

COMMITTEE REPORT

Date: 9 November 2023 **Ward:** Heworth Without

Team: East Area **Parish:** Heworth Planning Panel

Reference: 23/01514/FULM

Application at: Hempland Cp School Whitby Avenue York YO31 1ET

For: Erection of two storey school building with associated parking, play space and landscaping, and demolition of existing school buildings

By: ISG Construction Ltd On Behalf Of Dept For Education

Application Type: Major Full Application

Target Date: 14 November 2023

Recommendation: Approve

1.0 PROPOSAL AND APPLICATION SITE

1.1. Planning permission is sought for the erection of a two-storey school building with associated parking, play space, landscaping and demolition of the existing school buildings.

1.2. The application site comprises of the existing Hempland Primary School site located within the Heworth Without Ward area of York. Access to the site is provided via Whitby Avenue to the North of the site. The application site extends to approximately 2.3 hectares comprising of a mix of existing school buildings, areas of soft and hard landscaping and playing fields. The site is enclosed to its North and Eastern sides by existing residential properties. The land to the South and West consists of playing fields, allotments and Tang Hall Beck separation distances from the existing school building to neighbouring residential properties in these directions range from 150m-300m.

1.3. The proposals will provide a gross internal floor space of approximately 2,198m². This would be a reduction of approximately 1,212m² when compared to the existing building. In total 12.no additional vehicle parking spaces are to be provided (2.no additional disability spaces, 10.no additional general spaces). The existing cycle parking capacity of 80.no will be retained.

1.4. The proposed development will be a renewal and replacement of existing facilities. The proposals will not increase the overall capacity at the school. The

existing two form entry primary school will be maintained; comprising of a roll of 420 pupils and 50 members of staff. The catchment area for the school broadly covers the Heworth Without Ward area.

2.0 POLICY CONTEXT

NATIONAL PLANNING POLICY FRAMEWORK

2.1. The National Planning Policy Framework (“NPPF”) as revised in September 2023 sets out the government’s planning policies for England and how these are expected to be applied.

2.2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (section 38(6) Planning and Compulsory Purchase Act 2004).

2.3. The Statutory Development Plan for the City of York comprises the saved policies and key diagram of the otherwise revoked Yorkshire and Humber Plan Regional Spatial Strategy (2008) and any made Neighbourhood Plan. For the purposes of assessing and determining the proposals contained within this application the application is not located within a defined Neighbourhood Plan Area. Nor would the site be regarded as laying within the general extent of the Green Belt.

PUBLICATION DRAFT LOCAL PLAN (DLP 2018)

2.4. The Publication Draft Local Plan 2018 was submitted for examination on 25th May 2018. It has now been subject to full examination. Modifications were consulted on in February 2023 following full examination. It is expected the plan will be adopted in late 2023. The draft policies can be afforded weight in accordance with paragraph 48 of the NPPF.

2.5. Key relevant DLP 2018 policies are:

DP2 – Sustainable Development

DP3 – Sustainable Communities

SS1 – Delivering Sustainable Growth for York

ED6 – Preschool, Primary and Secondary Education

ED8 – Community Access to Sports and Cultural Facilities on Education Sites

D1 – Place Making

D2 – Landscape and Setting

GI2 – Biodiversity and Access to Nature

GI4 – Trees and Hedgerows

GI5 – Protection of Open Space and Playing Fields

CC1 – Renewable and Low Carbon Energy Generation and Storage

CC2 – Sustainable Design and Construction of New Development

Application Reference Number: 23/01514/FULM

Item No: 4b

ENV1 – Air Quality
ENV2 – Managing Environmental Quality
ENV3 – Land Contamination
ENV4 – Flood Risk
ENV5 – Sustainable Drainage
T1 – Sustainable Access
T7 – Minimising and Accommodating Generated Trips

3.0 CONSULTATIONS

INTERNAL

3.1. **Public Protection:** No objections raised but recommended conditions relating to plant and machinery to be installed in the development, a condition to deal with unexpected land contamination and a condition to secure the recommendations contained within the submitted ventilation and extraction assessment and Construction Environmental Management Plan.

3.2. **Lead Local Flood Authority (LLFA) – Drainage:** No objections raised but recommends conditions.

3.3. **Ecology:** No objections raised, based on the information provided, recommends conditions relating to Bats, provision of a Landscape Ecological Management Plan with Biodiversity Net Gain, and that development proceeds in accordance with the submitted Construction Environmental Management Plan and Lighting Plan.

3.4. **Landscape Architect:** No comments have been received at the time of drafting this report.

3.5. **Safer York Partnership (North Yorkshire Police):** No objections raised. The proposals are considered to accord with the core principles and design objectives set out in the NPPF in respect of developments creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

3.6. **Education:** No comments have been received at the time of drafting this report.

3.7. **Planning Policy:** No objections raised noting the redevelopment of Hempland School is supported in principle by policies ED6 and GI5 of the Draft Local Plan

2018. The Carbon Reduction team should be consulted in respect of policies CC2 and CC3.

3.8. **Highways:** No objections subject to conditions.

3.9. **Carbon Reduction Team:** No objections raised but recommend conditions.

EXTERNAL

3.10. **Heworth Planning Panel:** No comments have been received at the time of drafting this report.

3.11. **Sport England:** No objections raised subject to conditions which would secure that the replacement sports pitches are of an acceptable quality and are not at undue risk of failing. A condition is also requested to secure a Community Use Scheme

3.12. **Environment Agency:** No comments have been received at the time of drafting this report.

3.13. **Yorkshire Water:** No comments have been received at the time of drafting this report.

3.14. **Foss Internal Drainage Board:** No objections raised but recommend conditions.

4.0 REPRESENTATIONS

4.1. The application has been advertised via Neighbour Notification Letter, Site Notice and Local Press Notice. A summary of the responses received is provided below.

4.2. A total of 1 no comment of objection has been received relating to the following:

- Trees are proposed to be removed. I do not see the need for this at all. Trees are being planted for the good of the planet. My property looks onto the playground and these trees would screen my view of the new school. They are healthy trees.

4.3. A total of 7 no comments of representation, neither objecting nor supporting the proposals were received, the comments received are summarised as follows:

- Tree and Hedge works have already taken place at the site including cutting down a Hawthorne hedge to the rear of No.68 Whitby Avenue. This tree is listed on the submitted plans as 'tree group for retention'. The removal of trees such as this is a concern.
- Will the plans include a 'drop off' point whereby vehicles will enter the property rather than parking across residents driveways on Whitby Avenue.
- The use of Whitby Avenue for all construction and demolition vehicles and materials whilst the school is occupied should be re-considered. Hempland Lane to the South West of the school should be used. This would minimise conflict between construction works and the existing school, pupils and staff.
- The lack of information relating to the routing of lorries to the school is a concern. Where will they park whilst waiting to access the site. As a parent of a pupil we have been told one side of the vehicle access will be for pedestrian access whilst the other will be boarded off and used as a contractors entrance.
- How long will construction last, HGVs need to be carefully managed.

