

Development Control Committee

Meeting to be held on 25th February 2015

Electoral Division affected:
Morecambe South

Lancaster City: Application Number LCC/2015/0006

Formation of internal road along and inside the northern boundary of the school between the vehicle entrance and the west side of the infant and junior playground to create a one-way system within the school site, and the creation of a new parking area to provide 3 minibus parking spaces. Morecambe Road School, Morecambe Road, Morecambe.

Contact for further information:

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Executive Summary

Application - Formation of internal road along and inside the northern boundary of the school between the vehicle entrance and the west side of the infant and junior playground to create a one-way system within the school site, and the creation of a new parking area to provide 3 minibus parking spaces. Morecambe Road School, Morecambe Road, Morecambe.

Recommendation – Summary

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

Applicant's Proposal

Planning permission is sought for the construction of a road along and inside the northern boundary of the school between the vehicle entrance from Morecambe Road and the west side of the infant and junior playground so as to create a one-way system within the school site. A new parking area to provide 3 minibus parking spaces would also be provided.

The road would have a total length of approximately 200 metres consisting of one section measuring 163m long by 3.5 metres wide inside and along the northern boundary of the school widening to 5 metres over a 37 metre long section to adjoin the west side of the infant and junior playground. A 10 metre long by 3.5 metre wide spur would be provided to the existing staff car park from the south side of the internal road at a point near to the vehicle entrance from Morecambe Road. The new minibus parking area would measure 13m long by 5m wide. The road and parking area would have a tarmac surface and be unkerbed.

A number of trees and 20 metres of hedgerow would need to be removed along the route of the internal road.

Description and Location of Site

Morecambe Road School is located in a residential area directly to the west of the junction of the A589 Morecambe Road with the A683 approximately 2.2km south-east of Morecambe. The school is bordered to the north, south and west by Stanhope Avenue, Hadrian Road and Watling Close, and to the east by a McDonald's restaurant that separates the site from Morecambe Road. Vehicular access to the school is to the north-east corner of the site from Morecambe Road.

The school site measures approximately 220 by 120m (approximately 2.6 hectares). The existing school building is located in the south-west quarter of the site, with the infant and junior playground and grassed areas to the north. The school playing field occupies the majority of the east side of the site, where there is also another hard play area for children of secondary school age. An existing 44 space staff car park is located in the north-east corner of the site near the vehicle entrance and boundary. An additional 2 disabled parking bays and 2 drop-off spaces are located on the north side of the school. An existing internal road runs directly between the school vehicle access and the school which provides access to the staff car park and playgrounds. The school has tree and shrub planting on all boundaries.

The proposed internal road would utilise a disused track along and inside the northern boundary of the school and then turn south and east across a grassed area to join the west side of the infant and junior playground. A 1.8m high chain link fence on concrete posts would be located on the northern school boundary and along the route of the new road to border the rear gardens of residential properties on Stanhope Avenue.

Background

The proposal is at an existing Day Special School where a number of permissions have been granted at the school, the most recent being the following:

Planning permission for a single storey extension to provide two new classrooms, new access ramp with steps, soft play area, cycle path and cycle shelter was granted in April 2013 (ref. 01/13/0107)

Retrospective planning permission for the retention of 74 solar panels on the roof of the school building was granted in February 2013 (ref. 01/13/0077)

Planning permission for the removal of an existing temporary classroom and the erection of log cabin for teaching purposes was granted in December 2010 (ref. 01/10/1104).

Planning permission for a single storey classroom extension, new disabled access ramp, new play area and canopy to main entrance was granted in July 2010 (ref. 01/10/0571).

Planning Policy

National Planning Policy Framework (NPPF): Paragraphs 11 – 14, 17, 56 – 66, 109 and 123 are relevant with regard to the presumption in favour of sustainable development, core planning principles, the requirement for good design, conserving and enhancing the natural environment and noise.

