

COMMITTEE REPORT

Committee: Planning Committee **Ward:** Huntington/New Earswick
Date: 24 June 2008 **Parish:** New Earswick Parish Council

Reference: 08/00773/FULM
Application at: Joseph Rowntree School Haxby Road York YO32 4BZ
For: Erection of part two storey, part three storey building to form purpose built school (to replace existing school building) with associated car and cycle parking, landscaping and sports pitches; use of adjacent land to south for temporary car parking and access during construction phase
By: Learning Culture And Children's Services
Application Type: Major Full Application (13 weeks)
Target Date: 27 June 2008

1.0 PROPOSAL

1.1 This is a full planning application for the erection of a new school and the subsequent demolition of the existing school buildings at Joseph Rowntree School.

1.2 In 2006 the DFES announced that City of York Council was to be a One School pathfinder for the building schools for the future programme. This application for a new school at the Joseph Rowntree Secondary School site in New Earswick has been submitted as a result of the school being identified as the most appropriate candidate for the project.

1.3 Joseph Rowntree School is located on the north side of New Earswick. The original school building was constructed between 1939 and 1942 to provide secondary education for the children of New Earswick and the surrounding villages. The Joseph Rowntree Village Trust funded it. In the late 1950's and the 1960's the school was expanded westwards, extending the frontage range towards the main road. In the latter part of the twentieth century more buildings were added to the north of the site as the school became a comprehensive with a sixth form. The school now caters for approximately 1300 pupils. The main pedestrian and vehicular accesses to the site are from Haxby Road.

1.4 The school site is set outside the main part of the village of New Earswick beyond the Conservation Area boundary. Significant trees, some of which are covered by Tree Preservation Orders, border the south of the site. A public footpath and open space separates the site from the conservation area. To the north are the school playing fields, bordered by further public footpath, minor sporadic development and an open field which runs up to the York by-pass. To the east is open land over which can be viewed Huntington Church and the Huntington Conservation Area and to the west across the Haxby Road is existing residential development.

1.5 The proposal is to redevelop the existing school site to provide new school facilities. The development is to be carried out in three phases. The first phase is to construct the new school by forming a temporary haul road from the Hartrigg Oaks

roundabout into the school site via the open space to the south, providing car parking and spoil heap storage on the open space, and then constructing the new school behind the existing school buildings. The second phase is to demolish the existing school buildings and landscape the front of the site and thirdly to reinstate the open space by removal of the haul road and car park.

1.6 The new school building is to be part two, part three storey construction. It is to be sited between 135 metres and 185 metres back from the Haxby Road frontage and incorporates a sports hall that will be open for community use. The building is predominantly brick constructed with cedar wood cladding and rendered inserts. The structure is a flat roof construction with a three storey height of 11.8 metres and a two storey height of 8.5 metres. The access arrangements remain on the Haxby Road frontage, with the main cycle routes from the north and south being retained in their existing positions and vehicular access being very similar to existing. The parking arrangements are located to the front of the building and have been amended since the first submission of the application. The proposal is now for 83 staff car parking spaces, 10 visitor spaces and 7 car share spaces, cycle parking for 390 students, separate cycle parking for 30 staff and community use cycle racks for 20 cycles as well as motorcycle parking, parking for 2 minibuses and bus drop off space for four buses. The proposal incorporates new/rearranged outdoor sporting facilities including full and mini hockey pitches, a further mini pitch, netball courts, training grids, basketball area, these are in addition to the facilities that exist on the playing fields to the north of the application site. The remainder of the exterior of the site is to be landscaped to enhance the setting of the building whilst providing functional amenity spaces for school activities.

1.7 The application is supported by the following documentation:-

- Design and access statement
- Transport statement
- Sustainability statement
- Contaminated land desk top study
- Flood Risk Assessment
- Archaeological evaluation
- Travel plan
- Draft community use agreement
- Arboricultural report
- Biodiversity plan

1.8 An Environmental Impact Assessment screening opinion was sought for the proposal in December 2007. The decision on that submission was that an Environmental Impact Statement was not required for the development because;

1. The site is not within a "sensitive area" as defined by Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) 1999;
2. Although a major development, the development would not result in unusually complex or potentially hazardous environmental effects.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Schools Joseph Rowntree 0248

2.2 Policies:

CYED1

Primary and Secondary Education

CYED11

Protection of Playing Fields

CYGP1

Design

CYGP4A

Sustainability

CYGP7

Open Space

CYGP9

Landscaping

3.0 CONSULTATIONS

INTERNAL

Highways Network Management

3.1 Highways Network management whilst not objecting to the principle of the development require a number of issues related to the details of the scheme to be resolved prior to the application being determined. In summary there concerns about the details cover the following areas:-

- Design/layout

To establish how the level of car parking has been calculated a break down of staff and pupil numbers including numbers of sixth formers is required. The layout of the car park should complement the content and aims of the travel plan. The access to the north should be widened to at least 3 metres. The pedestrian/cycle route adjacent to Park Lodge is only 2 metres wide where it meets the PROW. This should be widened to three metres for its full length.

- Travel Plan

the content of the travel plan does not have any measures aimed at the staff/community use of the building

- PROW - New Earswick no.5

Diversion of the foot

path can only be for 6 months and possibly a further 6 months with the secretary of states approval giving only 12 Months in total. Highways Network Management consider that the better way forward would be to keep the footpath open and look at

design features to minimise any potential risk to users. A detailed drawing is requested.