5.0 APPRAISAL

Key Issues

5.1. The key issues are as follows:

- EIA Screening
- Principle of Development
- Highways and Access
- Design, Layout and Residential Amenity
- Public Protection
- Community Use, Facilities and Playing Fields
- Drainage & Flood Risk
- Ecology and Landscaping
- Sustainable design and construction

Environmental Impact Assessment Screening

5.2. The proposed development has been reviewed against The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development would fall under Schedule 2 Part 10 Infrastructure Projects (b) Urban Development Projects, including the construction of shopping centres and car parks, sports stadium, leisure centres and multiplex cinemas. Schedule 2 outlines that EIA Screening would be required if the area of the development exceeds 1 hectare.

5.3. In this particular case the site area extends to approximately 2.3 hectares. This exceeds the 1-hectare threshold under which EIA screening is required. The proposed development has been screened against the criteria set out within Schedule 3 of the EIA Regulations. These criteria cover the characteristics of

development, location of development and the types and characteristics of the potential impact.

5.4. Following this screening exercise whilst the defined thresholds for screening the development have been exceeded. It is considered that given the overall nature and scale of the development and Environmental Impact Assessment would not be required in this case.

Principle of Development

5.5. The application site is in existing use as a Primary School. The school was first established in the 1960s and has been extended and modernised on several occasions since. The current format of buildings was opened in 1999 as a Local Authority led school. In 2016 the school converted to an Academy.

5.6. The proposed development comprises of the erection of a replacement two storey school building and the demolition of the existing school buildings. The proposed replacement building would be built directly behind the existing. The proposals would see the continuation of the existing established land use at the site.

5.7. Policy ED6 of the DLP 2018 seeks to secure the provision of modern education facilities to meet identified needs. Policy ED6 goes on to state that, new or enhanced education facilities will be permitted if they; are in locations that are accessible by sustainable transport from the communities they are intending to serve and not have a significant adverse impact on the amenities of neighbouring properties. There is also a requirement for sufficient and appropriate playing field provision and that community access is provided.

5.8. Given that the site is already in active and established use as a school the proposed development would not introduce a new land use to the area. As such the proposals would not be expected to materially change the existing impact the site has upon the immediate locality and the relationship it has to its immediate neighbours would be broadly unchanged. Additionally, the proposals would not see the overall capacity of the school increased. Therefore, it would not be anticipated that the overall intensity with which the site is currently used would be materially increased. The catchment area which the school serves is primarily focussed upon the residential areas immediately around the existing school and then extends in a North Easterly direction to the much less densely populated areas around Malton Road.

5.9. As the proposals would not result in a material change in use of the land and application site and that use of the site as school is already well established it is considered that, in principle, the proposals would accord with the provisions of

Policy ED6 of the DLP 2018. Subject to all other material considerations being considered acceptable.

Highways and Access

5.10. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.11. Policy T1 of the DLP 2018 promotes sustainable access. Policy T1 states that development will be supported where it minimises the need to travel and provides safe, suitable and attractive access for all transport users. It goes on to state that developments will be required to demonstrate that there is a safe and appropriate means of access to the wider highway network and safe and appropriate links to local services and facilities.

5.12. The development will utilise the existing access from Whitby Avenue. The pedestrian access at the Western boundary of the site will also be maintained. The proposals comprise of the replacement of an existing facility. The development will not result in the overall capacity of the school increasing. As such an intensification in use of the site would not be expected.

5.13. The proposals would result in a net increase in overall vehicle parking at the site with an additional 10 no spaces being provided and an additional 2 no disability spaces. The existing cycle parking (including scooters) provision of 80 no will be maintained. The design and layout of the site will allow for vehicular and pedestrian access and movements to be segregated.

5.14. Within the third-party comments received a number of these have focused on highways and traffic related matters. As with most school sites there can be issues with an increase in traffic around the site at peak times such as school drop off and pick ups. The school benefits from having a relatively compact catchment area meaning that the community which it serves is perhaps more densely focused within the immediate vicinity of the school. This provides greater opportunities for more sustainable modes of transport such as walking, cycling or scooting to be the mode of choice when pupils come to school. As such it is not considered conducive to the development for measures such as designated drop off spaces or measures to be provided within the site as it could be counterproductive insofar as encouraging more pupils to travel to school via car. A further suggestion of construction access being taken from Hempland Lane/Burholme Drive and accessing the site from the south west, to avoid conflict with the existing school, has been discounted. This would require significant upgrades being to the existing lane/track – solely for

construction. The junction onto Hempland Lane/Burnholme Drive is situated within a dip with limited visibility. Construction movements via this route would likely cause further issues and highways concerns. Particularly when access and movements could be suitably managed through the use of planning conditions utilising existing well established routes.

5.15. Access during the construction phase will be something that has to be carefully managed, particularly given that the existing school must remain operational throughout the construction phase. To this end the applicant has submitted a Construction Environmental Management Plan. This, amongst other matters, details how access to the site will be managed during the construction phase including management of deliveries to avoid peak times at the site. Measures also include establishing agreed access routes to the site for deliveries to minimise disruption as far as practicable and sequencing of deliveries, so they arrive one at a time. There are also designated holding points for vehicles to wait until they can access the site.

5.16. The Councils Highways section have reviewed the development proposals and the submitted information. They have raised no objections to the proposals but do recommend a series of conditions.

5.17. Highways have confirmed that cycle parking on the whole is acceptable. However, some of it appears to be inaccessible and the new enclosures are not detailed (staff cycle parking, junior cycle parking). Therefore, a condition requiring cycle parking details to be provided for approval is recommended. A condition requiring the agreed parking provision to be laid out and provided before the development is brought into first use.

5.18. Whilst the application has been submitted with a construction management plan detailing how the construction phase would be managed and operated, including how traffic to the site is to be routed. Highways have raised a series of concerns with the detail and practicalities of what has been proposed. The plan includes utilising a layby within the Vanguard development at Monks Cross – which appears to be located within the Park and Ride carpark (land operated and managed by First York as part of the Park and Ride contract). Highways consider a layby on the A64 to be a preferable holding point.

