

**DEVIZES: PROPOSED TEN-BED ADULT RESPITE FACILITY AT
SOUTHBROOM CE JUNIOR SCHOOL, NURSTEED ROAD
(Application No. K.53832)**

Purpose of Report

1. To consider the above planning application and to recommend that conditional planning permission be granted.

The Site

2. The application site falls within the grounds of Southbroom CE Junior School, situated off Nursteed Road to the south of Devizes Town Centre. The site comprises a hard-surfaced car park and adjoining grassed areas which lie between the school buildings and the rear boundaries of residential properties located along Nursteed Road. The Nursteed Centre (Physically Handicapped and Able Body Club) lies to the north of the site, with playing fields extending to the south.
3. A site location plan is attached at **Appendix 1**.

Planning History

4. In brief, the planning history of the site is as follows:-

<u>K.52895</u>	Planning application for a Ten-Bed Adult Respite Facility made to Kennet District Council withdrawn in February 2006 because the District Council was not the relevant local planning authority to determine the application.
----------------	---

Proposals

5. In 2003, the County Council's Cabinet agreed a number of recommendations from the Best Value Review of the Council's services for adults with a learning disability, including residential, short-break and day services. One of the recommendations was the building of four new, ten-bedded, short break units, one in each district of the County, to increase the overall capacity of the short break service. The first of these units has now been built and is in use at Old Sarum, Salisbury.
6. The building design proposed at Kennet is very similar to that used at Old Sarum, which has proved successful in meeting the needs of its users. Given the physical limitations of the clients, the building is single storey and zoned to have bedroom wings with a central core providing day and support spaces. The building has been orientated so as to reduce the impact and potential loss of visual amenity on neighbouring properties.
7. The external facing materials would be brick for the walls and plain tiles for the roof. Landscaped grassed areas would be provided at the front and rear of the building. Improvements would be made to the level and surface of the existing car park and additional parking areas provided.
8. Drawings showing the proposed site layout and building elevations are attached at **Appendix 2**.

Planning Policy

9. The following policies are considered relevant to this application:
 - Policies RLT1 and HE2 of the Adopted Wiltshire and Swindon Structure Plan 2016
 - Policies TR17, HH2 and PD1 of the Adopted Kennet Local Plan 2011
10. All relevant policies are set out in the attached **Appendix 3**.

Consultations

11. **Kennet District Council** – no objection. Considers the principle of the development to be acceptable and would not conflict with relevant Development Plan policies. Does not consider that the proposal would give rise to a significant amount of disturbance to occupants of neighbouring properties. Issues raised by the District Landscape and Countryside Officer should be taken into account.
12. **District Landscape and Countryside Officer** – comments that the mature and semi-mature birch trees south of the Nursteed Centre are visually very important and should be retained. The proposals for parking bays in their vicinity would adversely affect them and likely result in their loss - alternative parking arrangements should be considered.
13. **Devizes Town Council** – no objection.
14. **Sport England** – no objection.
15. **Local Highway Authority** – no objection subject to the revised and new parking and turning areas all being provided prior to first use of the development and maintained thereafter.
16. **County Archaeologist** – advised that the application site fell within an area of high archaeological interest and recommended that an archaeological field evaluation be carried out to establish whether any finds or features would be impacted by the development. In light of the results of the evaluation, recommends that an archaeological excavation of the site should be undertaken.
17. **Countryside Section** – no objection in principle but concurs with the District Landscape and Countryside Officer that the existing trees on site have amenity value and should be retained and protected. Recommends that where construction of new parking surfaces cannot be avoided, a no-dig solution should be implemented.

Publicity

18. The planning application has been publicised by way of site notice and the local press. Two letters of objection have been received and the concerns raised are as follows:
 - Loss of privacy
 - Loss of light
 - Loss of playing field
 - Danger to school children from facility users
19. Copies of the consultation replies and representations received are available in the **Members' Room**.

Planning Considerations

20. This planning application must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The main issues to be considered with regard to this application are:
- Loss of playing field
 - Impact on archaeology
 - Impact on trees
 - Impact on residential amenity

Loss of playing field

21. The application site is designated in the Kennet District Local Plan as a 'Protected Site' (for recreation). This designation (Policy TR17 of the District Local Plan) relates to existing outdoor sport and recreation sites within the 'Limits of Development' of towns and villages. Such sites are more vulnerable to development pressures and are therefore specifically identified for protection by this policy.
22. Policy TR17 only permits the development of these sites where it can be demonstrated that:
- (a) the development of a small part of the existing facility provides improvements to the remaining facilities and provides for their greater use or
 - (b) a suitable alternative site, of comparable size and facilities, is provided in an acceptable location or
 - (c) the proposal is for an alternative recreational or community use of benefit to local residents
23. The proposed development area comprises mainly a hard-surfaced car park and the grassed area that lies between it and the main school buildings. This area is unsuitable for recreational use. The remainder of the development area extends into the school playing fields and onto two playing pitches and long jump. This potential loss of the two playing pitches initially attracted an objection from Sport England.
24. However, the extensive area of playing fields available to the School means that it would be possible to reposition the two pitches and long jump so that they are not impacted on. This meets with Sport England's policy of ensuring development does not result in the loss of, or inability to make use of, any playing pitch or a reduction in the size of a playing pitch or the loss of any other sporting facilities on the site. Sport England therefore raises no objection to the proposals.
25. The area of playing field onto which the proposed development area extends is small when judged against the total area of playing fields available to the School, representing just a 5% loss overall. The development of the respite facility would also result in improvements to the remaining facilities and provide for their greater use in that it will enhance security of the playing fields by creating a secure boundary. At present, the playing fields are not fenced and open to trespass and vandalism. The school often experiences people using the fields as a short-cut to and from Nursteed Road and vehicles driving over them. A secure site would enable the outdoor activities to be extended and developed both in and out of school time.

