

Planning (Regulatory) Committee

Item No.

Report title:	Y/2/2017/2010: Hillcrest Primary School, Hillcrest, Downham Market, King's Lynn, Norfolk PE38 9ND
Date of meeting:	16 February 2018
Responsible Chief Officer:	Tom McCabe, Executive Director of Community and Environmental Services
Proposal and applicant: Demolition of existing mobile classrooms, store and sheds. Extension and part refurbishment of existing school building, construction of a new standalone two storey classbase block and associated landscaping, to expand the school to a 3 form entry (630 pupil) school. External works to include additional car parking and hard play area (Executive Director of Children's Services)	

Executive summary

Full planning permission is sought for the erection of a standalone 2-storey classbase block to expand the school to a 3 form entry (630 pupil place) and provide a permanent replacement for the existing temporary modular accommodation; an extension to the existing reception classroom and additional parking provision.

18 letters of objection have been received raising concerns relating to issues of highway/pedestrian safety, amenity and anti-social behaviour. 7 representations in support of the proposal have also been received. No objections have been raised by consultees subject to suitably worded conditions being imposed on any grant of planning permission.

In accordance with the Council's Constitution, the application is being reported to the Planning (Regulatory) Committee because of the level of objection received. The key issues are the impacts of the development on the highway network, residential amenity, visual amenity, the natural environment, flood risk and playing pitch provision. It is considered that the proposal would be in accordance with the policies contained within the development plan and significant weight is afforded to the need for an enhanced education provision to cater for the growing needs of the school, therefore conditional full planning permission is recommended.

Recommendation:

It is recommended that the Executive Director of Community and Environmental Services be authorised to:

- I. Grant planning permission subject to the conditions outlined in section 13.**
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.**
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.**

1. The Proposal

- 1.1 To meet the growing demand for school places in the town and to assist the County Council as Local Education Authority (LEA) in its duty to provide school place provision, full planning permission is sought for the erection of a standalone flat roof, 2-storey classbase block to expand the school to a 3 form entry (630 pupil place) and provide a permanent replacement for the existing temporary modular accommodation currently on site. Also being proposed is an extension to the existing reception classroom, additional car parking provision and associated works.
- 1.2 The proposed development consists of:
- Removal / demolition of existing modular accommodation, store and shed
 - Two-storey standalone nine-class base block in the north-eastern portion of the site, comprising 9 classrooms, group/meeting rooms, toilet facilities, plant room and stores
 - An extension to an existing reception class base
 - Internal refurbishment
 - Additional 20 car parking spaces and additional and additional cycle / scooter spaces
 - External hard and soft play
 - External lighting to classroom block and car park area
 - Landscaping
 - Off-site highway improvements
- 1.3 Vehicular and pedestrian access would be via Hillcrest, and car parking provision to the eastern area of the school site. In terms of boundary treatment, trees and fencing would bound the school site.

2. Site

- 2.1 The application site relates to Hillcrest Primary School; a grey breezeblock built single storey school, which has been subject to extensions over the years. More recently the school has been granted temporary planning permissions for the provision of modular accommodation, which this application seeks to replace with a permanent build.
- 2.2 Situated within a residential area, the school is surrounded by residential properties to the north, east and south; and adjoins the Hillcrest Academy site along part of the southern boundary. Fencing and trees run along the boundaries of the school site.

3. Constraints

- 3.1 The application site lies within the development boundary for Downham Market as identified on the proposals map.

4. Planning History

- 4.1 The planning history for the application site held by the County Council is as follows:
- 4.2 Y/2/2017/2005: Provision of a single classbase modular accommodation for a period of two years. External works to include: ramp, steps, paving and associated works – Permitted 11/07/2017

- 4.3 Y/2/2014/2008: Re-site of 2no. existing 2-bay modular accommodation and provision of new four classbase modular accommodation for a period of five years. External works to include: ramp, steps, paving, additional car parking provision and associated works – Permitted 03/07/2014
- 4.4 Y/2/2013/2017: Replacement of timber link corridor with cavity blockwork corridor with rendered finish – Permitted 17/01/2014
- 4.5 Y/2/2010/2008: Construction of a new pedestrian access and pathway between Civray Avenue and Downham Market High School - Permitted 22/02/2011
- 4.6 Y/2/2009/2036: Construction of new double classbase to include access ramp and steps – Permitted 23/12/2010
- 4.7 Y/2/2009/2023: Installation of double classroom modular building and associated works – Withdrawn 26/02/2010
- 4.8 Y/2/2008/2034: Siting of modular double classroom unit – Withdrawn
- 4.9 Y/2/2006/2023: Infilling existing courtyard with hall and staff room extension, increasing size of existing playground, installing 2 new soakaways and associated works – Permitted 29/11/2006
- 4.10 Y/2/2006/2018: Infilling Existing Courtyard with Dining Hall Extension& Associated Works – Permitted 23/08/2006
- 4.11 Y/2/2004/2013: New Hard Play Area – Permitted 06/12/2004
- 4.12 Y/2/2004/2001: Single Storey Extensions to provide 4 Class Bases and additional WC Provision and Removal of 2 Mobiles – Permitted 26/07/2004
- 4.13 2/1999/0276: Classbase extension – Permitted 05/05/1999

5. Planning Policy

5.1 King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016)

- DM1: Presumption in Favour of Sustainable Development
- DM2: Development Boundaries
- DM9: Community Facilities
- DM15: Environment, Design and Amenity
- DM17: Parking Provision in New Development
- DM21: Sites in Areas of Flood Risk

5.2 King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011)

- CS01: Spatial Strategy
- CS02: The Settlement hierarchy
- CS04: Downham Market
- CS08: Sustainable Development
- CS11: Transport
- CS12: Environmental Assets
- CS13: Community and Culture
- CS14: Infrastructure provision

5.3 Downham Market Neighbourhood Plan

Downham Market was designated as a neighbourhood area on 21 January 2016. However, currently there is no adopted neighbourhood plan in force for the area.

