Recommendation Report for County Matter Consultation

REF NO: **BR/80/13/**

LOCATION: Laburnum Grove Junior School
Laburnum Grove
Bognor Regis

PROPOSAL: Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for construction of a new single storey 8 classroom block with associated parking, playgrounds, fencing, covered link, external canopy, landscaping & minor alterations to existing building to cater for increased pupil numbers & conversion from junior school to primary school status. This application will be determined by WSCC

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application will be determined by West Sussex County Council
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Metal railings around the school building. Fencing along boundary with residential properties.
SITE CHARACTERISTICS	Single storey 1960's school. Mix of red brick and render, flat roof predominantly with a false pitch over the existing hall. Site is shared with a family and childrens centre and a pre school Little Acorns.
CHARACTER OF LOCALITY	Predominantly residential.

RELEVANT SITE HISTORY

BR/217/05/	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for the formalisation of car parking with new security fencing. This application will be determined by West Sussex County Council	ApprvdCond-WSCC 16-08-2005

No comments

BR/72/07/	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for a new Extended Services Centre and Day Care Centre accommodated in one single independent building. (This application will be determined by West Sussex County Council)	ApprvdCond-WSCC 26-04-2007
BR/26/09/	Proposed new entrance to school	Approve Conditionaly 03-04-2009

REPRESENTATIONS

Representations received:

None

Comments on Representations received:

None

CONSULTATIONS

Environmental Health
Engineers (Fluvial Flooding)
Parks and Landscapes

Consultations responses received:

District Environmental Health:
To deal with the raised ground under the proposed new building and the oil tank that is to be replaced, please apply contamination conditions ENV3 and ENV5.

Comments on Consultation responses:

Noted.

POLICY CONTEXT

Designation applicable to site:
Within Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development
	GEN9	Foul and Surface Water Drainage
	GEN12	Parking in New Development
	GEN31	Contaminated Land

PLANNING POLICY GUIDANCE

	NPPF	National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003 adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that

weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE:

The site is within the Built Up Area Boundary and is a Junior School. Development is normally permitted subject to normal development control criteria such as visual and residential amenity.

PROPOSAL:

Currently Bartons Infant School feeds into Laburnum Grove Junior School and these two schools will be converted into primary schools by September 2014. Current pupil numbers are 240 which will increase to 420. Therefore to accommodate the addition 180 pupils it is proposed to provide 8 additional classrooms along with improved circulation around the school, a learning resource area and additional non teaching facilities such as toilets and staff areas. The new wing and the existing building will be connected by a covered link way.

DESIGN

The new teaching wing has been located to minimise the distance between the buildings to ensure a comfortable proximity for free flow of building users. In order to achieve this, the school playing field will be reduced, and the earth mounds on the boundary will be removed along with some trees. This has been previously agreed with Sports England. The new building will be accessed via a covered link from the main school. This will provide an eight classroom teaching wing, a large learning resources area with a small wet area, a Deputy Head's office and toilets that are accessible from the playing fields.

The building will be rendered to two facades and painted white/off white with buff bricks to two facades. The design incorporates ventilation and summer cooling by natural means with glazing providing solar gain and external passive shading. External lighting will be provided by low energy LED luminaires fixed to the building. Car park lighting will be by low energy column mounted luminaires in accordance with the Institute of Lighting Engineers recommendations.

LANDSCAPING

The new wing is situated over the schools existing play ground and therefore additional hard surfaced play areas are proposed in a number of locations around the site. There will be removal of the earth mounds and some trees. Planting proposals will provide new trees and shrubs to provide natural shade and physical separation.

ECOLOGY

A Phase 1 Habitat and Protected Species Scoping Survey identified that several mammal tracks were present along the southern boundary and evidence of Badgers commuting through the site and 2 possible abandoned Badger Setts. It is not anticipated that the commuting routes will be disturbed during the development. Two trees on the south of the site have been identified as possible roost for bats and these trees will remain undisturbed. Therefore the proposal is not considered to adversely affect the ecology of the site with protected species remaining undisturbed.

TRANSPORT ASSESSMENT

Staff numbers will rise from 15 full time equivalent to 33. The TA has identified that some of the increase in pupil numbers will be from the same families already dropping off or collecting from the school currently. It is anticipated that the net increase will not be significant to cause any detriment to highway safety.

DRAINAGE

A connection appliction will be made to Southern Water for the additional discharge from the new buildings. A new storm water drainage system is to be installed.

VISUAL AMENITY

The proposed new building is sited adjacent to the existing buildings and is designed in character with the existing buildings, taking the hall design as a reference point which provides a more interesting roof line. It is therefore considered that the proposal is visually in character with the development.

RESIDENTIAL AMENITY

The school site is surrounded by residential properties, however the school building is not immediately adjacent to any houses. Whilst there will be an increase in pupil numbers, this will only be apparent during brief periods at dropping off and collection times during the school day. It is therefore considered that the proposal will not adversely affect the residential amenity of the surrounding area.

SUMMARY

It is therefore considered that the new building and changes to the playground area is necessary to provide the additional educational facilites required to accommodate increased pupil numbers. The proposal will not result in any significant visual or residential harm, therefore it is recommended that no objections are raised.

HUMAN RIGHTS ACT

FOR APPROVAL
Human Rights Act:
The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article (8) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal a neutral impact has been identified upon those people with the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

As no negative impacts have been identified no mitigation measures have been proposed.

RECOMMENDATION

NO OBJECTION

1 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
all previous uses
potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

2 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amedment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Plan policies GEN7 and GEN31.