



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 3rd December 2015

Subject: 15/04630/FU – Part demolition and new build extension to former leisure centre to form a 1020 student place school

APPLICANT	DATE VALID	TARGET DATE
Temple Newsam Learning Partnership	6 th August 2015	13 th November 2015

Electoral Wards Affected:

Temple Newsam

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

1. Time Limit;
2. Plans to be approved;
3. Materials as agreed;
4. Surface materials
5. Tree protection
6. Method statement
7. Landscaping details to be agreed;
8. Landscape aftercare
9. Travel plan
10. Cycle storage
11. Surface and seal
12. Construction traffic
13. Dust controls
14. Wheel washing
15. Highway monitoring
16. Off-site highway works

17. Highway safety audit
18. Parking management
19. Surface water discharge
20. Drainage methods
21. Hours of operation
22. Land contamination
23. Sound insulation
24. Ventilation details
25. Lighting

Full wording of the conditions to be delegated to the Chief Planning Officer, including any revisions and additional conditions as may be required.

1.0 INTRODUCTION

- 1.1 This application is brought to the North and East Plans Panel as it represents a significant proposal for the area. It proposes the part demolition and new build extension to the former East Leeds Leisure Centre to create a 1020 place through school. The proposed development is welcomed by Cllr Hayden and Cllr Lyons who fully support the proposal on the grounds that there is a desperate need for school places both at primary and secondary level as well as the community facilities that this development will provide. Halton moor desperately needs community space for recreation, youth services as health and wellbeing.

2.0 PROPOSAL:

- 2.1 The development will provide a mainstream, all through new school (ages 4-16) offering 1,020 places at full capacity by 2021 (420 primary 2FE places and 600 secondary 4FE places). It is proposed that the facility will accommodate 120 primary and 120 secondary places (Year 7) by September 2016. At full capacity, the Academy will require 138 staff.
- 2.2 Temple Learning Academy is an independent Free School which is part of a shared Trust with a number of other local schools – The Temple Newsam Learning Partnership: A Cooperative Trust. It is a non-denominational all-through day school admitting learners from 4-16. This relates to a proposal for part three and two storey extension block linked to the former East Leeds Leisure Centre to provide a through school. The proposed development is connected to the former leisure centre (East Leeds) which is being acquired from the Council for a free school. It is understood, that change of use of this building is to be pursuant to Class T (formerly class K) of the (General Permitted Development) (England) Order 2015).

3.0 SITE AND SURROUNDINGS:

- 3.1 The site constitutes previously developed land, having been occupied by both a former leisure centre and a car parking area associated with the former Whitebridge Primary School which has since been cleared. There are substantial groups of trees within the site. A line of trees are also located on the western boundary of the site which is protected by a tree preservation order. To the north west of the site lies Corpus Christie Catholic College. The surrounding area is predominantly residential in character comprising of generally two storey semi-detached and terraced properties which are located within generous plots. The site is surrounded by residential properties, to the east and north of the site. To the north-west a new residential development is currently under construction. To the

south is Neville Road with housing beyond.

- 3.2 The site is currently occupied by a former leisure centre / swimming pool complex with associated car parking located to the south of the building. The building itself is substantial bulky functional unit which in terms of its scale ranges from 1 to 2.5 storey. The existing building is a mix of brick; grey brick at low level and red brick at the higher level, and clad with sheet metal in a painted finish. The roofs comprise of monopitch, pitched and flat roof elements but are predominantly painted corrugated sheet metal. The site has a significant cross fall in levels running east to west with the highest point on the site being to on the eastern boundary to Carden Avenue. The site is laid out in a terraced fashion containing 3 broadly equal sized plateaus.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There is no planning history relevant to the determination of this application.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The scheme has been the subject of various meetings involving highway colleagues and the council's urban designer.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application was advertised as a departure by means of site notice on the 28th August 2015. To date two representations have been received. These are emails of support from Cllr Hayden and Cllr Lyons who welcome the development providing much needed school places in the area and community facilities.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

Environment Agency

Non-statutory:

Highways – A Transport Assessment has assessed the anticipated operation of the school in terms of staff/parent parking demand and impact on the local highway network. Parking provision is considered adequate to serve the day-to-day staff and visitor parking needs. A parental drop-off/pick up parking area is also proposed within the site and in conjunction with on-street parking controls and improved access for pedestrians/cyclists will help limit any on-street parking as the start and close of school. The Transport Assessment also anticipates the school would have a local catchment and this should help to restrain the level of on-street parking that may occur. Whilst generally supportive of the dual use of the MUGA as a parent drop-off/pick up area, a safety audit should be undertaken to examine and respond to any issues that might occur. Conditions also recommended.

