

**REPORT OF HEAD OF DEVELOPMENT MANAGEMENT AND REGENERATION**

**Fernwood Primary School, Arleston Drive**

**1 SUMMARY**

Application No: 16/00255/NFUL3 for planning permission

Application by: Nottingham City Council

Proposal: Single storey extensions to provide six new classrooms.

The application is brought to Committee due to an objection being received from a Ward Councillor.

To meet the Council's Performance Targets this application should have already been determined, however, an extension of time has been agreed with the applicant until 22<sup>nd</sup> April 2016.

**2 RECOMMENDATIONS**

**GRANT PLANNING PERMISSION** subject to the indicative conditions listed in the draft decision notice at the end of this report.

Power to determine the final details of the conditions to be delegated to Head of Development Management.

**3 BACKGROUND**

3.1 Fernwood Primary School is located to the north west of Arleston Drive. The site consists of an infant block to the south west, a junior block to the north east, with a nursery/Surestart block to the centre. All blocks have previously been extended to accommodate an increase in pupil numbers. There are residential properties to the south west and north east boundaries, with further residential properties on the opposite side of Arleston Drive, to the south east. The site also borders a secondary school to the north west.

3.2 The school was previously separate Infant and Junior schools but has recently merged into a joint Primary and Nursery School. Several planning permissions have been given for various changes and extensions on the whole site. In 1999 the Junior school was extended by seven classrooms. In 2009 the Surestart centre, to the front of the site, was built. The Surestart centre has recently been extended to form a nursery unit for the school.

**4 DETAILS OF THE PROPOSAL**

4.1 Single storey extensions to provide six new classrooms. The proposal consists of two classrooms to the infant block, which would be located alongside the corridor to

the rear of the block. The remaining four classrooms would be to the junior block, also toward the rear. Both would have a pitched roof with canopies. The extensions would accommodate an increase in pupil numbers from 840 to 1050, an additional 210 pupils.

## **5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS**

### **Adjoining occupiers consulted:**

Wollaton Children's Centre, Arleston Drive  
Seventy Fifth Nottingham Scout Group Arleston Drive  
38 to 46 inclusive (evens) 57, 57A, 59 to 77 inclusive (odds), 91 and 93 Arleston Drive  
127 to 133 inclusive (odds) Fernwood Crescent

A site notice has also been posted. No comments have been received.

Councillor Armstrong has objected on the following grounds:

Concerns regarding the safety of students and their wellbeing, and traffic problems exacerbated by the development. Also concerns regarding the density of the use of the site.

### **Additional consultation letters sent to:**

**Pollution Control:** No comments.

**Highways:** No objections subject to condition regarding construction management plan and a revised travel plan.

**Tree Officer:** following a visit to the site to assess the mature Oak, no objections subject to the agreement of an Arboricultural Method Statement.

## **6 RELEVANT POLICIES AND GUIDANCE**

### **National Planning Policy Framework**

The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taken on planning applications. Of particular relevance to this application is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 72 of the NPPF 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. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should...give great weight to the need to create, expand or alter schools...

### **Aligned Core Strategy (ACS) (September 2014):**

Policy A: Presumption in Favour of Sustainable Development - working proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy 1: Climate Change - development proposals will be expected to mitigate against and adapt to climate change.

Policy 10: Design and Enhancing Local Identity - new development should be designed to create an attractive, safe, inclusive and healthy environment.

Policy 12: Local Services and Healthy Lifestyles - supports new, extended or improved community facilities where they meet a local need and are sustainably located.

**Nottingham Local Plan (NLP) (November 2005):**

CE1 - Community Facilities.

NE5 - Trees.

## **7. APPRAISAL OF PROPOSED DEVELOPMENT**

### **Main Issues**

- i) Principle of Development
- ii) Building Design
- iii) Highway Safety
- iv) Impact on Neighbours

#### **Issue i) Principle of Development** (ACS Policy 12 and NLP Policy CE1)

- 7.1 The proposal is for classrooms required to accommodate an increase in pupil numbers in the area, on an established primary school site. The proposal is therefore compatible with the adjoining and neighbouring uses, within the community it serves and accessible by a choice of means of transport.

#### **Issue ii) Building Design** (ACS Policy 10)

- 7.2 The extensions would be sensitively sited, toward the rear of each block. They would be built of similar materials and of an appropriate scale when seen in the context of the existing school buildings. Details of the materials to be used would be secured by condition.

#### **Issue iii) Highway Safety** (ACS Policy 10)

- 7.3 The proposal would increase the number of pupils by 25%. It is recognised that the larger roll will increase pedestrian and vehicular movements to and from the school at peak times. However, Highways are satisfied with the proposals in this regard and it is noted that no objections have been received from neighbouring residents. A revised Travel Plan, which would identify how the school would improve sustainable means of travel to and from the school thus minimising impact on road

safety and the safety of pupils, would be secured by condition.

