
Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 3rd July 2014

Subject: 14/02886/FU - Proposed temporary school teaching block for a period of two years and use of existing Morley Cricket Club car park for staff

APPLICANT

The Gorse Academies Trust

DATE VALID

19th May 2014

TARGET DATE

18th August 2014

Electoral Wards Affected:

Morley South

☐ Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: GRANT PERMISSION IN PRINCIPLE with the final decision to be delegated to officers following the expiration of the extended public consultation period and no further material planning issues being raised.

1. Development to accord with approved plans.
2. Temporary permission (2 years)
3. Discontinued use and scheme for reinstatement of outdoor sports facility to be approved
4. Materials details and samples of external walling and roofing to be submitted and approved.
5. Surface materials to be submitted and approved.
6. Details of boundary treatments to be submitted and approved.
7. Landscape scheme to be submitted and implemented.
8. Landscape management plan.
9. Aftercare scheme.
10. Submission of updated travel plan to be agreed.
11. Specified operating hours (construction); no Sunday / Bank Holiday operations.
12. Construction management plan to be submitted and approved.
13. Bus transportation routes to be identified
14. Bus pick up and drop off points to be agreed.

15. Scheme to detail dust suppression.
16. Scheme to detail mud prevention
17. Separate systems of drainage for surface water and foul to be submitted and approved.
18. No piped discharge prior to completion of approved drainage scheme
19. Details of external lighting to be submitted and approved
20. Report on unexpected contamination

1.0 INTRODUCTION:

- 1.1 This is a full planning application for a temporary consent (2 years) to erect temporary modular classrooms and use of Morley Cricket Club car park for staff parking. The site includes an area of land which is allocated as N6 (protected playing pitches) in the Revised Unitary Development Plan and is a Departure from the Development Plan. The application has been re-advertised and the extended consultation period does not expire until the 15th July.

2.0 PROPOSAL:

- 2.1 This application is brought about as an interim arrangement until a proposed permanent solution is developed to provide a new 1580-place 11-19 school free school. It is proposed that a free school will be established in the southern part of Leeds city centre on land off Black Bull Street. Although no planning permission is in place pre-application dialogue has commenced and the principle of redeveloping this site for educational purposes appears to be acceptable. Discussions in terms advancing this scheme through to a planning submission are now anticipated to gain momentum.
- 2.2 The proposed permanent solution will offer a wider educational opportunity to families currently living in communities in and around the inner and south area of Leeds. Although the need for additional secondary places is not as imminent as primary, there will be exponential growth in the secondary sector in Leeds over the next seven years. Without this free school it is forecasted that there will be a shortfall of approximately 1,250 secondary places in September 2018/19.
- 2.3 To facilitate this, it is proposed to construct temporary teaching facilities on the Morley Academy Campus in two phases. The first phase, to be developed in September 2014, will be to provide teaching facilities for 95 Year 7 pupils. This will include five class rooms, staff offices, a laboratory, an ICT class and flexible space. The area of this building will be circa 1028 sqm. New 2.02 metre high fencing will be provided which join up to the existing perimeter fencing.
- 2.4 The second phase of development will be to provide accommodation on the site for a further 190 Year 7 & Year 8 students. This phase will add a further 7 modules to the existing, comprising 5 class rooms and an ICT suite. The total floorspace of the buildings will be 1478 sqm.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site comprises of two parcels of land to the north and south of Scatcherd Lane. To parcel the north is an existing car park which serves Morley Cricket Club. To area to the south of Scatcherd Lane is on land which forms part of a wider hard play area linked to Morley Academy. The school itself is largely a part two storey, part three storey building, fronting onto Fountain Street with associated playing pitches and tennis courts. Part of the school is constructed in cladding panels. There are two storey stone houses located to the south side of Fountain Street, with new

build housing to the West. Industrial units are located to the east of the site. Residential units are also located on Scatcherd Lane. The area is mixed in character.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 23/40/05/FU: Proposal is to refurbish the current all-weather pitch adjacent to Scatcherd Lane with a modern “Astroturf” pitch, and to erect floodlights. – refused December 2005
07/03389/LA - 1 all-weather sports pitch and 1 all-weather sports pitch with floodlights to school – approved January 2008.
10/00251/LA – revised application for 1 all-weather sports pitch and 1 all-weather sports pitch with floodlights to school – approved March 2010
11/04576/FU - Replacement cladding and windows to school building – approved December 2011
12/02010/FU – Replace wall cladding, windows and roof to sports hall; replacement wall finish, windows and roof fascia to ground floor 'building 1'. Approved July 2012.
13/01155/FU - Two storey side extension; dormer window to side and external alterations to gatehouse. Approved 24 May 2013
14/00136/FU – Retrospective application for single storey rear extension and external alterations. Approved 10 March 2014.