Contaminated Land - No objection in principle subject to conditions

Coal Authority – No objection in principle subject to conditions

Flood risk management - No objections in principle subject to conditions

Environmental Health – No objection subject to conditions

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Core Strategy, saved policies within the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

8.2 The Core Strategy is the development plan for the whole of the Leeds district. The following core strategy policies are relevant:

<u>SP1</u>	Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context.
<u>P10</u>	Seeks to ensure that new development is well designed and respect its context.
<u>P12</u>	Seeks to ensure that Leeds' landscape character is retained.
<u>T2</u>	Seeks to ensure that new development does not harm highway safety.
<u>G8</u>	Seeks to ensure that important species and habitats are preserved.
<u>EN5</u>	Seeks to manage and mitigate flood risk

8.3 The following saved UDP policies are also relevant:

<u>GP5:</u>	Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
<u>BD6:</u>	Alterations and extensions
<u>77A:</u>	Cycle parking guideline
<u>T24:</u>	Parking guidelines
<u>N25:</u>	Dealing positively with boundary treatments
<u>LD1:</u>	Seeks to ensure the quality of good development.

8.4 The following Natural Resources and Waste policies are also considered to be relevant:

<u>WATER 7 :</u>	All developments are required to ensure no increase in the rate of surface water run-off to the existing formal drainage system and development expected to incorporate sustainable drainage techniques.
<u>LAND1:</u>	Supports principle of development on previously developed land and requires submission of information regarding the status of the site in term of contamination.

National Planning Policy

8.5 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.6 Paragraph 70 of the NPPF supports the provision of community facilities and other local services in order to enhance the sustainability of communities:

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
- *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

8.7 Paragraph 72 attaches great weight to the need to create, expand or alter schools:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted.*

In assessing school developments the decision maker must 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.*

9.0 MAIN ISSUES

- Principle of development
- Design and visual impact
- Impact on residential amenity
- Highways
- Landscape / tree issues
- Other issues
- Conclusion

10.0 APPRAISAL

Principle of development

- 10.1 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 plan unless material considerations indicate otherwise.
- 10.2 The principle of a part demolition and new build extension to create a 1020 new school on this site is considered to be acceptable. The proposed development is located on previously developed land and is within a sustainable location close to public transport links.
- 10.3 As a consequence of increased pressure on pupil places in the Temple Newsam area there is a requirement to provide additional accommodation. The proposed development will therefore contribute towards the council meeting its statutory duty to provide every child a school place.

Design and visual impact

- 10.4 The proposed works include the reconfiguration and refurbishment of the existing leisure centre along with the demolition of the existing pool hall to allow the construction of a three storey teaching block. The proposed demolition and proposed extension will provide 3,093m² of floorspace.
- 10.5 Essentially the proposed extension will adjoin the existing building in the same location as the swimming pool hall. The proposed new element is on a diagonal skew in comparison to the perpendicular layout of the existing building.
- 10.6 The angle of the proposed extension allows the landscaping to be worked to create a sunken play area to the south of the building extension allowing access to external play areas to the north and south.
- 10.7 In terms of scale, the extension proposed is a 3 storey block with a proposed dominant material brick (grey) at low level with corrugated cladding on the middle and upper floors. A large powder coated aluminium eaves and fascia adds depth to the elevation. The projecting face returns down the elevations to meet the external floor level along each side of the extension. All new windows are proposed as powder coated aluminium framed.
- 10.8 The proposed layout also shows two MUGA courts in the north west corner of the site, car parking to the south west and additional parking to the south of the existing building (south east of the site) which allows provides a parent drop off facility.

Other proposed measures proposed involve new paths and ramps incidental play space and landscaping.

- 10.9 In design terms the proposal is functional and simple and designed to tie into the existing built form. The proposed scale and massing of the building is not out of keeping with the character of existing buildings on the site or other non-residential buildings found in the 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 proposed scheme represents an acceptable design solution.
- 10.10 In terms of wider external works, the laying out paths and ramps, external play space, MUGAs and car parks are considered acceptable and will bring this derelict site back into beneficial use. This is subject to the retention of protected trees and tree which positively contribute to the character of the area and the additional of further landscaping to help soften and filter views into the site.

