

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

23 July 2019

**C6/19/01378/CMA - PLANNING APPLICATION FOR THE PURPOSES OF THE ERECTION OF SINGLE STOREY CLASSROOM EXTENSION (280 SQ. METRES), ERECTION OF GLAZED WALKWAY CANOPY (43 SQ. METRES), DEMOLITION OF EXISTING CORRIDORS (64 SQ. METRES), HARD STANDING AREA AND VEHICLE PICK UP AND DROP OFF AREA WITH EXTENDED CAR PARKING (1433 SQ. METRES) INSTALLATION OF 1.8 M GREEN WELD MESH SITE SECURITY PERIMETER FENCING, AND 1.8 M HIGH GATES, WIDENING OF ACCESS ROAD, CREATION OF FOOTPATHS, ERECTION OF 10 NO. 6 M HIGH LIGHTING COLUMNS, 6 NO. 4 M HIGH LIGHTING COLUMNS, 3 NO. 1 M HIGH LIGHTING BOLLARDS, 16 NO. EXTERNAL FIXED MOUNTED LIGHTING, REMOVAL OF TREES AND HARD AND SOFT LANDSCAPING ON LAND AT MOORSIDE INFANT & JUNIOR SCHOOL, HARROGATE ROAD, RIPON, NORTH YORKSHIRE, HG4 1SU
ON BEHALF OF CORPORATE DIRECTOR, CHILDREN AND YOUNG PEOPLE'S SERVICES
(HARROGATE DISTRICT) (RIPON SOUTH ELECTORAL DIVISION)**

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the erection of single storey classroom extension (280 sq. metres), erection of glazed walkway canopy (43 sq. metres), demolition of existing corridors (64 sq. metres), area and vehicle pick up and drop off area with extended car parking (1433 sq. metres) installation of 1.8 m green weld mesh site security perimeter fencing, and 1.8 m high gates, widening of access road, creation of footpaths, erection of 10 No. 6 m high lighting columns, 6 No. 4 m high lighting columns, 3 No. 1 m high lighting bollards, 16 No. external fixed mounted lighting, removal of trees and hard and soft landscaping on land at Moorside Infant & Junior School, Harrogate Road, Ripon, North Yorkshire, HG4 1SU on behalf of Corporate Director, Children and Young People's Services.
- 1.2 This application is subject to an objection(s) having been raised in respect of this proposal on the grounds of light pollution, noise nuisance, loss of trees and visual impact and is, therefore, reported to this Committee for determination.

2.0 BackgroundSite Description

- 2.1 The application site relates to Moorside Infant & Junior School, which is located to the south of Ripon in North Yorkshire and within a residential area. The site itself consists of two main school buildings, an Infant School and a Junior School. The Infant School building is located to the north-east and is a non-denominational school for students aged between 3 and 7 years of age. The Junior School building is located to the north-west and is non-denominational school for students aged between 7 and 11 years. Both school building likely have been built post World War II, are single storey structure and constructed of brown brick, timber cladding and glazed infill panels with a mixture of flat and lean-to roofs. There is also a temporary classroom unit, located to the rear of Infant School (north-east of the site) and has permission to remain on the school site until 19 September 2022.

- 2.2 The site is predominantly bounded by residential properties, consisting of a mixture of 2 storey and single storey properties. There is a small parade of shops on Lead Lane, located adjacent to the south of the site and also a Salvation Army centre on Lead Lane which abuts the southern boundary of the site.
- 2.3 There are various public highway that surround the site. The public highway of Lead Lane to the south, the rear boundary of properties along Highfield Road to the west, to the north is the boundary with the properties along Whitcliffe Grove separated by a pedestrian access and the eastern boundary is shared with the rear of the properties at Wendy Avenue and the vehicular access from Harrogate Road. The entrance to the site is gained directly off Harrogate Road which forms the school's main site entrance and the only vehicular access to the site. There are several pedestrian access points around the site which are gained from Harrogate Road (east), Whitcliffe Grove (north) and Lead Lane (south).
- 2.4 The boundary treatment to the east along the public highway of Harrogate Road consists of evergreen hedge (approx. 1.5m high) and wooden fence (approx. 1m high). To the south along Lead Lane is denoted by approx. 1.5 metre high evergreen hedge. To the west, it is partly denoted by 1.5 m high hedge and partly by 1.5 metre high boundary wall which runs along the rear of the properties of Highfield Road. To the north of the site boundary along Whitcliffe Grove, there is approx. 2 metre high deciduous hedge. The boundary treatment between the site and the rear of the properties of Wendy Avenue is denoted by approx. 2 metre high deciduous hedge (north-east), positioned on a raised area of grass land and further north it consists of 1m high wall and 1m high wooden fence affixed on top of it. There are a number of mature deciduous trees planted at various locations along all of the boundaries and in between the school buildings and within the site.
- 2.5 To the south of the main school building (both Junior & Infant School), there is an area of which is surrounded by an area of grass playing fields. There is a school car park to the east of the Infant School, which is accessible off Harrogate Road via a tarmac path to the north of the site. This path connects the site with Junior School and also leads to the additional school car parking area located to the north-east of the Junior School.
- 2.6 A plan showing the application site is attached to this report.

