

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	28 October 2015
<b>Application Number</b>	15/07861/FUL
<b>Site Address</b>	Meadowpark School, The Old School House, High Street, Cricklade, Wiltshire, SN6 6DD
<b>Proposal</b>	Erection of Building to Provide Two Classrooms
<b>Applicant</b>	Education Plus Ltd
<b>Town/Parish Council</b>	CRICKLADE
<b>Electoral Division</b>	CRICKLADE AND LATTON – Cllr Bob Jones MBE
<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

The application has been called into planning committee by Cllr Bob Jones MBE on the following grounds

- Scale of Development
- Visual Impact upon the Surrounding Area
- Relationship to Adjoining Properties
- Environmental or Highways Impact
- Car Parking

### 1. Purpose of Report

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

### 2. Report Summary

The application was advertised by site notice and neighbour consultation. This resulted in 162 consultation responses in objection and 41 in support. In addition Cricklade Town Council has also objected to the proposed development.

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

### **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 2 & 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 and provides 12 spaces. To the rear of this is a gravelled area which provides another 14 parking spaces, giving a total of 26 within the site.

Access to the parking area is from a 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.

A detached single storey building has also been erected within the playing fields for the site, which is used as an area of the children to eat and a reading room. Since the previously refused application for a new school building in 2015 (application reference 14/10081/FUL), planning permission has been granted for the children's play area to be moved to the woodland area to the rear of the site and this has been completed 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 the site due to condition 3 attached to planning permission reference N/09/02086/FUL, which granted consent for the school operate from the site. A travel plan was also approved as part of the same planning permission and this outlines the management of vehicular movements to and from the site, including the operation of 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.

### **4. Planning History**

The application is a resubmission of application reference 14/10081/FUL for a new school block to provide 3 classrooms and ancillary facilities and relocation of play equipment, which was refused at north planning committee on 28<sup>th</sup> January 2015. The application was refused 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 emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014) 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 emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014) 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 emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014), 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.

There has been a number of other planning applications 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

15/01437/FUL – Relocation of Childrens Playing Equipment – Approved with Conditions

## **5. The Proposal**

The application is a resubmission which seeks planning permission for the erection of a new school block to provide 2 x classrooms and a rest room. The applicant has advised during the site visit that th rest room is for children to rest in and not a toilet. No foul water drainage systems are required or being proposed as part of the development. The building would have a traditional pitched roof design with a

maximum height of 5.4 metres and a height to the eaves of 2.85 metres. The building would have a rectangular footprint measuring 14.15 metres by 6.5 metres.

The proposal also seeks consent for the increase in the number of students educated at the school from 48 to 84.

During the course of the application process a revised design for the building was received. This included openings under the raised floor to allow flood water to pass beneath and this is discussed further elsewhere in the report.

## **6. Planning Policy**

Wiltshire Core Strategy adopted January 2015

Strategic Objective 4 – Helping to Building Resilient Communities

Core Policy 57 - Ensuring High Quality Design and Place Shaping

Core Policy 58 - Ensuring the Conservation of the Historic Environment

Core Policy 60 - Sustainable Transport

Core Policy 61 – Transport and Development

Core Policy 67 – Flood Risk

Saved Policies of the North Wiltshire Local Plan

NE18 – Noise and Pollution;

TM4 – Thames Path National Trail

National Planning Policy Framework

Paragraph 7 – Three Dimensions of Sustainable Development

Paragraph 14 – Presumption in Favour of Sustainable Development

Paragraph 17 – Core Planning Principles

Chapter 7 – Requiring Good Design.

Chapter 12- Conserving and Enhancing the Historic Environment.

## **7. Consultations**

**Cricklade Town Council:** Object on the grounds listed below:

Merits

- Issues have been addressed over the use of materials and design related to a new build within the curtilage of a Grade 2 listed property which is within the conservation area.
- The application makes consideration towards parking facilities for both staff and parents.

Demerits:

- We have concerns about the capacity of the physical infrastructure in terms drainage and sewerage systems for an increase in numbers of pupils which need to be addressed.
- Vehicle parking spaces only to be accessible at certain times of the day as the parking area is also a playground for pupils.

