

COMMITTEE REPORT

Date: 16 September 2010 **Ward:** Holgate
Team: Major and Commercial **Parish:** No Parish
Team

Reference: 10/01460/FULM
Application at: English Martyrs RC Primary School Hamilton Drive York YO24
4JW
For: Erection of school building with associated parking and
landscaping, construction of multi-use games area following
demolition of existing school building (resubmission)
By: Dr J Whiston
Application Type: Major Full Application (13 weeks)
Target Date: 11 October 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 The application is for the erection of school building with associated parking and landscaping, construction of multi-use games area following demolition of existing school building. The proposed school would be sited to the side/east of the present building. The site of the existing school would be used for vehicle parking and a fenced Multi Use Games Area (MUGA). Playing fields will be retained to the rear of the school, and landscaping to the east of the site is intended to increase the habitat potential of the site in addition to the outside classrooms. There would be landscaping to the front of the building including a sensory garden and two access points to the school, one for the pupils and one for visitors. The car park would be extended, and cycle parking for 90 cycles would be proposed. The existing school is a single storey building built in the 1960s with a recent extension. The extension would be retained to provide ancillary teaching space, a pastoral suite and music room.

1.2 The proposed two storey building would face onto Hamilton Drive and would be set further forward than the existing building. The proposed school would be built up in height to accommodate a void underneath the building. The undercroft is part of the flood mitigation measures of the site as the site is within a Flood Zone 3.

1.3 The site is set within a suburban residential area with dwellings to the east and west boundaries (there is also open space to the eastern boundary) and allotments to the north boundary. The existing school building is set back from Hamilton Road and partially screened by a row of mature trees and a hedge. The other boundaries are also marked by a mixture of fencing, mature trees and deciduous hedging. Holgate Beck runs parallel to the eastern boundary of the site. The existing building has been constructed on a plinth and is raised above the level of the playing fields and street, the rest of the site is level.

1.4 The intention is that the building will be constructed in a single phase and the existing buildings will be in use as school building during the construction process.

1.5 This application is a resubmission of a previous scheme that was withdrawn 2 July 2010. This application differs from the previous application in that compensatory flood measures have been submitted.

1.6 In addition to the plans and elevations the application is supported by the following documentation: -

- Community Involvement Statement
- Design and Access Statement
- Drainage Strategy and SUDS Statement
- PPS25 Sequential Test and Exception Test Report
- Flood Risk Assessment
- Acoustics Report
- Sustainability Report
- Site Waste Management Plan
- Ecological Appraisal for BREEAM Education
- Site Investigation Report
- Watching Brief Report on Geotechnical Trial Pits
- Bat Survey and Assessment
- Thermal Modelling Analysis and Compliance Report
- Archaeological Scheme of Investigation: Watching Brief
- Tree Survey Report
- Transport Assessment
- School Travel Plan Framework

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

Floodzone 2 GMS Constraints: Flood zone 2

Floodzone 3 GMS Constraints: Flood zone 3

Schools GMS Constraints: English Martyrs' RC Primary 0196

2.2 Policies:

CYGP1
Design

CYGP4A

Sustainability

CYGP9
Landscaping

CYGP15
Protection from flooding

CYNE7
Habitat protection and creation

CYED1
Primary and Secondary Education

CYGP3
Planning against crime

CYGP11
Accessibility

CYNE1
Trees, woodlands, hedgerows

CYT13A
Travel Plans and Contributions

3.0 CONSULTATIONS

INTERNAL CONSULTATIONS

HIGHWAY NETWORK MANAGEMENT - No objections

- 3.1 90 cycle parking spaces accords with CYC standards and the vehicle parking space for staff of 44 spaces is considered to accord with CYC standards
- 3.2 Surveys undertaken by their transport consultants have shown that 44% of all school trips at Our Lady's and 49% at English Martyrs are currently undertaken by car. The predicted modal shares at the merged School are 55% car trips, 37% walking and 5% cycling. It is expected these figures will be improved upon however as their Green Travel plan initiatives are implemented.
- 3.3 A parking survey undertaken in February 2009 by the consultants showed 41 vehicles parked in the AM drop off period and 31 vehicles in the PM pick up period at our Lady's school. In the case of English Martyrs, the totals were 52 vehicles in the AM drop off period, together with 43 vehicles in the PM pick up. The analysis done by their transport consultants would suggest that an additional 82 car trips would be likely to the new School in the AM drop off period and 68 car trips in the PM pick up period.
- 3.4 An analysis of the operation of the Holgate Road / Hamilton Drive junction at both the current time and 5 years hence, shows that the junction would operate within capacity with the addition of the extra development traffic.

- 3.5 A study of personal injury accident records over the previous five years has shown there is no evidence to indicate that there are any inherent safety issues either in the immediate vicinity of the school or along the main roads used by pupils to access the School.
- 3.6 It is predicted that 5% of pupils will cycle to the merged school which is typical of existing schools in the City and higher than the national average of 1%. The existing English Martyrs School has recently been established as a " Bike It" site (CYC and Sustrans partnership" and it is hoped to achieve a marked improvement in modal share as a result of this initiative.
- 3.7 The only real concern of highway officers with this development proposal is the extra parking likely to be experienced on Hamilton Drive at school starting and finishing times. The school, in partnership with the Council's travel plan officer, have produced a green travel plan document. The School has taken up the suggestion by highway officers that a monitoring group be established which includes representatives of staff, parents, governors and local residents to assess any difficulties arising from on-street parking and to look at ways these may be addressed.
- 3.8 The relocation of the School's pedestrian entrance further east along Hamilton Drive generates the need to re-examine the locations of the associated zig-zag markings, involving amendments to the associated traffic regulation order, the resisting of the speed table where currently pedestrian crossing movements take place and the positions of the pedestrian guardrail. It is recommended that no-waiting restrictions are also introduced around the junction of Hamilton Drive and Harlow Road (opposite the new School), in the interests of highway safety.
- 3.9 Requested the following conditions: HWAY 19, HWAY 9, HWAY14, HWAY17, HWAY 31, HWAY 40, HWAY 38, and a detailed method of works statement.

