

## REPORT FOR NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	28 January 2014
<b>Application Number</b>	14/10081/FUL
<b>Site Address</b>	Meadowpark School The Old School High Street Cricklade Swindon SN6 6DD
<b>Proposal</b>	New School Block to Provide 3 Classrooms & Ancillary Facilities and Relocation of Play Equipment.
<b>Applicant</b>	Education Plus
<b>Town/Parish Council</b>	CRICKLADE
<b>Ward</b>	CRICKLADE AND LATTON – Cllr Jones
<b>Grid Ref</b>	410160 193958
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Alex Smith

### Reason for the application being considered by Committee

#### 1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

#### 2. Report Summary

The main issues in the consideration of this application are as follows:

- The principle of development;
- Impact on the character and appearance of the Conservation Area;
- Parking & highways issues
- Flood risk & drainage
- Impact on the residential amenity of the neighbouring occupiers.
- Impact to landscaping & trees within the site
- Ecological impacts

Cricklade Town Council object to the application. 78 letters of support and 57 letters of support have been received. A petition objecting to the scheme with 119 signatures has also been received (see comments later in report).

#### 3. Site Description

The application relates to Meadowpark Junior School, located on the eastern side of High Street, Cricklade. The site is located towards the northern end of the High Street, adjacent the river Thames

to north of the site. The proximity of the site to the River Thames means that the site falls under Flood Zone 3a.

Contained within the site is a main two storey building, which has Grade II Listed status and currently provides the teaching classrooms within the school. To the rear of the building is an area of hardstanding which provides hard play area for children but also doubles as visitor parking during pick up and drop off times. Access to the parking area is from a single width gravel driveway which provides shared access for the school and the residential dwelling to the south, No.71 High Street known as Knowle Cottage, which is also a Grade II Listed Building. At the time of the site visit during the school day the gate to access the parking area was locked.

A detached single storey building has also been erected within the playing fields for the site, which is used as a reading room. Adjacent the side/rear boundary shared with Knowle Cottage is a children's play area, which is provides play equipment on a wood chipped surface. To the rear of the site is a woodland area with a number of significant trees, which was cordoned off at the time of the site visit.

The school which operates at the site is a fee paying private school which was rated at Outstanding by Ofsted during their last inspection. The school is currently limited to 48 children being educated at by condition and had a travel plan in place to manage vehicular movements to and from the site. The school provides a before and after school club, which operates from 7.30am to 6pm.

The site is located within the Conservation Area and framework boundary of Cricklade, as identified in the Policies of the Wiltshire Core Strategy (WCS) and North Wiltshire Local Plan 2011 (NWLP).

#### **4. Planning History**

There have been a number of planning application at the site. The relevant applications are listed below:

N/98/00100/FUL – Extension and Alterations – Approved with Conditions

N/09/02086/FUL – Change of use from Offices to provide flexible B1 / D1 use – Approved with Conditions

N/10/02085/FUL - Erection of Childrens Play Equipment and Gazebo in Garden – Approved with Conditions

N/11/01633/FUL - Erection of a Gazebo in Garden (Revision of 10.02085.FUL) – Approved with Conditions

#### **5. The Proposal**

The application seeks planning permission for the erection of a new school block to provide 3 new classrooms and kitchen area. The proposal also seeks consent for the increase in the number of students educated at the school from 48 to 84 and the re-siting of the existing children's play equipments to the woodland to the rear of the site.

The proposed building would be built to the same ground level as the existing school via a brick plinth. The dimensions of the building would be 14.5 metres by 16.8 metres and would be built adjacent the boundary line shared with Knowle Cottage. The building would have a modern design with asymmetrical mono-pitched roof forms, glazed elevations facing towards the playing fields and timber cladding to the external elevations. The building would have a maximum height of 4.85 metres.

#### **6. Local Planning Policy**

Wiltshire Core Strategy

Strategic Objective 4: Helping to Build Resilient Communities

CP57 - Ensuring High Quality Design and Place Shaping.