National Planning Practice Guidance

Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031
Development Management Development Plan Document (DPD)

Policy NPPF1 Presumption in Favour of Sustainable Development

Policy DM22 Vehicle Parking Provision

Policy DM23 Transport Efficiency and Travel Plans

Policy DM27 Protection and Enhancement of Biodiversity

Policy DM29 Protection of Trees, Hedgerows and Woodland

Policy DM35 Key Design Principles

Consultations

Lancaster City Council – No objection subject to the imposition of the following conditions:

- No development shall take place until a landscaping scheme indicating the type and distribution of all new trees to be provided within the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented within 12 months of the date from when the development first commences (including site clearance).
- Prior to the commencement of any site activity associated with the development, including site preparation and clearance work, the following details must be submitted to and approved in writing by the local planning authority:
 - A tree works schedule for works proposed to any on or off site trees and hedges
 - A detailed Arboriculture Method Statement for all work proposed within identified root protection areas and within 1m of protective barrier fencing, to include the location, and identification of special measures, materials and method of installation for all new surfaces and underground utility services proposed. On site arboriculture supervision must be included. The development shall be carried out in accordance with the approved details.
- No tree or hedge within the site or on any immediately adjacent property shall be cut down, up rooted, topped, lopped or destroyed, other than a maximum of 5 cherry trees to the west of the site identified in the approved application, without the prior written approval of the local planning authority and before any site activity is commenced in association with the development.
- Prior to the commencement of any site activity associated with the development, a tree protection plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. No development, including site preparation and clearance work, shall commence until the tree protection measures have been fully implemented and inspected by the Tree Protection Officer. The protection measures shall be retained for the duration of the works and until the development is complete.

Morecambe Town Council – No observations received.

LCC Developer Support (Highways) – No objection subject to the imposition of the following conditions:

- Remodelling of pedestrian / vehicular junction access arrangements with the A589 (Morecambe Road) shall be constructed in accordance with the Lancashire County Council document "Specification for Construction of Estate Roads (2011)" to at least base course before any development takes place within the site.
- No part of the development hereby approved shall commence until a scheme for the construction of off-site "adopted highway" junction improvement details A589 (Morecambe Road)/ Morecambe Road School has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.
- No development shall take place including any works of excavation until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - The parking of site vehicles of site operatives and visitors.
 - Loading / unloading of plant and materials etc taking into consideration the start and finish of the school day and number of students attending the establishment.
 - Storage of plant and materials during the construction period
 - Erection & maintenance of security hoarding
 - Implementation of temporary wheel wash facilities
 - HGV routing to / from site taking into consideration ongoing highway improvement works relating to Lancaster (M6) / Heysham Link Road.
- Excavation / Construction activities shall be carried out in accordance with the agreed CTMMS at all times unless otherwise agreed in writing with the local planning authority.
- No development shall commence until a review of the schools existing school travel plan has been completed and approved in writing by, the local planning authority.

LCC Specialist Advisor (Ecology) – No objection subject to conditions to protect nesting birds and to ensure adequate replacement tree and hedgerow planting for that lost.

Representations – The application has been advertised by site notice and neighbouring residents have been notified by letter. Three representations have been received objecting for the following reasons:

- The use of the internal road by cars, taxis and minibuses will create issues of noise, pollution, loss of privacy and an increased risk of crime to the detriment of the houses on Stanhope Avenue.
- The proposed chain link fence would be totally inadequate. A solid form of improved fencing should be erected instead to help alleviate the above problems which would be a compromise for residents.
- The road should be built in the spacious school grounds instead.

Advice

Planning permission is sought for the construction of a road along and inside the northern boundary of the Morecambe Road School to create a one-way system within the school site for vehicles delivering and picking pupils up, plus the creation of a new parking area to provide 3 minibus parking spaces.

Morecambe Road School is a special school for pupils with a range of special educational needs. Nearly all pupils are taken to and from the school by either taxi or minibus. This is currently achieved by using the internal single carriageway access road between the main entrance off Morecambe Road and the drop off area in front of the school buildings. However, because of the size and the large number of vehicles arriving at the school, there are currently problems with vehicles safely passing each other on the existing internal road which leads to traffic tailing back out of the school site and onto Morecambe Road which creates congestion and traffic safety issues on that road.

The proposed road seeks to address this problem by providing a new one way circulatory system within the school grounds. The proposed new internal road would be double the length of the current arrangements and so would be long enough to accommodate all vehicles accessing the school at peak times and so prevent queuing out of the school onto Morecambe Road. The access into the school off the public highway is proposed to be improved through various highway works in this area that are programmed as part of the County Council's Heysham to M6 Link Road and the combined effect of the improvements would be to relieve the existing congestion problems in this area.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site is made up of the Lancaster City Council - A Local Plan for Lancaster District 2011 – 2031 Development Management Development Plan Document (DPD).

The main issues associated with the proposal relate to the design and the impact on nearby residential amenity.

Three representations have been received objecting to the application on the basis that the use of the internal road will create issues of noise, pollution, loss of privacy and an increased risk of crime to the detriment of the houses on Stanhope Avenue that back onto the school grounds. It is suggested that a solid form of improved fencing should be erected instead of the proposed chain link fencing to help alleviate these problems.

