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Report of the Chief Planning Officer

South and West Plans Panel

Date: 6th June 2024

Subject: 23/06608/FU - Demolition of existing school buildings; Construction of new primary school with associated works including outdoor sports area, access, parking and landscaping, Holy Trinity Church of England Academy, Queensway, Rothwell

APPLICANT	DATE VALID	TARGET DATE
Bowmer + Kirkland	15.11.2023	20.6.24

Electoral Wards Affected:

Rothwell

Yes Ward Members notified (referred to in report)

Specific Implications For:

Health and Wellbeing

Inclusive Growth

Zero Carbon

RECOMMENDATION: Approve subject to conditions and completion of a unilateral undertaking relating to payment of travel plan fee.

Conditions:

1. Time limit
2. Approved plans
3. Materials to be agreed
4. Surface Materials
5. Tree Protection measures
6. Arboricultural method statement
7. Landscaping scheme
8. Aftercare for landscaping
9. Construction hours
10. Cycle parking staff / pupil with separate storage

11. Gates set back from highway
12. Sight lines and visibility splays to be provided
13. Motorcycle parking
14. Changing and showering facilities
15. EVCP
16. Vehicle spaces to be laid out
17. Car parking and service management plan
18. Waste collection provision
19. Highway condition survey
20. Off-site highway works to include crossing & wider pedestrian improvements
21. Construction management plan
22. Drainage conditions
23. Bird nesting season
24. Implementation of biodiversity measures
25. Hedgehog protection
26. CEMP
27. BNG management plan
28. Biodiversity monitoring programme
29. Bat roost and bird features to be provided
30. Confirmation of installation of bat roost and bird features
31. Updated bat survey
32. Land contamination conditions
33. Ventilation / extraction details
34. Ventilation / extraction maintenance
35. Plant details to be provided
36. Updated travel plan
37. Assessment of ground conditions and design details of new playing pitch to be provided in accordance with Sport England
38. Community use agreement to be submitted
39. Details of any community use agreement shall not commence before 5pm on weekdays and no lettings at times when school events are scheduled.
40. Design / specification of MUGA
41. Noise management plan
42. Internal footpath to be hard-surfaced

INTRODUCTION:

1. The proposals comprise of the erection of 2 storey new school building. The proposed works consist of the demolition of the existing school buildings and erection of a replacement 1FE primary school to enable Holy Trinity to provide a modern teaching environment for pupils. The proposal will not involve an increase in the school roll which is currently 210 pupils.

PROPOSAL:

2. The proposals comprise of the demolition of the existing school and the building of a replacement 2 storey school on land used as existing playing fields to the southwest of the site. Associated works also involve the provision of car parking, multi-use games area (MUGA), replacement grass playing pitch, hard standing play areas, soft play and associated landscaping.

SITE AND SURROUNDINGS

3. The proposal relates to a broadly rectangular parcel of land, relatively flat and situated to the south of Queensway. The site is bounded on all sides by residential dwellings and the boundaries of the site are formed by mature landscaping in the form of hedges and trees, particularly on the western boundary which features a group of mature trees. Significant trees are also located close to the existing site entrance as well as on the southern and eastern boundaries. To the south and west the site borders Rothwell Conservation Area. As described above, the proposed building would be located to the southwest of the existing school with long elevations running in a north/south orientation. The existing school is to remain operational throughout the construction programme and once completed, demolished and replaced with playing fields to ensure no net loss of greenspace. Access to the school will be provided via the western gate from Queensway with car parking situated to the north of the proposed school.

4. RELEVANT PLANNING HISTORY:

Planning applications:

None relevant to the determination of this application.

Pre-application enquiries:

PREAPP/22/00353 - Proposed replacement primary school with associated landscaping, parking, and playing fields. Issued 24.11.22

Planning Enforcement cases:

None

HISTORY OF NEGOTIATIONS:

5. Amendments have been sought to address highway, travel plan, drainage, landscape comments. Clarification has also been provided in response to Sport England observations.

CONSULTATION RESPONSES:

Statutory Consultees:

Sport England – no objection following receipt of updated details

Non-Statutory Consultees:

Children's Services – No objection.

Coal Authority – No objection

Conservation Team – Deferred to standing advice.

Contaminated Land – No objection subject to conditions.

Climate change officer – No objection in principle subject to BREEAM accreditation

Design – No objection in principle to the proposed design solution subject to conditions.

Environmental Studies (transport)– No objection

Environmental Health – No objection subject to conditions

FRM – No objections in principle following receipt of updated drainage details subject to compliance condition.

Highways – No objections in principle following receipt of updated details and planning conditions.

Historic England – Standing advice offered.

Influencing Travel Behaviour Team – No objection in principle subject to minor changes and separate arrangements for staff cycle parking. Confirmation also required that dropped kerb crossings across Churchfield Lane are to be provided.

Nature Conservation – No objection subject to conditions.

PROW – No objection.

Landscape – Initial comments received indicated that the AIA was in complete and required updating. Drainage details and cross section drawings were required in order to assess full impacts on tree cover.

Local Plans – No objection.

Ramblers Leeds Group – No objection in principle. Opportunities to maintain and improve adjacent public rights of way should be explored.

Yorkshire Water – No objection subject to condition

West Yorkshire Archaeology Service – No objection

West Yorkshire Police – No objections in principle. It is recommended that the school is built to Secure by Design standards.

