framework (NPPF) 'Requiring Good Design' makes reference to the Government attaching great importance to good design of the built environment. In particular Paragraph 61 advises that the visual appearance and architecture of individual buildings are important factors; high quality design goes beyond aesthetics, with consideration being given to the connections between people and places and the integration of new development into the built environment. Furthermore, Paragraph 65 recommends that planning permission should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape if those concerns have been mitigated by good design.

6.10 In terms of the location for the proposed two storey building, the applicant has confirmed that the site was chosen because it has been an unused part of the school site, for some time. This is due to the steep gradients and level changes, e.g. the existing lower floor is approximately 3.5 metres below the terrace to the main School building. Currently, access to this area by the School is down steep steps, which have now been blocked off as they are considered to be too dangerous for use by the children. It is noted that some local representations have expressed concern with regard to the appropriate location for the proposed two storey building. It is considered that the proposed building will make use of an existing underutilised space, whilst reinstating outdoor play space at the site.

6.11 The proposal includes design features to maximise the use of external space, whilst facing design challenges given the secluded nature of the site and its topography. Direct access to play space will be available at all levels and will successfully integrate with the main School building

6.12 Representations received from local residents with regard to the inaccuracy of the proposed floor plans and elevations are noted. The applicant has amended the drawings to show the elevations that now accurately reflect the floor plans. The amended drawings have been subject to re-consultation with consultees and neighbouring properties. There has been no response to suggest any further inaccuracies with the revised drawings.

6.13 The building has been designed to have a mono-pitch roof to reduce its impact on the surrounding area. The new building particularly from Church Hill to the north east will appear as a single storey structure, with access from classrooms to the front playground. The loss of the long distance view from residential properties in The Rose Walk to St. Michael's Church on Church Hill is noted; however this is not a reason to refuse the development.

6.14 In terms of materials, the full height glazing to the south west and north east elevations, will allow maximum daylight to serve key teaching spaces, whilst appearing as a lightweight structure. In addition, the proposed balcony will provide dedicated reception play space, at upper level. It is proposed to enclose the balcony to protect views to the north west and given the location of the building it is considered that there will not be any impact in terms of loss of visual amenity to the residential properties to the north east of the site.

6.15 Consequently, it is considered that the proposal will bring back an unused part of the School site whilst improving the appearance of the area as well as introducing new shrubs, trees and assisting with the retention of wild life with the introduction of bat and bird boxes. It is considered that the proposal will integrate successfully with the main School building.

6.16 A new pedestrian access is proposed to serve the Nursery at lower ground floor level, which will be constructed to run in between the northern boundary fence and the retaining wall to the upper level playground. The path will be steep due to existing site levels and parts of the pathway will be narrow (1500mm width) along 6 metres of its length. This is not considered ideal as the site constraints will not allow for the construction of a suitable pathway for disabled users. However, to overcome this, the proposal includes an internal lift to all floors, which provides access to the main School building and other areas around the School. The applicant has advised that in terms of access and in discussions with the Building Control Surveyor with regard to the pathway, associated stairs and lift, the access is considered to be satisfactory in order to comply with the Building Regulation standards.

6.17 The second element of the proposed development is a two storey classroom extension that will be located at the rear (south west) of the main School building following the removal of an existing conservatory and adjoining pergola. The design and use of materials are considered to be in-keeping with the main School building. However, it is recommended that sample materials are submitted prior to the commencement of the development. Pedestrian access to the new extension will be via an existing

route that leads from Church Hill, along the ground floor terrace in front of the School and round to the rear of the School building.

6.18 The applicant has stated that the design will adhere to the ESCC sustainability policy and relevant BREEAM requirements. The building will be developed to minimise energy usage and maximise efficiency where possible.

6.19 On balance it is considered that the proposed development will not have such incongruous features that it would be in conflict with Lewes District Local Plan Policy ST3 (a-c) or with the NPPF.

### **Effect on Residential Amenity**

6.20 Policy ST3 (c) of the Lewes District Local Plan seeks to ensure that development does not result in any adverse impact on the amenities of occupiers of neighbouring properties and the local area in general, in terms of privacy, visual amenity, noise and natural daylight.