- Vehicle Swept Paths

A number of the vehicle swept paths on the drawings appear to be tight. These need to be looked at again.

- Temporary Access/Haul Road

3.2 A road safety audit on the temporary access road should be carried out. A pedestrian refuge point is requested on the haul road or an alternative access design should be considered. The swept paths of vehicles leaving the haul road require the removal of a refuge island on the roundabout, details of the measures proposed to ensure the junction continues to operate safely should be supplied. Consideration of signage on the roundabout is needed.

Comments following amended car parking layout being submitted and the various issues raised by highways being discussed :-

3.3 Improvement works to the surrounding highway have not been sought given that there is no expected increase in school role, as such there is no justification to seek improvements. The development will not result in a material change in traffic on the adjacent highway.

3.4 Vehicular access to the school is to be via the existing access points on Haxby Road. The accesses will have some minor improvements carried out to the kerbing and footways which link round into the site. The car park will provide 108 spaces, which is in accordance with CYC Annex E maximum standards. The level of parking provision has also been assessed against the expected modal split targets and as such will complement the Travel Plan for the school. A draft Travel Plan has been submitted and the school is working with officers to put together an effective Travel Plan document. A condition is suggested to secure the full Travel Plan document.

3.5 As part of the new build process the pedestrian and cycle routes into the school have been improved and new increased levels of cycle parking have been proposed. The cycle parking is covered and secure and is broken down into pupil provision, staff, and visitor.

3.6 The greatest impact from traffic on the adjacent highway will be during the construction phase, however it must be remembered that this phase is temporary and inevitably there may be some limited disruption. Through negotiation and the use of appropriate conditions the authority will seek to work with the contractors and local residents to ensure any disruption is kept to a minimum.

3.7 Due to the required phasing of construction due to the school continuing to operate throughout the build process it is necessary to construct a temporary haul road from the Hartrigg Oaks/Haxby Road mini roundabout. The access will result in the creation of a fourth arm to the roundabout and associated highway modification works to facilitate the proposed access. In order to protect highway users, particularly pedestrians a refuge island is being provided on the new arm of the roundabout to ensure safe crossing facilities.

3.8 Such works will be carried out at the applicants expense under an Agreement of Section 62 of the 1980 Highways Act. Following completion of the development the highway will be reinstated to it's current layout to the authorities standard specifications.

3.9 As part of the haul road a diverted route for the Public Right of Way known as New Earswick Number 5, which currently runs along the schools Southern boundary from Park Lodge, is being created. It is considered that the temporary diversion of the PROW during the construction phase is the safest way of reducing the potential for conflict between PROW users and construction traffic. As part of the scheme the surfacing of the existing PROW from Park Lodge will be improved. Twelve conditions are proposed by highways to ensure the proper implementation of the scheme

City Development

3.10 No objections are raised to the scheme subject to development control being satisfied about the design of the scheme in relation to policy GP1 and that the reduction in grass playing fields being compensated for by new facilities is acceptable to Life Long Learning and Leisure.

York Consultancy

3.11 Following consultation with the Environment Agency and the Foss Internal Drainage Board engineering consultancy agrees in principle with the proposed surface water drainage scheme for the development. However although the maximum discharge levels are known the attenuation measures to achieve the discharge levels are not. Conditions are proposed to ensure attenuation measures are submitted, to require surface water storage capacity details and to limit the run off from the haul road.

Landscape Architect

3.12 The proposed school brings the buildings closer to the green belt thereby placing greater importance on the screening and amenity function of the eastern hedgerow. The area between the new building and the eastern boundary is occupied by two open, grassed pitches that are free from additional structures thereby maximising the effective open distance between the school building and the greenbelt. This effect is jeopardised by the proposed security fence along the eastern boundary this should either be removed or brought to the inside of the new planting on the eastern boundary.

3.13 At the other side of the site onto Haxby Road, the incorporation of the existing and new trees into a grassed 'parkland' setting with sweeping paths running through it, will make a positive contribution to the street scene.

3.14 The master plan shows kitchen gardens and food production areas, these features are missed out on the site layout plan. It is very much hoped that these features will be incorporated into the scheme.

3.15 The landscape Architect raises a number of concerns about existing trees and the way in which these are to be protected during the development of the site. It has

been requested that the issues raised are dealt with by the applicant and that a tree protection method statement is attached to any permission granted.

3.16 The planting schedule given on the drawings is fine but not conclusive. Therefore the standard landscape condition is requested. The planting plan should also include management proposals for the eastern hedge.

3.17 In summary the landscape Architect is not objecting to the application but says that the detailed site layout should address the discrepancies between the master plan in favour of the latter. the fencing along the eastern boundary needs to be resolved so as not to be detrimental to the character of the green belt. There will need to be minor revisions to the layout in order to satisfy tree protection requirements. A method statement should be submitted that address various concerns about tree protection throughout and also in specific areas. Planting details can be agreed under condition.

Archaeology

3.18 The site lies outside the area of archaeological importance in an area which has seen relatively little recent archaeological work. There is a Roman Settlement located some 1500m south of the school site. This was partially excavated in 1926 - 1929. This consists of two sides containing 2nd - 4th century pottery, tiles and querns and traces of walling. The finds were interpreted as indicating the possible site of a villa. There is some poorly preserved ridge and furrow in the field to the south of the school and there are also the very faintest of traces visible in the northernmost playing field. Ridge and furrow has been recorded at SE60605590. Undated cropmarks showing field boundaries and trackways have been observed at SE631565 and SE645570.