Planning History

- 2.7 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- C6/31/1628/J/CMA, 03 June 2014, Erection of a new prefabricated classroom unit and extension of the existing grasscrete car park – Withdrawn
 - C6/31/2164/D/CMA, 15 February 2013, Erection of playground equipment – Granted
 - C6/31/2164/A/CMA, 6 February 2006, Erection of an external link corridor – Granted
 - C6/31/1628/F/CMA, 4 November 2004, Construction of a car park extension – Granted
 - C6/31/2164/CMA, 21 July 2004, Erection of a corridor link extension – Granted

3.0 The proposal

- 3.1 Planning permission is sought for the erection of single storey classroom extension (280 sq. metres), erection of glazed walkway canopy (43 sq. metres), demolition of existing corridors (64 sq. metres), area and vehicle pick up and drop off area with extended car parking (1433 sq. metres) installation of 1.8 m green weld mesh site security perimeter fencing, and 1.8 m high gates, widening of access road, creation of footpaths, erection of 10 No. 6 m high lighting columns, 6 No. 4 m high lighting

columns, 3 No. 1 m high lighting bollards, 16 No. external fixed mounted lighting, removal of trees and hard and soft landscaping on land at Moorside Infant & Junior School, Harrogate Road, Ripon, North Yorkshire, HG4 1SU on behalf of the Corporate Director, Children and Young People's Services.

- 3.2 The applicant states in the Design & Access Statement that this application seeks planning permission due to the *'need to amalgamate the existing Infant and Junior schools onto a single site, currently the junior school site, to create an all-through primary school. Achieving this requires adaptations to toilets and creation of improved free-flow access from some classrooms. The current Moorside Infants school site will then be used as a satellite of Mowbray School, thus requiring changes to car parking, access for student transport and segregation requiring the alteration of boundary fencing. There is also a requirement to carry out further refurbishment works to the existing building fabric including internal refurbishment, replacement of thermally inefficient windows and panelling, replacement of the fire alarm system and boilers with associated pipework etc.*
- 3.3 An extension is proposed for a single storey structure which will be located on the western section of the existing Junior School building on the southern elevation. This element of the proposed extension would have an overall width of 10.13 metres, a depth of 24.2 metres and an overall height of 4.3 metres. The proposed extension would provide a nurture room with kitchenette area, PPA room, staff room, hygiene room, group work area, cloakroom area, additional WCs and corridor.
- 3.4 A further single storey extension is proposed to the opposite wing of the Junior School building on the northern elevation. The proposed extension would have a width of 4.2 metres, a depth of 13 metres and an overall height of 3.4 metres. This element of the proposed extension would provide a library area.
- 3.5 The application also proposes a glazed canopy which will be located to the north-west elevation of the existing classrooms on the middle arm of the Junior School building. It would have a width of 2.5 metres, a depth of 17.2 metres and a ridge height of 3.2 metres. The canopy would be supported by steel columns with a polyester powder coat finish.
- 3.6 The proposed materials for the extensions would be facing brickwork to match the existing or coloured render where timber window panels would be replaced. The roof would be flat roof construction with a grey mineral felt roof to match existing. Soffits, fascias and rainwater goods would be uPVC white coloured.
- 3.7 The new and replacement windows would be uPVC white with openable lights. The new and replacement doorsets, glazed or half glazed would be aluminium framed in red finish or in white.
- 3.8 The proposed extension would provide additional space and facilities for the amalgamation of the existing Infant and Junior Schools. The proposed scheme would also provide level access to all internal and external areas, hence ensuring areas are accessible by all users. The proposed extension would incorporate doors with effective clear opening widths that would be wheelchair accessible. The existing corridors would be demolished to make way for the proposed extensions.
- 3.9 The proposed scheme involves reconfiguration and extension of existing Junior School car park which would provide parking for school staff up to 26 parking bays of which 2 bays would accommodate DDA compatible parking areas. The extended parking would only provide parking for school during school usage hours only. A new footpath would be installed alongside the existing access road to the Junior School to provide safe pedestrian access to the Junior School.

