

COMMITTEE DATE: [06/10/2014](#)

Application Reference: **14/0317**

WARD: Anchorsholme
DATE REGISTERED: 02/05/14
LOCAL PLAN ALLOCATION: Protected School Playing Fields/Grounds

APPLICATION TYPE: Full Planning Permission
APPLICANT: Happy Days Childcare

PROPOSAL: Erection of single storey front and side extensions to existing pavilion and use of building as altered to accommodate the relocation and expansion of the existing nursery provision on site.

LOCATION: ANCHORSHOLME ACADEMY, EASTPINES DRIVE, BLACKPOOL, FY5 3RX

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss. S. Parker

BACKGROUND

This application was validated on 2nd May 2014 and has been the subject of extensive discussions. The building originally proposed would have sat 12m forward of the existing pavilion and main school building with only 3m separating it from the back of pavement. It was felt that the size of the building and its proximity to the highway would have rendered it an obtrusive and incongruous feature within the streetscene that would have been detrimental to the visual quality of the immediate area. As such, the case officer recommended the application for refusal by the Head of Development Management using his delegated powers. However, the applicant requested additional time to review and reconsider the proposal and a further meeting was held to discuss a potentially acceptable solution. Subsequently, amended plans showing the building pulled further back from the front of the site have been received and the application is now being brought before the Planning Committee for consideration because of the number of representations that have been received from local residents.

SITE DESCRIPTION

The primary school is situated on the southern side of East Pines Drive and the building the subject of this application is positioned in the north-western corner of the site. East Pines Park lies immediately to the west with the remainder of the school site to the east and south. Residential properties lie to the south-west and to the north on the opposite side of East Pines Drive. The existing pavilion is a rectangular building with a near-pyramidal roof. The building sits within the existing school playground and is currently used to accommodate the after school club and similar activities. There is an existing nursery facility on site which is accommodated in temporary buildings at the rear of the school.

DETAILS OF PROPOSAL

The application seeks planning permission for the erection of single storey front, side and rear extensions to the existing pavilion to accommodate the relocation and expansion of the existing nursery provision within the school site. The works would increase the size of the building from approximately 85sq m to some 260sq m plus additional, covered, outdoor space. At present the nursery has seven staff and is registered for up to 40 children aged 2-5yrs. The extended nursery would employ twelve staff and would accommodate up to 56 children, twelve aged 0-2yrs and 44 aged 2-5yrs.

The application is accompanied by a Planning Statement, some basic travel information and a letter from the nursery operator.

The Committee will have visited the site on 6th October 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of an expanded nursery facility on the site
- the acceptability of the loss of playground space
- the impact of the building on residential amenity
- the impact of the building on the quality of the streetscene
- the parking and highway safety implications of an expanded and relocated nursery facility.

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Transportation: Objection. The proposal seeks to relocate the existing nursery to a different part of the site. The wider area is residential with some shops nearby. There are existing issues at the start and end of the school day with parents parking inconsiderately on-street in restricted areas reducing the width of the carriageway and creating conflict. This is extended over the day when delivery drivers and customers to the nearby shops behave in the same manner. The relocation of the nursery would shift the problems relating to nursery parking which are currently experienced within the site onto the highway. Inconsiderate parking would increase sudden stop and start manoeuvres affecting the safe operation of the highway and exacerbating existing problems.

Children and Young Peoples Department: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Sport England: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 14th May 2014 and a second notice on 10th September 2014

Neighbours notified: 7th May 2014 and again on 8th September 2014

A petition letter of objection signed by nos. 3, 5, 9, 11, 17, 19, 21 and 23 East Pines Drive has been received raising the following issues:

- Parking
- Increased traffic
- Increased congestion
- Compromised access to properties
- Building too close to existing properties
- Loss of daylight and sunlight
- Loss of view
- Building would not be in-keeping with streetscene
- Disturbance from construction and damage to pavements
- Noise from school
- Increased litter
- School children attracted to local shops
- Loss of property value
- Expansion of nursery could take place elsewhere on the site
- Loss of playground
- Loss of use of pavilion as a community facility

The Committee is respectfully advised that potential loss of property value and loss of view are not valid planning considerations. The other issues will be addressed in the assessment section of this report.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be pro active in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design and paragraph 64 states that 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. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was introduced in March 2014. Paragraph 74 state that existing open space, sports and recreational building and land, including playing fields, should not be built upon unless the land can clearly be shown to be surplus to requirements, or equivalent, alternative provision is made elsewhere in a suitable location.