3.19 These finds and cropmarks indicate the presence of a well developed late prehistoric, Romano-British and medieval landscape around the site of the Joseph Rowntree School. On-Site Archaeology was appointed to carry out a desk-based assessment, a geophysical survey, and an archaeological field evaluation of the proposed site.

The archaeological evaluation was carried out by On Site Archaeology at Joseph Rowntree School, New Earswick in July 2007 on behalf of the City of York Council. A total of thirteen trenches were excavated, eight within the current school playing fields and five in the field to the south of the school.

3.20 Archaeological features were revealed in trenches 9 and 10. The features were interpreted as a boundary ditch with a right angled corner and was dated by finds to the late first or early second centuries AD. It is possible that this was the remains of a Roman marching camp analogous to four further examples known from within a 1km radius of this site. However, not enough of the ditch was revealed either by the current evaluation or by geophysics to be certain of its function. No other archaeological features were found on the site. However, further Roman activity from a later period was attested by finds of Roman pottery and CBM in the topsoil and subsoil of two more trenches. Stray finds of a medieval date were recovered from the topsoil and fills of land drains elsewhere and were probably the results of agriculture.

3.21 A further phase of archaeological excavation was carried out consisting of a large trench 20mx50m located over the finds of Roman pottery which lay within the proposed footprint of the school. No further archaeological features were identified.

3.22 On the basis of the results of the archaeological work carried out in advance of submitting a planning application and of the reports submitted by the applicant, the archaeologist is satisfied with the details in the application subject to standard archaeological conditions.

Environmental Protection Unit

3.23 No objections in principle however conditions are requested to protect residents during the construction phase and following the completion of the development. Proposed conditions include a lighting impact assessment, a construction environmental management plan, noise level condition in relation to plant and machinery, piling operations condition, treatment of cooking odours. Informatives are also suggested in relation to hours of work and contamination.

Countryside Officer

3.24 The Countryside Officer is very disappointed with the information submitted about biodiversity. The document is very much written on the basis of what could be done not what will be done. Some of the things suggested could not actually be achieved with the proposed design. There is nothing within the design and access statement about biodiversity in particular there is no information about where bat and swift boxes will be provided. More information is needed.

EXTERNAL

New Earswick Parish Council

3.25 No objections.

Police Architectural Liaison Officer

3.26 No objections to the plans on the basis of having been involved and consulted from an early stage by both the developers and clients. The Police Architectural Liaison Officer is satisfied that subject to reaching the standards agreed the achievement of a secure by design accreditation will be forthcoming.

Ramblers Association

3.27 The proposals affect the setting of two definitive PROW and suggests a need to divert one of them for up to 18 months.

From a public amenity point of view soft landscaping should be on the path side of any fencing rather than walking along a security fence or equivalent. Due to the hard landscape of the mini hockey it is suggested that planting alongside the public footpath from the existing hedge to the tree planting by the basketball area. Similarly on the northern boundary a hedge would be preferable to a fence adjacent to the habitat area.

Sport England

3.28 Sport England has considered the application in the light of its playing fields policy. The aim of the policy is to ensure that there is an adequate supply of quality

pitches to satisfy the current and estimated future demand for pitch sports within the area. The proposal entails the redevelopment of the existing school site with associated landscaping and sports pitches. Whilst it is noted that the development will result in the marginal loss of playing field land the overall area of playing pitches and hard courts will remain the same. As the development will result in improved playing pitches, hard courts, new sports hall and changing facilities, Sport England are satisfied that the development meets exception E5 of their policy and therefore do not wish to object to the application. Two conditions are requested requiring the approval of a community use agreement and a detailed specification for the MUGA's to be approved.

Foss Internal Drainage Board

3.29 The board has no objections to the principle of the development however there are concerns as to the arrangements for surface water Run-off. In view of these concerns the board objects to the application until surface water issues are resolved.

Environment Agency

3.30 The environment agency has no objections to the proposed development subject to conditions which require the mitigation measures in the flood risk assessment to be incorporated into the development, a scheme for the limitation of surface water run off being submitted, restriction of the maximum rate of discharge from the site, piling foundations being restricted to prevent risk to ground water, a contamination condition.

3.31 There have been three letter of objection covering the following points:-

- Objections are raised if the development would impinge on the field to the south of the school, if this area is only to be used during the building phase public access should be maintained and the land should be reinstated to a green area afterwards.
- Rigorous mitigation measures should be included in any planning permission for the new school including property assessment prior to commencement to benchmark against damaged caused by construction traffic/pile driving, protection of mains water pipes in the road, noise and work restrictions on time and days of construction to exclude work on weekends and bank holidays
- Concern about the hedge boundary and the footpath (referred to as a bridleway) to the north of the site. concern that there is not enough room along the path, that when the hedge is cut clippings are not removed and this is dangerous to users, particularly those with horses
- It is hoped that the pond management plan is carried out and that this will help to prevent the footpath from becoming waterlogged
- Saddened to read that the hedge along the Haxby Road frontage is to be removed to be replaced by a fence. The hedge is much more attractive and is nesting areas for many birds
- If there have been meeting with local residents this resident has not been informed

Publicity

3.32 The application was advertised by means of site notices posted on the 8th April 2008, a newspaper advertisement published on the 16th April and by neighbour notification letters dated the 7th April 2008.

