



## 3.0 CONSULTATIONS

### INTERNAL

#### Planning and Environmental Management (Ecologist)

3.1 No objection to the proposal subject to an informative in respect of nesting birds and the need to obtain the licence of Natural England in the event of protected species being found on site.

#### Highway Network Management

3.2 Any response will be reported verbally.

#### Environmental Protection Unit

3.3 No objection subject to conditions to safeguard the residential amenity of neighbouring properties.

#### Flood Risk Management

3.4 Any response will be reported verbally.

### EXTERNAL

#### Sport England

3.5 No objection subject to conditions to secure the appropriate drainage of the proposed playing field.

#### Yorkshire Water Services Limited

3.6 No objection to the proposal subject to any permission being conditioned to safeguard the line of a surface water sewer crossing the site and to secure the provision of surface water drainage scheme.

#### Natural England

3.7 No objection.

#### North Yorkshire Police Architectural Liaison Officer

3.8 No objection in principle but expresses concern in respect of the intervisibility of the rear parking area with the main school building.

#### Environment Agency

3.9 No objection.

#### The Ainsty (2008) Internal Drainage Board

3.10 No objection subject to an informative covering the need for consent for works within 9 metres of a Board maintained water course and a condition covering the prior approval of a scheme of surface water drainage.

## Neighbour Notification and Publicity

3.11 Three letters have been received. The following is a summary of their contents:-

- Support for the replacement of the existing building complex which is clearly in some disrepair;
- Security lighting should be proportionate to the needs of the school – at present it is excessively intrusive
- Concern in relation to the height of the building in comparison to the existing school
- Concern in relation to traffic flow on Almsford Road during the construction phase
- Concern in relation to working hours especially after 5pm and at weekends
- Arrangements and timing for the public consultation event, which was held during the working day, were far from acceptable
- There is no information about how access issues on Almsford Road will be managed during the construction phase
- At 6 metres high, the lighting is totally out of proportion and low level, less intrusive lighting should be installed. It should not be operational after 8 or 9pm.

## **4.0 APPRAISAL**

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- Impact upon the visual amenity of the wider street scene;
- Impact upon the residential amenity of neighbouring properties;
- Management of the Site During the Construction Process;
- Designing out Crime.

## STATUS OF THE YORK DEVELOPMENT CONTROL LOCAL PLAN

4.2 The York Development Control draft Local Plan was approved for development control purposes in April 2005. Its policies are material considerations in the determination of planning applications although it is considered that their weight is limited except when they are in accordance with the National Planning Policy Framework.

## IMPACT UPON THE VISUAL AMENITY OF THE WIDER STREET SCENE

4.3 Central Government planning policy as outlined in paragraph 72 of the National Planning Policy Framework urges Local Planning Authorities to give significant weight to the need to provide a sufficient choice of school places for new and existing communities. Policy ED1 of the York Development Control Local Plan states that new/extended primary and secondary education facilities will be

permitted providing they would meet a recognised need, they are of a scale and design appropriate to the character of the locality and an area of open space/playing field sufficient to meet the needs of pupils is incorporated in the development.

4.4 Carr Infant School comprises a 270 place community primary school with an attached 39 place nursery which has been selected for re-construction as part of the Priority Schools Building Programme on account of its poor condition. It forms a complex of interlinked brick built buildings dating to the 1950s within a joint site with Carr Junior School to the east. In addition to the poor structural condition of the buildings there is no significant hard play area. There are two vehicular access points, from Ostman Road and Almsford Road with residential development surrounding the school site on all sides. There is a significant change in level across the site with the school buildings up to 3 metres lower than the adjacent residential property. The western boundary of the site is also heavily landscaped.

4.5 The proposal envisages the complete clearance of the existing complex and the erection of a more physically compact two storey building with a conjoined school hall directly to the west. The main school building would be some 7.3 metres to the ridge and the school hall would be some 9.3 metres high to the ridge. The hall roof would be a shallow mono pitch with the school roof itself largely flat with a low brick parapet to accommodate natural ventilation terminals. The building would be pulled significantly forward into the site to the south east from its existing location to allow for the construction of a purpose built hard play area to the north west. This also allows for the existing building to be retained during the construction phase. The existing access from Ostman Road would be retained for deliveries and for visitor parking and the rear access from Almsford Road would give access to the staff parking area. The proposed building would relate well to the retained Junior School building which is in part two stories and its compact two storey form would be appropriate within the local townscape. The requirements of Policy ED1 of the Development Control Local Plan and paragraph 72 of the National Planning Policy Framework would therefore be satisfied.