5.4 **The National Planning Policy Framework (2012)**

- 1: Building a strong competitive economy
- 4: Promoting sustainable transport
- 7: Requiring good design
- 8: Promoting healthy communities
- 10: Meeting the challenge of climate change, flooding and coastal change
- 11: Conserving and enhancing the natural environment
- 12: Conserving and enhancing the historic environment

6. **Consultations**

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| 6.1 | King's Lynn & West Norfolk Borough Council | : No objections to this county application. |
| 6.2 | Downham Market Town Council | : Welcomes the improvement to the school, and would urge the applicant to encourage sustainable travel choices and commit to a Travel Plan. |
| 6.3 | Environmental Health Officer (Borough Council of King's Lynn & West Norfolk) | : Environmental Quality Team: Given the age of the building it is considered probable that asbestos containing material will be present within the fabric of the buildings. Therefore recommends that an informative regarding asbestos is attached to the planning permission should it be granted.

Community Safety & Neighbourhood Nuisance Team: No objections to this proposal subject to compliance with the submitted construction consideration statement, soakaway design and the siting/design of lights to ensure that light does not spill beyond the school boundaries. Would not recommend any waste is stored unless in lidded skips or appropriately covered, such as with tarpaulins, and that no materials likely to create dust such as sand or spoil piles are stored for any length of time unless they are appropriately contained and/or covered. Informatives regarding environmental protection and asbestos removal should be imposed on any grant of planning permission. |
| 6.4 | Natural England | : No comments. |
| 6.5 | Lead Local Flood Authority (NCC) | : Object to the application in the absence of flood risk information relating to infiltration testing; a proposed 'plan B'; method of discharge; the drainage strategy ; and the future adoption and maintenance for the entire drainage strategy.

<u>Re-consultation:</u> Remove the previous objection subject to a drainage condition being imposed on |

- any grant of planning permission.
- 6.6 Highway Authority (NCC) : Requests the applicant provides an indicative / layout outlining the off-site highways schemes required.
- Re-consultation: No objections subject to the inclusion of standard highway related conditions and informatives on any consent granted.
- 6.7 Senior Arboricultural and Woodland Officer (NCC) : A landscaping plan showing the location of the trees will also need to be provided. The AIA needs include at least a 2 year watering specification.
- Re-consultation: The issues raised have not been addressed by the additional information provided.
- Re-consultation: Satisfied the issues have been addressed. The revised AIA should be listed in the conditions should planning permission be granted.
- 6.8 Ecologist (NCC) : No objections to the scheme with regard to ecology.
- 6.9 Norfolk Fire and rescue Service (NCC) : No comments received at the time of writing this report.
- 6.10 Sport England : Objects to the application because of the loss of playing field.
- Re-consultation: Sport England would be willing to remove their objection, subject to the imposition of planning conditions to ensure sport/recreation provision at the school is maintained to current levels shown on the revised plan, and to meet future needs for the school.
- Should the planning authority be minded to approve the application without imposing any or all of the recommended conditions, Sport England would object to the application on loss of playing fields grounds and in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application would need to be referred to the Secretary of State via the National Planning Casework Unit.
- 6.11 Anglian Water : No comments received at the time of writing this report.
- 6.12 County Councillor: Mr Anthony White : No comments received at the time of writing this report.
- 6.13 Representations
- 6.14 The application was advertised by means of neighbour notification letters, site

notices, and an advertisement in the Eastern Daily Press newspaper.

6.15 18 letters of concern/objection were received, raising the following issues:

- How will the issue of parent parking will be addressed with this expansion – drives are regularly blocked by inconsiderate parents parking their cars illegally on pavements. I presume the additional car parking planned is for staff use and not parents?
- A dangerous situation that has arisen over the years is at the unmarked school entrance from Sandringham Drive, which does not have any parking restrictions
- Parents are parking on the pavement and across the path to the school, giving the children and parents who walk to school no option but to cross the road between parked cars. If there were zig zag school road markings each side across the footpath it would give children a chance of survival
- Hope the plans will take into account the congestion caused by parking around the school and along the upper end of Civray Avenue which will only increase
- With parking on both sides of the road it makes passing through the area very difficult and would certainly not allow an emergency vehicle through
- The location is unsuitable for the current levels of traffic movement and parking during children drop-off and collection times morning and afternoon
- Any increase in pupil numbers at Hillcrest Primary School will greatly increase the possibility of a serious injury or fatality of a child or children
- The construction of a two-storey building will definitely take away the privacy of the properties close to and be overlooked by the proposed construction. This will reduce their value and spoil their south, south easterly outlook and view
- Building close to the school boundary will affect the aesthetic nature of this boundary bringing residential and school accommodation into close proximity of each other to the detriment of the current spacious and beneficial privacy balance that currently exists
- There is also a valuable wildlife area in the corner for the school grounds close to the proposed building that would be seriously compromised by the new structure
- The design of the building will not inspire pride in the pupils or adults who view or use this facility
- There are already several reported antisocial incidents reported to the police that have involved school pupils and parents in the play and drop-off areas in question, this will only increase if school pupil numbers are increased. Littering, damage and other antisocial problems will increase
- The sighting of the new building will affect the garden and upper floor view of at least six boundary properties and at least eight other properties around the play area, plus the view from the play area itself
- A greater distance between any constructions and the school boundary would be in the interest of all parties concerned, as would the pre-construction completion of purpose built drop-off and pickup arrangement made within the existing school grounds or through the high school and leisure centre entrance on the Bexwell Road

- Increase the congestion and safety risks and add further pressure on a quiet residential road
- Parking to drop off and pick up is heavily congested and potentially dangerous especially the junction between Sandringham road and Hillcrest...the introduction of further yellow lines would be beneficial (sic)
- This structure will have a severe and dangerous impact on the roads surrounding the school...The safety of both the residents and school children will be increasingly compromised were the planning application to go ahead
- The new stand-alone building will take away privacy...The plans show it as a two storey block sited close to the boundary of residential properties... the building is to be erected at an angle so that the upper floor windows of the building will look directly into the rear rooms and back gardens of these properties
- The infrastructure of the road system around the school was never designed to cope with the volume of traffic that currently exists at school set-down and pick-up times
- The car parking issues down Hillcrest have become chronic recently and dangerous to the children, the parents park anywhere
- Since the past Headteacher closed the school to parents dropping off children or parking in a safe environment the parking in Hillcrest and Civray have become dangerous and extremely intrusive to residents (sic)
- Increasing the school capacity and therefore the number of cars every day will increase these issues proportionally - the road is not wide enough for parking down both sides - the cul-de-sac end being filled completely with cars twice a day
- The traffic chaos in both Hillcrest and Civray Avenue is an 'accident waiting to happen'
- As there is no designated drop off area adjacent to the school parents park their cars willy-nilly along both sides of Hillcrest and Civray Ave and accompany their young children to the school gate
- If this expansion is to go ahead then a proper drop off area within the school precincts must be provide with a traffic flow that allows safe and speedy drop off of the children. This should be an integral part of the planning application
- It is only a matter of time before a child is injured or worse
- The current road situation during School drop-off and pick-up times is dangerous so what will it be like once the 2 storey blocks have been built... If you can reassure all the residents that there will be ample parking in the school grounds and double yellow lines/slow down signs and more speed bumps along Civray when maybe we wouldn't feel so against the plans (sic)
- Object at the planned location of the building as I would now be looking out over a two storey extension which will not be as pleasant as the current open field
- Build a new school some were it does not affect residents and the safety of people
- Safety of the public; parents, children, pedestrians and drivers owing to the increased amount of Illegally parked vehicles outside the school and along