STRUCTURES AND DRAINAGE - No objections

ENVIRONMENTAL PROTECTION UNIT - No objections

- 3.10 Would like information conditioned including a Construction Environment Management Plan, hours of construction, details of all plant and machinery, lighting impact assessment, and contaminated land

CITY DEVELOPMENT

- 3.11 No objections, providing the issues of flood risk are appropriately managed and the requirements of Polices ED1 and GP4a are met

SUSTAINABILITY OFFICER

- 3.12 rating of 'very good' under the BREEAM scheme is a requirement of the IPS. The applicant has committed to undertaking the BREEAM assessment, but no indication is provided of the rating being aimed for.
- 3.13 Would encourage the applicant to achieve an 'excellent' rating under the BREEAM scheme as this is the benchmark which all Council developments should achieve. The new school is partly a Council development
- 3.14 Require the applicant to commit to the Institute of Civil Engineer Demolition Protocol or equivalent
- 3.15 The applicant must commit to a level of performance equivalent to that required by the Considerate Constructors Scheme, this information is lacking from the sustainability Report

COUNTRYSIDE OFFICER - No objections

3.16 Would like habitat enhancement conditioned.

3.17 Would like the pond made shallower in parts to allow for planting

ARCHAEOLOGIST - No objections

LANDSCAPE ARCHITECT - No objections

3.18 Would like the landscaping conditioned

EXTERNAL CONSULTATIONS/REPRESENTATIONS

MARSTON MOOR INTERNAL DRAINAGE BOARD - No objections

3.19 Holgate Beck a EA maintained watercourse

ENGLISH HERITAGE - No comments to make on the proposal

POLICE ARCHITECTURAL LIASON OFFICER - No objections

ENVIRONMENT AGENCY - No objections

3.20 The proposed development will only be acceptable if the following measure(s) undertaken are those detailed in the Flood Risk Assessment, drawings, and Drainage Strategy.

YORKSHIRE WATER - No objections

3.21 Would like conditions including no building within 3 metres of the sewer, foul and surface water drainage should be constructed in accordance with the submitted details

SPORT ENGLAND - No objections

3.22 The approach on this site would create a minor loss of playing field but would support a more diverse range of sports to be played n the site by virtue of the MUGA

3.23 A ground source heat pump is to be installed under the school playing fields, should be conditioned to ensure the playing field will be restored to the same of better quality

3.24 Would like a conditions for the following: to ensure facilities remain as accessible as present and timetable for implementation; design and layout of facilities, community use, works to the playing field.

3 LETTERS OF OBJECTION

3.25 Overlooking from the balcony/terrace to 74 Hamilton Drive East

3.26 The height of the proposed building

3.27 The traffic assessment states that the proposed development will increase the number of vehicles at the school by 82 cars at the am peak and 68 vehicles at the pm peak, an increase of 157% and 158% respectively, this is unsustainable based on the experience of the current situation. The measures to mitigate the increase in on-street parking are insufficient, and in the letter from the CYC Highways Engineer 19.03.2010 appear to query whether this can be implemented. He recommended a working group between the school and the

local residents to discuss the parking issues; objector would like to see this take place

- 3.28 In section 20 of the planning permission the applicant states that the operating times of the scheme will be between 08.00 to 16.30 Monday to Friday. This is incorrect the Design and Access Statement, the acoustic report and other supporting documents state that the scheme to provide sports and other facilities for community use. Without information on the operating hours, residents are unable to make an informed judgment on how they might be affected by noise and disturbance
- 3.29 Unauthorised access to the car park is also a concern. In order to prevent this and the resulting noise and disturbance would like assurance that the gates to the scheme would be locked when the facilities are closed.
- 3.30 The proposed design would be out of keeping with the prevailing character of the area. The exterior finish of the building will deteriorate quickly increasing the issue.
- 3.31 The increase in traffic congestion would exacerbate the existing parking problems. The travel report submitted by the agent states that the traffic congestion will cause problems at the road junctions, causing queuing traffic; further increase would cause further inconvenience. The report says that it would be difficult to provide the necessary controls to allow a two way flow of traffic. Appears to rely on the school and parents to provide the answers to traffic control, which is unlikely to be effective in the long term. The school has sent letters citing complaints made to the Police regarding the parking and blocking of driveways,
- 3.32 The published acoustic report concludes that the potential noise increase is not likely to cause significant disturbance, however it acknowledges that there will be an increased noise level. Question why new building has been sited in the closest position to local houses, could have been sited closer to the allotments
- 3.33 At the consultation meeting the information submitted with the application was not available

4.0 APPRAISAL

RELEVANT SITE HISTORY

10/00643/FULM - Erection of school building with associated parking and landscaping after demolition of existing primary school building - Withdrawn

All other previous applications relate to the extensions and alterations to the existing school

KEY ISSUES

- Educational Need
- Consultation
- Flood Risk
- Drainage
- Highways
- Impact of Design
- Sustainable Design

- Impact on Neighbouring Properties

ASSESSMENT

PLANNING POLICY

4.1 National planning policy contained within PPS1 'Delivering Sustainable Development', states that good design is indivisible from planning. Design which is inappropriate within its context, or which fails to take opportunities for improving the character and quality of an area or the way it functions should not be accepted. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue.