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 The application was advertised initially by site notice dated 30th May 2014 and subsequently on the 23rd June 2014 as a Departure from the development plan. Five representations have been received in connection with this proposal. These are from Local Ward Members, Morley Town Council and a local resident.
- 5.2 Cllr N Dawson objects to the proposal on the grounds that the proposed expansion of the school will have an adverse impact on on-street parking around the school, which coupled with increased volumes of traffic from parents, staff and visitors will put more pressure on residential parking in the vicinity of the school. Residents are already pressing for a parking permit scheme in the vicinity due to the number of visitors and others at the Academy and from other sites which mean they are unable to park outside or near to their homes. There is also a road safety concern from the increase in vehicle movements on Fountain Street and Scatcherd Lane and the lack of suitable parking arrangements on Fountain Street, Scatcherd Lane and other streets in the vicinity of both existing schools in the area, Morley Academy and Fountain Primary School.
- 5.3 Cllr Dawson also notes that the area around Morley Academy was one of the first in Leeds to be included within a 20MPH speed zone partly due to the area being identified as one with potential for accidents and with a poor safety record. If this application goes ahead there will be over 2,100 children at the Gorse Academy, Morley Academy and Fountain Schools going into an area each day that has narrow streets, hazardous on street parking and with a poor road safety record.
- 5.4 Cllr J Elliott supports the proposal on the grounds that the Academy is progressing well to the benefit of children from Morley and the wider area of Leeds.
- 5.5 Cllr S Varley has raised no objection to the proposal.
- 5.6 Morley Town Council – Support the proposal in principle but conditions are required to remove the buildings after 3 years and to address parking issues on Scatcherd Lane. Concerns are also raised that the existing academy is already over occupied.

The local resident objection is on the grounds that Scatterd Lane is already too heavily populated with traffic, attempting to avoid the stalemate on Fountain Street and this new facility will exacerbate the already horrendous conditions. It is also considered that there is no need for any segregated school accommodation, as existing facilities should be used to ensure equality and diversity exists.

6.0 CONSULTATION RESPONSES:

Statutory

Sport England – No objection in principle subject to conditions

Non-statutory

Neighbourhoods and Housing – No comments received at the time of writing

Land contamination – No objection in principle subject to conditions

Highways – No objection in principle subject to conditions

Transport Policy – No objection in principle

Mains drainage – No objection in principle conditions required to assess ground Conditions.

Children's Services – No objection in principle

Yorkshire Water - No objection subject to conditions

7.0 HISTORY OF NEGOTIATIONS:

- 7.1 A pre application meeting was held with the agent on the 8th April 2014 to discuss the principle of the development and the planning documents required for a planning submission.

8.0 PLANNING POLICIES:

- 8.1 The Council has submitted its Core Strategy to the Secretary of State. The Strategy is considered by the Council to be sound and in line with the policies of the NPPF and the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. An initial hearing session has been held and the Inspector is satisfied that the Council have fulfilled the legal obligations of the Localism Act as they pertain to the Duty to Co-operate. The Core Strategy has now progressed to formal hearing sessions which were held in the autumn 2013. The Inspector's main modifications were published on 13th March 2014 for six weeks public consultation – significant weight can now be attached to the Draft Core Strategy as amended by the main modifications.
- 8.2 Part of the site is allocated as public protected playing pitches in the RUDP (N6) and the states:

There are a number of relevant policies in the adopted Leeds UDP Review (2006) as follows:

"Development of playing pitches will not be permitted unless:

i. There is a demonstrable net gain to overall pitch quality and provision by part-redevelopment of a site or suitable relocation within the same locality of the city, consistent with the site's functions; or

ii. There is no shortage of pitches in an area in relation to pitch demand locally, in the context of the city's needs, and city wide, and development would not conflict with UDP policies concerning protection of the Green Belt, protection and enhancement of

Greenspace and provision of additional Greenspace, Urban Green Corridors and other open land”.