CP58 - Ensuring the Conservation of the Historic Environment.

CP60 – Sustainable Transport

CP67 – Flood Risk

North Wiltshire Local Plan 2011:

C3- Development Control Policy;  
HE1- Development in Conservation Areas;  
HE4 - Development, Demolition or Alterations involving Listed Buildings;  
NE9 – Protection of Species;  
NE18 – Noise and Pollution;  
NE21 – Development in Flood Risk Areas;  
NE22 – Surface Water Run-off;  
TM4 – The Thames Path National Trail;

National Planning Policy Framework 2014:  
Chapter 7 – Requiring Good Design.  
Chapter 12- Conserving and Enhancing the Historic Environment.

## 7. Summary of consultation responses

**Cricklade Town Council:** Strongly OBJECT to this application on the following grounds:

- The proposed building is completely out of keeping with the area and the Town. It has more the look of an Industrial Unit.
- Any development must enhance or preserve character of the area. This includes any object or structure within the curtilage of a listed building. We have three very important listed buildings within a few metres of this development. This development affects the position of all three.
- No attempt has been made to consider the impact on neighbours. The position of the development appears to have more to do with convenience than anything else.
- We are at a complete loss to understand why flood risk has not featured as the main concern. The proximity of the Rivers Thames and Churn make this whole area subject to flooding on an annual basis. You may wish to read the EA comments in relation to a nearby application 14/06836/FUL which must have some relevance to this site.
- The Thames Path Trail attracts many tourists to the Town. We 'market' the Town as the 'First Town on the Thames'. This application will be seen from the Town Bridge. Not a particularly attractive view for visitors and residents.
- Additionally should permission be granted we would argue for a Section 106 Contribution towards Traffic Management improvements.

**Conservation Officer:** The school building is a grade II listed stone building with slate roof, dating from 1870-80. It is set on the edge of the pavement adjacent to the river. The land behind this school is open and stretches back towards a small wooded area. The building is prominent in the street scene and as the area is flat and open the surrounding land can be seen from the High street and across the river. Immediately adjacent to the school are a number of earlier buildings which are also grade II listed. The site is also in a conservation area.

The school has had consent and constructed a garden building that was to be used as an outdoor teaching space. The proposal is to build a new detached structure linked to the existing detached garden building. This building will be in the playing field area that is beyond the garden building, so it will be located beyond the historic building line of the area.

The proposed new building will be a modern design of glass and timber with two mono-pitched roofs. The roofs will be higher than that of the existing garden building. The footprint is very large and rectangular, bearing no resemblance to the proportions of the listed building. When looking back from the grounds to the listed building the glazed elevation will dominate the views.

The proposed new building is totally inappropriate for this location and will harm the setting of the heritage assets. The size, design, materials and proportions of the new building will overwhelm the surrounding heritage assets and bear no relationship to the positions and proportions of the built form in this area. Locating a sewerage treatment plant in the gravelled area directly behind the listed school building would also harm the setting of the heritage assets. The development would be contrary to the NPPF paragraphs 17(10), 131, 132, 134 and 137. I recommend refusal.

**Highways:** “The school is located in an area where parking problems already exist. The application details claim that there are 28 parking spaces on site against the requirement in our parking standards of 14 spaces. However no information is supplied as to how the number of spaces has been derived and I suspect that those spaces could not all be independently accessed. Another issue is the restricted width of the access which will not allow two vehicles to pass and could thus cause congestion within the site, discouraging its use and leading to parking on the highway. I am also concerned that staff are to be encouraged to park off site.

Whilst it would be possible to provide the required 14 parking spaces on site, I note that the tarmacked area is stated as being used as a hard play area during the day which would prevent access to any parking area so that it would not be available for use by visitors to the school.