4.2 PPS25 Development and Flood Risk: This PPG explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

4.3 The relevant development plan is The City of York Council Draft Deposit Local Plan, which was placed on Deposit in 1998. Reflecting points made, two later sets of pre inquiry changes (PICs) were published in 1999. The Public Local Inquiry started in 1999 but was suspended by the Inspector for further work to be done on the Green Belt. A Third Set of Changes addressing this further work was placed on deposit in 2003. Subsequently a fourth set of changes have been drafted and approved by Full Council on 12th April 2005 for the purpose of making Development Control Decisions, on the advice of the GOYH.

4.4 The following policies within the Development Control Local Plan (DCLP) are considered to be relevant:-

4.5 Policy GP1 'Design' includes the expectation that development proposals will, inter alia; respect or enhance the local environment; be of a density, layout, scale, mass and design that is compatible with neighbouring buildings and spaces, ensure residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures, use materials appropriate to the area; avoid the loss of open spaces or other features that contribute to the landscape; incorporate appropriate landscaping and retain, enhance or create urban spaces, public views, skyline, landmarks and other features that make a significant contribution to the character of the area.

4.6 Policy GP3 'Planning Against Crime' states that new development will be required, where deemed appropriate, to incorporate crime prevention measures to achieve: natural surveillance; secure locations for any associated car and cycle parking; satisfactory lighting; and provision of CCTV in certain locations.

4.7 Policy GP4a 'Sustainability' states that proposals for all development should have regard to the principles of sustainable development.

4.8 Policy GP9 'Landscaping' states that where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must: be

planned as an integral part of the proposals; and include an appropriate range of indigenous species; and reflect the character of the locality and surrounding development; and form a long term edge to developments adjoining.

4.9 Policy GP11 'Accessibility', in order to achieve satisfactory access to new development planning applications will be required to demonstrate that suitable provision will be made for access and facilities for people with mobility problems sensory impairment and carers with children, including parking facilities and pedestrian routes to and from those parking facilities.

4.10 Policy GP15a 'Development and Flood Risk' states that there will be a presumption against built development (except for essential infrastructure) within the functional floodplain outside existing settlement limits.

4.11 Policy NE1 'Trees, Woodlands and Hedgerows' states that trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation or historical value, will be protected.

4.12 Policy NE7 'Habitat Protection and Creation' states that Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them. Within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

4.13 Policy T13a 'Travel Plans and Contributions' Developments which meet the criteria set down in PPG13, or which are likely to employ more than 30 employees, or a residential site with more than 20 units, will be required to submit a travel plan including; modal split targets, time scales, measures and sanctions to be taken to meet these targets as well as measures to monitor the effectiveness of the plan.

4.14 Policy ED1 'Primary and Secondary Education' states that applications for new/extended primary and secondary education facilities will be granted permission providing that it would meet a recognised need; the proposed development is of a scale and design appropriate to the character and appearance of the locality; an area of open space and planning 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.

EDUCATIONAL NEED

4.15 The proposal is for the merger of two schools at the above site. The merger would be between English Martyrs Primary School and Our Lady's Primary School. Both schools are under the authority of the Diocese of Middlesbrough. The agent has stated that the existing buildings for each school are not fit for the provision of modern education. Furthermore there are issues regarding asbestos, energy leakage, maintenance issues, internal environmental control, and access to parts of the buildings by virtue of the changes in levels and building defects. The agent states that another reason is that they have been unable to recruit new head teachers for these schools. At English Martyrs it is stated there are concerns regarding the

security of the students and the building. In addition the facilities at English Martyrs are considered to be limited for full inclusive education.

4.16 English Martyrs School currently has 204 pupils and Our Lady's Primary School has 211 pupils. The proposed school will have the capacity to accommodate 446 pupils. It is the intention to take 25% of its pupils on a non-faith basis, from the Holgate community. The age of the pupils would range from 3 to 12.

4.17 The agent has stated that it is the intention for a single phase of construction to avoid the existing English Martyrs School being decanted to temporary accommodation and for the minimum level of disruption.

CONSULTATION

4.18 The pre-application consultation process was a series of meetings hosted by the school and architects with interested parties. Two evening public consultation meetings were undertaken at each school for interested parties in September 2009. The attendees were encouraged to give feedback which has been provided with the application. The applicant wrote to all those that had provided feedback stating if their comments had been taken into account and giving reasoning if they had not. A staff engagement meeting was also held for all the school staff. In addition 2 student meetings were held with 40 students and the architects, pictures were provided to the students and they identified that likes and dislikes.

FLOODRISK

- **Alternative sites**

4.19 The application site, including the existing school is located within Flood Zone 3 (a)ii which is defined as non-functional floodplain in the CYC Strategic Flood Risk Assessment. The education use is classified as a 'more vulnerable' uses in the CYC Strategic Flood Risk Assessment and PPS25 and as such a Sequential test and Exception test are required.

