

DELEGATED REPORT

Report by Steven Gunn
Russell

Date of report: 23/05/2022

Ref:67922/FUL

Registration: 14/02/2022

LDFC: 11/03/2022

Expiry Date: 11/04/2022

Site Visit: 01/03/2022

Site Notice: N/A

Press Date: N/A

Objections: 0

Con Area: N/A

Adv Type: N/A

Reason for Delay:

EIA: NA

N/A

Dec Level: DEL

Stat Class: MIOT

Proposal: Single storey infill extension to front elevation corner including canopy; Entrance road to be altered to cater for new extension plus 5 new parking spaces; Store to be replaced with new cycle shelter.

Location: Chantlers County Primary School, Foulds Avenue, Bury, BL8 2SF

Description

The application relates to a primary school on Foulds Avenue, an established residential cul-de-sac. The site topography is very flat, the main school building is entirely single storey and constructed of standard materials including red brick, felt charcoal roofs, and timber roof surrounds painted white and blue plus white pvcu windows doors with blue plastisol panels and white pvc fascia cladding. The main school building comprises 8 classrooms (including detached Pre-School pre-fab building SE of the main building). The site bounds Ainsworth Road to the South and a country park to the North, with numerous trees and shrubs along its boundaries.

The school has a single vehicular entrance with access via the western end of Foulds Avenue, an established residential cul-de-sac. Existing provision is a total of 20 car parking spaces on site including one disabled parking space. The existing reception entrance is located to the rear of the school building and only accessible across the south playground with no direct access or line of sight from the main highway entrance except via a side gate with poor natural surveillance as viewed from the existing reception area.

On the opposite side of the building, the location of the proposed extension is currently an area of paved/ tarmacked ground with no function other than a ramp for a side door.

Planning permission is sought for a single-storey extension at the NE corner of the building that would be sited within the existing east and north building lines, providing space for a new reception area together with three staff offices. The additional floorspace would measure 63sqm with a flat roof carried over from the existing roof. The overall roof design would match existing while materials would include white UPVC fascia cladding for walls, white UPVC window frames with solvent blue plastisol bottom to match existing.

Alongside the entrance canopy there would be school signage with silver anodized metal lettering, and concrete ramp 1:12 gradient with side railings to meet DDA access regulations part M. It would be finished in white K-render and accommodate a new reception plus 3 staff offices in close proximity for convenience of staff/ visitors and to improve site security with a main reception more directly accessible from the front gate without the need to access via the playground.

Opposite the new reception entrance the existing storeroom would be replaced with a cycle shelter. The concrete plinth would be used for the shelter measuring 4.2m by 2.8m, providing capacity for 10 bikes. There would a total of 25 parking spaces including one

disabled parking space and four spaces close to the highway entrance specifically dedicated for visitors. Due to reconfiguration of the carpark there would be 7 spaces close to the boundary with the nearest residential neighbour, although the changes represent a net increase of 5 parking spaces.

Relevant Planning History

34478 - Single storey classroom extension at rear - Approved 1998

47995 - Provision of new pre-school; covered playground extension to existing school; toystore; fencing; access paths - Approved 2007

Publicity

Immediate neighbours notified by letter dated 17/02/2022 sent to 23 neighbours. Amended letters were sent on 10/05/2022 to the two neighbours most closely affected by late changes to inform of the proposed cycle shelter. No representations were received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to planning conditions relating to site access and car parking.

GM Design 4 Security - No objection. Informatives recommended.

Coal Authority - No objections. Coal Mining Risk Assessment not required.

Drainage - No response

Waste Management - No response

Pre-start Conditions

N/A

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN5/1	New Development and Flood Risk
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
RT2/3	Education Recreation Facilities
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
HT2/4	Car Parking and New Development
SPD11	Parking Standards in Bury
SPD12	Travel Plans in Bury
SPD3	DC Policy Guidance Note 3: Planning Out Crime
EN7/5	Waste Water Management

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Policies & Principle - NPPF Para 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on. UDP Policy RT2/3 - Education Recreation Facilities would not allow development where it would result in the loss of education recreation facilities unless there is no long term need, significant demand or an adequate supply within the neighbourhood. However, the proposed siting of the extension is an area of paved/tarmacked ground with no specific purpose other than a ramp providing access to a side door. As such there would be no loss of applicable space and it is considered that no further assessment is necessary with regard to this policy.

UDP Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, the suitability of the chosen location in relation to that community to catchment area;
- accessibility by public and private transport;

- the needs and requirements of the disabled

UDP Policy RT3/5 - Noisy Sports states that relevant criteria should be satisfied when considering proposals. However, as this proposal does not involve any new sporting facilities it is therefore considered to be not applicable.

The proposed development would involve the construction of a new school reception plus 3 staff offices directly connected to the function of the school. The proposed development would maintain and improve the educational facilities at the school. The size and scale of the proposed development would be appropriate, and it would be relevant to the function of the school. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies CF1/1 and CF2 of the Bury Unitary Development Plan.

Siting, layout and design - In terms of design and appearance the extension is generally in-keeping with the existing school building, while providing a slightly contrasting design plus a modern entrance canopy, lighting and clear signage drawing visitors towards a clear building entrance location. The existing reception would be converted to create an ICT room plus staffroom/ learning support space.

The proposed extension would be located at the north-eastern corner of the existing main school building on the right-hand side as viewed from the main entrance. Similarly the new reception would overlook the main highway entrance providing improved security and direct access for visitors. The proposed single storey extension would have a 'butterfly style roof' and its height would be similar to the existing school building, but vary between 4.69m and 3.90m. The proposed extension would be constructed of red brick with white pvcu windows, fascia cladding, and power coated rood edge trim, to be rendered providing a contrast to the school and helping to highlight the reception area for visitors entering the site. The roof would have grey low pitched felt type, plus opening rooflights to compensate for the loss of natural light and ventilation to adjacent classrooms of the new extension together with corridor areas.

