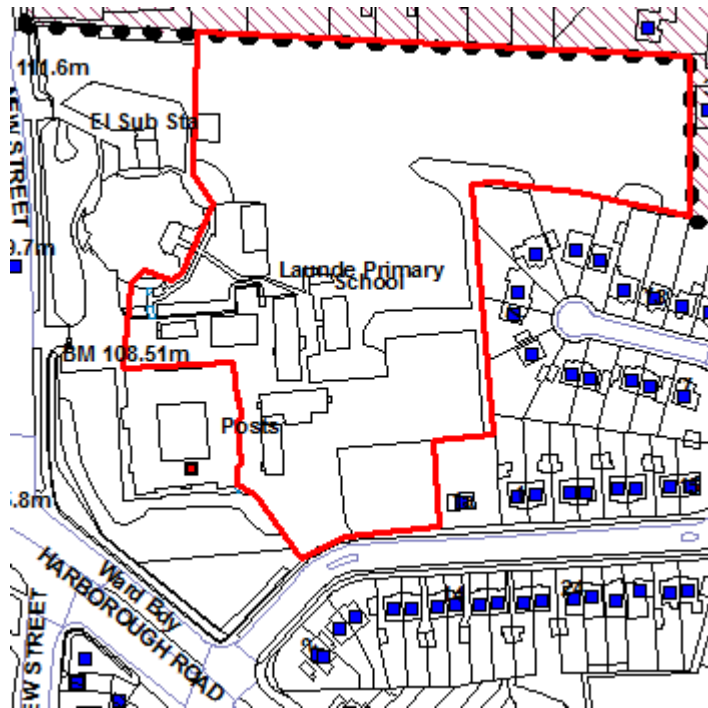


Application Number Address

Report Items

1. 16/00175/FUL Launde Primary School
 New Street
 Oadby
 Leicester
 Leicestershire
 LE2 4LJ

1.	16/00175/FUL	Launde Primary School New Street Oadby Leicester Leicestershire LE2 4LJ
	20 April 2016	Demolition of Horsa and timber framed classroom accommodation. Erection of 2 modular classroom blocks.
	CASE OFFICER	Peter McEvoy



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Council structure:

As Leicestershire is not an unitary authority, responsibility for various local government functions is split primarily between Leicestershire County Council and Oadby and Wigston Borough Council. This particular application affects both councils: Oadby and Wigston Borough Council is the local planning authority whilst Leicestershire County Council acts as the local education authority and highways authority.

Site and Location:

The applicant is Oadby Launde Primary School.

The application site is a predominantly residential location located on New Street, just north to the A6 dual carriageway on the northern outskirts of Oadby.

The school has been extended in an ad-hoc manner over recent years due to rising pupil numbers and also to improve facilities for the children. According to the applicant's design and access statement, which was submitted in support of the application, there are currently 540 pupils on the school roll with an age range of four to ten years' old. This number is expected to rise in the near future to accommodate year 6 (11 year old) pupils as part of the Local Education Authority's reorganisation of primary school provision. The applicant therefore needs additional teaching facilities.

Description of proposal:

The applicant is requesting planning permission to erect two new teaching blocks which would replace the two existing HORSAs hut buildings and two mobile classrooms currently on site. HORSAs buildings are prefabricated structures which were common in schools after the second world war onwards. If the application were approved, there would be an overall net increase of two additional classrooms when compared to the current arrangement. There would be additional parking spaces for teachers with visitor and disabled parking retained in its existing position. The proposal would be partly built over the existing playground but this area would be compensated for the lost space. Some trees would also have to be removed to accommodate the proposal.

The new buildings would be single storey with mono-pitched roofs and a maximum height between 3m to 4m. Its walls would be cream fibre cement and red cedar external cladding with contrasting aluminium grey powdered crittall styled windows. The overall appearance would be of a modern styled building with a colour palette predominately of cream and light brown.

Relevant Planning History:

None relevant.

Consultations:

- *Sport England*: considers the application to be acceptable and does not wish to raise an objection.
- *Highways (Leicestershire County Council)*: on-site parking is acceptable, although the department would like to see measures to reduce the existing street congestion.

Representations:

The Local Planning Authority received a further seventy two comments which reflected the considerable strength of feeling by neighbouring occupiers towards the application. They were almost, but not exclusively, directed towards the proposal's impact on highway safety.

For convenience of the Committee, the majority of these responses may be broadly summarised as:

- *inconsiderate use of the highway* by parents and guardians causing great inconvenience for residents and highway users; for example, double parking, vehicles blocking of the highway and parking on grass verges;
- *traffic generation*: there is a lack of parking around the school and the increased pupil numbers would lead to more car journeys and exacerbate the existing highway problems.

Other points raised were:

- existing highway restrictions need enforcing;
- pollution concerns;
- community tension;
- access for emergency vehicles;
- danger to wheelchair users.

One response was neutral and another was positive, although both respondents were concerned about school traffic.

There were two comments regarding the extension itself:

- it would be too large;
- it would spoil the respondent's view;
- it would be too close to the boundary of neighbours;
- its visual impact;
- it would reduce light to garden and kitchen and reduce the respondent's enjoyment of her property.