4.20 The Sequential Test was carried out by the agent to identify other sites in lower flood risk areas. The land search was restricted to the western part of the city, as it is the current area from which the pupils travel to school. The following sites were considered:

- Site 1 - Former Lowfield School site, Dijon Avenue. approx 5.7 ha
- Site 2 - Our Lady's School, Windsor Garth.
- Site 3 - Council Depot, Beckfield Lane. The site is 0.4ha
- Site 4 - Manor School, Low Poppleton Lane. The site is 3.7ha
- Site 5 - York Northwest: British Sugar. The site 39.5ha

4.21 The main concentration of the pupils are located within 1600 metres of the Our Lady's and English Martyrs schools. The schools have a long standing relationship to the Holgate. In addition the schools have ties to the affiliated churches: English Martyrs Church is on Dalton Terrace, and the Church of Our Lady at Gale Lane.

4.22 The agent states that there is surplus spaces at a number of existing primary schools located in the western part of York, and therefore as part of the sequential test it was assessed whether a new primary school with 90 community spaces would have an effect on these schools. In addition the agent states that many of the sites assessed are identified for housing and as such could not be considered available by virtue of financial constraints on the Diocese.

4.23 Site 1 was not considered to be a suitable alternative, as the site was not considered to be large enough to accommodate the amalgamated school, (the size of the site was not submitted). In addition its location within a cul-de-sac may cause potential highway issues.

4.24 Site 2. It was considered that the site by virtue of its distance from the English Martyrs church would pose logistical issues for attendance at church and continuing the link with the community. In addition the land has been identified for housing development and as such the cost would be prohibitive. There are also a surplus number of school places in this area. In addition the site has been identified as a site to be taken forward to the next stage of the SHLAA (City of York Council Strategic Housing Land Availability Assessment report) for the provision of residential development as part of the LDF process. As such rendering the site economically unviable

4.25 Sites 3, 4, and 5 are located 1600 metres from the existing school and are set away from the main concentration of pupils and from the affiliated churches. This would also make the intention to take 25% of its pupils on a non-faith basis, from the Holgate Community difficult by virtue of the distance. These sites have also been identified for residential use and as such would exceed the financial constraints of the Diocese. For these reasons the sites were discounted. It is considered that this is a reasonable finding.

- **Exception Test**

4.26 Following on from the sequential test discussed above, if it is not possible, or consistent with wider sustainability objectives, for the development to be located in zones of lower probability of flooding, the Exception Test is applied. Paras D9 - D14 of PPS25 state the LPA must demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk, the development should be on previously-developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously-developed land; and a FRA must demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

4.27 Despite the floodzone the site is within, the agent has made the case that no other site is appropriate for this school and has submitted a sequential test demonstrating this (discussed in the section above). The sequential test and the supporting information and plans demonstrate that flood mitigation measures would be developed, in the form of the undercroft for flooding this is created by building the proposed school on a plinth. The existing school (which is also within flood zone 3) is set on a plinth and will be demolished together with the plinth and the proposed land levels will be just below the level of the car park would the same or just above the

ground level of the adjacent grass football pitches. The Environment Agency and the Structures and Drainage Team are satisfied that the proposed development would not increase the flooding elsewhere. In addition the surface water drainage scheme has taken into account the increase in hardstanding including the car park and the MUGA, and the scheme is considered to be acceptable by the Structures and Drainage Engineer.

DRAINAGE

4.28 Structures and Drainage are satisfied that the surface water drainage scheme is appropriate for the size of site. The current proposals include swales and basins, ponds and wetlands, rainwater harvesting, physical attenuation systems.

4.29 A Yorkshire Water sewer runs close to the site, however Yorkshire Water are satisfied that the proposed building would not impact on the proposed sewer. Yorkshire Water would like a condition placed on the planning permission, if granted, preventing any building or obstruction within 3 metres of the sewer.

HIGHWAYS

4.30 The vehicle and pedestrian access to the school has been separated. The existing vehicle entrance has been retained and the car park has been increased in size. The pedestrian access is from Hamilton Road, via the front elevation of the building. There is a separate access for the children to the side/east of the building and the access to visitors is via the main entrance to the front of the building, the graduated effect hardstanding guiding the pedestrian. No details of the covered cycle parking along the southern boundary fronting onto Hamilton Road have been submitted and therefore it is considered prudent to condition further details. The area would be partially screened but given its sensitive location further details of the appearance of the cycle storage are considered necessary.

4.31 Objections have been raised regarding the increase in traffic and the present parking issues within the street. The site is located to the north of Hamilton Drive West, approximately 400 metres west of the junction with Holgate Road. Hamilton Drive is a single carriageway road, 6 metres in width with pedestrian footpaths along both sides. The School lies within a 20mph zone and is traffic calmed. There are yellow zig-zag markings in front of the school gates. Waiting restrictions are in place on Hamilton Drive at two junctions to the west of the school, namely Collingwood Avenue and Beech Avenue.

4.32 44 Parking spaces are to be provided within the site including, 3 disabled parking spaces close to the office building. Covered cycle bays for 90 cycles will also be provided between the car park and the southern boundary. The number of parking spaces and cycle parking spaces are within the Council's standards and are considered to be acceptable.

