

Committee: **Regulatory
Planning Committee**

Date: **23 May 2018**

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

Proposal: **Construction of a two storey extension to the south-west of the main School building to provide a new entrance lobby, teaching accommodation, kitchen and hall with associated hard and soft play areas, a Multi-Use Games Area and a new car parking area providing 8 additional spaces to the east of the School site entrance.**

Site Address: **Polegate Primary School, Oakleaf Drive, Polegate, BN26 6PT**

Applicant: **Chief Operating Officer**

Application No. **WD/3388/CC**

Key Issues: **1. Need
2. Design and Siting (including impact on residential amenity)
3. Loss of playing field
4. Surface Water Management
5. Impact on local highway (including impact on the Ashdown Forest)**

Contact Officer: **David Vickers, Tel. 01273 481629**

Local Member: **Councillor Daniel Shing**

SUMMARY OF RECOMMENDATIONS

- 1. Subject to consultation with the Secretary of State for Housing, Communities and Local Government:**
 - (i) allowing a period of 21 days from the date of acknowledgement, or as extended, to expire; or**
 - (ii) allowing 21 days for the Secretary of State to notify the County Council that it is not intended to call-in the application; or**
 - (iii) allowing 21 days for the Secretary of State to notify the County Council that it is intended to call-in the application.**

 - 2. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report.**
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CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. The Site And Surroundings

1.1 Polegate Primary School caters for approximately 420 children aged between 4 and 11 years old and is within an established residential area in north Polegate. The School shares its north-western and north-eastern boundaries with the gardens of the residential properties on Oakleaf Drive, Greenleaf Gardens and Cresta Close. The area to the south-east of the site is heavily wooded and bounds the Cuckoo Trail which is part of the National Cycle Network.

1.2 The site comprises 1.8 hectares and the original School dates from the 1960s. Originally built with 4 classrooms, as Polegate town expanded the School was extended in the 1980s, 1990s, 2000s and most recently in 2015 to its current 2 Forms of Entry. As a consequence its main buildings comprise a not entirely coherent variety of single storey buildings with a mixture of pitched and flat roofs, predominately red brick walls and white window frames together with temporary classrooms, sundry outbuildings and School apparatus. They are arranged in the southern part of the site with ground levels falling gently northwards towards the playing fields and recently constructed fenced multi-use games area (MUGA). The area immediately adjacent to the west, and in front of, the main buildings is used as a playground.

1.3 The site is accessed off Oakleaf Drive with separate vehicular and pedestrian access points, which lead to on-site car parking. An additional pedestrian and grounds maintenance access is also provided off Oakleaf Drive onto the western playground. There is also a separate nursery (originally a Children's Centre) opposite the School on the southern boundary which shares the access arrangements. Between the nursery and Oakleaf Drive is a public playpark

2. The Proposal

2.1 The proposal is for a third Form of Entry increasing maximum numbers on roll to 630. Staff numbers would increase correspondingly from 79 currently to 97 ultimately. The main element of the works is a two storey extension to be located at the front on part of the junior playground which would itself be extended north-westwards by approximately 270m² to compensate. The built extension would be approximately 1000m² gross floor area and include new main and small halls together with kitchens, admin. space and a new main School entrance area. The upper floor would include 3 new classrooms, staff space and ancillary facilities. The existing hall would be adapted for teaching space and the opportunity taken to rationalise existing spaces as much as possible within the significant constraint of continuing to teach children within the premises.

2.2 The main extension proposed would be flat roofed and finished in a combination of dark brick, dark and light grey cladding panels with rough and smooth surface respectively together with green panels fixed alongside some of the windows to provide colour. Windows frames would be coated aluminium, again in grey.

2.3 A new fenced MUGA is also proposed to be sited to the north of the recently completed area and at a slightly lower level. This would be identical to the existing in terms of size and design including green Weldmesh fencing 2.4 metres high to

contain balls. Additional acoustic fencing, 1.8 metres high, will be provided to its north-western and south-western edges to help contain noise in view of its proximity to the site boundary (8.5 metres) and residential neighbours, the nearest being 18 metres away at 103 Greenleaf Gardens.