5.19. The proposed route to the site for deliveries would see traffic leaving the A64 at Hopgrove Roundabout then travelling to Stockton Lane via Hopgrove Lane South. This route is not supported by highways. It is not uncommon for Hopgrove Lane South to encounter on street parking. This can often result in traffic leaving the Malton Road having to wait before being able to pass the parked vehicles; this in

turn could lead to congestion at the Little Hopgrove and Hopgrove Roundabouts. Highways have indicated that rather than utilising Hopgrove Lane South Malton Road should be used.

5.20. Within the immediate vicinity of the site the use of Algarth Road is noted however this also raises some concerns which will require some careful management. These concerns relate to vehicle tracking and intervisibility at bends particularly outside No.33. In cases of poor intervisibility HGVs would need to reverse to allow passing. There are single yellow lines in operation here however these only operate during school times (and are potentially subject to change in the future). Tracking demonstrates that on these bends on Algarth Road there would be encroachment onto the opposing lane. This could necessitate large sections of the road to be subject to Temporary Traffic Orders to exclude parked cars on these bends. Highways have suggested using Ashley Park Road which is already a bus route.

5.21. Access to the site will be via the existing access off Whitby Avenue. The access is already segregated with railings enclosing the footway on both sides. Highways have concerns with regard to overrun onto the footway and services on the access junction and have requested mitigation. At present there is also some contradictory information in respect of how movements of vehicles within the site will be sequenced and managed with multiple positions being shown for the same site cabin/gatehouse.

5.22. Highways have therefore recommended that a condition be attached to any permission which secures the submission of a revised Construction Management Plan which specifically covers highways matters such as routings and traffic management. This includes slightly revised delivery restriction times as to those proposed by the applicant within their submission. This is to account for a proposed amendment to the existing traffic order which enforces the single yellow lines within the vicinity of the site; amendments to which are currently being progressed by the Highway Authority.

5.23. Overall, it is considered that the development proposals would, subject to the conditions outlined within this section, allow for development to proceed in a managed manner so as to minimise disruption to the surrounding highway network as far as possible. The proposals would not give rise to any notable or sustained highways safety concerns. The overall level of parking provision for both cycles and motorised vehicles is considered acceptable.

Design, Layout and Residential Amenity

5.24. The proposed two storey building would be located centrally within the site. The separation distances achieved to the residential properties situated on Whitby Avenue would exceed 70m whilst the separation distance to properties on Applecroft Road would exceed 40m. The closest neighbouring building to the proposed development would be the existing community centre which would be approximately 30m away to the southeast.

5.25. The proposed development would result in the separation distances between the residential properties on Whitby Avenue and Applecroft Road generally being enhanced in comparison to the existing situation, particularly those properties toward the North side of the application site. This is achieved as a result of the proposed form of the building being more uniform. At present the existing buildings on site, whilst having some two storey elements, are generally single storey and have a more sprawling footprint. The proposed replacement building would be of a single uniform two storey height with a much more condensed, simplified footprint. The general internal layout of the building will see the teaching spaces and ancillary functions such as office space organised toward the outer edge of the building all accessed from a central corridor. Ground floor teaching spaces will all benefit from both internal and external points of access. The eastern end of the building will contain two double height halls and a kitchen space at ground floor. The first floor section above the kitchen there will be an external plant deck enclosed by a parapet wall. All internal spaces will be well served by large sections of glazing. The overall exterior design of the building is considered to be functional and would not result in the introduction of an incongruous form into the landscape.

5.26. The proposed building would stand to a height of approximately 8.9m. The submitted plans detail that the ground floor section of the building is to be constructed from buff brick. The first-floor section is to be clad with non-combustible aluminium cladding panels, the plans state that these would be mushroom colour. Whilst an indication of the exterior materials and finishes have been provided no precise details or specifications have been confirmed. As such in the event of granting planning permission it would be appropriate to condition that details of exterior materials and finishes be submitted to the LPA for approval before their use in the development.

5.27. With regard to the exterior layout of the site the existing principal of a school building located centrally within the site surrounded by areas of playing pitches and areas of hardstanding would be retained. The existing areas of hardstanding utilised as playgrounds toward the northwest corner would be retained. The existing car parking area immediately to the East would also then become outdoor play/learning space. Vehicle parking would be relocated to the north-eastern flank of the site. The existing Multi Use Games Area (MUGA) situated on the South-eastern side of the

site will be retained. A garden area is to be provided between proposed parking area and the MUGA. A portion of the existing playing pitches to the rear of the existing school building will be lost due to the relocating of the school building within the site. However, this loss would ultimately be compensated for by the provision of a new playing pitch area situated in front of the new school building.

5.28. Historically the existing school building on the site was originally conceived as being two schools. As a result, the school benefits from a doubling of some features such as assembly halls and main entrances. Access and egress to the site is controlled by electronically controlled gate at the main access off Whitby Avenue. The proposed development would see a new inner secure boundary provided. This would effectively segregate the access and parking areas from the remainder of the school site. In operation this would mean that all traffic and visitors entering the site are channelled toward the main reception area with access to the remainder of the site restricted.

5.29. Overall, it is considered that the proposed development would not give rise to conditions which would unacceptably harm the residential amenity of neighbouring properties. The design and location of the building is such that it would not give rise to issues of overshadowing or overlooking. Nor would it have an overbearing impact upon neighbouring properties. The proposals are also considered to accord with the principles of designing a safe and accessible space, reducing the opportunities for crime and disorder to occur. The proposals would therefore accord with policy D1 of the DLP 2018.

Public Protection

5.30. Policy ENV2 of the DLP 2018 states that development will not be permitted where future occupiers and existing communities would be subject to significant adverse environmental impacts such as noise, vibration, odour, fumes/emissions, dust and light pollution without effective mitigation measures.

5.31. Overall, it is not considered that the proposed development would, during its operation, give rise to any significant undue impacts upon neighbouring properties. The proposals by virtue of their design and layout would not be expected to give rise to issues of overlooking, overshadowing or have an overbearing impact upon neighbouring properties. Also, of note in this regard is that the proposals would not result in the overall capacity of the school increasing. As such impacts arising from the general intensity with which the site is used are not anticipated to change.

5.32. The proposals will necessitate the provision of various items of new external plant and machinery; primarily related to the ventilation system utilised in the building. Items such as these have the potential to give rise to noise disturbance

which could be detrimental to the amenity of neighbouring properties and land uses. An acoustic report has been submitted in support of the proposals which clarifies the maximum rated noise levels from the plant equipment to be installed. These details have been reviewed by Public Protection who have not raised any objections to the proposals in this regard. However, to ensure that the plant equipment to be installed does not give rise to noise disturbance they have recommended that, in the event of granting planning permission, a condition would be required for full details of all plant and machinery to be installed or located on the premises to be submitted to, and approved in writing by the Local Planning Authority before the development is brought into first use. The condition will also, where it is considered necessary, secure noise mitigation measures to protect the amenity of the area.

