

15/00140/FUL

**Case Officer** Caron Taylor

**Ward** Clayton-le-Woods North

**Proposal** Erection of modular building to provide a children's nursery with front entrance canopy, level access ramp and external play area, and provision of allocated on-site drop off/pick-up parking (to existing car park).

**Location** Clayton Brook Primary School  
Great Greens Lane  
Bamber Bridge  
Preston  
PR5 8HL

**Applicant** Whitefriars Nursery

**Consultation expiry:** 12<sup>th</sup> May 2015

**Decision due by:** 29<sup>th</sup> May 2015

**Recommendation - Permit**

**Representations**

**Parish Council - No response received**

**In total 15 representation has been received which are summarised below:**

**Objection:**

Total No. received: 15

14 Objections have been received as a result of the initial consultation on the application on the following grounds:

- Road safety caused by parking problems as the school does not have adequate parking provision;
- Danger of small children running between the cars;
- Staff and visitors park on School Field during school hours and block the pavement and driveways and making it difficult for cars to pass each other;
- The proposal seems to reduce the number of parking spaces yet there will be more staff;
- Additional parking restrictions are needed at the school gates and close to the junction with Great Greens Road;
- It would result in noise and disturbance;
- It is on a prominent corner which is the only bit of green area left between School Field and the children's centre so would spoil the street scene;
- The design is out of character with the area and would protrude well past the building line of existing properties

One of these objectors has also written in again in response to re-consultation on the application (notifying neighbours that the application would be subject to the additional parking by LCC). On the following grounds:

- Chorley have stated that the application is wholly reliant on 12 additional parking spaces being provided at the School however the application to LCC shows that only 11 additional spaces are being applied for, therefore the amendment fails to meet the requirement for approval of the scheme;
- The original application shows that 4 parking spaces will be lost from the existing spaces to create a drop off/pickup area for the nursery so even if 11 extra spaces are provided the net increase in spaces would only be 7, which is totally

- inadequate to resolve the serious parking/safety problem on School Field;
- From the plans shown on the application to increase the 11 spaces they fail to see how the extra spaces could be accessed, unless the plan is for drivers to drive over the existing spaces to fill the new spaces first before any parking takes place on the existing spaces;
  - The amendments fail to meet the requirements for approval and the planning application should be rejected;
  - The estimated staffing provided by the applicant and school are a joke. They say that only two spaces are required for the children's centre at 10am there were 14 cars double parked on the pavements close to the school entrance, most of these belonged to visitors to the children's centre (Mother and Baby club). They also observed at least four people entering the centre from 8am to 8-30am which they assume to be staff;
  - At 1.30pm there were 11 cars parked n School Field, 2 blocking the pavement;
  - All the projected parking figures are for staff and do not give figures for daily visitors. Is it just to avoid highlighting the face that even with the extra spaces there is nowhere for them to park except on School Field;
  - This situation cannot be allowed to continue, and if the planning application is granted the council will be guilty of a grave error of judgement.

**Consultees**

<b>Consultee</b>	<b>Summary of Comments received</b>
Lancashire County Council Highways	<p>Comments made prior to the LCC application for additional parking:</p> <p>The proposal is for 2 new classrooms, increased staff numbers will affect on-site parking provision. The proposed drop off/pickup area will result in 4 of the existing 27no off-street car parking spaces being lost and lead to parking being displaced onto nearby streets with adverse impacts on residential amenity. On-street parking on School Field is already unusually high and spills onto the neighbouring residential streets during school pick-up and drop off periods. The problem may be exacerbated if the 4no off-street car parking spaces are lost. Therefore, while there are no highway objections to the proposal in principle, until the above parking issues are addressed, they would recommend that the application is not approved at this stage.</p>
Chorley's Environmental Health	<p>The closest noise sensitive dwelling the proposed development is approximately 20m away on School Field. When the proposed outside play area is to be used there is a potential for an increase in noise levels. In the absence of an acoustic report to show that there won't be any noise issues a close boarded acoustic fence will need to be installed along the boundary of the School Field side of the site. I recommend a 2m high fence.</p>
Police Architectural Liaison Officer	<p>Within the last 12 month period, there have been 21 reported burglary offences and 83 criminal damage offences in the area surrounding this site. They therefore make crime prevention recommendations for the proposed building e.g. access control, the standard or doors and windows etc. These recommendations have been forwarded to the agent.</p>

**Applicant's Case**

1. The proposal is for the erection of a modular building with facilities to provide preschool child care for children of 2-3 years and as a feeder into Clayton Brook Primary where children at the age of 4 are then integrated into the School before infants.

2. The opportunity to create a privately run nursery, has been proposed to the Applicant by Lancashire County Council as part of their government funding initiative to provide free nursery places to 2 year olds from low income families. Lancashire County Council has approached the applicant, who currently operates a private children's nursery in the Penwortham area, and has offered grant funding for the opportunity to create this new facility. This is one of many that Lancashire County Council are funding in Lancashire to expand their programme for providing nursery places and ensuring that there are sufficient places for the additional two year olds.