PUBLIC/LOCAL RESPONSE:

Ward Member Comments:

6. Ward Members were briefed at the pre-application stage and following the formal submission of this application. Ward Members have requested that the application is determined at South and West Plans Panel. Although Ward Members are supportive of the application in principle, concerns have been raised in regard to existing parking issues along Queensway, the lack of off-street parking for residents and this current proposal represents an opportunity to deliver parking improvements for residents and parents alike. Ward Members accept that whilst there may be no increase in pupil numbers as a consequence of this proposal, a replacement school should reflect the different lifestyles and needs of the surrounding residents as well as the school community given the explosion of car ownership and use in the intervening 70 years since the school was first constructed.
7. Ward Members also note there is no on-site pick up and drop off provision nor any on-street parking improvements proposed. The adjacent street is predominantly social housing which means that there is a lower level average income and therefore a reduced capacity for residents to afford to install off street parking for their property. The current situation for on-street parking and resulting conflict is already significant under the current school provision. The rebuilding of the school offered an opportunity for this to be addressed both through the design but also crucially during the construction of the development. Local Ward Members also note, there has been no attempt to incorporate the safety concerns of residents or councillors after repeated direct interventions both via planning officers and also directly through the planning agent to enable dropped kerbs and driveways for local residents or payment for a TRO or specific on-site parking provision

8. Ward Members also note that the current situation already discriminates against people with disabilities who are made unsafe when they are unable to access an adequate width of the pavement due to pavement parking and obstruction caused by vehicle movements associated with pick up and drop off at school. Members have also raised concerns in relation to the construction of the school itself in terms of workforce parking and deliveries.
9. As the matters raised by the Ward Councillors are based on material planning considerations that give rise to concerns affecting more than neighbouring properties, the request meets the criteria outlined in the Officer Scheme of Delegation and it is appropriate to report the application to Panel for determination.

General Comments:

10. Observations have also been received from the Rothwell Neighbourhood Forum. These relate to the absence of a construction management plan, BNG needs to be policy compliant and replacement trees need to be of a high quality, ventilation strategy needs to be clearly defined, travel plan needs to ensure that sustainable modes of travel are prioritised and that the methodology for parking and drop off are such that impacts on the adjacent residential roads are minimised.

Comments in Objection:

11. Representations from local residents are objections which relate to: highway safety/parking issues, the layout and density of buildings, scale, design and materials, impact of the scheme on the adjacent conservation area, nature conservation, noise and disturbance / ventilation strategy, over shadowing/outlook, overlooking and loss of privacy, loss of trees and/or landscaping, biodiversity net gain, light pollution, construction hours, absence of construction management plan, the need for a robust travel plan, existing trees which originally were part of the school site have been disregarded and not being maintained by the school.

PLANNING POLICIES:

LOCAL PLANNING POLICY AND GUIDANCE

The Development Plan

12. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan currently comprises the adopted Local Development Framework Core Strategy (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006), the Site Allocations Plan (2019, as amended 2024), the Natural Resources and Waste Development Plan Document (2013, as amended 2015),

the Aire Valley Leeds Area Action Plan (2017) and the [insert Neighbourhood Plan if applicable]

13. The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

SP1	Location of development in main urban areas on previously developed land
SP4	Regeneration priority programme areas
SP8	Economic development priorities
CC3	Improving connectivity between the city centre and neighbouring communities
P9	Community Facilities and other services
P10	Design
P11	Conservation
P12	Landscape
T1	Transport management
T2	Accessibility requirements and new development
G1	Greenspace
G3	Standards for greenspace provision
G6	Protection of Greenspace
G8	Protection of important species and habitats
G9	Biodiversity improvements
EN1	Climate Change (Carbon Dioxide reduction)
EN2	Sustainable design and construction
EN5	Managing flood risk
EN8	Electric vehicle charging infrastructure
ID2	Planning Obligations

14. The following saved policies from the Unitary Development Plan are considered to be of most relevance to this development proposal:

GP5	Requirement of development proposals
N6	Protected Playing Pitches
N19	Adjacent conservation area
N23	Incidental open space around development.
N25	Positive site boundaries
BD2	Design and siting of new buildings
BD3	Disabled access new buildings
BD4	Plant equipment and service areas
BD5	Design considerations for new build
LD1	Landscape schemes

15. The following policies from the Site Allocations Plan are considered to be of most relevance to this development proposal:

Green Space (G1260, outdoor sport typology).

16. The following policies from the Natural Resources and Waste Local DPD are considered to be of most relevance to this development proposal:

- WATER1: Water efficiency, including incorporation of sustainable drainage
 WATER4: Effect of proposed development on flood risk
 WATER6: Provision of Flood Risk Assessment
 WATER7: Seeks to ensure no increase in the rate of surface water run-off and the incorporation of sustainable drainage techniques.
 LAND1: Requires submission of information regarding the ground conditions
 LAND2: Relates to development and trees and requires replacement planting where a loss occurs.
 AIR1: Air quality initiatives

Relevant Local Supplementary Planning Guidance/Documents

17. The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

- SPG22 Sustainable Urban Drainage
 SPD Transport
 SPD Designing for Community Safety
 SPD Sustainable Design and Construction
 SPG13 Neighbourhoods for Living (in terms of site appraisal and general relationship to adjacent housing)
 SPD Accessible Leeds

Other relevant documents

18. Other relevant documents include:

Rothwell Conservation Area Appraisal and Management Plan. Approved May 2010.

NATIONAL PLANNING POLICY AND GUIDANCE

National Planning Policy Framework

19. The National Planning Policy Framework (NPPF) 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 NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

The following sections of the NPPF are most relevant for the purposes of determining this application:

20. Paragraph 97 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.
21. Paragraph 99 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.
22. Paragraph 100 requires faster delivery of public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.
23. Paragraph 131 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

National Planning Practice Guidance

24. The Planning Practice Guidance (PPG) provides commentary on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted; enforceable; precise and reasonable in all other respects.