Impact on residential amenity

- 10.11 The proposed development has been 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 extension would be sited to the south of the existing building. The change of use of the existing building to a school does not require planning permission under the provision of class T of the GPDO (2015). The juxture position of the proposed extension in relation to the existing building will be partly masked by the existing built form. None of the proposed classrooms will directly overlook any surrounding dwellings. It is considered that there are also no overshadowing or dominance issues generated by this proposal.
- 10.12 The applicant has produced a noise report to assess this issue which concludes that the development would not create a noise nuisance. The Council's environmental protection team agree with this basic conclusion and have raised no objection to the principle of development providing a lighting condition is imposed to ensure lighting on the car park or any flood lighting does not cause nuisance as well as any extraction / ventilation systems which could have noise implications. Furthermore it has also been recognised that during the construction period, additional conditions are imposed to protect the occupiers of surrounding properties from excessive noise / dust nuisance.
- 10.13 It is also considered that the existing mature tree cover and landscaping along the boundary of the site can be supplemented, by means of condition, with additional tree planting / landscaping. Against this background it is considered that there will be no demonstrable harm caused by means of noise or general disturbance associated with this proposed development. It is considered that the living conditions of surrounding residents can be safeguarded in this regard with the imposition of suitably worded conditions and therefore development plan policy GP5 is satisfied in this instance. This assessment in respect of residential amenity is also made in the knowledge the school will increase general activity levels within the area. This increase will nevertheless be largely confined to the start and end of each school day which are not considered to be the more sensitive time periods for residents.

Highways

- 10.14 The proposed development is a new through school that would be built on the site of a former leisure centre offering 1020 pupil places at full capacity in 2021. The accompanying Transport Assessment indicates that there is a shortage of school places to meet the demand for both primary and secondary places in the local area.
- 10.15 The TA has assessed the anticipated operation of the school in terms of mode of travel to the site, staff/parent parking demand and impact on the local highway network. A total of 96 car parking spaces are to be provided within the site and this provision is considered adequate to serve the day-to-day staff and visitor parking needs of the school. A parental drop-off/pick up parking area is also proposed within the site in conjunction with on-street parking controls and improved access for pedestrians/cyclists; albeit despite these measures it is inevitable that the proposals will generate a high level of on-street parking for short-term periods at school opening/finishing times. Nonetheless, the TA anticipates that the school would have a local catchment and this should help to restrain the level of on-street parking that will occur.
- 10.16 The proposed 96 car parking spaces would be provided for use by staff/visitors based upon anticipated staff numbers of 138 employees (comprising 55 teachers and 83 support staff) on full occupation of the site in 2021/22. On balance, it is considered that the proposed car parking provisions would be adequate to serve the day-to-day staff and visitor parking needs of the school.
- 10.17 The proposals include on-site drop-off areas for both primary and secondary pupils. The primary element would comprise 43 temporary parking spaces which would be located within the MUGA (constructed to highway loading standards) and accessed via the western car park entrance. The secondary drop-off area would be accessed via the eastern entrance and would be laid out in the form of a lay-by denoted by painted carriageway markings.
- 10.18 It is considered that the proposed internal drop-off areas would have merit in terms of relieving the on-street parking that typically takes place in the vicinity of schools during opening/closing times, although colleagues in the Travel Behaviour Team have indicated that they do not support the concept of such areas due to the potential for conflict between vehicles and pedestrians and the associated road safety concerns for pupils. Concerns about the potential adverse effect on the local highway network if there is traffic queuing to access the drop off areas and concerns that school staff will have difficulty managing such a scheme satisfactorily. Although the council's highway engineer has indicated that a safety needs audit ought to be carried out prior to the determination of the application, it is considered that this issue can be conditioned out and if deemed to be unsafe, either removed or most likely modified.
- 10.19 In this instance, given the presence of a nearby existing school that already generates parental on-street parking within the local area; the council's highway engineer is supportive of the internal drop-off scheme as a measure to reduce the extent of congestion within the local area at the school start/finish times. However, as safety is paramount, the council's highway engineer has recommend that a Safety Audit of the proposals should first be undertaken to examine and respond to the issues raised.
- 10.20 Furthermore, the procedures for managing the operation of the drop-off areas should be outlined in a management plan to avoid the potential for traffic queuing on the highway waiting to access the drop-off area as there has been issues at other schools within the Leeds district associated with parents arriving before the

gates are opened and waiting within the highway. It is considered that this issue can be managed with a suitably worded planning condition.

