

19/01268/CTY

Applicant Nottinghamshire County Council

Location Sharphill Primary School, Rose Way, Edwalton

Proposal Erection of a two-storey 420 place primary (2 phases) and 39 place nursery school with associated playing fields, car parking, hard surfaced outdoor play area, footpaths and access roads. Entrance canopy and a covered nursery play area, enclosed bin store (2m), sprinkler tank and pump house (3.5m), 2.4m high perimeter security fence and gates, associated landscape works and off-site highway works.

Ward Edwalton

THE SITE AND SURROUNDINGS

1. The site is located in an arable field north of existing residential development sites currently being built out as part of the Edwalton Strategic Development Allocation, in the southern part of Edwalton.
2. The site location plan provided with this application shows the extent of the development parcel relevant to this application and also includes the layout and position of the adjacent early phases of the residential parcels of the strategic development site. These residential parcels are at various stages of the build out process with earlier phases now being occupied.
3. The development parcel amounts to 2 hectares and is located between zone 4 of the residential development and Sharphill Wood. The lay of the land in this location is uneven with the land rising to the North West, towards the wood.
4. In terms of the wider area, this strategic site is located at the southern part of the built up area of Nottingham with open countryside and the greenbelt to the south, with Tollerton to the south east.

DETAILS OF THE PROPOSAL

5. This is a County Matter application where RBC is a Consultee. The County Council is the determining authority for this proposal and, whilst considering the application they are also the applicant in this instance. The land is, however currently owned by private entities.
6. The proposal is for full planning permission and involves the provision of a two-storey 420 place primary school (2 phases) and 39 place nursery school with associated playing fields, car parking, hard surfaced outdoor play area, footpaths and access roads. Entrance canopy and a covered nursery play area, enclosed bin store (2m), sprinkler tank and pump house (3.5m), 2.4m high perimeter security fence and gates, associated landscape works and off-site highway works.

7. The school is intended to be built in two phases. The first phase would have capacity for up to 315 pupils plus a 39 place nursery. The second phase would commence when the need arises and would increase the capacity of the school to a 420 place primary plus 39 place nursery.
8. Pedestrian and vehicular access to the school would be from the road to the east side (Rose Way), which forms the main spine road to the residential development, and there are public footpaths around the site which link up the road from which access to the school can be gained.
9. The school building would be located on the lower, East side of the site on ground raised slightly from the adjacent road with the school car park laying to the north of the building and the play areas and grass pitches laying to the south.
10. As part of the development it is proposed to significantly regrade the land levels of the school site resulting in the levels of the school, car park, play areas and school pitches being considerably lower than existing (5m lower in some areas).
11. A 2.4m high metal dark green weldmesh fence would be installed around the site and, between the car park and pedestrian access and the building to ensure visitors can only access the front of the school. At school arrival and departure times it is intended for gates within this fence to open to allow children to enter the site via a path to the playground and from there into the building.
12. The school building itself would be located to the left of the entrance, when entering the site, with the main carpark in front, which would make provision for 38 spaces and 50 cycle spaces. Adjacent the building would be the games court/playground to the west and the nursery reception and secure outdoor area to the east. A turning area for parents dropping off children by car has been proposed to the site's frontage. The submission has also been accompanied by a "Traffic Regulation Order" proposals plan, which shows that large stretches of Rose Way immediately outside the front of the school are proposed to be subject to Traffic Regulations Order's such as "Keep Clear" and double yellow lined markings to prevent parking in certain locations. Traffic calming measures in the form of a raised table crossing are proposed immediately outside of the school.
13. Further south within the site it is proposed to locate four 43x33m playing pitches and to the northwest of the site it is proposed to create a large embankment containing a grass path created as a result of the land regrading works. This would result in the majority of the site (building and playing pitches being relatively level) being higher than the level of Rose Way.
14. In respect of the appearance of the principal building within the site, the school and nursery building is proposed to be two storeys in height with curved roofs and span the site in an "L" formation. The overall height of the building would be 6.73 metres and the elevation facing Rose Way would extend for 45 metres in total. The roof would be metal finish with metal water goods. External finishes would be a mix of brick and insulated render.