Other guidance

25. 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 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:

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

CLIMATE EMERGENCY:

26. The Council declared a climate emergency on the 27th March 2019 in response to the UN's report on Climate Change.
27. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
28. As part of the Council's Best City Ambition, the Council seeks to deliver a low-carbon and affordable transport network, as well as protecting nature and enhancing habitats for wildlife. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

PUBLIC SECTOR EQUALITY DUTY:

29. The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.

30. MAIN ISSUES:

- Principle of development
- Design and visual impact
- Amenity considerations
- Highway considerations
- Landscape assessment

- Ecology
- Sustainability and climate change
- Planning balance & conclusion

APPRAISAL:

Principle of development

31. 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.
32. Policy P9 of the Core Strategy relates to the provision of community facilities and other services, including schools. New provision should be accessible by foot, cycling or by public transport in the interests of sustainability and health and wellbeing, and should not adversely impact on residential amenity and where possible be located in centres with other community uses.
33. As the proposal is for the development of a school, Policy P9 of the Core Strategy is relevant. This recognises the importance of community facilities, such as schools, to the health and wellbeing of a neighbourhood. It requires new community facilities to be accessible by a range of transport modes, and not adversely impact on residential amenity. Whilst it does not specifically reference situations such as this, where the proposal is to develop a replacement building and associated playing fields on the site of the existing school, the principle of enhancing the school through redevelopment would be supported, in principle, by this policy.
34. The site is allocated as Greenspace in the Site Allocations Plan. Policy GS1 in the Site Allocations Plan (SAP) states “DESIGNATION/PROTECTION OF GREEN SPACE THE SITE ALLOCATIONS PLAN DESIGNATES SITES IN A GREEN SPACE USE IN ACCORDANCE WITH POLICY G6 OF THE CORE STRATEGY. THESE ARE SHOWN ON THE POLICIES MAP“.
35. The school buildings are to be re-sited on land that is currently designated as green space by the SAP, and as a protected playing pitch by Policy N6 of the UDP. Consequently, assessment of loss of green space needs to be considered in accordance with the criteria set out in Core Strategy Policy G6 (Core Strategy as amended, 2019), which essentially mirrors Paragraph 99 of the NPPF, 2021.
36. This states that: “Green space (including open space and pedestrian corridors in the City Centre) will be protected from development unless one of the following criteria is met:
 - There is an adequate supply of accessible green space/open space within the analysis area and the development site offers no potential for use as an alternative deficient open space type, as illustrated in the Leeds Open Space, Sport and Recreation Assessment, or,
 - The green space/open space is replaced by an area of at least equal size, accessibility and quality in the same locality; or

37. Where supported by evidence and in the delivery of wider planning benefits, redevelopment proposals demonstrate a clear relationship to improvements of existing green space quality in the same locality.”
38. Policy N6 of the UDP is similar, stating that the development of playing pitches will not be permitted unless:
39. 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
40. 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 (policies N1 to N5 inclusive, N8 to N11 inclusive and N32).
41. As part of the submission, the applicant has stated that as a result of the proposal, the total amount of green space provision within the school boundary would be increased by the proposal. A net addition of 1,730sqm will be gained, through the provision of additional soft outdoor play areas, soft informal play areas and habitat areas.
42. On this basis, it is understood that the proposal will replace the lost green space with an area of at least equal size. This is the first test of G6(ii). As the replacement space will be located within the school grounds it is in the same locality, as required by both G6 and N6. Policies G6(ii) and N6 also require proposals for replacement green space to be ‘at least’ (for G6) or a ‘net gain’ (for N6) in relation to quality. The proposals are for a like-for-like replacements for the existing football pitch and the 50m running track, along with a new MUGA that replaces and improves the existing hard-standing sports areas. As a result, in the context of G6 and N6, it is considered that they would represent an improvement in the quality of green space on the site.
43. Sport England have been consulted on this proposal Sport England considers that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).
44. The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (particularly Paragraph 99) and Sport England’s Playing Fields Policy, which is presented within their ‘Playing Fields Policy and Guidance Document’.
45. Initial comments received from Sport England related to the design and specification details of the MUGA. Following receipt of these further details Sport England were re-consulted.

46. As part of their consultation assessment, Sport England has sought the views of National Governing Bodies for Sport who previously provided comments on the proposal. These National Governing Bodies for Sport act as Sport England's technical advisors in respect of their sport and their sport facilities.
47. The comments of the Football Foundation (FF), who provide comments to Sport England on behalf of the Football Association (FA), are summarised as follows:
- The additional information addresses any previous concerns from the FF and no further comments on the design and specification of the MUGA as this is not a recognised surface for affiliated football.
48. The comments of the Lawn Tennis Association (LTA) have been summarised are as follows:
- Based on the information provided, further clarification is required to confirm the proposal meets design guidance.
 - Clarification that the 25mm top layer is 6mm Open surface Graded.
 - Confirmation that no recycled materials/products are included within the Type 3 Open Graded aggregate.
 - Dimensions will need to be provided for the tennis court to ensure that the dimensions meet LTA/standard tennis court dimensions
49. In summary, Sport England has stated that it is mindful of the following characteristics that relate to this site and this planning application. It is noted that the majority of the playing field will be replaced. The FF have commented that the pitch size is being retained as a Mini Soccer 7v7 grass pitch therefore can accommodate the existing sports provision, and if constructed as designed there will be the availability for weekend affiliated match play up to an U9/U10 level.
50. England Athletics (EA) have commented that the plans clearly show that the marked grass track will be retained, which will continue to support curriculum athletics. The sports that are currently played on the site will also be able to be played on the replacement playing field. A new MUGA will be constructed, and this can be considered to make up for the shortfall in playing field reprovision. The LTA comment that court itself is likely to be well used and support the curriculum activity. The applicant has stated that the sport facilities will be available for community use. The FF have commented that a number of teams will be able to use the football pitch through the community use. Given the above, and provided that the site is available for community use and the MUGA and replacement playing field are fit for purpose (which can be secured by way of planning conditions), Sport England is satisfied that there will be no harm to the sport and recreation provision.
51. Given the above assessment Sport England does not wish to raise an objection to the development proposal as it is considered that the development would broadly meet exception 4 of their Playing Fields Policy.