- 10.21 The council's highway engineer has indicated that although the provision of proposed internal drop-off areas will reduce the demand for on street car parking, the proposal would still lead to potentially high levels of on-street parking occurring within the local highway network for relatively short periods during the opening/closing times of the school. In order to help manage this situation, the scheme includes proposals to introduce School Keep Clear markings and Traffic Regulation Orders in a number of areas around the perimeter of the site to control parking in sensitive locations and provide safe access for pedestrians, cyclists and vehicles.
- 10.22 Additional off-site highway works also include the proposed widening of the western vehicular access onto Neville Road and introduce School Keep Clear markings, Traffic Regulation Orders and guard railings within the streets surrounding the application site.
- 10.23 The proposed off site highway works would be delivered via an appropriate agreement between the applicant and the Council's Engineering Services/Traffic Management sections and covered by planning condition. In common with other significant school developments, a condition requiring post occupation highway monitoring is also considered to be necessary. This is due to the fact that whilst the modelling of the impact of development has been fully taken into account there are often unforeseen consequences which can only be properly addressed and considered post occupation.
- 10.24 On balance, it is considered that the site is a suitable location for a new school and that a highways objection on the basis of an unacceptable increase in on-street parking would be difficult to justify. Against this background it is considered that development plan policies T2 and T24 are satisfied.

Landscape and tree issues

- 10.25 The council's landscape architect has been consulted on this proposal. The initial comments received raised some fundamental concerns with the scheme. It was considered that the original submission would have created a devastating impact on the local environment due to the substantial loss of mature tree cover including boundary TPOs.
- 10.26 The site contains a large number of high quality mature trees some of which are protected by TPO. The independent tree survey supports this as a high percentage of the trees fall into the high categories of the British Standard BS5837 (categories A and B). Trees along the boundaries have high amenity value, are overlooked by adjoining residential properties. In particular a line of lime trees adjoining Cartmell drive are part of a continuous avenue that extends quite a distance along the road side well beyond this site. The site adjoins the Wykebeck Valley an area of public amenity and bio- diversity.
- 10.27 Although the applicant has carried out a tree survey it is considered that this has not been fully taken into account and properly considered as part of this scheme. It is further considered that a development of this scale would be expected to follow national guidance. In this case the code of practice for trees in development BS5837 Trees in Relation to design, demolition and construction 2012.

- 10.28 The scheme proposes to remove a number of high quality trees including TPOs but it is considered that a larger number of those marked for retention would not in reality survive the scheme as a result of:
- Level changes, retaining walls, grading out
 - Hard surfacing over RPAs including roads, paths, parking and pedestrian access point to Cartmell Drive
 - Drainage proposals
- 10.29 In addition it was also considered that the initial tree protection proposals were also unacceptable as they did not conform to bS5837.
- 10.30 Following a subsequent meeting with the applicant and the council's landscape officer, a more detailed survey has been carried out to identify impacts and identified amended design solutions using the mitigation hierarchy starting with an avoidance strategy.
- 10.31 The amended scheme now proposes amendments to alignment of an internal path to the north of the site to obviate the need to excavate within root protection areas. Similarly, to the west of the site, no mounding of soils is to take place within RPA's. The proposed method of construction for the introduction of a new pathway off Cartmell Drive, although to be conditioned out by a method statement, is to be tunnelled to reduce damage to tree roots. Additionally amendments have also been made to the drainage layout to ensure that the impact on trees is minimised.
- 10.32 The Council's tree officer is satisfied that the proposed amendments satisfy earlier concerns. In this context development plan policy LD1 is satisfied.

Other issues

- 10.33 In terms of wider issues, part of the site falls within Flood Zone 2. To accompany this application, the applicant has submitted a Flood Risk Assessment. The Environment Agency did however initially object on the grounds that the FRA did not include any modelling information for Wyke Beck compared with the topographical data.
- 10.34 A Flood Risk Assessment Addendum dated 3 September 2015 has been received from the applicant. The document confirms that when the EA modelling information for Wyke Beck is compared with the topographical information for the proposed development, the site should be regarded as flood zone 1 (low flood risk) on the EA flood map.
- 10.35 The council flood risk management team has been consulted and as raised no objection to the principle of development subject to conditions.