4.0 APPRAISAL

4.1 Key Issues

- Policy background
- Design and landscape considerations
- Traffic, highways and access issues
- Playing field provision
- Drainage
- Sustainability
- Crime prevention
- Temporary use of open Space
- Impact on Residential amenity
- Biodiversity

Policy Background

4.2 The application relates to the erection of a new school within an existing school site. The site is identified as an educational establishment in the Draft Local Plan. The area on which it is proposed to construct a temporary car park, topsoil heap and haul road to facilitate the construction of the school is located on land identified as being open space in the Draft Local Plan. The school playing fields to the north of the school buildings are located within Green Belt. The playing fields do not form part of the application site as they are unaffected by the development.

4.3 The regional spatial strategy adopted May 2008 says little about education, however policy E1 makes reference to the need to support higher and further education to ensure a knowledge driven economy. Paragraph 11.3 says that there needs to be an ongoing focus on education skills, training and training entrepreneurs. The superseded Regional Spatial Strategy, which was still extant at the time of the submission of this application is a little more expansive about education. It says that continual improvements to educational achievement at all levels will help to achieve economic growth and social inclusion, and this will require development of the educational infrastructure. Policy SOC2 of the strategy says that development plans should recognise the importance of the educational infrastructure in the region to promoting both social inclusion and economic growth and regeneration. The policy also says that development plans should encourage the retention and development of education and learning facilities in locations that are accessible by good public transport and in accordance with the locational criteria of the Regional Spatial Strategy (Policies P1 and T2).

4.4 The draft local plan sets out educational objectives, one of which is to foster a culture of education, life-long learning and to widen access to education. Policy ED1 in relation to Primary and secondary education says that new secondary education facilities will be granted provided that it would meet a recognised need, the development is of a scale and design appropriate to the character and appearance of the locality and an area of open space and playing fields, sufficient to meet the needs of pupils is incorporated in the development and where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design. Policy ED11 says the loss of playing fields associated with educational establishments will not be permitted unless exceptional circumstances are proven to exist.

4.5 Other relevant local plan policies include GP1 (Design), which states that development proposals will be expected (inter alia) to respect or enhance the local environment, be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials, and avoiding the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment. Policy GP4a requires new development to have regard to the principles of sustainable development as set out in the policy and expanded upon within the Interim Planning Statement on sustainable design and construction.

4.6 Policy GP7 says that the development of land designated as open space will only be permitted where there will be no detrimental effect on local amenity or nature conservation and compensatory provision of an equivalent size and standard is provided. Policy GP9 states that where appropriate, development proposals will be required to incorporate a suitable landscaping scheme, which must be planned as an integral part of the proposals, include an appropriate range of indigenous species, reflect the character of the locality and surrounding development and form a long term edge to developments adjoining or in open countryside. Policy NE7 says that important natural habitats should be retained and enhanced and within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

Design and Landscape Considerations

4.7 The design and access statement says that the design approach has been established through consultation with the school and by assessing recent precedents. The principal feature of the building is a large street and heartspace that is multi-purpose in nature, linking internal and external teaching, learning and social facilities. The development is broken down into a number of smaller linked buildings and teaching and learning clusters which are organised into clear learning zones based on curriculum areas.

4.8 The building is part 3 and part 2 storey with a maximum external height of 11.8 metres at three storeys and of 8.5 metres at two storeys. The maximum height to the top of vents on the roof is 13.5 metres. The building has a frontage to Haxby Road of approximately 125 metres; this is not a solid frontage but is designed as a series of blocks on differing building lines. The southern elevation of the building is 66 metres deep, part 3 and part 2 storeys, the north elevation is 84 metres deep standing 2 storeys high. Both the north and south elevations are again not solid blocks but present varying building lines. The whole structure is set between 135 and 180 metres back from the Haxby Road frontage, the building is located a minimum of 35 metres from the southern boundary, a minimum of 60 metres from the northern boundary and 70 metres from the eastern boundary. The building is to be flat roofed construction and the materials are predominantly brick with cedar wood and render inserts. The scheme includes both internal and external sporting facilities for school and community use. The idea of the design is to pick up on key features of the site and surroundings whilst incorporating contemporary aspirations.

4.9 The open space to the south of the existing school separates the school land from New Earswick conservation area. To the east of the site is agricultural land beyond which is Huntington Church and Huntington Conservation Area. Whilst the site is outside the conservation area development of it will have an influence on the setting of both conservation areas and it is therefore important that the development has regard to the defining features of these conservation areas and ensures that these have been considered in the context of the development of the site.

4.10 The New Earswick Conservation area statement says that one of the village's main elements is its consistent use of materials and landscaping contributing to the garden village character. Within the text of the statement it says ' natural features are utilised... with generous tree planting and the unifying elements of hedgerows as front garden boundaries, and grass verges. With gardens front and rear, the village has matured and the houses are set in leafy surroundings.'

4.11 The Huntington conservation area statement makes specific reference to the Huntington Church saying that one of the main elements of the character and appearance of the area is the finely sited and historic atmosphere of All Saint's Church and West Huntington Hall and associated trees, like an oasis in the wider more open landscape; and the quiet lane leading to them.