the whole length of Hillcrest road and Civray Avenue

6.16 7 letters of support were received; comments summarised below:

- The proposed plan will not only provide an improved learning environment for pupils to further excel their abilities but also help keep up with the ever growing demand for school places from the expanding town
- For peak times that additional timed school safety zone signage and that clearer road marking are put in place in key areas to aid in the safety of children, parents and surrounding residents
- The school desperately needs a purpose built building to educate children and get them out of the "6" mobile classrooms currently being used. The proposed extension will be a fantastic addition to the school giving the children a warm, clean environment with upto the minute technology
- The proposed extension to Hillcrest Primary School to be entirely necessary. As the town expands it is obvious that children will need to be schooled somewhere
- This planning application is going to improve the school facilities... The school is growing due to the additional children that need schooling so it is necessary for it to expand
- They are looking out for their pupil welfare and no more mobiles. Those kids will finally be taught in a proper classroom. Also given the amount of new housing which have been set up in Downham Market and surrounding area, it's a given that the school would expand to take the extra children
- This scheme will be very beneficial

6.17 In response to the representation received the applicant provides the following statement:

"In response to significant population growth in Downham Market the Local Authority proposes to expand Hillcrest Primary School from 2 forms of entry (420 pupils) to 3 forms of entry (630 pupils) in order to meet its Statutory Duty to ensure sufficient school places. The other primary school in the town, Nelson Academy, has previously increased its own capacity and the opportunities for further expansion is limited by site and access constraints. It is essential that sufficient school places are provided to meet local demand and Hillcrest Primary School offers the only opportunity to do this within Downham Market. Hillcrest School is also reliant on 5 mobiles comprising 7 class-bases which will be removed on completion of the project. Children will thus be provided with purpose built teaching accommodation of a high standard.

The project includes measures to improve vehicle and pedestrian safety including an additional pedestrian route into the site. Adequate on-site parking for staff and visitors will be provided. The School will continue to engage with children and parents to encourage travel to school by sustainable means and have consideration to neighbours if delivering children by car. An up to date travel plan will be provided in accordance with the planning requirements".

6.18 The planning response to the representation received is as follows:

- It is acknowledged that the proposed development will result in an

increase in traffic and general activity in the immediate area. This is typical of a school environment at the pick-up/drop off times of the school day. The applicant is committed to deliver a package of off-site highway works to help manage the increase traffic and review its school travel plan to encourage alternative modes of travel

- The issue of inconsiderate parent/carers blocking drives and the highway in the immediate area is a matter for the police to address
- The siting of the proposed development takes into consideration the occupiers of adjacent property and it is considered that the separation distances achieved to those properties are sufficient so as not to result in a detrimental impact on amenity
- Devaluation of property and loss of views are not material planning considerations and cannot be taken consideration when determining the application
- The proposed development includes crime prevention measures, which together with the existing measures would help to reduce crime and disorder

7. Assessment

7.1 The issues to be assessed for this application are:

7.2 Principle of development

A basic principle when assessing planning applications is outlined in Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004 which states:

“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

7.3 In terms of the development plan, the County Planning Authority considers the relevant documents in relation to this application are the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and King's Lynn & West Norfolk Borough Council Local development Framework – Core Strategy (2011). Whilst not part of the development plan, policies within the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also a further material consideration of significant weight.

7.4 Downham Market has been designated a neighbourhood plan area. The next stage is to prepare the plan and once adopted the neighbourhood plan will sit alongside the Local Plan. Whilst a material consideration, given the early stages of preparation, little weight is afforded to this in the determination of this application.

7.5 Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) permits development within the development boundaries shown on the proposals map provided it is in accordance with the other policies in the Local Plan. In this case the application site lies within the development boundary for Downham Market on the proposal map.

- 7.6 Policy CS02 of the Core Strategy (CS) sets out the settlement hierarchy for the Borough of King's Lynn and West Norfolk and designates Downham Market as a 'Main Town', where its role is to provide essential convenience, services and / or tourist facilities and deliver opportunities for employment and residential development.
- 7.7 Policy CS04 of the CS states that further growth of the town will need to be balanced with the need to provide additional services and local facilities to address both existing shortcomings within the existing level of services and the needs of future residents. In recent years the pupil numbers at the school have been increasing, and to cater for this temporary modular accommodation has been placed within the school site. This planning application by the County Council's Children's Services proposes to replace the temporary accommodation with a nine class base new block and extension to the existing reception classroom.
- 7.8 Both the DCLG Ministerial Policy Statement on Planning for Schools Development (2011) and paragraph 72 of the NPPF attach great weight to the need to expand schools and places great importance on ensuring efficient choice of school places are available. This proposal will enable the County Council as Local Education Authority (LEA) to improve the education accommodation at the school.
- 7.9 This is a brownfield site, an established school site which has been developed over the years and lies within the development boundary. Therefore the principle of an expansion to the school is considered acceptable, subject to the consideration of the material planning considerations discussed in this report.
- 7.10 **Amenity (noise, dust, light pollution etc)**
- 7.11 Relating to amenity Policy DM15 of the SADMPP, Policies CS08, CS12 of the CS and Chapter 7 of the NPPF seek to prevent unacceptable risks from pollution on the natural environment and general amenity. The SADMPP states that development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents.
- 7.12 The application site is surrounded by residential properties predominately 2 storey in height and Downham Market Academy to the south-west boundary. The proposed stand-alone block would be sited at a distance in excess of 21 metres (m) away from neighbouring property on Civray Avenue. Properties on Sandringham Drive and Hillcrest would be separated by a distance of more than 19m. The application submission is accompanied by a shadow casting analysis diagram, which illustrates there would be overshadowing on neighbouring properties during the winter months, but this would be limited.
- 7.13 Should planning permission be granted it is intended to undertake the development in phases. Construction access would be via Hillcrest with a compound set up to the south of the school building adjacent the boundary with properties on Sandringham Drive.
- 7.14 The application is accompanied by a Light Assessment which indicates that wall mounted lighting will be incorporated onto the external elevations of the stand alone block at approximately 2.7m (h). Pole mounted lighting will be installed at a height of 6m to illuminate the car park. Lighting will be controlled by photocell and time switch off controls to minimise disturbance to occupiers of neighbouring

properties.