11.0 CONCLUSION

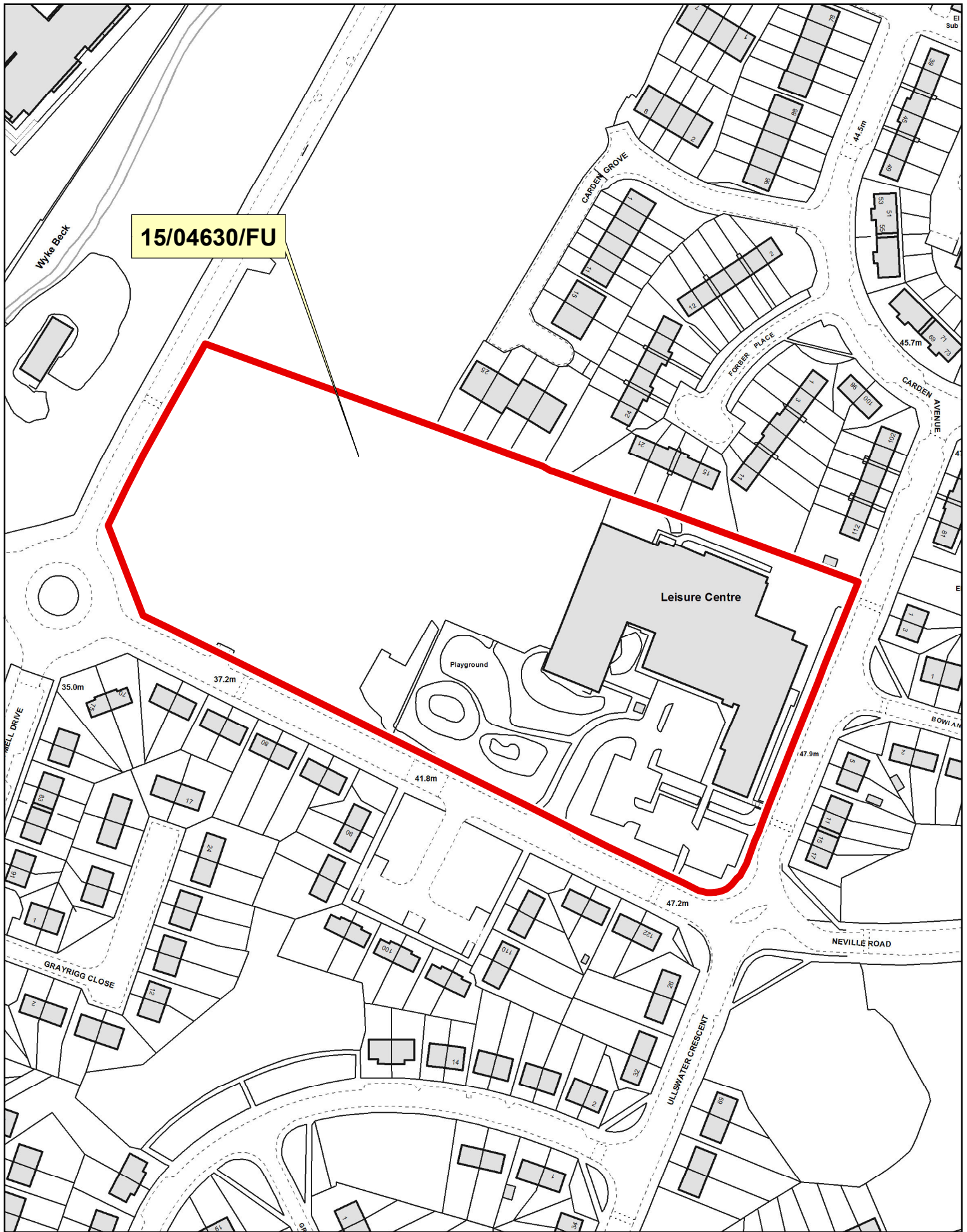
- 11.1 The proposed development is considered to be acceptable in planning terms and lies within an area of sufficient size to accommodate such a use without having a detrimental impact upon both the visual and residential amenity of the area as well as its general character. It is considered that the proposed scheme is of an acceptable quality in design terms. The scheme has also been amended to address concerns in relation to tree loss and the long term survival of trees.

- 11.2 The scheme has been designed to respond to highway issues raised by the council's highway engineer and conditions will be imposed to provide a package of off-site works improve both pedestrian safety and highway improvements. A further condition is also proposed to carry out post occupation highway monitoring to ensure that any unforeseen impacts on the highway network can also be appropriately addressed.
- 11.3 Overall, it is considered that the proposed scheme is of an acceptable quality in design and delivers new and essential educational to meet the needs of the area with regard to providing additional school places. Against this background it is recommended that the application is supported.

Background Papers:

Application files

Certificate of Ownership signed by the appointed planning agent on behalf of the applicant dated 31st July 2015.



15/04630/FU

Leisure Centre

Playground

NORTH AND EAST PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1500