6.21 The proposed two storey building will introduce a new building where currently none exists and where the minimum separating distance between the nearest residential property at No. 35 The Rose Walk and the proposed building will be 24 metres. In terms of any loss of daylight, sunlight or overshadowing to neighbouring residential properties and gardens, the applicant has provided a Daylight / Sunlight Report in accordance with the Building Research Establishment (BRE) guidance, 'Site Layout Planning for Daylight and Sunlight a guide to good practice 2011'. Daylight / sunlight tests were carried out on the following nearby properties; No. 4 Jubilee House to the north east and Nos. 25, 27, 29, 31,33, 35 and 37 The Rose Walk to the north west. The impact test results, found that the amount of daylight to windows in these properties as a result of the proposal will be acceptable. The sunlight to windows test passed both the annual sunlight hours test and the winter sunlight hours test and the amount of overshadowing to gardens and open spaces would not be significant in terms of sunlight availability. Consequently, the report concluded that the proposed development will have a very low impact on the daylight and sunlight received by neighbouring properties and that the design satisfies all the requirements set out in the BRE guidance 'Site Layout Planning for Daylight and Sunlight'.

6.22 In addition, concerns have been raised with regard to loss of privacy and overlooking of bedroom windows in residential properties opposite in The Rose Walk. To compensate for this the proposed upper floor windows to the North West elevation of the building will have obscured glazing.

6.23 The submitted Ecology and Arboricultural Reports conclude that certain trees and foliage will be lost due to long term neglect, however the proposal is unlikely to have a detrimental impact on ecology and that mitigation measures and enhancement opportunities will help to minimise the impact on the location itself and adjacent residential properties. These measures include the retention of certain mature healthy trees, replacing the boundary hedge with a mixed native hedge and the installation of bird and bat boxes. The amended

drawings include an indicative compensatory planting scheme. However, it is recommended that a condition is attached to any grant of planning permission for the submission and approval of a landscape management plan. This will ensure that any landscaping scheme will enhance visual amenity and privacy to nearby local residents. In this context it is also recommended that the applicant is informed that during the bird nesting season there is potential for nesting birds and therefore any works required to trees, shrubs and dense scrub should be undertaken outside the bird breeding season.

6.24 The proposed two storey extension to the rear of the main School building, will be sited approximately 33 metres away from the nearest residential properties, to the west, in The Rose Walk. This distance and the configuration of the proposed building will result in the building be partly hidden from view by mature trees along the high level grass bank, which runs parallel with the south west boundary fence. Therefore, it is not considered that the proposal will have an undue impact on the amenities of occupiers of neighbouring properties and the local area in general.

6.25 It is considered that the proposed development will not result in any significant loss of amenity to neighbouring residential properties in terms of privacy, visual amenity, noise or natural daylight or sunlight to warrant the refusal of planning permission in this instance. Therefore, the proposal will accord with Policy ST3 (c) of the Lewes Local Plan.

### **Traffic and Parking**

6.26 Policy ST3 (d-e) of the Lewes District Local Plan requires that development proposal should not result in any detriment to the character or amenities of the area through increased traffic levels, congestion and noise. In addition, Policy T1 seeks to encourage new development through the submission of a Travel Plan, to provide measures to ensure the provision of non-car modes of travel. Policies T7 and T14 of the Lewes District Local Plan seeks to ensure appropriate provision of cycle parking and vehicle parking as part of a new development whilst taking into account existing local provision.

6.27 The NPPF recommends that development proposals provide opportunities for the use of sustainable transport modes and where practical give priority to pedestrian and cycle movements and public transport facilities, whilst creating safe and secure layouts that minimise conflicts between traffic and cyclists or pedestrians and take into consideration the needs of people with disabilities. In order to achieve this, all developments that generate significant amounts of movements should provide a Travel Plan.