Given the location and overall design broadly matching that of the existing building, the proposed materials would be acceptable. Additionally, the proposed cycle store location is considered to be a relatively small-scale design in place of an existing structure, and suitably located opposite the new entrance. It is therefore considered that the proposed development overall would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, RT2/3, CF1/1, and CF2 of the Bury UDP.

Security - UDP policy EN1/5 Crime Prevention and associated guidance in SPD3: Planning Out Crime, highlights the importance of making a positive contribution to reducing the opportunity for crime upon new developments. This includes emphasis that "pedestrian access should be as direct as possible from the main road to the main entrance of the building", with consideration given to the use of gated entrances/exits and the use of CCTV, and the need to maximise the opportunity for surveillance from outside the site.

The relocation of the reception area from the rear to a new location close to the main entrance gates would significantly enhance site security via natural overlooking of the main highway entrance. The site manager has confirmed that two other pedestrian entrances are locked during normal teaching hours.

The DfS Team have been consulted and recommend informatives relating to Secured by Design standards, lighting, and CCTV.

Impact on Residential Amenity - UDP policy H2/3 and SPD6 seeks to reduce the impact of proposals on the residential amenity of neighbouring properties. There is no specific guidance on aspect standards between educational buildings and residential properties. However, SPD6 provides proxy guidance on aspect standards between residential properties and as such, would be relevant in this case.

The closest residential property which could be affected is at 24 Foulds Avenue and the proposed school extension would be 16m set apart from this property. Given this distance and the fact there would be no increase in noise from school teaching activities, it is considered that impact would be limited. All distances would be in excess of the aspect standard. Therefore, the proposed development would have no adverse impact upon the amenity of neighbouring properties.

- In terms of overlooking and privacy to the rear, the 16m separation distance to the nearest residential boundary from the extension is considered to be acceptable and complies with adopted guidance in SPD6. The existing tree and shrub planting along the boundary would further reduce the impact on the nearest resident.
- The extension is acceptable in relation to the unattached neighbour as it complies with the '45-degree rule' within SPD6.
- There are no concerns with regard to overlooking of the nearest residential neighbour.
- In terms of the general prominence and impact on daylight the school extension is entirely single storey, and any overshadowing would not be seriously excessive above and beyond the existing situation.

The extension would be acceptable and comply with UDP Policy H2/3 and associated guidance in SPD6.

Impact on Highways & Access - UDP Policy HT2/4: Car Parking and New Development, HT5/1: Access for Those with Special Needs, and HT6/2: Pedestrian/ Vehicular Conflict of the Bury UDP highlight policy requirements relevant to this proposal.

The siting of the proposed development would impact upon the vehicular access to the site and pedestrian footway leading up to the new reception area. However, the proposed development would not increase the number of classrooms at the school or the number of pupils, and as such, the level of parking provision would be acceptable. Therefore, the proposed development would be in accordance with Policies EN1/2, CF1/1, and HT2/4 of the Bury Unitary Development Plan.

The proposed development would be single storey and raised slightly off the ground, but there would be a ramped access for both the reception doorway and a side fire exit for the building to take account of the difference in levels. Therefore, the proposed development would be accessible for all and would be in accordance with Policy HT5/1 (Access for Those with Special Needs) of the Bury UDP.

The proposal would for this school extension does not involve any increase in classrooms, or staff and therefore it is not necessary to consider parking standards in SPD 11 Parking Standards. Nevertheless, during a site visit it was evident that there was a notable number of cars being parked on the (on-site) blind bend along the approach to the car park. Existing on-site parking provides 20 car spaces which was evidently inadequate during a site visit, while the new proposal has 25 spaces, Due to reconfiguration of the carpark there would be 7 spaces close to the boundary with the nearest residential neighbour, although the changes would represent a net increase of 5 parking spaces. Given the situation and the fact there are no changes to parking layout other than the entrance road width/length, it is therefore considered that the parking arrangements are sufficient. The school extension would be acceptable and comply with UDP Policy HT2/4 and associated guidance in SPD11.

Sustainable Development - The provision of the cycle store is considered to be a positive contribution in helping Bury Council tackle climate change by providing an easy access area of storage of bikes during the school day.

Conclusion - In consideration of the above, it is considered that the proposed development

would be acceptable in terms of the sitting, scale, and design of this development. The proposed development would also have a positive effect in terms of improved site security, clear direction of access for visitors, highway safety, and improved parking provision. As such, the proposed development is therefore considered to be acceptable and complies with UDP Policies EN1/2 Townscape and Built Design, RT2/3 Education Recreation Facilities, CF1/1 Location of New Community Facilities, CF2 Education Land and Buildings, EN1/5 Crime Prevention with associated guidance in SPD3, and HT2/4: Car Parking and New Development with associated guidance in SPD11.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered A100 RevB, A101 RevC, and A113 RevE and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 The amended vehicular access and replacement pedestrian facilities indicated on approved plan reference A113 Revision E shall be implemented to satisfaction of the Local Planning Authority before the development hereby approved is brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT6/2 - Pedestrian/ Vehicular Conflict of the Bury Unitary Development Plan.
- 5 The car parking indicated on approved plan reference A113 Revision E shall be surfaced, demarcated and implemented to a programme to be agreed with the Local Planning Authority and thereafter maintained available for use at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Steven Gunn-Russell	23/05/2022		