

APPENDIX A

Development Control Committee

Meeting to be held on 9th July 2014

Electoral Division affected: Fylde East
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Fylde Borough: Application number: LCC/2014/0028

Demolition of existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping.

Pear Tree School, Station Road, Kirkham.

Contact for further information:

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Executive Summary

Application - Demolition of existing building to allow construction of new single storey intensive support unit, including new access road off Moor Street, fencing, access gates, 6x6m high lighting columns, 6x illuminated bollards, relocation of existing car parking spaces and landscaping. Pear Tree School, Station Road, Kirkham.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, access improvements, temporary access, wheel cleaning, protection of trees, landscaping, hours of working and building materials.

Applicant's Proposal

Planning permission is sought for the construction of a new intensive education support unit for pupils who have specialist educational needs due to behavioural or physical issues. The new building would cater for 12 additional children of various ages but within the age range currently accommodated within the adjacent Pear Tree School (ages 2 – 19).

The new building would be single storey with dimensions of 35m x 17m with a maximum height to the ridge of 5m. The elevations of the building would be constructed in red brick with coloured render panels with a dark grey standing seam roof. The windows and doors would be polyester coated aluminium coloured white.

The application originally provided for the building to be served by a new access from Moor Street. The applicant has subsequently amended the proposal so that the access from Moor Street would only be for construction purposes only and that once the building is complete, vehicular access would be via the existing Station Road access. The Station Road access would be improved by slight widening and provision of a new pedestrian footway. A new car parking area would be provided along the eastern boundary of the site with 20 spaces which would be served from the existing access road. A new pedestrian access would be created onto Moor Street as originally proposed.

To the eastern and western sides of the building would be two new areas of external play space which would be landscaped and enclosed by 2.4 metre high weldmesh fencing. The existing pedestrian entrances off Moor Street would be bricked up to match the existing wall and the wall would be topped with new railings.

The existing car park at the rear of the building would be resurfaced and relined to provide a number of car parking spaces.

The development would require the demolition of an existing two storey adult training centre building. The new building and provision of the construction access from Moor Street would require the removal of 8 trees / shrubs which currently form the frontage of the site with Moor Street.

Description and Location of Site

The development is located off Moor Street, 300 metres west of Kirkham town centre. The site measuring 50m x 60m is currently occupied by a two storey building last used as an adult training centre. The existing building is set back from Moor Street and is fronted by a landscaped area with a number of trees and shrubs. The western boundary of the site is formed by a high brick wall beyond which are residential properties located on Aiken Court. There is also a row of terraced properties on the southern side of Moor Street which face the existing building.

To the north of the site is the car park and school buildings belonging to Pear Tree School which are accessed off Station Road. To the east of the site is the Kirkham medical centre which is also served via the Station Road access.

Background

The application is located on the site of an existing adult training centre. There is no relevant planning history at this site but a number of planning permissions have been granted for new buildings at the adjacent Pear Tree School.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 16, 17, 56 – 66 and 72 are relevant with regard to the presumption in favour of sustainable development, core planning principles, securing high standards of design and the need for additional school accommodation.

Fylde Borough Local Plan

Policy SP1	Development within settlements
Policy TR9	Car parking
Policy TR10	Car Park Design
Policy EP14	Landscaping
Policy EP18	Retention of natural features
Policy EP19	Protected Species
Policy EP28	External lighting
Policy CF1	Community Services and Infrastructure
Policy CF3	Redevelopment of redundant educational sites

Consultations

Fylde Borough Council: No observations received.

Kirkham Town Council - Object to the creation of the new access into the site, the impacts on car parking, moving of the existing building line closer to Moor Street, additional light pollution, the proposed fencing and the clearance of existing trees and shrubs

LCC Developer Support (Highways) - No observations received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Four representations objecting to the development have been receiving raising the following summarised issues:

Two representations in relation to impacts on the adjacent Health Centre have been received from a GP and from the NHS Estates Services who are concerned about the alignment and dimensions of the new access road and implications for their delivery vehicles. Concerns are also raised about the impacts of demolition and construction and additional passing traffic on a treatment room belonging to the surgery and also the impacts of the new access on existing street parking.

One representation has also been received from a resident on Moor Street who objects to the creation of the new access onto Moor Street due to existing high traffic levels, impact on residential amenity by moving the building line nearer to Moor Street and proliferation of lighting, the suitability of the existing access onto Station Road, the likely impacts on parking, loss of existing trees and impacts of proposed fencing.

A further representation states that the existing buildings have a historic significance and should therefore be retained, that the design of the proposed building is not in keeping with the area and that the access off Moor Street would create highway safety issues.

Advice

Planning permission is sought for the construction of a new unit to provide educational services for pupils with special behavioural and physical needs. At present the County Council sends a number of such pupils outside the county for their education which results in significant taxi journeys each day. The new unit would allow such pupils to be educated more locally to their homes. Pear Tree Special School already has some pupils with similar needs. It is therefore proposed to create the new provision by demolishing an existing adult training centre building and incorporating the new building within the boundary of Pear Tree School.