**Issue iv) Impact on Neighbours (ACS Policy 10)**

- 7.4 In terms of the physical impact, as the extensions are to the rear of the school buildings and no nearer to adjoining residential properties than the existing, the proposed extensions would not have an impact on the amenities of adjoining neighbours. Highways impacts are referred to above.

**8. SUSTAINABILITY / BIODIVERSITY**

- 8.1 There is a mature oak which is close to the proposed extension at the junior school building. Subject to an acceptable Arboricultural Method Statement then the proposed works should not have a detrimental impact on the future health of this tree.

**9 FINANCIAL IMPLICATIONS**

None.

**10 LEGAL IMPLICATIONS**

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

**11 EQUALITY AND DIVERSITY IMPLICATIONS**

None.

**12 RISK MANAGEMENT ISSUES**

None.

**13 STRATEGIC PRIORITIES**

Great City – Improving life chances for young people and enhance neighbourhoods.

**14 CRIME AND DISORDER ACT IMPLICATIONS**

None.

**15 VALUE FOR MONEY**

None.

**16 List of background papers other than published works or those disclosing confidential or exempt information**

1. Application No: 16/00255/NFUL3 - link to online case file:

<http://publicaccess.nottinghamcity.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O20OM9LY00L00>

2. Highway comments received 24.02.16

3. Noise and Pollution Control section comments received 19.02.16

4. Email from Councillor Armstrong dated 31.03.16

**17     Published documents referred to in compiling this report**

Nottingham Local Plan (November 2005)  
Aligned Core Strategy (September 2014)  
National Planning Policy Framework

**Contact Officer:**

Mrs Sue Davis, Case Officer, Development Management.  
Email: [sue.davis@nottinghamcity.gov.uk](mailto:sue.davis@nottinghamcity.gov.uk).     Telephone: 0115 8764046

**My Ref:** 16/00255/NFUL3

**Your Ref:**

**Contact:** Mrs Sue Davis

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Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990  
APPLICATION FOR PLANNING PERMISSION**

Application No: 16/00255/NFUL3  
Application by: NCC  
Location: Fernwood Primary School, Arlestone Drive, Nottingham  
Proposal: Single storey extensions to provide six new classrooms.

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

**Time limit**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

**Pre-commencement conditions**

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

2. The development shall not be commenced until details of all external materials have been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that the appearance of the development is satisfactory to comply with Policy 10 of the Aligned Core Strategy.*

3. No equipment, machinery or materials shall be brought onto the site in connection with the development until an arboricultural method statement (AMS) detailing tree protection measures in accordance with BS 5837:2012 [Trees in relation to design, demolition and construction: Recommendations] has been submitted to and approved by the Local Planning Authority. The AMS shall address not only tree protection but also the method of working and the detail of construction within the root protection area (RPA) of retained trees. Tree protection shall remain in place for the duration of the development and shall not be removed until all equipment, machinery and surplus materials have been removed from the site.

*Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.*

4. The development shall not be commenced until details of a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:
- a) a timetable for implementation;
  - b) types of lorries and their delivery schedules;
  - c) swept paths demonstrating access in to the site and/or details of loading and unloading from the highway as necessary;
  - d) site operation times and times of restrictions on construction related vehicles on highway);
  - e) the parking of vehicles of site operatives and visitors;
  - f) details of any temporary traffic management provision;
  - g) wheel washing facilities;
  - h) the route through the school site.

*Reason: In the interests of highway safety in accordance with Policy 10 of the Aligned Core Strategy.*

#### **Pre-occupation conditions**

(The conditions in this section must be complied with before the development is occupied)

There are no conditions in this section.

#### **Regulatory/ongoing conditions**

(Conditions relating to the subsequent use of the development and other regulatory matters)

5. No later than 3 months after the extension is brought into first use, an up-to-date school Travel Plan shall be submitted for approval in writing by the Local Planning Authority. The Travel Plan must as a minimum contain results from an up to date independent vehicle surveys (which as a minimum should include parking surveys) to determine the effect of vehicles associated with the school on the highway, up-to-date travel to school data (for the appropriate school year) for pupils and staff members, real SMART targets and measures, alongside timescales for implementation. The plan shall thereafter be updated for each year for five consecutive academic years.

*Reason: In the interests of highway safety and to safeguard the amenities of nearby occupiers in accordance with Policy 10 of the Aligned Core Strategy.*

#### **Standard condition- scope of permission**

- S1. Except as may be modified by the conditions listed above, the development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 3 February 2016.

