

COMMITTEE DATE: 23/04/2018

APPLICATION NO: 17/1191/FUL
APPLICANT: Ms Bronwen Caschere
PROPOSAL: Construction of a building and associated landscaping for 3 classrooms and staff area.
LOCATION: Southbrook School
Bishop Westall Road
Exeter
Devon
EX2 6JB

REGISTRATION DATE: 28/07/2017
EXPIRY DATE:

SITE HISTORY

There has been a school on this site for many years. The most recent planning application prior to the current one was for a new sports hall. It was approved in 2015.

DESCRIPTION OF SITE/PROPOSAL

Southbrook is a secondary age (11-16 years) special school. It caters for 120 children and young people, all of whom have a range of complex needs and abilities. These could be moderate or severe learning, social and emotional difficulties, often a diagnosis of Autism or other speech, language and communication needs, sensory impairments and/or physical disabilities. Pupils come from a wide catchment area in Devon and travel to school by bus, taxi or, are independent travellers who may cycle, walk or use public transport.

This proposal is for an additional building and associated landscaping for 3 classrooms and staff area. The new building will be 172 square metres in floor area, and will be located adjacent to existing buildings on the north corner of the grassed field. This field is currently used for outdoor activities and can accommodate a full sized football pitch. There is an existing storage building and a tree, which both have to be removed to make space for the new building.

During the course of the current application the proposal has been amended to be located further away from the site boundary. Neighbours and consultees have been re-consulted regarding the amendment.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Planning, Design & Access Statement
- Arboricultural Impact Assessment including Tree Protection Plan
- Statement of BB101 Compliance
- Drainage Layout
- Ecology Assessment

REPRESENTATIONS

4 objections were received.

The following issues were mentioned in the comments and the objections:

- Parking spaces, size of drop off area and vehicle tracking
- More parking on Bishop Westall Road

- Emergency vehicles not getting through on Bishop Westall Road
- The removal of boundary trees and hedges
- Overlooking and privacy
- Bats and owls

CONSULTATIONS

Sport England objects to the development. Its view is that the site forms part of, or constitutes a playing field, and therefore consultation with it is a statutory requirement.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply. In this instance it considers that the applicant has failed to demonstrate that the following exception is applicable:

The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

At this time Sport England's response is a holding objection. Subject to receipt and consideration of further information to demonstrate that the above exception is applicable, the holding objection may be removed.

The County Director of Planning Transportation & Environment advises that there are no objections to the development, subject to planning conditions requiring an updated Travel Plan and the submission of a Construction Method Statement with details on the management and timing of arrivals and departures of vehicles.

The Environmental Health Officer has no objection subject to planning conditions requiring submission of a Construction Environmental Management Statement.

Wales & West Utilities have no objection subject to the safety of its gas pipes and apparatus that might be affected and at risk during the construction works.

South West Water have no objection subject to a condition regarding Foul Drainage and requirements regarding Asset Protection, Foul Sewerage Services and Surface Water Services.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

National Planning Policy Framework 2012

Exeter Local Development Framework Core Strategy 2012

CP10 – Community facilities

CP15 – Sustainable design and construction

CP17 – Design and local distinctiveness

Exeter Development Delivery Document – Publication Version 2015

DD1 – Sustainable Development

DD13 – Residential Amenity

DD21 – Parking
DD25 – Design Principles
DD23 – Other Community Facilities
DD31 – Biodiversity
DD33 – Flood Risk

Exeter Local Plan First Review 1995-2011

AP1 – Design and location of development
AP2 – Sequential approach
T9 – Access to building by people with disabilities
DG1 – Objectives of urban design
DG2 – Energy conservation

Exeter City Council Supplementary Planning Documents

Residential Design SPD 2010

OBSERVATIONS

Potential loss of playing field

In view of its holding objection, further information has been presented to Sport England to demonstrate that the proposal does not result in the loss of, or inability to make use of the existing playing pitch and margins. This information can be summarised as follows:

- The scheme involves limited encroachment onto an existing playing field.
- The encroachment can be mitigated by scrub clearance so that the exact equivalent area remains available as playing field following the development.
- The playing field will be able to accommodate the same activities as it does now following the development, and can be marked out as a standard sized pitch with appropriate clearance around it.
- The school has recently enhanced its sporting facilities provision with the construction of a new sports hall.
- To use Sport England terminology, the development will not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

A response is awaited. It may result in the withdrawal of the objection. If it does not, and Members wish to support approval of the application, it is a procedural requirement to consult the Secretary of State before issuing a decision.

The school playing field is not included in the Local Plan or the Council's emerging Playing Pitch Strategy, which has not yet been consulted on. The playing field was assessed when preparing the draft Strategy, and it was marked as category '*C – not available for community use - as a matter of policy and practice*'.

The main objective for Southbrook School is to care for its students, and the school grounds need to be designed to achieve that. In the Government's design guidance document for schools '*BB 102 designing for disabled children and children with special educational needs*', a diagrammatic site plan shows how school grounds can be designed to meet these needs. The diagram shows walls and fencing for safety and security enclosing areas for the students, including flat grassed area for games, a hard surfaced games court and sheltered hard surface play area. It is essential for the school to have these play areas for its students, but also to have

these area protected. For security reasons the school premises are not open to the public, so a community use agreement would be contrary to the school's objectives. It is also contrary to the school's objectives if resources for disabled/special needs students are allocated to enable community use of the playing fields. Refusal of this application on the grounds that the playing field is not accessible as a public facility is not justifiable in this instance.

The playing field will not be lost and formation of a regular football pitch and margins will still be possible following the development. There is no public benefit in refusing this development on grounds of loss of playing pitch space.

The development is in conformity with relevant Development Plan policies relating to playing pitch provision.

Design

The submitted building design does not meet the Core Strategy policy CP15 requirement of achieving BREEAM Excellent or an equivalent level of sustainable design. Discussions with the applicant are underway to address this concern. Revisions may necessitate ventilation equipment with visual or noise implications and consequent reconsultation of neighbours and Environmental Health.

In other respects such as scale and massing, colour, character and materials, the proposed design meets Development Plan policy expectations. As stated above, the existing trees and hedge around the site periphery are important to mitigate any negative impact on the surrounding area, and positive amendments have already been made to protect this and respond to objections from neighbours.

DELEGATION BRIEFING (3 April 2018)

Members supported the proposal that the application should be considered first by the Planning Committee to see if the Members were prepared to support the application in principle with regard to the loss playing field area and the objection from Sport England. If this was not the case, there would be no need for the school to submit revised proposals to meet the environmental credentials and incur the associated costs.

If agreed, the application can, after amendments with regard to sustainable design, thermal comfort, the ventilation system etc., be referred to the Secretary of State. Members stated that in their view, achievement of a high standard of environmental design, as required by Council policies, is important.

RECOMMENDATION

It is recommended that the City Development Manager be granted delegated authority to APPROVE the application subject to:

- i. withdrawal of the current holding objection by Sport England; or,
- ii. consultation with the Secretary of State, and receipt of confirmation that the Secretary of State raises no objection to approval of the application; and,
- iii. demonstration to the satisfaction of the Local Planning Authority that the development can achieve BREEAM Excellent as required by Exeter Core Strategy policy CP15, or an equivalent level of sustainable design.

- iv. the imposition of appropriate conditions, including conditions relating to the submission of a Green Travel Plan and a Construction Method Statement.

Local Government (Access to Information) 1985 (as amended),

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter. Telephone 01392 265223