2.4 Other alterations to the grounds comprise various small additional playground and soft play space, trim trails and outdoor gym equipment. A new 12 space car park is proposed on just over half of the public playpark but due to the need to maintain emergency access across the existing car park to the south of the School the net addition to on-site parking is 8 spaces. The total number of spaces will therefore increase from 27 to 35 including 2 spaces for people with disabilities. Parking for 40 cycles / push scooters will be retained on the site.

3. Main Site History

3.1 The School has an extensive planning history dating from the 1960s when the educational use of the land was approved. The most recent application was granted 5 year temporary consent in June 2017 to replace a 3 bay temporary classroom with a larger 8 bay version (WD/3362/CC). A year earlier permission was granted to install a temporary single mobile classroom on the north eastern part of the School playing field to the rear of the main School building (Ref: WD/3314/CC). Prior to this in January 2015, permission was granted for an extension to the rear of the building, providing an intervention room and area for morning and after-School clubs (Ref: WD/3243/CC). The MUGA on site was granted permission in June 2016 (WD/3316/CC).

4. Consultations and Representations

4.1 Wealden District Council; The District Council raises no objections subject to the LPA being satisfied the effects of the development, in particular on the noise environment would not demonstrably harm neighbouring residential amenity.

The District Council also requests suitable replacement outdoor playspace be provided to off-set the loss of part of the public play area to ensure there is not a detrimental loss of outdoor playspace in the local area.

In addition the County Council, as competent authority in respect of the Habitat Regulations, should satisfy itself that the proposal would not have likely significant effect on the Ashdown Forest SAC or SPA in combination with other plans and projects in the area of influence for the Forest.

4.2 Polegate Town Council; The Planning Committee has minor concerns over the traffic that may be generated by building works and suggested related traffic movements be carefully monitored. Otherwise the Committee had no objections and were all in favour.

4.3 Sport England; Sport England considers the proposed MUGA could meet its policy exceptions and does not object provided the MUGA is subject to a Community Use Agreement. If such an agreement is not secured by condition then Sport England objects.

4.4 Highway Authority; No objection raised however the draft Travel Plan is insufficient in that it identifies problems but is light on solutions. It should be subject to proper process starting with an up to date travel survey of staff and children.

4.5 County Archaeologist; Based on the information supplied, I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance

4.6 Flood Risk Management (ESCC); The Flood Risk Assessment (FRA) identifies the surface water drainage network is at risk of flooding however it is recognised it would be unreasonable to expect the proposals to rectify this. Efforts to reduce flood risk are noted and, crucially, the proposals themselves do not increase the risk of surface water flooding. If the LPA is minded to grant permission the Lead Local Flood Authority (LLFA) requests the flood risk management proposals set out in the FRA are worked up, agreed and included in the development as built.

4.7 Sussex Police (Designing Out Crime Officer); Offers various detailed guidance from a crime prevention point of view. The comments have been forwarded to the applicant for consideration.

4.8 Local Representations; One letter received objecting to the increased traffic that would arise and which would aggravate existing School related traffic problems. Also object to the loss of part of the play park which provides a valuable and popular exercise and social space for the immediate area.

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

5.1 Wealden District (incorporating part of the South Downs National Park), Core Strategy – Adopted February 2013 (as amended following the Court of Appeal judgement): WCS12 (Biodiversity)

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on 19 February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. The Core Strategy Local Plan only replaces parts of the Wealden Local Plan 1998. Some policies from this earlier plan are still “saved” where they remain of relevance and until they are superseded by further Development Plan documents.

5.2 Wealden Local Plan 1998: Saved Policies EN27 (layout and design of development), EN28 (Design of development for people with disabilities), TR3 (Traffic impact of New Development).

Saved development management policies contained in the Wealden Local Plan remain part of the Development Plan for the area. Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the NPPF. However the County Planning Authority has

assessed the Saved Policies as being in general conformity with the overarching principles of the NPPF.

5.3 The National Planning Policy Framework, 2012 (NPPF)

The NPPF does not change the status of the Development Plan as the starting point for decision making. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 72 of Part 8 (Promoting healthy communities) advises Local Planning Authorities to give great weight to the need to alter and expand Schools. Paragraph 74 seeks to resist building on open space, sports and recreational buildings and land. Furthermore, Part 4 (Promoting sustainable transport) and Part 7 (Requiring Good Design) are of relevance to this proposal.