- 7.15 The construction consideration statement details how the demolition and construction phases will be managed to reduce the impact on occupiers of neighbouring properties and the wider environment. Amongst other criteria, this statement covers site access, construction traffic, storage of materials, noise and general contractor site conduct.
- 7.16 Heat ventilation recovery units are to be located on the roof of the proposed classbase block with noise reducing casements and attenuated ductwork. According to the submitted noise statement, the proposed new block is designed to meet the Department for Children, School and Families (DCSF) Building Bulletin 93: acoustic design of schools – performance standards, meaning that environmental noise emission and transmission will be limited, both internally and externally.
- 7.17 The Environment Health Officer (EHO) does not raise any objection to the application on environmental quality or amenity grounds. Given the age of the building, the demolition/refurbishment works could contain the presence of asbestos. The handling of asbestos is dealt with under separate legislation, therefore the EHO recommends that an informative is imposed on any grant of planning permission drawing the applicant's attention to this. Compliance with the submitted construction consideration statement and lighting assessment together with the imposition of an informative relating to environmental protection, will ensure there are sufficient measures to control and reduce the potential impacts on local residents during the construction phase.
- 7.18 Given the design and scale of the proposed development, the separation distances to neighbouring residential properties and boundary treatments, it is considered that the proposed development would not have a detrimental impact on the amenities of those properties, by reason of overlooking, over shadowing, noise, dust, odour or light pollution or loss of privacy, in accordance with the aforementioned relevant national and local planning policies.
- 7.19 **Design**
- 7.20 Policy DM15 of the SADMPP advises that the scale, height, massing, materials and layout of a development should respond to its local setting through high quality design and use of materials. Generally Policy CS08 of the CS and Chapter 7 of the NPPF encourage similar principles of achieving good design.
- 7.21 The proposal comprises refurbishment works to the main school building and a single storey, pearl block work, grey slate effect hipped roof extension to the reception classroom situated to the southern boundary of the site. The design, scale and materials of the proposed extension reflects that of the main school building, with the exception of the elevation facing the main entrance, which will consist of a patterned brick design. The applicant in the submitted Planning Statement states this is to add texture, interest and contrast, to the existing grey block work of the school buildings on site.
- 7.22 The 2-storey flat roof, rectangular shaped standalone 9 classbase block would be situated on an area of playing field to the north-eastern part of the site at an angle to the properties on Civray Avenue. Both floors have a standard functional internal layout, with classrooms (and associated rooms) served off a central circulation corridor; internal access is via a staircase at both ends of the block

and a platform lift. It is intended to construct the standalone classbase block using a blue engineering brick plinth with buff brick walling material above, grey felt roof and aluminium powder coated windows. The applicant in the accompanying Planning Statement advises that the detached classbase block is not intended to replicate the appearance of the main school building, but seek to provide simple and clean elevations, incorporating a limited palette of materials. Material samples are included on the elevation plans, which would remove the need to submit samples of materials prior to the commencement of development should planning permission be granted.

- 7.23 Having reviewed the application submission, Kings Lynn & West Norfolk Borough Council queried the choice of walling materials for the classbase block, however this was considered acceptable, less oppressive than the existing pearl/grey blockwork, and more in keeping with neighbouring properties which are constructed of a mixture of red and buff brick, and part render.
- 7.24 In terms of crime prevention measures the school has installed a security alarm and gated/vehicle barriers access. To enhance the school site protections, the proposed development incorporates a security alarm, lighting to the car park and new perimeter fencing. The applicant is not sure the expansion of the school will increase crime and anti-social behaviour and advises that the school has just received an Ofsted 'Good' rating which shows how well the school is being run. In the absence of a consultation response from the Architectural Liaison Officer, the proposed measures to reduce crime are considered acceptable.
- 7.25 Whilst the design of the standalone classbase block differs from that of the main school building, its flat roof and 2-storey nature limits the overall height and the land take needed to meet the applicant's requirements, and the parapet would limit the views of the plant and PV on the roof. The siting, design and materials of the proposed development is considered acceptable and in accordance with design related planning policies.
- 7.26 **Landscape / Trees**
- 7.27 Policies CS08 and CS12 of the CS seek to protect and enhance the landscape character of the Borough and Chapter 11 of the NPPF encourages good design to limit the impact on landscape and nature conservation.
- 7.28 The application site comprises trees within and on the periphery of the school site, therefore an Arboricultural Impact Assessment (AIA) forms part of the application submission. The report concludes that to facilitate the proposed development requires the removal of 3 trees to the north-east and south-east boundary of the site. To mitigate the loss of the trees, it is proposed to provide replacement planting consisting of field maple, common alder and hornbeam along the northern boundary of the site. All other trees to be retained are to be adequately protected during construction should planning permission be granted.
- 7.29 The Council's Senior Arboriculture & Woodland Officer does not raise any objections subject to works being carried out in accordance with the AIA and landscaping plan, and that protective fencing is erected in accordance with the Tree Protection Plan prior to commencement of any construction activity on site. This is considered a reasonable request and would be secured by the imposition of suitably worded conditions on any grant of planning permission.

