

Committee: **Regulatory
Planning Committee**

Date: **19 October 2016**

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

Proposal: **Construction of a fenced tarmac play area on north western boundary of the School playing field, with associated access route from the reception playground to the west of the main School building**

Site Address: **Cradle Hill Community Primary School, Lexden Road, Seaford, BN25 3BA.**

Applicant: **Business Services Department, East Sussex County Council**

Application No. **LW/3320/CC**

Key Issues: **(i) Need
(ii) Effect on amenity
(iii) Effect on playing field**

Contact Officer: **Jeremy Patterson – Tel: 01273 481626**

Local Member: **Councillor Carolyn Lambert**

SUMMARY OF RECOMMENDATIONS

1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. The Site and Surroundings

1.1 Cradle Hill Community Primary School is located to the east of Lexden Road and to the south of Lexden Drive in Seaford. It is situated within a predominantly residential area of the northern fringes of Seaford and is approximately 2 kilometres north of the town centre. The site is 2.4 hectares in area and is surrounded by the rear gardens of residential properties in Lexden Road (west), Lexden Drive (north), Pitt Drive (east) and Quarry Lane (south).

1.2 The School dates from the 1960s and has been extended over time. It comprises one and two storey buildings with flat or mono-pitch roofs. The site is arranged with the main School buildings orientated east-west across the northern part of the site with the Infant School to the west and the Junior School to the east. To the south of the School building is an internal courtyard, including a mobile double classroom unit, beyond which a large playing field extends to the southern boundary. The School site slopes down from north to south, the total fall being approximately 10 metres. A Children's Centre is present in the north-east corner of the School site, which was built in 2010/11. The main access to the site is gated and controlled both for pedestrians and vehicles and is from Lexden Road to the north-west of the School site. This access leads to a car park on the northern side of the School buildings. A second pedestrian access to the School is present from Pitt Drive on the eastern side of the site.

2. The Proposal

2.1 The proposal is to increase the provision of the School's hard play area to accommodate the expected increase in the number of children attending the School, particularly for Infants. The play area would be used at normal play times and PE lessons during the School day and for some after school clubs, as well as a gathering point for parents waiting to collect children. There is an existing playground for Infants, covering some 500 square metres; immediately to the south is a soft play area on a grassed bank. The new play area would be 600 square metres in area (30 metres by 20 metres) and would be located at the base of the bank and extend into part of the School's playing field at the western side of the site.

2.2 The new play area would be orientated east-west to provide a level play area with a minimum requirement for cut and fill and for the construction of retaining walls. The tarmacked area would be surrounded by a galvanised open mesh fence, which would stand at 1.1 metres high on top of the retaining walls, giving an overall maximum height of 2.795 metres, at the northern part of the playground and at 2 metres high where no retaining wall is required. A new pedestrian access would be installed at the western side of the School leading to the new play area, which would comprise concrete steps with brick edging and tarmac surfacing.

2.3 An unimplemented approved scheme for a tarmacked multi-use games area (MUGA) on the eastern side of the School site remains extant. However, the applicant has stated that this would not be implemented if permission is granted for the current proposal.

3. Site History

3.1 The School has benefited from various planning permissions over the last ten years both to enlarge the premises and provide for additional facilities. Permission was granted (ref. LW/2809/CC) in 2009 for a 2 storey extension and circulation space to the rear of the existing building providing 4 classrooms to replace two double mobile units and a single storey extension

to the ICT suite, together with other ancillary development. The last permission was granted in August 2015 and provided for a double mobile classroom unit, a new multi use games area (which has not been implemented) and an extension to the car park to provide for an additional 7 spaces (ref. LW/3261/CC).

3.2 Two further applications are currently being considered for development at the School: (i) LW/3322/CC for the part demolition of the building and removal of the double mobile classroom unit to facilitate two 2 storey extensions to the main School building to create 5no. additional classrooms and associated ancillary spaces including offices, stores and WCs to increase the capacity of the School to a 3 form of entry; and (ii) LW/3334/CC for the provision of new porous artificial turf on the existing school playing field to follow existing site contours.

4. Consultations and Representations

4.1 Lewes District Council raises no objections.

4.2 Seaford Town Council raises no objections.

4.3 Sport England considers that the existing pitches can continue to be accommodated with the new hardstanding in place and does not raise an objection to the proposal.

4.4 Flood Risk Management ESCC comments that the proposals for managing surface water drainage are acceptable, in principle. However, conditions are recommended regarding the undertaking of ground investigations, the submission of hydraulic calculations and the submission of a maintenance and management plan for the drainage system.