## IMPACT UPON THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES

4.6 Policy GP1 of the York Development Control Local Plan expects new development to respect or enhance the local environment, be of a layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area and ensure that neighbouring residents are not affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures. Central Government planning policy as outlined in paragraph 17 of the National Planning Policy Framework "Core Planning Principles" urges Local Planning Authorities to give significant weight to the need to safeguard a good standard of amenity to all new and existing occupants of land and buildings.

4.7 The existing school consists of a complex of buildings that come close to the boundary with residential property to the north and west, with the closest point to the west being some 22 metres and to the north 28 metres from the edge of the building complex. The local topography and mature landscaping at the site boundary gives a degree of protection to properties to the west however, the site is extremely open to the north. The proposal envisages the reconstruction of the school building in a more physically compact two storey form further to the south east. The new school building would be some 68 metres from residential properties to the west at its closest point and 60 metres from properties to the north at its closest point. Properties to the south on Ostman Road would be around 60m from the building. Whilst the new building would be a two storey form of development, the separation distances are significant and the applicant has agreed to further landscaping along the site boundary to mitigate any impact.

4.8 Concern has been expressed in respect of the height of the new building, however at 7.3 metres to the ridge and 9.3 metres to the ridge in the case of the hall, the building would retain a scale which would have a minimal impact upon the residential amenity of neighbouring properties in view of the distances involved. Concern has also been expressed in terms of the proposed lighting for the rear Almsford Road access to the site. The topography of the site would give a degree of mitigation to adjacent properties, at the same time a condition is recommended to secure the design and location of the fittings. The proposal is therefore considered to be acceptable in terms of its likely impact upon the residential amenity of neighbouring properties.

## MANAGEMENT OF THE SITE DURING THE CONSTRUCTION PROCESS

4.9 Concern has been expressed in relation to the management of the site during the construction process. The applicant has submitted a plan which indicates that the existing Ostman Road access which is easily accessible from Beckfield Lane and the adjoining strategic road network would be used exclusively by construction vehicles and deliveries with the site compound to the south east within the existing school field a significant distance from nearby residential property. The access from Almsford Road to the north would be retained for school use with an additional area within the hard play area in the centre of the site used for parking displaced by the temporary loss of the Ostman Road access. Concern arises because of the topography of the site and the configuration of the Almsford Road access. Any impact would however be temporary for the duration of part of the construction process and can be managed by a requirement for a Construction Environmental Management Plan as part of any permission.

## DESIGNING OUT CRIME

4.10 Concern has been raised in respect of some aspects of the layout from the perspective of designing out crime specifically the relationship of the staff car park

accessed from Almsford Road and main building complex. The issue has been specifically addressed by the applicant in the submitted Design and Access Statement. Whilst the staff car park would have to be accessed via the hard play area at some distance from the building, the site layout and complex of buildings has been greatly simplified with clear lines of sight created. Any remaining issue in terms of the car park accessed from the north and the associated approach can be dealt with through the introduction of the proposed cctv system which can be conditioned as part of any permission.

## ENVIRONMENTAL IMPACT ASSESSMENT

4.11 The proposal as being over 0.5 hectares in area falls within the indicative thresholds contained within Schedule 2 to the 2011 Town and Country Planning (Environmental Impact Assessment) Regulations. It has been screened against the relevant threshold criteria within Schedule 3 of the Regulations and found not to require Environmental Impact Assessment.

## 5.0 CONCLUSION

5.1 Carr Infant School comprises a large single storey brick and prefabricated panel built complex dating from the 1950s. Planning permission is sought for the erection of a two storey replacement School building on land directly to the south east of the existing building. The existing school complex is in poor structural repair and not suited to modern requirements and so the project is being undertaken under the umbrella of the Government's Priority Schools Building Programme. The proposed replacement would be erected at a significant distance from neighbouring residential property. The proposed pattern of scale and massing would reflect that of the adjacent junior school and is considered to be appropriate in respect of the visual amenity of the wider street scene. The development is considered to be acceptable and approval is recommended.

## COMMITTEE TO VISIT

### 6.0 RECOMMENDATION: Approve

1 TIME2 Development start within three years -

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

Drawing Refs:- BDP-03(PL)AP-100; BDP-03(PL)AP-101; BDP-03(PL)AP-102; BDP-03(PL)AE-101; BDP-03(PL)AE-102; BDP-03(PL)AS-100; BDP-03(PL)AS-101; BDP-03(PL)AX-100; BDP-03(9-)-LP-001E; BDP-03(9-)-LP-003B; BDP-03(9-)-LP-004A; BDP-03(9-)-LP-005B; BDP-03(9-)-LP-006F; BDP-03(9-)-LP-007A; SK01(6); SK2; 15955-1(Rev A); 15955-2(Rev A); 15955-3(Rev A); 15955-4(Rev A).

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

3 VISQ8 Samples of exterior materials to be app -

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, shrubs and hard landscaping. 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 Trees shown as being retained on the approved plans shall be protected in accordance with BS: 5837 Trees in relation to construction.