Design and visual impact

52. Policy P10 of the Leeds Core Strategy (LCS) deals with design and states that proposals should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale, and function. Developments should respect and enhance, streets, spaces, and buildings according to the local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing. Proposals will be supported where they accord with the principles of the size, scale, design and layout of the development and that development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
53. The proposals comprise of the erection of a 2-storey new school building to provide a 1Form E school. The current Primary school is designed for 210 pupil places for ages 4-11 with no nursery provision.
54. The site will include parking provision for 15 vehicles plus an additional accessible bay, complimented by further cycle parking/storge, a multi-use games are court (MUGA) A large grass pitch, Soft informal play areas and include a habitat area and wildflower/meadow planting alongside other landscaping.
55. The proposed new building is delivered under the DfE's School Replacement programme which sits within its Net Zero Carbon in Operation (NZCIO) National Construction framework 2021.
56. The layout shows a 2-storey development presented in a rectilinear form sited towards the western boundary of the site. The site would lie close to woodland section of the site which runs along the western boundary. Long elevations of the building face east / west and are some 52m long. The building would measure some 20m wide with a general height of just under 9m.
57. The position of the MUGA to the northeast of the site would occupy, partially, the position of the existing building which would be enclosed by weld mesh fencing. The layout of the MUGA has been designed to create a strong visual link and designed to help facilitate and promote community use as well as good natural surveillance.
58. The layout and general arrangements are considered to be acceptable in planning terms and typical of similar school developments.
59. As mentioned, the building would be arranged over two storeys and configured with a simple flat roof arrangement with a parapet feature. This type of design solution is consistent with modular construction and many modern schools. The development would incorporate a single storey feature and projecting elements. These components help break down the building's massing which in turn offers some articulation and interest to the façade and massing of the building.
60. Visual stimulation has been created both in terms of the overall scale and massing and elevational treatment. A mixture of traditional and modern materials is proposed. In part, lower elements of the building are defined by a

brick plinth which extends to a first-floor level. This creates a strong visual base. Both a dark brick and buff brick are proposed in key locations to help define the building and create a strong visual presence. Above the brick covering is a range of elevational treatments which involve both glazing features but predominantly cladding panels. These features also contribute to creating a simple linear form but add contrast and visual interest.

61. Windows are regular albeit with a strong vertical emphasis and this offers a consistent rhythm and also a calm and settled architectural solution. These aspects of the detailing provide a simple articulation to the elevations and help provide a consistent architectural accent and rhythm and reflect pre-application design comments made by the council's urban designer. Window reveals have been designed to a minimum depth of 110mm although at the time of the pre-application it was requested that these should be a minimum of 200mm to add some depth and emphasis to the facades of the building.
62. In terms of scale and massing of the proposal, it is considered to be acceptable and responsive to the adjacent two storey residential context of the area. The design and architectural treatment are also well structured, calm and considered to be responsive to the existing urban context. The proposed materials are considered to be durable and also positively respond to the character of the area. The design of the proposal and its adjacency to both the Rothwell conservation area and its heritage buildings is sympathetic and ensures that there is no detrimental harm in this regard.
63. In broad terms, it is considered that the appearance of the building reflects previous design advice and represents a straight-forward design solution which is reinforced with a simple robust palette of materials. These include green timber effect cladding to reflect the school's aspiration to become a forestry school and the adjacent woodland areas. As mentioned, proposed masonry includes a black and buff brick to create a striking contrast between light and dark, ultimately softening the elevations.
64. In summary the overall design of the proposal is not out of keeping with the character of the immediate area nor will it prejudice any wider redevelopment ambitions as set out in the development plan. 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 planning policies P10, P11, BD5, N19 and GP5 in this regard and represents an acceptable design solution.
65. In terms of the wider works, relating to the aesthetics of the impact of car parking, MUGA, boundary treatments and other associated external works, these elements are considered to be acceptable from a visual perspective. It is considered that these proposed elements of the scheme will also cause no visual harm and planning policies P10 and GP5 are satisfied.

Amenity considerations

66. The proposed development has been considered in terms of its impact upon the amenity afforded to nearby residents. The applicant has carried out a noise

assessment and lighting plan which has been submitted as part of this application. These details have been considered by the council's environmental health officer.

67. The development is located in an area of predominantly residential character. In assessing the impact, the proposed development will have upon the living conditions of surrounding residents it is considered that there are no direct overlooking or overshadowing issues as sufficient separation distances are provided which would exceed the requirements set out in the council's Neighbourhood for Living supplementary guidance had this scheme been for a residential development. As mentioned, the council's environmental health officer (EHO) has assessed this application and has raised no objection to the principle of development. The noise assessment considers targets noise levels for external fixed plant to avoid adverse impacts on neighbours and this is considered to be acceptable subject to a condition requiring details of final plant selection and confirmation of combined sound levels. The lighting details are also considered to be acceptable.
68. In regard to the use of a multi-use games area (MUGA), the council's EHO recognises that community impacts may arise through its use due to the intensive use of these facilities and outside of school hours and there is a risk that noise may impact on residents. On this basis, it is considered that a condition is imposed requiring the submission of a noise management plan to address potential concerns. It is noted however that the MUGA will not be flood-lit and therefore the risk of adverse impact through intensification of use is considered to be low.
69. More generally, the site currently houses an operational school, there is to be no proposed increase in pupil numbers and the redevelopment of the site will not therefore materially increase comings and goings in this regard. Noise and activity levels will therefore be generally the same as the current arrangement. Additionally, schools are commonly located in residential areas and this site is no different. Whilst it will be the case that there will be noise and disturbance associated with the construction of the site, deliveries and the use of plant equipment etc, it is considered that this can be controlled and managed through a construction management plan. On this basis it is considered that no planning harm will be caused to demonstrably affect the living conditions of existing residents. In this context it is considered policy GP5 is satisfied.