4.5 Representations: Two local residents object to the proposal on the grounds that there would be an increase in noise and a loss of privacy as the play area would be near to the rear gardens of properties. The facility could be placed elsewhere within the School grounds. Objections are also raised regarding the on-going traffic and parking problems in the vicinity of the School.

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

5.1 Lewes District Local Plan 2003: Saved Policy ST3 (Design, Form & Setting of Development). Lewes District Council has undertaken an assessment of the Saved Policies in its Local Plan to evaluate their conformity with the NPPF. Saved Policy ST3 is considered to be fully consistent with the NPPF.

5.2 Lewes District Local Plan: Part 1 Joint Core Strategy 2010-2030, May 2016: Policies: CP7 (Infrastructure), CP11 (Built and Historic Environment and High Quality Design) and CP12 (Flood Risk).

5.3 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policy WMP3d (Minimising and managing waste during construction, demolition and excavation).

5.4 National Planning Policy Framework (NPPF) 2012

The NPPF does not change the status of the Development Plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 72 in Part 8 (Promoting healthy communities), states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are advised to give great weight to the need to expand or alter schools.

5.5 Policy Statement on Planning for Schools Development 2011

This 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 such schools. The policy statement encourages a collaborative approach to applications, encouraging pre-application discussions and use of planning obligations to help mitigate adverse effects of developments. Where it is necessary to impose conditions, they should be necessary in order to make development acceptable and be clearly justified, thereby demonstrably meeting the tests set out in Planning Practice Guidance, 'Use of Planning Conditions'. The policy statement goes on to indicate 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

6.1 The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of communities and that great weight should be given to the need to create, expand or alter schools.

6.2 At Cradle Hill School, the applicant is seeking to increase the number of children attending the School from a 2 form entry level to a 3 form entry level over the next few years. In order to provide for a sufficient level of outdoor playground space, the applicant needs to increase the provision of the hard play area at the School to accommodate this increase, particularly for Infants. There are limited opportunities for extending the developed area of the School and the north-western part of the playing field appears to represent the only practical location which is able to provide the required facility.

6.3 The principle of the proposal is supported by the Government in the NPPF by promoting healthy communities and in the presumption in favour of development of state funded schools in the Policy Statement on Planning for Schools Development. Core Policy 7 of the Lewes Core Strategy also supports the development of community infrastructure, including schools. As such, the proposal is, in principle, considered to be acceptable in planning terms.

Effect on amenity

6.4 Saved Policy ST3 of the Lewes Local Plan requires that development should respect the amenities of adjoining properties in terms of, inter alia, noise, privacy and visual amenities.

6.5 Rear gardens of some residential properties in Lexden Road adjoin the School grounds to the west and the nearest is 7.5 metres from the existing Infants playground and 14.5 metres from the soft play area. The proposed additional playground would be 9.5 metres from the nearest rear garden boundary and about 30 metres from the nearest dwelling.

6.6 Adjoining local residents have raised concerns regarding the potential for an increase in noise and loss of privacy resulting from the proposal. It is likely that during the times of day when the playground would be used, particularly over the next few years when the School is reaching capacity through planned expansion (refer to LW/3322/CC), it is likely that there would be an increase in noise, as more children would be playing in fairly close proximity to the School boundary. However, play times, including PE lessons and after School clubs, are usually predictable as to when they occur and represent relatively short periods of time during the School day. While there might be some additional disturbance to the nearest residents, the use of the new playground would not be out of character with what currently takes place at the School.

6.7 Consequently, it is not considered that the proposal would result in an unacceptable effect on the amenities of nearby residents or that there would be a conflict with Saved Policy ST3 in respect of the amenities of adjoining properties.

Effect on playing field

6.8 Sport England is a statutory consultee when a proposal may, inter alia, prejudice the use of land being used as a playing field and its Playing Fields Policy is to oppose development which would lead to a loss of or prejudice the use of a playing field, unless one of the exceptions to the Policy applies. The NPPF also advises that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless proposals meet certain criteria.

6.9 While the proposal would result in a loss of part of a playing field, Sport England considers that it would not result in the playing field being unable to

be used for sports activities which are currently undertaken. Consequently, Sport England considers that the proposal meets one of the exceptions to its Playing Fields Policy and does not raise an objection to the proposed development.

