

Committee: **Regulatory
Planning Committee**

Date: **17 January 2018**

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

Proposal: **Erection of detached, single storey, nursery building to
south-west of main School.**

Site Address: **Parkside Community Primary School, Beechwood Lane,
HEATHFIELD, TN21 8QQ**

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

Application No. **WD/3381/CC**

Key Issues: **1. Need
2. Siting and Design
3. Highways Impact
4. Ashdown Forest**

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

Local Member: **Councillor Rupert Simmons**

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 The Primary School comprises a modern single storey building approximately 30 years old which was extended in 2007 to enhance the staff facilities. It sits centrally within its site with parking and vehicle circulation to the west, playing fields to the east and hard playground to the south. The site access is from the north-west off Beechwood Lane, a residential cul-de-sac.

1.2 The site is in the south-eastern edge of the built-up area of Heathfield and adjoins the High Weald Area of Outstanding Natural Beauty, the boundary of which is to the east and south. The school appears to be part of a recently built housing estate.

1.3 The School site itself is single Form Entry with 212 children from Reception to Year 6. It is secluded as its boundaries are marked by dense mature trees and shrub to the extent that neither the building nor the majority of its grounds can be seen from outside the site. Some of the trees in the south-west corner of the site are protected by Preservation Order.

2. The Proposal

2.1 The Government has committed to provide 30 hours of free child care for working parents of 2 – 4 year olds. In order to fulfil this commitment Parkside currently offers a nursery facility off-site from The Welcome Church elsewhere in Heathfield approximately 10 minutes walk away.

2.2 The nursery employs 4 staff and provides 34 places which would be in a single storey detached building to be erected in the south-west corner of the site on the edge of a hard play area. Gross floorspace would be 137 m² arranged as a large playroom with ancillary facilities such as kitchen, office and WC around the perimeter. Two external, covered decked areas are proposed; one from the playroom and the other at the entrance which would be approached by a 1:22 inclined ramp.

2.3 The building is pre-fabricated, minimising assembly time on site and comprises mainly vertically timber clad elevations with dark grey powder coated aluminium window frames under grey single ply membrane flat roof covering. A secure play area would be included to the west of the building.

3. Site History

3.1 None relevant on the school site however Beechwood House to the north received permission from Wealden District Council in 2016 for redevelopment to 10 dwellings including conversion of the Lodge with access from Beechwood Lane. Beechwood House formerly housed a children's nursery. (WD/2015/2220/MAJ Refers)

4. Consultations and Representations

4.1 Wealden District Council; The District Council has no objection. The proposal does not raise any significant issues in terms of visual impact on the surrounding area nor would it have any material increased harmful impact on the privacy and amenities of neighbouring properties.

Also the District Council asks that the County Council as competent authority is satisfied that the proposal would not have a likely significant effect upon the Ashdown Forest Special Protection Area and Special Conservation Area as set out in the preamble to Policy WCS12 of the Wealden Core Strategy 2012.

4.2 Heathfield & Waldron Parish Council – The Council supports the proposals.

4.3 Highway Authority; No objection subject to conditions

4.4 Local Representations; Two letters have been received from local residents in Aspen Walk and Beechwood Lane. One is concerned about losses of privacy and trees caused by the development and ask that lost trees are replaced 1:1 and a hedge planted. A grass roof for the new building is also suggested. The other representation is concerned about the traffic impacts on Beechwood Lane which will worsen existing congestion and requests that the opportunity is taken to create additional parking and circulation within the site.

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

5.1 The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan: Policy WCS12 (Biodiversity), as amended following a Court of Appeal judgement.

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on the 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. Currently, saved development management policies contained in the Wealden Local Plan 1998 remain part of the Development Plan for this area.

5.2 Wealden Local Plan 1998: Saved Policies GD1 (Development Boundaries), EN27 (Layout and Design of Development) and EN28 (Design of Development for People with Disabilities), TR3 (Traffic Impact of New Development) and CS1 (Community Services).

Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the National Planning Policy Framework (NPPF). However, the above referenced Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF.

5.3 National Planning Policy Framework, 2012:

The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. Paragraph 72 of Part 8 (Promoting healthy communities) advises Local Planning Authorities to give great weight to the need to alter and expand Schools. Furthermore, Part 4 (Promoting sustainable transport) and Part 7 (Requiring Good Design) are of particular relevance to this proposal.

5.4 Policy Statement on Planning for Schools Development, 2011:

The national policy statement encourages a positive and collaborative approach to planning applications for state-funded schools, with a presumption in favour of the development of such schools. Pre-application discussions and the use of planning obligations are encouraged to help mitigate adverse impacts of the development and where it is necessary to

impose conditions, they should be necessary in order to make the development acceptable and clearly justified, thereby demonstrably meeting the tests set out in the National Planning Practice Guidance (NPPG) 'Use of Planning Conditions'. The policy statement also 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 Saved Policy CS1 of the Wealden District Local Plan supports the development of community infrastructure, including schools and nurseries. Further support in principle is found in paragraph 72 of the NPPF as well as the Government's Policy Statement issued in 2011.

6.2 The facility is currently being provided elsewhere in the town demonstrating the need for a pre-school and there are considered to be sound educational reasons why the nursery should be provided at the same site as the primary school.

Siting and Design

6.3 The School site is within the defined development boundary of Heathfield where Saved Policy GD1 in the Wealden Local Plan supports such development provided it accords with the other relevant policies in the Development Plan. Saved Policy EN27 allows for development only if its scale, form, site coverage, density and design respect the character of adjoining development and it has no unacceptable adverse impact on the privacy and amenities of occupiers of neighbouring properties. In addition, Saved Policy EN28 requires proposals for development on land used for educational purposes to provide safe and convenient access for people with limited mobility, where it is reasonable and practicable.

