

2.2 Policies:

CYGP1
Design

CYGP3
Planning against crime

CYGP4A
Sustainability

CYGP9
Landscaping

CYGP15
Protection from flooding

CYGB1
Development within the Green Belt

CYGB13
Sports facilities outside settlements

CYT4
Cycle parking standards

CYED1
Primary and Secondary Education

3.0 CONSULTATIONS

INTERNAL:-

3.1 Highway Network Management raise no objection in principle to the proposal but express serious concern with regard to the design and location of the proposed cycle parking.

3.2 City Development raise no objection in principle to the proposal but point out that the development is by definition inappropriate development within the Green Belt and highlight the need to demonstrate "very special circumstances" surrounding the development that would over ride the general presumption against inappropriate development within the Green Belt.

3.3 Life Long Learning and Leisure were consulted in respect of the proposal on 13th January 2010. Any response will be reported orally at the meeting.

3.4 Structures and Drainage Consultancy express concern with respect to the level of drainage information submitted with the application.

3.5 Design, Conservation and Sustainable Development raise no objection to the proposal subject to the inclusion of standard conditions covering landscaping and sustainability being appended to any permission.

3.6 Environmental Protection Unit raise no objection to the proposal subject to the imposition of conditions covering construction hours, piling operations and a Construction Environmental Management Plan on any permission,

EXTERNAL:-

3.7 Yorkshire Water Services Limited raise no objection to the proposal.

3.8 North Yorkshire Police Architectural Liaison Officer raises no objection to the proposal.

3.9 Nether Poppleton Parish Council raise no objection to the proposal but requests that windows and doors should be designed to meet the appropriate "Secured by Design" standard and the school security lighting and cctv systems should be extended to cover the area of the new extension.

3.10 Network Rail express no objection in principle to the proposal but express concern with regard to possible increases in the volume of traffic using the Mill field Lane level crossing and construction traffic accelerating and decelerating in the vicinity of the level crossing.

3.11 York Natural Environment Trust object to the proposal on the grounds that the scheme would merely exacerbate the unpleasant visual impact of the existing premises upon the wider landscape and should have been considered when the original school was built in the recent past.

3.12 Seven letters of representation, one of support and six of objection have been received in respect of the proposal. The letters of objection express concern in respect of the nature and volume of traffic using the nearby level crossing as a result of the proposal, the location of the proposed construction site access and compound and the nature and extent of landscaping and fencing associated with the proposal.

4.0 APPRAISAL

4.1 KEY CONSIDERATIONS:-

- * Impact upon the open character and purposes of designation of the York Green Belt;
- * Impact upon the safety and convenience of users of the nearby level crossing;
- * Impact upon the availability of suitable facilities to cater for bicycle users going to and from the site;
- * Impact upon the local pattern of surface water drainage;
- * Impact upon the visual amenity of the surrounding area;
- * Impact upon the residential amenity of neighbouring properties;
- * Sustainability Issues.

GREEN BELT ISSUES:-

4.2 Policy GB1 of the York Development Control Local Plan following on from Central Government Policy Guidance outlined in PPG 2 "Green Belts" sets a firm policy presumption against new development in Green Belt areas other than where the scale, location and design of such development would not detract from the open character of the Green Belt and would not conflict with the purposes of including land within the Green Belt and are for one of a number of purposes deemed appropriate including agriculture or outdoor sport and recreation. All other developments are by definition inappropriate with a requirement that to overcome the general presumption against development "very special circumstances" must first be demonstrated. The current development notwithstanding that it would result in the extension of an existing facility would automatically be inappropriate development within the Green Belt. To demonstrate "very special circumstances" that would over ride the general presumption against inappropriate development within the Green Belt, the applicant has submitted detailed information in respect of the commissioning of the exemplar creative media teaching facility and the consideration given to alternative sites. The criteria for funding the facility outlined a requirement for a fully endorsed bid, an outline building design together with a suitable site. A "stand alone" site was investigated in or close to the City Centre, but no suitable sites were available. It was then decided to consider an existing school to host the facility and that this should be one with a performing arts specialism. Three schools were considered suitable, Canon Lee School, All Saints School and Manor School. All Saints School occupies a split site and insufficient land was available to enable to develop the facility. Canon Lee School has been identified as a high priority for refurbishment or replacement under the BSF programme as and when funding should become available, it would not therefore be appropriate to undertake a significant built development at the site in advance of such work being undertaken. Manor School was selected on the basis of its accessibility to the whole city, the availability of land to undertake the development within the site and the presence of an existing and well regarded performing arts department at the School. On balance it is felt that this could be argued to demonstrate "very special" circumstances to justify over riding the usual presumption against "inappropriate" development within the Green Belt.