6.28 In terms of the current parking at the School there are 20 spaces in the main car park to the north east of the School site from Church Hill and four spaces available within the deliveries yard (providing there is no conflict with delivery vehicles) to the south west of the School site also from Church Hill. This provides a total of 24 car parking spaces at the School. Currently, there are 12 teaching staff, 12 teaching assistants and 27 other support staff at the School. East Sussex County Council's 'Guidance for Parking at Non-

Residential Development' recommends 1 space per teaching member of staff plus 1 space per 3 non teaching staff members and an additional 2 spaces for visitors. The level of parking provision for the School should be 25 parking spaces plus 2 spaces for visitors. Therefore, there is currently a shortfall of 3 spaces; however this does not take into account any mitigation measures in a travel plan, such as car sharing etc.

6.29 The new staff numbers will increase to 77 in total, which is an increase of 26 staff. As a result of the development the applicant has clarified that there will be a total of 34 full time staff and 43 part time staff. The total number of teaching staff will be 22 (full time equivalent) and 33 (full time equivalent) will be non teaching staff. It is proposed to reconfigure the layout of the main car park in order to increase the parking provision, with a total of 26 spaces, one of which includes a disabled space and 4 short stay parking bays i.e. for taxi's and parents of nursery children to drop off and pick up. The applicant has advised that the four spaces in the delivery yard will be available for non-teaching staff e.g. cleaners, catering staff as delivery times cannot be guaranteed to be outside School hours (i.e. refuse collections, kitchen deliveries) and these members of staff are on site at either specific times of day/or for shorter periods. Therefore, a total of 30 car parking spaces are possible on the site.

6.30 The County Council's parking guidelines suggest a total of 33 parking spaces plus 2 spaces for visitors will need to be provided; therefore the proposed parking will be deficient by 5 car park spaces. However, this allocation does not take into account that there maybe some overlap with the parking provision for part time staff or any mitigation measures in a Travel Plan that aims to reduce car ownership levels and promote other forms of sustainable transport, e.g. car sharing.

6.31 The Highway Authority has acknowledged that the parking situation is not ideal and has commented that rather than seek further parking restrictions on the immediate surrounding roads at this stage, which would impede local residents too, it is recommended that the parking situation is monitored for 3 months after occupation. Following the monitoring period, the Highway Authority can then, if necessary, consider and implement further suitable measures, such as parking restrictions on the surrounding roads.

6.32 Given the concerns with regard to increased traffic as a result of the proposal, the applicant has submitted a Transport Statement to support alternative uses of sustainable modes of transport. The location of the School in relation to bus stops and the railway station enables the site to be accessible by non-car modes of transport. In January 2013 the applicant carried out further surveys for both staff and pupils / parents. The results attached to the Transport Statement reveal that 51% of parents/children and 56% of staff walk to School. This is a significant proportion of both staff and pupils and ideally this performance should be carried forward with the increase in pupil numbers.

6.33 Taking into consideration the proposed increase in pupil numbers from 300 to 480, together with an increase in staff numbers from 51 to 77 in September 2014, it is recommended that an updated Travel Plan to encourage and support pupils / parents and staff to find alternative non-car modes of transport is secured under a Section 106 Agreement.

6.34 In addition, the survey undertaken in January 2013 revealed that there are currently 20 cycle parking spaces provided at the School and given the local terrain around the School, scooter parking is at a premium. The Travel Plan survey results from January 2013 for the existing School states that 60 scooters were used at the site last summer. The School has only 40 scooter spaces available at present and it is recommended that 60 scooter spaces at least are provided along with an additional 7 spaces to take into account the 5.5% increase in pupil numbers that are likely to use scooters. The applicant has amended the drawing to show additional scooter and cycle parking. The revised Travel Plan secured under a Section 106 Agreement would need to include provision for monitoring by additional surveys being undertaken by the School.

6.35 Consequently, taking into account the proposed 3 months monitoring of the traffic situation as a result of the proposed expansion of the School and local and national planning policies that seek to promote sustainable transport, it is considered that a refusal of planning permission on highway grounds in this instance would be difficult to sustain. Furthermore, with regard to local representations that have referred to additional parking on green space and 'Downs Hospital' this is noted, but does not form part of this planning application and is not under consideration.