SAVED POLICIES: BLACK POOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH7 Playing Fields and Sports Grounds
- AS1 General Principles (Access and Parking)

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was subsequently published for public consultation on 4th July 2014 for a period of eight weeks. This consultation period has now closed. The intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

Emerging policies in the Core Strategy Proposed Submission that are relevant to this application are:

- CS7 Quality of Design

This policy is now considered to carry weight in the assessment of planning applications. However, it does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

The existing nursery facility supports the wider school use on the site and a significant number of nursery pupils progress to become students at Anchorsholme Primary School. This situation is common and is repeated on a number of primary school sites across the borough. There are no planning policy considerations that would preclude the expansion and relocation of the existing nursery facility on the school site in principle.

The application would result in the loss of some 250sq m of hard-surfaced playground space but would create 80sq m of covered, outdoor play area in the form of an enclosed terrace. It is understood that the existing nursery building would be returned to the school for future use with the area of playground previously used by the nursery also returned for general school use. Policy BH7 of the Local Plan states that developments that would result in the loss of school playground will not be permitted unless certain criteria can be met. It must be demonstrated that the land is needed for the expansion of the school, that sufficient playground would be retained to meet current and future school needs, and that the land is not required to meet wider community needs. The application includes a statement to explain that the existing nursery facility is insufficient to meet demand and that a larger facility is needed. It is understood that this would benefit the school as more children would be likely to progress from the nursery to become students of the school. The area of playground in question is used for informal play and does not form part of a formal sports

pitch. Whilst playground space at the school is limited, Sport England has not objected to the scheme. It is understood from the information submitted that the existing playground space would be shared with the nursery with access times staggered as appropriate. Nevertheless, the loss of playground space weighs against the proposal.

Amenity

The building has been pulled back some 5.9m since first submitted. It would now sit some 25m from the nearest residential property across East Pines Drive and some 9m from the site frontage. As such, no detrimental impacts on residential amenity arising from loss of outlook, privacy or daylight are anticipated.

It is acknowledged that the expansion of the existing nursery facility to accommodate an additional sixteen children and its relocation to the north-western corner of the site would have the potential to increase levels of noise and activity in that area. However, any activity would be limited to the working day and must be judged in the context of the level of noise and activity generated by the wider school and the existing use of the building. The school is well established and the front area of the site is currently in use as a playground. It is not considered that the additional noise and activity that could be generated by the nursery expansion and relocation would be sufficiently detrimental in itself to the amenities of local residents so as to justify refusal of the application.

Design

The design of the building is modern and visually interesting with a large, mono-pitched, sedum planted, 'living' roof over the main part of the building facing East Pines Drive and a more standard pitched roof over the section facing the park. A flat roof would cover a small section of the building and the outdoor play area and would project beyond the side elevation of the building. The submitted drawings indicate that the building would be of timber construction above a base plinth with individual letter signage to advertise the use on the front elevation. Anchorsholme Primary School as a whole has a modern appearance when viewed from East Pines Drive and it is considered that the extended pavilion would fit in well with this appearance and make a positive contribution to the streetscene. It is noted that the building may be taller than the bungalows on the opposite side of East Pines Drive but, in the context of the wider school site, this is considered to be acceptable.

Since first submission, the building has been pulled back some 5.9m and would now sit behind the existing grassed area to the front of the school site. It has not been possible to pull the building back further such that it aligns with the rest of the school frontage as this would have impinged on levels of daylight into an existing classroom. It is noted that the existing school does not have a regular frontage and that the existing pavilion already sits slightly forward of the main school entrance point. The building now proposed would sit 9.2m from the back of the footpath and some 6m forward of the main school entrance point. In order to pull the building as far back from East Pines Drive as possible, it has been angled at the rear. Whilst the building would still sit forward of the main school, it is felt that the position now proposed is acceptable. An open view across the frontage into East Pines Park would be retained and the building would not appear overly dominant within the streetscene. Subject to appropriate external materials being agreed through condition, the building proposed is now considered to be acceptable.