5.33. As with any construction project there is the potential for a degree of disturbance to be caused particularly during the construction and demolition phases of the project. The most likely sources of disturbance in this regard are likely to be noise and dust emissions from construction and demolition activities and other activities such as construction traffic movements. In the case of these proposals there is also the added matter that the existing school facility needs to remain operational throughout the development works.

5.34. The applicant has provided a Construction Management Plan as part of the application. The Management Plan details measures such as construction working hours and the management of movements to and from the site occurring outside of any school drop off or pick up times. Deliveries to the site will also be booked.

5.35. The Construction Management Plan envisages the development occurring over 4 phases. Phase 1 covers the securing of the of the site, segregation of the existing operational school and the construction site. Phase 1 also includes construction of the new school. Phase 2 comprises of the demolition of the existing school building with Phases 3 and 4 comprising of completion of the car park and landscaping. Following clarification from the applicant that the construction phase does not necessitate any piling works Public Protection have confirmed that the submitted CEMP and the measures outlined within are adhered to then suitable protections would be provided to safeguard the amenity of the area during the construction phase. To ensure that this remains the case it is necessary to condition that works are carried out in accordance with the submitted CEMP.

5.36. Given the nature of the site there will be a requirement for some external lighting, primarily in the interests of safety and security. The applicant has provided a lighting plan. This shows that in some locations there will be light spill and lighting levels at some boundary locations will be 3 lux. However, such impacts will be mitigated by the existing vegetation at the site. As such Public Protection have

confirmed no objections to the proposed lighting nor have, they requested conditions for further details.

5.37. Paragraph 112(e) of the NPPF requires developments to be designed to 'enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Additionally, the City of York Council draft Low Emission Planning Guidance requires a minimum of 5% of all parking spaces to be provided with EV charge points. As part of the proposals 2.no designated EV charging spaces are shown. This provision would achieve the 5% minimum requirement. No details of the precise type of EV charge units to be installed at the site have been provided. However, any such installation would be subject to compliance with the relevant Building Regulations. Public Protection have recommended a condition which would require the submission of a strategy for EV charging facilities. However, it is not considered necessary to condition this level of detail in this instance. The provision shown on the plan would achieve the required 5% threshold of all parking provision at the site. Such facilities will have to comply with Building Regulations irrespective of the condition securing a charging strategy. Furthermore, access to the facilities given the use of the site as a school means they are unlikely to be publicly accessible. As such it is considered appropriate to only condition that the EV charge points as shown the proposed plans are provided within 6 months of the practical completion of development. This will still secure compliance with NPPF Para 112 and the Council's Low Emissions strategy.

5.38. With regard to land contamination the application is supported by a Phase 1 and Phase 2 contaminated land assessment. These have demonstrated that no remediation measures are required at the site and in terms of land contamination the site is suitable for the proposed use and development. Whilst the overall risk of land contamination or encountering contaminated land during development would be low; particularly given the existing established use of the site. It is considered appropriate to attach a condition which, if contaminated land is encountered during the development, suitable mechanisms can be secured for the reporting and remediating of any contaminated land.

5.39. A ventilation and extraction assessment has been provided as part of the application. Public Protection have confirmed that they have no further comments to make in terms of odour control subject to the measures recommended within the submitted report being implemented in full. These measures relate to the provision of mechanical ventilation and extraction systems to serve the school kitchen. These requirements form part of the wider Department for Education ("DfE") specification that the development must be designed and built to. As such it is not considered necessary to reinforce this provision by way of planning condition. In any event

should issues of odour from the school kitchen arise the Council would retain powers under its Public Protection function to deal with such issues.

5.40. Overall, whilst it is acknowledged that there will be a degree of disruption to the immediate area, particularly during the construction phase. This disruption would be relatively short within the context of the anticipated lifespan of the development. However, it is considered that this disruption can be adequately and suitably mitigated and managed to not give rise to significant or sustained disruption. Nor is it considered that once completed the resulting development would present notable public protection concerns. The proposals would therefore be considered to accord with Policies ENV1, ENV2 and ENV3 of the DLP 2018.

Community Use, Facilities and Playing Fields

5.41. At present the existing school benefits from a large amount of outdoor open space. This comprises of areas of landscaping, hardstanding, play areas and grassed pitches/playing fields. The proposed development would see most of these existing features retained albeit in slightly different locations or formats. Given the proposed layout of the development and the need to phase development there will, during the construction phase be a period of time whereby a portion of the existing playing fields at the rear of the existing school would be lost. However, the proposals would see a replacement pitch/playing field being provided to the front of the proposed building.

5.42. Policy ED8 of the DLP 2018 promotes the use and provision of community access to Sports and Cultural Facilities on Education sites. Policy ED8 expects that the community use of new facilities should be incorporated into the design in a manner that optimises their potential use. This approach is also advocated within the DfE School Specific Brief. This requires facilities or areas which could be utilised for community use after hours such as, school halls/studios should be grouped together and partitioned. Features such as separate entrances and proximity to entrances should be considered for operational efficiency and security.

5.43. The proposed layout of the ground floor would see the two hall spaces grouped together at one end of the building with a direct route from the main exterior entrance or via the external access points to each of the halls. This would provide the ability for these facilities to be utilised out of hours and also be partitioned off from the rest of the school building.

5.44. Policy GI5 of the DLP 2018 is intended to protect existing open space and playing fields. It states that development will not be permitted which would harm the character of or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced.

5.45. Paragraph 99 of the NPPF requires that existing open space, sports pitches and recreational buildings and land, including playing fields should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which would clearly outweigh the loss of the current or former use.

5.46. The proposals would result in the in the loss of some of the existing playing pitches. As a result of this Sport England have been consulted on the proposals. Following assessment of the proposals in conjunction with the Football Foundation acting as their technical advisers, Sport England have confirmed that they have no objections to the proposals. They note that the existing multi use games area will be unaffected by the proposal. It is therefore only the playing field that would be impacted upon. The playing field lost to the development would be replaced by a new area of playing field on the site of the existing school buildings. The area of retained playing fields to the south of the existing buildings will of sufficient size to accommodate a pitch that meets Football Association design guidance. The new playing field area to the front of the new school building would not be of sufficient size to accommodate a mini-soccer Under 7 and Under 8 pitch with safety run off area. However, it would be capable of accommodating sports such as athletics and rounders.