4.33 Surveys were undertaken by the applicant's transport consultants and have shown that 44% of all school trips at Our Lady's and 49% at English Martyrs are currently undertaken by car. The predicted modal shares at the merged School are 55% car trips, 37% walking and 5% cycling. Highways Network Management

consider that the figures will be improved upon once the Green Travel Plan initiatives are implemented.

4.34 A parking survey undertaken in February 2009 by the applicant's transport consultants indicated 41 vehicles parked in the morning drop off period and 31 vehicles in the afternoon pick up period at our Lady's school. In the case of English Martyrs, the totals were 52 vehicles in the morning drop off period, together with 43 vehicles in the afternoon pick up. The analysis done by their transport consultants would suggest that an additional 82 car trips would be likely to the new School in the morning drop off period and 68 car trips in the afternoon pick up period. These numbers would be spread over the relevant time periods rather than all being present at any one time and as such the Highways Network Management team have not raised any objections.

4.35 The applicant recognises that these levels of on-street parking on occasions cause difficulties for the movement of traffic along Hamilton Drive, The applicant has put forward some suggestions for dealing with this issue these include:

- An occasional presence by the Police or civil enforcement officers who can offer appropriate advice where difficulties are found.
- The employment of a school crossing patrol warden, to operate near the school gates, providing safe crossing facilities for pupils.
- Additional part-time waiting restrictions to apply during school starting and finishing times.
- Raising awareness of the issue through the school newsletter.
- With the assistance of the school travel plan co-ordinator, use older pupils to carry out on street parking surveys of parking by parents, and publicise these findings in the school newsletter

4.36 The applicant has submitted an analysis of the operation of the Holgate Road/Hamilton Drive junction at both the current time and 5 years hence, shows that the junction would operate within capacity with the addition of the extra development traffic. Highways Network Management have not raised any concerns regarding the conclusion as they consider the majority of traffic movements to the School will approach from the direction of Green Lane, rather than Holgate Road.

4.37 Some concerns have been raised regarding the current and proposed levels of highway safety in the area. A personal injury accident records over the previous five years has shown there is no evidence to indicate that there are any inherent safety issues either in the immediate vicinity of the school or along the main roads used by pupils to access the School.

4.38 The information submitted by the agent predicts that 5% of pupils will cycle to the merged school which is typical of existing schools in the City and higher than the national average of 1%. The existing English Martyrs School has recently been established as a "Bike It" site (CYC and Sustrans partnership) and the intention is to achieve a marked improvement in modal share as a result of this initiative.

4.39 A concern of this development proposal is the extra parking likely to be experienced on Hamilton Drive at school starting and finishing times. The school, in

partnership with the Council's travel plan officer, have produced a green travel plan document however and the intension is to reduce car trips by promoting sustainable modes of transport by pupils. The School has taken up the suggestion by highway officers that a monitoring group be established which includes representatives of staff, parents, governors and local residents to assess any difficulties arising from on-street parking and to look at ways these may be addressed.

4.40 The relocation of the School's pedestrian entrance further east along Hamilton Drive generates the need to re-examine the locations of the associated zig-zag markings, involving amendments to the associated traffic regulation order, the resiting of the speed table where currently pedestrian crossing movements take place and the positions of the pedestrian guardrail. Highway officers recommend that no-waiting restrictions are also introduced around the junction of Hamilton Drive and Harlow Road (opposite the new School), in the interests of highway safety.

DESIGN

4.41 The proposed two storey school building will have a central space with an east and west wing to either side of this space. The main entrance would front onto Hamilton Road. The recent extension to the existing school will be retained for a separate teaching space for music and a pastoral suite as well as supporting small group teaching.

4.42 The main entrance of the proposed school opens into a central 'heart space'. On the ground floor there are 7 classrooms to the east (including a nursery), to the west of the central space there is an administrative area, a double height assembly/sports hall and smaller hall separated by a movable screen, and a kitchen. Within the central space there would be smaller rooms presumably for small group teaching etc. The access to the first floor would be to the rear of the building. The first floor also has a central heart space with group rooms. To the east would be a further 8 classrooms with access to full-length balcony area along the eastern elevation. The balcony area is large enough for further outside teaching. To the west of the central area is the upper level of the sports/assembly hall, a plant room, office space, and a staff room with balcony to the front of the building.

4.43 The west wing that includes the assembly hall: is 53 metres in length, 10.8 metres in width; the height of this element would be a maximum of 8.7 metres. The external materials include block work to the ground floor and white render to the first floor. At ground floor level the assembly hall and smaller hall would have a large glazed area, which would provide access to the outdoor eating area (with shade sails) leading to steps down to the Multi Use Games Area (MUGA). There would be a balcony to the front elevation, to the front of the staff room.

4.44 The east wing at ground floor would be 62.3 metres in length, and 68 metres in length at first floor level. The height of this wing would be a maximum of 7.8 metres in height. The first floor would overhang the ground floor to the front elevation. The width varies, as there is a large balcony area along the full length of the eastern elevation. The balcony varies in width to accommodate areas for outside teaching. Each classroom, on both floors, has external access. The external materials to the ground floor would be reconstructed stone facing and different colour render to each

classroom. The first floor would be timber cladding; no indication has been given as to the materials to be used for the balustrades and handrail to the balcony area. It is considered reasonable to request details of the materials as a condition, if planning permission is granted

4.45 The central heart space has a roof that is taller than the east and west wings. The roof has a gentle curve from the front of the building to the rear. The roof would be partially screened by the walkways and handrails for maintenance access to the roof, which is not considered to contribute positively to the overall visual appearance of the building. The maximum height of this central area is 11.3 metres in height (not including the build up of the plinth, the height of the plinth is approx 1 metre above existing land levels)). The roof of this element creates a canopy to the front of the building over the full height glazed central elevation/entrance. The central area is set back from the east and west wings, although the canopy would extend further forwards than the west wing by approx 4.5 metres (8.7 metres from the central glazed) elevation.