4.12 The site displays characteristics from the conservation areas. It has extensive landscaping both within the site and to boundaries and the modest original school building uses similar materials and design to the New Earswick village. The site is relatively open and rural to the rear. The proposed scheme is sited further back into the site than the existing school. It has a larger scale and massing than the existing structures and will be more visible, thus the retention and enhancement of the landscaping setting of the development becomes of critical importance to the visual success of the development. On the southern boundary all the mature trees (some of which are covered by TPO's) are to be retained and hedging is to remain intact (except where access is to be gained from the adjacent open space). The three storey element of the building will be visible from the New Earswick conservation area but with the quality of the intervening trees and the distance of the building from the boundary it is considered that the building will not be overbearing or visually detrimental to the qualities of the conservation area.

4.13 On the western side of the site much of the hedged boundary will need to be removed not to facilitate the development but because it consists of a substantial amount of dead elm. The submitted scheme proposes replacement planting on this boundary and a condition is proposed to ensure appropriate details and implementation of this planting scheme. A new security fence is also proposed along the western boundary, a necessary requirement for secure by design. The fence, after discussions, has been located on the school side of the proposed planting to minimise its visual impact. Even with the replanting the proposed school being of a different scale and massing to the existing structures and being nearer to the rear boundary will be more visible than the existing school buildings when viewed from the Huntington Road conservation area, however officers consider that when the landscaping proposed has had time to mature the development will assimilate into its surroundings.

4.14 The Landscape Architect is generally happy with the scheme subject to conditions, however, there are some outstanding issues relating to the position of elements of the development in relation to mature trees. Members will be updated on the outstanding matters at committee.

4.15 The proposed building is to be set between 135 metres and 185 metres back into the site. This will change the frontage of the site to Haxby Road and the relationship of the new building with this road frontage will be important both to maintain the presence of the building and as a visual element of the entrance to New Earswick. In officers view it is important that the front of the site remains enclosed by a hedge to replicate adjoining boundary treatment and that identified as important within the New Earswick Conservation Area. The application shows the existing hedge retained and enhanced as part of the development however a condition is proposed to ensure the appropriate landscaping of the front boundary. The application is also proposing significant new planting and the retention of existing trees within the development site in a way that makes the space both usable to students and an attractive enhancement to the street scene.

4.16 The design and siting of the building are unique, the building will be more visible than that which exists although the new building will be much more unified and better orientated than the existing mixture of buildings. In officers opinion with the landscaping proposed and with conditions to ensure the quality of materials both for the building and hard landscaping the proposed building will contribute positively to the social and visual qualities of New Earswick and therefore accords with the requirements of ED1 and GP1 in so far as they relate to the design of development.

Traffic, Highways and Access Arrangements

4.17 The proposed new school is about providing an improved learning experience for existing students not about fundamentally increasing the capacity of the site to take additional numbers of students. The existing school has a capacity of approximately 1320 students although there is below this number in the school at the moment. Figures submitted in the application indicate that on average about 1265 students are expected to be in the school. There are some subtle changes in numbers of movements to and from the site which will have a minor impact on the numbers of vehicle movements. These additional movements will come with the addition of an autism unit (20 pupils max) and the more formal use of the site by the community through the provision of better sporting facilities.

4.18 The access arrangements for the proposed scheme are not dissimilar to the existing arrangement. At the moment there are cycle / pedestrian entrances at the north and south of the site with two Vehicle access points to the Haxby Road frontage providing an in/out arrangement for cars and school buses. The proposed scheme retains the two cycle/pedestrian entrances at the north and south, the vehicular access points also remain in the same location although these are altered to segregate pedestrian entrance movements and their exact lines are modified to suit the new internal layout of the site. A further existing entrance on the Haxby Road will be used to provide the main direct pedestrian entrance to the buildings reception area.

4.19 The parking layout has been amended since the application was first submitted and the proposal is now for 83 staff car parking spaces, 10 visitor spaces and 7 car share spaces, cycle parking for 390 students, separate cycle parking for 30 staff and community use cycle racks for 20 cycles as well as motorcycle parking, parking for 2 minibuses and bus drop off space for four buses.

4.20 The development is considered to be acceptable from a highway perspective because traffic generation will be little altered by the proposed scheme which relates to the same number of pupils as existing with minor adjustments to allow for community use and the provision of an Autism unit. Access to the site is very similar to the existing arrangements and access within the site will be more legible to its users. The parking arrangements provide for an adequate number of vehicles whilst providing a good basis for a travel plan which can seek to restrict vehicle use and promote sustainable modes of transport.

4.21 Highways Network Management are supportive of the application subject to appropriate conditions covering the implementation of the scheme, safety audit for the haul road and submission of a travel plan.

(See paragraph 4.29 below for consideration of the access for the construction phase of the development)

Drainage

4.22 The site is located within flood zone 1. The application is supported by a flood risk assessment because the site exceeds 1 Hectare. The Environment Agency are generally satisfied that the development can be supported without detriment to the drainage systems in the area provided that surface water run-off does not exceed existing levels and that the measures describes in the flood risk assessment are implemented. These requirements are proposed as condition along with conditions to safeguard the existing ground water from contamination. Our own structures and drainage section take a similar view to the Environment Agency and there conditions have been incorporated into those of the Environment Agency. Foss Internal Drainage Board has an outstanding objection to the proposal but are aware of the Environment Agencies comments and those of our Structures and Drainage section. Any further comments from the board will be reported to committee.