Other relevant policies are:

BD5: New buildings should be designed with consideration of their own amenity and surroundings.

GP5: Development proposals should resolve detailed planning considerations.

LD1: Landscape schemes to provide visual interest.

N12: Urban design: Spaces between buildings of importance, new buildings should be good neighbours and respect character and scale of surroundings.

N13: Building design should be high quality and have regard to character and appearance of surroundings.

T2: Development should not create problems of highway safety.

T24: Parking standards should be met.

National Planning Guidance:

- 8.3 National Planning Policy Framework – Encourages sustainable forms of development and good design.

9.0 **MAIN ISSUES**

1. Principle of development
2. Design and layout issues
3. Impact upon surrounding residential amenity and living conditions
4. Highway issues
5. Landscape / tree issues
6. Other matters
7. Conclusion

Principle of development

- 9.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004, indicates that in considering planning applications the determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 The site includes an area of land which is allocated as N6 (protected playing pitches) in the Revised Unitary Development Plan. As a consequence Sport England, as a statutory consultee, was consulted as part of the planning consultation process.
- 9.3 In terms of the impact of the development upon protected playing pitches, the site forms part of, or constitutes a playing field as defined in Article 10(2) the Town and Country Planning (General Development Procedure) Order 1995 (as amended by SI 1996/1817 and SI 2009/453), in that it is on land that allocated for the use as a playing field in a development plan.
- 9.4 The protection of allocated playing pitches is therefore a key planning consideration as well as ensuring that the remaining pitches are not prejudiced by their overuse and that there is sufficient capacity to meet the operational needs of the school. The applicant has indicated that the proposed development will have no adverse impact on the curriculum of the existing academy. The Trust have also confirmed that community use of the application site or existing school facilities will not be affected

by the proposal. Sport England has not therefore objected to the principle of development for a temporary period of 2 years subject to a condition requiring the appropriate restoration of the site following the cessation of use.

- 9.5 Members should also be mindful of a policy statement issued jointly by the Secretary of State for Education and the Secretary of State for Communities and Local Government on the 15th August 2011. This sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. It goes on to say that the Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply with immediate effect:

i) There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.

ii) Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.

Design and layout

- 9.6 The proposal involves the introduction of an 'L'-shaped modular building to be delivered in two phases and sited to the north west of the main school building. The unit would be positioned to the side of number 15 and extending to opposite 24 Scatterd Lane and effectively filling this frontage area. This section of the site frontage is formed by a stone wall with mesh fencing above. The principal elevation of such covers some 48m and is 22m deep, with the south west elevation extending some 44m and also of a similar depth. The scale is single storey measuring 3.2m and flat roofed with regular fenestration. The design of the proposal is functional and offers no architectural merit. The palette of materials consists of a goose wing grey plastisol finish with infill glazing. Although the development would be an obvious physical feature in the streetscene, it will not be overly bearing or appear too incongruous particularly so given the proposed temporary period of use sought.
- 9.7 Other proposed works includes the provision of a temporary path off Scatterd Lane linking an existing playing field maintenance access to the proposed compound area. This is to be removed and reinstated following the completion of phase 1. A new 2.2m fence is also proposed within the curtilage of the school to enclose the development but with a gated access to enable circulation to the main school building and play areas
- 9.8 The proposed scale and massing of the proposed building is not out of keeping with the character of the immediate residential area. In this context, the proposed scale and massing of the development has been assessed in relation to its surroundings, topography, and the general pattern of heights in the area as well as views, vistas and landmarks. It is considered that the proposal satisfies RUDP planning policies GP5, BD5 and N12 in this regard and represents an acceptable design solution for the temporary period specified.

- 9.9 Taking all of the above matters into account; it is considered that the proposed development can be satisfactorily accommodated without causing demonstrable planning harm for this temporary period.