## **Assessment**

### Background

3. The application site is Clayton Brook Primary School on Great Greens Lane, Bamber Bridge. The main vehicular access point to the school is on School Field. The proposed modular building could be situated on the corner of School Field and Great Greens Lane and four of the existing parking spaces will be re-allocated as drop off spaces to serve the proposed nursery.

### Principle of the Development

4. The site is within the existing school grounds. It is currently an area of grass adjacent to the existing Children's Centre on the site (it is not a playing pitch or part of one).
5. Policy 14 of the adopted Core Strategy covers education. The criteria of this policy that are relevant to this application are:
6. Provide for Education requirements by:
  - (a) Enabling new schools and other educational facilities to be built in locations where they are accessible by the communities they serve, using sustainable modes of transport;
  - (e) Working in partnership with the education authority and other service providers to identify opportunities for the co-location of services to meet the needs of the community.
7. Although there is a policy in the emerging Local Plan 2012-2016 covering community facilities, this seeks to retain such facilities rather than relating to new proposals, so is not relevant to this application.
8. The principle of locating a nursery on the existing school site is therefore considered acceptable in principle.

### Design and Layout

9. The proposed nursery will be a single storey modular 'L' shaped building orientated so the two classrooms will face towards the corner of Great Greens Lane and School Field with outside play space provided under an overhang of the roof and area beyond. The building would be clad in horizontal pine cladding with roof tiles or felt shingles.
10. The existing school and children's centre are brick buildings with tiled roofs. The proposed building could be modular and therefore generally have a more temporary appearance. Although cladding in pine is a different finish to the rest of the school and the nursery would be located on a prominent corner, the finish is considered acceptable and will give the building a more contemporary appearance.
11. Comments regarding the nursery projecting beyond the building line of the existing properties is noted, however there is no strict building line on the southeast side of School Field close to the school access point as the main school building is set well back from School Field and the existing Children's Centre building is set closer to School Field. In addition, it is not unusual for the layout of a school to be different to the layout of the residential properties around it.
12. The design and layout of the proposal is therefore considered acceptable.

### Impact on the Neighbours

13. The nearest property to the proposed nursery and its associated outdoor play space is number 106 School Field, which is approximately 20m opposite the site and is a detached bungalow with an integral garage.
14. The Council's Environmental Health Officer advises that when the proposed outside play area is to be used there is a potential for an increase in noise levels. In the absence of an acoustic report to show that there won't be any noise issues a close boarded acoustic fence will need to be installed along the boundary of the School Field side of the site and they recommend a 2m high fence.
15. At present there are only metal open railings on the boundary between the proposed nursery and School Field. An amended plan has been received adding a 2m acoustic close boarded screen fence parallel to the existing metal fencing on the boundary of the play space nearest to the property opposite on School Field. It has been set in by 1.5m from the existing railings to allow new shrub planting to be implemented in front of it to soften its appearance and reduce its prominence close to the prominent corner.
16. Subject to a condition controlling the retention of this fence the impact of the nearest neighbours in terms of noise from children playing out is considered acceptable.

#### Traffic and Transport

17. One of the main issues with the proposal is the impact on parking. Parking for staff is provided off-road in 24 spaces accessed from School Field. At present parking often spills out of the car park onto School Field as there are not enough staff spaces and no visitor parking, with vehicles parking the length of School Field outside the school. Residents complain of vehicles blocking the pavement and driveways and making it difficult for cars to pass each other and that the proposal will reduce the number of parking spaces yet result in more staff.
18. There is existing parking issues associated with the school on School Field which have been acknowledged by LCC Highways. Although the current application cannot be made to solve existing issues it is considered it should not result in them being exacerbated. The proposal results in four existing spaces in the staff car park being changed to drop off spaces for the proposed nursery. It is considered that this would exacerbate the existing parking issues if additional parking is not provided and it is not considered it would be acceptable.
19. Policy ST4 of the emerging Local Plan sets out the Council's Parking Standards for planning applications. The standards require 1 car parking space to be provided per member of staff for day nurseries. It is advised the nursery will have 4 staff so should have 4 parking spaces.
20. As originally submitted the application did not propose any additional parking and was considered unacceptable. This issue was put to the agent and an application for additional parking at the school has now been made to the County Council, our consultation ref: 15/00356/CTY (note: applications at the school are unusually dealt with by the Planning Department at Lancashire County Council as it is a County school. The current application is being dealt with by Chorley Council as it is made by a private nursery operator rather than Lancashire County Council themselves).
21. The agent expected the application made to LCC to be for 12 spaces but an application for only 11 spaces was made (see neighbour comment). Discussions have taken place with the County Council and that application has now been amended so that it is now for 12 spaces as is shown on this application.
22. Of the 12 additional parking spaces, 1 of there will be added within the existing car park while the other 11 will be on part of an existing hard play area to the rear of existing spaces. Of these 10 will be tandem spaces behind existing spaces. As 10 of the spaces are tandem spaces cars parked in the rear space will be blocked in by the car behind, the other 2 spaces will be normal spaces.
23. Ideally none of the new spaces would be tandem, however the space within the school grounds to create more parking is limited without building on more of the existing play area or

resulting in loss of part of a sports pitch. While tandem spaces would not be suitable for public parking the tandem spaces proposed will be for staff parking so will be within the control of the school and the users will know each other.