- Highway Safety Officer should be consulted due to issues caused by access in the following areas: to the carpark/ playground, which is accessible via a single lane drive, shared with a neighbouring residential property. It has limited entrance and egress to the High Street. Increased traffic generation
- General health and safety issues where children may be mingling with traffic.
- Noise and disturbance resulting from increased and changed use of certain areas of the site.
- In our view this proposed development is not in accordance with Wiltshire Core Strategy Policy 61.

**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 already had consent and constructed a rather large garden building that was meant to be used as an outdoor teaching space but now seems to be the refectory. The proposal is to build a new detached structure set further down the site from the parent building, beyond the existing detached garden building, but behind the neighbouring listed building. In this latest submission, the new building will provide two classrooms, one either side of a central Restroom and entrance lobby/hallway. 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 footprint is very large and rectangular, being as wide as the main body of the listed building, and longer than either of the two end perpendicular extensions. Unlike the previous application, no drawings have been submitted showing the proposed building in view with the existing buildings. There are also no drawings of the existing buildings on their own so the impact of an additional building that is the height of a 2 storey building to the apex of the roof, cannot be clearly seen. The statement accompanying this application states that the latest building proposal would be modest and respects the linear burgage plot layout of the historic town (para 8.10). However, a burgage plot is 5.03 metres wide, whereas the proposed new building is over a metre wider (6.4 metres) and traditionally a burgage plot started at the road frontage. Building a new structure that is set well back from the road front, out of line with any other burgage strip and roughly 20% wider than a traditional plot, only hints at the historic built form in the area. Furthermore, a design that reflects an agricultural building in an area on the edge of town, adjacent to a river and associated with a Victorian school building is inappropriate and will harm the setting of the heritage assets.

The proposed new building is inappropriate for this location and will harm the setting of the heritage assets, which include the listed buildings and conservation area. The size, design and proportions of the new building will compete with the surrounding heritage assets and bear no relationship to the positions and proportions of the built

form in this area. Whilst there may be some public benefit to the proposed new building, in that it would increase teaching space for the school, it is considered that the harm caused by a structure of this size and in this location would not outweigh this benefit. The development would be contrary to the NPPF paragraphs 17(10), 131, 132, 134 and 137. Furthermore, it would not preserve or enhance the character and setting of the heritage assets so it would be contrary to sections 16 (2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990. Refusal is recommended.

**Drainage Officer:** Expressed reservations about this application regarding the drainage aspects. The latest application documents were reviewed and merged them with the existing Flood Risk mapping from the EA and the majority of the site is in flood zone 2. This will mean that infiltration drainage of any sort is unlikely to work including any soakaway within the land and car parking area, gullies etc because they are likely to be full of water just when they will be needed. This will also apply to any foul drainage unless it is completely sealed from the high ground water in that area.

**Highways Officer:** There have been discussions on the highway issues with the Agent following the previous refusal, including a detailed site visit when the school was not in operation. I am now satisfied that adequate parking provision can be made on site and that there is good inter-visibility between vehicles in the car park and vehicles entering to enable the proposed priority system to work. The provision of suitable signs can be covered by condition. The letter dated 20 February 2015 attached to the Design and Access Statement as Appendix 1 outlines the proposed method of operation and I am happy with this. The arrangements could be made the subject of a suitable condition if it is considered appropriate.

During my site visit I was able to observe the level of on-street parking taking place during the school holiday and this was high. With the revised on-site parking arrangements now submitted I consider that the effect on on-street parking will be minimal.

**Environment Agency:** Part of the proposed building footprint encroaches into flood zone 2. Therefore the LPA needs to apply the local flood risk standing advice to the application, which stipulates the required flood risk mitigation that must be designed into the building.

Please include the following condition and informatives in any permission granted.

#### CONDITION

There shall be no ground raising within the area of the site delineated as flood zone 2 and 3 on the Environment Agency's published flood map.

#### REASON

To prevent any loss of floodplain.

**Public Protection Officer:** This application proposes 2 new classrooms and a lobby area in a separate building to be constructed. I note that unlike the previous application, it does not mention a kitchen will be built.

Therefore my main concern now would be to manage the potential for noise disturbance during the construction phase and the possibility of smoke nuisance. 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.