Paragraph 72 of the National Planning Policy Framework states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The development would accord with this policy as it would enhance provision and choice for specialist education needs and the principle of the development is therefore supported.

The development has a number of aspects including the new building and associated external play areas, the construction of new parking areas and improvement of the existing access from Station Road.

Policy CF1 of the Fylde Borough Local Plan relates to the provision of new community services including schools and requires that such development is located within a settlement except where a rural location is required, the development is appropriately located and landscaped having regard to adjacent land uses and would not prejudice residential amenity and that adequate vehicular access and manoeuvring areas are provided.

The development is located within the main urban area of Kirkham and is located adjacent to an existing educational establishment. The location of the building is therefore considered acceptable in terms of the broad locational criteria within Policy CF1.

The site is currently occupied by a two storey brick building last used as an adult training centre. This building occupies almost the entire width of the site, has a height of around 10 metres and is set back from Moor Street by around 19 metres. The existing building has a residential character with red brick and render. This building would be demolished and replaced with the new unit which would have a single storey to a maximum height of five metres with the ridge of the building being perpendicular to Moor Street. The southern elevation of the new building would be 9 metres from the edge of Moor Street.

One representation has been received which states that the existing building should be retained as until 1960 it was a home for orphaned and disadvantaged children and therefore has a historical importance. Comment is also made that the design of the new building is inappropriate. Whilst the County Council's Specialist Advisor (Archaeology) has commented that the buildings date from 1913, he is of the view that they are of little architectural merit having been subject to extensive internal and external alteration. The existing building is not considered suitable for children with specialist educational needs even if extensive internal remodelling was carried out. No objection is therefore raised to their demolition.

In terms of design, the new building, particularly the roof line, would be of modern appearance. However, the elevations would be in brick and render which are similar to the materials used on the existing building and which are found on many of the other buildings in the local area. The new building would be considerably smaller in ground floor area than the existing building and its scale and design is considered acceptable in terms of its relationship to adjacent buildings. The alignment of the new building would allow sufficient of the green space fronting Moor Street to be retained which would help to preserve the visual amenity of this road including the properties on its southern side provided that new landscaping is undertaken to replace that lost to the new building. This can be the subject of a planning condition.

The existing Pear Tree School, adjacent health centre and the application site are currently served via an access from Station Road. However, this access is constrained in terms of its width and alignment which creates congestion and hazards for pedestrians during certain times of the day. The applicant originally proposed to improve the vehicular circulation through the site by creating a new entrance and single carriageway drive from Moor Street which would then allow a one way system to be implemented with all vehicles including that associated with the health centre, leaving the site via the Station Road access. A number of representations, including from the adjacent health centre, were received stating that the width and alignment of the new road leading to the health centre would cause operational problems for delivery and emergency vehicles, would lead to highway safety issues on Moor Street and would result in loss of vegetation.

To address the representations, the applicant proposes that access to the building would be by way of the existing Station Road. To improve vehicular access to the site, the Station Road access would be improved by widening in two locations and providing a new pedestrian footway. The Station Road access was used to serve the previous use of a building as an adult training centre and therefore it is considered that is capable of accommodating the vehicle movements that would be generated by the new building considering the access improvements that are now proposed. Due to the layout of the Station Road access and possible conflicts with school traffic, it would still be necessary to construct a temporary access from Moor Street to serve the construction phase.

Although the Moor Street access has been removed from the application, the applicant wishes to retain a strip of car parking along the eastern side of the site adjacent to the health centre. The health centre are concerned that the presence of the development will create difficulties for the use of a treatment room located in western elevation of the surgery. However, there is an existing boundary hedge and wall which separates the application site from the surgery and which would be retained as part of the development. Given the boundary treatments, it is considered that the impact on the health centre would be acceptable.

One objection has been received from a property on the southern side of Moor Street concerned about loss of outlook and impacts on amenity. The new building would be 10m closer to Moor Street than the existing building. However, the existing building has a considerably greater set back from the road than the other buildings on the northern side of Moor Street and therefore would not extend the building line further to the road than is the case with other neighbouring buildings. It is considered

that sufficient space would be retained to the highway to allow satisfactory levels of landscaping. The new building would be considerably lower in height and due to its orientation would have a reduced visual impact when seen from Moor Street. The separation distances to the existing dwellings to the properties on Moor Street are therefore considered acceptable and the representations on these grounds are not supported.