4.46 The design of the building is eclectic with a lot of different elements; the design is of its time. The mixture of materials together with the variation in height of the different parts of the building creates visual interest. The front elevation is relatively narrow when viewed in context of the overall scale of the building and the impact of the side elevation would be limited on the streetscene. The proposed school is set back from the Hamilton Drive (west wing is set back 18 metres and the east wing is set back 7 metres) and this together with the proposed soft landscaping would mitigate the impact of the building on the streetscene.

- External Areas and Landscaping

4.47 The external areas provide include a fenced hardstanding MUGA, potential use for Basketball, Netball, and Tennis on the site of the original school building (the agent has submitted plans indicating that the this area will be reduced in height to the height of the surrounding playing fields and car park), two grassed football pitches to the rear of the site, and 44 space car park with cycle shelter between it and the southern boundary fronting onto Hamilton Drive. In addition there would be a sensory garden, and a nursery and play area to the front of the proposed school building. To the east of the building would be informal play spaces and outdoor seating areas that could also be utilised as outdoor classrooms (will have shade sails) and there would be a significant element of planting in this area, including allotment areas. The agent has stated that the flexible external learning environment follows the ethos of the 'Learning through Landscapes' organisation which aims to transform school grounds into educational spaces. To the north east of the site are two ponds that are for the surface water drainage of the site but also help to increase the habitat potential of the site.

4.48 Some trees will be felled, however most are not considered to be of significant amenity value and there are no tree preservation orders on the site, however the increase in planting and habitat is considered to outweigh the loss of the trees. The landscaping plans have been submitted they indicate very little detail, and there is some concern regarding damage to existing trees, it is considered that this can be overcome by a landscaping scheme condition. Connected to the landscaping is the

habitat creation and it is considered that this should also be conditioned, the agent has indicated that they are happy to comply.

4.49 The intention is for the site to be secure and the proposal includes substantial fencing to the boundaries of the site. A 2 metre high wire mesh fence is intended along each boundary, on the southern boundary the fencing would be to the north of the existing and proposed hedging. This type of fencing is visible on other schools in the York area. Whilst this fencing is a substantial height the nature of the fencing still allows views through the fencing and thus not creating a large blank impact within the streetscene. There would be primary and secondary secure fenced areas. The primary secure area would encompass the vehicle parking area and sensory garden. The secondary secure area would be the rest of the site, the area used by the pupils. A 3 metre high chain link sports fence would be sited around the MUGA and a 2 metres high timber board fence would enclose the pond and swale area. It is considered that the colour of the fencing be conditioned.

4.50 The Design and Access Statement states that there would be external lighting to the north and west elevations and lights under the east wing balcony, and a column light on the front elevation. The MUGA will not be lit and the car park will be lit via lighting columns. It is considered that the further details should be provided via a condition so no light disturbance to the surrounding properties is caused and also to prevent unnecessary lighting and light pollution in what is an open, green space within a suburban location.

4.51 The building footprint of the existing school building is 1263.4sqm, of this 140.6 sqm is to be retained as part of the new school and community space. The proposed building footprint will be 1492.1sqm Therefore there is a difference of 369.3sqm. Whilst the footprint of the building is larger than the existing, the outdoor facilities are not considered to have been significantly reduced. Sport England has not objected as the quality and variety of the facilities will be improved. In addition the intention is to improve the drainage of the eastern football pitch, following the construction of the ground source heat pump.

SUSTAINABLE DESIGN

4.52 The Sustainability Statement has very little detail in how sustainability principles were designed into the building. The teaching areas would be naturally ventilated. The radiator and under floor heating will be provided by a high gas condensing boiler installation. Rainwater harvesting and a ground source heat pump are also intended. The design of the roof is a missed opportunity in terms of a green roof. In addition given the size of the site the scale of renewable technologies proposed is disappointing. The CYC interim planning statement for sustainable design and construction states for the development of this size (over 500m²) should demonstrate at least 10% of the energy demand can be met on-site renewables. It is considered that this can be conditioned is planning permission is granted.

4.53 The Sustainability Officer has expressed concern that whilst the applicant has committed to undertaking a BREEAM assessment, there is no indication what rating is being aimed for. A 'very good' rating is the minimum that would be expected on a building of this type although the Sustainability Officer would like the 'excellent' rating

to be encouraged as this is on Council land. There is no policy requirement for an 'excellent' rating and as such it is considered unreasonable to request this, also land ownership is not a material consideration.