15. From a sustainability perspective the building is intended to achieve Energy Performance Certificate rating A and U values would be of a higher standard than required by building regulations Part L. A heat recovery system would be used with an option to rapid ventilate each main room. Sustainable drainage systems would be incorporated into the site.
16. Section 15 of the Planning Statement sets out how building would be used for community use. It explains that the hall, studio, tea making facilities and accessible toilets could be used during evening and weekends without members of the public needing to access other parts of the school. Access to the hall and studio could be made via the main school entrance doors at the front, opposite the school car park. Planning drawings '01104-internal community use areas' and '00105-community use zoning plan' show the areas that have been zoned off for community use. It is intended to secure this provision through a "Community Use Agreement" that would include details of
 1. A pricing policy;
 2. Hours of use;
 3. Access by non-school users/non-members;
 4. Management responsibilities; and
 5. A mechanism for review of the community Use Agreement
17. The application is accompanied by a "Community Use Zoning Plan", which shows which areas will be accessible to the public in which particular zones (Zones 1, 2 and 3).

SITE HISTORY

18. 17/00941/OUT - The development of the Site for up to 600 new dwellings, construction of a primary school and the creation of a community park, together with associated access, drainage, landscaping and other infrastructure works – Approved subject to S106 agreement – 18/9/2017.
19. 19/01228/REM - Application for approval of matters reserved under planning application 17/00941/OUT for the siting, design, landscaping and drainage details for the Spine Road through the site – Pending Consideration.
20. 08/00664/Out - Mixed use development of up to 1200 dwellings; primary school; business innovation centre; further education centre; 100 bed hotel; local centre with retail units, community building and health centre, sports facilities and community park; associated roads and infrastructure; vehicle access from Melton Road and bus-only link to Musters Road; off-site highway improvements – Appeal allowed subject to S106 agreement.

REPRESENTATIONS

Ward Councillor(s)

21. One Ward Councillor (Cllr Robinson) comments that with the Edwalton Development being delivered it will push the Edwalton population in excess of over 4000 people. Currently there are no public meeting/community halls available so it is absolutely crucial this application delivers a fully managed and open community facility providing: A hall and smaller rooms, access during the day for more mature residents to use, a very competitive charging structure

which only covers costs and catering facilities. Operators must clearly show a plan to manage any child protection issues. The Planning committee, when granting outline permission for this site, gave a clear steer that the above must be delivered by the operator. Concerns are also raised about road access, drop off facilities and turning facilities. Commitment from the developers is sought to set a very high benchmark in terms of environmental considerations – i.e. solar panels, water usage etc.

Statutory and Other Consultees

22. Rushcliffe Conservation and Design Officer - The site was assessed in terms of archaeology vis the wider approvals for the SUE, as such he does not consider any further archaeological investigations on site as being necessary. The site is remote from nearby designated heritage assets and will not impact upon the settings of any nearby listed buildings, conservation areas or other such heritage assets, it will also be screened by surrounding residential development and woodland. This just leaves design.
23. What has been presented is somewhat uninspiring and whilst the elevations have been re-drawn (they are formatted slightly differently with some very minor changes seemingly associated with building services) nothing has been done to address design concerns expressed about the earlier submission, these issues remain accentuated by the entirely greyscale finishing. Long linear features continue to result in very limited articulation, which is provided almost entirely by projecting canopies near entrances to the building. Nothing about the design has been altered in any meaningful way and nothing has been added to the supporting documentation to better justify or explain the design which is being advocated. Far better recent education development have been achieved within West Bridgford, including the sixth form centre at Rushcliffe School (Boundary Road). Funding of £5.3 million (not including the land value) is available via s106 funding for the development of this school - to include "associated community hall access and use", this is addressed via the draft legal agreement appended to an updated planning statement for how the school facilities would be managed for community access. The officer's main concern remains design and he does not consider that the proposal is particularly well designed and continues to question whether it would achieve the standards of good design advocated within the NPPF.