Overall I consider that the site cannot provide adequate parking and set down/pick up facilities to meet the requirements of the school and this proposal will thus lead to increased parking and congestion on High Street and North Wall.

Refusal is therefore recommended as it has not been demonstrated that adequate provision can be made on site for the parking of vehicles and for the setting down and picking up of pupils which will result in additional on street parking in an area where congestion is already caused by high parking demand.”

**Environment Agency:** Recommend including the following informatives in any permission granted:

#### INFORMATIVE

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works or structures either affecting or within 8 metres of any ‘main river’. Please contact Daniel Griffin at the Environment Agency on 01258 484321 for further advice.

INFORMATIVE Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

#### **Public Protection:**

##### Odour/Contamination

I note the sewage treatment plant specifically mentions that information on possible requirements is given on the understanding that there are no catering facilities and yet the Design and Access statement indicates there will be a kitchen to provide hot meals for the children. I can find nothing in the proposals which deal with this and would suggest it needs to be addressed to ensure drainage is adequate and not likely to lead to odour complaints or land/watercourse contamination issues. I would suggest you may want to check this with the Environment Agency. In addition, all discharges must comply with the new legally binding rules from DEFRA.

<https://www.gov.uk/government/publications/small-sewage-discharges-in-england-general-binding-rules>

##### Noise

The site is in the High Street with businesses and dwellings in the vicinity. To manage noise during the construction phase, it would be prudent to adhere to an hours of construction condition.

No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

**Trees and Landscaping:** No objection following submission of arboricultural impact assessment, subject to a condition relating to Tree Protection and work being completed in accordance with the arboricultural impact assessment.

### **Drainage:**

- The development is located in flood zone 3. The Environment Agency should be consulted to confirm their requirements .
- The geology of the site is Oxford Clay Formation – Mudstone overlain by Alluvium deposits - Clay, Silt, Sand and Gravel which could be suitable for surface water infiltration techniques to be used. If the developer were to propose infiltration techniques then this would need to be confirmed by carrying out on site permeability testing to BRE Digest 365. These results would provide confirmation of the infiltration rate and should be issued to us for review.
- If the developer proposes to discharge into a nearby ditch/watercourse, then an application for land drainage consent would also be required.

No objection, subject to the standard drainage condition.

**Public Open Space:** No comment

**Archaeology:** No objection

### **8. Publicity**

The application was advertised by site notice and neighbour consultation. This resulted in the submission of 78 letters of support and 57 in objection.

A petition in objection was also received with 119 signatures. However, following the submission of this petition one signatory contacted the Council to advise that they explicitly asked if the petition related to the school application, as they are in support of the proposal. They were advised that it only related to the parking problems on North Wall, as the petition also covers parking issues on North Wall and was submitted to the Highways Department also. Some of the pages of the petition are not annotated to state what the petition relates to, so committee members are advised of this objection from one signatory.

The issues raised in the 78 letters of support received can be summarised as follows:

- i) The proposal would provide additional educational places within Cricklade and would allow children to stay at the school until later in their education;
- ii) Parking provision and impacts to highways would be acceptable and cause little disturbance at present;
- iii) The school has an existing travel plan in place to minimise vehicle movements to and from the site;
- iv) The proposal would have an acceptable impact on the character and appearance of the Conservation Area for the following reasons:
  - a) It would not be readily visible from the public domain;
  - b) The modern design would be appropriate for a new building to contrast with the original historic buildings rather than a pastiche design.
- v) Increase in employment and economic benefits to surrounding business;

The following issue was also raised in support of the application but do not form material planning considerations:

- i) Job security for staff at the site.

The issues raised in the 57 letters in objection can be summarised as follows:

- i) Harm to the character and appearance of the Conservation Area due to the following reasons:
  - a) Built form in a historically open area;
  - b) School block will be visible from the bridge in the public highway;
  - c) Modern design is out of character with the historic buildings in the Conservation Area.