6.4 The building will be approached by ramp and accessible throughout. It is considered to be of a scale and appearance which complements its woodland setting. No trees subject to Tree Preservation Order status are affected by the siting or proposed fencing; these trees are within a small copse between the proposed site and the School's western boundary with its residential neighbours in Aspen Walk. However six trees are to be removed. One of these, a Lime, is dead and the others are small specimens the loss of which will not significantly harm the character or appearance of the immediate area. It is however recommended that these are replaced on a 1:1 basis rather than the single replacement proposed by the applicant in order to maintain vegetational *status quo*. In addition an Ecological Appraisal identifies enhancements which could be made which can be secured by condition.

6.5 The siting of the nursery building will not result in loss of privacy to neighbours. Although one of these, at 4 Aspen Walk, can be seen from the

application site a combination of separating distance of 35 metres from the proposed building to the site boundary with trees and dense vegetation intervening means the proposal complies with Saved Policy EN27 as well as other relevant Saved Policies in the Wealden Local Plan.

Highways Impact

6.6 Saved Policies EN27 and TR3 of the Wealden Local Plan require, inter alia, that new development does not create or perpetuate unacceptable traffic conditions and provides satisfactory means of access.

6.7 The School's layout includes a gated access point leading to a circulation area in front of the building which includes some marked parking spaces and cycle parking facility. The proposal is to relocate the cycle parking closer to the site entrance and to provide an additional 6 marked car parking spaces. This should be sufficient to cater for the nursery related parking demands arising from staff and visitors. With regard to the local representation about traffic in Beechwood Close the Highway Authority notes that until relatively recently Beechwood House accommodated a pre-school nursery. In reality there will be little change to the traffic situation in the area other than nursery children with older siblings in the main school will be able to travel to Parkside together. In addition the school is actively preparing a Travel Plan which should be updated to include the nursery should planning permission be given. An appropriate condition is recommended to secure this.

6.8 For these reasons the proposal is considered to satisfy Saved Policy TR3 in the Wealden Local Plan 1998.

Ashdown Forest

6.9 The Ashdown Forest is adorned with triple designations of Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), thereby affording it the highest protection in nature conservation terms. It is important that nitrogen depositions in the Forest are not increased to levels which might adversely impact the protected heathland. One of the main sources of nitrogen is from vehicle emissions therefore Core Policy WCS12 of the Wealden District Council's Core Strategy Local Plan requires consideration of the potential for air quality and or emissions which may affect the heathland habitat.

6.10 As the movement of children and carers attending the School and proposed Nursery is already occurring but is most likely confined to Heathfield it is considered that the proposal would not increase numbers of vehicle trips in the town or on routes through the Ashdown Forest. Nitrogen levels in Ashdown Forest would therefore not be materially affected by the proposal and Policy WCS12 is satisfied.

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 for provision of an on-site pre-school facility for up to 34 children. The proposed building is considered acceptable in its design and siting complementing its woodland setting without harming the amenities enjoyed by neighbouring residents. Any residual traffic impacts can be mitigated by active Travel Planning. As such, the proposal complies with Policy WCS12 of the Wealden District Council Core Strategy Local Plan and with Saved Policies GD1, EN27, EN28, TR3 and CS1 of the Wealden Local Plan 1998.

7.3 In determining this planning application, the County Council as Local Planning authority 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 responses 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. Before commencement of development details of replacement trees for those to be removed as a result of development shall be submitted to and approved in writing by the director of Communities, Economy and Transport. The details shall include size, type, position, timing and maintenance of specimens and provision for replacement in the event of

death within 5 years of first planting. Planting and care shall be carried out in accordance with the approved details.

Reason: In the arboricultural interests of the site and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

4. Construction shall be carried out in accordance with the Recommendations in 'Preliminary Ecological Appraisal'; PJC Consultancy ref. 3606AO/17.

Reason: To minimise risk to site ecology in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

5. Development shall be carried out in accordance with the recommended Ecological Enhancements in 'Preliminary Ecological Appraisal'; PJC Consultancy ref. 3606AO/17 which shall be made available before first use of the approved pre-school.

Reason: To enhance site ecology in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

6. The development shall not be occupied until additional car parking has been made available in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure additional car parking is provided in accordance with Saved Policy TR3 in the Wealden Local Plan 1998.

7. The development shall not be occupied until replacement cycle parking has been made available in accordance with details that have first been submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved facilities shall be retained thereafter.

Reason: To ensure additional cycle parking is provided in accordance with Saved Policy TR3 in the Wealden Local Plan 1998.

8. The development shall not be occupied until a draft Travel Plan for the nursery and Primary School has been submitted to and approved in writing by the Director of Economy, Transport and Environment and the approved Travel Plan shall be implemented upon first occupation of the nursery building.

Reason: To help encourage and promote sustainable modes of transport to and from the site.

Schedule of Approved Plans

PL01 Rev C - Location, Site and Block Plan, Arboricultural Implications Assessment, PL02 - Proposed Floor Plan, PL03 - Proposed Roof Plan, PL04 -

Proposed Elevations, PL05 - Proposed Elevation and Section, Preliminary Ecological Appraisal, Tree Protection Plan

RUPERT CLUBB

Director of Communities, Economy and Transport

8 January 2018

BACKGROUND DOCUMENTS

Planning Application File

Development Plan

National Planning Policy Framework, 2012

Policy Statement on Planning for Schools Development, 2011