

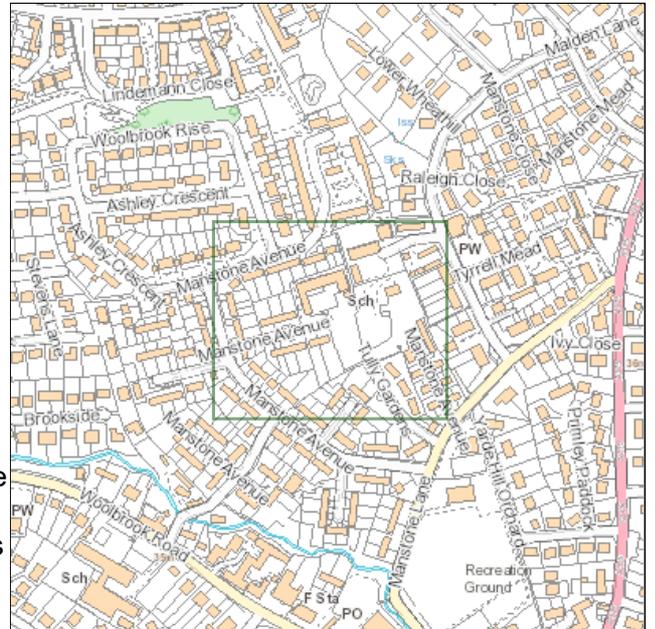
Ward Sidmouth Sidford

Reference 21/0781/MFUL

Applicant Chief Operating Officer Carol Chapman

Location Sidmouth C Of E Primary School Manstone Avenue Sidmouth EX10 9TJ

Proposal Demolition of existing buildings to west of play area and construction of a new hall, staffroom, ancillary accommodation and learning resource area; Refurbish part of the existing building creating an additional classroom; Construction of a new two storey accommodation block to the south of play area; Construct a new library to the east of the play area; New Multi Use Games Area (MUGA) with a 3G surface



RECOMMENDATION: Approval with conditions



		Committee Date: 1st September 2021
Sidmouth Sidford (Sidmouth)	21/0781/MFUL	Target Date: 18.06.2021
Applicant:	Chief Operating Officer Carol Chapman	
Location:	Sidmouth C Of E Primary School Manstone Avenue	
Proposal:	Demolition of existing buildings to west of play area and construction of a new hall, staffroom, ancillary accommodation and learning resource area; Refurbish part of the existing building creating an additional classroom; Construction of a new two storey accommodation block to the south of play area; Construct a new library to the east of the play area; New Multi Use Games Area (MUGA) with a 3G surface	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Committee as the officer recommendation differs from that of the ward members.

The proposal seeks to expand existing facilities at Sidmouth primary school with several substantial new buildings and also a formalised multi use play area.

A consolidation of all the accommodation comprising Sidmouth Primary School onto the Manstone avenue and Woolbrook road sites is proposed. The Vicarage road site would then become surplus to requirements. Efficiencies in the delivery of education, school management, and revenue costs aim to be achieved as a result of this planning application. To enable the site consolidation alterations will be made to the accommodation at Manstone Avenue to improve or replace existing buildings and improve the functionality of external areas. An external all weather play area would also be created at the Woolbrook road site. The project would result in an estimated increase of 60 pupils attending the Manstone Avenue site and would involve refurbishment, demolition and replacement, and new construction.

One of the main concerns resulting from this proposal is the impact on the highway network with regards to the increase pressure on parking from expansion of capacity. However, the applicant and the Highway Authority have been in dialogue and have an agreed position whereby it has now been adequately

demonstrated that adequate parking – within a reasonable distance of the school – exists.

The proposal would result in a cohesive design within the site which would be respectful of the surrounding residential properties in terms of preventing overlooking or being overbearing. The multi-use games area (MUGA) would improve the existing playing area in line with the local plan policies to improve such facilities.

Taking all of the relevant issues into account a balanced recommendation of approval is made.

CONSULTATIONS

Local Consultations

Sidmouth Sidford - Cllr Stuart Hughes

As one of the ward members I should like to make the following comments on this application.

Whilst in principle I support this application I should request:-

That a robust traffic management plan be put in place prior to any works commencing on site.

Including access and egress for construction vehicles.

A green travel plan be implemented that provides

Adequate staff parking along with EV charging points on site.

Provision of cycling facilities for both staff and pupils.

Further comments:

06.04.2021 - Following from my previous submission on this application ...I now wish to advise that I do not support this application in its current form due to lack of parking on site for staff and visitors to the school...Also lack of EV charging provision and cycling parking facilities for staff and pupils. Finally the lack of a Construction Traffic Management Plan which should be made available subject to any work being carried out on site.

As one of the local members I should like to make the following comments on this amended plan.