- d) Harm to the views from the River Thames;
- e) Materials proposed are not in keeping with the existing building and surrounding area.
- ii) Harm to highway safety from increase traffic movements to and from the site and lack of off-street parking
- iii) Increased flood risk & displacement of surface water run off;
- iv) Harm to residential amenity of neighbouring occupiers through loss of privacy / overlooking, light pollution, odour pollution and noise disturbance.
- v) Harm to protected wildlife species;
- vi) Loss of trees from within the site;
- vii) Concerns connected to flood risk and the drainage systems.

The following issues were also raised in objection but do not form material planning considerations:

- i) Potential for future development within the site;
- ii) The operators of the school are shareholders in the business who own it;
- iii) Increased noise and highway disturbance during building works;
- iv) The viability of the school at the current numbers should have been considered from the outset;
- v) A number of responses came from people who were not domiciled in Cricklade.

## **9. Planning Considerations**

### Principle of Development

Strategic Objective 4 of the WCS states as one of the key objectives that strategic growth will have been matched by the provision of new educational and healthcare facilities, where appropriate, and high quality education services will have assisted in providing the trained employees necessary to deliver economic growth.

Paragraph 6.60 on delivering Strategic Objective 4 states that the core strategy will assist in facilitating educational opportunities by ensuring that new growth is supported by new school capacity.

Core Policy 19 relates to development within the Local Service Centre of Cricklade and development within this framework boundary has to be in accordance with the details of this policy. It is noted that the policy does not provide any context on the need for educational facilities within Cricklade, but does state that 113 dwellings need to be erected within the areas covered by the policy, excluding within Royal Wotton Bassett.

The proposed development would provide an enlarged educational facility which was rated excellent by Ofsted at the previous inspection. Whilst the extension is not attached to any specific growth within Cricklade, the provision of additional educational places is considered to be in accordance with Strategic Objective 4 of the WCS and is considered acceptable in principle.

### Impact on the Character and Appearance of the Conservation Area and setting of the Listed Building

There have been a number of consultation responses from members of the public who both object to and support the design of the new school block. The proposed block would have a modern asymmetrical design made from timber and large glazed sections. When designing extensions or new development which would impact on heritage assets, there are two different approaches which can be taken. A modern design which differentiates itself from the heritage asset or a pastiche design which replicates the original form to appear part of the original building or settlement. When done well, both approaches can be acceptable.

What is key in this application is the siting of the proposed school block. The Conservation Area has a clearly defined building area on the eastern side of the High Street, with the built form kept toward the highway. The proposed development would be a significant addition which would be out of keeping with the historic building pattern on this side of the street and would be incongruous to the character of the Conservation Area. An application for a smaller gazebo set closer to the building was permitted to allow for some additional space to be provided for the school. A further proliferation of built form away from the main school is considered to cause unacceptable harm to the character and appearance of the Conservation Area.

Furthermore, the Conservation Officer has reviewed the proposal and recommended refusal on the grounds of the design and size of the outbuilding. When viewed from the land to the rear of the site the vast glazed elevation will dominate the views and the settings of the Listed Building within and adjacent the site. A number of objectors have also noted that splayed views of the modern outbuilding will be visible from the bridge in the public highway.

The proposed development would also be adjacent to the River Thames and Policy TM4 (which will continue to be saved as part of the Wiltshire Core Strategy) states that in connection with the establishment and enhancement of the proposed Thames long distance path, development will not be permitted where proposals are likely to result in a significant adverse effect on the amenities and open landscape along the river and footpath route. As outlined previously, the proposal would be a significant addition which would be set away from the built form within the site and would harm the open landscape along the river. Therefore, the proposal would be contrary to Policy TM4 of the North Wiltshire Local Plan.

Therefore, the development is considered contrary to Policy CP58 of the WCS and Policies HE1, HE4 & TM4 of the NWLP.

The relocation of the children's play area is considered to have an acceptable impact on the character and appearance of the area, given the dense foliage which would largely screen the play equipment from view.

