

Committee: **Regulatory
Planning Committee**

Date: **16 December 2015**

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

Proposal: **Two storey extension to provide a new nursery with ancillary spaces, two new classrooms, one new practical room and a new staffroom.**

Site Address: **Rye Community Primary School, The Grove, Rye, TN31 7ND.**

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

Application No. **RR/3300/CC**

Key Issues: **1. Need
2. Siting and Design
3. Flood Risk
4. Highways Impact
5. Construction Waste Minimisation**

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

Local Member: **Councillor Keith Glazier**

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 Rye Community Primary School opened in September 2008 on a site to the north of Rye town centre on land south of Love Lane. It lies to the west of Rye College, formerly Thomas Peacocke School, and is bounded to the west by allotments and the River Tillingham beyond and to the north by a residential cul-de-sac known as Love Lane. To the south are playing fields shared by the Primary School and the College, and to the south-east is Rye Sports Centre.

1.2 The School itself comprises a two storey building with separate Children's Centre, situated approximately centrally within its site. There is a service yard to the north, approached from Love Lane with playgrounds to the

west and south together with grassed areas. Staff and children approach the School through the main entrance to the south, and there is a dedicated staff car parking area within the Sports Centre car park as well as a parent / carer and coach pick up / drop off area. Pugwash Nursery currently operates in a detached building within the Rye College campus facing the Love Lane loop.

2. The Proposal

2.1 The School opened in 2008 providing 1.5 Forms of Entry (FE) to cater for 315 children. The child population in the Rye area has since risen to the extent that a double temporary classroom was installed in 2014 increasing the number of children on roll to 364 at the September 2015 intake. There are currently 37 members of staff at the School and 8 at the separate nursery. The proposal is to make permanent provision for a larger intake of 2 FE (420 children, 43 staff) by constructing a two storey extension on the north-east side of the existing building facing the Love Lane loop. The extension would comprise a gross internal floor area of 281 m² with a footprint of 147 m², and, provide 2 new classrooms on the first floor together with space on the ground floor for the Pugwash Nursery (24 children, 8 staff).

2.2 The proposed extension would continue the appearance of the main building with a flat roof to the same height as the parapet of the existing building, 7.1 metres above ground level. Cladding materials are proposed to match the existing i.e. Powder coated metal window frames, lightweight coloured panelling and timber cladding to the elevations. The overall dimensions on the ground would be approximately 22.5 metres along the north-east elevation, projecting a minimum 4.9 metres and maximum 9.3 metres from the face of the existing building.

3. Site History

3.1 2014 – RR/3204/CC – Granted. Temporary Planning Permission until August 2017 for a Double Mobile Classroom on the east side of the Main School building.

3.2 2007 - RR/2562/CC – Granted. New Primary School and Children's Centre, playgrounds, ancillary land uses and fencing, with service access from a remodelled loop road off Love Lane, remodelling of the Rye Sports Centre car park, with new footpath/cycleway from the car park to the eastern bank of the River Tillingham with 3 new bridges across and part culverting of drainage ditches, new underground pumping station, and minor remodelling of the Thomas Peacocke Community College Governors Nursery.

4. Consultations and Representations

4.1 Rother District Council; The District Council raises no objections to the proposal.

4.2 Rye Town Council; The Town Council's Planning Committee resolved to support approval of the proposal.

4.3 Sussex Police (Crime Prevention Design Adviser); The level of crime and anti-social behaviour in Rother District is below average when compared with the rest of Sussex and there are no major concerns with the proposal

4.4 Highway Authority; The Highway Authority acknowledges that parking pressures could increase at the beginning and end of the school day as a result of the proposal. Nonetheless existing parking facilities in the nearby Sports Centre car park are considered sufficient to accommodate the additional demand. An updated and robust Travel Plan will help to reduce the impact still further.

4.5 Environment Agency; The proposal falls within the scope of Standing Advice against which it should be assessed.

4.6 Romney Marshes Internal Drainage Board; The Internal Drainage Board considers that as the extension is to be built on existing hardstanding there is no issue with the proposal.

4.7 Rye Conservation Society; The Conservation Society has no objection to the application.

4.8 Local Representations; Two representations have been received. One is broadly supportive of maintaining healthy state education provision in Rye and the other does not object in principle to the proposed development. Both however go on to comment about various matters with regard to the proposal as well as the current operation of the School. These include use of Love Lane for access by the School and for construction, construction hours, flooding and drainage as well as renewable energy initiatives.