5.4 Policy Statement on Planning for Schools Development (2011)

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, in particular encouraging pre-application discussions and the use of planning obligations to help mitigate the adverse impact of developments. 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

6.1 Owing to recently completed housing in the area together with more planned housing there is increasing demand for School places. The Education Authority's 'Commissioning Plan 2017 – 2021' identifies a bulge in the child population currently being accommodated in primary Schools in the area. At Polegate School for example, 60 places were added with temporary accommodation in 2016 /17 and another 60 in the following year. Initially this was in a 3 bay 'mobile' classroom subsequently expanded to 8 bay format. Therefore whilst the School is notionally providing 420 places there are, currently, approximately 60 more children at the School.

6.2 Once occupied the additional planned housing will show as a permanent increase in the child population and there is therefore demonstrable need to provide additional permanent School places for the growing population to be available from September 2019.

Design and Siting (including impact on residential amenity)

6.3 Saved Policy EN27 of the Wealden Local Plan sets out a range of general design criteria which proposals for development must meet. These include ensuring that the scale, siting, design and use of materials take account of the character of the development site and surroundings, and that the amenities of occupiers of adjoining

properties are not adversely affected. Saved Policy EN28 of the Wealden Local Plan also requires that proposals for development on land used for educational purposes should provide safe and convenient access for people with limited mobility, where it is reasonable and practicable.

6.4 The main component of the new-build is the 2 storey front extension. The area surrounding the School is predominantly residential in character comprising 2 storey dwellings under pitched roofs although there is a scattering of 3 storey flats.

6.5 Whilst the existing School is predominantly single storey, in that wider context the 2 storey proposal is not out of character. Practically speaking a front extension is both a rational way to accommodate the required floorspace on a quite restricted site and also the obvious position on site to minimise disruption to the main educational function. In addition, as mentioned in paragraph 1.2, the School has evolved in a piecemeal fashion and presents a generally uninspiring public face with a well disguised main entrance. The existing School would largely be hidden behind the new front extension which would also include a new and prominent main entrance.

6.6 The flat roof of the extension will minimise its bulk and it will be sufficiently set-back from the site boundary to avoid being overly prominent in the streetscene. It is similarly sufficiently distant from the nearest residential neighbour at 51 Oakleaf Drive to avoid adverse impacts in terms of light, overshadowing or being otherwise overbearing. It will be a striking addition due to the form and colour of the proposed materials. These are black brick, dark and light grey panels with green coloured accent panels; materials not generally represented elsewhere in the neighbourhood. Nevertheless, in its own right the front extension is considered to be a pleasant composition and bold architecture which is worthy of support.

6.7 In terms of physical layout there will be level thresholds at all entrances, appropriate door widths, accessible WCs together with visual contrast between walls/ floors, doors / door furniture and WCs / walls.

6.8 Despite its close proximity to the School's boundary the proposed MUGA in the north west corner of the site will not adversely affect residential neighbours in terms of its physical structure. However a Noise Assessment supports the proposal which models the likely impact in use. The model is informed by monitoring noise including from the existing adjacent MUGA using a combination of attended and unattended surveys. The findings of this monitoring are that use of the MUGA exceeds background sound by up to 18dB at the nearest residential properties and modelling suggests it is likely that the proposed MUGA will have similar impacts. When other noise from the School is factored in, noise attributed to the MUGA is not so incongruous but a difference of up to 18dB in isolation is considered by British Standard 4142 to amount to significant adverse impact. It is therefore recommended that the use of the proposed MUGA is restricted to coincide with core School use and associated after School activities but to prevent use during School holidays, evenings and weekends when the School is closed and background levels will be lower.

6.9 With such restrictions in place the proposal is considered to comply with Saved Policy EN27 and with Policy EN28 in the Wealden Local Plan as well as the comments of the District Council.

Loss of Playing Field

6.10 Sport England comment that the proposed MUGA would be acceptable as an exception to its policy to protect grass playing fields from development if a Community Use Agreement (CUA) is in place. Sport England has confirmed it objects if the CUA is not in place.

6.11 The principle of community use of educational premises is a good one for many reasons and is widely available in the County including at Willingdon Community School some 2 km distant to the south west. However in this case it is clear that use of the proposed MUGA will very likely be a source of significant adverse noise impact to residential neighbours at times when a CUA would be expected to have effect. For this reason Sport England's recommendation should not be accepted. Procedurally this means referring the application to the Secretary of State for Housing, Communities and Local Government for consideration whether the Minister wishes to 'call-in' the application for his decision or whether he is content for the County Council as Local Planning Authority to make the decision.