1. My comments submitted on the main application still stand.
2. The survey carried out on on street parking is flawed and bears no resemblance to that available.
3. Provision of staff parking along with EV charging hubs and provision for bicycle parking should be provided on site.

4. Provision of a drop off and pick up area for parents should also be provided as part of this application.

Further comments:

07/07/21 - Having taken a further look at the County response.... I make the following comment that no provision has been provided for the dropping off and picking up of children attending the school.

Requests have been received for the introduction of Residents Parking in and around Manstone Avenue, Ashley Crescent and Tyrell Mead and needs to be considered as part of this application.

Sidmouth Sidford - Cllr Dawn Manley

Whilst it is mostly agreed within the community that this expansion of Manstone school will bring 'enhanced educational facilities and opportunities to Sidmouths younger school children there are also major concerns regarding access, parking and safety of children, parents and residents, now and future County highways have also raised these issues in their report Before I could fully support this I would need to see a green traffic management plan in place and more staff parking on the school site If this is carefully managed , further traffic chaos and misery could be avoided here

Sidmouth – Cllr Rixson

In principle, I support this application, as the school is in need of updating and has secured the funding needed for this proposed development.

Further comments:

In principle, I support this application, as the school is in need of updating and has secured the funding needed for this proposed development.

Regrettably, there is limited access to the site itself and so a green travel plan would be advisable. There is conflict at present due to the limited access, which is exacerbated by inconsiderate parking. Could parking at the nearby MUGA site and/or football ground present a solution? If pedestrian access could then be provided at the south of the site with access via Tully Gardens, would this be acceptable?

There is the potential for pedestrian access to the north of the site, although it is currently overgrown and the ownership is unknown. But this, combined with access via Tully Gardens and the existing access, would give more options for parents to access the school without necessarily using their cars.

Due to the constrained nature of this site, even delivery of building materials will be difficult. However, there could be a possible solution via the Manstone Depot if agreement could be reached with the District Council whilst building works are completed.

Parish/Town Council

SUPPORT

Note; Members were concerned about traffic and suggested that the school should talk to East Devon District Council with a view to allowing some parking on the District Council's adjoining land or permitting a secondary access to the school provided this did not prejudice the operation of the Council's depot.

27/05/2021 - SUPPORT

NOTE: Members would like to see the parking/traffic issues addressed as soon as possible

Technical Consultations

DCC Flood Risk Management Team

LOCATION: Sidmouth C Of E Primary School, Manstone Avenue, Sidmouth, EX10 9TJ

Recommendation:

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant makes reference to plans that do not appear to have been submitted including DR-C-061 and DR-C-062, these should be submitted to the Local Planning Authority if relevant to the application.

The applicant will also be required to submit MicroDrainage model outputs, or similar, in order to demonstrate that all components of the proposed surface water drainage system have been designed to the 1 in 100 year (+40% allowance for climate change) rainfall event.

Calculations of the surface water attenuation storage volume required for the 1 in 100 (+40% allowance for climate change) year rainfall event need to be submitted, as laid out in our Sustainable Drainage System Guidance for Devon (2017) - <https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/>

The proposed discharge rates are very low, the applicant should consider increasing the discharge rate to 1.5l/s to ensure that discharge rates are as close as possible to greenfield performance, whilst also ensuring a maintainable control structure can be provided. The applicant refers to a pumping station for the surface water network I would welcome clarification on whether this is required for the surface water or just the foul drainage.

The applicant must submit details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.

The applicant has proposed SuDS planters which are welcome. The applicant should consider, if they haven't already, signage and engagement activities for these to help

enable them to be a learning opportunity for the pupils of the school. Additional guidance, which may be helpful in guiding the design of the planters, on including SuDS in schools, has been produced by the Mayor of London's office titled Reimagining rainwater in schools.

The applicant should also note that in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. The applicant will therefore be required to explore the use of a variety of above-ground source control components across the whole site. Examples of these source control components could include permeable paving (which could be underdrained), formalised tree pits as well as green roofs, swales and filter drains. The attenuation storage tanks proposed are underground systems that cannot be considered as truly sustainable means of drainage because they do not provide the required water quality, public amenity and biodiversity benefits, which are some of the underpinning principles of SuDS.

Further comments:

09/07/21 Recommendation:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage.

Observations:

Following my previous consultation response (FRM/ED/0781/2021) dated 8 June 2021, the applicant has provided the following revised information for which I am grateful:

- Drainage Layout Sheet 1, Drawing No. HBS-DR-C-(00)-071 Rev P04, dated 2 July 2021
- Drainage Layout Sheet 2, Drawing No. HBS-DR-C-(00)-072 Rev P04, dated 2 July 2021
- Construction Environmental Management Plan, dated 8 July 2021

The applicant has increased the flow rate and hydrobrake to a feasible rate to reduce the chance of blockages. The applicant has also reduced the pumped discharge rate to 1.5l/s addressing all the comments made in my response on 8 June 2021.

