

Development Control Committee

Meeting to be held on 15th October 2014

Electoral Division affected:
Lancaster South East

Lancaster City: Application number LCC/2014/0085

Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and temporary fenced contractor's compound and associated access. Moorside County Primary School, Bowerham Road, Lancaster.
(Appendices 'A' & 'B' refer)

Contact for further information:

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Executive Summary

Application – Four single storey extensions to provide 6 additional classrooms and extra resource areas, extension to the existing secondary car park to provide an additional 16 spaces and associated lighting columns, alteration of two windows to fire exits, re-alignment of 2.4 metre high rear boundary fencing and external works consisting of landscaping and disabled access paths, steps and ramps and, temporary fenced contractors' compound and associated access. Moorside County Primary School, Bowerham Road, Lancaster.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, building materials, control of noise, dust, hours of operation, drainage, highway matters, landscaping, protection of nesting birds, floodlighting and contaminated soils.

Background

This application was presented to the 9th July and 3rd September 2014 meetings of the Development Control Committee. The reports to the Committees are appended as A and B respectively.

At the meeting of the 9th September 2014 Committee, the application was deferred and the applicant requested to consider the construction of a drop off / pick up layby within the existing pavement / school frontage on Bowerham Road as a means to address some of the traffic and parking issues raised by the proposed development.

Advice

The applicant has produced a draft scheme showing how a layby could be created along the Bowerham Road frontage of the school. It could provide parking for up to 10 cars and would be created by utilising part of the existing pavement to Bowerham Road which is a shared pedestrian walkway / cycle path and necessitating encroachment into the school grounds to accommodate the cycle way and pavement which would have to be set back.

The layby could be constructed directly in front of the school between the existing pedestrian access and the vehicle entrance to the staff car park, and opposite Chequers Avenue. This is the only possible location for such due to the presence of the entrance to the car park to the south and a bus stop to the north. To ensure that the existing width of the shared footway/ cycleway can be maintained, the layby would require the relocation of a section of the boundary wall to the frontage of the school and consequent loss of part of the landscaped grass strip between the school playground and the boundary wall. The existing street lighting columns in the pavement alongside Bowerham Road would also require resiting. Whilst the applicant advises that construction of the lay by is physically possible, it is anticipated that the costs of constructing such (estimated at £50,000) plus the costs of diverting services within the pavement including relocation of the existing street lighting columns would be a significant additional cost to the project as a whole.

LCC Developer Support (Highways) has advised that although the proposed lay by area would appear to have benefits by minimising parking on surrounding streets, there are a number of highway concerns over such a proposal and which are as follows:

- The widened footpath would encroach into the school grounds.
- Given that the majority of pupils at the school currently come from north of the site (this is likely to continue to be the case) a lay-by on the school side of Bowerham road would lead to vehicles crossing oncoming traffic or performing U turns in order to access the drop off area.
- The layby would create a potential conflict with traffic emerging from the junction with Chequers Avenue which would be against the advice set out in the Design Manual for Roads and Bridges that *"lay-bys should not be located near road features such as junctions or where vehicles are likely to be making manoeuvres such as lane changes"*.
- The proposed location of the layby is opposite a bus stop on Bowerham Road which is part of route 2 from Heysham to the University and is particularly busy during the morning period from 8.30am to 9.15am with at least 6 buses stopping there. While stopped, a bus reduces the running lane on Bowerham Road to a single carriageway which makes the location of the lay-by unacceptable as there would be increased manoeuvring by cars to pass buses thereby introducing conflicts with cars leaving the drop off area. This would be less of a concern in the afternoon period as there are fewer buses during the peak collection time.
- The creation of the lay by would create a potential hazard for pedestrians wishing to cross Bowerham Road due to vehicles entering and leaving the lay-by. This would be of particular concern at the end of the school day as the majority of

movements would be away from the school with pupils and parents emerging onto Bowerham Road from between parked vehicles.