6.36 The Highway Authority recommend that a contribution of £10,000 is secured through a Section 106 Unilateral Undertaking to undertake surveys, in order to monitor the parking situation on the surrounding roads for the first 3 months of occupation and to consider future options following the surveys; reviewing the existing School 'keep clear/zig zags' and are made mandatory, together with any additional options such as further parking restrictions under the Traffic Regulation Order procedure, on roads immediately surrounding the site. Finally, a revised School Travel Plan needs to be submitted and agreed prior to occupation of development.

6.37 It should be noted that although not formally part of the application the applicant has confirmed that the proposed development will not cater for all of the current pupils at the Gray's School and that the shortfall will be 30 pupils. It is therefore, important that with the further increase in traffic the above recommendations are carried out.

6.38 Finally, with regard to the construction compound this will be located on the front playground to the School via the car park off Church Hill. The applicant has advised that wheel washing facilities will be provided to prevent spoil being deposited onto the surrounding highway. It is recommended that details of the wheel washing facilities be secured through a condition to any grant of planning permission. In addition, the applicant has not provided any

details of the construction compound and it is recommended that the submission of a Construction Traffic Management Scheme be secured through a condition to any grant of planning permission.

6.39 On traffic grounds the proposal is acceptable subject to the recommended conditions and a Section 106 Unilateral Undertaking, and that the proposal will satisfy Policies ST3 (d-e), T1, T7 and T14 of the Lewes District Local Plan, the Government's Policy Statement on 'Planning for Schools Development' (15 August 2011) and the NPPF.

### **Archaeology**

6.40 Section 128 of the NPPF provides that Local Authorities should require an applicant to submit an appropriate desk-based assessment where a site has potential to include heritage assets with archaeological interest.

6.41 A desk based assessment has been provided and clearly shows that although the site did have a very high potential for Roman remains, the level of past impact from the construction of two schools, it is likely much of the site has been destroyed with any surviving elements of archaeological deeply buried below made ground.

6.42 Consequently, it is unlikely that significant archaeological remains will be disturbed by this proposed development. In addition, the removal of the conservatory and the proposed new extension to the rear of the School, will be in an area of made ground that is likely to be 2-3 metres over the original ground surface. The County Archaeologist has commented on the desk based assessment and advises that the foundations are unlikely to impact the original surface and no further archaeological intervention or monitoring will need to be carried out at the site.

### **Waste Minimisation**

6.43 The applicant has advised that the construction costs for the project will be over £300,000 and therefore, under the Site Waste Management Plans Regulations 2008, a Site Waste Management Plan will need to be prepared by the applicant. The Waste Management Plans Regulations will require that the applicant addresses the management of waste on and off the construction site, including recycling and re-use of waste. Therefore, in this instance waste minimisation on site will be achieved in this way and the applicant is reminded of this by the inclusion of a proposed informative.

## **7. Conclusion and reasons for approval**

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise.

7.2 The proposal will provide accommodation at the School in order to meet the objective to provide an all-through Primary School and to implement improvements to teaching and learning at the School. On balance the proposed development is not considered to be so unacceptable in its design and impact within the context of its surroundings i.e. the main School building and residential properties, that planning permission should be refused. Furthermore, subject to appropriate controls and mitigation measures, the impact of the development on the amenities of the surrounding area is considered to be acceptable. The highway issues are finely balanced but if suitable travel arrangements can be achieved then the proposal can be acceptable. The proposal therefore, complies with Policies ST3 (Design, Form and Setting of Development), T1, (Travel Demand Management), T7 (Cycle Parking) and T14 (Parking) in the Lewes District Local Plan 2003

7.3 In considering this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with the applicant / agent. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

7.4 There are no other material considerations and the decision should be taken in accordance with the development plans.