Highway considerations

70. The proposed development has been assessed by the council's highway engineer. The proposal is for a replacement 1FE school to provide 210 school places. The council's highway engineer has assessed the scheme and has raised no objections in principle.
71. There are PROW routes in the vicinity of the site. PROW 67 runs east of the site. There is a proposed new pedestrian entrance off Queensway separate from the vehicle entry/exit. The council's highway engineer has suggested therefore that as crossing points are to be provided to enhance safe routes to school, opportunities should be investigated for provision of a crossing point in the vicinity of the location where users of the PROW linking Wood Lane and

Queensway cross Churchfield Lane. This has been raised with the applicant and it is understood as part of an agreed funding arrangement, that the cost of any such works would need to be met by the council.

72. The proposals indicate vehicles access via a widened existing access off Queensway, serving a car park located north of the new building. The proposed gated access is 6m wide, which accommodates two-way vehicle traffic flow. Queensway at the frontage of the site is circa 4.8 – 5.1m wide. Vehicle tracking has been provided to demonstrate the servicing/delivery vehicles manoeuvres can be accommodated at the proposed site access with vehicles entering and exiting in forward gear.
73. The Design & Access Statement states that the layout minimises clashes between staff parking and pupil drop-off to provide safe, navigable access for visitors and pupils alike. The applicant has confirmed that pupil drop-off and pick-up will be undertaken on-street as per the existing arrangements. The council's highway engineer has concluded that this arrangement is acceptable in highway terms.
74. The Design & Access Statement indicates out of hours and weekend usage of facilities on site. There is no information on the expected level of community usage, albeit, in the absence of any floodlighting, it is considered that the level of intensity would be low and can nevertheless be controlled by condition.
75. The car park is indicated to serve as the turning area for fire tender, deliveries and refuse collection vehicles. Swept path analysis for a rigid HGV and a refuse vehicle have also been submitted. A Car park and Servicing Management Plan is also to be conditioned to any planning permission.
76. Originally, proposed cycle parking was located in the vicinity of the main entrance into the building. The proposed location was considered likely to result in conflict as the pedestrian route to the main entrance to the building as this would be expected to have high student numbers accessing the building.
77. Cycle parking has been revised with the spaces not conflicting with the main pedestrian access to the school. It is considered that the level of provision meets the council's standards in this regard as follows:
 - Students: 1 per 50 short stay and 1 per 10 long-stay
 - Staff: 1 per 20 long-stay 1 disabled parking space is provided and This level of provision is considered to be acceptable.
78. Cycle storage for pupils and staff must be provided separate from each other, this is not demonstrated in the plans provided albeit, this can be covered by a planning condition.
79. The quantum of car parking provision has been considered along with the measures within the Travel Plan. 15 spaces are proposed, 1 disabled parking space is provided and EVCP for 3 vehicles including the disabled parking space. This is also considered to be acceptable.

80. A Transport Statement has been provided and sets out the existing conditions within the highway and the proposed development. As the school is a replacement with no proposed increase in the circa 18 staff and 210 pupil numbers, it has been indicated that the proposals will not result in a change in traffic associated with use. Off-site highway works to provide a widened access as well as the provision of an informal crossing at Churchfield Lane will be required, and this is also to be conditioned.
81. The Transport Statement includes a review of recorded Person Injury Collisions in the vicinity of the site. The agreed scope of offsite highway works may require additional measures however following any road safety audit.
82. In terms of travel plan comments, the councils Influencing travel behaviour team have reviewed an updated travel plan following earlier comments to ensure that staff and pupil mode of travel surveys are carried out annually. Initial comments received also noted that the Travel Plan needs to include a commitment to monitor and review the travel plan annually using LCC preferred monitoring tool – Modeshift STARS. The Travel Plan should also commit to achieving accreditation on Modeshift STARS within 3 years The Travel Plan must include details of out of hours operations, as well as targets and measures to ensure that safe and sustainable travel is promoted and utilised by these users. Whilst the updated travel plan is now acceptable in principle, minor changes are still required to cover annual consultation takes place and separate staff and pupil cycle storage is provided.
83. To facilitate safe and sustainable travel to school for children, parents and staff, upgrades to the wider pedestrian environment are required. Improvements to the pedestrian provision across Churchfield Lane between the non-definitive footpath (Churchfield Lane to Queensway) and PROW 68 to improve access to the residential areas to the west and nearest bus stops located on Wood Lane will be required. These measures can be secured by planning condition.
84. It is also noted that the Travel Plan refers to step free access, however there is currently no level access or tactile paving across Churchfield Lane to PROW 68 meaning not all users are able to access the local footway network.
85. Subject to the above-mentioned measures being satisfactorily incorporated into a revised travel plan, which can be conditioned, it is considered that the travel plan is broadly acceptable.
86. On this basis no highway objection has been received subject to planning conditions and development plan policies T2 and T24 are considered to be satisfied.

Landscape assessment

87. The application has been considered by the council's landscape architect. It is noted that the applicant has carried out a full tree survey as well as providing an Arboricultural Impact Assessment (AIA).
88. The initial (AIA) was however not considered to be acceptable and not in accordance with the required British Standard as this was not presented on a

topographical base plan, nor did show properly proposed level changes, root protection areas and drainage impacts.