- The creation of a lay-by at this point would necessitate the existing cycle route along Bowerham Road being moved. There would be an increased risk of car doors being opened into the paths of cyclists and pedestrians. Given the limited space available for the lay-by there would also be a risk of drivers opening their doors into the path of traffic.
- The creation of a lay-by at this location would necessitate the removal of the existing parking restrictions (No waiting Mon – Fri 8am – 6pm) and it would not be possible to always police the lay-by to ensure that it would be available to people wishing to drop off / collect children at the appropriate times. It might be used by people accessing other local services or have spaces taken up by taxis bringing pupils to the adjoining Stepping Stones school, neither of which could be controlled as the lay-by would be part of the adopted highway. Given that this is a primary school it is also likely that parents of younger pupils would wish to escort their children to / from school. In practical terms the lay-by would therefore not operate efficiently as people would be likely to use it for parking rather than merely dropping off or picking up meaning there would not be sufficient rotation of vehicles into and out of the facility. The layby would therefore not greatly reduce the incidence of parking on the other streets in the area.
- A drop off area may well encourage more people to drive.

The LCC Developer Support (Highways) therefore concludes that a lay-by on Bowerham Road would have a detrimental impact on the local highway by creating additional hazards which would outweigh any potential benefit that such a facility might achieve. Consequently the proposed lay-by is not supported.

During meetings that have taken place with the applicant, other measures to address the highway impacts of the development have been explored and which include:-

- Increasing the size of the proposed car park on the south side of the school for use as a drop-off area. This has been discounted due to the presence of a water main in the vicinity that may have to be accessed in the future.
- Installing a puffin crossing across Bowerham Road. Such a crossing is not supported as it would create more congestion on Bowerham Road resulting in additional hazards for children / parents who may cross the road between cars.
- Creation of a traffic island on Bowerham Road – this could potentially improve the safety of pedestrians crossing Bowerham Road but finding a suitable and effective location for the siting of such would be likely to be extremely problematic due to the locations of numerous bus stops, junctions off Bowerham Road and their narrowing effect on the width of the road. It is questionable whether a traffic island is necessary given the existing manned crossing points across Bowerham Road directly opposite the school and on Barton Road.

The school have also commented on issues that were raised during the discussions between members of the Committee at the meeting of 3rd September. In relation to the use of the Fox and Goose pub car park, the school note that informal use of this car park is made by parents but the school are unclear as to whether the landlord has given express permission for such use or just turns a blind eye to its use. The car park is small (approximately 12 cars) and therefore makes only a limited

contribution towards off street parking provision. In any event the car park is not in the applicant's control and therefore it is not possible to impose conditions requiring its use as part of the proposed development.

The existing informal arrangements for parking in the pub car park may continue. The use of a walking bus from the car park to the school has been considered by the school but the school are concerned about how such arrangements would be staffed, issues about liability, reliability or insurance if volunteers are used and when responsibility for children is handed from school to parents. However, the school are not opposed to the principle of a walking bus and their recent survey of parents seeks to ascertain the level of support for such initiatives.

In relation to the staggering of start and finish times, the school has advised that such practices already occur with Moorside starting at 8.50 and finishing at 3.10 and St Bernadettes starting at 8.55 and finishing at 3.15. The school have commented that changing the times further could have both a positive and negative impact with a larger stagger meaning less demand for spaces but potentially extending the drop off / pick up time over a longer period. The school has confirmed that Governors are willing to carry out a consultation with parents regarding the changing of school session times.

The school has also confirmed that they are undertaking a consultation with parents as part of the development of a new travel plan including measures that might be introduced to reduce car trips to the school. Such measures might include development of walking buses and promoting walking and cycling to school through 'walk on Wednesdays' or similar initiatives.

In conclusion, the proposal to construct a drop off layby on Bowerham Road, has been investigated and it is considered, that in light of the advice from LCC Developer Support (Highways) it would not be in the interests of highway safety or the safety of users of the cycle way or footpath to construct a layby to the frontage of Bowerham Road. Alternative opportunities to address the concerns of the committee have been considered and have been discounted for the reasons stated. There are a number of other measures that are possible including improvement of the school crossing on Bowerham Road, review of the school travel plan, implementation of any measures that are contained within the travel plan and management of construction traffic and school parking. Beyond these matters LCC Developer Support (Highways) considers that there is little scope for realistic measures to be undertaken to alleviate the highway impacts of this development.