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

5.1 Rother Local Plan Core Strategy, 2014; Policies OSS4 (general development considerations), CO4iii (continued investment in education facilities), EN3 (design quality), TR4 (car parking) and EN7 (flood risk)

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan; Policy WMP3d (construction waste minimisation)

5.3 National Planning Policy Framework, 2012; The National Planning Policy Framework (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. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF development. Paragraph 72 states 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

5.4 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, 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 (now superseded by Planning Practice Guidance 'Use of Planning Conditions'). 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 Policy CO4(iii) in the Rother Local Plan Core Strategy (Core Strategy) attaches priority to making Rother an attractive place to grow up by continued investment in quality education. The Education Authority's 'Commissioning Plan 2014-2018' observes a general upward trend in births in Rye and notes that the Core Strategy provides for a total of up to 400 new dwellings to be built in the town up to 2028.

6.2 As a result of this, the Commissioning Plan forecasts a shortfall of half a form entry in this and the next academic year rising to a full one form of entry in academic year 2017/18, then falling back to a half form of entry thereafter.

6.3 In the immediate term the shortfall is being accommodated in temporary accommodation. However as the rising birth rate appears to be continuing and additional housing is planned for the town, there will be a continuing need to accommodate additional pupil numbers, and therefore also a need for additional permanent places.

Siting & Design

6.4 Policy EN3 in the Core Strategy requires new development to be of high design quality. In addition Policy OSS4 of the same Plan requires all development to respect its surroundings and to not unreasonably harm the amenities of adjoining properties.

6.5 The proposed extension continues the architectural appearance and style of the existing building and is of a scale which is considered appropriate to do so. It will not be higher than the existing building and the separating distance of almost 50 metres between it and the boundary of the nearest

residential properties in Love Lane to the north is considered sufficient to avoid any harm to their amenities.

6.6 The layout continues the accessibility of the existing building, but for structural and flood risk reasons, internal ground floor level is 300 mm higher than outside ground level with a ramp between the two.

6.7 It is therefore considered that the proposals comply with Policies EN3 and OSS4 in the Core Strategy although a condition is proposed to cover agreement of the colours of the facing panels and other materials.

Flood Risk

6.8 Policy EN7 in the Core Strategy requires flood risk be taken into account in the planning process in order to avoid inappropriate development in areas at risk from flooding and to direct development away from areas of higher risk. The application is accompanied by a site specific Flood Risk Assessment prepared in accordance with Environment Agency standing advice as well as direct discussion with relevant officers in that organisation and those at the Internal Drainage Board.

6.9 The site is within Flood Zone 3 (as defined by the Environment Agency) and lies east of the River Tillingham which benefits from recently improved flood defences. In terms of flood mitigation the proposal includes floor levels which will run-through at the same level as those in the existing building, i.e. 3.77metres AOD together with a demountable barrier system at each of the external doorways in the extension. Their use will be part of a wider Evacuation Plan to be carried out during flood events, responsibility for which rests with the Head teacher. This includes measures to minimise damage to property during floods as well as a marked escape route to higher ground in Deadmans Lane to the north-east via Love Lane.

6.10 The Flood Risk Assessment is considered acceptable in terms of Environment Agency standing advice and therefore satisfies Policy EN7 in the Core Strategy.

Highways Impact

6.11 Policy TR4 in the Core Strategy offers support for development where parking provision accords with various principles.

6.12 The approved access arrangements for the School restrict access to the site from Love Lane to servicing, deliveries and emergency vehicles only. All other access to the site is on foot via the main entrance on the southern boundary whether from the west by crossing the River Tillingham or from the east via the Sports Centre car park. 21 spaces in this car park are reserved for the School by use of a barrier and, in addition, space outside this area is reserved for 2 buses to set down / pick up children.

6.13 A Traffic Survey was carried out by the applicant on Thursday, 16th July (market day in the nearby Rye Station car park) covering the area around the schools. The survey indicated on-street daytime parking pressures were relatively high in Love Lane and in The Grove. This pressure was largely attributed to Rye College because the Sports Centre car park became appreciably busier around times which corresponded to the beginning and end of the Primary School day. Notwithstanding this the increased use was not so great as to inconvenience other car park users, even on market day, as there remained some spare capacity even at these times. The comment of a resident in Love Lane that a survey carried out on 16th July would under-represent College numbers as GCSE students may have left by then is noted. Whilst that may be the case the survey does show that both Love Lane and The Grove are well frequented by parked and moving vehicles most likely associated with Rye College and local residents. Vehicles associated with the Primary School, whether staff or parents, overwhelmingly use the Sports Centre car park for access because a condition of the original planning permission for the Primary School stipulates the access from Love Lane is for servicing and emergencies, it being the only way to get vehicles close to the School building. This condition will remain in force and the arrangement will continue whether or not the proposed extension is granted planning permission.

6.14 The Primary School's Travel Plan found that 38% of pupils are driven to School, 33% walk, 27% use the bus and the remaining 2% cycle or scoot whereas 45% of staff drive alone, 25% car share, 25% walk or cycle and the remainder use the bus or train. In the context of the proposed permanent increase of 95 pupils and 6 staff this would equate to an additional 36 parent/carer vehicles and 4 staff vehicles. In reality approximately half of this quantum already attend the School owing to the temporary accommodation currently on site. Bearing this in mind together with the observations of the Traffic Survey undertaken in July summarised in the previous paragraph, it is considered that the impact of any additional parking pressures that would arise from the net additional numbers of children and staff will continue to be satisfactorily accommodated within the Sports Centre car park without harm to nearby residential amenity or by aggravating existing congestion on the local highway network.