- 3.10 The scheme also proposes the replacement of the existing Infant School's enclosed adventure play area and the grass-crete finished car park with a new tarmac car park with pick up and drop off loop provision compatible with large accessible vehicles and small buses. This would also involve felling of some trees in order to make way for the proposed car park. The new car park would provide up to 35 parking bays of which 2 bays would accommodate DDA compatible parking areas. Some of the parking bays would be double stacked parking bays to maximise staff parking bays. A designated area for pickup and drop off would also be provided to accommodate the needs of the school pupils of Mowbray School Satellite. The renovated car park would also provide visitor parking bays, indicated by low level car park signage. The existing entrance to the Infant School building would be accessible via a sloping DDA complaint footpath and it would connect to the pickup and drop off area and DDA compatible parking bays.
- 3.11 The existing access road leading to the current Infant Scholl would be widened to accommodate bi-directional vehicle travel. The access to Harrogate Road and the accompanying pedestrian path would also be widened. The proposed pick up and drop off area would incorporate soft landscaping to mitigate the impact of . The application also proposes tree replacement scheme of a mixed copse of 30 sapling trees comprising of silver birch, rowan and wild cherry trees which would be provided by the Woodland Trust and planted in autumn 2019.
- 3.12 The proposed scheme also consists of 1.8 metre high weld mesh fencing adjacent to the existing site boundary to provide security and enhance the current safeguarding provision. Visual mitigation would be provided to residential neighbours by allowing the existing hedge row to grow up to the 1.8 metre height of the proposed security fence to minimise impact of the new fence from neighbouring properties. The scheme also proposes 1.8 metre high lockable metal entrance security gates for pedestrian and vehicular access.
- 3.13 The scheme proposes external lighting consisting of 10 No. 6 m high lighting columns, 6 No. 4 m high lighting columns and 3 No. 1 m high lighting Bollards within the new pick up and drop off area with associated car park, the existing access road with new pedestrian footpath and extended Junior School car park. The proposed lighting would be controlled via a digital time clock with lights on and lights off period set, to ensure the car park is not illuminated at any time overnight. The column heads would be LED with no upward lighting, hence alleviating sky glow and no backward lighting causing light pollution. The column heads would also have a rear cowl fitted in order to reduce any direct sight of the LED head. The Design & Access Statement provides the details of the proposed lighting which states *'Each of the column heads shall incorporate SmartScan Technology by Thorlux Lighting (or equal), which have a built-in daylight sensor along with motion detection. This ensures that the luminaires are only illuminated whilst people or vehicles are within the car park area. For example; at dusk the lights can be pre-set to come on at a lower level say only 20%, if required, they can stay on at that lower 'security level' until a person/vehicle approaches the column. Once someone approaches the column, the luminaire will then detect a presence and will turn up to full output. We will program each sensor to send a signal to the other columns nearby to turn up to full output as a group, to illuminate the area for the person/vehicle as they move forward rather than slowing down and waiting for them to come on. Once the person/vehicle has left the area again, the columns will time out (set to any time we require) and will dim back to their pre-set 'security level'. This provides the area with excellent, very low level security lighting that not only saves energy, but also is less intrusive for neighbours.....and further is a design considerations for nocturnal natured fauna (bats) etc.'*

- 3.14 The application also proposes 16 No. external fixed mounted lighting to be provided around the perimeter of the proposed extensions. The external lighting would be controlled via a photocell and digital time switch complete with a manual override switch.
- 3.15 The application indicates that building site and compound access would be gained initially from the existing access off Harrogate Road leading to the existing Infant School and Junior School car park area for the proposed car park and access road works. The proposal also incorporates a separate temporary access to allow construction vehicles to access the site for the proposed extensions. The temporary site access would be located off Lead Lane and the applicant states that any hedge row and fence to be removed in order to facilitate access would be replanted and reinstated upon completion of the works. The temporary access would comprise a temporary road surface enabling vehicles to access the site. The temporary access would be removed upon completion of the works and areas affected would be restored to its former condition. During the construction period the temporary site access road and building construction site compound area would be enclosed by a Heras style fence, incorporating a double priority gating system.