Impact upon surrounding residential amenity and living conditions

- 9.10 The proposed development has to be considered in terms of its impact upon the residential amenity afforded to nearby residents. The development is located within an area of predominantly residential character. The proposed development will be sited to the north of 15 Scatcherd Lane with a separation distance of some 11m to the main school block albeit in between is a pedestrian link, ramps and stepped access into the school building. The principal elevation of no.15 fronts onto Scatcherd Lane although it appears that there is a bedroom window in the side elevation at first floor level. Elsewhere in terms of potential impact on living conditions of surrounding occupiers, the proposed development will be positioned some 20m from the front elevation of 24 Scatcherd Lane.
- 9.11 In assessing the impact the proposed development will have upon the living conditions of surrounding residents, it is considered that there is no direct overlooking /overshadowing issues and the separation distances are acceptable. More generally however there will clearly be more comings and goings associated with the increased intensity of use and indeed drop off and collection of pupils. The Council's Neighbourhoods and Housing Officer has been consulted and the applicant has also produced a noise assessment report. At the time of writing, no comments have been received from the colleagues in Neighbourhoods and Housing. However given that this is an existing school site and the proposed intensified use is only for a limited period, it is considered that there will be no demonstrable harm caused by means of noise or general disturbance associated with the intensified use of this site sufficient to warrant the refusal of this application.
- 9.12 It is considered that the living conditions of surrounding residents have been safeguarded in this regard and satisfies policy GP5 of the Revised UDP.

General Highway considerations

- 9.13 The submitted Transport Statement (TS) indicates that the catchment of the temporary accommodation will be broader than that of the existing school with its predominant catchment from the inner South Leeds area, albeit students would also be expected to be on roll from other areas of Leeds including Morley. The TS assumes that 60% of pupils attending the temporary school would arrive by special bus services operated by the school or public bus. It is stated that a minibus or school bus for pupils with designated pick-up points could be introduced. It is suggested that the minibus could use either the existing vehicular access on Fountain Street, setting down within the school grounds, or pick-up and set down outside the pedestrian access on Scatcherd Lane. It is considered that the use of Scatcherd Lane would be the much better option as this would minimise the potential for conflict with existing users of the Academy car park/Fountain Street access.
- 9.14 In response to issues seeking clarification on the detail and breakdown of the proposed transport arrangements, the applicant has provided further additional commentary. This relates to:
- i) In year 1 the vast majority of pupils will travel to the site by the transport provided by The Ruth Gorse Academy. This will take the form of one coach,

which caters for up to 89 students and one 15 seater minibus. 2 routes have been designed that pick up and drop off all students within suitable walking difference of their home address. The vast majority of students will access the large coach and this will pick up and drop off in Metro bus stops and will be provided by an external coach company. There are approximately 8 students who will be picked up by a GORSE Academies Trust minibus from the Farnley /West Leeds area of the city.

- ii) The 2 forms of transport cover the vast majority of students. A survey will be undertaken of the students and their families to ascertain, as part of the transition work, transport requirements to The Ruth Gorse Academy. Through the transition work with parents so far there has not been one family that have specified car or bike travel as their preferred option. There are a couple of students who will walk to the Ruth Gorse Academy. The transportation will drop off at approximately 8.15 am and pick up at 2.55 pm on a Monday, Tuesday and Friday and 4.00 pm on a Wednesday and Thursday. It will also be confirmed that the transportation for the proposed School will drop off on Scatcherd Land only.

- 9.15 In year 2 again the vast majority will travel to the site by the transport provided by The Ruth Gorse Academy. This will take the form of up to three coaches which cater for up to 267 students and one 15 seat minibus. There will be 4 reshaped routes that have been designed to pick up and drop off all students within suitable walking difference of their home address. The vast majority of students will access the large coaches and will pick up and drop off in Metro bus stops. There will be approximately 15 students who will be picked up by a GORSE Academies Trust minibus.
- 9.16 The two forms of transport cover the vast majority of students. A full survey will be taken as part of the transition process with the September 2015 cohort to ascertain how the applicant intends children to travel to and from The Ruth Gorse Academy and provision put in place to minimise the impact of this on the surrounding community.
- 9.17 The proposed access to the temporary accommodation is proposed via an existing pedestrian entrance to Morley Academy from Scatcherd Lane. No new vehicle accesses are proposed. The applicant has reached an agreement for staff to park within the nearby Morley Cricket Club. The cricket club has an existing vehicle access with Scatcherd Lane and no changes to the access configuration are proposed as part of the development proposals.
- 9.18 The supporting information indicates that up to 30 parking spaces are available for use within the grounds of the cricket club. It is further proposed that any service/delivery/emergency vehicle trips generated by the proposed development would access the site via the main access to Morley Academy from Fountain Street. Again, no changes to the configuration of the access are proposed.
- 9.19 The TS indicates that any service vehicle visits associated with the temporary buildings would be accommodated within the internal layout of Morley Academy. It is understood that the temporary buildings would utilise the kitchen/dining facilities, gymnasium, refuse facilities etc. within the Academy complex. As such, the existing facilities are already generating regular trips by delivery/refuse vehicles.
- 9.20 The applicant has reached an agreement for all staff and visitors to park within the car park of the nearby Morley Cricket Club. The TS indicates that there would be 26 staff