**Archaeology:** No objection

## 8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in 162 consultation responses in objection and 41 in support.

The 162 consultation responses in objection can be summarised as follows:

- i) Harm to highway / pedestrian safety (158 objections);
- ii) Harm to the setting of the Listed Building (145 objections);
- iii) Harm to character and appearance of the Conservation Area (146 objections);
- iv) Noise disturbance (38 objections);
- v) Flood Risk (17 objections);
- vi) Harm to Residential Amenity (13 objections)

The 41 consultations responses in support can be summarised as follows:

- i) Additional educational facilities (40 responses)
- ii) Acceptable highways impacts (33 responses)
- iii) Acceptable impact to Conservation Area (14 responses)
- iv) No history of flooding at the site (7 responses)
- v) Provision of additional jobs (6 responses)
- vi) Economic benefits (2 responses)

It is noted during the course of the public consultation period that a number of responses have been received from people outside of the UK or in the format of a signed template. Each response has an individual name and address and are considered to meet the requirements to be an acceptable consultation response.

## 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

The previous application was refused due to the proposal resulting in the proliferation of the built form away from the front of the site and also the size, design and materials being used causing harm to the character and appearance of the Conservation Area and setting of the Listed Building.

In response to this the application has been amended from a modern design of glass and timber with two mono-pitched roofs to a more traditional agricultural style with stone walls, timber posts with glass screens and doors along the North West (front) elevation.

The statement accompanying this application states that the latest building proposal would be modest and respects the linear burgage plot layout of the historic town (para 8.10). However, the Conservation Officer has advised that a burgage plot is 5.03 metres wide, whereas the proposed new building is over a metre wider (6.4 metres) and traditionally a burgage plot started at the road frontage. They have also advised that building a new structure that is set well back from the road front, out of line with any other burgage strip and roughly 20% wider than a traditional plot, only hints at the historic built form in the area. Furthermore, a design that reflects an agricultural building in an area on the edge of town, adjacent to a river and associated with a Victorian school building is inappropriate and will harm the setting of the heritage assets.

The Conservation Officer has reviewed the proposal and considers that the proposed new building is inappropriate for this location and will harm the setting of the heritage assets, which include the listed buildings and conservation area. The size, design and proportions of the new building will compete with the surrounding heritage assets and have limited relationship to the positions and proportions of the built form in this area.



The Conservation Officer has identified that the proposal would cause less than substantial harm to the heritage asset. Therefore, in accordance with Paragraph 134 of the framework, a balancing exercise needs to be undertaken of these harms against the public benefits and securing the optimum viable use for the building.

Whilst there would be some public benefit to the proposed new building, in that it would increase teaching space for the school, it is considered that the harm caused by a structure of this size and in this location would outweigh these benefits.

In accordance with advice provided from Historic England, the balancing exercise also requires consideration towards whether the public benefits could be provided in a manner which would not harm the heritage assets of the Listed Building and Conservation Area. Consent has previously been granted for a sizable extension to the school building under application reference N/98/00100/FUL. Whilst the consent for this extension has now lapsed, it provides evidence that an extension to the school may be possible through an extension of the existing building. This would in turn overcome of the issues of the proliferation of the built form away from the front of the site.

Therefore, the development would be contrary to the paragraphs 17(10), 131, 132, 134 and 137 of the framework. Furthermore, it would not preserve or enhance the character and setting of the heritage assets so it would be contrary to sections 16 (2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990. Therefore, it is recommended that the application be refused on these grounds.

The proposed development would also be adjacent to the River Thames and Policy TM4 (which was 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.

### Parking and Highways Issues

A number of neighbouring occupiers have objected to the proposed development on the grounds of harm to highway safety. The previous application was refused as it had not been demonstrated that adequate parking provision during pick up and drop off time had been provided. A second refusal reason related to the intensification of use of the access, which may have resulted in situations which were prejudicial to highway and pedestrian safety.

