



CYGP1  
Design

CYHE3  
Conservation Areas

CYGP23  
Temporary planning permission

### **3.0 CONSULTATIONS**

#### INTERNAL

3.1 Conservation - The application site includes a Grade II listed school building and is within Heslington Conservation Area. Two temporary classroom units are to be removed; only the unit towards the front of the site is readily visible. Views are restricted to a small area in front of the car park, from where the classroom is seen, set well back from the plot frontage, behind a row of small trees. The replacement classroom presents a blank elevation to the street. Whilst uninteresting, it is my opinion that it will not be intrusive in views of the site and the listed building, and certainly no more so than the existing classrooms. Conditions should be attached requiring prior written approval of all exterior materials and paint colours.

3.2 Tree Officer - Although the cherry tree proposed for removal may contribute to the amenity of the area as viewed from the school and one neighbour (School House), it cannot clearly be seen from any public viewpoints (footpaths/roads) as it is screened by properties and other vegetation so would not meet the criteria for retention by protection with a Tree Preservation Order. Therefore, no objections to it being removed subject to its replacement with two trees suitable for the school grounds.

#### External

3.3 Heslington Parish Council - No correspondence received.

3.4 Neighbours / Local Residents - No correspondence received.

### **4.0 APPRAISAL**

4.1 The key issues are considered to be:

- The principle of development
- The visual impact on Heslington Conservation Area

#### PRINCIPLE OF DEVELOPMENT

4.2 The City of York Council Draft Local Plan Policy GP23 sets out the criteria for assessing applications for temporary planning permission. In summary the four

criteria which are relevant to this application are: a) no loss of amenity to local residents; b) there is no viable permanent alternative available; c) plans are to be brought forward for permanent development in the future; d) the period of consent sought is the minimum required.

4.3 In respect of part (a), the proposed unit would replace two existing units. The floor space of the proposed unit is similar to the combined footprint of the two existing units to be replaced. Therefore it is reasonable to assume that the level of activity taking place on this section of the site would not significantly increase. The use of the proposed units is unlikely to create a significant conflict with surrounding residential dwellings and any activity taking place is unlikely to be at hours which could cause significant nuisance. The proposed unit is set back over 20m from Church Lane allowing a good separation distance from neighbouring properties. It is therefore considered that the proposed unit would not significantly harm the amenity of local residents living on Church Lane. There would be no increase in the number of people using the site or associated traffic.

4.4 In reference to part b), the proposed unit would be used as a pre and after school facility and also for an additional teaching resource room when necessary. There is insufficient space within the main school building to accommodate this facility which has proved popular and useful for parents in full time employment. With regard to c), a permanent solution cannot be brought forward at the present time due to a review of schooling provision taking place in the city. It is, however, stated within the application submission that a permanent solution will be sought in the future as part of the Primary Capital Programme. Consent is sought for three years as this is considered to be a reasonable timescale within which a permanent alternative can be brought forward.

4.5 Part d) requires the period sought to be the minimum required, and the three years proposed appears reasonable given the existing review taking place and the likely timescales involved in receiving funding and approval for a permanent solution to the shortage of space which currently exists at Lord Deramore's Primary School.

## VISUAL IMPACT ON HESLINGTON CONSERVATION AREA

4.6 Lord Deramore's Primary School and grounds were added to the Heslington Conservation Area in 2004. The site enjoys a semi-rural character with the school being seen within a context of significant mature green landscaping. The proposed development involves the removal of one tree. However, the tree in question is not on the outer edge of the site and is therefore not visually prominent within the site. The applicant has expressed a willingness to replace this tree with another to be planted elsewhere in the site. This could be conditioned if considered necessary and could bring benefits by providing a suitable tree species in a more prominent position than the tree to be removed.

4.6 The proposed building is single storey in height, set back from Church Lane behind existing mature landscaping, and consent has been sought for a period of three years. For these reasons it is not considered that it would significantly harm the character and appearance of Heslington Conservation Area. The proposed building is of simple design with a flat roof. It is proposed to be timber with a felt

roof. The applicants have expressed a willingness to paint the temporary building a colour to be agreed with the Local Planning Authority. It is considered that this would ensure an acceptable finish for the building. The building would be partially screened from Church Lane by a row of existing trees which are proposed to remain on site.

## **5.0 CONCLUSION**

5.1 It is considered that the proposed unit would not harm the character and appearance of Heslington Conservation Area and would allow Lord Deramore's Primary School to continue to offer an important facility for parents of children who attend the school.

## **6.0 RECOMMENDATION:**            Approve

1        The building shall be removed from the site by 31st December 2011 unless prior to that date a renewal of the permission shall have been granted in writing by the Local Planning Authority.

Reason: The temporary nature of the building is such that it is considered inappropriate on a permanent basis.

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

Revised Plan Drawing Numbers 0798/03 and 0798/04 received by The CoYC on 27/11/08

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

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

3        Prior to the building hereby approved being located on the site, the colour of the external walls of the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall be painted the approved colour within 3 months of it being located on the site and shall be thus maintained.

Reason: To ensure an acceptable finished appearance to the building and in order to preserve the character and appearance of the conservation area.

4        The tree to be removed shall be replaced with two new trees. The replacement trees shall be to the following specification: minimum 10-12cm girth; min.300-350cm height; min. 4 branches, with a strong, straight main leader. The tree species shall be a choice of the following: Field maple, Bastard Service Tree, Fraxinus ornus variety such as 'Louisa Lady', Sorbus aucuparia variety such as aucuparia 'Asplenifolia', Sorbus intermedia Brouwers, or other species in agreement

with this Authority. The trees shall be supported with a two stakes and two rubber ties. The trees shall be planted before the end of the tree planting season (November - March) following removal of the cherry. The replacements should be planted in the school grounds away from the new temporary unit in locations that shall first have been approved in writing by the Local Planning Authority.

Reason: In order to perpetuate tree cover in this area as a contributory factor to the amenity of the area.

5 Neighbouring trees shall be protected during development by the following measures: -

(i) Prior to commencement on site of demolition, site preparation, building or other development operations, including the importing of materials and any excavations, protective fencing to BS5837 Part 8 shall be erected around all neighbouring trees. Before commencement on site the protective fencing line shall be shown on a plan and agreed with the local authority and subsequently adhered to at all times during development to create exclusion zones.

(ii) None of the following activities shall take place within the protective fencing: excavation, raising of levels, storage of any materials or top soil, burning, parking or manoeuvring of vehicles, no site hits, no mixing of cement, no disposing of washings, no stored fuel, no new service runs. The fencing shall remain secured in position throughout the construction process. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

(iv) No trenches, pipe runs for services or drains shall be routed under the crown spread of any tree without the prior approval in writing of the Local Planning Authority.

Reason - The Council is under a statutory obligation when considering planning applications to consider whether it is necessary to take steps to preserve existing trees. There are existing trees within or in the vicinity of the site and these contribute to the character and appearance of the area. It is important that they are protected from damage before, during and after construction works.

## **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 the impact on the character and appearance of Heslington Conservation Area. As such the proposal complies with Policies GP1, GP23 and HE3 of the City of York Draft Local Plan.

#### **Contact details:**

**Author:** Michael Jones Development Control Officer

**Tel No:** 01904 551325