Local Residents and the General Public

24. The neighbour (82 Rose Way) raises concerns over the quality of the design of the proposed building, impact upon his privacy through the overlooking of 1st floor windows. Also comments that the extra traffic will cause unacceptable problems getting to and from his house. Questions the community use of the building and its impact upon the peaceful estate. Being two storeys in height, he is concerned that it will block the sunlight from his property. Traffic is already busy on the entrance to the estate, this will get worse and potentially unsafe. Raises concerns over the water pressure for the estate and the impact a school could have and the impact upon the wood due to the significant earth movements. Resident believes the traffic plan will be ignored by parents.

Relevant National Planning Policies and Guidance

25. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. It carries a presumption in favour of sustainable development and makes clear that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 11). Paragraph 12 states, "*Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.*" Paragraph 14 states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Policies in the NPPF taken as a whole.
26. Paragraph 17 sets out 12 core planning principles that it says should underpin plan making and decision taking. These include that planning should; be genuinely plan-led, proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, to seek to secure high quality design and a good standard of amenity, support the transition to a low carbon future in a changing climate, taking full account of flood risk, contribute to conserving and enhancing the natural environment, promote mixed use developments and to actively manage patterns of growth.
27. The sections of the NPPF that have relevance to the determination of this application include; 4. Promoting sustainable transport; 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 8. Promoting healthy communities; 10. Meeting the challenge of climate change, flooding and coastal change; and 11. Conserving and enhancing the natural environment.

Relevant Local Planning Policies and Guidance

28. The Rushcliffe Local Plan Part 1: Core Strategy sets out the overarching spatial vision for the development of the Borough to 2028. Policy 20, the Strategic Allocation at Melton Road Edwalton, is of particular relevance. This allocates an area of land, which includes the application site, as one of the Council's strategic sites for housing for around 1,500 dwellings, up to 4 hectares of employment generating development, a neighbourhood centre and other community facilities as appropriate for the plan period up to 2028.
29. In respect of housing the Policy says; "*1. A mix of housing will be provided on the site, including seeking through negotiation to secure up to 30% affordable housing. The affordable housing should be phased through the development; 2. The development should make efficient use of land. New residential development should seek to achieve an average net density of at least 30 dwellings to the hectare. Higher densities should be achieved close to the neighbourhood centre and along the strategic bus corridor;*"
30. The Policy also outlines a number of infrastructure enhancements and requirements, including; improvements to road infrastructure, walking and cycling facilities, a financial contribution towards improvements to the A52, sewage and sustainable drainage provision, green infrastructure and community park provision, provision of a primary school and contributions towards, secondary school, health and indoor leisure facilities; contributions to

be secured through planning obligations and/or a Community Infrastructure Levy.

31. Also of relevance in this case are; Policy 1: Presumption in favour of Sustainable Development, Policy 2: Climate Change, Policy 8: Housing Size, Mix and Choice, Policy 10: Design and Enhancing Local Identity, Policy 12: Local Services and Healthy Lifestyles, Policy 14: Managing Travel Demand, Policy 16: Green Infrastructure, Landscape, Parks and Open Spaces, Policy 17: Biodiversity, Policy 18: Infrastructure, Policy 19: Developer Contributions.
32. Following the adoption of the Core Strategy the Council adopted a Supplementary Planning Document (SPD), the 'Melton Road Edwalton Development Framework'. The purpose of the SPD is to provide guidance for the preparation and determination of planning applications on the land at Melton Road, Edwalton. One of its key roles is to identify detailed infrastructure requirements in order to ensure that new facilities are provided in a co-ordinated manner.
33. The Rushcliffe Non-Statutory Replacement Local Plan has been used in decision making since 2006 and despite the Core Strategy having been recently adopted its policies are still a material consideration in the determination of any planning application where they are in accordance with national guidance and have not been superseded by national guidance or the Core Strategy. The following policies of the Rushcliffe Borough Non- Statutory Replacement Local Plan (NSRLP) are relevant to the consideration of this application.
34. Policy GP1 (Delivering Sustainable Development), Policy GP2 (Design and Amenity Criteria), Policy GP3 (Development Requirements), Policy EN12 (Habitat Protection), Policy EN13 (Landscaping Schemes), Policy EN19 (Impact on the Green Belt and the Open Countryside), Policy EN21 (Loss of Agricultural Land), Policy EN22 (Pollution), Policy HOU2 (Development on Unallocated Sites), Policy HOU7 (Affordable Housing), Policy MOV5 (Contributions to Public Transport Infrastructure), Policy MOV7 (Footpath and Cycle Links in New Developments), MOV9 (Car Parking Standards), COM2 (New Residential Development and Community Facilities); COM5 (Provision of Open Space on New Development); and Policy WET3 (Groundwater Resources).