6.15 The apparent minor impact of vehicular transport to and from the Primary School on the local area can be partially attributed to traffic being channelled into the Sports Centre car park but additionally to the effectiveness of the School's Travel Plan. It is therefore considered appropriate that the Plan be reviewed as part of the proposed School expansion to 2 FE and this process should be secured by a proposed condition attached to any consent. The proposal is considered to satisfy the aims of Policy TR4 in the Core Strategy.

6.16 As noted in paragraph 6.13 the only way vehicles can access the site is via Love Lane. This includes construction which is expected by the applicant to take 10 months based on working weekdays from 07.30 until 18.30 and, if necessary, weekend/holidays between 07.30 and 13.00. Whilst the local

representation requesting no construction traffic in Love Lane or weekend working is noted, it is clear that prohibiting access via Love Lane is not practically possible. Furthermore there is a balance to be struck between protecting local amenities during construction and the length of the construction period; the more restrictive the construction hours the longer the period of construction. In this particular case it is considered that to allow construction until 1830 on weekdays and at weekends has a disbenefit to local amenity. It is therefore recommended only weekday working is permitted between 0730 and 1730 and not at any time during weekends, Bank or Public Holidays. Similar arrangements of hours were used for the construction of the Primary School.

Construction Waste Minimisation

6.17 Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan requires development proposals to minimise waste arising from construction, demolition and excavation and move its management as far up the waste hierarchy as practicable.

6.18 The School has been constructed on what is in effect a concrete slab which restricts the loading that can be applied. As such, an extension to it needs to be as lightweight as possible which tends to point towards off-site, pre-fabricated construction with minimum foundations. The extension is, in effect, a frame which will be clad in proprietary panelling and timber. This method also means components will be cut to size off site, and therefore there is likely to be minimal waste and a relatively rapid construction period.

6.19 The application is supported by a Waste Minimisation Statement and Management Plan which emphasises minimisation of waste in the first instance and prioritises recycling of any that does arise above disposal. In so doing the Plan satisfies the aims of Policy WMP3d in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, and, is therefore considered acceptable.

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 to provide permanent school places by an extension to the Primary School is supported in principle and is acceptable in its impact on local amenities and the immediate highway network. It therefore complies with Policies OSS4 (general development considerations), CO4iii (continued investment in education facilities), EN3 (design quality), TR4 (car parking) and EN7 (flood risk) in the Rother Local Plan Core Strategy, and, with Policy WMP3d (construction waste minimisation) in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan.

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. Unless otherwise agreed in writing by the Head of Planning and Environment, development shall not commence until a Construction Traffic Management Scheme has been submitted to and approved by the Director of Communities, Economy and Transport. This shall include the size of vehicles, hours of operation and routeing, and construction shall be carried out in accordance with the approved Scheme.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

4. Unless otherwise agreed in writing by the Head of Planning and Environment development, shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved details shall be implemented in full before the commencement of development and the facilities shall be retained 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 construction shall leave the site carrying mud, dust or debris.

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

5. No demolition or construction works shall take place in connection with the extension hereby approved at any time other than between 0730 and 1730 on Mondays to Fridays and at no time on Saturday, Sunday, Bank and Public Holidays unless the prior written agreement of the Director of Communities, Economy and Transport has been given.

Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular and to accord with Policy OSS4 in the Rother Local Plan Core Strategy 2014.

6. Development shall not commence above ground until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Director of Communities Economy and Transport and 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 EN3 of the Rother Local Plan Core Strategy 2014.

7. Before the first occupation of the extension hereby permitted, an updated Travel Plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The Travel Plan shall be implemented and thereafter reviewed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for school journeys in accordance with Policy TR4 in the Rother Local Plan Core Strategy 2014.

Schedule of Approved Plans

Access Routes, Flood Risk Assessment, Waste Minimisation Statement and Management Plan, A100 - Site Location Plan, A101 - Block Plan, A102 - Existing Ground Floor Plan, A103 - Existing First Floor Plan, A104 - Existing Roof Plan, A105 - Proposed Ground Floor Plan, A106 - Proposed First Floor Plan, A107 - Proposed Roof Plan, A108 - Existing and Proposed Main Elevations, A109 - Existing and Proposed Site Sections

RUPERT CLUBB
Director of Communities, Economy and Transport
7 December 2015

BACKGROUND DOCUMENTS

Planning Application File

Development Plan
National Planning Policy Framework
Policy Statement on Planning for Schools Development
Education Commissioning Plan 2014-2018