#### Parking and Highways Issues

A number of local residents have objected to the proposed development due to the parking pressures which are already occurring on the neighbouring residential streets and the increase in vehicle movements to and from the site. The current proposal seeks an increase in the number of students being educated at the site from 48 to 84, a 75% increase in the number of students at the site. The school currently employs 5 teachers and 1 teaching assistant and it is anticipated that a further 2 teachers and 1 teaching assistant would be employed as part of the expansion.

The application submitted states that 28 car parking spaces are available within the site. However, no plans have been submitted to show how this could be accommodated within the site. Given the size of the hardstanding within the site, the Highways Officer considers that this number of independently accessible spaces could not be provided. There is also concern that the parking area doubles up as the hard play area during the working hours of the day. At the time of the site visit the access to this parking area was not readily available, as the access gate into the site was locked. Two cars were parked on the hardstanding during the site visit.

It is also noted that the Transport Statement and 3 responses from teachers during the course of the public consultation state that the teachers do not park within the site currently, but park off-site. The school has not referenced an additional off-site parking area in the ownership of the school and there must already be some form of displacement of parking from the school to off-site spaces.

The school currently has a travel plan in place which takes account that the school provides a before and after school club to stagger the vehicle movements from the school away from the usual 9am and 3.30pm peak periods. The school is also trialling a mini-bus service and expects that this will provide capacity for 16 students when fully operational.

The Council's adopted car parking standards would require the provision of 14 spaces within the site. However, these spaces are required to be available at all times and designated as parking spaces, the current site does not provide this and has a crossover between parking and hardstanding for use as play space depending on the hours of the day.

Furthermore, there is a concern about the access into the site. The current site has a shared driveway which is single width and only allows one car to pass at a time. An increase in the number of visitors to the site would result in an increased likelihood of cars trying to exit and enter at the same time, resulting in cars either reversing into the High Street or back into the school site. Both of these are considered to result in unacceptable harm to pedestrian safety in such close proximity to the school.

The current operation at the site results in the displacement of parking into the surrounding area, which shows significant strains of parking stress. The current access into the site and parking arrangements are considered to be substandard to allow for a further expansion of the school. The current limit of 48 students was set due to concerns about the impact to highway safety from a larger operation at the site. Whilst the Transport Statement does provide some mitigation, in the form of the mini-bus and staggered pick-ups throughout the day, these are largely required by the current travel plan to allow for the current number of pupils at the site.

The Highways Officer has reviewed the proposal and submitted transport statement and recommends refusal on the grounds that the parking arrangements and access cannot support such an increase in pupil numbers. Therefore, the proposal is considered contrary to Core Policy 60 of the e-WCS and Policies C3 & T1 of the NWLP.

### Flood Risk & Drainage

The application has been submitted following discussions between the Environment Agency and the applicant over the siting of the building, due to the site being in Flood Zone 3. The Environment Agency have confirmed that as the site is less than 1 hectare, the use not classified as highly vulnerable under Table 2 of the NPPF Technical Guidance and is the built form is less than 1,000 square metres, then the proposal should be considered in accordance with their standing advice.

This advice allows for the provision of such a building in this location, subject to the floor levels of the building being equal to those of the existing building within the site. The proposed development would have floor levels built to the same as the existing and therefore, in accordance with the standing advice from the EA, the proposal would have an acceptable impact on flood risk.

The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to the standard drainage conditions being applied.

### Impact to the Residential Amenity of the Adjoining Occupiers

During the public consultation period objections were received from neighbouring occupiers in objection to the harm to their residential amenity. The proposed development would be sited approximately 0.7 metres from the boundary shared with Knowle Cottage and approximately 45 metres from the dwelling itself. Given the distance separation from the dwelling, the single storey building would result in no significant loss of light to the occupiers of the dwelling.

