

COMMITTEE REPORT

Date: 11 August 2011 **Ward:** Fishergate
Team: Major and **Parish:** Fishergate Planning
Commercial Team Panel

Reference: 11/01071/GRG3
Application at: The Pupil Support Centre Danesgate Fulford Cross
York YO10 4PB
For: Siting of modular double classroom with external
access ramp (resubmission)
By: Adult Children and Education
Application Type: General Regulations (Reg3)
Target Date: 15 July 2011
Recommendation: Approve

1.0 PROPOSAL

1.1 Planning permission is sought for the siting of a temporary mobile classroom unit at the Pupil Support Centre at Fulford Cross School.

1.2 The pupil support centre is accessed from Fulford Cross on the west side of Fulford Road. The centre is located between Maple Grove to the North and the York Steiner School to the south. The site area is approximately 0.9 ha and has within it the pupil support centre and a skills centre. The proposal is to locate a temporary 5 bay modular 2 classroom unit with toilets on the west side of the existing pupil support centre building and to construct associated fencing and pathways to link the building to existing structures and pathways.

1.3 The proposed temporary unit measures 15.1 metres by 9.6 metres with a maximum height of 3.2 metres. The proposed wire mesh fencing is located to the north and south of the building and would be 3 metres high.

1.4 There are a number of trees protected by tree preservation orders (TPO's) located within the site. The majority of these are located on the south and east of the existing buildings.

1.5 The application has been called in for determination by the East Area Planning sub-Committee by Cllr D'Agorne due to the lack of information regarding sustainability, travel plan and drainage, concerns regarding misleading information in relation to pupil numbers on the site and

because no indication of the length of time the unit would be sited at the centre has been provided.

Planning history

1.6 A previous application for the siting of a mobile unit on this site was withdrawn. The application was withdrawn to investigate locating the unit in a less visually prominent position and in a position which would not impact on existing trees covered by TPO's

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Schools Fulford Cross 0256

2.2 Policies:

CYGP1
Design

CYGP23
Temporary planning permission

CYED1
Primary and Secondary Education

3.0 CONSULTATIONS

INTERNAL

3.1 Highways Network Management - no objections

EXTERNAL

3.2 Fishergate Planning Panel - No comments received.

3.3 One letter of objection has been received covering the following points:-

- there has been no effort made to consult local residents
- insufficient parking at the site results in parking on Fulford Cross. This means that residents of Fulford Cross cannot park outside their houses in term time.
- the application is disingenuous. The school has taken on extra pupils, resulting in cramped spaces and is now applying for an extension to relieve this situation without mention of the expansion in pupil numbers.

4.0 APPRAISAL

4.1 Key issues:-

- Policy Background
- Need for the temporary unit
- Siting
- Highways, Access and Parking
- Sustainability
- Drainage

Policies of the Draft Local Plan (DLP)

4.2 Policy GP23 relates to temporary planning permissions and states such permission shall only be granted provided: there would be no loss of amenity; there is no viable permanent alternative immediately available; where appropriate plans are brought forward for permanent development; and if temporary permission is required as a trial period to allow for an assessment of the development.

4.3 ED1: Primary and Secondary Education states planning applications for new/extended education facilities will be granted permission, provided that they would a) meet a recognised need, b) are of an appropriate scale and design, c) sufficient open space and playing fields are provided, d) where facilities could also be capable of use by the community, this is incorporated into the design.

4.4 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, and ensure residents living nearby

are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

Need

4.5 In support of the proposal, the applicant states that last year the Primary Behaviour Support Unit at Westfield School had to close and for this reason alternative accommodation was required. It was possible to carry out some internal reorganisation at the Pupil Support Centre at Fulford Cross to free up two rooms to enable those 5 to 11 year old pupils to continue their education in this setting. However, this is not an ideal solution and more space is required to enable teaching, learning and behaviour management to be effective and give the very vulnerable children the best opportunity. Moving the Unit to another school was thoroughly investigated but rising demand for primary places in the city meant that this was not possible. The option has therefore been taken to seek to provide the two additional classrooms on the application site as a temporary measure, providing an opportunity to establish a long term solution and find the finances that will be necessary to achieve this. The new fencing is proposed to segregate the older and younger children.

4.6 Clearly there is an immediate problem with providing adequate education facilities for this particular group of children and therefore in accordance with Policies GP23 and ED1, as there is no viable permanent alternative immediately available, a temporary consent is considered to be a reasonable way forward subject to the scheme having no impact on amenity.

Siting of the Unit

4.7 The temporary structure has been located between the main centre buildings and the nature reserve area to the west of the site. This location is well screened from public vantage points to the north and east and is viewed within the context of the existing buildings and a significant amount of tree cover from the south and west. Officers consider that overall the visual impact of the temporary unit will be limited and from the public realm there would not be an undue impact on the appearance of the area.