Playing Field Provision

4.23 Sport England have considered this application in the context of there policy which opposes any grant of planning permission for any development which would lead to the loss of or prejudice the use of any part of a playing field. As part of the planning submission the applicant has submitted a document to compare the existing and proposed provision for playing fields on the site. The submitted document concludes that whilst there is a reduction in playing fields of 0.38 Ha this is more than compensated for by the new facilities, the improvement of existing facilities, the informal play/work areas proposed, the school/club links and the community access and usage of the facilities.

4.24 Sport England have noted that whilst the development will result in the marginal loss of playing field land the overall area of playing pitches and hard courts will

remain the same. As the development will result in improved playing pitches, hard courts, new sports hall and changing facilities, Sport England are satisfied that the provision of the new facilities would be of sufficient benefit to the development of sport to outweigh the detriment caused by the loss of playing field.

4.25 Given the comments of Sport England the application is considered to accord with policy ED11 of the Draft Local Plan

Sustainability

4.26 The application is supported by a sustainability statement. The statement describes how the proposal fits with the criteria listed in Policy GP4a with reference to the guidance provided in the Interim planning statement on sustainable design and construction. The design and access statement also confirms that the sustainability objectives of the scheme have been structured to reflect both DfES national framework for sustainable schools and the work of regional planning bodies in the development of sustainable development frameworks and checklists. The following sustainability measures have been included within the building :-

- Natural ventilation techniques
- Maximum natural daylight penetration
- An improved building envelope beyond the requirements of Part L in terms of insulation performance and air permeability of facade
- Solar control, in terms of building form and orientation, high performance glazing and brise soleil
- Passive cooling using exposed building fabric
- low energy lighting
- careful zoning of lighting and heating systems that can be controlled independently
- A biomass boiler to provide heating and domestic hot water supplies
- Low flow water fittings
- Rainwater harvesting
- A-rated materials used where possible
- Central recycling facilities
- Low insulant GWP's throughout
- Low NOx gas boiler
- Sustainable urban drainage systems
- oil/petrol interceptors in high risk areas

4.27 A BREEAM assessor has been appointed to the project to undertake the assessment as well as oversee the design process. The applicant says that the scheme as designed will comfortably achieve a BREEAM 'very good'. A condition is proposed to ensure that the sustainability measures proposed are achieved within the development.

Crime Prevention

4.28 The Police Liaison Officer was consulted on the design of the scheme prior to the application being submitted. The major part of his comments related to the design of the building and how these needed to be altered to achieve secure by design. The architects have been able to incorporate most of the requirements of the Police Liaison Officer into the design. The main conflict between the security of the

site and the sites visual quality related to the requirement for a high security fence along the frontage of the site adjacent to Haxby Road. This has been resolved by having a lower 1.2 metre high fence along the frontage with high levels of security being achieved along the line of the front of the building rather than the front of the site. The Crime Prevention Officer is satisfied with the solutions proposed.

Temporary use of open Space

4.29 The temporary construction access (Haul Road), car parking and soil heap are to be sited on the area of open space to the south of the site. Whilst there are policies in the draft Local Plan to prevent the permanent loss of open space (Policy GP7) ,Officers consider that the temporary use of part of the open space does not undermine these policies and there are no policy objections to the sites use. Highways are satisfied that the new haul road can be accommodated at the Hartrigg Oaks roundabout. The details of the road construction will be dealt with under highways legislation. Stage 1 of a safety audit for the road is to be submitted by the applicant prior to the application being determined and a condition is proposed to require stage 2 and 3 of the safety audit. This is particularly important as the access is on the route of one of the main pedestrian ways to the school.

4.30 It has been possible to locate the haul road between the mature trees that are between the open space and the school site. It is however important to ensure that the surrounding trees are protected during the construction phase of the development. A condition is proposed that will require the method for the protection of the trees to be submitted prior to the commencement of development. It is also proposed to condition that levels of the land are submitted and agreed prior to the commencement of the development to ensure that the land is returned to its existing level on the completion of the development. The removal of the haul road and temporary car park will be required by condition within 3 months of the completion of the development.

Residential Amenity

4.31 Bordering the site on the south-western boundary are a row of three bungalows, to the north is a farm and on the opposite side of Haxby Road mainly semi-detached houses face the site.

4.32 As discussed in paragraph 4.17 above; as the numbers of pupils at the school will on the whole remain the same and the routes of entry to the site are to remain at their existing positions the impact of the use of the school will be little different to the existing for those properties around the site. The siting of the building being set back in the site takes the bulk of the structures away from the closest properties and will,once the development is complete, provide a more open view particularly for the bungalows than they currently enjoy. Therefore in terms of the siting and use of the proposed development the impact on surrounding properties will be negligible.

4.33 The main concern of the letters of objection received is the impact of the development during the construction phase of the project. In particular there are concerns about hours of work, construction traffic movements and the use of piling at the site. Conditions are proposed which it is considered will minimise disturbance to

neighbours although it is acknowledged that the conditions are unlikely to eradicate disturbance on such a large building project.

4.34 Concerns about damage to property caused by pile driving and the movement of construction traffic are not planning matters. It is a matter that the contractors and affected properties will need to resolve between themselves if such a problem occurs.

Biodiversity

4.35 A biodiversity report was submitted with the application. This report was carried out at the feasibility stage of the bidding process for the development. The Countryside Officer is concerned that the document only sets out what could be achieved at the site not what will be done and does not relate to the details of the development submitted. The applicants have undertaken to submit further biodiversity information prior to planning committee. An update on biodiversity will be provided at committee together with any additional conditions proposed.