It is therefore necessary to balance the highway impacts of the proposed development against the need for the additional school places. Such a balancing exercise should have particular regard to Government policy as expressed in paragraph 72 of the NPPF which explains the importance that is attached to ensuring sufficient choice of school places and the great weight that should be attached to the need to expand schools. The application has been submitted following an exercise to assess future needs for school places which has identified a particular short fall in places in the South Lancaster area. The expansion of Moorside School would therefore meet the Government's objectives to increase parental choice and ensure availability of school places.

The expansion of this school has been proposed following a site selection exercise involving a number of other schools in the area. Moorside has been identified as a site that has available land that can be used to accommodate an expansion plan of this scale without prejudicing other school functions such as playing fields and which is in the correct location to absorb the projected demand for school places. It would be the case that the expansion of any of the existing schools in the south Lancaster area would inevitably generate additional traffic and that such impacts are invariably difficult to mitigate. Whilst the comments of Developer Support (Highways) in terms of the general highway impacts of the development are acknowledged, it is considered that they would not be so severe at this location (and would be equally severe at any other location) as to outweigh the need for the school places in this part of Lancaster. On balance therefore, the proposal is considered acceptable subject to the conditions set out in the recommendation.

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.

2. The use of the temporary construction compound and associated access route shall cease within one month of the completion of the development. The land disturbed by the temporary construction compound and associated access route as far as its junction with the existing cycleway shall thereafter be restored within a further period of 3 months in accordance with the scheme and programme approved under the requirements of condition 20 below.

Reason: To ensure the satisfactory restoration of the site and to conform with Policy SC5 of the Lancaster District Core Strategy.

Working Programme

3. 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 received by the Director of Transport and Environment on 4th June 2014, the emails received by the Director of Transport and Environment from Martin Howden on 16th and 23rd June and 04th and July 18th July 2014, and the emails received by the Director of Transport and Environment from Sarah Slade on 22nd July 2014 and 01st August 2014.

b) Submitted Plans and documents received by the Director of Transport and Environment on 04th June 2014:

Drawing No. A200 Rev. A - Proposed Site Plan
Drawing No. A201 Rev. A - Proposed Temporary Cycle Path Closure
Drawing No. A202 Rev. A - Proposed Roof Plan
Drawing No. A210 Rev. A - Proposed Ground Floor Plan - Sheet 1
Drawing No. A220 Rev. A - Proposed Ground Floor Plan - Sheet 2
Drawing No. A230 Rev. A - Proposed Ground Floor Plan - Sheet 3
Drawing No. A235 Rev. A - Proposed Ground Floor Plan - Sheet 4
Drawing No. A250 Rev. A - Proposed Site Sections
Drawing No. A260 Rev. A - Proposed Elevations - Sheet 1
Drawing No. A280 Rev. A - Proposed Site Elevations
Drawing No. A290 Rev. A - Proposed Car Park
Drawing No. A291 Rev. A - Proposed Lighting Plan
Drawing No. A320 Rev. A - Proposed Landscaping Plan
Drawing No. A820 Rev. A - Proposed Drainage Plan
Drawing No. A980 Rev. A - Proposed Class Base Doors
Drawing No. TS.1 - Tree Survey on Topographical Survey

Submitted Plans and documents received by the Director of Transport and Environment on 16th June 2014:

Construction Programme
Classroom Numbers
Drawing No. A390 Rev. B - Proposed Site Establishment

Submitted Plans and documents received by the Director of Transport and Environment on 07th July 2014:

Land Contamination Survey

Submitted Plans and documents received by the Director of Transport and Environment on 08th July 2014:

Asbestos Management Plan

Submitted Plans and documents received by the Director of Transport and Environment on 14th August 2014:

Updated Transport Statement

c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the Director of Transport and Environment to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies SC1, SC5, E1 and E2 of the Lancaster District Core Strategy and Policies T17, E12 and E29 of the Lancaster District Local Plan .

Building Materials

4. Within two months of the date of this planning permission, details of the finished colour of the Trespa wall panels to be used on the elevations of the three two-classroom extensions shall be submitted to the Director of Transport and Environment for approval in writing. Thereafter the approved colour shall be used for the Trespa wall panels.