APPRAISAL

Principle of Development

35. An extant planning permission exists for the erection of a school building within the vicinity of this site through the grant of outline planning permission 17/00941/OUT - *The development of the Site for up to 600 new dwellings, construction of a primary school and the creation of a community park, together with associated access, drainage, landscaping and other infrastructure works.* As part of an earlier phase of development, a Section 106 agreement was entered into which relates to his land and the provision of the primary school and community use. The "primary school " was defined within the agreement as "a 1.5 form entry primary school ad associated community use to be constructed on the primary school land in accordance with the provisions of

the agreement". The "primary school land" was defined as "the land shown indicatively on Plan B being 2 hectares in extent".

36. The "Melton Road, Edwalon, Development Framework Supplementary Planning Document" together with Policy 20 of the Adopted Rushcliffe Local Plan Part 1: Core Strategy allocate the wider development site for residential development of up to 1500 dwellings, up to 4 hectares in B1 and/or employment development, a neighbourhood centre and other community facilities as appropriate. Figure 1 of the SPD is a plan which shows the intended distribution of land uses and includes reference to "Primary School and Community uses" annotated in the approximate location of this proposed development for the school. Section 5 of the Framework SPD explains how the infrastructure for the development site will be collected and how it will be directed. It explains that £3,533 per dwelling will be collected towards a Primary School with associated community hall access and use (totalling £5.3m).
37. For these reasons, although this is an independent full planning application the principle of a school facility in this location is considered to be acceptable, subject to the facility being suitably available for use by the community.

Community Use

38. The application is accompanied by a Planning Statement (section 15), Internal Community Use Areas and Community Use Zoning Plan. The information proposes that the County Council and School Developer sign up to Community Use Agreement, which would control how the school would be used in a community use capacity. The submitted plans clarify which areas of the school would act as "dual uses" and the Community Use Agreement stipulates at what times of the day which areas would be available to the public for use, as well as other administrative details such as cost and management responsibilities.
39. To summarise community provision, it is proposed to offer the Hall, Studio, Tea making facilities and accessible toilets at evening and weekends without members of the public needing to access other parts of the school.
40. An addendum to the Planning Statement received 10/6/2019 (following Cllr representations made directly to the County Council) provides further clarification that it is not possible for the school to accommodate community use during the teaching day, as the rooms are used continually for teaching purposes (and therefore not necessary to increase the car park for daytime community use).
41. To support this approach, the County Council have provided a statement of clarification that they consider the original S106 requirements to be achieved through this approach. Clause 6.1 of the original S106 Agreement states that the community use shall be provided "in accordance with the provisions of DCSF Building 99 Briefing Framework for Primary School Projects (2nd Edition) or such revision. The County Council are of the opinion that, following a review of the specified document, their proposed approach for Community Use outside of school hours is compliant with the definition of "Shared Community Use" within the document. The County Council continues to state that whilst it is suggested from Local Members that facilities should be accessible to the community through the school day, that would be of similar character to the "Extended School Facilities" standards rather than "Shared Community Use"

referenced in BB99 and the grant of outline planning permission.

42. The Borough Council has no evidence to dispute the standard put forward by the County Council and its compliance with the S106 agreement of planning permission 14/01238/FUL, which runs with the land. However, this application is an independent full planning application and therefore is not bound the requirements and specifications of the S106 agreement. In light of this, the Borough Council advises the County Council to explore the possibility of allowing a limited daytime Community Use of the hall, tea rooms and toilet facilities, as it is unlikely that the hall will be used all day, every day during school hours and this provision should be included within the proposed Community Use agreement.