Relevant Planning Policies:

National Planning Policy Framework:
paragraph 72

Oadby & Wigston Core Strategy:

Core Strategy Policy 4: Sustainable Transport and Accessibility.

Core Strategy Policy 14: Design and Construction.

Core Strategy Policy 16: Community Facilities and Places of Worship.

Planning Considerations:

The Government expects applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. In the National Planning Policy Framework (NPPF), the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing communities. Paragraph 72 of the NPPF states this obligation as:

'The local planning authority is... expected to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.'

On this basis, there are four considerations for the Committee to consider:

- does the application comply with policy requirements for educational establishments?
- is the application acceptable in terms of visual appearance and residential amenity?
- if so, is the application satisfactory in terms of highway safety?
- can the applicant undertake any measures to reduce the development's impact on nearby roads?

(a) *Policy requirements for education establishments:*

A school is classed as a community facility for the purposes of planning policy.

Core Strategy Policy 16 (Community Facilities and Places of Worship):

'Community facilities and places of worship will be supported where;

- there is good access by pedestrian routes, cycle routes and public transport;
- sufficient car parking is already available or can be provided to meet the needs of the development;
- residential amenity can be protected from any detrimental impact in terms of noise, traffic and hours of use; and
- the external appearance of the building can provide a sense of place and can positively reflect the character and appearance of its surroundings.'

The school is already well served by pedestrian and cycle routes and can be easily accessed by public transport. The development's impact on highways and residential amenity is assessed in the following sections. The building's appearance is discussed in the next section.

Core Strategy Policy 14 (Design and Construction):

'The Council will require high quality inclusive design for all new development and major refurbishment in Oadby and Wigston. Proposals for new development and major refurbishment will need to demonstrate how the proposed development:

- respects local character, patterns of development, is sympathetic to its surroundings and should contribute to creating buildings and places that are attractive with their own distinct identity;
- promotes safe and inclusive communities able to be accessible to all members of the community regardless of any disability or background and to encourage sustainable means of travel;
- incorporates measures to minimise waste and energy consumption, conserve water resources and provide for renewable energy generation, in accordance with Core Strategy Policies 8 and 9;
- utilises inclusive design principles including layout, orientation, landscape, streetscape, scale, materials, natural surveillance and sustainable construction; and
- achieves layout and design that is safe, secure and enhances community safety.'

(Only the policy's sections considered to be relevant for this application are included here.)

The existing HORSAs are no longer in the best condition and may be reasonably considered to be past their useful life. The new classrooms are energy efficient and they would be designed to a much higher standard with a pleasing and modern appearance which would be sensitive to the existing buildings. Pupils would also benefit from a more pleasant learning environment in a safe location beside the existing school buildings. According to the applicant's design and access statement, the buildings would also comply with the provisions of the Equality Act 2010 and so be easily accessed by less mobile pupils.

The application is therefore considered to conform to policies 14 and 16.

(b) The development's impact on neighbouring properties (excluding highway issues):

Any shadowing generated by the proposal would fall within the school grounds. Due to the large curtilage and open nature of the site, the development would not be considered to be result in an overly dominant feature to nearby properties, especially as the new buildings would be limited to a single storey and the minimum separation distance between the proposal and application site boundary would be approximately 11m. Surrounding houses are already overlooked by the school and so the development would not materially affect occupier's levels of privacy. Any impact on neighbouring occupiers' amenity is not considered to be materially significant and so the application is acceptable in terms of residential amenity.

(c) *The development's impact on the surrounding highways:*

As the application is considered to meet the Local Planning Authority's policies on visual and residential amenity, the next point to consider is the proposal's impact on the highway.

Core Strategy Policy 4 (Sustainable Transport and Accessibility) states:

'development should be located and designed so as to reduce the need to travel, enhance the safety of pedestrians and road users... In all new built schemes, developers must consider the highways and transport infrastructure requirements needed to support and service the proposed development. There will be a need to demonstrate that adequate capacity currently exists or will be provided through appropriate mitigation that meets necessary infrastructure requirements.

The key question for the Committee is therefore to assess whether the proposal would lead to more (car) traffic within the vicinity, and, if so, whether there is any way to manage the situation in a more effective way. For this reason the Council required the applicant to submit a travel plan as part of the planning application.

(d) *Measures to reduce the development's impact on nearby roads.*

Travel plans can be used in a variety of situations, but in relation to planning, they are prepared by applicants to show how a development can encourage safe and sustainable travelling, manage traffic and reduce congestion within the development's vicinity. There is no single prescribed format for a travel plan, but for this proposal, the applicant has chosen the Modeshift STARS (Sustainable Travel Accreditation and Recognition Scheme) which is a travel plan designed specifically for schools and it is supported by Department of Transport. The primary aim of STARS is to promote non car travel for pupils to improve their health and well being. A successful travel plan would lead to fewer pupils would travel to school by car, easing traffic congestion in the area and so helping to address the concerns expressed by residents.