## **Informatives**

1. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the officer's delegated report, enclosed herewith and forming part of this decision.

2. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

3. These works will affect the public highway. Therefore prior to any works commencing on site you must contact Highways Network Management on 0115 876 5238 to ensure all necessary licences and permissions are in place. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

4. For guidance on the preparation of the School Travel Plan, please contact Sandra Patterson on 0115 8765226 or email [Sandra.patterson@nottinghamcity.gov.uk](mailto:Sandra.patterson@nottinghamcity.gov.uk).

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.



## **RIGHTS OF APPEAL**

Application No: 16/00255/NFUL3

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

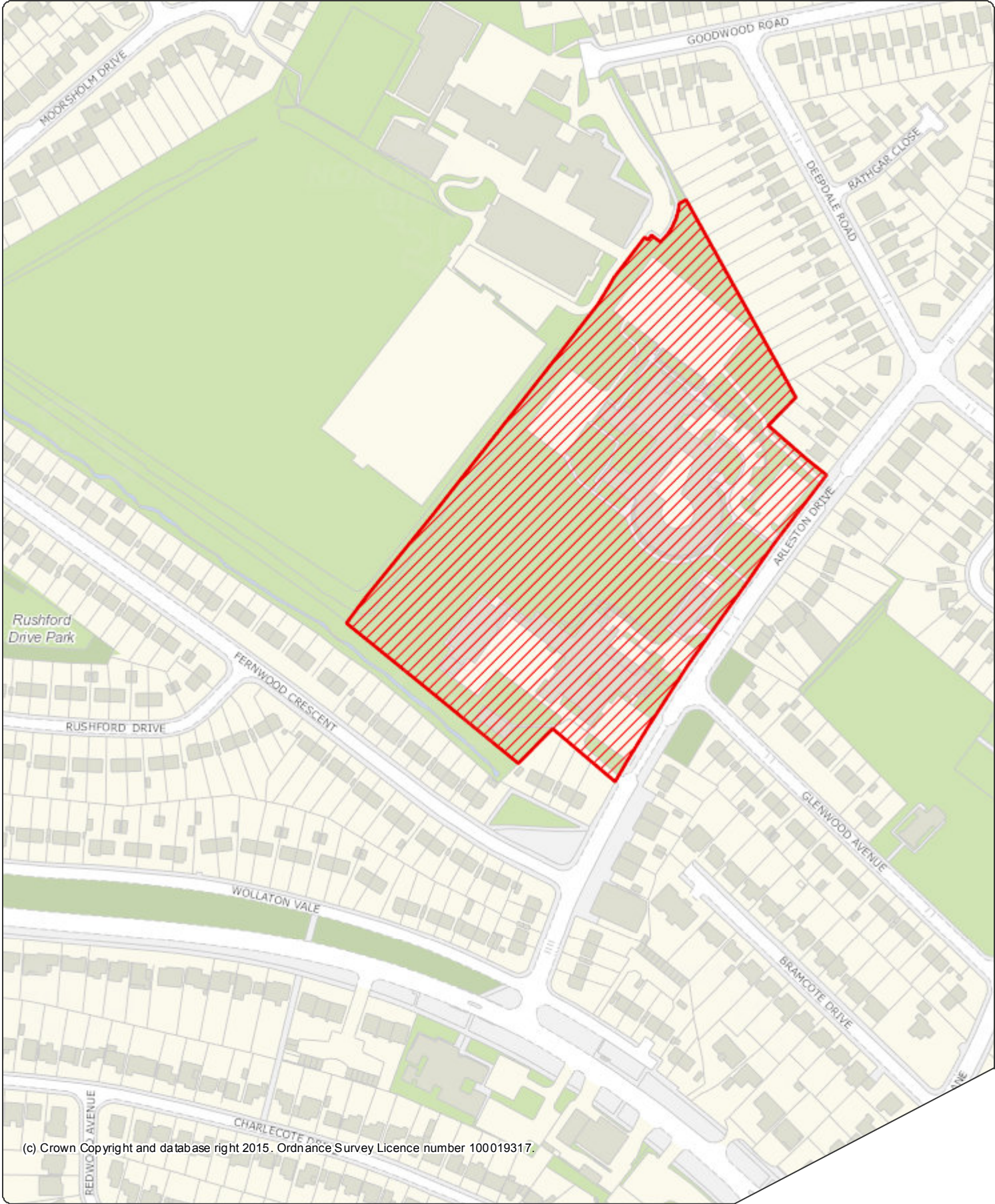
## **PURCHASE NOTICES**

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.



## **COMPENSATION**

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.

# NOMAD printed map



**Key**

-  City Boundary
-  Planning Application Polygons

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**Description**  
No map description