Surface Water Management

6.12 The NPPF requires development proposals not to increase the risk of flooding and give priority to the use of sustainable drainage systems.

6.13 It is proposed that the surface of the MUGA will be a permeable 'Polymeric Type 3' surface, made from rubber crumb mixed with a binder and laid onto a gravel base. Surface water will collect in a network of channels under the pitch prior to being discharged into the existing storm water system. In addition a storage tank will be excavated beneath the extended playground.

6.14 The County Council's Flood Risk Management Team have assessed the submitted information and note that the Flood Risk Assessment (FRA) concludes the proposals will not increase the risk of surface water flooding on the site. It is recommended that the surface water management proposals formulated for the detailed design stage should be supported by detailed hydraulic calculations, the provision of which should be secured through an appropriate condition attached to any grant of planning permission. Subject to the provision of a condition, the proposed development is considered to be acceptable in terms of managing the surface water run off and does not conflict with the provisions of the NPPF.

Impact on the local highway network (including impact on the Ashdown Forest)

6.15 Saved Policy TR3 of the Wealden Local Plan seeks to ensure that development does not create or perpetuate unacceptable traffic conditions.

6.16 The School is in a large residential area to the north of Polegate town centre and benefits from a good network of cycle links, footways, crossing points and street lighting that extend into the surrounding residential areas. The School and neighbouring area are also served by public transport links including buses and rail from local destinations such as Hailsham and Eastbourne.

6.17 The application site itself is accessed off Oakleaf Drive, leading into the School car park, where there are currently 27 car parking spaces available for general School and nursery use. The layout of the proposals will require a reconfiguration of existing parking in order to provide playground and maintain emergency access so approximately half of a public play park to the south of the School is to be laid to additional parking. The net increase will be 8 spaces which will be adequate to deal with the increase in staff numbers associated with the School expansion provided the School's Travel Plan is updated.

6.18 The comments of Wealden District Council in respect of the loss of part of the play park as well as the impacts on the Ashdown Forest are noted. Whilst the concern about loss of play space is appreciated facilities will remain albeit in a smaller area. These will be re-designed in consultation with the Town Council.

6.19 The District Council also advise that the County Council needs to be satisfied that the proposal would not have a likely significant effect upon the Ashdown Forest SPA and SAC. These designated areas are sensitive to impacts associated with recreational pressure, within the SPA, and nitrogen deposition arising from vehicular traffic, within the SAC.

6.20 Given the location of the application site and the nature of proposed development, there is not considered to be any likely increase in recreational pressure on the Ashdown Forest, should planning permission be granted and the scheme implemented. With regards to increases in vehicular traffic across the Ashdown Forest the movement of children and carers attending the School currently and in the future is confined to Polegate and its immediate vicinity. Any impacts of increased vehicular traffic will be localised and would not increase numbers of vehicle trips on routes through the Ashdown Forest. Nitrogen levels in Ashdown Forest would therefore not be materially affected by the proposal both by itself and in combination with other plans and projects, the need for any further assessment can be screened out and Core Policy WCS12 is satisfied.

6.21 For these reasons the proposal is considered to be in accordance with Saved Policy TR3 of the Wealden Local Plan and with Policy WCS12 in the Core Strategy.

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 is supported in principle by paragraph 72 of the NPPF and the Government's Policy Statement on Planning for Schools Development. It is considered to be acceptable in its impacts on the visual and neighbouring amenities

of the area as well as the local highway network. It will not increase vehicular trips across the Ashdown Forest and therefore subject to appropriate conditions complies with Policy WCS12 (Biodiversity) in the Wealden District Core Strategy 2013 and with Saved Policies EN27 (layout and design of development), EN28 (Design of Development for People with Disabilities) and TR3 (Traffic impact of New Development) in the Wealden Local Plan 1998.

7.3 In determining this planning application, the County Council has worked with the applicant in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has carefully considered and balanced 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 consultation with the Secretary of State for Housing, Communities and Local Government and 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. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan, has been submitted to and approved in writing by the Director of Communities, Economy and Transport. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The plan shall provide details as appropriate but not be restricted to the following matters;
 - the anticipated number, frequency, access, egress and routeing of vehicles during construction
 - the management of flood risk
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the protection of retained trees during construction
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,

- the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interest of highway safety and amenity of the area.