Policy NPPF1 of the Lancaster District DPD seeks to secure development that improves the economic, social and environmental conditions in an area, and seeks to approve without delay planning applications that accord with the policies in the Lancaster District DPD, unless material considerations indicate otherwise. Policy

DM35 of the Lancaster District DPD seeks to ensure, amongst other things, that new development demonstrates a number of general principles; contributes positively to the identity and character of an area through good design, having regard to appropriate siting, layout, separation distances and scale, ensure no significant detrimental impact to amenity in relation to visual amenity, privacy, noise pollution, overlooking and air quality, and ensure that safety and security are fully considered through the design process.

The concerns of the adjacent residents are understood but they have to be assessed in relation to the potential impacts of the development. The proposed road would follow an existing track and would mainly be used at peak times in the morning and afternoon when the school would open and close, so the issues of noise, pollution and loss of privacy would realistically only be for a relatively short time at the beginning and end of the school day and even then, traffic would only pass the houses to access the pick up / drop off areas which would be in similar locations to existing. Vehicular and pedestrian accesses to the school site would still be prevented by 2m high double steel palisade gates and walls across and to the side of the main entrance from Morecambe Road, while two sets of 1.85m high double steel palisade gates would be located at different points along the proposed road to the rear of the Stanhope Avenue properties. The request of the residents to have a solid fence to the rear of the properties is noted. However, due to the relatively minor impacts of the road in terms of noise, it is considered that a requirement to erect such fencing could not be justified.

Whilst the concerns of residents regarding proximity of the road to their houses are acknowledged, a route further from the properties would affect existing areas of play space and playing field which would have implications for the delivery of the school curriculum. Such a route would necessarily be shorter than that proposed and would therefore not have the same benefits in terms of vehicle circulation.

To protect the amenities of the nearest properties and the surrounding area during the construction phase of the development, a condition is proposed restricting the hours within which construction work may be carried out and to require that noise and dust suppression methods be employed throughout the duration of the development. Subject to the imposition of such conditions the development is considered to be acceptable in terms of the impact on the amenities of nearby residential properties and the local area and would therefore accord with Policies NPPF1 and DM35 of the Lancaster District DPD.

LCC Developer Support (Highways) has raised no objection to the proposal but suggest that a condition requiring that the development does not commence until the existing school access at its junction with Morecambe Road has been widened in accordance with an approved scheme. However, the improvements to the school access already form part of the approved consent for the Heysham to M6 Link Road and therefore there is no necessity to request further details of this junction. The works to construct the link road including the junction with the school access are currently underway. Developer Support (Highways) also suggest a condition to require the improved and remodelled vehicular access to be constructed to at least base course level prior to any works to the road within the school grounds taking place. However, it is considered that such a condition would not be required as the

construction of the new internal road is not reliant upon the junction with Morecambe Road being improved and there would be benefits from the construction of the new internal road even if the improvements to the main road are not completed first.

LCC Developer Support (Highways) has also suggested conditions requiring that a construction method statement (CTMMS) be submitted to and approved in writing prior to the commencement of development and that excavation/ construction activities shall be carried out in accordance with the agreed CTMMS at all times, so as to maintain the operation of through routes in the area during the sites period of construction, to ensure the safety of other highway users and minimise the potential risk of conflict between pupils movements and vehicles. This suggested condition is supported given the nature of the school and the existing traffic problems. However, the request that no development shall commence until a review of the schools existing school travel plan has been completed and approved in writing are not supported as the proposal would not increase traffic movements to the school. The requirement is therefore unnecessary.

As part of the proposal, a new parking area for 3 minibuses is proposed on the west side of the infant and junior playground. There is currently no minibus parking at the school and so this can create traffic congestion within the site by blocking the internal roads and because of the time it takes for pupils to get on and off the minibuses. The parking area should help to alleviate these problems and would not affect the existing parking provision at the site. The parking area would only measure 13m long by 5m wide and would be created as a spur to the proposed road on a small grassed area that is unused, and could not reasonably be used as part of the school playing field. Policy DM22 of the Lancaster District DPD states that in relation to the provision of car parking, development proposals will be considered acceptable where the design of the proposal incorporates provision of car parking that accords with the levels and layout requirements set out in Appendix B of this document. In Appendix B, the standards for coach parking at primary schools are on a case by case basis plus they allow a minimum of one drop-off area for a coach. The proposed area would effectively be a parking and waiting area, and given the nature of the Day Special School and how pupils have to be dropped off and picked up, it is considered that the minibus parking area provision would not exceed the parking standards and hence would accord with Policy DM22 and DM35 of the Lancaster District DPD as the siting and layout would be appropriate to good design.