4.0 Consultations

The consultee responses summarised within this section of the report relate to responses to consultation undertaken on the 27 March 2019 and the subsequent re-consultation on 6 June 2019 following the receipt of amended plans and Design & Access Statement relating to the amendments of the proposed scheme consisting of changes to the proposed car park layout, retention of trees, changes to the external lighting columns and soft landscaping.

- 4.1 **Harrogate Borough Council (Planning)** – No response has been received to either the initial consultation or the subsequent re-consultation (Correct 24th June 2019).
- 4.2 **Environmental Health Officer (Harrogate)** – A response was received on 28 March 2019. It raised no objection but recommended an informative for the proposed external lighting stating *‘The external lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011 (or later version). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.’* A re-consultation response was received on 6 June 2019 stating comments remain same as original response.
- 4.3 **Ripon City Council** – A response was received on 1 May 2019 stating *‘That the council does not object in principle but that it is concerned about the light pollution from 19 no high level lighting columns. That the council objects in the strongest terms to the removal of any trees where it is not absolutely necessary for both facilitation and level of risk reasons.’* No response has been received to the subsequent re-consultation (Correct 24th June 2019).
- 4.4 **NYCC Heritage - Principal Landscape Architect** – A response was received on 18 April 2019 objecting to the proposed scheme, stating *‘I object to the Application in its current form because the scheme is detrimental to local landscape character and setting of the school and is likely to adversely affect local amenity visually. The site is highly visible from Harrogate Road. The existing permeable grasscrete paving is to be removed. In particular this relates to removal of 2 mature trees at the school frontage (T1641 & T1642) and other soft landscape areas, and the increase in (to create car parking and drop off areas). There is no provision for tree and shrub planting to replace that removed, ‘soften’ or offset the adverse visual impact of the development fronting Harrogate Road.’* The Principal Landscape Architect requested further information / clarification in order to fully assess the scheme. Further information were submitted to address the concerns raised by the Principal

Landscape Architect. A re-consultation response was received on 28 June 2019 stating *'satisfied with the overall design and layout. But there are some outstanding issues:*

- Temporary trees protection measures – details are required now or will be needed as a pre-commencement Condition.

- The 'Proposed Junior and Infant School Block Plan' 18010-A-40 v. P5 still refers to green hatched areas as tarmac. The only green hatched areas on the plan are the planting beds. This should be corrected.

- Lighting impacts – no further drawing provided to reduce overspill to gardens and Harrogate Road. Is this correct?

Notwithstanding the above, a detailed landscaping scheme will be needed, planting to be implemented in the first available planting season. This could be requested though a suitably worded Condition.'

The agent submitted revised drawing to address the reference issue on the plan. The agent has agreed to pre-commencement condition and the lighting issues are still under consideration with ongoing discussion between Case Officer and the agent/applicant. A further response from the Principal Landscape Architect was received on 9 July 2019 stating *'I have reviewed the revised drawing and this clarifies the 'green hatch' issue. Tree and hedgerow protection will need to be a pre-commencement condition. I have no further comment or objection.'*