Landscaping

4.8 There are a number of protected trees within the site on the southern boundary. These trees are substantial and extend into the lane adjacent

to the Steiner School. In order to facilitate the craning in of the proposed unit some crown lifting work is necessary to trees on the access road and some works to the trees on the edge of the adjacent wooded area to the west of the site. The Council's Landscape Architect has confirmed that works to trees would be acceptable. From an amenity perspective the crown lifting and cutting back of the trees will not undermine their visual significance along the lane provided the works are within the parameters discussed with the Landscape Architect. A condition is proposed to ensure the details and the extent of the works are submitted and agreed before the development commences.

Highways

4.9 Highways Network Management are not objecting to the proposal. This current proposal would not in itself increase the number of children at the site, although there obviously has been an increase in pupil numbers in the last year due to the decision to relocate children to this site. Car parking is limited at the site; there are a small number of spaces along the site frontage and some to the east of the school buildings. There is good provision for cycle parking within the site. Fulford Cross is not a restricted parking area and therefore there is the potential for visitors to the site to park on the highway. Members will note that a letter of objection has been received which states that on street parking is already taking place. The school does have a travel plan which is updated each year, which shows that at the present time most staff arrive by car. It also shows that the children at the school change regularly and therefore their mode of transport are difficult to control. In practical terms this application would not change the current operation of the school but would merely reorganise the existing site arrangements, and on this basis there is no basis to resist this application on highway grounds. However it is clear that the school do take seriously their requirement to update their travel plan on an annual basis and will continue to monitor traffic and parking arrangements at the site in this context.

Sustainability

4.10 The temporary classroom unit would be relocated from the infant school site at Rawcliffe, The unit is approximately 10 years old, and is of light timber construction with Rockwool insulation. The windows are double glazed UPVC. The unit is heated by means of electric night storage heaters. The possibilities for improving the sustainability of this building are limited, however the sustainability statement indicates that in

the course of relocating the building any new materials will be from sustainable sources, internally the water usage will be minimised by the use of appropriate fittings to sanitary facilities, and surface water will be directed to soakaways to avoid pressure on the existing drainage system. The statement also indicates that the re-use of the building is in itself a sustainable course of action.

4.11 The measures proposed would enhance the potential of the unit to minimise its use of resources, and on this basis the details of the scheme are considered to be acceptable from a sustainability perspective. The comments of the Sustainability Officer will be reported direct to committee.

Drainage

4.12 The surface water from the unit will discharge to a soakaway. A percolation test has been undertaken which confirms that soakaways are an acceptable form of drainage at the site. Foul water will connect into the schools existing system. It is not anticipated that the unit will raise any drainage concerns.

Other Matters:-

Length of Consent

4.13 Clearly there are a number of strategic issues to consider in order to establish the best environment for this particular area of primary education. It is considered that a three year temporary consent should be sufficient to establish a policy on the approach to education and to look at funding of a more permanent solution.

5.0 CONCLUSION

5.1 There is an immediate problem with providing adequate education facilities for this particular group of children and therefore in accordance with Policies GP23 and ED1, as there is no viable permanent alternative immediately available, a temporary consent is considered to be a reasonable way forward subject to the scheme having no impact on amenity.

5.2 Officers consider that overall the visual impact of the temporary unit will be limited and from the public realm there would not be an undue impact on the appearance of the area.

5.3 The details of the scheme are considered to be acceptable subject to appropriate conditions.

5.4 A temporary consent of 3 years is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The building shall be removed by 31st August 2014 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 Before the commencement of development including demolition, site clearance, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing to the trees on-site to be shown on a plan, and to ensure that the trees as existing would not be damaged/affected during works, a method of installation of the building hereby approved, including how it would be moved into position/erected onsite, site access, type of construction machinery/vehicles to be used (including delivery and collection lorries), arrangements for loading/off-loading, parking arrangements for site vehicles, locations for storage of materials, location of site cabin and marketing cabin as appropriate.

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

services or drains. The fencing shall remain secured in position throughout the development process including the implementation of landscaping works. A notice stating 'tree protection zone - do not remove' shall be attached to each section of fencing.

Reason: To ensure protection of existing trees before, during and after development which make a significant contribution to the amenity of the area.

3 Prior to the commencement of the development details of the works to trees to allow the unit to be craned into position shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: In order to protect the quality of the trees covered by Tree Preservation Orders and in the interests of visual amenity.

4 Prior to the commencement of development the developer shall submit a "Sustainable Design and Construction" statement for the development. This statement shall include the measures to be incorporated into the design of the building in order to minimise the use of resources. Thereafter the agreed details shall be implemented to the satisfaction of the Local Planning Authority before the temporary unit hereby approved is first occupied.

Reason: In order to comply with the requirements of Policy GP4a of the draft 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:

- Need for the temporary unit
- Siting
- Highways, Access and Parking
- Sustainability

- Drainage

As such the proposal complies with Policies GP23, ED1 and GP1 of the City of York Development Control Local Plan.

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