

Development Control Committee
Meeting to be held on 26 February 2014

Electoral Division affected: West Craven

Pendle Borough Council 13/13/0571

Two new access points to rear building elevation to Leonard Street and existing wall to be removed to form a level play area at Gisburn Road Primary School, Gisburn Road, Barnoldswick

Contact for further information:

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Executive Summary

Application - Two new access points to the rear building elevation to Leonard Street and existing wall to be removed to form a level play area at Gisburn Road Primary School, Gisburn Road, Barnoldswick.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement and working programme.

Applicant's Proposal

Planning permission is sought to create a new infant play area which would also include the creation of two new entrances into the rear of the school building located off Leonard Street. One of the entrances would replace an existing window. Each proposed entrance would have a ramp and handrail leading to the proposed new playground. The playground would be created by removing a low retaining wall and an area of former garden soil measuring approximately 25m x 4m (and typically 0.5 - 1m deep) located behind the wall. It would be surfaced with an all weather sports surface. An existing stone wall along the boundary of the school grounds would be retained.

Description and Location of Site

Gisburn Road Primary School is located off Gisburn Road (B6251) in Barnoldswick, close to the town centre. The school occupies a sloping site dating from the 19th century constructed of coursed natural stone with steeply pitched roofs of blue slate. The school is surrounded by residential development on Leonard Street to the south west, Dam Head Road to the north west and Gisburn Road/Skipton Road to the east.

The proposed development would be located to the south west of the site adjacent to Leonard Street on an area previously used as the school garden which is now no longer in use. To the east of the site and on the opposite side of Leonard Street are residential properties fronting the highway.

The school falls within the 'Barnoldswick' Conservation Area.

Background

History

The site is an established primary school and children's centre.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11-14, 17, 56-64, 72-73 are relevant with regard to the requirement for sustainable development, core planning principles, the need for high standards of design and the need to provide educational facilities.

Pendle Borough Council Local Plan

Policy 10 Areas of special architectural/ historic interest
Policy 13 Quality and Design of New Development

Consultations

Barnoldswick Parish Council - No observations received.

Pendle Borough Council - No objection.

LCC Developer Support (Highways) - No objection.

LCC Archaeology Service – No objection.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by letter. Three representations have been received objecting to the proposed development on the following grounds:

- The area would provide no useful benefit.
- The area would be better used for car parking.
- Will bring children closer to residential property.
- Excessive cost to the tax payer.
- Increase noise from children.
- Loss of green space.
- Replacement of wall with railings would be out of keeping with the area.

Advice

At present the school does not have a separate playground for infants and juniors. The location of the proposed play area would be adjacent to the school boundary to Leonard Street and has been chosen as it can be accessed directly from the infant's classroom from which two new doorways would be created. The proposed playground would cater for a maximum of 60 children at any one time.

The site is currently stepped and sloping presenting hazards to pupils; the school is of the view that the area is currently unsuitable for general play use. It is therefore proposed to reduce the level of the play area to the current pathway necessitating the removal of an estimated 60m³ of earth from site.

The new play area, entrances and ramps would be provided in line with the recommendations for 'school grounds' facilities as outlined by the Government's Department for Children, Schools and Families partnership the 'Council for Learning Outside the Classroom'. Furthermore, Central Government has released a draft framework proposal for the revised '2014 National Curriculum' to be implemented from September 2014. Within this document, it sets out Keystages 1-2 for 'Physical Education' provision in Primary Schools. It proposes that by the end of Keystage 2 all pupils can master a range of specified activities.

Policy 10 of the Pendle Borough Local Plan seeks to ensure a high design standard that preserves or enhances the character and appearance of the area and its setting. In addition to general design criteria, any development proposals must have regard to the effect on land use mix, activities, noise levels and sense of place.

Policy 13 of the Pendle Borough Local Plan seeks to ensure the protection and enhancement of the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development.

The proposed design and materials for the new external doors would match those already existing within the school building and are considered appropriate. The ramps and rails would ensure safe access and are acceptable.

The proposed removal of a small retaining wall, earthworks and creation of a new play space would have no impact on the conservation area as the existing site boundary wall would be retained. The appearance of the site from Leonard Street would remain largely unchanged and in some respects improved given the neglected condition of the former garden area. The play area would be within the school grounds, below street level and its use would be unlikely to generate noise levels that would be considered unacceptable at a school site or bring children any closer to residential properties than they already are given the land falls within the school grounds. The resident's concerns in terms of noise and bringing children closer to residential properties cannot therefore be supported.

The removal of earth from behind the site boundary wall would create an additional 1m fall from street level (2m from the top of the boundary wall). Whilst the applicant has suggested that additional fencing will be considered as part of health and safety assessment, this does not form part of the planning application and could be

undertaken with the benefit of permitted development rights. However, given the sensitivity of the boundary and the proximity of residential properties, it is considered that the permitted development rights for the erection of such should be removed and details of any fencing be submitted for approval. A condition is proposed to address this.

A number of local residents have raised objection that the project would be a waste of taxpayer's money. However, this is not a material planning consideration.

Overall, the proposed development would create a more useable space within the school grounds and provide a much needed play space for pupils. It is therefore considered it would not result in the loss of green space, would bring into use an area that is currently under used and would have considerable benefit for the school. It is acknowledged that there may be parking issues in the area; however, there are no proposals for parking as part of the application and the creation of a play area is considered acceptable. The proposed development complies with the policies of the NPPF and the policies of the development plan.

In view of the scale, nature and design it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the Director of Transport and Environment on 13/12/2013
 - b) Submitted Plans and documents:

Site Location Plan

Drawing no. 13/287.02 Rev B - Part Proposed Floor
Layout and Elevation

Drawing no. 13/297.01 Rev A - Existing Floor Layout and
Elevation

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies 10 and 13 of the Pendle Borough Local Plan

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no fencing shall be erected on the school boundary with Leonard Street until details of the design and colour of the fencing have been submitted to and approved in writing by the Director of Transport and Environment. The fencing shall thereafter be constructed in accordance with the approved details and painted in the approved colour within one month of its erection on site.

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies 10 and 13 of the Pendle Borough Local Plan.

Notes

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
13/13/0571	13/12/2013	Jess Manfield/Environment/53194

Reason for Inclusion in Part II, if appropriate

N/A