4. Prior to the commencement of the development hereby permitted, including any demolition, a condition survey of the surrounding highway network is required to be undertaken and submitted and approved in writing by the Director of Communities, Economy and Transport. Any damage caused to the highway as a direct consequence of the construction traffic shall be rectified at the applicant's expense.

Reason: In the interest of Highway safety and amenity of the area.

5. Prior to commencement of development a detailed surface water management design shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The design shall include hydraulic calculations which take account of connectivity with different surface water drainage features together with details of maintenance and management. Before the development is occupied the approved drainage system shall be made available for use and written confirmation provided to the Director of Communities, Economy and Transport.

Reason: To ensure appropriate management of surface water in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

6. Prior to commencement of development a Site Waste Management Plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The Plan shall include details of dust and noise controls during demolition as well as how construction waste will be minimised. Development shall be carried out in accordance with the approved Site Waste Management Plan.

Reason: To minimise disruption and construction waste to be removed from site in accordance with Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Construction work shall not take place at any time other than between the hours of 0730 and 1800 Mondays to Fridays and between the hours of 0800 and 1400 on Saturdays and not at any time on Sundays, Bank and Public Holidays other than with the prior written approval of the Director of Communities, Economy and Transport.

Reason: To strike a balance between the need to carry out construction as speedily as possible but at the same time to minimise the impact of construction on the occupiers of properties in the vicinity of the site and to comply with Saved Policy EN27 of the Wealden Local Plan 1998.

8. Before first use of the MUGA details of a noise barrier including modelling of its expected effectiveness shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved noise barrier shall be installed and retained as part of the MUGA in operation.

Reason; To comply with Saved Policy EN27 in the Wealden Local Plan 2003.

9. No part of the approved development shall be occupied until a Draft Framework Travel Plan has been submitted to and approved in writing by the Director of Communities, Economy and Transport. Thereafter the approved Travel Plan shall be implemented and reviewed as specified within the approved document.

Reason: To encourage and promote sustainable transport options in accordance with Saved Policy TR3 in the Wealden Local Plan 2003.

10. Prior to completion of the development hereby approved the car parking shall be constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development in accordance with Saved Policy TR3 in the Wealden Local Plan 2003.

11. Notwithstanding details shown on approved plans prior to construction above ground samples of the materials to be used in the construction of the extension hereby permitted shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. 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 Saved Policy EN27 in the Wealden Local Plan 1998.

12. Within 12 months of first occupation of the approved development the approved external planting shall be carried out in full.

Reason: To ensure planting is carried out as approved.

13. The Multi Use Games Area (MUGA) hereby permitted shall not be used at any time other than between the hours of 0830 and 1800 Monday - Friday inclusive during school terms.

Reason: To safeguard the amenity of neighbouring residents from noise in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

Schedule of Approved Plans

0001 Rev P1 - Site Location Plan, 007 Rev P2 - Existing Site Layout and Location Plan, 0021 Rev P1 - Existing Building Proposed Refurbishment Works, GA0100 Rev P6 - GA Plans - Ground Floor, GA0101 Rev P6 - GA Plans - First Floor, GA0102 Rev P3 - GA Plans Roof Plan, 0020 Rev P1 - Existing Building Floor Plan, GA0400

Rev P4 - North East and South East Elevations, GA0401 Rev P4 - South West and North West Elevations, GA0402 Rev P2 - Context Elevations, GA0500 Rev P2 - Sections AA and BB, 0403 Rev P1 - Proposed Street Elevation, G29/01/502 Rev B - External Lighting Layout, LLD1281-LAN-FIG-001-01 - Landscape Masterplan, 0410 Rev P2 - Existing Building Elevations, 0411 Rev P2 - Existing Building Proposed Elevations, 008 Rev P6 - Proposed Site Layout and Location Plan, LLD1281-LAN-REP-001 Rev03 - Landscape Design Strategy and Outline Plant Specification, 010 Rev P10 - Proposed Detailed Site Layout Plan

RUPERT CLUBB

Director of Communities, Economy and Transport

15 May 2018

BACKGROUND DOCUMENTS

Development Plan

National Planning Policy Framework

Planning Application File

The Town and Country Planning (Consultation) (England) Direction 2009