4.3 Having demonstrated that development may be acceptable in principle or by virtue of "very special circumstances", within the Green Belt it then becomes necessary to demonstrate that the openness of the Green Belt would not itself be harmed by the development. In relation to the current proposal the extension would be located close within the built footprint of the existing complex on an existing area of hard-standing used as a hard play area which would be replaced by compensatory development to be considered as part of the recreational proposal also on this agenda. The massing and elevational treatment of the proposed extension would not depart significantly from that of the previously erected scheme and the proposed extension would be viewed in long and short distance views from outside of the school as firmly part of the existing complex. On balance it is felt that the openness of the Green Belt would not be significantly compromised by the proposal and that the terms of Policy GB 1 of the Draft Local Plan have therefore been complied with.

IMPACT UPON THE NEARBY LEVEL CROSSING:-

4.4 A half-barrier level crossing in regular use in association with the York to Harrogate railway lies approximately 260 metres along Mill field Lane from the site to the northwest. Concern has been expressed by Network Rail in relation to the potential impact of the proposal upon usage of the level crossing. The applicant has submitted a Traffic Impact Assessment with the proposal which identifies that approximately 50% of the users of the facility would be existing Manor School pupils and that the majority of the remainder of users would visit the site as part of an organised group. It is not felt therefore that there would be a detrimental impact upon the level of usage of the level crossing as a result of the proposed development. Highway Network Management concur with this view. Concern has also been expressed by local residents in relation to the location of the construction site access and compound in relation to the level crossing. An access point into the adjacent land to be used for recreational development exists some 100 metres from the level crossing, it is not felt that this would be suitable for use as a construction site access and associated compound location because of the generally slow moving nature of construction traffic and any permission would be conditioned accordingly.

FACILITIES FOR CYCLE USERS

4.5 Concern has been expressed in respect of the location, numbers and design of the cycle parking applied for at the site. The proposed parking envisages erection of a single substantial covered shelter to the south west of the proposed extension constructed in Perspex panels with powder coated aluminium structural members. There would be some 240 spaces included and it is intended that they would be lit by existing site lighting and be provided with cctv coverage for security purposes. The applicant has indicated that two way access from either end of the shelter would be provided and that the proposed "Sheffield" cycle hoops would be located in a manner suitable for free and unhindered access with the precise layout agreed with the Authority's Cycling Officer on site during construction. Concern has also been expressed that the location of the proposed shelter to the rear of the main building complex would deter cycling by virtue of the distances involved from public roads and cycle routes. The proposed shelter would however be only some 100 metres further into the site from the location envisaged in relation to the original school development and this is not felt to be in practice material. The size, nature and location of the proposed cycle parking is felt on balance to be acceptable.

SURFACE WATER DRAINAGE:

4.6 The applicant has submitted preliminary surface water drainage information which indicates a connection to the existing outfall to the balancing pond/soak away arrangement to the west of the built complex. It is recommended that the final detail of this be made the subject of a condition for further approval on any permission.

IMPACT UPON VISUAL AMENITY:

4.7 Policy GP1 of the York Development Control Local Plan sets down a firm policy presumption in favour of new development which respects or enhances the local environment and is 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. The existing school is constructed in beige and red render with a buff brick lower storey and a standing seam roof. It is generally two storey with slight variation in roof heights and pitches to denote the various elements of the complex. The proposed extension would be constructed in brick with render panels and a standing seam roof. The proposed auditorium would be clad with a curtain walling system details of which would be subject to further agreement. In terms of its massing and design the proposed extension would blend in with the existing complex whilst retaining a degree of distinctive identity in respect of the proposed auditorium. Visual impact arising from the proposed minibus garage and cycle parking area would be minimal. The proposed changing room extension would be single storey and largely sheltered in long and short distance views from outside of the site by mature landscaping at the site boundaries and the mass of the existing complex, again overall impact would be minimal. The terms of Policy GP1 would thus be complied with in relation to the proposal.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES:

4.8 Two residential properties lie to the north west of the application site. The proposed extensions would lie some 34 metres away from the nearest property to the closest of the residential properties to the north. There would be no material impact upon the residential amenity of the adjacent properties over and above the existing situation when in use. Because of the nature of the site to the north west it would however be reasonable to condition the location of the proposed construction site compound and site access to safeguard residential amenity.

SUSTAINABILITY ISSUES:

4.9 The proposed extension as a development of over 500 metres sq falls within the criteria set down in the Interim Planning Statement on Sustainable Design and Construction for major developments. The developer has agreed to the achievement of a BREEAM standard of "very good" and the consideration of a range of renewable energy technologies. The precise detail of how this would be achieved has not however been submitted as yet, it is therefore recommended that any permission should be conditioned to secure 10% of the energy needs of the development produced by on-site renewable sources and the achievement of a BREEAM standard of "very good".