Before the commencement of development, including demolition, building operations, or the importing of materials and any excavations, a method statement regarding protection measures for the existing trees shown to be retained on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include details and locations of protective fencing; phasing of works; site access for demolition/construction and methodology; type of construction machinery/vehicles to be used (including delivery and collection lorries and arrangements for loading/off-loading); parking arrangements for site vehicles; locations for storage of materials; locations of utilities. Details of existing and proposed levels and surfaces shall also be included.

The protective fencing line shall be adhered to at all times during development to create exclusion zones. None of the following activities shall take place within the exclusion zones: excavation, raising of levels, storage of any materials or top soil, lighting of fires, mechanical cultivation or deep-digging, parking or manoeuvring of vehicles; there shall be no site huts, no mixing of cement, no disposing of washings, no stored fuel, no new trenches, or pipe runs for services or drains. The fencing shall remain secured in position throughout the construction process including the implementation of landscape 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 are covered by a Tree Preservation Order and/or make a significant contribution to the amenity of the area.

6 Prior to commencement of development the developer shall submit to the local planning authority a formal pre-design BREEAM assessment for the design and procurement stages of the development. The developer shall submit a further BREEAM assessment after construction, at a time to be agreed in writing by the local planning authority. All assessments shall confirm the minimum 'Very Good' rating anticipated in the preliminary BREEAM assessment submitted with the application

Reason - To ensure the development complies with the principles of sustainable development

7 LC4 Land contamination - unexpected contam -

8 Prior to any works commencing on site, a construction environmental management plan (CEMP) should be submitted 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 and dust resulting from the site preparation, demolition, groundwork and construction phases of the development. Once approved, the CEMP shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

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

9 NOISE7 Restricted hours of construction

10 Details of all machinery, plant and equipment to be installed in or located on the use hereby permitted, which is audible at the boundaries of the nearest residential properties when in use, shall be submitted to the local planning authority for approval. These details shall include maximum sound levels (LA max(f)) and average sound levels (LA eq), 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.

Note: The combined rating level of any building service noise associated with plant or equipment at the site should not exceed 5dB(A) below the background noise level at 1 metre from the nearest noise sensitive facades when assessed in accordance with BS4142: 1997 or exceed the background noise level at 1 metre from the



nearest noise sensitive facades when assessed in accordance with BS4142: 2014, including any acoustic correction for noises which contain a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc.); noise which contain distinct impulses (bangs, clicks, clatters, or thumps); or noise which is irregular enough to attract attention.

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

11 The replacement building shall not be occupied until a full Lighting Impact Assessment has been submitted to and approved by the Local Planning Authority. The report shall detail predicted light levels at neighbouring residential properties contain the following as a minimum

- i) Description of the proposed lighting: number of lighting columns and their height, and proposed lighting units.
- ii) Artificial lighting to the development must conform to requirements for Environmental Zone. E3 contained within Table 1 of the Institute of Light Professionals Guidance Notes for the Reduction of Obtrusive Lighting .

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

12 The development hereby approved shall not be occupied until a travel plan for the infant school has been submitted and approved in writing by the Local Planning Authority. The travel plan should be developed and implemented in line with local and national guidelines. The site shall thereafter be occupied in accordance with the aims, measures and outcomes of the travel plan.

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

Reason: To ensure the development complies with local and national transportation and planning policies to ensure adequate provision is made for the movement of vehicles, pedestrians, cycles and other forms of transport to and from the site, together with parking on site for these users.

13 Prior to the replacement building being brought into use details of the cycle parking areas, including means of enclosure, shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the cycle parking areas and means of enclosure have been provided within the site in accordance with such approved details, and these areas shall not be used for any

purpose other than the parking of cycles.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

14 HWAY19 Car and cycle parking laid out -

15 No development shall take place until full details of the proposed means of surface water disposal including details of balancing and off-site works have been submitted to and approved in writing by the Local Planning Authority. The site shall be developed with separate systems of foul and surface water drainage on and off site. The development shall thenceforth be undertaken in strict accordance with the approved application details prior to the building being first occupied.

Reason:- To ensure that the site is safely and efficiently drained and to comply with Policy GP15a) of the York Development Control Local Plan.

16 Unless otherwise approved in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3 metres either side of the centre line of the 375mm sewer which crosses the site.

Reason:- To secure the safe and efficient maintenance of the infrastructure.

17 No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority:-

i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the new playing field which identifies constraints which could affect playing field quality; and

ii) Based upon the assessment carried out in pursuant to i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, cultivation and other operations associated with grass and turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with a detailed timescale approved in writing with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: - To ensure that the playing field is prepared to an adequate standard and to secure compliance with Policy ED1 of the York Development Control Local Plan.