- 4.5 **NYCC Heritage – Ecology** – A response was received on 26 March 2019. It raised no objection but recommend that the mitigation measures set out in section 5.1 of the Ecological Impact Assessment (EclA) report should be secured by condition. The Ecology Officer also highlighted the presence of mature Ginkgo tree on the proposed access route and suggested to consult with the Council's Arboricultural Office regarding its significance and appropriate protection measures. An Informative for works to trees to be carried out outside bird nesting season was also recommended by the Ecology Officer. A re-consultation response was received on 9 June 2019 stating *'the additional information does not affect our previous comments.'*
- 4.6 **Highway Authority** – A response was received on 15 May 2019 stating no objection to the proposed development. Recommended 5 conditions (relating to: 1) Construction Requirements, 2) Visibility Splays, 3) Provision of Approved Access, Turning and Parking Areas, 4) Travel Plans, 5) Construction Management Plan) and an informative (Licence from Highway Authority to allow works in the adopted highway) to be attached to any permission granted. A re-consultation response was received on 25 June 2019 stating *'I can confirm the local Highway Authority have no objections to the amendments. The revised car parking layout does result in 8 fewer car parking spaces, but the applicant has indicated the transport requirements for the school at maximum occupation may be in the region of 15-20 vehicles. Taking into account the staff parking requirements it is considered that this number of vehicles could be satisfactorily accommodated within the car park area. The drop off zone with the car park and service delivery bay off the access road onto the site could be utilised for mini buses and or small coaches if required.'* Further amendments submitted to the proposed revised car parking layout following discussion between the agent and the Landscape Architect. The Highway Authority were consulted on the amendments and a further response was received on 28 June 2019 stating *'The local highway authority have no additional comments to make regarding the latest amendments. The recommended conditions from the highway authority response dated the 15 May 2019 and still considered appropriate.'*
- 4.7 **NYCC Arboricultural Officer** – A response was received on 17 May 2019 stating *'1. The removal of T1641 and t1642 to accommodate additional parking spaces is not supported, both trees are 'B' category trees with a safe useful life expectancy of 20+ years therefore the proposal should seek to retain these trees b exploring alternative car parking arrangements.'*

2. *The site access from Lead Lane would be the preferred options as this negates the impact on T1694 and T1695 which are both assessed as 'A' category trees. The proposed route should also seek to avoid impact on T1686 another 'A' category Tree.*
3. *A detailed TPP is required based upon the information within the Tree Survey this should be conditioned as part of any permission granted.*
4. *All tree protection measure should be installed prior to any construction works and should be sequential to the details provided in the TPP.*
5. *Any proposed tree works and facilitating pruning should be carried out prior to the commencement of any construction works by a suitably qualified and insured contractor.*
6. *A replacement planting plan should be submitted to mitigate any tree loss as consequence of the proposal, the suggested ration would be 1:1.'*

A re-consultation response was received on 28 June 2019 stating 'based upon the amended information I have the following comments:

1. *There are no objections to the revised tree removals.*
2. *The proposed tree works and the installation and maintenance of tree protection measures should be included in the Contractors Site Access and Phasing Plan'.*

- 4.8 **Sport England** – A response was received on 1 April 2019 stating '*The proposed development results in minor encroachment onto the playing field caused by the new fence. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. Consequently, Sport England are of the view that the proposal broadly meets exception E3 of our playing fields policy, in that: The proposed development affects only land incapable of forming part of a playing pitch This being the case, Sport England does not wish to raise an objection to this application.*' A re-consultation response was received on 11 June 2019 stating the amendments do not alter their original response and Sport England has no objection to the amendments.

Notifications

- 4.9 **County Cllr. Stuart Martin** – Responded on 21 April 2019 stating '*main concerns regarding this application is to do with the lighting columns and potential for light pollution to the neighbours.*' No response received to the subsequent re-consultation (Correct 24th June 2019).

5.0 Advertisement and representations

- 5.1 This application has been advertised by means of four Site Notices posted on 09/04/2019 (responses to which expired on 02 May 2019). The Site Notices were posted in the following locations:

- Harrogate Road, at main school entrance, east of the application site;
- Harrogate Road, further down the road, east of the application site;
- Lead Lane, south of the application site;
- Whitcliffe Grove, north of the application site.

- 5.2 Neighbour Notification letters for the original proposed scheme were sent on 26 March 2019 and the period in which to make representations expired on 16 April 2019. The following properties received a neighbour notification letter:
- 54C and 58 Harrogate Road, Ripon, North Yorkshire, HG4 1SU;
 - Grove House, 85 Harrogate Road, Ripon, North Yorkshire, HG4 1SX;
 - Flat 1, Flat 2, Flat 3 and Flat 4, Grove House, 85 Harrogate Road, Ripon, North Yorkshire HG4 1SX;
 - The Lodge, 1 Grove Close, Ripon, North Yorkshire, HG4 1SY;
 - 7 Grove Close, Ripon, North Yorkshire, HG4 1SY;