Whilst the impermeable area will be increased overall, the proposal will see a reduction in the impermeable area freely draining from existing. The rest of the impermeable areas will either drain to a cellular attenuation or the MUGA granular storage blanket which will then discharge at a restricted rate of 1.5l/s. SuDS planters have been included which will provide further additional treatment.

Surface water runoff will be managed during the construction period through the use of bunds or shallow channels which will be directed to sump pits. Management of silt and treatment options will also be utilised.

EDDC Trees

The proposal for application 21/0781/MFUL does impact the existing trees on the site and requires the removal of trees as highlighted in the Arboricultural Impact

Assessment. The loss of the trees is acceptable providing mitigation planting is factored in. The area proposed for the MUGA is the only available space at the school. For the trees to be retained the Tree Protection Plan must be adhered to and should be factored into a Planning Condition if permission is granted. Protective fencing should be installed before any demolition work begins and be maintained until the end of any construction works.

The trees on the site are mainly planted around the edges of the grass area and they provide an important screen for the school and neighbouring properties as well as a pleasant environment for the school.

There are several ash trees and additional planting along the boundary, amongst the existing trees will help to ensure continued tree coverage, should the trees succumb to ash dieback in the future. Native species such as Field Maple would be suitable. The arboriculture report states that if the MUGA and path surfacing can be laid over existing ground levels and do not entail excavation, the potential from damage to trees can be minimised. This is unrealistic as the installation of a MUGA will require excavation and ground levelling work. This will be necessary within the RPA of several trees as shown on the TPP and should be addressed further in an arboricultural method statement. It may be necessary to offset some of the root protection areas and carry out supervised root pruning to allow for the installation of the MUGA. The final surface of the MUGA will be porous so the surface run-off should not be a significant problem. It may be prudent to consider adding a root barrier around the edges of the MUGA to avoid future damage as the trees grow.

T25 is a category 'A' tree based on guidance in BS 5837:2012. The replacing of an existing wall with a low timber wall will occur within the root protection area of this tree - the arboricultural report states to be done with care - more details of this should be included in an arboricultural method statement.

The fruit trees planned for relocation at the Woolbrook site will require a programme of aftercare to assist with their establishment.

Devon County Highway Authority

Observations:

The County Highway Authority (CHA) has examined the application and visited the site. Whilst the CHA does not have any comment to make on the proposed development as a whole in terms of its provision of primary education facilities, it does have concerns regarding on-site and off-site staff parking provision and the lack of any charging points for electric vehicles and construction traffic causing disruption.

The Transport Statement makes note at (3) of the Pre-Application Highway Advice where:

Given the narrow access from Manstone Avenue and the lack of on-street parking it is important that this number is sufficient to cater for the numbers of staff and visitors that would access the site by car.

The narrow access has the potential for disruption caused during construction. it is likely that a condition will be imposed requiring a Construction Management Plan.

Proposed On-site and Off-site Parking

The number of parking spaces proposed is 8, of which 2 are to be visitor parking spaces and 6 are proposed as staff parking spaces. The number of staff equates to 22 Full Time Staff (FTS), with 1 being the caretaker who will use an on-site space out of school hours. This means that 15 equated FTS will be expected to park in the local residential streets, namely Manstone Avenue (as staff do already); Ashley Crescent; Woolbrook Rise and Woolbrook Meadows. This does not mean however, that this would require only 15 parking on-street parking spaces. Using their average of 0.5 Full Time Equivalent for the part time staff, it will require at least 22 on-street parking spaces to allow for staff changeovers. This is nearly 50% more than the TS says will be available in the surrounding residential streets.

Furthermore the TS concedes at (5.13) that school staff parking in Manstone Avenue currently takes place and at (4.7) the Proposed (permanent) Parking Restrictions – Manstone Avenue will curtail approximately 100m (or 20 spaces) of on-street parking which is currently available. This will greatly reduce the number of potential parking spaces in Manstone Avenue.

Electric Vehicle Charging

The proposed on-site parking does not cater for any charging of electric vehicles. The CHA does not believe that the proposed development gives adequate on-site staff parking provision for the number of staff proposed or mitigates this with adequate off-site alternative parking proposals or provides any charging of electric vehicles and does not therefore comply with the NPPF - Promote Sustainable Transport paragraph 102 so that: e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places and paragraph 105 (e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles also does not comply with TC9 East Devon Local Plan - Parking Provision in New Development Spaces will need to be provided for Parking of cars and bicycles in new developments. All small scale and large scale major developments should include charging points for electric cars.

Further comments:

07/07/2021

Vectos - Technical Note - (Highway Response) - Staff Parking

After my site visit on the 09/06/2021 and observation of only 41 instead of 241 parking spaces on the streets within 500m of the site. Vectos revisited the site on 11/06/2021 and produced Technical Note which was published on 17/06/2021 and now forms part of the documentation for the application.