18 Prior to the first occupation of the replacement building 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 pupils/non members, management responsibilities and a mechanism for review. The approved scheme shall commence upon first use of the development.

Reason: - To secure safely managed community access, to ensure sufficient benefit for the development of support and to secure compliance with Policy ED1 of the York Development Control Local Plan.

19 Prior to its implementation full details of the proposed CCTV system for the site including numbers, location and design of cameras and associated columns shall be submitted to and approved in writing by the Local Planning Authority. The development shall thenceforth be undertaken in strict accordance with the details thereby approved.

Reason :- To minimise the risk of crime and to comply with Policy GP3 of the York Development Control Local Plan.

## **7.0 INFORMATIVES:**

### **Notes to Applicant**

#### **1. STATEMENT OF THE COUNCIL`S POSITIVE AND PROACTIVE APPROACH**

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- i) Clarification in respect of the site layout;
- ii) Clarification of the impact of the proposal upon potential bat habitat.

#### **2. INF11 CONTROL OF POLLUTION ACT 1974**

#### **3. BAT PROTECTION:-**

In the UK, due to the decline in bat numbers in the last century, all species of bat are protected by the Wildlife & Countryside Act (1981) as amended, Countryside and Rights of Way Act (2000) and the Conservation of Habitats and Species Regulations (2010). Because of their protected status, it should be noted that if bats are discovered during the course of the work, all works must cease and Natural England must be informed immediately. It is an offence for anyone to disturb or handle a bat without the appropriate licences. This may cause some delay but should not prevent

the work continuing, provided that due account is taken of their presence.

There are opportunities for the development to enhance the building for bats. This can be done without detriment to the building through bat friendly features which can be designed at the outset and include features such as bat bricks, bat tiles or an adapted fascia (see [http://www.bats.org.uk/pages/accommodating\\_bats\\_in\\_buildings.html](http://www.bats.org.uk/pages/accommodating_bats_in_buildings.html) for more information).

#### 4. BIRD HABITAT:-

All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended). To ensure that breeding birds are protected from harm during construction, works that would impact on building features or vegetation that would be suitable for nesting birds should be undertaken outside of the breeding bird season between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period. There are opportunities for the development to provide enhancement for birds without detriment to the building by the addition of bird boxes, examples of which can be found on the RSPB website [http://www.rspb.org.uk/makeahomeforwildlife/advice/helpingbirds/roofs/internal\\_boxes.aspx](http://www.rspb.org.uk/makeahomeforwildlife/advice/helpingbirds/roofs/internal_boxes.aspx).

#### 5. AINSTY (2008) IDB:-

The applicant is reminded that the consent of the Ainsty (2008) IDB is required in respect of any works undertaken within 9 metres of the banks of a Board maintained water course.

#### 6 CONDITION NO.9 CONSTRUCTION MANAGEMENT PLAN

The CEMP will be expected to address the following issues:

Noise - details on hours of construction, deliveries, types of machinery to be used, use of quieter/silenced machinery, use of acoustic barriers, prefabrication off site etc, should be detailed within the CEMP. Where particularly noisy activities are expected to take place then details should be provided on how they intend to lessen the impact i.e. by limiting especially noisy events to no more than 2 hours in duration. Details of any monitoring may also be required, in certain situation, including the location of positions, recording of results and identification of mitigation measures required.

Vibration - details should be provided on any activities which may result in excessive vibration, e.g. piling, and details of monitoring to be carried out. Locations of monitoring positions should also be provided along with details of standards used for determining the acceptability of any vibration undertaken. In the event that excess vibration occurs then details should be provided on how the developer will deal with this, i.e. substitution of driven pile foundations with auger pile foundations. Ideally all monitoring results should be recorded and include what was found and mitigation measures employed (if any).

Dust - details should be provided on measures the developer will use to minimise dust blow off from site, i.e. wheel washes, road sweepers, storage of materials and stock piles, use of barriers, use of water bowsers and spraying, location of stockpiles and position on site. In addition it is anticipated that details would be required of proactive monitoring to be carried out by the developer to monitor levels of dust to ensure that the necessary mitigation measures are employed prior to there being any dust complaints. Ideally all monitoring results should be measured at least twice a day and result recorded of what was found, weather conditions and mitigation measures employed (if any).

In addition to the above the CEMP should also provide a complaints procedure, so that in the event of any complaint from a member of the public about noise, dust, vibration or lighting the site manager has a clear understanding of how to respond to complaints received. The procedure should detail how a contact number will be advertised to the public, what will happen once a complaint had been received (i.e. investigation), any monitoring to be carried out, how they intend to update the complainant, and what will happen in the event that the complaint is not resolved.

**Contact details:**

**Author:** Erik Matthews Development Management Officer

**Tel No:** 01904 551416