5.47. Overall, Sport England have confirmed that they are satisfied that that the proposal would not have a negative impact upon on the ability of the school to support a range of different pitch sports as a result of the proposals. In confirming they have no objections to the proposals Sport England have requested, that in the event of planning permission being granted, a series of conditions be imposed.

5.48. The first condition would, based on the results of the findings within the submitted agronomy report, require a detailed scheme which would ensure that the replacement playing field would be provided to an acceptable quality.

5.49. They have also recommended a second condition which requires the submission of a Community Use Scheme to the LPA for approval in consultation with Sport England. This condition would ensure that secure well managed safe community access is provided to the sports facilities.

5.50. As part of their submission the applicant has submitted document outlining the draft principles of community use for the development. This outlines the principles under which parts of the development could be made available for community use. Any community use would be out of hours and managed in a manner so as such uses would not be detrimental to the primary function of the site as a school. The areas of the development which could be available for community use are the two halls and kitchen space and the North and South playing fields and 3.no playing courts. Any community use would be chargeable so as to allow the school to recover all costs such as operation, caretaking, heating, lighting and maintaining the facilities. The principles set out within the draft principles document demonstrates that community use of the facilities could be secured and that suitable management practices could be employed to deliver this. Notwithstanding this and in light of the comments received by Sport England it is considered necessary to condition that a scheme of community use be submitted to and approved in writing by the LPA in conjunction with Sport England.

5.51. Whilst the proposals would lead to the loss of some of the existing sports pitches at the school the proposals would ultimately see a net gain in sports pitch provision at the school once the development is completed. Additionally, the design of the proposals is such, as is required by the DfE specification, that elements of the proposals could be made available for community use; whilst ensuring the none community use are kept secure. Overall, it is considered that subject to the suggested conditions from Sport England the proposed development would accord with Policies ED8 and GI5 of the DLP 2018.

Drainage and Flood Risk

5.52. Much of the application site including the existing school building and the location of the proposed replacement school building is located within Flood Zone 1 (Low Risk). There is a small portion of the application site towards the south eastern boundary that is located within Flood Zone 3 (High Risk) and this is due to the location of Tang Hall Beck which runs to the south of the site. However, it should be noted that this watercourse is 0.45m lower than the lowest level of the sports pitch.

5.53. Paragraph 167 of the NPPF requires that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Paragraph 169 goes on to state that Major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

5.54. Policy ENV4 of the DLP 2018 seeks to ensure that new development is not subject to unacceptable levels of flood risk and shall be designed and constructed in

such a way that mitigates against current and future flood risk. Policy ENV5 of the DLP 2018 promotes the use of sustainable drainage within development. Utilising measures such as restricting run off rate and promoting the use of Sustainable Drainage Systems (SuDS).

5.55. With regard to surface water drainage infiltration tests have been conducted at the site and were witnessed by the Lead Local Flood Authority (LLFA). However, this approach has been discounted due to the presence of clay in the ground. Surveys of the site have established that there are existing surface water drainage connections to Tang Hall Beck to the south of the site where there is already an existing outfall structure. It is proposed that the development would utilise these. With regard to foul drainage the existing school already benefits from such connections demonstrating that there is infrastructure within the vicinity. The proposals would see separate foul and surface water drainage systems devised.

5.56. As part of the assessment of the proposals the drainage details have been reviewed by the Lead Local Flood Authority and the Internal Drainage Board. Neither have raised objections to the proposals and have requested that in the event of planning permission being granted this be subject to various conditions relating to drainage. The conditions would require provision for separate foul water and surface water drainage systems to be implemented. A condition securing full details of the technical drainage solution is also requested. Additionally, the Internal Drainage Board have requested a condition which would ensure that a 9m strip is maintained from the watercourse. This would secure sufficient space to the Internal Drainage Board to facilitate maintenance access to the watercourse.

5.57. Overall, it is considered that the proposals would not give rise to increased levels of flood risk or materially increase the overall flood vulnerability of the site. It is considered that there would be viable technical solutions available which would achieve suitable drainage provision. The requested conditions are considered appropriate and will ensure that the required drainage infrastructure can be secured to ensure that the development would accord with Policies ENV4 and ENV5 of the DLP2018.

Ecology and Landscaping

5.58. The existing site currently benefits from large areas of landscaped grounds comprising of a mixture of areas of hardstanding such as playgrounds and the areas of soft landscaping comprising of the playing field areas. There are multiple trees of varying scales and species across the site. The southern most area of the site includes a wooded area adjacent to the beck this space also includes a woodland teaching space. None of the existing trees on the site are subject to Tree Preservation Orders.

5.59. Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment. This includes minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks.

5.60. Policy GI2 of the DLP 2018 seeks to ensure that development seeks to conserve and enhance York's biodiversity. Amongst other things Policy GI2 requires development to ensure the retention, enhancement and appropriate management of features of geological, or biological interest and further the aims of the current Biodiversity Audit and Local Action Plan. Policy GI4 states that development will be supported where, amongst others, development recognises the value of existing tree cover and hedgerows, their biodiversity value and the contribution they make to the quality of the development.

5.61. Policy D2 of the DLP 2018 seeks to ensure development conserves and enhances landscape quality and character and that development includes sustainable, practical, and high quality soft and hard landscaping details and planting proposals.

5.62. The application has been submitted with an Arboricultural Impact Assessment. This has categorised each tree on site (A, B, C and U). The report has assessed a total of 78.no trees, 11.no Tree Groups and 4.no hedgerows. Of these 4.no Category U trees are to be removed for the purposes of good tree management. These specimens are either entirely dead or in a condition whereby their removal is justified. In total 30.no individual trees which are a mix of category B and C (poor to moderate quality) trees are proposed to be removed across the site. A further 3.no group trees are also proposed for removal. A the proposals will incorporate 47.no replacement trees which over time will establish themselves and provide compensatory planting on site.

5.63. The loss of these trees is to facilitate the comprehensive redevelopment of the site. These trees either need to be removed as they are located where the elements of the new development are to be sited or in a small number of cases removed to facilitate safe and appropriate construction access; whilst being mindful that during the construction phase the existing school needs to remain operational.

5.64. As a result of the development a significant proportion of the site will remain undeveloped. There is therefore the opportunity for a comprehensive landscaping scheme to be delivered. This will result in the provision of 47.no new trees across the site which over time will establish themselves and provide suitable replacements for those which are being removed to facilitate development. In the event of

development proceeding the trees that are to be retained on the site can be adequately protected so as to safeguard them from development; it would be necessary to condition that the development proceeds in accordance with the submitted Arboricultural Impact Assessment and that tree protection measures are implemented prior to the construction commencing on the site.