## **8. Recommendation**

8.1 To recommend Planning Committee to approve application LW/3148/CC subject to the completion of the following procedure:

(i). to authorise the Director of Economy, Transport and Environment to secure, in conjunction with the Assistant Director, Legal & Democratic Services, a satisfactory undertaking covering financial contributions to making the existing School Keep Clear / Zig Zags mandatory and consideration of further options including additional parking restrictions under the Traffic Regulation Order procedure; a contribution for the Highway Authority to carry out surveys in order to monitor the parking situation of the surrounding roads for the first 3 months of occupation and to consider future options following the surveys, and a revised School Travel Plan to be submitted and agreed prior to occupation of the development;

(ii). upon completion of a satisfactory undertaking to authorise the Director of Economy, Transport and Environment to grant planning permission and agree conditions along the lines below;

(iii). to authorise the Director of Economy, Transport and Environment to refer the application back to this Committee if the Undertaking is not secured within 6 months.



1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of the development hereby permitted a Construction Traffic Management Scheme shall be submitted to and approved by the County Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation. Given the restrictions of the surrounding roads to the site the hours of delivery/collection should avoid peak traffic flow times. Details regarding contractors' vehicles whilst works are being carried out should also be provided.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large. In accordance with Policy ST3 of the Lewes District Local Plan 2003.

4. Development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Economy, Transport and Environment. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle associated with the development shall leave the site carrying mud, dust or debris on its wheels.

Reason: In the interests of highway safety and the amenity of the locality and to enable the Local Planning Authority to control and regulate the development.

5. Development above ground shall not commence until details/samples of the materials to be used in the construction of the external surfaces, including the obscured glazing to the new two storey building, and the rear extension hereby permitted have been submitted to and approved in writing by the Director of Economy, Transport and Environment. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Policy ST3 of the Lewes District Local Plan 2003.

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Director of Economy, Transport and Environment. Development shall be carried out in accordance with the approved details.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality in accordance with Policy ST3 of the Lewes District Local Plan 2003.

7. In this condition `retained trees` means an existing tree which is to be retained in accordance with the approved plans.
  - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Director of Economy, Transport and Environment. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
  - (b) If any retained tree is removed, uprooted or destroyed, becomes seriously damaged or diseased or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Director of Economy, Transport and Environment.
  - (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and to BS 5837 before any equipment, machinery or materials are brought on to the site for the purposes of the development of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor any fires lit, and the ground levels within those areas shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Economy Transport and Environment.

Reason: In the interests of visual amenity and to comply with Policies ST3 of the Lewes District Local Plan 2003.

8. The development shall not be occupied until cycle and scooter parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development in accordance with Policies T1, T7 and T14 to the Lewes Local District Plan, 2003.

9. No part of the development shall be occupied until vehicle parking areas have been provided in accordance with the approved plans and the

areas shall thereafter be retained for that use and shall not be used other than for the parking of vehicles.

Reasons: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway. In accordance with Policy ST3 of the Lewes District Local Plan 2003.

### INFORMATIVES

1. Construction traffic could damage the adjacent carriageway, footway and/verges, therefore, the Highway Authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Prior to the commencement of development the applicant should contact East Sussex Highways on 0345 6080 193 to arrange a photographic survey and joint inspection of the local highway network.
2. The applicant is advised that in accordance with the Site Waste Management Plans Regulations 2008, a Site Waste Management Plan is required for the development hereby permitted.
3. The Applicant's attention is drawn to the provisions of:-

The Wildlife and Countryside Act 1981 -  
Protection of certain wild animals, in particular nesting birds during construction.