Design and impact upon neighbouring amenity

43. Policy 10 of the Core Strategy requires that all new development should, amongst other things, make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Specifically, with regard to design, the policy requires that development be assessed in terms of its massing, scale and proportion; and in terms the proposed materials, architectural style and detailing. Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) and Policy 1 of the emerging Local Plan Part 2: Land and Planning Policies broadly echo policy 10.
44. Chapter 12 of the Framework is concerned with achieving well-designed places. Specifically it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history and maintain a strong sense of place. Importantly, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
45. The Melton Road, Edwalton Development Framework contains a Design Code which should be used to inform development within the allocated site. The Framework advocates for “a high quality public realm together with an appropriate palette of building materials and colours should combine to create rich street character”. In respect of materials, brick types should reflect the traditional colours and textures found within West Bridgford and Edwalton and bricks of red should be the predominant theme. Other variations/colours could be introduced for good design. Render is supported in an occasional use and should be predominantly white-cream whilst there are aspirations for other sustainable contemporary materials for buildings.
46. The proposed building is intended to incorporate a number of sustainable construction techniques including heat recovery systems and sustainable drainage systems. However, the elevation treatment of the building is considered to be basic and functional rather than expressing a contemporary theme. This building is to be prominently located along the primary road within the development and will be experienced by the vast majority of the occupants over the course of time. The elevation facing Rose Way lacks articulation and incorporates materials which are akin to more a commercial building and

premises such as offices or research centres. Effort has been made to ensure the residential development on the east side of Rose Way, opposite the proposed school, follows the general character and themes contained within the estate and in accordance with the Design Code of the Development Framework, whereas this proposed building fails to take the opportunity to establish itself as a positive landmark and nodal building at the heart of the development. The proposed community use means the building will be well used by the public and therefore elevations within the site should also be re-visited to create a more attractive well-articulated structure.

47. In terms of the other supporting structures, a proposed 2.4m high green fence is proposed to create the perimeter of the school site. It is noted that landscaping is proposed to screen the fence and this is wholly supported.
48. It is accepted that vast earth movements are required to facilitate the creation of a school at this site, given the existing land levels however, having sight Sharphill Wood from Rose Way (as the main thoroughfare of the development) is of high importance and the proposed banking on the west side of the site should not block these important views towards the community asset.
49. One letter of objection has been received from a local resident who has concerns over the impact of the school upon their living environment. It is, however noted that the separation distance between the proposed building and the windows of the dwelling are significant (some 35m) and it is not anticipated this will lead to a significant lack of privacy. Highway safety and parking matters are discussed below, however the disturbance from such is not expected to be any more significant than any other primary school within the Borough. This is considered a sustainable location which will provide opportunities for sustainable modes of transport and, whilst for a short period of time in the morning and evening it may be busy in this location, such hours are not antisocial so as to cause unwarranted disturbance. The out of hours community use of the building would be controlled by an Agreement with the County Council and, therefore, there will be relevant controls in this regard.
50. The application was accompanied by a Noise Impact Assessment which has calculated the playground noise at the closest receptors, which are the properties along Rose Way. Given the playground is largely screened by the two storey building, noise levels at these receptors during play times are not considered to be intrusive enough to cause harm to the occupiers amenity.

Highway Safety and Parking

51. The proposed site is intended to be served by a vehicular access off Rose Way as well as parking provision within the site for staff and visitors only (not parent drop off or collection). The County Council has provided amended plans which now include the provision of a turning "U" bend in front of the site to allow parents a turning facility rather than using the main carriageway elsewhere.
52. Evidence is provided within the Transport Assessment to support the proposed parking provision and this is based on Census Data and takes account of the context of the site within a new development. 38 spaces in total are proposed together with the provision of 50 cycle spaces, which are expected to mainly serve pupils.