employed whereas there would be designated space for up to 30 vehicles to be parked within the grounds of the cricket club. On the basis of this information, it is considered that sufficient car parking provisions for staff/employees would be available.

- 9.21 All parent drop-off/pick-up parking associated with the existing Academy currently takes place within the adopted highways in the vicinity of the site. Recent site visits during the morning period indicates that the pupil drop-off parking on Scatterd Lane associated with the existing Academy currently starts to occur at around 8:10am. Drop-off parking was observed to take place on both sides of the carriageway up to around 8:40am, albeit this was mostly concentrated on the nearside outside the pedestrian access point. There was a regular turnover of vehicles with around 6 – 8 cars generally parked on the nearside with 2 – 3 vehicles at any one time on the opposite side of the road.
- 9.22 Scatterd Lane has a relatively wide carriageway which helps facilitate through traffic movement even when the drop-off parking is occurring, although this does require drivers to give way on occasion to allow the opposing traffic to pass. The peak on-street parking associated with the school was seen to occur at around 8:28am. At this time, through traffic was observed to momentarily back up due to parking on both sides of the road in the vicinity of the pedestrian access.
- 9.23 No off-site highway works are proposed as part of the submission. The application is for a temporary period and the applicant proposes to manage the transport impacts of the proposed use primarily by staggering the start/finish times of the temporary accommodation with the Academy and introducing a mini-bus transportation service with designated pick-up points.
- 9.24 The application was also submitted with a draft travel plan, which assesses the transport needs of the school to improve the accessibility and safety for all modes of transport. Colleagues in the Travelwise have accepted the principle of the plan subject to it being updated to reflect the proposed transport arrangements described above to transport students to and from school. The applicant has confirmed that they are content for this issue to be conditioned.
- 9.25 Against this background the Council's Highway Engineer has raised no objections to the principle of development, subject to a condition requiring the implementation of an agreed travel plan. It is therefore considered that policies T2 and T24 of the Revised UDP are satisfied.

Landscape / tree issues

- 9.26 A number of mature trees are located primarily along the borders of the site. The scheme proposals will not require the removal of any trees. However, two trees have been identified as U grade and should be removed for safety reasons. The proposed buildings are to be positioned on raised pad foundations avoiding the need for excavations. However, working space for scaffolding may be required and consideration will need to be given to craning in materials etc. There are therefore no tree issues in principle subject to a condition for tree root protection. To help augment the existing landscape provision it is considered that additional tree planting would be beneficial. It is considered that this can be controlled by the imposition of suitable planning conditions as well as tree protection measures. Against this background it is considered that the proposal complies with policy LD1 of the Revised UDP.

