

**DERBYSHIRE COUNTY COUNCIL
REGULATORY – PLANNING COMMITTEE**

11 August 2014

Report of the Strategic Director – Economy, Transport and Environment

**4 PROPOSED TEMPORARY DOUBLE MODULAR
CLASSROOM AT STENSON FIELDS PRIMARY
COMMUNITY SCHOOL, GOATHLAND ROAD, STENSON
FIELDS, DERBY
APPLICANT: DERBYSHIRE COUNTY COUNCIL
CODE NO: CD9/0614/39**

9.381.21

(1) **Purpose of the Report** To enable the Committee to determine the application.

(2) **Information and Analysis** This application proposes a temporary double modular classroom at Stenson Fields Primary Community School, Goathland Road, Stenson Fields, Derby, for a period of two years from September 2014.

The modular classroom would measure 18.5 metres by 10.5 metres by 3.7 metres high and would consist of a green mineral flat roof, with plastic cladding and powder coated Aluminium finished doors and windows.

The classroom would be located to the south-east of the existing school on the existing sports field.

The proposed modular accommodation would allow for an additional 32 pupils and 4 members of staff.

All on site car parking would be maintained.

Consultations

Local Member

Councillor Davison has been consulted with a request to make any comments by 10 July 2014.

Public

South Derbyshire District Council

No objections.

Stenson Fields Parish Council

Any comments were requested by 10 July 2014.

Sport England

Sport England raises no objections but makes the following comments:

"The building would occupy a section of the playing field that does not currently form part of a marked out pitch... it is recognised that although part of the area that would be occupied by the building offers some benefit in terms of providing capacity for alternative pitch layouts as part of the wider playing field area, there is no recent evidence of it being utilised as part of the formal winter or summer pitch layouts and the more peripheral areas are constrained in terms of formal playing pitch.... It is understood that alternative locations have been considered for the temporary building in the western part of the site away from playing field, but that these have been discounted as they would compromise potential future options for the delivery of a permanent extension to the school building. On balance, given that part of the land that would be affected by the proposal is incapable of forming part of a playing pitch, that current flexibility of use of the main playing field area for pitch sports would not be significantly affected, and any minor impact would be temporary in nature... subject to the imposition of a suitable condition, (restoration) Sport England does not wish to raise an objection to the application."

Publicity

The application has been advertised by site notice with a request for observations by 10 July 2014.

As a result of the publicity, nine letters of objection have been received, raising the following points.

- The cul-de-sac of Heather Close is already used by parents parking to drop off/collect their children; despite single white lines and road signs directing drivers not to park, we regularly have parents blocking our cars in our drives, this will only get worse with an expanded school, with more pupils.
- There are already problems with double parking, parking on the paths; children and their parents have to walk on the road with push chairs.
- Adding 2 more classrooms, with about an extra 40-50 children, equates to more traffic on Heather Close, where is the new traffic supposed to go?
- More children... mean more cars parking, it is horrendous around school times, one day there will be an accident with a fatality and emergency vehicles would have trouble getting through.

Public

- This proposal will compound existing parking problems and resident / public tensions on Heather Close.
- The school and parents seem to have a complete disregard to their neighbours.
- No contingency is in place to support the large increase of cars coming to the school.
- Why can't the school gates be left open with a barrier installed just after the roundabout so that parents can drive in and drop children off at the roundabout and drive out again like it used to be, this would solve all the problems?
- There is a large area of unused land just inside the school gates, why has this not been turned into a car park with a footpath to the school?
- Consideration should be given to extending the school car park. This would enable children to be dropped off within the school grounds safely.
- WHY were the local residents not informed by letter of this proposed build of 2 extra classrooms?
- WHY was a notice just put on the school gates the same colour and place as the last notice!! So that the only people seeing the notice are the people going in/out of the school and not the people it will affect.
- There is a serious inaccuracy with the address of the school given in this application, which has the potential to mislead those wishing to comment on it. The school is NOT on Goathland Road (a through road); it is in the small cul-de-sac of Heather Close.
- The application states 'works' have not yet begun - this is untrue; ground works are clearly visible.
- Regardless of whether the classrooms are temporary or not, this school should NOT be expanded to take more pupils; there should be a NEW school built to cope with any increased demand, on the extended new housing development of Stenson Fields housing estate at Newton Village. The demand for school places comes from this new development on Stenson Road, not from within the existing housing stock (built circa 1982).
- The area's local Councillor is a governor at the school, which surely presents a conflict of interests and results in him being unable to adequately represent the interest of local residents to resolve the issue of increased congestion at school opening and closing times. It would seem a reasonable request to seek that residents' interests are presented to the Local Authority by an alternative Councillor in order that local interests can be appropriately considered during the planning process.
- The council were supposed to be looking at building a new school in this area; as usual they have agreed to build new houses without thinking about the infrastructure.