Reason: To protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

5. Within two months of the date of this planning permission, details of the location of any re-aligned section of boundary fencing and of the height, colour, design and location of any new or relocated boundary fencing shall be submitted to the Director of Transport and Environment for approval in writing. Thereafter, the new or realigned fencing shall be erected in accordance with the approved details.

Reason: To provide adequate security for the school and to protect the visual amenities of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

6. Within two months of the date of this planning permission, details of bird and bat nesting / roosting bricks or boxes to be incorporated into the external elevations of the approved buildings or existing landscaping shall be submitted to the Director of Transport and Environment for approval in writing. The details shall contain information on the number, design and location of bird and bat nesting / roosting bricks or boxes to be installed. Thereafter the approved measures shall be incorporated into the construction of the building/s or existing landscaping.

Reason: To provide opportunities for nesting birds and bats and to conform with Policy E1 of the Lancaster District Core Strategy and Policy E12 of the Lancaster District Local Plan.

Control of Noise

7. All plant, equipment and machinery used in connection with the construction of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy SC5 of the Lancaster District Core Strategy.

Dust

8. Measures shall be taken at all times during the construction phase of the development to minimise the generation of dust and prevent its migration across and outside of the school site.

Reason: To safeguard local amenity and health of the pupils, staff and visitors to the school and to conform with Policy SC5 of the Lancaster District Core Strategy.

Hours of Working

9. No construction operations or delivery or removal of materials shall take place outside the hours of:

0800 to 1800 hours, Mondays to Friday (except Public Holidays)
0800 to 1700 hours, Saturdays

No construction operations or 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 SC5 of the Lancaster District Core Strategy.

Safeguarding of Watercourses and Drainage

10. The development shall be undertaken in accordance with the submitted Flood Risk Assessment (Sanderson Associates, April 2014) and the Drainage Plan (Lancashire County Council, Drawing A820, May 2014) and submitted with the planning application on 4th June 2014.

Reason: To reduce the risk of surface run-off from the site and flooding to the surrounding areas and to conform with Policy SC1 of the Lancaster District Core Strategy.

Highway Matters

11. Measures shall be taken at all times during the construction phase of the development to ensure that no mud, dust or other deleterious materials are tracked onto the public highway by vehicles leaving the site.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

12. All vehicles associated with the construction phase of the development shall enter and leave the temporary site compound in a forward direction.

Reason: In the interests of highway safety and local amenity and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

13. Prior to the extended car park being brought into use, the car park shall be hard surfaced and marked out as shown on Drawing No. A290 Rev. A - Proposed Car Park.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

14. The development shall not be brought into use until the existing pedestrian crossing on Bowerham Road has been improved in accordance with a scheme and programme to be first submitted to and approved in writing by the Director of Transport and Environment. The scheme and programme shall provide for the installation of a dropped kerb on the western side of Bowerham Road in the location of the existing crossing.

Reason: In the interests of highway safety and to conform with policy SC1 of the Lancaster District Core Strategy.

15. The construction traffic shall be managed at all times during the construction phase of the development in accordance with the Traffic Management Plan submitted with the application on 23rd June 2014.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

16. Within six months of the date of this planning permission, a revised Travel Plan, as defined by this permission shall be submitted to and approved in writing by the Director of Transport and Environment.

The Travel Plan shall include:

- a) A brief description of the development, its location and a summary of the particular transport and road safety issues at the site;
- b) Evidence and results of consultation with staff and other interested parties;
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the site by staff and other visitors;
- d) A summary of the site's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction; and,
- e) Details of any proposals to modify school start and finish times to mitigate the traffic impacts of the development.
- f) Proposals for monitoring progress of the Travel Plan including a

timetable for its implementation and review at five yearly intervals.

Reason: In the interests of highway safety and to conform with Policy SC1 of the Lancaster City Core Strategy.

17. Prior to the commencement of development, a survey of the condition of the shared pedestrian/ cycle path used to access the construction compound shall be submitted to the Director of Transport and Environment for approval in writing. The survey shall contain details of any existing defects in the surface of the footway/ cycleway.

A further post development survey shall then be undertaken within one month of the completion of the development to identify any damage that has been caused to the surface of the footway / cycle way. The survey shall thereafter be submitted for the approval in writing to the Director of Transport and Environment and shall contain proposals for the repair of any highway defects should they be identified.