Archaeology

26. The application site falls within an area of high archaeological interest, with four Roman burials having been revealed in the early 1960s during construction of the present school buildings. Because of the possibility of archaeological deposits on site being destroyed by the proposed development, the Applicant was requested to carry out an archaeological field evaluation to further inform the decision-making process.
27. The field evaluation revealed the potential for the survival of Romano-British remains. Four trenches were excavated revealing a buried soil horizon containing pottery dating from the Late Iron Age to the 4th Century. Two of the trenches contained Romano-British features. A large pit contained limestone fragments and mortar suggesting a possible building in close proximity to the trench.
28. Consequently, the County Archaeologist has recommended that an archaeological excavation of the site should be undertaken. Such excavation would need to be completed prior to the commencement of groundworks on the site. This can be secured by a suitably worded condition of any planning permission granted. This approach accords with Policy HH2 of the District Local Plan and national planning policy guidance.

Impact on trees

29. Both County and District Landscape and Countryside Officers have raised concerns in relation to possible impact of the proposed development on the mature and semi-mature trees within and adjoining the application site and which are very important in visual and amenity terms. The concern is that the digging-out of foundations for the new and revised car parking areas would adversely affect the root systems of the trees leading to instability and death.
30. The relevant British Standard relating to trees and construction recommends that where construction of a new surface cannot be avoided a no-dig design should be used. Accordingly, it is proposed that new parking areas next to trees would be constructed using a type of recycled plastic cellular paving system that can be laid without causing damage to tree roots. It is therefore possible to provide the required level of parking provision without adversely affecting the important trees on the site.
31. The Landscape Officers have also commented that the proposals do not contain any proposals for mitigating the visual impact of the new building from the south and south west. In particular, it is considered that the proposed closed-boarded fence would appear rather stark along the boundary of the playing fields. Only limited planting beds are incorporated in the submitted proposals and Officers consider that it would be appropriate to require as part of the development some form of hedge planting in front of the fencing to provide both amenity and ecological benefit. Details of such landscaping can be secured by planning condition.

Residential amenity

32. It has been suggested that development of the proposed respite facility would result in a loss of privacy to adjoining dwellings and block-out light.
33. However, the existing fencing and tree line along the eastern boundary already offers a large degree of mutual privacy to the school and its neighbours. The building has been carefully orientated to reduce any impact on neighbouring dwellings and the school. As the building would be single storey overlooking is not an issue and the distance between the building and the adjoining residential properties reduces the potential of any over-shadowing. Officers concur with the District Council's view that the proposed respite facility would not give rise to a significant amount of disturbance to the occupants of neighbouring properties. It is considered that the proposed development accords with the requirements set out in Policy PD1 of the District Local Plan.

34. Concerns that users of the respite facility would pose a danger to children attending the school appear to be based on a misunderstanding of the type and nature of the proposed 'facility'.

Conclusion

35. The development of a Respite Facility at this site will enable the needs of the local learning disabilities community to be met. The proposed building is of an acceptable design and layout and issues relating to the archaeological interest of the site, the potential impact on trees and the landscaping of the site can be addressed under planning condition. Officers are satisfied that the proposals do not conflict with relevant Development Plan policies.

Recommendation

36. That planning permission be granted subject to the following conditions:-

1. The development hereby granted shall commence before the expiration of five years from the date of this permission.

Reason: *In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990.*

2. No development shall take place within the area of the application until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the County Planning Authority.

Reason: *To ensure that adequate archaeological investigation and recording is undertaken prior to the development taking place.*

3. No development shall take place until samples of materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the County Planning Authority. Development shall be in accordance with approved details.

Reason: *To ensure the use of appropriate materials in the interests of visual amenity.*

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the County Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc). Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: *The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest of visual amenity.*

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the County Planning Authority under condition 4 above. Any trees, shrubs or hedges which die, become diseased or damaged, or are removed within five years of initial planting shall be replaced with others of a similar species, size and number in the next planting season.

Reason: *The provision and maintenance of a satisfactory degree of landscaping is considered essential in the interest of visual amenity.*

6. All existing trees and shrubs shall be retained, unless shown on the approved drawings as being removed. All trees and shrubs on and immediately adjoining the site shall be protected from damage during the works on the site. This shall be in accordance with the relevant British Standards (BS 5837:2005). In the event that trees become damaged or otherwise defective during such period, the County Planning Authority shall be notified within seven days and a programme of remedial action shall be submitted for approval and thereafter implemented as approved.

Reason: *To ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.*

7. The permanent space to be reserved on site for:

- (a) turning
- (b) parking
- (c) loading and unloading

shall be provided before the use commences and thereafter maintained.

Reason: *In the interests of highway safety.*

GEORGE BATTEN

Director of Environmental Services

Report Author

JASON DAY

Principal Planning Officer

The following unpublished documents have been relied on in the preparation of this Report:

Consultation replies and correspondence