### Schedule of Approved Plans

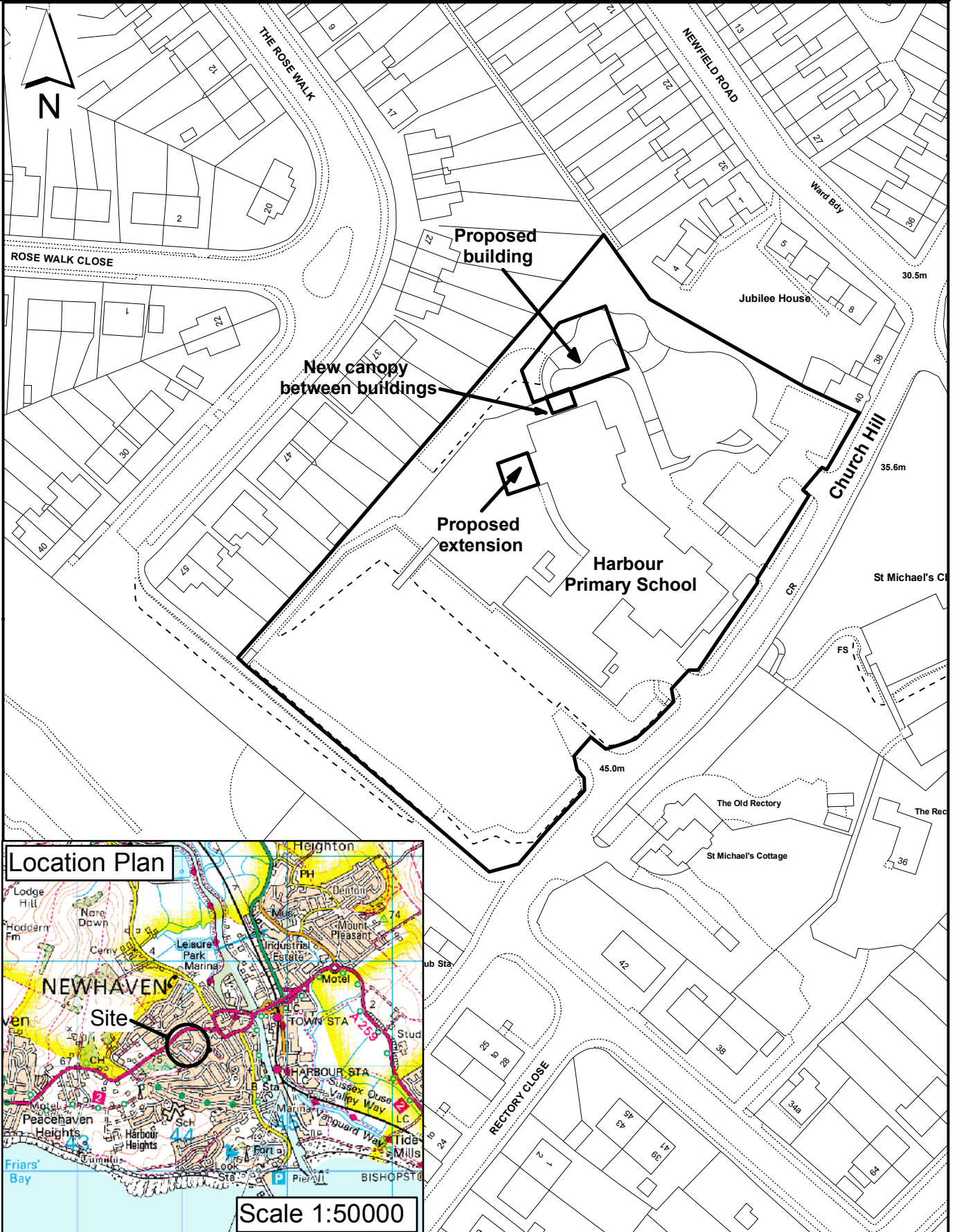
A-201 - Existing Site Block Plan, A202 Rev H Proposed Site Block Plan, A-310 Rev E Proposed Lower Ground Floor Building Plan, A-312 Rev E Proposed First Floor Building Plan, A-313 Rev D Proposed Roof Plan, A-311 Rev E Proposed Ground Floor Building Plan, A-400 Rev C Site Elevations Existing & Proposed, A-401 Rev B Proposed Elevations New Building, A-500 Rev C Site Sections Existing and Proposed

RUPERT CLUBB

Director of Economy, Transport & Environment  
6 August 2013

### **BACKGROUND DOCUMENTS**

Lewes District Local Plan March 2003  
Planning Application File LW/3148/CC  
National Planning Policy Framework, March 2012



Scale 1:1250

Rupert Clubb  
 BEng (Hons) CEng MICE  
 Director, Economy, Transport and Environment  
 East Sussex County Council

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