89. An updated (AIA) has however recently been received to address these shortcomings. In general terms this is now considered to be an accurate representation and acceptable subject to revisions to the landscaping scheme to provide sheltered social areas as well as the introduction of further tree and shrub planting. A proposed internal path, adjacent to the woodland area to the west of the site, should also be surfaced to encourage all year use. The updated details provided however do show revisions to levels along the southern boundary and the proposed works will now have no impact on tree cover along this area.
90. It is understood the site layout arrangement has been dictated by a need to ensure compliance with the required internal/external space standards for the proposed replacement school and to provide for a sufficiently sized car park to meet the anticipated operational needs of the school to satisfy the council's current parking standards. Also, given the existing school is to be retained whilst the new school becomes operational, this, inevitably, creates a significantly constrained site. Also, where there are level changes across the site, this has had a bearing on the feasibility and practicality of retaining trees.
91. Regrettably, although 13 trees are to be removed to facilitate the proposal, the bulk of the trees are mainly ornamental and not of any major visual importance although some are positioned to the front of the existing school building with the remainder mainly to the east of the site. The significant trees to the west and south of the site, which are also protected by virtue of the fact that they impinge upon the adjacent conservation area boundary, are to be retained and would be mostly unaffected by this proposal. The visual structure and integrity of tree cover across the site is therefore essentially maintained. Notwithstanding the tree loss however, provision will be made within proposed landscaping scheme for 39 new trees to be planted on the site, to accord with the council's 3:1 replacement planting planning policy (LAND2).
92. The applicant has also confirmed that the replacement trees will be extra heavy standards. In assessing this, the council's landscape architect accepts that the loss of trees is regrettable, but the scheme has been designed to safeguard as many trees as possible.
93. Following initial landscape comments requiring the AIA to be updated to take full account of services to the building, including drainage impacts, grading works and requirements for working room, the updated details are now considered to be acceptable from a landscape perspective and trees which are shown as being retained can be safeguarded. Wider landscaping measures are to be conditioned to reflect earlier comments.
94. It should also be noted however that in order to protect retained trees, these should be safeguarded by appropriate tree protection measures. Additionally, given the intricate work proposed around trees and RPA's, it is recommended that this is overseen by an arboriculturist to ensure that measures set out in the AIA and method statement are properly implemented. Against this background

the proposal is broadly considered to be acceptable and planning policies LD1 and P12 are satisfied

Ecology

95. An ecology report has been submitted in support of the application. The report identifies no significant ecological constraints at the site, with no protected species issues identified. The report indicates that when considered separately, each on-site habitat is of relatively low ecological value; however, together, these provide an area of semi-natural habitat, within an otherwise densely populated, urban landscape. It is also the case that the scale of development and the operational infrastructure required to serve it restricts opportunities to carry out biodiversity improvements.
96. Notwithstanding this, using the biodiversity metric, the existing habitats within the site were valued at 11.67 habitat units and 0.14 hedgerow units. The proposed scheme has been calculated to provide 12.60 habitat units and 0.32 hedgerow units, resulting in a net gain of 0.93 habitat units (7.95%) and a net gain of hedgerow units of 0.18 (133.96%). The above calculations show a 7.95% biodiversity net gain for Habitats (and more than this for Hedgerows), therefore the scheme is compliant with the NPPF and Policy G9 for biodiversity net gains as it was submitted before the 12.2.24 before a 10% gain became mandatory.
97. In regard to the potential impact on bats and their foraging areas, the applicant has carried out dusk and dawn surveys. It is understood these surveys did not reveal any evidence of bats roosting within the school building. As a result, this report does not set out recommendations relating to mitigation. It should be noted however that the surveys were carried out in 2023 and as the school building will not be demolished until after August 2024 (12 months after the survey was carried out) an updated bat roosting survey should be done and/or demolition works be carried out under supervision of a licenced bat consultant. This will therefore need to be conditioned.
98. On this basis it is considered that there are no significant ecological implications associated with the re-development of this site and that policy G9 is satisfied.

Sustainability and climate change

99. The Council has declared a Climate Change emergency in 2019 and existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources. The application has been assessed by the council's climate change officer.
100. The overall building design philosophy utilizes a number a green design measures such as a fabric first approach with modern & sustainable servicing techniques and technologies which includes heat recovery ventilation, photovoltaic Panels, air source heat pump technology, seasonal adapting intelligent heat recovery systems as well as a solar shading strategy.
101. Core Strategy EN1 requires all major developments to reduce the total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations

Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy.

102. As outlined, the applicant's Energy & Sustainability Report states that the aim of the scheme is to provide an energy efficient building. The primary focus is to minimise energy usage through the fabric first approach. Efficient use of systems, plant and application of controls for plant and lighting will all contribute to the low energy consumption. The energy credentials of the proposal indicate that the scheme has been designed to meet the carbon reduction and renewables targets of planning policy through a combination of passive design features and efficient building systems such as:
- Best practice levels of sub-metering of energy use.
 - Highly efficient LED lighting.
 - Highly efficient ventilation with heat recovery.
 - Best practice measures to minimise heat loss.
 - Incorporating a roof-mounted PV array.
103. It is understood the proposal will exceed the mandatory requirements of Part L2A:2021 achieving a carbon negative BRUKL. In accordance with planning policy, the main roof of the development has been designed to incorporate photovoltaic panels sufficient to create a minimum of 10% of the predicted energy needs of the development. It is therefore considered that the development is policy compliant in this regard.
104. In addition, core strategy policy EN2 requires major development to achieve a BREEAM excellent accreditation. The applicant has produced an energy report which concludes that the proposal will far exceed Part L of the Building Regulations and that the PV array will off-set 100% of the energy demand of the building will result in a net zero carbon operation. The DfE has confirmed however that they do not currently fund BREEAM accreditation, so as a consequence planning policy EN2 will not be satisfied in this instance, albeit, based on the evidence presented by the applicant through this planning submission, the development will result in a highly sustainable and energy efficient operation.
105. With regard policy EN8, electric vehicle charging points are provided in line with council policy.
106. Against this background it is considered that appropriate sustainability measures can be delivered to satisfy planning policies EN1 and EN8 and this will be conditioned appropriately.

Other Matters

107. In relation to comments raised by Ward Members and local residents in terms of existing parking issues and potential conflicting vehicle movements, it is recognised that Queensway is a relatively narrow carriageway compared to modern standards and some residents do choose to park on street which inevitably results in access and manoeuvring restrictions. The proposal has however been reviewed by the council's highway engineer, and whilst it is

possible to introduce formal parking restrictions, it may not be the most practical solution as this may have a negative impact on residents, restricting their ability to park and reducing the overall parking capacity of the road.