It is clear from the differences in the CHA's count of available spaces (41), and Vectos's count of available spaces (241) that either there was an extraordinary number of on-street parking on the day of the CHA's count compared with that of Vectos or that different criteria for the counts was being used, or perhaps a combination of the two.

It is interesting to note that the Vectos count has excluded the first 7.5m from junctions whereas the CHA has used that recommended in the Highway Code: (243) *Do Not Stop or Park opposite or within 10 metres (32 feet) of a junction.*

Also at: (244) *You **MUST NOT** park partially or wholly on the on the pavement (footway) in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.*

It is interesting that the Vectos report seems to say that because pavement parking is habitual, then this is alright. However it is the CHA's view that all parking on the footways is not to be encouraged and never alright. The footways are not designed to take the weight of vehicles except where they are strengthened as part of a driveway access. Parking on footways not only inconveniences other road users, it also incurs extra highway maintenance costs for the authority which ultimately costs more to the public.

If the habitual pavement parking vehicles are redistributed elsewhere onto the carriageway this also takes away from the available legal parking on the highway.

This being said, the CHA is now content that there is generally enough on-street legal parking within 500m of the proposed development site that would be adequate for the proposed extra 15 spaces arising from the extra staff needed at the school and **withdraws its objection on the grounds of paragraph 102 of the NPPF.**

The CHA believes however, that because most of the proposed new staff parking spaces will be off-site and on-carraigeway where there is no chance of vehicle charging, the opportunity to provide on-site parking with charging points for electric cars and is more relevant and that least half (4) of the proposed on-site parking spaces should be equipped for vehicle charging. This would accord with paragraph **105 (e) of the NPPF** and with **TC9 of the East Devon Local Plan**, I therefore recommend this provision as a condition.

**Recommendation:
THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON
BEHALF OF
DEVON COUNTY COUNCIL RECOMMENDS THAT THE FOLLOWING
CONDITIONS
SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION**

1 Four of the proposed eight parking spaces within the grounds will be equipped with plug-in electric charging points for electric cars.

Reason: To conform with Paragraph 105 (e) of the NPPF and TC9 of the Local Plan

2 Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from

the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;

(e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;

(f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;

(g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

(h) hours during which no construction traffic will be present at the site;

(i) the means of enclosure of the site during construction works; and

(j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site

(k) details of wheel washing facilities and obligations

(l) The proposed route of all construction traffic exceeding 7.5 tonnes.

(m) Details of the amount and location of construction worker parking.

(n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.

Environmental Health

23/03/2021 – I recommend approval with conditions:

A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution.

Other Representations

28 letters of objection have been received to date (in summary);

- Increase pressure for car parking in the adjacent highway network.
- Increased traffic
- Increased risk to safety of pedestrian traffic
- Increased pressure on inappropriate parking – leading to blocked driveways
- Concern regarding access of emergency vehicles

- attendance at the Vicarage road site means an attendance at the new site of 192 pupils. This figure is nearly 3 times the volume of the previous school therefore meaning a significant increase in both vehicular and pedestrian traffic.
- Staffing levels do not consider the staff at the current pre-school at the Manstone site and therefore these have not been included in the potential requirement for parking.
- the capacity at the new site versus the capacity at the existing site will be increasing by over 180%,
- statement does not consider the impact in Manstone Avenue and the surrounding roads where parking will be required for drop off
- disturbance during construction phase – traffic, air pollution from asbestos/dust, noise
- not enough parking proposed on site
- harm to wildlife
- lack of integrated renewable energy
- would block natural light
- high proportion of retired people live in close proximity
- more drainage required
- noise during school hours

3 letters of representation have been received to date (in summary);

- Narrow road not suitable for parking
- Survey needs to accommodate for staggered opening times due to covid.
- Increased traffic generate and lack of available parking

PLANNING HISTORY

Reference	Description	Decision	Date
02/P0067	Extension To Form 2 Additional Classrooms With Link Corridor, Toilets, Cloaks Area Etc.	Deemed Consent (DCC Proposal)	14.03.2002
04/2571/CM	Proposed 2 Classroom Extension Toilet and Resource Area	DC applications – no objections	26.11.2004
09/1461/CM	Proposed solar panels on roof of main school building.	DC application – no objection	03.09.2009
10/0696/CM	Garden Room	DC application – no objection	21.04.2010