Parking and Highway Safety Implications

The applicant has submitted some basic travel information and has stated that approximately half of the children attending the nursery have a sibling at Anchorsholme Primary School. It is understood that this is also the case at other nurseries in the area. As a

result, arrival times are staggered with some children arriving with siblings at the start of the school day and others typically being dropped off earlier and collected later to fit around the parents working hours. Those children who arrive with siblings do not generate any additional traffic. On this basis, the applicant contends that approximately eight additional vehicle trips would be generated on a daily basis based on an increase in total child numbers of sixteen. Viewed in the context of the wider school operation and the number of vehicle trips generated, it is not considered that the application could reasonably be refused on the basis of increased traffic and congestion or compromised access to existing residential properties.

The school has confirmed that vehicle access into the site for parents of nursery children is not permitted. As such, and contrary to previous understanding, all current nursery drop off and collection takes place from East Pines Drive. The Head of Transportation has objected to the scheme based on the existing issues in the area, but this objection is based on the understanding that parents of nursery children are currently permitted to drive into the site. The highway around the school site is clearly marked to prevent inconsiderate and dangerous parking. On balance, given the wider context and the existing situation, it is not considered that the scheme could reasonably be refused on highway safety grounds.

The development proposed would result in four additional members of staff being employed on the site. No additional parking is proposed. It is proposed that a travel plan be conditioned in order to promote use of sustainable transport modes. Again on balance it is not considered that the scheme could reasonably be refused on parking grounds.

Other Issues

A condition would be attached to any permission granted to require the agreement of a Construction Management Plan. This plan would include hours of work and measures to control dust and noise. Any damage caused by the construction process would be a separate and private matter for resolution.

It is not accepted that the expansion and relocation of the existing nursery facility as proposed would lead to an increase in litter in the immediate area. Furthermore, there is no reason that the scheme would increase the number of children attracted to the local shops.

The school is in support of the proposal on safety grounds. At present, nursery children must access the existing facility via a driveway and through a car park where both staff and service vehicles manoeuvre. It is also considered undesirable for parents of nursery children to have to access the rear part of the school site. The relocation of the nursery to the front of the site is considered to be beneficial in terms of security.

CONCLUSION

Significant changes to the scheme have been made since first submission and, in response to officer concerns, the building has been pulled back by 5.9m. As such, open views into East Pines Park on the approach along East Pines Drive would be retained and the building would appear less imposing in the streetscene. The design of the building is considered to be acceptable and no detrimental impact on residential amenity is anticipated. It is understood that the expansion and relocation of the nursery would support the wider operation of the school and be more secure than the existing arrangement. Whilst the loss of playground space counts against the proposal, no objection has been received from Sport England and it

is considered that sufficient outdoor space would remain to meet the needs of the school. As such, and on balance, the scheme now proposed is considered to be acceptable subject to the conditions listed below. The Committee is therefore respectfully recommended to grant planning permission for the extension of the existing pavilion and its use as a nursery.

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998.

Recommended Decision: Grant Permission

Conditions and Reasons

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

3. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

4. (a) The total number of children in attendance at the nursery at any one time shall not exceed 56.
- (b) The number of children in attendance at the nursery at any one time aged between 0 years and 2 years shall not exceed 12.
- (c) The number of children in attendance at the nursery at any one time aged between 2 and 3 years shall not exceed 12.
- (d) The number of children in attendance at the nursery at any one time aged between 3 years and 5 years shall not exceed 32.

Reason: In order to ensure that adequate parking provision is available to meet staff and parent drop-off needs and in order to safeguard the residential amenities of the occupants of nearby properties in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.

5. The pavilion shall not be brought into use as a nursery until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

The pavilion shall not be brought into use as a nursery prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval need to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

2. Advertisement Consent may be required for the display of signage. The applicant is advised to contact the Council's Development Management team on 01253 476193 or via planning@blackpool.gov.uk in the first instance for further guidance.