5.65. The development will also incorporate replacement landscaping. In addition to this a replacement playing pitch is to be provided to the front of the new school building which will contribute to the overall green space and greening of the site. Securing this replacement pitch is achieved via the conditions requested by Sport England. The submitted site plan shows a replacement landscaping scheme. The submitted details would secure a suitable level of landscaping within the site. However, to ensure that the landscaping is provided an adequate opportunity to establish itself and make a meaningful contribution to the overall setting of the completed development it is considered necessary to secure the landscaping scheme via condition.

5.66. Amongst the comments that have been received from interested third parties' concerns have been raised regarding what is believed to be the loss of some of the existing trees on site. Clarification on this matter has been received from the applicant which confirms that there has recently been works to an existing hedgerow along the North West boundary with Whitby Avenue. However, these works have been limited to pruning and resulted in the hedge being reduced in height to a similar level to the boundary fence, giving the appearance of its complete removal.

5.67. The application is supported by a Preliminary Ecological Appraisal (PEA). With regard to protected and notable species at the site the PEA has identified there are records of Bats within the area. Whilst none were identified during survey work the existing school building is considered to provide roosting potential. The survey area has also recorded instances of Water Vole and Otter however this is likely due to the proximity to Tang Hall Beck. The site itself is not considered to provide a suitable habitat for these species as the school grounds are intensively managed.

5.68. In reviewing the proposals the Council's ecologist has confirmed that they have no objections to the proposals. However, in the event of granting planning permission it would be necessary to secure a number of measures via condition. The works will require the developer to obtain a licence for Natural England or for the site to be registered on a Bat Mitigation Class Licence or a statement from the relevant licencing body that a licence would not be required. This condition will ensure that the development proceeds whilst ensuring suitable protections are secured to protect Bats.

5.69. Under the Environment Act 2021, all planning permissions granted in England (with a some exemptions) except for small sites will have to deliver at least 10% biodiversity net gain from January 2024. Whilst Biodiversity Net Gain requirements have not yet come into force the applicant has completed a Biodiversity Metric Assessment. This demonstrates that the development would achieve a net gain at the site. Although it does acknowledge that the gain would be marginally short of the 10% (8.8%) net gain in habitat biodiversity. The submitted metric assessment concludes that a Landscape and Ecological Management Plan (LEMP) should be produced, this should set out appropriate establishment works and management measures. The Council Ecologist concurs with this and has recommended that the LEMP be secured by condition. It has also been confirmed that the submitted lighting plan is acceptable and takes account of the findings within the ecological surveys.

5.70. It is considered that subject to the recommended conditions the proposed development would be capable of delivering ecological and landscape enhancements to the site and its surroundings. It would also be possible for the development to proceed in a manner that would ensure that protected and notable species that are present within and around the site are afforded suitable protections.

Sustainable Design and Construction

5.71. Policy CC1 of the DLP 2018 seeks to promote the use of renewable and low carbon energy generation and storage within development. Policy CC1 will encourage the use of renewable and low carbon energy within developments. This will be subject to the scheme considering amongst other things the impacts on York's historic character, residential amenity and heritage and nature conservation sites.

5.72. Policy CC2 of the DLP 2018 seeks to promote sustainable design and construction within new development. The Policy seeks to secure energy and carbon dioxide savings. In the case of non-residential buildings with total floor areas exceeding 100 sq metres development would be expected to achieve BREEAM 'Excellent' or equivalent.

5.73. As part of the project the DfE have conducted assessments into the potential to refurbish the existing facilities. This approach is part of their standard procedures in assessing best value. The condition and age of the existing buildings weighed significantly against refurbishment. Furthermore, whilst the existing has more floorspace than the proposed the floorspace is not distributed in a manner which prioritises pupils. Classrooms are over and under sized with poor access to natural light, thermal efficiency is poor and there is an excessive amount of storage. Refurbishment would also not achieve the high sustainability targets set by the DfE

in terms of carbon reduction, landscape ecology and urban greening. Several of the existing buildings on site date from 1960s and have surpassed their functional life. The cost of retrofitting would exceed the new build costs and deliver a worse performing building. Therefore, complete demolition and rebuild has been assessed as delivering greater educational, landscape, ecological and sustainability benefits for the site.

5.74. The design specification and sustainability measures to be employed in the development have been informed by the requirements of the DfE. These include:

- Enhancements to urban greening from 0.34 to 0.38
- Delivery of a Net Zero Carbon in Operation Development
- Construction of bio-solar green roof
- Deliver SuDs enhancements
- Provision of Electric Vehicle charge points
- Deliver Biodiversity Net Gain.

5.75. As part of the application of the applicant has provided a sustainability statement. This has appraised a series of low carbon and renewable energy technologies and their suitability for use within the proposed development. Given that the proposed development is a new build project this provides a greater number of opportunities to design in energy efficiency measures into the development. This approach is typically more effective as the measures can be incorporated into the scheme from the ground up.

5.76. Policy CC2 of the DLP 2018 requires new non-residential development to achieve a 28% reduction in carbon emissions over and above the requirements of the 2013 Building Regulations and a BREEAM 'Excellent' (or equivalent) where feasible and viable. In this instance rather than seeking to achieve BREEAM 'Excellent' the sustainability standards prescribed by the DfE as part of their funding for the project are being worked to. The standard known as Output Specification 21 requires new school development to be net zero carbon in operation and promotes other sustainability measures to be embedded into the design.

5.77. The proposed development has utilised a fabric first approach to sustainability. Passive design features such as thermal insulation, natural ventilation, air tightness, solar shading, low energy fit out and sub metering are utilised. These measures promote a reduction in energy use in areas such as electricity usage, water usage and heating. The next stage is to then meet demand efficiently. This involves utilising technologies such as ventilation and heat recovery and other management measures such as demand operated systems (e.g., motion-controlled lights),

variable speed drives and controls on fans and pumps, LED lighting and Building Management Systems.

5.78. The proposed development will utilise a bio-solar roof on the upper roof structure. This will comprise of approximately 600 sq metres of PV panels (approximately 238 panels). The remainder of the roof surface will be planted out with a green roof. Heating is be provided by air source heat pumps.

5.79. Cumulatively the lean, green and clean design approach will result in a 240% reduction in carbon emissions from the target rate. This would far exceed the requirements as set out within Policy CC2. The DfE requirement to achieve Output Specification 21 requiring new school development to be net zero carbon in operation would be, in this case, considered to be a suitable alternative to the Policy CC2 requirement of BREEAM Excellent.