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)
RC6 (Local Community Facilities)
TC2 (Accessibility of New Development)
TC7 (Adequacy of Road Network and Site Access)
TC9 (Parking Provision in New Development)
D1 (Design and Local Distinctiveness)
D2 (Landscape Requirements)
D3 (Trees and Development Sites)
RC1 (Retention of Land for Sport and Recreation)
EN14 (Control of Pollution)
EN5 (Wildlife Habitats and Features)
EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)
EN22 (Surface Run-Off Implications of New Development)
Strategy 4 (Balanced Communities)
Strategy 26 (Development at Sidmouth)
Strategy 38 (Sustainable Design and Construction)
RC2 (New Open Space, Sports Facilities and Parks)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

Neighbourhood Plans

Sid Valley Neighbourhood Plan (made)

Site Location and Description

Sidmouth Primary School is an established educational facility within Sidmouth. The area is predominantly residential however there is a commercial yard and industrial buildings to the east. The existing school has a car park area suited to the south of the main buildings which is accessed via Manstone Avenue. To the south of the complex of buildings is an existing play area, the perimeter of which is lined with mature trees. The site itself is on gently sloping ground which falls to the south.

Proposed development

A consolidation of all the accommodation comprising Sidmouth Primary School onto the Manstone Avenue and Woolbrook road sites is proposed. The Vicarage road site would then become surplus to requirements. Efficiencies in the delivery of education, school management, and revenue costs aim to be achieved as a result of this planning application. To enable the site consolidation alterations will be made to the accommodation at Manstone Avenue to improve or replace existing buildings and improve the functionality of external areas. An external all weather play area would be also created at the Woolbrook road site. The project would result in an estimated

increase of 60 pupils attending the Manstone Avenue site and would involve refurbishment, demolition and replacement, and new construction.

A new enlarged nursery unit will also be created which will provide an increase of 26 pupil places over the existing provision. The funding has been allocated for this project by the Department for Education following a successful bid by the First Federation Trust.

The site of the former St Nicholas Church of England Junior School, off Woolbrook road accommodates Key Stage 2 (KS 2) pupils. Manstone Avenue, formerly Sidmouth Infants School, accommodates Key Stage 1 (KS 1) pupils and Nursery. Some KS 1 and Early years, are located on the site of what was originally All Saints Church of England Infants School, at Vicarage road.

The applicant has put forward that the split site combined with the age of the building stock has created inefficiencies which have an impact on teaching and learning.

Sidmouth Primary School is a two form of entry primary school with 420 pupils it will also include a 52 place nursery unit. The current capacity of the Manstone avenue site is 5 classes (150 pupils) and a 26 place nursery. The proposals would increase the pupil numbers at the site by 60 consisting of reception, years 1, 2 and a 52 place nursery unit.

The main elements of this planning application are to:

- Demolish the blocks to the west of the play area to make way for the construction of a new hall, staffroom, ancillary accommodation and learning resource area.
- Refurbish part of the existing building creating an additional classroom.
- Construct a new two storey accommodation block to the south of play area containing: Nursery, Administration, 3 classrooms, ancillary accommodation and learning Re-source areas.
- Construct a new library to the east of the play area.
- New Multi Use Games Area (MUGA) with a 3G surface.

8 car parking spaces will be provided in total, one of which will be accessible spaces for Blue Badge holders. The spaces will be signed accordingly and are directly outside the accessible entrance to the building.

Users would approach the building via a graded path. As the graded path has a gradient greater than 1:12 it is not acceptable as an access for wheelchair users under Approved Document M a lift will be provided off the reception area to allow those who cannot manage the new gradient to access the upper level of the building; this will also be available to pupils and can be used without exiting the secure areas.

ANALYSIS

The main issues for consideration are the principle of development, design, highway safety, impact upon residential amenity and trees.

Principle of the development

The proposal seeks to expand and improve on the existing educational facilities at the primary school. This would also lead to the consolidation of education facilities in a cohesive educational facility accruing social benefits for its users.

The site has long been established for education use and so the main issues to be considered under a planning application are as a result of this intensification.

Policy RC6 of the local plan states that proposals for new facilities, extensions and/or alterations to existing facilities to serve the local community will be permitted on sites within or adjoining Built-up Area Boundaries (which this site is) provided they meet the following criteria in full:

- 1. The proposal would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.*
- 2. The proposal will be well related to the built form of the settlement and close to existing development.*
- 3. The site is accessible by a variety of types of transport, including walking and cycling and the amount of traffic generated by the proposal could be accommodated on the local highway network without harming road safety.*
- 4. The proposal would not be detrimental to the amenity of neighbouring residents by reason of undue noise or traffic*

Therefore, given the above, the main issues concerning this planning application is the impact of the design, the impact on traffic, the impact on the amenity of the surrounding properties, the impact on trees and the impact of the MUGA. Addressing each of the planning issues in turn;

The impact of the design

Policy D1 of the local plan states that proposals will only be permitted where they: respect the key characteristics and special qualities of the area in which the development is proposed and; ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

The existing buildings form a U-shaped configuration. The proposal would effectively close this off and form a courtyard in the middle of the complex. One of the main buildings would feature a symmetric roof of a contemporary design.