IMPACT ON NEIGHBOURING PROPERTIES

4.54 The current school building is a single storey structure, and has little visual impact either within the street scene or to the dwellings to the south and west of the site. The new structure would be set to the east of the existing school on an open area of land and will be two storeys high. The structure in its siting and design will be much more visually significant to 74 Hamilton East, and 77 and 79 Hamilton Drive. The front elevation would face 77 and 79 Hamilton Drive and would significantly alter the outlook from these two dwellings. The distance between these dwellings and the proposed school building is 28 metres; in addition there would be some landscaping to the front of the proposed school. The distance is considered to be sufficient that the building would not be overbearing, it is not considered to result in a loss of residential amenity to the occupants of these dwellings

4.55 74 Hamilton East is to the east of the proposed school. There is a line of mature trees and shrubs along the boundary between the two, in addition to Holgate Beck. The school would be visible through the deciduous screening however by virtue of its education use and the school hours it is not considered to result in a loss of privacy to the users of the dwelling and garden. The distance between the proposed school building and the dwelling is 27 metres (measurement taken from the widest part of the proposed balcony). The proposed school building is to the west of the No. 74, however it is not considered to result in a significant loss of light above the existing (caused by the existing screening along the school boundary and the river bank), in addition the distance also mitigates the potential impact of the proposed building.

4.56 The objections raised by nearby occupants regarding the traffic issues have been considered in the highway section.

4.57 The lighting has been discussed in a previous section, lighting is intended along the eastern elevation and the parking areas as such further details of the lighting can be requested by virtue of a condition to make sure there is no light disruption to the surrounding dwellings.

4.58 The Environmental Protection Unit have not expressed any concerns regarding the noise emanating from the school and outdoor facilities, despite the increase in pupil numbers. Any noise would be during the day and unlikely to cause any undue disruption to the neighbouring dwellings. The school will be open during normal school hours and it is presumed that if it is open for community use then the school will be open on a night time. There is no lighting intended to the MUGA or football pitches and as such it is presumed this are would not be used on an evening and the community use would be contained within the school buildings and as such there would be no undue disruption from light or noise. In addition it is considered that it would be too restrictive to condition operational hours to the building, as this may restrict the community use of this facility.

5.0 CONCLUSION

5.1 The applicant/agent has demonstrated a need for the proposed amalgamated school. The proposed development is considered to be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces, and the character of the area. The playing fields and sports facilities will be improved and incorporated into the development, and the development is capable of joint or dual use for community benefit and as such complies with Policies ED1 and GP1.

5.2 Highway Network Management has concluded that the increased school role will generate an increase in traffic movements. Parental parking at the start and end of the school day will have some impacts however, in highway terms, it is expected that they can be largely mitigated and managed through the measures in the submitted Travel Plan and the following conditions.

5.3 The proposed building is within Flood Zone 3, it is considered that the details submitted regarding the flood mitigation measures and the surface water drainage are acceptable and would not cause flooding issues elsewhere. The outstanding details can be dealt with by a condition and as such the proposal is complies with Policies GP15a, the CYC Strategic Flood Risk Assessment, and PPS25.

5.4 In all other respect the details of the scheme, subject to appropriate conditions, are considered to accord with the requirements of local and national policies. Approval is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

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

Drawing Number WSP-1375-P-103 Revision T12 received 2 September 2010

Drawing Number 3822-10-PL01A received 9 July 2010

Drawing Number 3822-10-PL02A received 9 July 2010

Drawing Number 3822-10-PL03A received 9 July 2010

Drawing Number 3822-10-PL04A received 23 July 2010

Drawing Number 3822-10-PL05A received 9 July 2010

Drawing Number 3822-10 PL10 received 9 July 2010

Drawing Number 3822-10-PL11 received 9 July 2010

Drawing Number 2776.00001.16.001 Revision PL03 received 9 July 2010

Drawing Number 2776.00001.16.002 Revision PL10 received 25 August 2010

Drawing Number FL/002 Revision B received 2 September 2010

Flood Risk Assessment received 9 July 2010

Drainage Strategy and SUDS Statement received 23 August 2010

Drawing Number S2000 Revision T4 received 9 July 2010

Drawing Number S.2007 Revision P1 received 9 July 2010

Drawing Number S2032 Revision T3 received 9 July 2010;

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

2 TIME2 Development start within three years

3 VISQ8 Samples of exterior materials to be app

4 The development hereby approved shall be constructed to a minimum of BREEAM standard of 'very good'. No building work shall take place until a BREEAM Pre-Assessment Estimator (Design and Procurement Stage) is submitted to the Local Planning Authority documenting a 'very good' rating. 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 building 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 proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

5 No building work shall 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 developments predicted energy requirements. 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 proposal complies with the principles of sustainable development and the Council's adopted Interim Planning Statement on Sustainable Design and Construction

6 The foul and surface water drainage works shall be carried out only in accordance with the following plans and details:

Drawing number WSP-1375-P-103 Revision T12 received 2nd September 2010
Drainage Strategy and SUDS Statement received 25 August 2010
Flood Risk Assessment received 9 July 2010.

No development shall take place until there has been submitted and approved in writing by the Local Planning Authority the following details:

- Construction details of the storm water attenuation pond providing minimum 192.0m³ storage volume to include overflow weir.
- Construction details of the secondary storm water attenuation pond providing minimum 56.0m³ storage volume.

- Hydro-brake outfall manhole detail restricting surface water discharge to a maximum of 30.0 l/sec

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

7 HWAY14 Access to be approved, details reqd

8 HWAY40 Dilapidation survey

9 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 amenity of local residents.