5.0 CONCLUSION

5.0 Manor School comprises a substantial brick and render built 900 place secondary school, recently relocated to an area of Green Belt to the North West of the City. It is proposed to erect an "exemplar" Creative Media Teaching Centre together with a minibus garage and a 240 space cycle parking area to the south west

of the existing complex. The development is by definition inappropriate and therefore harmful in the Green Belt. Consideration of "very special circumstances" is advanced on the basis of a lack of suitable alternative non-Green Belt sites, the accessibility of the application site and the presence of existing specialist facilities at the site. It is felt, on balance that these do amount to the required "very special circumstances" required to over-ride the general presumption against inappropriate development within the Green Belt. A level crossing associated with the main Harrogate to York railway lies some 280 metres to the north-west. It is not felt that the development itself would have a material impact upon the level crossing, however in view of the nature of construction traffic it would be reasonable to ensure that the construction site compound and associated access are kept away from the area of the level crossing. Cycle parking has also been applied for as part and parcel of the proposal. Whilst not ideally located the proposed parking area would securely contain parking within a specific area of the site and would not deter staff or pupils from cycling to and from school. The massing and design of the proposal would be broadly acceptable, there would be little direct impact upon the residential amenity of neighbouring properties and the terms of the Interim Policy Statement on Sustainable Construction can be complied with. Approval is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve following referral to Sec. of State

1 TIME2 Development start within three years

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

Drawing Refs: 081404-113-P1; 091407-101-P1; 081404-165-P1; 081404-101-P3; 081404-112-P1; 081404-111-P1; 081404-110-P3; 081404-109-P1; 081404-108-P1; 081404-107-P2; 081404-103-P3; 091407-105-P1; 081404-106-P2; 081404-102-P2; 081404-104-P3; 091407-112-P1.

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

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials, including colours and finishes to be used shall be submitted to and approved in writing by 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.

4 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 and other

planting. 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.

5 Development shall not begin until details of surface water drainage works have been submitted to and approved in writing by the Local Planning Authority, and carried out in accordance with these approved details.

Reason: So that the Local Planning Authority may be satisfied with these details for the proper drainage of the site.

6. Prior to the development commencing details of the measures to be employed to prevent the egress of mud, water and other detritus onto the public highway, and details of the measures to be employed to remove any such substance from the public highway shall be submitted to and approved in writing by the Local Planning Authority. Such measures as shall have been approved shall be employed and adhered to at all times during construction works.

Reason: To prevent the egress of water and loose material creating a hazard on the public highway.

7. Notwithstanding the application details hereby approved full details of the proposed construction site access and associated compound including location, means of enclosure and mode of surfacing shall be submitted to and approved in writing by the Local Planning Authority before work on site commences. Work shall thenceforth be undertaken in strict accordance with the details thereby approved and shall be retained for the duration of the building contract. The access and associated compound shall be reinstated to their condition prior to the commencement of development within 28 days of the completion of building work.

Reason:

To safeguard the residential amenity of neighbouring properties and to secure compliance with Policy GP1 of the York Development Control Local Plan.

8. The development hereby approved shall be constructed to a BREEAM standard of "very good". A formal Post Construction assessment by a licensed BREEAM assessor shall be carried out and a copy of the certificate shall be submitted to the Local Planning Authority prior to occupation of the building. Should the development fail to achieve a "very good" BREEAM rating a report shall be submitted for the written approval of the Local Planning Authority demonstrating what remedial measures shall be undertaken to achieve a "very good" rating. The remedial measures shall then be undertaken within a timescale to be approved in writing by the Local Planning Authority.

Reason:-

To ensure that the development is constructed in accordance with sustainable principles and to secure compliance with Policy GP4 a) of the York Development Control Local Plan.

9. No building work will take place until details have been submitted and approved in writing by the Local Planning Authority, to demonstrate how the development will provide from on-site renewable energy sources 10 per cent of the development's predicted energy requirements. This must include acceptable calculations that demonstrate how the 10 per cent on-site target will be met. The development shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of the development. The site thereafter must be maintained to the required level of generation.

Reason:

To ensure that the development is undertaken in accordance with sustainable principles and to secure compliance with Policy GP5 of the York Development Control Local Plan.

10. All demolition and construction works and ancillary operations which are audible beyond the site boundary or at the nearest noise sensitive dwelling, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08:00 to 18:00

Saturday 09:00 to 13:00

Not at all on Sundays and Bank Holidays.

Reason: To protect the amenities of adjacent residents.

11. 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.

12 The cycle parking enclosure and stands shown on drawing number 081404-113-P1 shall be constructed prior to the removal of the existing cycle parking facilities on the site and shall be thereafter be retained as approved unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate and secure cycle parking facilities are provided on the site in order to maintain and promote cycle usage and reduce car journeys in accordance with policy T4 of the Local Plan.

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 impact upon the open character and purposes of designation of the Green Belt, impact upon the safety and convenience of users of the nearby level crossing, impact upon the availability of suitable facilities for cyclists, impact upon the local pattern of surface water drainage, impact upon the visual amenity of the surrounding area, impact upon the residential amenity of neighbouring properties and the adherence to the principles of sustainable development. As such the proposal complies with Policy YH9 and Y1C of The Yorkshire and Humber Plan, policies GP1, GP3, GP4a), GP9, GP15, GB1, GB13, T4 and ED1 of the City of York Development Control Local Plan and Government policy contained within Planning Policy Guidance note 2 'Green Belts'.

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