Any repairs contained in the approved post development survey shall be undertaken within two months of the approval of the survey by the Director of Transport and Environment.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

18. Within two months of the date of this planning permission, details shall be provided of car park signage to advise that the new car park should be used only by school staff. The signage should be provided within one month of the date of approval and subsequently retained.

Reason: In the interests of highway safety and to conform with Policies E1 and E2 of the Lancaster District Core Strategy.

Landscaping

19. No development shall commence until details of any proposed works to the trees affected by the temporary access and details for the protection of the trees have been submitted to the Director of Transport and Environment for approval in writing. The approved details shall be implemented in full prior to the temporary access being brought into use.

Reason: In the interests of visual and local amenity and to conform with Policies SC5 and E1 of the Lancaster District Core Strategy and Policy E29 of the Lancaster District Local Plan.

20. No development shall commence until a scheme and programme for the landscaping of the school site and of tree protection and replacement measures has been submitted to and approved in writing by the Director of

Transport and Environment. The scheme and programme shall include details of:-

- a) Tree protection measures for those trees and vegetation that are to be retained to include root protection measures for such vegetation.
- b) New tree and shrub planting to include replacement trees for those lost during the development including details of species, numbers, locations to be planted, planting methods and protection measures. The planting should use locally appropriate native species and should deliver compensatory replacement bat foraging and commuting habitat along the fence line to the rear of the site that are used by bats as a part of the route of their flight lines/ feeding circuits.
- c) Removal of and restoration of the temporary construction access and compound within three months of the cessation of use of the temporary construction compound and associated access route.
- d) Reprofilling of any land to include locations, heights, gradients and landscaping works.

The approved protection measures required by a) shall be employed throughout the construction phase of the development. The planting works required by b) above shall be implemented in the first available planting season following the completion of the construction phase of the development and shall thereafter be maintained for a period of five years including weed control, replacement of failures and maintenance of protection measures.

Reason: In the interests of visual and local amenity and to conform with Policies SC5 and E1 of the Lancaster District Core Strategy and Policy E29 of the Lancaster District Local Plan.

21. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policy E1 of the Lancaster District Core Strategy and Policy E12 of the Lancaster District Local Plan.

Floodlighting

22. No lighting shall be erected within the site compound unless the details of such lighting including the position, direction and design of such lighting has first been submitted to and approved in writing by the Director of Transport and Environment.

Reason: To minimise light spill beyond the site boundary to the surrounding houses and to safeguard the amenity of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

Contaminated Soils

23. Within two months of the date of this planning permission, an asbestos remediation plan shall be submitted to the Director of Transport and Environment for approval in writing. All site excavation works shall take place in accordance with the approved plan. No occupation of the buildings shall take place until the measures proposed in the remedial plan have been verified and a verification letter/report submitted to and agreed by the Director of Transport and Environment.

Reason: To ensure that future site users are not exposed to asbestos fibres from the slightly contaminated soils that will be left on-site and to conform with Policy SC5 of the Lancaster District Core Strategy.

Definitions

Director of Transport and Environment: means the Director of Transport and Environment of the County Planning Authority or any successor position to that post.

Planting Season: The period between 1 October in any one year and 31 March in the following year.

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).

If bats are found or suspected at anytime during demolition or construction activities, work in that area should cease immediately until further advice has been sought from Natural England and/or the scheme ecologist. The scheme ecologist, Natural England or their agents in the Lancashire area will be able to locate a licensed bat worker to remove any bats present which might be harmed during the works. If bats are exposed during the works and are vulnerable to harm, gloves or a container should be used to move them to a dark and quiet area, until a bat worker has been contacted.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping - up or diversion of a right of way should be the subject of an Order under the appropriate Act. Access to the temporary construction compound would be taken via the existing public cycle and footpath to the south of

the school. The applicant will have to apply for a temporary closure of the footpath for the duration of the works.

It is responsibility of the applicant/ contractor to provide the relevant signage to advise as to the potential for conflict between users of the new car parking area the subject of this permission and traffic to and from the construction compound.

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0085	04 June 2013	Rob Jones/Environment/ 534128

Reason for Inclusion in Part II, if appropriate

N/A