5.0 CONCLUSION

5.1 This is a full planning application for the erection of a new school and the subsequent demolition of the existing school buildings at Joseph Rowntree School.

5.2 The principle of the development is considered to comply with policies in the local plan in particular policy ED1.

5.3 The design and siting of the building are unique, the building will be more visible than that which exists although the new building will be much more unified and better orientated than the existing mixture of buildings. In officers opinion with the landscaping proposed and with conditions to ensure the quality of materials both for the building and hard landscaping the proposed building will contribute positively to the social and visual qualities of New Earswick.

5.4 The further comment of the Landscape Architect and the Countryside Officer will be reported direct to committee following the receipt of additional information from the applicant.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years

2 PLANS2 Apprvd plans and other submitted details

3 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs . This scheme shall be implemented within a period of six months of the completion of the

development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

4 Before the sports facilities hereby approved are brought into use the details of the community use agreement submitted with the application shall be finalised and the details agreed in writing with the Local Planning Authority . The proposed use shall be operated in accordance with the Community Use Agreement and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the facilities are available for public use

5 Prior to the commencement of the development or within such longer period as shall be agreed in writing with the Local Planning Authority prior to commencement of the development a detailed specification of the Multi Use Games Areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented to the satisfaction of the Local Planning Authority before the new school is brought into use.

Reason: To ensure the adequate provision of sporting facilities within the site

6 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development or within such longer period that shall be agreed in writing with the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

7 VISQ7 Sample panel ext materials to be approv

8 Prior to any works commencing on site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and waste disposal resulting from the site preparation, groundwork, construction and demolition phases of the development and manage Heavy Goods Vehicle (HGV) access to the site. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the amenities of adjacent residents during construction and demolition

9 All piling operations shall be carried out using the method likely to produce the least vibration and disturbance. Full details of the dates, times and duration of operations shall be submitted to, and agreed in writing by, the local planning authority before any piling operations are begun.

REASON: To protect the amenities of adjacent residents during construction and demolition

10 A full Lighting Impact Assessment for all proposals involving floodlighting, undertaken by an independent assessor (not the applicant or the lighting provider), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority prior to commencement. The Lighting Impact Assessment shall include the following:

- A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- Drawings showing the luminance levels (separate drawings for each item listed):
- A plan showing horizontal luminance levels (E_h), showing all buildings within 100 metres of the site boundary
- A plan showing vertical luminance levels (E_v), showing all buildings within 100 metres of the site boundary.
- A specification of the Environmental Zone of the application site, as defined in The Institution of Lighting Engineers' Guidance Notes for the Reduction of Light Pollution.
- A statement of the need for floodlighting.

The scheme shall be carried in accordance with the approved details

REASON: To protect the amenities of adjacent residents upon completion

11 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible outside of the site boundary when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels ($L_{Amax}(f)$) and average sound levels (L_{Aeq}), octave band noise levels and any proposed noise mitigation measures. All such approved machinery, plant and equipment shall not be used on the site except in accordance with the prior written approval of the local planning authority. The machinery, plant or equipment and any approved noise mitigation measures shall be fully implemented and operational before the proposed use first opens and shall be appropriately maintained thereafter.

REASON: To protect the amenities of adjacent residents upon completion

12 There shall be adequate facilities for the treatment and extraction of cooking odours from kitchens in the school. Details of the extraction plant or machinery and any filtration system required shall be submitted to the local planning authority for written approval. Once approved it shall be installed and fully operational before the proposed use first opens and shall be appropriately maintained thereafter.

REASON: To protect the amenities of adjacent residents upon completion

13 The development shall proceed in accordance with the approved Flood Risk Assessment Revision B dated 16/4/08 incorporating the accepted mitigation measures into the construction of the development.

REASON: To minimise the impacts of flooding.

14 No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

15 The maximum rate of discharge from the proposed development must be no greater than 75.6 l/s.

REASON To prevent the increased risk of flooding.

16 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect groundwater

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

1. A preliminary risk assessment which has identified:

all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

REASON: To protect controlled waters.

18 ARCH1 Archaeological programme required

19 ARCH2 Watching brief required

20 Notwithstanding the requirements of condition 3 details of new and replacement planting to the eastern boundary of the site shall be submitted to and approved in writing prior to the commencement of development. This scheme shall be implemented in the first planting season following the commencement of the development or within such longer period as may be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To protect the visual quality of the green belt and Huntington Conservation Area

21 Notwithstanding the requirements of condition 3 details of supplementary hedge planting to the front, western boundary of the site shall be submitted to and approved in writing prior to the commencement of development or within such longer period as may be agreed in writing prior to commencement. This scheme shall be implemented in the first planting season following the completion of the development or within such longer period as may be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: To protect the visual quality of the entrance to New Earswick Conservation Area

22 Prior to the commencement of the development details of levels to the area of the site to be occupied by the haul road, temporary car park and the spoil heap area shall be submitted to and agreed in writing with the Local Planning Authority. Within 3 months of the removal of the haul road, car parking and spoil heap the land shall be reinstated to the levels agreed in the submitted drawing.

Reason: To ensure that the land is reinstated to its former condition.