- 7.30 It is considered that the proposed development can be carried out without having a detrimental impact on the trees within the site, and proposes sufficient mitigation measures, in accordance with the relevant tree and landscape related planning policies.
- 7.31 **Biodiversity and geodiversity**
- 7.32 The overall principles of Policy CS12 of the CS and Chapter 11 of the NPPF seek to conserve and / or enhance the biodiversity of a site when determining planning applications.
- 7.33 The site comprises areas of grassland, hardstanding, a pond, trees and hedging, consequently the application is accompanied by an Ecology Report. The report concludes that the areas of the proposed development have no realistic potential to support any protected or valued species and the habitats which would be impacted are of negligible ecological value. Standard mitigation measures, (such as the timing of tree/shrub removal, presence of protected species and storage of waste materials), and enhancements (such as additional landscaping) are advised as a precaution.
- 7.34 Having reviewed the application submission the Council's Ecologist does not raise any objections and suggests that regarding enhancement measures, if planting is not desired, bird/bat boxes could be placed in suitable locations within the school site and deadwood piles would be beneficial to increase biodiversity opportunities.
- 7.35 It is considered that the proposed development can be undertaken without having an adverse impact on protected species and/or other valued species, in accordance with the relevant planning policies relating to ecology/biodiversity.
- 7.36 Appropriate Assessment
- The site is situated within 10 kilometres of the Ouse Washes RAMASR, Special Protection Area (SPA) and Special Area of Conservation (SAC), an internationally protected site. The application has been assessed in accordance with Regulation 61 of the Conservation of Habitats and Species Regulations 2010, and based on the information submitted to the County Planning Authority (CPA), it is considered that the development would not have a significant impact on this or any other protected habitat. Accordingly, no Appropriate Assessment of the development is required.
- 7.37 **Transport**
- 7.38 Policies DM15 and DM17 of the SADMPP require proposals to demonstrate that safe access to development can be achieved and adequate parking provision can be provided having regard to the County Council's parking standards. Policy CS11 of the CS and Chapter 4 of the NPPF encourages the use of sustainable modes of transport.
- 7.39 The main vehicular and pedestrian access to the school is off Hillcrest. Other pedestrian access points are via Civray Avenue and Sandringham Drive. Submitted plans show an extension to the existing car park to the north-eastern area of the site providing an additional 20 car parking spaces, increasing the total parking provision to 57 spaces. Additional cycle/scooter spaces are also to be

provided within the school site.

- 7.40 It is acknowledged the expansion of the school will increase activity within the immediate area at the start and end of the school day; however this is common of schools throughout the County. To alleviate and manage the increased traffic the proposed development will generate the applicant proposes a package of off-site highway works including 'school keep clear' signs, double yellow line restrictions, dropped kerbs and pedestrian crossing points. This is welcomed by the Highway Authority and would require the imposition of suitably worded conditions on any grant of planning permission to secure the works.
- 7.41 Whilst the highway concerns raised by local resident are noted paragraph 32 bullet point 3 of the NPPF states that "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". In this case, the Highway Authority is satisfied that safe access/egress to the school can be achieved and the level of car, scooter and cycle parking is sufficient. Together with the proposed off-site highway works, (which will help limit the impact of the development on the highway network), it is considered that the proposal can be delivered without having a severe impact on highway and pedestrian safety, in accordance with the aforementioned highway related planning policies.
- 7.42 **Sustainability**
- 7.43 Policy DM15 of the SADMAPP, Policy CS08 of the CS and Chapter 10 of the NPPF promote sustainable development and encourage opportunities to achieve high standards of sustainability and energy efficiency.
- 7.44 The accompanying Sustainability Statement states that ventilation to the proposed new block and extension will be provided by natural ventilation, (utilising natural ventilation stacks at the rear of the classrooms with openable windows) and mechanical ventilation to the toilet facilities. The existing natural gas supply (by means of gas fired condensing boilers) will be extended to serve the proposed classbase block to provide heating and hot water. The installation of approximately 66 PV panels (100m²) on the roof of the block would provide for 10% renewables in line with planning policy for this type of major development and incorporate flow restrictors to limit the amount of water wastage.
- 7.45 The energy efficiency measures incorporated into the proposal are considered acceptable, and on balance in line with planning policy. The applicant has provided sufficient justification as to the reason other energy strategies have been disregarded.
- 7.46 **Flood risk – tidal / fluvial / pluvial**
- 7.47 Policy DM21 of the SADMPP and Policies CS01 and CS08 of the CS seek to guide development from areas of flooding. Paragraphs 99 - 104 seek to minimise flood risk, locating development in areas at least risk of flooding, thereby reducing the causes and impact of flooding.
- 7.48 For planning policy purposes 'flood risk' relates to all sources of flooding. According to the Environment Agency (EA) flood map, the application site lies within flood zone 1 – low risk of tidal and fluvial flooding. For the purposes of the Flood Risk Vulnerability Classification, 'Educational establishments' such as this fall within the 'More Vulnerable' classification as defined in the NPPG. This type of development is generally considered

acceptable in line with the Flood Risk Vulnerability and Flood Zone Compatibility table in the NPPG.

- 7.49 As a 'major' development as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015, with a site area in excess of 1 hectare, the application is accompanied by a Flood Risk Assessment. The report concludes that the proposed development will not give rise to increased risk of flooding, either on or off site.
- 7.50 In terms of planning policy this type of development is considered compatible for flood zone 1, it is not considered that the proposed development will give rise to tidal or fluvial flooding, in accordance with the relevant aforementioned national and local planning policies relating to flood risk.
- 7.51 According to the EA flood map, the application site is generally of low risk of surface water flooding, but there are small areas of medium to high risk of surface water flooding within the school site.
- 7.52 The application is accompanied by a Drainage Strategy. Infiltration tests on the site confirm the ground conditions are suitable for soakaways, therefore in line with the SuDS hierarchy it is proposed to dispose of surface water by a combination of means of soakaways and permeable paving. Initially the submitted details were not to the satisfaction of the Lead Local Flood Authority (LLFA) and an objection was raised due to the absence of acceptable flood risk information relating to infiltration, drainage calculations, exceedance flows and maintenance plan.
- 7.53 To resolve the objection raised, the applicant provided additional drainage information. Having reviewed the revised information, the LLFA are satisfied with the proposed drainage strategy and maintenance plan and remove their objection, and recommend that should planning permission be granted a condition be imposed requiring the drainage strategy to be implemented prior to the first occupation of the proposed development.
- 7.54 The proposed SuDS features to be incorporated into the proposal are welcomed and it is considered that surface water can be satisfactorily managed so as not to increase the risk of flooding on or off site, in accordance with the relevant flood risk planning policies.
- 7.55 **Playing pitch provision**
- 7.56 Policy CS13 of the CS promotes a health active lifestyle as does Chapter 8 of the NPPF. Paragraph 74 of the NPPF restricts the loss of existing open space, sports and recreational buildings and land including playing fields, unless it is demonstrated there is surplus provision, the loss resulting in the proposed development would be replaced by equivalent or better provision, or the development is for alternative sports and recreation provision, which outweighs the loss.
- 7.57 The proposed standalone block is to be sited on an area of playing field to the northern part of the site. In addition the proposal includes an extension to the existing hard play area located immediately to the north of the main school building and will release an area of grassland currently occupied by the modular accommodation.