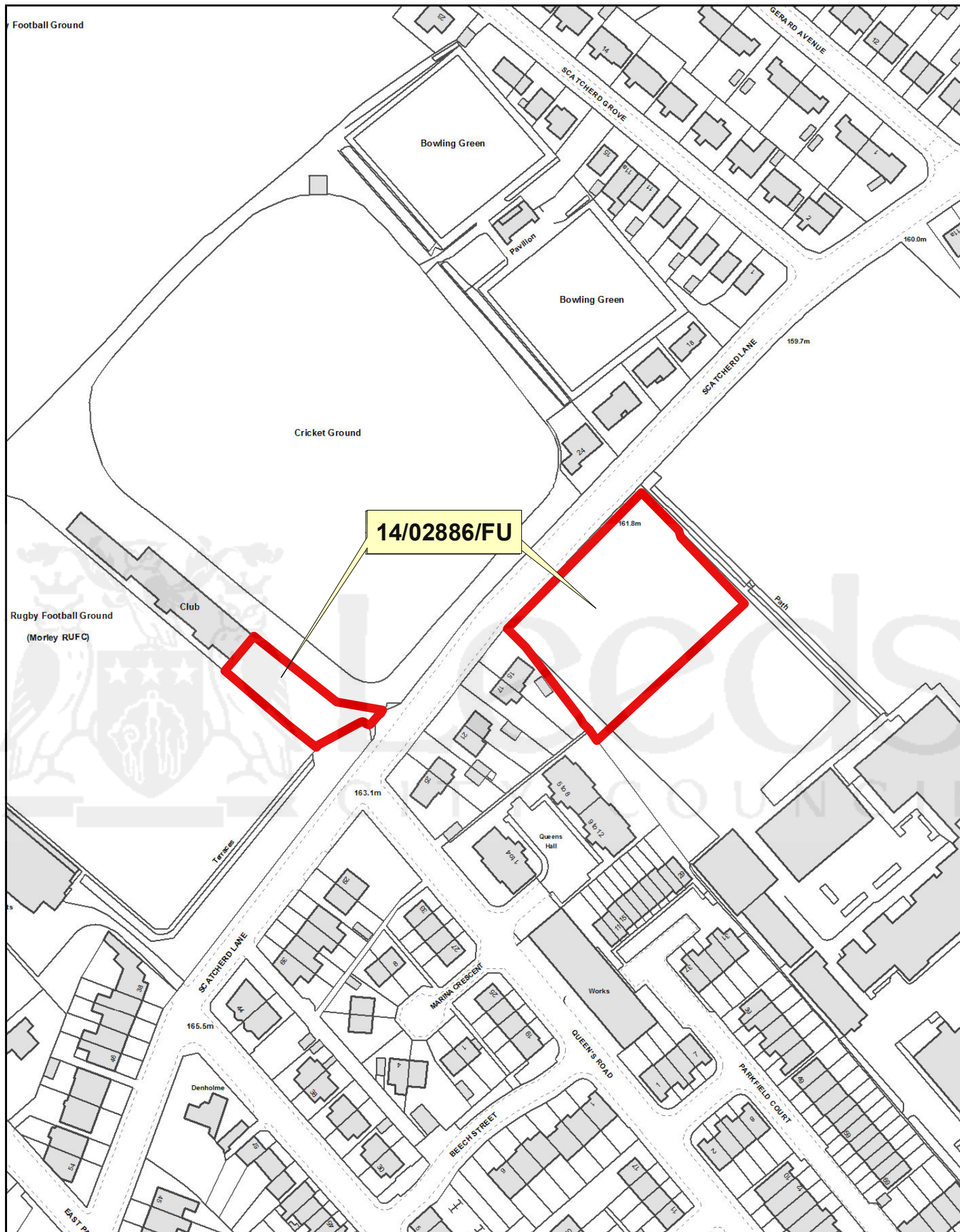
Other Matters

- 9.27 Colleagues in land contamination have raised no objection to the principle of development following the receipt of additional information and subject to planning conditions. There are no flood risk issues, surface water runoff from the development will be attenuated on site and discharge to the local combined public sewer. The foul flows from the site will also discharge to the public combined sewer.
- 9.28 The proposed school has been designed to the Department for Education's Building Bulletin 99 (BB99) area standards alongside current EFA guidelines for funding.

10.0 CONCLUSION

- 10.1 The proposed development is considered to be acceptable in planning terms and lies within an area of sufficient size to accommodate such a proposal without having a detrimental impact upon both the visual and residential amenity of the area as well as its general character for the temporary period proposed.
- 10.2 Overall, it is considered that the proposed scheme is of an acceptable quality in design terms and delivers new and essential secondary educational accommodation to facilitate the development of a permanent solution for the Central Leeds Area.
- 10.3 The proposed staff parking arrangements and proposed transportation arrangements for pupils is considered to be acceptable. Against this background it is recommended that the application is supported.

Background Papers
Case Files



SOUTH AND WEST PLANS PANEL

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SCALE : 1/1500

