

Development Control Committee
Meeting to be held on 23rd May 2018

Electoral Division affected:
Morecambe South

Lancaster City: Application Number LCC/2018/0006
Provision of two timber garden classrooms.
Morecambe Road Primary School, Morecambe Road, Morecambe.

Contact for further information:
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Executive Summary

Application - Provision of two timber garden classrooms. Morecambe Road Primary School, Morecambe Road, Morecambe.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, landscaping and ecology.

Applicant's Proposal

Planning permission is sought for the provision of two timber garden classrooms at Morecambe Road Primary School, Morecambe Road, Morecambe. The proposed classroom buildings would both measure approximately 7m x 4m with a maximum height of 2.73m. In between the two buildings, a 4m wide section of timber decking would be constructed for access purposes.

The external walls of the classroom buildings would be constructed from red cedar cladding (RAL 8029) and the roof would be constructed from a flat grey single ply membrane. Both buildings would be finished with black UPVC rainwater pipes and gutters with powder coated grey aluminium windows and doors. A 1.2m wide porous tarmac access path would be placed around the proposed development to provide access for pupils and staff from the main school building to the proposed outdoor classrooms.

Description and Location of Site

The proposed development is located within the boundary of Morecambe Road Primary School in a residential area approximately 2km to the east of the centre of Morecambe. Two main roads, A589 Morecambe Road and A683 Bay Gateway lie to the north east and south east respectively. The proposed development would be located north of the existing school buildings on the site of an ornamental pond and maintained amenity grassland. The nearest residential properties are located

approximately 50m to the north of the proposed development site on Stanhope Avenue.

Background

The site is an established educational facility.

Planning permission was granted in February 2015 for the formation of an 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 minibuss parking spaces. (LCC/2015/0006)

Planning Policy

National Planning Policy Framework

Paragraphs 11 - 14, 17, 56 - 66 and 74 are relevant in terms of the presumption in favour of sustainable development and the need for high standards of design.

Lancashire District Core Strategy

Policy SC1 - Sustainable Development

Policy SC5 - Quality in Design

Lancaster District Local Plan (Development Management DPD)

Policy NPPF1 - Presumption in favour of Sustainable Development

Policy DM25 - Green Spaces and Corridors

Policy DM27 - Protection and Enhancement of Biodiversity

Policy DM29 - Protection of Trees, Hedgerows and Woodland

Policy DM35 - Key Design Principles

Consultations

Lancaster City Council - Lancaster City Council object to the development due to close proximity to root protection areas of trees which are proposed to be retained. However they have stated if the application is approved then conditions should be added for protection measures to be put in place to ensure these trees are protected. Also conditions should be added that the development should be carried out in accordance with the protection measures outlined in the Arboriculture Survey, Implications Assessment and Tree Protection document submitted with the application.

Morecambe Town Council - No observations received.

County Ecology Service - The proposals would result in the loss of a pond / wetland feature and two trees, therefore details of replacement landscaping and a wetland area should be secured by planning condition. Due to the planning history of the site and records of pond assessments which have been carried out it is accepted there

would be low risk impacts on great crested newts, therefore surveys would not be required prior to determination and potential risks could be dealt with through Non-Licensed Reasonable Avoidance Measures (RAM's) through planning condition.

LCC Highways Development Control - No objection.

Representations - The application has been advertised by site notice and neighbouring residents have been informed by individual letter. No representations have been received.

Advice

Morecambe Road Primary School is a specialist school which caters for children with special educational needs. The school are applying for the provision of two timber garden classrooms which would be used as an outdoor learning space and would utilise the wider green space located at the school. The proposed classrooms would be sited within an area that is currently occupied by a pond. It is proposed to infill the pond to create a platform for the new buildings.

Policy DM35 of the Lancaster City Local Plan seeks to ensure that there is no significant impact in relation to overshadowing and loss of visual amenity from development. Similarly Policy DM36 states that councils should be supportive of proposals which deliver high standards of design and construction. Due to the distance to the nearest residential properties and the scale and design and materials chosen, it is considered that the development would be acceptable in terms of visual and residential amenity.

Overall due to the small scale and location of the development, it is considered that the proposed classrooms would not cause harm to green space as it would leave a significant amount of green space at the school. However it is important to balance the need for the development against the environmental impacts of the proposed development.

Policy DM27 of the Lancaster City Development Management DPD requires the applicant to demonstrate how impacts on biodiversity have been minimised and that development proposals which have potential to affect protected habitats or species are accompanied by assessments detailing any mitigation or compensatory measures.