Following the determination of the original application the Highways Officer met with the applicant and conducted a site visit during the school holidays. The Highways Officer noted that the on-street parking spaces around the school were already occupied and that the pressure on parking spaces around the school was not solely down to the operation of the school. The applicant has submitted a plan which

demonstrates that 26 car parking spaces would be provided on the gravelled and tarmaced areas within the site. They have also provided appendix 1 to the planning, design and access statement which outlines how the parking would be operated during pick up and drop off times. The gravelled parking area would be available at all times through the day and would provide 14 parking spaces (including up to 9 staff spaces), which would meet the Council's adopted parking standards. Further to this, 12 additional spaces would be provided for use on the hardstanding area during pick-up and drop-off times, with this area used as a playground outside of these times during the school day.

As part of the previous submission, a travel plan was approved for the operation of the school at the site. The current proposal is different from this travel plan, with regards to the arrangement for staff to park within the site. However, the Highways Officer has re-assessed this layout and additional information and considers that the parking layout would be sufficient to provide an acceptable level of parking provision and would not result in a parking situation which would be prejudicial to highway safety or pedestrian safety.

The Highways Officer has also reviewed the access at the site and considers that there is sufficient inter-visibility between cars entering and exiting the site, to ensure that the access is suitable for the proposed increase in intensification of use. The Highways Officer has suggested that a priority system could be operated at the site, whereby cars entering the site would have priority in entering the driveway over cars exiting the site. This would be advertised by signage at the entrance and exit of the site, which advises visitors to the site of the right of way system.

Therefore, subject to conditions relating to the updating of the travel plan including a scheme for the operation of the pick-up and drop-off times at the site, signs instructing traffic leaving the site to give way to entering traffic and for the provision of parking spaces within the gravelled area of the site, the proposal is considered to have overcome the previous reasons for refusal and is supported by the Highways Officer.

### 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 2. The environment agency has 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 the additional floor space 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 EA have advised that a condition should be added to prevent ground levels being raised around the building. The applicant has reviewed plans to show that the ground levels around the building would not be raised. Given that the raising of ground levels would require formal planning permission, it is considered that such a condition is not required, in the event of an approval.

The Council's Drainage Officer has reviewed the proposal and had initial reservations with regards to the development. The applicant has advised that the building will not have any foul water sewage systems as part of the development, so no objection is raised in this regard. To overcome the remaining issues the applicant has included a sizable water butt to ensure a slow release of surface water which falls onto the roof of the building. They have also amended the design of the building to allow water to pass under the building, in the event of flooding in the area.

Therefore, the proposed development is considered to have an acceptable impact on flood risk and is in accordance with Policy 67 of the WCS.

#### 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 in close proximity to the boundary shared with Knowle Cottage and approximately 45 metres from the dwelling itself. Given the distance of 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 or overbearing impact would occur.

The proposed outbuilding would only have windows facing inwards towards the application site and would ensure that no significant overlooking of any adjoining occupier would occur.

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 and the Public Protection Officer has raised no objection in this regard. In addition, the provision of a school would be anticipated to be provided within residential areas and some level of noise disturbance will occur as a consequence.

The Public Protection Officer has requested a condition relating to hours of operation during construction. However, this is covered by separate legislation and would not be necessary in the event of an approval.

## Impact to Trees and Landscaping at the Site

As part of the application the applicant has submitted an Arboricultural Impact Assessment and Tree Survey 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. Any approval would be subject to a condition to require the tree protection measures to be provided within the site prior to the commencement of development.

## **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. Chapter 12 of the framework states the requirement for development to preserve the Historic Environment. Core Policy 58 of the WCS aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced, in order that they continue to make an important contribution to Wiltshire's environment and quality of life.

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 public benefits provided by this are not considered to outweigh the less than substantial harm to the heritage assets of the Listed Building and Conservation Area. In this context it is necessary to note that the benefits that would accrue have the potential to be achieved via a different scheme, without resulting in the level of harm to the identified heritage assets. Therefore, the proposal is contrary to Core Policies 57 & 58 of the Wiltshire Core Strategy, paragraphs 17(10), 131, 132, 134 and 137 of the framework & sections 16 (2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990. Therefore, it is recommended that the application be refused.

## **RECOMMENDATION**

- 1. The proposed development, by reason of the proliferation of the built form into the open areas of the site and size of the proposed building, 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, saved Policy TM4 of the North Wiltshire Local Plan, paragraphs 17(10), 131, 132, 134 and 137 of the National Planning Policy Framework and sections 16 (2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.**