53. The proposals also include improvements to the adopted highway within the vicinity of the school entrance:
- Raised table to the south of the main entrance (traffic calming measure);
 - Removal of grass verge to eastern kerb line of Rose Way and replace with contrasting surfaces;
 - Keep clear markings are proposed along the school frontage to either side of the main entrance;
 - 20mph advisory speed limit and school warning signs to comply with regulations to be considered; and
 - Double or single yellow lines around the 90-degree bend to the south also to be considered.
54. Rushcliffe Borough Council welcomes these highway alterations and notes that whilst the physical alterations to the public highway could be secured through Section 278 works, the Traffic Regulation Orders (yellow lines and keep clear marking etc) are subject to a separate and independent process and cannot be secured through the planning process. As such, Rushcliffe Borough Council would seek assurance that if such measures are not successful, the highway design would be revisited to provide a scheme which secures the same level of safety as that currently proposed.
55. The adopted Rushcliffe Local Plan Part 1: Core Strategy advocates the reduction in car dependency and promotes the use of sustainable transport modes as a primary method of transport. The proposed parking and cycle provision is considered to strike a fair balance between providing sufficient on-site parking for enough staff and visitors whilst encouraging the use of cycles and bus service provision which will operate as the development progresses into later phases.

Flood Risk and Contamination

56. Rushcliffe Borough Council notes the submission of a Flood Risk Assessment to accompany the proposed development and welcomes the views of the Environment Agency as statutory consultee on the findings and suitability of any proposed mitigation measures. As a major development site, consultation with the Lead Local Flood Authority should also have taken place and Rushcliffe Borough Council also welcome their views and advice in respect of the proposed Sustainable Drainage System.
57. The site is currently an arable field and, therefore, it is not anticipated that the land would be contaminated due to previous land uses. However, Rushcliffe Borough Council notes reference to the site previously being used to store earth and soil which has derived from elsewhere within the wider development site and therefore welcome the views of the County Council's Environmental Health Officers in respect of this.

Ecology

58. The application has been accompanied by Preliminary Ecological Assessment and as an arable field is considered to be of low ecological value providing very limited opportunities for protected or otherwise notable species. Rushcliffe Borough Council supports the views of the County Council's Natural Environment Manager that further consideration should be given to the impacts

on Sharphill Wood LWS during the construction phase of the development, that the proposed bat friendly lighting scheme should be conditioned if permission is granted and that a scheme for Ecological Enhancements should be required to be submitted and approved prior to the commencement of development in accordance with Rushcliffe Borough Council's emerging Local Plan Part 2: Land and Planning Policies (Policy 38).

Conclusion

59. The principle of a 1.5 form entry school in this location is established, acceptable and required in order to serve the needs of the wider residential development. However, the current approach towards the shared community use should be reviewed with a view to providing scope for daytime use by the community. The design of the proposed building is considered to be poor and fails to take this unique opportunity to create a building of outstanding design which could become a positive nodal and focal point of the development. The Borough Council also advises the County Council to consider the implications of the Traffic Regulation Orders in the event that such controls are not secured through the democratic process. Further consideration should be given to the impact of the construction of the development upon the biodiversity habitat of Sharphill Wood as well as an ecological enhancement scheme being secured as part of the development.

RECOMMENDATION

It is RECOMMENDED that the County Council be informed that the Borough Council objects to the proposal and recommends refusal for the following reason(s):

1. The design and appearance of the proposed building fails to take this unique opportunity to create an innovative exemplary public building which will be a key, primary feature of the Edwalton Development. The building would appear as an incongruous addition to the street scene and would be harmful to the character and appearance of Rose Way and the character of the wider residential development as a whole. The proposal is therefore contrary to the Melton Road, Edwalton, Development Framework Supplementary Planning Document, Core Strategy Policy 10 and the National Planning Policy Framework 2019.
2. The proposed development does not meet Rushcliffe Borough Council's aspirations in terms of a Community Use Facility as no day time facilities are intended to be provided as part of the proposed Community Use Agreement. This is contrary to the needs of the wider community in absence of an alternative facility within a sustainable, accessible location.