A natural larch timber cladding would clad the hall and upper storey of the new classroom block, whilst the smaller extensions to the existing building will be rendered to match existing buildings. However, the larch timber cladding is the main material featuring on these buildings and provides visual interest to the buildings.

The lower level of the new teaching block and the plinth to the hall and adjacent external ramp will be clad in grey brickwork to match the plinth of the most recent 2 classroom extension. All windows and doors would be grey in colour.

The buildings would be of a complimentary size and scale to both the existing structures and surrounding properties. The new buildings would be legible complementing this existing use. The area in which the development is positioned is built up with many two storey buildings surrounding its perimeter. Therefore whilst the proposal would change the established roofscape the resulting appearance is unlikely to be overly prominent within this context.

The MUGA pitch would be positioned to the south of the complex of the buildings where several notable trees are positioned. This is where the plot narrows and is currently open grassed play area. The pitch would formalise this grassed area to a large extent and have a limited impact outside of the confines of the site due to screening in place.

The impact on traffic and parking

National planning guidance states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes

Policy TC7 of the local plan states planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network. Policy 20 of the neighbourhood plans states that proposals that seek to enhance or improve the Sid Valley's existing Community Facilities will be supported where any increased use of the amenity does not lead to significant increases of traffic volumes and impact on neighbours' amenities.

Due to the increased size of the main extension and other elements of the proposal there would be increased pressure on parking on the nearby surrounding highway network. Indeed this is one of the main issues cited for objection by third parties to this scheme. The surrounding road network is narrow and clearly parking at times has caused issues and inconvenience. In order to address potential concerns a Transport Statement has accompanied this planning application which has been assessed by the Devon County Council Highway Authority.

The number of parking spaces proposed is 8, of which 2 are to be visitor parking spaces and 6 are proposed as staff parking spaces. The number of staff equates to 22 Full Time Staff (FTS), with 1 being the caretaker who will use an on-site space out of school hours. This means that 15 equated FTS will be expected to park in the local residential streets, namely Manstone Avenue (as staff do already); Ashley Crescent; Woolbrook Rise and Woolbrook Meadows. This does not mean however, that this would require only 15 parking on-street parking spaces. Using their average of 0.5 Full Time Equivalent for the part time staff, it will require at least 22 on-street parking spaces to allow for staff changeovers. This is nearly 50% more than the Transport Statement says would be available in the surrounding residential streets.

Furthermore the Transport Statement concedes at (5.13) that school staff parking in Manstone Avenue currently takes place and at (4.7) the Proposed (permanent) Parking Restrictions – Manstone Avenue will curtail approximately 100m (or 20

spaces) of on-street parking which is currently available. This will greatly reduce the number of potential parking spaces in Manstone Avenue.

Originally the highway officer observed of only 41 instead of 241 parking spaces on the streets within 500m of the site. Vectos, the company responsible for the Transport Assessment, revisited the site on 11/06/2021 and produced Technical Note which was published on 17/06/2021 and now forms part of the documentation for the application.

It is clear from the differences in the Highway Authority's count of available spaces (41), and Vectos's count of available spaces (241) that either there was an extraordinary number of on-street parking on the day of the CHA's count compared with that of Vectos or that different criteria for the counts was being used, or perhaps a combination of the two.

The Vectos count excluded the first 7.5m from junctions whereas the Highway Authority has used that recommended in the Highway Code: (243) Do Not Stop or Park opposite or within 10 metres (32 feet) of a junction. Also at: (244) it states - You MUST NOT park partially or wholly on the on the pavement (footway) in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

The Vectos report seems to suggest that because pavement parking is habitual then this is acceptable. However, it is the Highway Authority's view that all parking on the footways is not to be encouraged and is never acceptable. The footways are not designed to take the weight of vehicles except where they are strengthened as part of a driveway access. Parking on footways not only inconveniences other road users, it also incurs extra highway maintenance costs. If the habitual pavement parking vehicles are redistributed elsewhere onto the carriageway this also takes away from the available legal parking on the highway.

Nevertheless a position has now been agreed between the applicant and the highway authority as to the necessary offsite and available parking numbers to accommodate the increased capacity that this development would bring.

The Highway Authority is content that there is generally enough on-street legal parking within 500m of the proposed development site that would be adequate for the proposed extra 22 spaces arising from the extra staff needed at the school. The school pick up and drop of information submitted has not been called into question by the Highway Authority and therefore no objection have been raised in this regard. Therefore, on balance, sufficient information has been submitted to the effect that the parking situation and impact on the wider highway network is now considered acceptable.