- 7.58 Sport England initially raised an objection to the application because of the loss of sports pitch provision without adequate replacement to compensate. Following discussions with Sport England, the applicant submitted a revised plan showing the extended play area marked out with a netball court and 4 mini tennis courts; the remainder of the playing field to the north of the site shown to be able to accommodate a mini soccer (to FA recommended size for under 7/8 age group) and rounders pitch; and the playing field to west of the site shown to be able to accommodate an under 11/12 (age group) football pitch, 2 mini soccer pitches for under 9/10 age group to the FA recommended size, a 100m running track and space for a new turf cricket pitch to replace the existing artificial cricket pitch. Sport England are willing to remove their objection subject to conditions relating to the sports pitches shown on the revised plans being imposed on any grant of planning permission, to ensure the sports pitch provision is maintained to the levels shown on the revised plan, and to meet the future needs of the school. Sport England also recommends that the applicant/school considers entering into a Community Use Agreement (CUA), making the facilities available for use by members of the local community. The applicant advises that entering into a CUA would create a greater security risk around the school site. Given the safeguarding / security concerns expressed by the school, in this instance Sport England support the scheme without the need for a condition requiring a CUA.
- 7.59 In light of the revised pitch layout plan it is considered that the provision of the new games court provides adequate compensation and outweighs the impacts of the area of playing field lost to facilitate the proposed development, in accordance with the relevant planning policies.
- 7.60 It is to be noted that if Members of the Planning (Regulatory) Committee, when determining this application, reach the view that the recommended conditions could not be achieved by the applicant or are insufficient, or if Members are minded to approve the application without imposing the conditions, Sport England would object to the application. In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the application would then need to be referred to the National Planning Casework Unit, where the application would be reviewed and a decision made whether the Secretary of State would 'call-in' the application for determination.
- 7.61 **Environmental Impact Assessment**
- In accordance with the Town and Country Planning Environmental (Impact Assessment) Regulations 2011 the application was screened on receipt and re-screened at the determination stage and it is not considered that the development would have significant impacts on the environment. No Environmental Impact Assessment is therefore required
- 7.62 **The Community Infrastructure Levy**
- 7.63 The development is CIL liable and zero rated.
- 8. Resource Implications**
- 8.1 **Finance:** The development has no financial implications from the Planning Regulatory perspective.
- 8.2 **Staff:** The development has no staffing implications from the Planning Regulatory perspective.

8.3 **Property:** The development has no property implication from the Planning Regulatory perspective.

8.4 **IT:** The development has no IT implications from the Planning Regulatory perspective.

9. Other Implications

9.1 Human rights

9.2 The requirements of the Human Rights Act 1998 must be considered. Should permission not be granted Human Rights are not likely to apply on behalf of the applicant.

9.3 The human rights of the adjoining residents are engaged under Article 8, the right to respect for private and family life and Article 1 of the First Protocol, the right of enjoyment of property. A grant of planning permission may infringe those rights but they are qualified rights, that is, that they can be balanced against the economic interests of the community as a whole and the human rights of other individuals. In making that balance it may also be taken into account that the amenity of local residents could be adequately safeguarded by conditions albeit with the exception of visual amenity. However, in this instance it is not considered that the human rights of adjoining residents would be infringed.

9.4 The human rights of the owners of the application site may be engaged under the First Protocol Article 1, that is, the right to make use of their land. An approval of planning permission may infringe that right but the right is a qualified right and may be balanced against the need to protect the environment and the amenity of adjoining residents.

9.5 Equality Impact Assessment (EqIA)

9.6 The Council's planning functions are subject to equality impact assessments, including the process for identifying issues such as building accessibility. None have been identified in this case.

9.7 **Legal Implications:** There are no legal implications from the Planning Regulatory perspective.

9.8 **Communications:** There are no communication issues from a planning perspective.

9.9 **Health and Safety Implications:** There are no health and safety implications from a planning perspective.

9.10 **Any other implications:** Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

10. Section 17 – Crime and Disorder Act

10.1 It is not considered that the implementation of the proposal would generate any issues of crime and disorder, and there have been no such matters raised during the consideration of the application.

11. Risk Implications/Assessment

11.1 There are no risk issues from a planning perspective.

12. Conclusion and Reasons for Granting/Refusing of Planning Permission

- 12.1 The growth of the town and because of parental preference has seen an increased demand for pupil places at Hillcrest Primary School. In recent years this has been addressed by the provision of temporary modular accommodation, which in planning terms considered unsuitable for permanent retention. The County Council as LEA proposes to replace that accommodation with a permanent build that will enhance the current education provision at the school and will also enable the Council to provide sufficient school places, which it has a statutory duty to do.
- 12.2 In considering the planning balance, this is a brownfield, established school site within the development boundary for Downham Market, as identified on the proposals map for the Borough. The siting, design and materials of the proposed development are acceptable and it is considered that the proposal can be delivered without having a detrimental impact on trees, landscape or ecology/biodiversity. The proposed development is considered compatible for the flood zone it lies in and the proposed drainage strategy demonstrates the site can be adequately drained without increasing surface water flood risk on or off site. Whilst the proposal will result in the loss of playing pitch provision, the applicant seeks to mitigate this loss with the provision of a games court area on the proposed hard play area and has agreed to revise the layout of the remainder of the playing field to accommodate further sports pitches to the FA recommended sizes. It is acknowledged the proposed development would increase activity in the immediate area however the development is a satisfactory distance from neighbouring properties and adherence to the construction consideration statement will ensure during the demolition and construction phase amenity impact is limited. Also, the applicant is committed to providing a package of off-site highway works to help alleviate potential highway issues. It is considered the proposed development accords with planning policies in the development plan, and in accordance with national planning policies significant weight is afforded to the expansion of the school which would enhance the education provision and provide a choice of school places to meet the needs of the growing town.
- 12.3 The proposed development is considered acceptable and there are no other material considerations why it should not be permitted. Accordingly, conditional full planning permission is recommended.