5.80. As part of the assessment of the application the Carbon Reduction team have reviewed the measures proposed and have recommended that in the event of planning permission being granted conditions should be attached to secure the level of carbon reduction as specified within Policy CC2. However, in this case it is not considered necessary or appropriate to impose these conditions. Since the drafting of Policy CC2 the requirements of Building Regulations have surpassed the policy requirements of CC2. Any condition could only secure a level of carbon reduction that is lower than the Building Regulations require. In any event the DfE requirements of net zero carbon in operation would surpass both the Policy requirement of CC2 and Building Regulations; with this being achieved by virtue of the design approach utilised and the ability to incorporate measures into the building from the start.

5.81. Overall, the proposed development would utilise measures which would achieve a reduction in carbon emissions over and the above the target emissions rate far in excess of the levels required by Policy CC2.

Phasing of Development

5.82. The proposed development will need to be phased so as to allow the school to remain operational. As part of the information submitted the applicant has provided an indicative phasing plan which shows the sequencing of the development. Phase 1 will comprise of building the new school building, it has been indicated that this will last 52 weeks. Once the new school is built staff and pupils will be transferred from the existing facility. Phase 2 will then comprise of demolition of the existing school the demolition phase is indicated as lasting 27 weeks. Phases 3 and 4 comprise of

completing the car park is scheduled to last two weeks being undertaken during the 2025 Summer Holidays.

5.83. Given the intended phasing of development there will be a period of time where two school buildings exist side by side on the site until the demolition is completed. Whilst the overall risk two buildings being left on the site to co-exist on a permanent basis would be low. It is considered necessary to impose a condition which secure a phasing plan of the development. This will allow the Local Planning Authority to retain effective control over the development and mitigate the risk associated with two buildings existing on the site.

Public Sector Equalities Duty

5.84 Section 149 of the Equality Act 2010 contains the Public Sector Equality Duty (PSED) which requires public authorities, when exercising their functions, to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.85 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.86 The PSED does not specify a particular substantive outcome, but ensures that the decision made has been taken with “due regard” to its equality implications.

5.87 Officers have given due regard to the equality implications of the proposals in making its recommendation. There is no indication or evidence (including from consultation on this application) that any equality matters are raised that would outweigh the material planning considerations.

6.0 CONCLUSION

6.1. Overall, it is considered that the proposed development would provide a modern and up to date school environment which adheres to current standards and practices. This would be the benefit of the immediate community and the pupils which attend the school. The development will give rise to some impacts which could adversely affect the immediate vicinity of the site. However, these would be limited to the construction phase of the development which, in the context of the overall expected lifespan of the development would be relatively small.

6.2. The proposed development is considered to be acceptable in principle and subject to the various conditions outlined below can be delivered in a suitably controlled and managed manner so as to minimise undue impacts as far as possible. The proposals accord with the provisions of the NPPF and policies contained with the City of York Draft Local Plan 2018. Approval is therefore recommended.

7.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Location Plan: Drawing No. SRP1062-WBA-XX-00-D-A-0300;
Demolition Plan: Drawing No. SRP1062-WBA-XX-00-D-A-0305;
Whole Site Plan: Drawing No. SRP1062-PLI-ZZ-XX-D-L-1501 Rev P05;
Elevations Proposed: Drawing No. SRP1062-WBA-AA-XX-D-A-0130 Rev P03;
Section Proposed: Drawing No. SRP1062-WBA-AA-XX-D-A-0140 Rev P02;
Ground Floor Plan - Proposed: Drawing No. SRP1062-WBA-AA-00-D-A-0120 Rev P02;
First Floor Pan - Proposed: Drawing No. SRP1062-WBA-AA-01-D-A-0121 Rev P02;
RF Roof Plan - Proposed: Drawing No. SRP1062-WBA-AA-RF-D-A-0122 Rev P02;
Arboricultural Impact Assessment and Arboricultural Method Statement: Document Reference: DS05102101;
Construction Ecological Management Plan: Document Reference RT-MME-160543-03

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority ("LPA").

3 No development shall take place until details of the proposed means of foul and surface water drainage, including details of any balancing works and off site

works and future management and maintenance, have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that suitable drainage infrastructure can be secured, and the development can be adequately drained to mitigate flood risk.

4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage.

5 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include, but not be limited to:

- A framework for the monitoring of ecological features, target condition and remedial measures.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions.
- Actions to be taken for the control and removal of invasive, non-native plant species, if identified.
- Preparation of a work schedule.
- Details of the body or organisation responsible for implementation of the plan.
- Ongoing monitoring and remedial measures.
- Details of the legal and funding mechanisms in place to secure long term monitoring and management for a period not less than 30 years.

Establish BNG monitoring and reporting programme. As a minimum, the monitoring programme should include:

Confirmation of the number of Biodiversity Units present based on a survey at an appropriate time of year and how this compares to the target units.

Where target conditions for units are not yet met, the provision of an assessment of time to target condition for each habitat and any changes to management that are required.

Reason: To take account of and enhance the biodiversity and wildlife interest of the area, and to be in accordance with Paragraph 174 (d) of the NPPF (2023) to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. To ensure wildlife mitigation, compensation and enhancement measures are managed

and maintained appropriately.

6 All required demolition works to the main school building shall not under any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or

b) Confirmation that the site is registered on a Bat Mitigation Class licence (formally Low Impact Class Licence) issued by Natural England; or

c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure bats are protected from harm during the proposed works. All British bat species and their roosts are protected by the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended).

7 Prior to the commencement of any demolition or building works on site all trees to be retained on site shall be protected in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement (Document Reference DS05102101) as received by the Local Planning Authority on 5th October 2023.

Reason: Reason: To ensure every effort and reasonable duty of care is exercised during the development process in the interests of protecting the existing trees shown to be retained which are considered to make a contribution to the public amenity and/or the amenity and setting of the development.

8 The approved landscaping scheme, as shown on drawing Whole Site Plan (Drawing No. SRP1062-PLI-ZZ-XX-D-L-1501 Rev P05) shall be implemented no later than 6 months of the practical completion of the of the development. Any trees or plants which within 5 years of planting die, are removed or become seriously damaged or diseased in the opinion of the Local Planning Authority shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of amenity and good design and to afford suitable time for the landscaping scheme to establish itself in the development.

9 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the following external materials to be used shall be submitted to and approved in writing by the

Local Planning Authority prior to their use in the development:

External Brick Work
Aluminium Cladding and flashings

The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices sample materials should be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

10 Notwithstanding the details submitted as part of the application. Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy ED8 of the City of York Draft Local Plan (2018).

Informative: A model Community Use Scheme is available on the Sport England website www.sportengland.org

11 The design of the new playing field indicated on drawing number SRP1062-PLI-ZZ-XX-D-L-1501 Rev P05 shall be carried out in accordance with the recommendations Chapter 4 as set out in STRI Agronomy Report ref J006580 dated 15/08/2023.