- 1A and 1-6 (inclusive) Wendy Avenue, Ripon, North Yorkshire, HG4 1TD;
- 37 and 39 Whitcliffe Crescent, Ripon, North Yorkshire, HG4 2JP;
- 28 Whitcliffe Grove, Ripon, North Yorkshire, HG4 2JW;
- 2-20 (even numbers only) Highfield Road, Ripon, North Yorkshire, HG4 2JZ;
- 1 and 2 Cedar Close, Ripon, North Yorkshire, HG4 2PQ;
- 11-41 (odd numbers only) Lead Lane, Ripon, North Yorkshire, HG4 2PF;
- The Salvation Army, Salvation Army Reachout Centre, Lead Lane, Ripon, North Yorkshire, HG4 2NE;
- 2 Dudley Walk, Ripon, North Yorkshire, HG4 2PJ.

5.3 A total of 2 letters of representation have been received raising objections on the grounds of:-

- Light pollution in a residential area;
- The height of the lighting columns;
- Hours of lighting operation;
- Security fence protruding above the hedge and request height is reviewed and is no higher than the hedge;
- Increase in noise from use of new car park;
- There is existing noise during and after school hours;
- Impact on residential amenity during winter months due to lack of foliage on the hedges and allowing car headlights into the garden and bedrooms. Also causes disturbance to pets from car headlights, banging of car doors and shouting;
- Concern to the proximity of the new car park to the residential garden and lighting columns, causing an increase in light pollution and noise nuisance.

5.4 The occupiers of the residential properties listed above were notified of the revised scheme. Re-consultation neighbour notification letters were sent on 6 June 2019 in regards to the amended plans and Design & Access Statement, the period to make representations expired on 20 June 2019.

5.5 A total of 4 further letters of representation (one of the representation is from the same neighbour who objected on the original scheme) have been received raising objections/concerns on the grounds of:-

- Light pollution to neighbours and the environment;
- The height of the lighting columns;
- Hours of lighting operation and how lighting would be managed;
- Concerned about the removal of trees;
- Need of lighting and why low level lighting not adopted if there is a need of such lighting;
- Hours of lighting operation;
- Drop-off zone would increase noise and air pollution;
- How the use of drop-off zone would be managed, time restriction, type of vehicles using drop-off zone, would engine be switched off to reduce noise and air pollution;
- Increase in noise by larger vehicles;
- Increase in traffic;
- There is already noise and complaints have been made to the school. The proposal will increase further noise nuisance;
- Suggestion to switch off engine while vehicle picking up and dropping off, to reduce noise level and to benefit the health of pupils suffering from respiratory problems;
- Noise also arising from after school clubs, specifically ones held on the weekend and after 5pm.

6.0 Planning policy and guidance

The Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the *Development Plan* consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils 'saved' under direction of the Secretary of State; and,
 - any planning policies contained within *Development Plan* Documents adopted under the Local Development Framework regime.
- 6.2 The *Development Plan* for the determination of this particular application comprises the following:
- The extant policies of the Harrogate District Core Strategy (2009);
 - The 'saved' policies of the Harrogate District Local Plan (2001).
- 6.3 The Harrogate District Core Strategy (adopted 2009) has particular relevance in the determination of this application and the policies most relevant include:
- Policy SG4 – Design and Impact
 - Policy C1 – Inclusive Communities
 - Policy TRA3 – Travel Management
- 6.4 Policy SG4 of the Harrogate District Core Strategy, entitled 'Design and Impact' with regards to residential amenity it states *'the scale, density, layout and design should make the most efficient use of land'*, and that the *'visual, residential and general amenity should be protected and where possible enhanced.'* This policy is consistent with the NPPF's objectives of presumption in favour of sustainable development, which relates to the importance of achieving a good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Therefore, full weight can be given to this policy in the determination of this application.
- 6.5 Policy C1 of the Harrogate District Core Strategy, entitled 'Inclusive Communities' states, *'Proposals for the use and development of land will be assessed having regard to community needs within the District, with particular importance placed on the following specific needs identified through the Harrogate District Community Plan and other relevant strategies and plans:*
- a. elderly people, especially in terms of open market housing, health, sport and recreation;*
 - b. young people, especially in terms of affordable housing, higher education/training and sport, leisure, cultural and entertainment facilities;*
 - c. the rural population especially in terms of affordable housing and access to services;*
 - d. disabled people, especially in terms of access to services and mobility.'*
- 6.6 This policy is also consistent with the NPPF's objectives of promoting health communities, as outlined in Chapter 8 of the NPPF, entitled 'Promoting Healthy and Safe Communities, emphasis the role that the planning system can have in facilitating social interaction and creating healthy and inclusive communities. Stating that planning policies and decisions should *'plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments.'* As well as *'Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.'*