The construction of the temporary construction access and building would require the removal of 8 trees and shrubs located on the frontage of the site with Moor Street. These trees / shrubs are of a variety of evergreen and native species and whilst none are of any particular value, they do provide landscaping to the frontage of the site. Some of these trees are only required to be removed as a consequence of the construction access but the applicant considers that the Station Road access is too constrained to be used by construction traffic and therefore there is no alternative but to create a temporary access from Moor Street. The loss of these trees would result in a more open view of the site from Moor Street but the landscaping proposals for the grassed area in front of the new building would mitigate for the loss of these trees. It is also proposed to undertake some works to the existing brick wall along this frontage of the site including replacement of the railings which would enhance the appearance of the street scene. Subject to a condition being imposed relating to landscaping and the treatment of the Moor Street boundary including the reinstatement of the construction access, the application is considered acceptable in terms of visual amenity.

The applicant has undertaken a survey of the existing building to detect the presence of bats. The survey comprised of a visual inspection of the internal roof voids and external facades of the building. No evidence of bats was found within the roof voids and the external facades only offered limited potential for bats to gain access to the building. However, not all parts of the building were accessible and therefore a proper assessment of bat potential could not be made. The County Council's Specialist Advisor (Ecology) has advised that an emergence survey should also be undertaken as a further assessment of whether bats are using the building. Such a survey has been undertaken which has confirmed that the building is not used by bats.

It is therefore considered that the development is acceptable in terms of the policies of the development plan and should therefore be supported subject to the conditions set out in the recommendation.

In view of the location, scale and design of the building, 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, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the Director of Transport and Environment on 13th February 2014
 - b) Submitted Plans and documents:
 - Drawing A101 - Existing and proposed site location plans
 - Drawing A201 - Proposed Site Plan
 - Drawing A202 - Proposed Site Elevations
 - Drawing A204 - Proposed Elevations
 - Drawing L100.03 - Tree Survey
 - Drawing A203 - Proposed General Plan

Amended drawings received on 16th June 2014

 - L100 08 Rev C Externals Context Plan
 - L100 013 Rev C Road Widening and Pedestrian Access Link
 - c) All schemes and programmes approved in accordance with this permission.

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies TR10, EP14, EP18, EP19, EP28, and CF1 of the Fylde Borough Local Plan.

3. The building shall not be brought into use until the highway improvements including the road widening and pedestrian footway provision shown on drawing L100 013 Rev C have been implemented.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

4. No development shall commence until details of the temporary construction access have been submitted to and approved in writing. The submitted details shall include information of the location, dimensions and design of the temporary construction access.

The access shall be constructed in accordance with the approved details and used throughout the construction phase and on completion of which shall be removed and the boundary reinstated to its former condition.

Reason: In the interests of highway safety and visual amenity and to conform with Policy CF1 of the Fylde Borough Local Plan.

5. Measures shall be taken at all times during demolition and construction phase of the development to ensure that no deleterious materials are tracked onto the public highway by heavy goods vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policy CF1 of the Fylde Borough Local Plan.

6. No trees other than those shown as T1, T2, T7, T8, T9, T10, T11, T25 and T26 as shown on drawing L100.03 shall be removed as part of the development. All other trees and shrubs shown on drawing L100.03 shall be retained and protected from damage throughout the duration of the construction works.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP18 of the Fylde Borough Local Plan.

7. No development shall commence until a scheme and programme for the design and landscaping of the external areas of the site has been submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall provide for the following:-

- a) Details for the closure and restoration of the temporary construction access including reinstatement of the footway and rebuilding of the existing wall alongside Moor Street.
- b) Details for the formation of the new pedestrian entrances from Moor Street including design and details of building materials to be used.
- c) Details for the closure of the existing pedestrian entrance including building materials to be used.
- d) Details of the fencing to be installed along the frontage of the site including design and colour.
- e) Details of landscaping on the Moor Street frontage of the site including location of new trees and shrubs, sizes, types and numbers of species to be planted, planting methods and protection measures.
- f) Details of additional landscaping to enhance the boundary treatment between the application site and the adjacent health centre.
- g) Details of external lighting of the new car parking area including details of the height of columns, power of lights and details of measures to avoid lighting glare to adjacent properties.

The tree and shrub planting contained in the approved scheme and programme shall be implemented in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with Policy EP14 of the Fylde Borough Local Plan.

8. No construction development, delivery or removal of materials shall take place outside the hours of:

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CF1 of the Fylde Borough Local Plan.

9. The building materials to be used for the external elevations and roof of the new building shall be those shown on drawing A204.

Reason: In the interests of the visual amenities of the area and to conform with Policy CF1 of the Fylde Borough Local Plan.

Notes

The applicant's attention is drawn to the possibility of European protected species (bats) being encountered during the demolition of the existing building. Should bats be discovered during such operations the applicant should contact Natural England for further advice.

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).

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact the Area Manager (Public Realm) [North] [address and telephone number see below] quoting the planning permission reference.

Area Manager (Public Realm) North: Hampson Lane, Hampson Green, Galgate,
Lancaster LA2 0H7 Tel: 01524 752290

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/14/0028	13/02/14	Jonathan Haine/Environment/534130

Reason for Inclusion in Part II, if appropriate

N/A