The proposal would be prominent when viewed from the garden of Knowle Cottage. However, the garden is sizeable and the new building would only cover a small portion of the boundary line, which is well screened on the side boundary line by dense foliage. Therefore, the level of harm from a sense of dominance would be acceptable and the outbuilding would be sufficiently distanced from the dwelling to ensure no significant loss of outlook would occur.

The proposal would create a raised platform by the entrance door facing towards the garden of Knowle Cottage, which would result in some degree of overlooking into the neighbouring garden when exiting the new building. However, any loss of privacy could be controlled by way of a privacy screen, which could be subject of a pre-commencement condition, should consent be granted.

The Council's Public Protection Officer has reviewed the proposal and noted that the proposals do not show any details as to odour extraction from the kitchen. At present the meals are cooked off-site, then delivered to the school and served. It is unclear if this arrangement will change. In any case, the new block is sited over 45 metres from the nearest residential dwelling and a suitable flue could be provided on the opposite side of the building to control odour and details of this could be provided by way of a suitable pre-commencement condition, should consent be granted.

Neighbouring occupiers have also objected due to noise disturbance. The existing school operation at the site would provide some level of noise disturbance from children using the play area. Whilst the proposal would result in an intensification of use of the site, any increase in noise disturbance would not be to a level which would warrant a refusal of the application.

### Impact to Trees and Landscaping at the Site

Following the site visit, the applicant submitted an Arboricultural Impact Assessment to determine the impact to the trees within the site. The Council's Trees and Landscaping Officer has reviewed the proposal and considers that the scheme can be delivered and not cause unacceptable harm to the protected trees within the site. Furthermore, subject to the provision of bark and wood chip mulch as the surface for the relocated play area, the relocation of this to the wooded area to the rear of the site would also have an acceptable impact on the protected trees.

### Ecological Impacts

A number of residents have objected to the proposal due to the harm to protected species. The proposed development is to be built in the location of the existing adventure play area and as such, is unlikely to harm a protected species or their environment.

## **10. Conclusion**

Paragraph 14 of the NPPF states the presumption in favour of sustainable development, whilst paragraph 7 states the three dimensions of sustainable development as being, economic, environmental and social factors.

The proposed development comes with the clear benefits of the expansion of an 'Outstanding' Ofsted school to provide additional educational facilities to the surrounding residents. However, the site itself cannot be considered suitable for the required new school building and increase in pupil numbers. The single access into the site and the increase in vehicle movements would increase the possibility of harm to highway safety from vehicles reserving into or out from the site or waiting in the highway. Furthermore, the proposal is likely to result in the further displacement of parking from the site to the surrounding area, which already shows signs of significant parking stress.

In addition, the new school block is considered to cause significant harm to the character and appearance of the Conservation Area, the setting of the adjacent Listed Buildings and the open landscape from the River Thames. Therefore, it is considered that the benefits from the proposal do not outweigh the harm caused by the development and the application is recommended for refusal.

## **RECOMMENDATION**

### **To REFUSE planning permission for the following reasons:**

1. It has not been demonstrated that adequate provision can be made on site for the parking of vehicles and for the setting down and picking up of pupils which will result in additional on street parking in an area where congestion is already caused by high parking demand. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.
2. The proposed development would result in an intensification of use of the single lane driveway into the site, which would result in circumstances prejudicial to pedestrian and highway safety from vehicles reserving into and out from the site or waiting in the public highway. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.
3. The proposed development, by reason of the proliferation of the built form into the open areas of the site, size, materials and design, would result in significant harm to the character and appearance of the Cricklade Conservation Area, the setting of the adjacent Listed Buildings and the open landscape from the River Thames. Therefore, the proposal is contrary to Core Policies 57 & 58 of the Wiltshire Core Strategy, Policies HE1, HE4 & TM4 of the North Wiltshire Local Plan 2011 and paragraphs 17(10), 131, 132, 134 and 137 of the National Planning Policy Framework.