The design of the internal road would involve the removal of approximately nine young and semi-mature trees at the western end of the road to access the infant and junior playground. Approximately 20m of hedgerow would also be removed along the route of the internal road. LCC's Specialist Advisor for Ecology has not objected to the loss of this vegetation subject to conditions to protect nesting birds and to ensure adequate replacement tree and hedgerow planting for that lost. In line with their comments and those of Lancaster City Council, conditions are therefore proposed of protection measures for the trees and hedgerows near to the proposal, a tree works schedule and a replanting, maintenance and landscaping scheme. Subject to such conditions, the development would accord with Policies DM27 and DM29 of the Lancaster District DPD. In the event that bats are found in trees that may be affected by the construction works, then provision would have to be made for their protection. A note is proposed to address this.

In conclusion, the proposed internal road and a new parking area for 3 minibuses would create a one-way system within the school site and provide additional capacity for vehicles delivering and picking pupils up from Morecambe Road Day Special School so that they would not tail back out of the school site and onto Morecambe Road. The development would therefore alleviate congestion and highway safety issues on the public highway. Whilst there may be some minor impacts on residential amenity, the benefits of the development are considered to outweigh those impacts.

In view of the nature, location and purpose of the proposal it is considered that no Convention Rights as set out in the Human Rights Act 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 received by the Director of Transport and Environment on 05th January 2015 and two emails received by the Director of Transport and Environment on 26th January 2015.

b) Submitted Plans and documents received by the Director of Transport and Environment on 05th January 2015:

Drawing No. 11063/1214/PA/001 Rev. C0 - Planning Application Plan

Drawing No. 11063/2700/011 Rev. C0 - Works to School Entrance

Drawing No. 11063/2700/012 Rev. C0 - Fencing Detail

Drawing No. BTC460-TIP - Tree Impact Plan

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

Reason: To enable the adequate control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies NPPF1, DM22, DM23, DM27, DM29 and DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

Control of Noise

3. All plant, equipment and machinery used in connection with the construction phase of the development 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 DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

Dust

4. Measures shall be taken at all times during the construction phase of the development to minimise the generation of dust and prevent its migration off site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

Hours of Working

5. 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 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 DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

Highway Matters

6. No development shall take place including any works of excavation until a construction method statement has been submitted to and approved in writing

by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for the following:

- a) The parking of site vehicles of site operatives and visitors.
- b) Loading / unloading of plant and materials etc taking into consideration the start and finish of the school day and number of students attending the establishment.
- c) Storage of plant and materials during the construction period

Excavation / Construction activities shall be carried out in accordance with the agreed construction method statement at all times.

Reason: In the interests of highway safety and local amenity and to conform with Policy DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

7. Measures shall be taken at all times during the construction of the development to ensure that no mud, dust or other deleterious materials are tracked onto Morecambe Road by HGV's leaving the site.

Reason : In the interests of highway safety and to conform with Policy DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

8. There shall be no parking of contractor's vehicles associated with the development on Morecambe Road.

Reason: In order to avoid conflict with other road users during the construction period, in the interests of highway safety and local amenity and to conform with Policy DM35 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

Landscaping

9. No development shall commence until a scheme and programme for the landscaping of the 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) A tree works schedule for works proposed to any on or off site trees and hedges.
- c) A detailed Arboriculture Method Statement for all work proposed within identified root protection areas and within 1m of protective barrier fencing, to include the location, and identification of special

measures, materials and method of installation for all new surfaces and underground utility services proposed. On site arboriculture supervision must be included. The development shall be carried out in accordance with the approved details.

d) Details of 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 approved protection measures required by a) shall be employed for the duration of the works, including site preparation and clearance work and throughout the construction phase of the development. The planting works required by d) 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 Policy DM29 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

10. 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 DM27 of the Local Plan for Lancaster District 2011 - 2031 Development Management Development Plan Document.

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

This consent is associated with the requirement to construct, 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

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.

Any trees to be removed should be done using measures to reasonably avoid damage to any bats that may be present, for example, soft felling techniques whereby limbs are gently lowered to the ground to reduce the impact of felling.

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

Paper	Date	Contact/Directorate/Ext
LCC/2015/0006	05 January 2015	Rob Jones/Environment/ 534128

Reason for Inclusion in Part II, if appropriate

N/A