The application would involve the infilling of an ornamental pond. To assess the potential impacts of the development on ecology, the applicant has submitted an ecological appraisal which recommends a survey for great crested newts to be carried out due to the loss of pond. Due to the planning history of the site and numerous records of pond assessments which have been previously carried out, the LCC Ecologist considers there would be a low risk impacts on great crested newts and potential risks could be dealt with through Non-Licensed Reasonable Avoidance Measures (RAM's) which could be secured through planning condition.

The proposal would result in the loss of two trees and some scattered scrub. The trees which are proposed to be removed include a Goat Willow which is currently

located on the west side of the proposed site and a small Black Cherry which would be removed on the north side of the proposed site. These trees are of limited amenity value. The applicant has proposed to compensate for this loss with the planting of 6 new trees to north of the development site, to include 3 Alder and 3 Black Cherry trees, the implementation of which can be secured through planning condition. The loss of a small number of minor trees is considered acceptable.

Policy DM29 of the Lancaster Local Plan states that the council will support the protection of trees and hedgerows which positively contribute, either as individual specimens or as part of a wider group, to the visual amenity or environmental value of the location. Lancaster City Council have raised an objection to the development due to the proposed buildings being located in close proximity to the root protection areas of a number of trees.

The applicant has submitted a tree survey which outlines measures which they would put in place to protect existing trees around the proposed site. The applicant has also confirmed they are to reposition the siting of a shallow inspection chamber to minimise the risk of impacts to the roots of nearby trees. It is also proposed to site the buildings on foundation columns which would minimise the need for mechanical excavation and therefore risk of damage to tree roots. On this basis, it is considered that the development is acceptable in relation to adjacent trees and the requirements of Policy DM29.

In conclusion, the development would provide additional teaching areas which would utilise the wider green space at the school. The applicant has confirmed there are no land drains within the pond which is due to be infilled therefore drainage impacts would be negligible. The increase in pupil numbers at the school from the development would be minimal and therefore any additional highway impacts would be limited. The layout, scale and design of the development would be acceptable in terms of visual amenity and complies with the policies of the development plan.

In view of the nature, location and purpose of the development 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 County Planning Authority on 21st February 2018.

b) Submitted Plans and documents:

Drawing No - MRS / NGC18 / JH / 1 - Rev B / Site Plan Showing Position of New Garden Classrooms

Drawing No - MRS / NGC18 / JH / 2 / Floor Plan of Garden Classrooms, Decking and Surrounding Area and Elevations

Drawing No - F325-21-D01 - Tree Constraints Plan

Drawing No - F325-21-D02 - Arboricultural Impact Assessment

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policy SC5 of the Lancaster District Core Strategy.

Landscaping

3. No trees other than those identified for removal outlined in Section 12.7 of the Arboricultural Survey, Implication Assessment and Tree Protection Document shall be removed as part of the development. All other trees shall be retained and protected from damage throughout the duration of construction works with protection measures being put in place prior to the commencement of any excavation works as detailed in the Arboricultural Recommendations - Section 11.

Reason: To protect existing trees within or adjacent to the site in the interests of the visual amenities of the area and to conform with Policy DM29 of the Lancaster District Local Plan (Development Management DPD).

4. No development shall commence until a scheme and programme of replacement tree planting has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of location of planting, numbers, sizes and types of species, planting techniques and protection measures.

The approved landscaping works shall be undertaken in the first planting season following completion of construction works and shall thereafter be maintained for a period of five years including weed control, replacement of dead and dying trees and maintenance of protection measures.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM27 of the Lancaster District Local Plan (Development Management DPD).

5. Any trees or hedgerow which are either removed or damaged at any time during the development as provided for in this permission shall be replaced during the first available planting season following completion of the development, as defined in this permission. Any trees or hedgerows shall be replaced with trees of a similar type, number and species.

Reason: To ensure that any trees or hedgerows removed as part of the development are replaced in the interests of visual amenity and to conform with Policy DM27 of the Lancaster District Local Plan (Development Management DPD).

Ecology

6. No trees 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 Lancaster District Development Management Document.

7. The Non - Licensed Reasonable Avoidance Measures in the LCC Ecology Response letter dated 12th March 2018 shall be undertaken prior to the commencement of the development and maintained throughout the duration of the development.

Reason: In the interests of ecology and to conform with Policy DM27 of the Lancaster District Development Management Document.

Definitions

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).

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

Paper	Date	Contact / Ext
LCC/2018/0006	April 2018	Faiyaz Laly / Planning and Environment / 01772 538810

Reason for Inclusion in Part II, if appropriate - N/A