The impact on amenity of the surrounding properties

Policy D1 of the Local plan seeks to protect private amenity. Similarly the Neighbourhood Plan states at Policy 6 that development should be designed so as not to adversely impact on the amenities of its neighbours

Due to the position of the site there are neighbouring residential properties to the North and West (along Manstone Avenue) and to the South (along Tully Lane). The amenity of these occupiers needs to be taken into account.

The design seeks to ensure that the amenity of the adjacent buildings is not compromised by these proposals and that the design of the new buildings do not increase the opportunities for overlooking or loss of privacy. It must be appreciated that there is an established use on this site that would inevitably result in noise and there is no reason to believe that the proposal would increase this to an unacceptable degree or beyond the timeframe of a typical school day.

All new windows have been located so that they face away from the boundary or, as in the case of the new assembly hall, are at high level. The upper storey windows of the new classroom block facing south will have views out restricted to the school play area using purpose designed louvres.

The proposal is considered to accord with polices D1 and EN14 of the local plan in this respect.

Impact on trees

Policy D3 of the LP states that permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

The council's tree officer has been consulted on the proposal and considers that the proposal does impact the existing trees on the site and requires the removal of trees as highlighted in the submitted Arboricultural Impact Assessment. Overall the loss of the trees is acceptable providing mitigation planting is factored in.

For the trees to be retained the Tree Protection Plan (TPP) must be adhered to and should be factored into a condition if permission is granted. Protective fencing should be installed before any demolition work begins and be maintained until the end of any construction works.

The trees on the site are mainly planted around the edges of the grass area and they provide an important screen for the school and neighbouring properties as well as a pleasant environment for the school. There are several ash trees and additional planting along the boundary, amongst the existing trees will help to ensure continued tree coverage, should the trees succumb to ash dieback in the future. Native species such as Field Maple would be suitable.

The arboriculture report states that if the MUGA and path surfacing can be laid over existing ground levels and do not entail excavation, the potential from damage to trees

can be minimised. This is unrealistic as the installation of a MUGA would require excavation and ground levelling work. This will be necessary within the RPA of several trees as shown on the TPP and should be addressed further in an arboricultural method statement. It may be necessary to offset some of the root protection areas and carry out supervised root pruning to allow for the installation of the MUGA. The final surface of the MUGA will be porous so the surface run-off should not be a significant problem. It may be prudent to consider adding a root barrier around the edges of the MUGA to avoid future damage as the trees grow.

T25 is a category 'A' tree based on guidance in BS 5837:2012. The replacing of an existing wall with a low timber wall will occur within the root protection area of this tree- the arboricultural report states to be done with care with more details of this should be included in an arboricultural method statement.

With mitigating conditions therefore the proposal would comply with policy D3 of the LP.

Impact of the proposed MUGA pitch

The Local Planning Authority recognises that communities need recreation space and that existing public gardens and playing fields, private and school/college playing fields, play areas and other public and private open space areas are an important community resource that the Local Plan seeks to safeguard.

To that extent policy RC1 states that proposals that would result in the loss of open space currently or previously used for recreation and/or sports uses, play areas or playing fields will not be permitted unless: 1. Alternative provision of equivalent community benefit is made available and will be appropriately laid out by the applicant as a replacement. Or 2. Sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of the site.

The proposed MUGA pitch would cater for sports in all weather and so represents an enhancement over the existing playing field in line with policy RC1 of the local plan. This can be accommodated without harm to the nearby trees as seen above and would not be prominent from surrounding vantage points.

Other Matters

Drainage - Whilst the impermeable area would be increased overall, the proposal will see a reduction in the impermeable area freely draining from existing. The rest of the impermeable areas will either drain to a cellular attenuation or the MUGA granular storage blanket which will then discharge at a restricted rate of 1.5l/s. SuDS planters have been included which will provide further additional treatment. A construction management plan was submitted recently which covers other aspects of the construction as well as how surface water would be dealt with. However, due to its recent unsolicited submission only DCC flooding team have seen this document and therefore only the elements relating to surface water within the document shall be adhered to. Accordingly, there shall still be conditions requesting construction management details to be submitted in relation to the impact on highways and

potential pollutant impacts of the construction phase to allow for adequate assessment of this.

Electric Vehicle charging points has also been an issued raised by the Highway Authority. They have recommended that a condition be imposed to ensure that at least four of the east proposed on-site spaces accommodate electric vehicles.

In terms of contaminated land a robust survey has been submitted with this planning application. Laboratory testing, including waste acceptance criteria testing, indicates that most of the excavated soils should be able to be disposed of as non-hazardous waste at an inert landfill. However, some made ground soils have been classified as hazardous waste that requires disposal at a hazardous landfill, though pre-treatment may be required. In addition, currently unidentified hazardous materials, e.g. coal tars or asbestos, may be present in the soils beneath the site. Stockpiling and testing of soils during construction is recommended to confirm the off-site disposal requirements. Taking this into account it is both reasonable and necessary to condition this element.