13. Conditions

- 13.1 The development hereby permitted shall commence not later than three years from the date of this permission.
- Reason: Imposed in accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 13.2 The development must be carried out in strict accordance with the application form, plans and documents.
- a) S278 Highway Improvement Proposal for Hillcrest, Hogarth Road, Landseer Drive & Civray Avenue; NPS-DR-C-(**)- 105 Rev P1; dated 25

January 2018

- b) Arboricultural Impact Assessment prepared by A T Coombes Associates Ltd; unreferenced; dated 16 January 2018; received 16 January 2018
- c) Email and attachments from Graeme Taylor (NPS) titled Hillcrest Primary School Downham Market – Reply to LPA for Approval of Surface Water Drainage; dated 12 January 2018 16:07
- d) Email from Graeme Taylor (NPS) titled Y/2/2017/2010 – Hillcrest Primary School Downham Market; dated 12 December 2018 13:50
- e) Proposed Landscape GA; DR-L 800 Rev P8; dated 19.12.17; received 4 January 2018
- f) Existing Site Location Plan; NPS-DR-A-(00)-010 Rev P4; dated 21.12.17; received 4 January 2018
- g) Proposed Site Plan; NPS-DR-A-(00)-013 Rev P5; dated 15.12.17; received 4 January 2018
- h) Micro Drainage – Hillcrest Pipe network - Design Criteria for New Built & Carpark; unreferenced; dated 01.11.2017; received 6 November 2018
- i) A report on a ground Investigation at Hillcrest School, Downham Market (Factual) – Addendum prepared by A F Howland Associates; reference JJC/17.120/ADD; dated 25 September 2017; received 6 November 2018
- j) Drainage Strategy – Exceedance Flow Sketch; NPS-00-00-DR-C-(00)-600 Rev P1; dated 29.08.2017; received 6 November 2017
- k) Downham Market Hillcrest Primary School Drainage Maintenance Plan; unreferenced; undated
- l) Response to Planning comments from NPS; reference Y/2/2017/2010; undated; received 6 November 2018
- m) Level 1 flood Risk Assessment & Drainage Strategy prepared by JP Chick & Partners Ltd; reference IEI7/035/FRA; dated 5 July 2017
- n) Sustainability (& noise) Statement prepared by NPS Group; unreferenced; dated August 2017
- o) Parking Statement (v2) prepared by NPS Group; unreferenced; dated August 2017
- p) Planning Statement (v2) prepared by NPS Group; unreferenced; dated August 2017
- q) Lighting Assessment prepared by NPS Group; 17-1-185; dated 06-09-2017
- r) Miro Drainage – Hillcrest Pipe network – Design Criteria for Extension to Existing Building; unreferenced; dated 05.09.2017
- s) Constructions Considerations Statement prepared by NPS Group; Hillcrest Primary School: Hillcrest, Downham Market, Norfolk, PE38 9ND; dated 29/09/2017
- t) Existing Roof Plan; NPS-DR-A-(00)-040 Rev P2; dated 19.07.2017
- u) Existing Ground Floor Plan; NPS-DR-A-(00)-020 Rev P2; dated 16.08.2017
- v) Demolition Site Plan; NPS-DR-A-(00)-012 Rev P3; dated 15.08.2017
- w) Demolition Ground Floor Plan; NPS-DR-A-(00)-021 Rev P3; dated 16.08.2017
- x) Existing Ground Floor Plan; NPS-DR-A-(00)-020 RevP2; dated 16.08.2017
- y) Existing Site Plan; NPS-DR-A-(00)-011 RevP3; dated 29.09.17
- z) Existing Site Section; NPS-DR-A-(00)-700 Rev P2; dated 18.08.2017
- aa) Phase 2 Contractors Compound; NPS-DR-A-(00)-015 Rev P3; dated

- 16.08.2017
- bb) Proposed New Build Ground Floor Plan; NPS-DR-A-(00)-030 Rev P1; dated 11.09.2017
 - cc) Proposed New Build First Floor Plan; NPS-DR-A-(00)-031 Rev P1; dated 11.09.2017
 - dd) Proposed Roof Plan Existing Building; NPS-DR-A-(00)-041 Rev P3; dated 07.09.2017
 - ee) New Teaching Block Proposed Elevations; NPS-DR-A-(04)-110 Rev P2; dated 12.09.2017
 - ff) Proposed Elevations Existing Building; NPS-DR-A-(00)-102 Rev P3; dated 17.08.2017
 - gg) New Build Teaching Block General arrangement Plan – Roof; NPS-DR-A-(02)-042 Rev P2; dated 29.09.17
 - hh) Shadow casting analysis diagrams; NPS-DR-A-(02)-111 Rev P1; dated 20.07.2017
 - ii) New Build Teaching Block Typical Cross Section; NPS-DR-A-(02)-151 Rev P1; dated 12.09.2017
 - jj) New Build Teaching Block Typical Longitudinal Section; NPS-DR-A-(02)-150 Rev P1; dated 12.09.2017
 - kk) Proposed Site Sections; NPS-DR-A-(00)-701 Rev P2; dated 18.08.2017
 - ll) Proposed Extension and Refurbishment Plan; NPS-DR-A-(00)-022 Rev P1; dated 15 September 2017
 - mm) Proposed External Works; NPS-DR-A-(00)-710 Rev P3; dated 18.08.2017
 - nn) Bauder Technical Data Sheet; un referenced; dated 15-10-2014; received 6 February 2018

Reason: For the avoidance of doubt and in the interests of proper planning.

- 13.3 The external materials and finishes used in the construction of the development hereby permitted shall be as detailed on drawing references NPS-DR-A-(04)-110 Rev P2 and NPS-DR-A-(00)-102 Rev P3 and shall be retained as such.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy DM15 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Chapter 7 of the NPPF.

- 13.4 The landscaping scheme hereby permitted shall be implemented within the first planting season (October to March), following completion the development. Any plants which, within a period of five years from the completion of the planting die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species. All planting shall be retained for a period of five years after initial planting has been completed and any trees and shrubs which are substantially damaged, seriously diseased or die, shall be replaced within twelve months of removal or death, with plants of a similar species and size.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policies CS08 and CS12 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) and Chapter 11 of the NPPF.