24. The proposed nursery is expected to have four staff so will generate a need for four additional spaces if all the staff drive. In addition it will result in the loss of four existing school staff spaces as these will be made into drop of spaces for the nursery. Therefore the nursery will create a demand for up to eight spaces at the site. The application submitted to LCC for additional parking proposes to create 12 new spaces, therefore it will create more parking than should be needed by the new nursery and create additional new spaces to be used by staff that currently park on School Field. It is accepted that the additional parking is unlikely to solve the parking issues on School Field but it is considered that with the additional parking the proposed nursery should not exacerbate the current situation and therefore it is not considered that the current proposal could be refused on parking grounds in that it meets the Council's parking standards set out in emerging Local Plan policy ST4.
25. As the additional parking is the subject of a separate application to LCC it is not included as part of the current nursery application. As has been established above the proposed nursery would not be acceptable without the additional parking. This application would therefore need to be subject to a Grampian condition (a condition requiring the applicant to carry out works on land not within their control) requiring the parking to be implemented. Discussions have taken place with the agent for the nursery in relation to the timing of the parking being created. Normally a Grampian condition would be worded so that the parking had to be provided prior to the nursery building being commenced so that there was no risk that the building was erected and then the parking could not be provided. However, as this is a school site the works to build the nursery would need to take place over the summer school holidays, possibly at the same time as the parking and so the condition will need to be worded so that the building must not be occupied prior to the parking being provided. A Grampian condition should not be applied if there is not a reasonable prospect that the off-site works can be achieved as worded. In this case correspondence has been received from the County Council District Surveyor stating that the parking will be carried out and should be done prior to the commencement of the building, therefore it is considered that the use of a Grampian condition in this case is acceptable with the proposed timing as the land on which the nursery will be stood and the parking area are both within the ownership and therefore control of the County Council and there is a reasonable prospect it can be implemented.

#### Trees, Landscape and Ecology

26. There is a mature tree in the northwest corner of the site where the nursery will be positioned and this will be retained as part of the proposal.

#### Flood Risk

27. The site is not in Flood Zone 2 or 3 as identified by the Environment Agency and is not over 1 hectare in size, therefore a Flood Risk Assessment is not required.

#### Coal Mines

28. The site is not in a high or low risk coal mining area as identified by The Coal Authority so past coal mining does not affect the proposal.

#### **Overall Conclusion**

29. The proposal is considered acceptable for the reasons set out above subject to conditions.

#### **Planning Policies**

30. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

## Planning History

31. There are no planning applications directly related to this application.

## Suggested Conditions

No.	Condition									
1.	<p>The proposed development must be begun not later than three years from the date of this permission.  <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>									
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="416 591 1401 719"> <thead> <tr> <th data-bbox="416 591 786 622">Title</th> <th data-bbox="786 591 1062 622">Drawing Reference</th> <th data-bbox="1062 591 1401 622">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="416 622 786 654">Site Identification Plan</td> <td data-bbox="786 622 1062 654">D/0/3 Rev B</td> <td data-bbox="1062 622 1401 654">8<sup>th</sup> May 2015</td> </tr> <tr> <td data-bbox="416 654 786 719">Proposed Plans &amp; Elevations</td> <td data-bbox="786 654 1062 719">D/0/1 Rev E</td> <td data-bbox="1062 654 1401 719">8<sup>th</sup> May 2015</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Site Identification Plan	D/0/3 Rev B	8 <sup>th</sup> May 2015	Proposed Plans & Elevations	D/0/1 Rev E	8 <sup>th</sup> May 2015
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3.	<p>During the construction period, all tree(s) to be retained within the site boundary shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.  <i>Reason: To safeguard the tree(s) to be retained.</i></p>									
4.	<p>All planting shown on the approved plan shall be carried out in the first planting and seeding seasons following the occupation of the nursery building hereby approved or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  <i>Reason: In the interest of the appearance of the locality to reduce the prominence of the fence.</i></p>									
5.	<p>Before the occupation of the nursery building hereby permitted, four drop off spaces for the nursery shall be provided in the existing car park as shown on approved plan ref: D/0/3 Rev B and shall be retained as nursery drop-off spaces at all times thereafter.  <i>Reason: To ensure that drop off provision is provided for the nursery.</i></p>									
6.	<p>Before occupation of the nursery building hereby permitted 12 additional parking spaces shall be provided (surfaced or paved, marked out and made available for use) within the school grounds as shown on plan ref: D/0/3 Rev B. Such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).  <i>Reason: To ensure provision of adequate off-street parking facilities within the site for the nursery.</i></p>									
7.	<p>The external facing materials, detailed on the approved plans, shall be used and no others substituted unless submitted to an approved in writing by the Local Planning Authority.  <i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>									
8.	<p>The nursery hereby permitted shall not be occupied until the acoustic fence (as shown on the approved plan) has been erected in the position shown on the approved site plan. It shall then be retained at all times thereafter.  <i>Reason: To provide reasonable standards of amenity to adjacent residents.</i></p>									