108. Ward Members have also raised the spectre of providing drop kerbs for residents along Queensway. The basis for such being that this would allow residents to park on their driveways, freeing up space on the road. The applicant has considered this however and is of the view that this is not a practical solution. Firstly, it is expected that some residents would not want a driveway and would prefer their garden to be retained and in the absence of raised kerbs and pavements, as safety feature, this will cause potential pedestrian safety implications. Providing dropped kerbs would therefore remove this delineation and may also increase the amount of parking on the pavement.
109. Another matter raised by Ward Members related to the use of a parcel of land accessed off the northern end of Queensway which is currently used as garaging for residents, but is under-utilised. The suggestion is that this land could be used for contractor parking during the construction works and post construction made available to residents to utilise for parking purposes. The applicant has also produced a construction management plan (CMP) which indicates that the aforementioned parcel of land is to be utilised for workforce parking. The (CMP) is considered to be acceptable by the council's highway engineer and this is to be conditioned as part of the planning approval. Post construction, there is no planning reason to prevent the continued use of this land being utilised as a car parking area for local residents.
110. In regard to drainage matters, the council's drainage engineer has reviewed the applicant's drainage strategy, and this is also considered to be acceptable.
111. In regard to third party comments not already addressed in this report, it is considered that the issue of existing trees not being maintained by the school is not material planning issue relevant to the determination of this application. Any on-going maintenance issues associated with proposed landscaping / tree planting will be the subject of a condition requiring future management. It will be the responsibility of the academy to comply with this and any other planning conditions associated with the planning approval. In terms of issues relating to ventilation, the applicant has produced a strategy for managing this and is contained in the applicant's energy statement and in any event is to be controlled by planning condition.
112. Issues relating to noise, dust, hours of work and associated construction activities are also to be controlled by planning condition.

Planning Balance and conclusion

113. Although the development of this site involves land allocated as Green Space and designated as a protected playing pitch, the existing school is to be demolished once the proposal is complete and remediated to provide green space. As a result of this a net addition of 1,730sqm will be gained, through the provision of additional soft outdoor play areas, soft informal play areas and habitat areas. Sport England have been consulted and confirmed that the

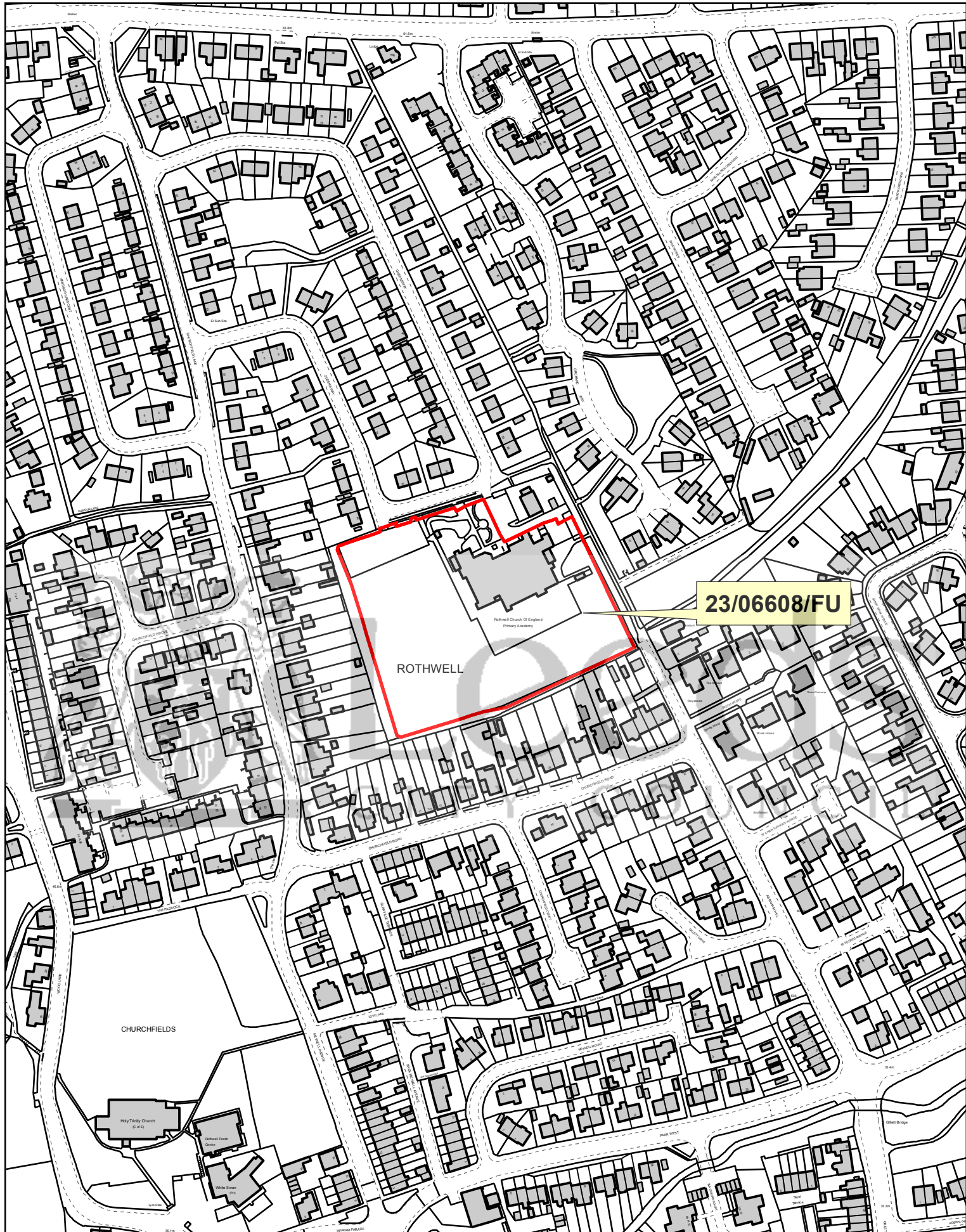
proposal, together with the introduction of community use provision, will broadly meet their policy E4 exemption and as a consequence have raised no objection. In land use terms the development is therefore considered to be acceptable from a planning policy perspective.