No development shall commence on the existing school playing field until the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:

A detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full before the new playing field is brought into use. The land shall thereafter be maintained in accordance with the

scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy GI5 of the City of York Draft Local Plan (2018).

Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011)

12 No new buildings, structures, walls, fencing and planting shall be constructed within 9 metres of the top of the embankment of the watercourse known as Tang Hall Beck (which is maintained by Foss (2008) Internal Drainage Board under the Land Drainage Act 1991 at this location) unless agreed otherwise in writing with the Drainage Board.

Reason: To maintain access to the watercourse for maintenance or improvements.

13 The development shall be carried out with full adherence to the submitted Construction Ecological Management Plan (Report Number: RT-MME-160543-03) as received by the Local Planning Authority on 2nd August 2023.

Reason: To ensure that the development proceeds in a controlled and managed manner so as to protect the ecological environment during the construction phase.

14 Prior to the development being brought into first use details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

15 HWAY19 Car and cycle parking laid out

16 Notwithstanding the submitted details. A detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The statement shall include at least the following information:

- a) Phasing of works, detailing access for school deliveries, access and turning of vehicles within compounds, where materials will be stored.
- b) Vehicle parking arrangements for school staff, site operatives and visitors including visitors to the school.
- c) Means of access control, and measures to prevent construction/delivery vehicles parking/blocking the highway including details of laybys for stacking of vehicles.
- d) Details of routing for contractors and deliveries to site utilising classified roads or existing bus routes.
- e) Details of how the route will be promoted including details of signage.
- f) Details of Temporary Traffic Regulation orders required to facilitate large vehicles on the network to access the site safely.
- g) Measures to avoid damage to existing highway such as overrun of the footway/ verges and associated infrastructure such as utilities and signs on the highway.
- h) Details of measures to keep the highway clean - wheel washing facilities for the cleaning of wheels of vehicles leaving the site, including location and type.
- i) Dilapidation survey - Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which shall be agreed in writing with the Local Planning Authority. Contact: development.adoption@york.gov.uk to arrange
- j) Delivery times - During construction, deliveries and access for construction vehicles and contractors in or out of the site on school days shall be prohibited between the hours of 08:15 - 09:15 and 15:00 - 16:00.
- k) Details of the hours of construction and measures to minimise the creation of noise, vibration and dust during the demolition.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

17 The provision of dedicated Electric Vehicle (EV) charging facilities as shown on drawing Whole Site Plan (Drawing No. SRP1062-PLI-ZZ-XX-D-L-1501 Rev P05) shall be implemented no later than 6 months of the practical completion of development.

Reason: To ensure the provision of EV charging facilities in line with the Councils Low Emissions Strategy and Paragraph 112 of the NPPF.

18 The development shall be carried out in full adherence to the Ventilation/Extract Statement (Document Reference SRP1062-RDG-AA-ZZ-T-M-0012) as received by the Local Planning Authority on 2nd August 2023.

Reason: To ensure that adequate measures are secured to properly manage and control odour emissions from the site during its operation.

8.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraph 38) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

Reviewed technical feedback from consultees to refine the proposals and address the concerns raised.

2. a) The public sewer network does not have capacity to accept an unrestricted discharge of surface water. Surface water discharge to the existing public sewer network must only be as a last resort, the developer is required to eliminate other means of surface water disposal. - the applicant has eliminated infiltration methods and a connection to the watercourse is proposed,

b) The applicant should be advised that the Yorkshire Waters prior consent is required to make a connection of foul and surface water to the public sewer network, and

c) The applicant should be advised that the York Consortium of Drainage Board's prior consent is required (outside and as well as planning permission) for any development including fences or planting within 9.00m of the bank top of any watercourse within or forming the boundary of the site. Any proposals to culvert, bridge, fill in or make a discharge (either directly or indirectly) to the watercourse will also require the Board's prior consent.

3. Surface water drainage design requirements

If SuDS methods can be proven to be unsuitable then In accordance with City of York Councils City of York Councils Sustainable Drainage Systems Guidance for Developers (August 2018) and in agreement with the Environment Agency and the York Consortium of Internal Drainage Boards, peak run-off from Brownfield developments must be attenuated to 70% of the existing rate (based on 140 l/s/ha of proven by way of CCTV drainage survey connected impermeable areas during the 1 in 1 year event). Storage volume calculations, using computer modelling, must accommodate a 1:30 year storm with no surface flooding, along with no internal flooding of buildings or surface runoff from the site in a 1:100-year storm. Proposed areas within the model must also include an additional 30% allowance for climate change. The modelling must use a range of storm durations, with both summer and

winter profiles, to find the worst-case volume required. Please note, the CCTV drainage survey must be carried out prior to determination of the application and all hard paved areas should not be assumed to connect. Where making use of an existing piped connection an assessment of its capacity shall be carried out and the 70% applied to this whichever is the lower rate.

If existing connected impermeable areas not proven, then Greenfield sites are to limit the discharge rate to the predeveloped run off rate. The predevelopment run off rate should be calculated using either IOH 124 or FEH methods (depending on catchment size) during a 1 in 1 year event.

Where calculated runoff rates are not available the widely used 1.4l/s/ha rate can be used as a proxy, however, if the developer can demonstrate that the existing site discharges more than 1.4l/s/ha a higher existing runoff rate may be agreed and used as the discharge limit for the proposed development. If discharge to public sewer is required, and all alternatives have been discounted, the receiving public sewer may not have adequate capacity and it is recommend discussing discharge rate with Yorkshire Water Services Ltd at an early stage.

In some instances, design flows from minor developments may be so small that the restriction of flows may be difficult to achieve. However, through careful selection of source control or SuDS techniques it should be possible to manage or restrict flows from the site to a minimum 0.5 l/sec for individual residential properties, please discuss any design issues with the City of York Council Flood Risk Management Team.

Surface water shall not be connected to any foul / combined sewer, if a suitable watercourse/surface water sewer is available. Suitability of the watercourse/surface water sewer must be proven.

The applicant should provide a topographical survey showing the existing and proposed ground and finished floor levels to ordnance datum for the site and adjacent properties. The development should not be raised above the level of the adjacent land, to prevent runoff from the site affecting nearby properties.

4. INFORMATIVE:

You are advised that this proposal may have an effect on Statutory Undertakers equipment. You must contact all the utilities to ascertain the location of the equipment and any requirements they might have prior to works commencing.

Contact details:

Case Officer: Mark Baldry
Tel No: 01904 552877