10 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at any business, residential or hotel accommodation, shall be submitted to the local planning authority for written approval. These details shall include maximum ($L_{Amax(f)}$) 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 amenity of local residents

11 Notwithstanding the submitted plans and prior to the commencement of the development hereby permitted full details of the method and design of external illumination for the site including light spillage calculations shall be submitted to and approved in writing by the Local Planning Authority. A full Lighting Impact Assessment for all proposals involving floodlighting, shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Impact Assessment shall include the following:

- o A description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- o Drawings showing the illuminance levels (separate drawings for each item listed):
 - o A plan showing horizontal illuminance levels (E_h), showing all buildings within 100 metres of the site boundary
 - o A plan showing vertical illuminance levels (E_v), showing all buildings within 100 metres of the site boundary.
 - o 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.
 - o A statement of the need for floodlighting.

Reason: In order to protect the amenities of neighbours and the character and appearance of the area from excessive illumination.

12 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscape and wildlife enhancement scheme which shall include the species, density (spacing), stock size, and position of trees, shrubs and other plants; seeding mix for wildflower areas, ground preparation, sowing rate, and mowing regimes where applicable, and other wildlife features. 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 the Local Planning Authority agrees alternatives in writing.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the entire site, since the landscape scheme is integral to the amenity of the development.

13 Before the commencement of development, including demolition, site clearance, building, or other operations, including the importing of materials, installation of utilities, and/or any excavations, a method statement regarding protection measures for the existing trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include the following: details and locations of protective fencing to BS 5837 to be shown on a plan; phasing of works; site access during development operations; type of machinery/vehicles to be used (including excavators, delivery and collection lorries, and arrangements for loading/off-loading); parking arrangements for site vehicles; locations for storage of materials; location of site cabin and marketing cabin if applicable. It shall include construction details including the creation of formation levels and methodology of changes in surface materials within the crown spread or root protection area of existing trees.

The protective fencing line shall create exclusion zones that will be adhered to at all times during operations associated with the development. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, mechanical cultivation, storage of any materials or top soil, lighting of fires, parking or manoeuvring of vehicles, mixing of cement, disposing of washings, storage of fuel. Within the exclusion zone there will be no new trenches or pipe runs for utilities or drains, and no site huts et al.

The fencing shall remain secured in position throughout the construction process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing. All contractor's staff on site shall be made aware of the content of the method statement and its gravity.

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.

14 No development shall take place until full details of what measures for bat mitigation and conservation are proposed and have been submitted to and approved by the Council .

The measures should include :

- i. A plan of how demolition work is to be carried out to accommodate the possibility of bats being present.
- ii. Details of what provision is to be made within the new building to replace the features lost through the demolition of the original structure. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing.
- iii. The timing of all operations

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Council.

Reason - To take account of and enhance habitat for a protected species. It should be noted that under PPS9 the replacement/mitigation proposed should provide a net gain in wildlife value.

15 Prior to commencement of the development, an Construction Environmental Management Plan (CEMP) for minimising the creation of noise, vibration and dust during the demolition, precautions to be taken to ensure the safety of the general public, the method of securing the site, access to the site and the route to be taken by vehicles transporting the demolition and construction materials, and the hours during which this will be permitted site preparation and construction phases of the development shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason. To protect the amenity of local residents and to ensure that the works are carried out in a safe manner and with minimum disruption to users of the adjacent highway.

16 Prior to the commencement of development on site details of the colour of the fences shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenities of the area

17 Prior to the commencement of the development a community use scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/non- members, management responsibilities and include mechanisms for review. The approved scheme shall be implemented upon the development being brought into use.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with policy ED1 of the City of York Development Control Local Plan approved for development control purposes in 2005.

18 No building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer, which crosses the site.

Reason: In order to allow sufficient access for maintenance and repair work at all times.

19 The development hereby permitted shall not come into use until the following highway works (which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works) have been carried out in accordance with the approved plans, or arrangements entered into which ensure the same.

- amendments to school keep clear markings
- re-siting of speed table on Hamilton Drive
- re-siting of pedestrian guardrail over school frontage
- no waiting restrictions at the junction of Hamilton Drive with Harlow Road;

Reason: In the interests of the safe and free passage of highway users.

20 In the event that contamination is found at any time when carrying out the approved development, the findings must be reported in writing immediately to the Local Planning Authority. In such cases, an investigation and risk assessment must be undertaken, and where remediation (clean-up) is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21 HWAY18 Cycle parking details to be agreed

22 HT1 IN Height - 11.3

23 HWAY19 Car and cycle parking laid out

24 The outdoor classrooms situated to the east of the proposed school and on the first floor balcony shall only be used between 08.30 hours and 17.00 hours.

Reason: To protect the residential amenity of the occupants of the neighbouring dwellings.

25 The development shall not come into use until all existing vehicular crossings not shown as being retained on the approved plans have been removed by reinstating the road to match adjacent levels.

Reason: In the interests of good management of the highway and road safety.

26 HWAY9 Vehicle areas surfaced

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 principle of the proposal, design and landscape considerations, highway issues, impact on the amenity of the occupants of the surrounding dwellings, playing field provision and community use, drainage/flood risk, sustainability. As such the proposal complies with Policies GP1, GP3, GP4a, GP9, GP11, GP15a, NE1, NE7, T13a and ED1 of the City of York Council Development Control Local Plan, and national planning guidance set out in PPS1 and PPS25.

2. 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 (unless alternatively specified under the legislation or Regulations listed below). For further information please contact the officer named:

Vehicle Crossing - Section 184 - Stuart Partington (01904) 551361

3. 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 ro works commencing.

4. Environmental Protection Unit Informative

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".

a. 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.

b. 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.

c. 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.

d. There shall be no bonfires on the site.

Contact details:

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Tel No: 01904 551347