Comment: The points raised from the consultation which are valid planning considerations are considered below.

Planning Considerations

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. In relation to this application, the relevant policies of the development plan are contained in the saved policies of the adopted South Derbyshire Local Plan.

The principal planning policies relevant to this grant of planning permission are:

The National Planning Policy Framework (NPPF)

The NPPF (March 2012) states that local authorities taking decisions on planning applications should consider issues relating to promoting sustainable developments, transport and good design. County developments should therefore have regard to policies in the NPPF so far as relevant.

Draft South Derbyshire Local Plan

BNE1: Design Excellence.

BNE4: Landscape.

INF2: Sustainable Transport.

INF6: Community Facilities.

Adopted South Derbyshire Local Plan

C5: Educational Facilities.

ENV 3: Landscape.

ENV 23: Temporary Buildings.

T1: Access.

The key planning considerations for this application are:

- Need for the development.
- Landscape and other visual impact.
- Highways.

Need for Development

The application form asserts that the additional teaching accommodation is required due to predicted pupil numbers as a result of housing developments in the area. Immediate accommodation is required for September 2014 to accommodate pupils. The proposed modular building would allow the school to provide short term accommodation of up to 32 pupils whilst a more permanent solution is planned.

Landscape and Other Visual Impact

I am satisfied that the location and design of the proposed modular classroom would not significantly affect local amenity and the design would accord with national and local plan policies.

Public

I note the recommendation above from Sport England regarding the restoration of the footprint area of the modular building to sporting provision following the removal of temporary accommodation; I have therefore recommended a suitable planning condition.

Highways

I note the objections above regarding the existing traffic impact visitors' cause to the school, and the potential for increased traffic and contentions regarding parents parking on Heather Close which is the main route to the school entrance. I am satisfied that an up-to-date Travel Plan, which is in accordance with paragraph 36 of the National Planning Policy Framework, has been submitted with the application. Furthermore, the Travel Plan accords with Local Plan Policy T1 and the draft Local Plan Policy INF2 which seeks to ensure a choice of transportation modes are available whilst seeking to reduce the impact of increasing numbers of pupils. Whilst I sympathise with the objections, I consider that since this is a proposal for temporary development for a period of 2 years for 32 students, the impact the increase in pupil numbers will have will be modest. I am satisfied that the temporary accommodation is required as a short term measure. Finally, I note that there are no objections on behalf of the Council as the local highway authority and that no rights of way are affected.

Conclusion

I consider that although there would be a modest increase in pupil numbers the proposal would not have an adverse impact on local amenity and that the proposal accords to national and local planning policies identified above. Consequently, it is recommended for approval.

(3) **Financial Considerations** The correct fee of £1155 has been received.

(4) **Legal Considerations** This is an application under the terms of the Town and Country Planning General Regulations 1992 for development which the Authority itself proposes to carry out.

I do not consider that there would be any disproportionate impacts on anyone's human rights under the European Convention on Human Rights as a result of this permission being granted subject to the conditions referred to in the Officer's Recommendation.

(5) **Environmental and Health Considerations** As indicated in the report.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property and transport considerations.

Public

(6) **Background Papers** File No 9.381.21

Application form and supporting documents received from the Director of Property dated 11 June 2014.

(7) **OFFICER'S RECOMMENDATION** That the Committee resolves that planning permission is **granted** subject to the following conditions:

- 1) The development shall be begun before the expiration of three years from the date of the decision.

Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the application details dated 11 June 2014.

Reason: To clarify the details approved.

- 3) On or before 30 September 2016, the modular building shall be removed from the land, and within three months from its removal the site shall be reinstated to a condition fit for use as a sports playing field.

Reason: This permission is granted to provide accommodation for facilities required at this time, pending the provision of permanent replacement accommodation for these facilities, and to ensure the site is restored to a condition fit for sporting provision.

Footnotes

- 1) This permission, granted under the terms of Regulation 3 of the Town and Country Planning General Regulations 1992, is for the sole benefit of Derbyshire County Council and can only be implemented by that Authority.
- 2) Attention is drawn to:
 - i) Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970; and
 - ii) Building Bulletin 91 "Access for Disabled People to School Buildings, Management and Design Guide" published in 1999 or any prescribed document replacing that code.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Title

Stenson Fields Modular Classroom CD9-0614-39