An ecological survey has been conducted and submitted with this application. This has identified the application site as having the potential presence for protected species. Therefore it is necessary to restrict work between certain months and compensatory habitats created are necessary. The report outline how this would be conducted and therefore it is necessary to ensure via condition compliance.

CONCLUSIONS

The National Planning Policy Framework makes it clear that there are three main elements to consider under the umbrella of sustainable development - including social, economic and environmental.

In terms of the social element it is clear that there are benefits to producing a coalescence of educational facilities on to one plot. The proposal would upgrade and provide a much needed educational and games facility which both play an important role in providing a community benefit.

Under the umbrella of economic benefits there would be short term construction benefits in carrying out the development and longer term benefits from good education.

In terms of environmental impact the proposal would provide a quality design and be able to be incorporated within the townscape without harm and contribute to the local distinctiveness. Impact on traffic has been one of the main areas of concern raised. However, an accord has been reached between the Highway Authority and the developer over the quantum of available parking area within the vicinity of the site. Therefore, and on balance, the residual cumulative impacts on the road network would not be severe.

The proposal has been found to comply with policy RC6, which is the main policy steering community facilities, as well as the other relevant policies of the development plan. Taking into account the material consideration raised these do not outweigh the

development plan which suggest that planning permission should be granted. Therefore a recommendation of approval is made.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Four of the proposed eight parking spaces within the grounds shall be equipped with plug-in electric charging points for electric cars. Details of these charging points shall be submitted to and approved by the Local Planning Authority prior to any of the parking spaces first being brought into use. The electric charging points shall thereafter be retained in perpetuity.
(Reason: To ensure that the proposal contributes to a carbon neutral future in order to conform with Paragraph 105 (e) of the NPPF and TC9 of the Local Plan)
4. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
 - (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.

(Reason - To ameliorate and mitigate against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan).

5. Prior to their installation a sample of the cladding to be used 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. (Reason – To ensure that the development is compatible with the character of the area, in accordance with policy D1 of the East Devon Local Plan).
6. The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment conducted by Doug Pratt Tree Consultancy and dated 1st March 2021. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(i) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(ii) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(iii) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

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(Reason: To ensure the continued wellbeing of the trees in the interests of the amenity of the locality, in accordance with policies D1 (Design and Local Distinctiveness), D2 (Landscape Requirements) and D3 (Trees and Development Sites) of the East Devon Local Plan).

7. The drainage for the development shall be carried out in accordance with the following submitted plans;

- Drainage Layout Sheet 1, Drawing No. HBS-DR-C-(00)-071 Rev P03, received 5th July 2021
- Drainage Layout Sheet 2, Drawing No. HBS-DR-C-(00)-072 Rev P04, received 5th July 2021
- Construction Environmental Management Plan conducted by Midas - sections 'Control of Surface Run-off and Spill Avoidance' & 'Control of Surface Run-off' only, dated 8 July 2021

(Reason – To ensure that adequate drainage is installed to accommodate the development in accordance with policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan).

8. A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site. (Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution, in accordance with policy EN14 (Control of Pollution) of the East Devon Local Plan).
9. Should any contamination of soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority should be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the contamination is agreed upon in writing with the Local Planning Authority and/or other regulating bodies. (Reason: To ensure that any contamination existing and exposed during the development is identified and remediated, in accordance with policy EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013-2031).
10. The development hereby approved shall be carried out in accordance with the recommendations identified in part 5 of the Ecological Impact Assessment dated 10 March 2021 and conducted by GE Consulting. (reason – To ensure that mitigation measures are taken and installed thereby preventing harm to wildlife in accordance with policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan).

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

103313-HBS-DR-C-263 (P01)	Other Plans	05.07.21
103313-HBS-DR-C-262 (P01)	Other Plans	05.07.21
103313-HBS-DR-C-261 (P01)	Other Plans	05.07.21
103313-HBS-DR-C-072 (P03)	Other Plans	05.07.21
103313-HBS-DR-C-071 (P03)	Other Plans	05.07.21
NPS DR G S/S/197 REV P1: Sheet 2	Existing Elevation	19.03.21
0016: Contextual	Proposed Elevation	19.03.21
0017: Contextual	Proposed Elevation	19.03.21
NPS DR G S/S/197 REV P1: Sheet 1	Existing Elevation	19.03.21
NPS DR G S/S/198 REV P2	Existing Floor Plans	19.03.21
0003 P1	Proposed Block Plan	16.03.21
DR-A 0009 P3: Contextual Elevation 2/2	Proposed Elevation	16.03.21
DR-A-0001 P2	Location Plan	16.03.21
DR-A-0006 P3	Proposed Floor Plans	16.03.21

DR-A-0007 P2	Proposed roof plans	16.03.21
DR-L-00-800-P8 : external works plan	Other Plans	08.04.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.