The final report was not available at the time this report was prepared, but it should be available for the committee meeting. For guidance, a school travel plan should contain the following information at a minimum:

- an introduction and a travel and transport infrastructure section;
- the implementation of an annual travel survey with pupils and staff;
- continually review and set new targets for increasing walking and cycling;
- identify additional travel and transport issues;
- regular updates of an action plan with planned and completed actions; and
- evidence of targeted travel initiatives to mitigate and reduce traffic congestion.

Respondents' comments:

A careful distinction must be made as to whether the respondents' concerns can be properly addressed by the planning system.

In relation to the general behaviour of driving and parking, the standard of driving by road users is not a material planning consideration. If the Local Planning Authority did refuse the application purely on these grounds, then the applicant could challenge the decision at appeal and it would be highly likely the appeal would be upheld. Moreover highway safety (including its enforcement) is the responsibility of the local highway authority which is Leicestershire County Council (see above) and Leicestershire Police.

The second concern – traffic generation – however *is* a relevant factor when determining a planning application. The key question for the Committee is therefore to assess whether the proposal would

lead to more (car) traffic within the vicinity, and, if so, whether there is any way to manage the school traffic in a more effective way. It was for this reason the Local Planning Authority required the applicant to submit a travel plan to demonstrate that the applicant's measures are sufficient to tackle the concerns regarding highway safety. Measures to reduce traffic around the school would also tackle other the concerns expressed by the respondents, such as pollution or access for emergency vehicles.

In relation to the other points raised:

- *Disabled access:* The development has been designed around the needs of disabled people. If traffic congestions can be reduced, then it would also benefit disabled highway users.
- *Size of the development:* please refer to the above section on visual amenity;
- *Too close to the boundary:* please refer to the above section on residential amenity;
- *Loss of a view:* control of an outlook over land which is not within a respondent's ownership is not a material planning consideration;
- *Reduction of light:* please refer to the above section on residential amenity. In any event, a right to light is an easement which, if the respondent could show to exist would be enforced by civil action between the applicant and the respondent. It is not a material planning consideration;
- *Visual amenity concerns:* please refer to the above section on visual amenity.

Summary:

Overall, the development meets the Council's requirements in relation to residential and visual amenity. Providing the applicant can demonstrate at a minimum that the development does not cause a detrimental impact on highway safety then the officer's recommendation is to approve the application. On the basis of the respondents' comments, any such planning permission should be conditional on the applicant adhering to the requirements of a satisfactory travel plan and to be able to demonstrate that the plan is regularly reviewed and adapted to changing needs.

Implications Statement:

Health:	No Significant implications.
Environment:	Potential significant implications unless the applicant adopts suitable mitigation measures.
Community Safety:	No Significant implications.
Human Rights:	The rights of the applicant to develop the property have to be balanced against the rights of neighbours.
Equal Opportunities:	No Significant implications.
Risk Assessment:	No Significant implications.
Value for Money:	No Significant implications.
Equalities:	No Significant implications.
Legal:	No Significant implications.

RECOMMENDATION: GRANTS

Subject to the following condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 All external materials used in the development shall be in accordance with the submitted plans unless otherwise first agreed in writing with the Local Planning Authority.
Reason: To safeguard the character and appearance of the building and its surroundings and in accordance with the aims and objectives of the National Planning Policy Framework, Core Strategy Policy 14, and Landscape Proposal 1 of the Oadby and Wigston Local Plan.
- 3 Prior to first occupation of the buildings and use hereby permitted, a School Travel Plan shall be undertaken and implemented over time. The specified objective of that School Travel Plan shall be to secure a measurable and consistent reduction in the number of pupils and staff who travel to the School premises through the use of private cars. That School Travel Plan and its implementation may also secure improvements in road safety for pedestrians, cyclists and other road users within the wider locale of the School. Furthermore, that same School Travel Plan may also seek to engender increased self reliance, healthy lifestyle changes and exposure to travel modes other than reliance upon the use of private cars among the School's pupil body and staff. In particular but not exclusively that School Travel Plan shall include:
 - a) A survey and written report of the modes of travel used by all visitors to the School within term time, prior to the commencement of any works in implementation of this planning permission,
 - b) An equivalent annual survey and annual review of any changes to the numbers attending the School by the use of private cars. That annual report shall be reviewed by the School's Head Teacher and Governing body.
 - c) Whatever measures the School's Governing body see fit to implement, in order to bring about a measurable and consistent reduction in the use of private cars for travel to and from the School, below those identified by the survey in item a) above.
 - d) In the event that the annual report in item b) fails to identify a measured reduction in reliance upon the use of private cars for a particular year, the School's Governing body shall propose and implement such additional measures as they see fit in order to deliver that measurable and consistent reduction in reliance upon the use of private cars for journeys to and from the School.

After the annual review by the Head Teacher and Governing body in item b) above, a written copy of that same annual review shall be supplied to the Oadby and Wigston Borough Council's Chief Executive Officer for review and comment.

Reason: In order to reduce or eliminate the current levels of road traffic congestion and potential road hazard which routinely arise in proximity to the school entrance, pursuant to Section 4 (paragraph 36 in particular) of the National Planning Policy Framework and Core Strategy Policy 4.

BACKGROUND PAPERS

16/00175/FUL