- 13.5 Prior to the commencement of the use hereby permitted the vehicular access

onto Hillcrest shall be modified in accordance with the Norfolk County Council specification as outlined on drawing number NPS-DR-C-(**)-105 Rev P1. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.6 Prior to the commencement of the use hereby permitted the proposed access / on-site car (general & disabled bays) and cycle parking (covered) / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans NPS-DR-A-(00)-013 Rev P5 and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.7 The scheme for the on-site parking for construction workers as outlined on drawing NPS-DR-A-(00)-015 Rev P3 shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.8 For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Consideration Statement. In addition all measures outlined within the statement shall be implemented throughout the construction period.

Reason: In the interests of maintaining highway efficiency and safety, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.9 Prior to the commencement of the use hereby permitted the off-site highway improvement works for pedestrian crossing arrangements outlined on drawing NPS-DR-C-(**)-105 Rev P1 shall be completed to the written satisfaction of the County Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.10 Prior to the commencement of the use hereby permitted a Traffic Regulation Order for the provision of School Keep Clear Markings and yellow line markings (indicatively shown on drawing NPS-DR-C-(**)- 105 Rev P1) shall be promoted by the Highway Authority.

Reason: In the interests of highway safety, in accordance with Policies DM15 and DM17 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

- 13.11 Within 6 months of the first occupation of the development hereby permitted a review of the existing school travel plan shall be submitted to and approved in writing by the County planning Authority in consultation with the Highway Authority. The travel plan shall be implemented in accordance with the timetables and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing in consultation with the Highway Authority as part of an annual review.

The travel plan reviews shall monitor pupil numbers and provide accordingly for the phased development of the future cycle parking (as agreed with the Highway Authority).

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment, in accordance with Policy CS11 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) and Chapter 4 of the NPPF.

- 13.12 Prior to the first occupation of the development hereby permitted, the playing fields shall be marked out with sports pitches as indicated on the revised site layout plan (Drawing Ref: NPS-DR-A-(00)-013 Rev P5), and maintained as such.

Reason: To maintain sport and recreation provision on this site, in accordance with Policy CS13 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) and paragraph 73 of the NPPF.

- 13.13 Prior to the first occupation of the development hereby permitted, a new grass cricket wicket shall be provided to replace the existing artificial pitch, in accordance with a plan to be submitted to, and approved by, the County Planning Authority in consultation with Sport England.

Reason: To maintain sport and recreation provision on this site, in accordance with Policy CS13 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) and paragraph 73 of the NPPF.

- 13.14 Prior to the first occupation of the development hereby permitted, the extended hard play area shall be marked out for games court use in accordance with the details contained within the amended site layout plan ref: NPS-DR-A-(00)-013 Rev P5, and maintained as such.

Reason: To maintain sport and recreation provision on this site, in accordance with Policy CS13 of the King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011) and paragraph 73 of the NPPF.

- 13.15 Prior to the first occupation of the development hereby permitted the drainage scheme detailed in the Level 1 Flood Risk Assessment and Drainage Strategy,

JP Chick & Partners Ltd, Consulting Civil and Structural Engineers, additional information received by email on 08/11/2017, 15/12/2017, 12/01/2018 and drawing NPS-00-00-DR-C-(00)-600 P1, will be implemented in full.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

- 13.16 Notwithstanding the submitted plans, prior to the construction of the roof of the standalone classbase block hereby permitted, detail specification of the proposed photo-voltaic panels shall be submitted to and approved in writing by the County Planning Authority. The photo-voltaic panels shall thereafter be installed in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy DM15 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016) and Chapter 7 of the NPPF.

- 13.17 Within 3 months of occupation of the proposed development hereby permitted or by 1 August 2019, whichever is the sooner, the existing modular accommodation and all associated development shall be removed and the site reinstated as shown on drawing NPS-DR-A-(00)-013 Rev P5.

Reason: The temporary classrooms by virtue of their temporary construction are considered inappropriate for permanent retention; in the interests of an over development of the site and to ensure the long term retention of playing field provision, in accordance with Policy DM15 of the King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016); CS13 of the King's Lynn & West Norfolk Borough Council Local development Framework – Core Strategy (2011) and Chapter 8 of the NPPF.

- 13.18 INFORMATIVES:

- 13.19 For further information on school travel plans please contact Ian Dinmore on 01603 224248 or email <mailto:travelplans@norfolk.gov.uk> Schools that are required to generate or update plans should use the following link www.modeshiftstars.org/ so that they can use this National on line system to generate and update travel plans.

- 13.20 This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact Jon Hanner (01603 223273).

If required, street furniture will need to be repositioned at the Applicants own

expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

13.21 Environmental Protection Act 1990

Under the Environmental Protection Act 1990, the Local Authority has a duty to investigate complaints of nuisance and should a complaint be received, irrespective of planning consent, the Local Authority may on determination of a Statutory Nuisance serve a legal notice requiring any said nuisance to be abated and failure to comply may result in prosecution. Further advice may be sought from the Community Safety and Neighbourhood Nuisance Team on this matter where necessary.

13.22 Noise Dust and Smoke from Clearing and Construction Work

Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the British Code of Practice BS5228:2009 which set down requirements for the control of noise during construction and demolition works. The contractor should also be made aware of the requirements of the Clean Air Act and Control of Pollution Act regarding the prohibition of site bonfires. The Council's Community Safety and Neighbourhood Nuisance Team can provide advice and assistance in this regard.

13.23 Asbestos removal

The proposed development will include the refurbishment/replacement of the existing building which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR 2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed in a suitable manner then the site may require a detailed site investigation and then become contaminated land as defined in Part 2A of the Environmental Protection Act 1990.

Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Control of Asbestos Licensing Regulations 2006. Licensed contractors only are permitted to remove asbestos which must be transferred to a licensed site.

Background Papers

King's Lynn & West Norfolk Local Plan – Site Allocations & Development Management Policies Plan (2016)

https://www.west-norfolk.gov.uk/info/20093/site_allocations_and_development_management_policies_plan/514/adopted_plan

King's Lynn & West Norfolk Borough Council Local development Framework – Core Strategy (2011)

https://www.west-norfolk.gov.uk/downloads/download/68/core_strategy_document

The National Planning Policy Framework (NPPF) (2012)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Planning Practice Guidance (2014)

<http://planningguidance.planningportal.gov.uk/>

DCLG Policy statement – planning for schools development (2011)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6316/1966097.pdf

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

Officer name : Angelina Lambert

Tel No. : 01603 223806

Email address : angelina.lambert@norfolk.gov.uk



If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.