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 is to provide for an additional area of playground to accommodate an increase in the numbers of children, particularly Infants, attending the School through planned expansion. Although the occupiers of nearby residential properties might be subject to additional disturbance during School play times when more children would be playing outside, these times would be in keeping with current practices. As such, it is not considered that there would be an unacceptable loss of amenity. The new playground would result in the loss of part of a playing field but Sport England considers that it would not prejudice the remaining area of the playing field for sports activities that are currently undertaken at the School. Taking these matters into account, the proposal is considered to be acceptable and accords with Core Policies 7, 11 and 12 of the Lewes District Local Plan Joint Core Strategy 2016, Saved Policy ST3 of the Lewes Local Plan 2003, Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Part 8 of the National Planning Policy Framework 2012 and the Policy Statement on Planning for Schools Development 2011.

7.3 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. 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) Order 2015.

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

8. Recommendation

8.1 To recommend the Planning Committee to grant planning permission subject to the following conditions:-

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. During construction of the development hereby permitted, no machinery shall be operated, no process shall be carried out and no deliveries taken or despatched from the site other than between the hours of 08.00 and 17.30 on Mondays to Fridays inclusive and between 08.30 and 13.00 on Saturdays and not at any time on Sundays, Bank and Public Holidays, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site in accordance with Saved Policy ST3 of the Lewes Local Plan 2003.

4. No works shall commence on site until a detailed strategy and method statement has been submitted to and approved in writing by the Director of Communities, Economy and Transport for securing and demonstrating that the amount of waste resulting from the development has been reduced to the smallest amount possible. The statement shall include details of the extent to which waste materials arising from the excavation and construction activities will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method in accordance with best practice. All waste materials from construction associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

Reason: To minimise the amount of construction waste to be removed from site for final disposal and to accord with Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

5. The surface water management proposals formulated for the detailed design stage shall be supported by detailed hydraulic calculations which shall be submitted to the Director of Communities, Economy and Transport for written approval. These calculations should take into account the connectivity of the different drainage features and should show a 'like for like' discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The approved proposals shall be implemented in full.

Reason: To minimise the potential for flooding, in accordance with Core Policy 12 of the Lewes District Local Plan Joint Core Strategy 2016 and

the provisions of Part 10 of the National Planning Policy Framework 2012.

6. No development shall take place until ground investigations have been undertaken at the site to confirm groundwater levels and infiltration rates and the details of the investigations shall be submitted to the Director of Communities, Economy and Transport for consideration and written approval. The investigations shall include soakage testing in accordance with BRE365. Any drainage measures that are required as a result of the ground investigations shall be implemented in accordance with details first to be agreed in writing with the Director of Communities, Economy and Transport.

Reason: To minimise the potential for flooding, in accordance with Core Policy 12 of the Lewes District Local Plan Joint Core Strategy 2016 and the provisions of Part 10 of the National Planning Policy Framework 2012.

7. Before occupation of the development a maintenance and management plan for the entire drainage system relating to the development shall be submitted to the Director of Communities, Economy and Transport for consideration and written approval. The plan shall clearly state which party will be responsible for managing all aspects of the surface water drainage system, including piped drains. The approved plan shall be implemented in full.

Reason: To minimise the potential for flooding, in accordance with Core Policy 12 of the Lewes District Local Plan Joint Core Strategy 2016 and the provisions of Part 10 of the National Planning Policy Framework 2012.

INFORMATIVE

1. The Applicant's attention is drawn to the need to contact the County Archaeologist as follows:

As 'cut and fill' is proposed for this development, the ground works contractor is requested to contact the County Archaeologist at county.archaeology@eastsussex.gov.uk and to inform him, with at least 10 days' notice, of the works taking place so that arrangements can be made to inspect the stripped area and to confirm that no significant archaeological remains have been exposed. In the event that significant or complex archaeological remains were to be exposed the County Archaeologist would advise the applicant and their ground works contractor on how to proceed.

Schedule of Approved Plans

DR-A-0104-SO - Location Plan, DR-A-0106-SO - Site Section Plan, 0275-MBA-05-GF-DR-A-0120-S0-C - New Hard Play Area Plan, Existing Drainage Aquatech – Drg. No. 501 Rev A

RUPERT CLUBB

Director of Communities, Economy and Transport

11 October 2016

BACKGROUND DOCUMENTS

Planning application files LW/3320/CC, LW/3322/CC & LW/3334/CC

Planning permissions LW/2809/CC & LW/3261/CC

The Development Plan

NPPF