114. As noted above, in relation to comments raised by Ward Members and local residents in terms of existing parking issues and conflicting vehicle movements, it is considered that such matters have been duly noted and appropriately assessed. Furthermore, as this relates to existing highway issues and the development involves no further intensification of use, it would be unreasonable to require the applicant to provide mitigation in this regard. Notwithstanding this however, and in response to initial comments raised by the council's highway engineer and influencing travel team, the scheme offers travel plan measures and targets as well as off-site highway measures to improve pedestrian safety. The scheme also meets the council's broad policies in respect of climate change albeit policy EN2 is not being met in this instance. More generally, biodiversity improvements, drainage and landscape requirements are all considered to be acceptable in planning terms.
115. In terms of the proposed design solution, this is considered to be acceptable and will cause no harm to the visual amenity of the area nor the adjacent conservation area. The impact of the development on the living conditions of surrounding residents has also been considered and safeguarded. In terms of wider planning issues, 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.
116. Overall, it is considered that the proposed scheme is generally compliant with council and national planning policies. The overriding benefit of the scheme is the provision of new purpose built, modern and enhanced educational accommodation, this is a matter of significant and substantial importance and weighs heavily in favour of the proposal.
117. All other material matters raised by third parties as summarised have been considered, and those that are not material in planning terms have been identified in the report and acknowledged as such.
118. In the light of the above the development is considered to be acceptable and recommended for approval, subject to various conditions and a unilateral undertaking relating to the provision of a travel plan monitoring fee.

BACKGROUND PAPERS:

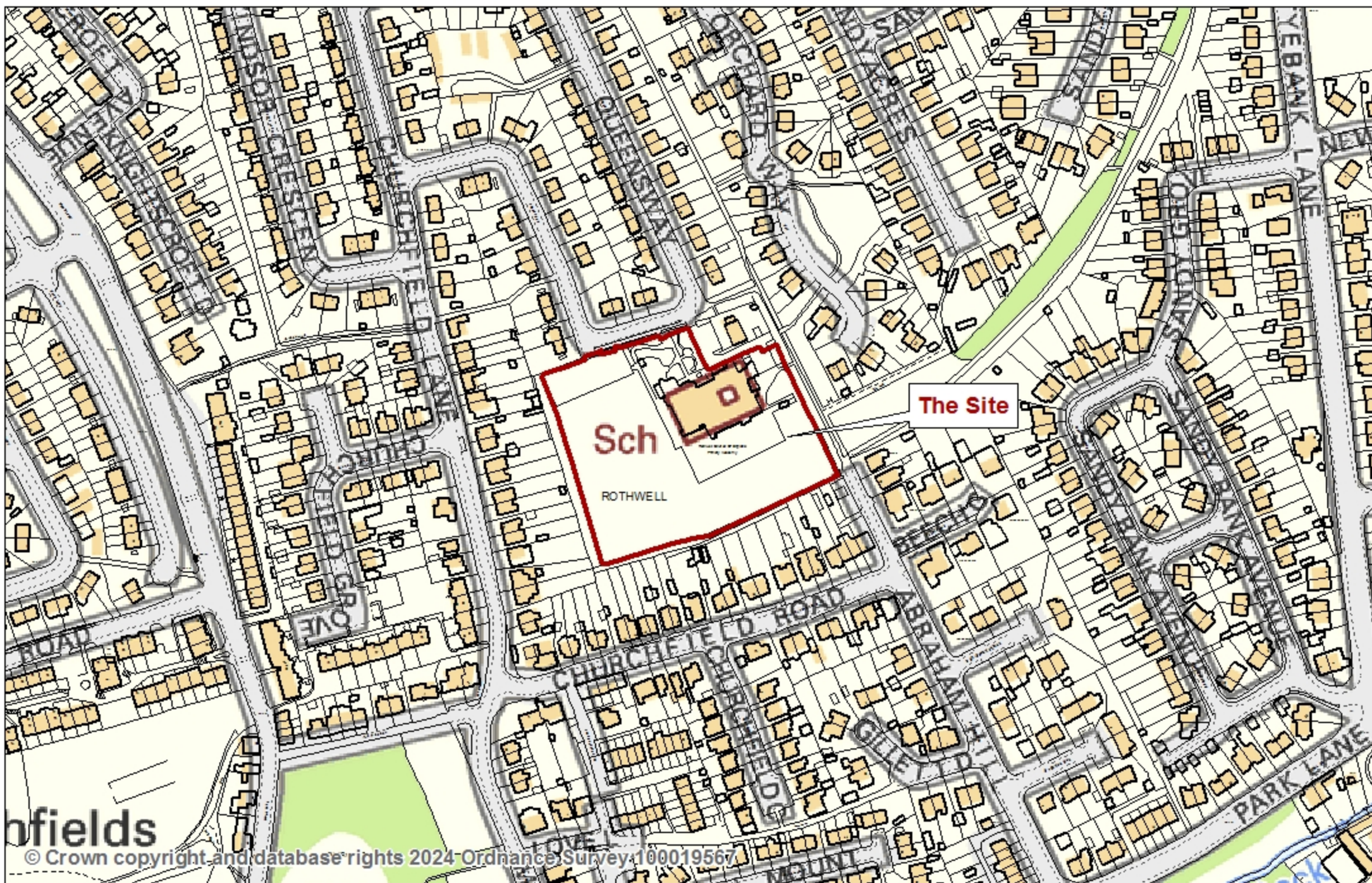
Application file

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SOUTH AND WEST PLANS PANEL





PLANS PANEL PRESENTATION

SCALE 1:2500





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