23 Before the commencement of development including the construction of the haul road and temporary car park or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained and those on neighbouring land shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to be shown on a plan; phasing of works; site access

during demolition/construction; type of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading); parking arrangements for site vehicles and storage of materials; location of site cabin.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles. There shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new service runs et al.

The method statement shall also include preparation and construction details and/or methodology where a change in surface material is proposed within the canopy spread or root protection area of a tree(s).

Reason: To ensure protection of existing trees before, during and after development which are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area and/or development.

24 Prior to the commencement of the development details of the drainage for the temporary car park and haul road shall be submitted and approved in writing by the Local planning Authority. Drainage shall be limited to 1.4 l/s per ha . The details approved shall be implemented in accordance with the approved details before the road and car park are brought into use.

Reason: To ensure the satisfactory drainage of the site.

25 HWAY10 Vehicular areas surfaced, details reqd

26 HWAY18 Cycle parking details to be agreed

27 HWAY19 Car and cycle parking laid out

28 HWAY21 Internal turning areas to be provided

29 HWAY31 No mud on highway during construction

30 HWAY40 Dilapidation survey

31 HWAY41 Safety Audit

32 Vehicular access for construction traffic to the proposed development shall be taken from the temporary haul road on Haxby Road only.

Reason - To confine access to the permitted points in the interests of good management of the highway, the free flow of traffic and the safety of highway users.

33 Prior to the commencement of the development hereby approved details of the proposed haul road access where it meets Haxby Road shall be submitted to and approved in writing by the LPA and thereafter implemented in accordance with the approved scheme. Within 3 months of the new school car park hereby approved

being brought into use the junction of the haul road access and Haxby Road shall be reinstated to the satisfaction of the LPA in accordance with details that have previously been submitted to and approved in writing by the LPA.

Reason - In the interests of highway safety and amenity of local residents

34 Prior to the commencement of the development hereby approved the highway works required to form the proposed haul road and junction where it meets Haxby Road as indicatively shown on drwg ref C200 shall have been constructed in accordance with details submitted to and approved in writing by the LPA.

Reason - In the interests of highway safety and amenity of local residents

35 Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of construction works shall be submitted to and approved in writing by the LPA. The statement shall include at least the following information:-

- the routing for construction traffic that will be promoted
- a scheme for signing the promoted construction traffic routing

Reason - In the interests of highway safety and amenity of local residents

36 Within 6 months of occupation of the site a full travel plan shall have been submitted and approved in writing by the LPA. The travel plan should be developed and implemented in line with local, national guidelines and the travel plan framework submitted with application 08/00773/FUL.

Within 12 months of occupation of the site a first year travel survey shall have been submitted and approved in writing by the LPA. Results of yearly travel surveys shall then be submitted annually to the authority's travel plan officer for approval.

Reason: To ensure the development complies with advice contained in PPG13-Transport, and in Policy T20 of the City of York Local Deposit Draft Local Plan, and to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other modes of transport to and from the site, together with provision of parking on site for these users.

37 The developer shall aim to achieve a BREEAM "very good" or "excellent" assessment standard for the development. Unless otherwise agreed in writing by the Council within 1 month of the date of the commencement of construction of the development the developer shall submit in writing for the approval of the Local Planning Authority a BREEAM design assessment demonstrating the progress of the BREEAM assessment, the percentage score expected to be achieved and which standard this relates to. Where this does not meet at least a 'very good' standard then the developer must demonstrate what changes will be made to the development to achieve at least 'very good' standard.

Reason. To ensure that the development is sustainable and accords with Policy GP4A of the draft City of York Local Plan.

38 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 11.75 metres at three storey level and 8.5 metres at two storey level, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to:-

- Design and landscape considerations
- Traffic, highways and access issues
- Playing field provision
- Drainage
- Sustainability
- Crime prevention
- Temporary use of open Space.

As such the proposal complies with Policies ED1, ED11, GP1, GP4a, GP7 and GP9 of the City of York Local Plan Deposit Draft.

2. CONTROL OF NOISE ON CONSTRUCTION SITES

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

The best practicable means, as defined by Section 72 of the Control of Pollution Act

1974, shall be employed at all times, in order to minimise noise emissions. All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

b) There shall be no bonfires on the site.

3. CONTAMINATED LAND

The Site Investigation Report (Ref: S70313, dated May 2007), submitted with the planning application, reveals no elevated contaminant concentrations. Therefore, no remediation work is required. However I would recommend that if, as part of the proposed development, the applicant encounters any suspect contaminated materials in the ground, the Contaminated Land Officer at the council's Environmental Protection Unit should be contacted immediately. In such cases, the applicant will be required to design and implement a remediation scheme to the satisfaction of the Local Planning Authority. Should City of York Council become aware at a later date of suspect contaminated materials which have not been reported as described above, the council may consider taking action under Part IIA of the Environmental Protection Act 1990.

4. RISK TO CONTROLLED WATERS

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information.

5. SURFACE WATER RUN-OFF

The design for surface water run-off required by condition 14 shall allow for storage of a 1 in 30 year storm with no internal flooding of buildings and no run off from the site in a 1 in 100 year storm. An additional allowance of 20% for climate change should be made. A range of storm durations with both summer and winter profiles should be used to find the highest storage volume required.

6. HIGHWAYS INFORMATIVE:

You are advised that prior to starting on site consent will be required from the Highway Authority for the works being proposed, under the Highways Act 1980 (Section 62).

7. INFORMATIVE:

You are advised that this proposal may have an affect 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:

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