- 6.7 Policy TRA3 of the Harrogate District Core Strategy, entitled 'Travel Management' identifies areas where the Council will work with the County Council and other transport providers to implement measures to reduce traffic congestion and improve accessibility to jobs, shops, services and facilities. The policy within the Strategy, paragraph 6.24 states that the *'availability of parking is a major influence on how people choose to travel. The Regional Transport Strategy identifies the importance of adopting a consistent approach throughout the Region to avoid undermining neighbouring authority's policies.'* It is considered that the policy is consistent with Chapter 9 of the NPPF entitled 'Promoting Sustainable Transport' which states that *'Transport issues should be considered from the earliest stages of plan-making and development proposals so that opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.'* It is therefore considered that Policy TRA3 is consistent with national guidance and is given weight in the determination of this application.
- 6.8 In addition to the Harrogate District Core Strategy (2009), the Harrogate District Local Plan (2001) also warrants consideration in relation to this proposal. The policies most relevant include:
- 'Saved' Policy HD20 - Design of New Development and Redevelopment
 - 'Saved' Policy C2 – Landscape Character
- 6.9 'Saved' Policy HD20, of the Harrogate District Local Plan, entitled 'Design of New Development and Redevelopment', advises that proposals must take into account the following design principles:
- *'New buildings must make a positive contribution to the spatial quality of the area and their siting and density should respect the area's character and layout;*
 - *The use and application of building materials should respect materials of neighbouring and the local area;*
 - *New development should respect the local distinctiveness of existing buildings, settlements and their landscape setting;*
 - *New buildings should respect the scale, proportions and height of neighbouring properties;*
 - *New building design should respect, but not necessarily mimic, the character of their surroundings and, in important location, should make a particularly strong contribution to the visual quality of the area;*
 - *The use and application of building materials should respect materials of neighbouring buildings and the local area;*
 - *New development should be designed with suitable landscaping as an integral part of the scheme;*
 - *Special consideration will be given to the needs of disabled and other inconvenienced persons, particularly in proposed developments to which there will be public access;*
 - *New development should respect the privacy and amenity of nearby residents and occupiers of adjacent buildings;*
 - *New development should maximise the opportunities for conservation of energy and resources through design, layout, orientation and construction;*
 - *New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment.'*

- 6.10 This Policy is considered partially consistent with the NPPF's objectives of achieving sustainable development through good design, as outlined in Chapter 12, in particular paragraph 127, which relates to development being *'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation of change.'* Furthermore, paragraph 130 states that *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents'*. It is therefore considered that the Policy HD20 is consistent with the aims of the NPPF and weight should be given to the determination of this application.
- 6.11 'Saved' Policy C2, of the Harrogate District Local Plan, entitled 'Landscape Character', states that *'development should protect existing landscape character. In locations where restoration of the landscape is necessary or desirable, opportunities should be taken for the design and landscaping of development proposals to repair or reintroduce landscape features, to the extent that this is justified by the effects of the proposal.'*
- 6.12 This Policy is consistent with the principles of the NPPF in relation to design. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.

Other policy considerations:

National Planning Policy

- 6.13 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:
- National Planning Policy Framework (NPPF) (published February 2019)

National Planning Policy Framework

- 6.14 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.
- 6.15 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government defines sustainable development as that which fulfils the following three roles:
- a) ***'an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - c) ***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'*

- 6.16 Within the NPPF, paragraph 11 of the Framework advises that when making decisions, development proposals that accord with the development plan should be approved without delay and when the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- i.) *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii.) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.*
- 6.17 This national policy seeks to ensure that there are positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.18 Paragraph 92 within Chapter 8 (Promoting healthy and Safe Communities) of the NPPF states that *‘to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- a) *plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - b) *take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
 - c) *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*
 - d) *ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
 - e) *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.’*
- 6.19 Paragraph 94 within Chapter 8 (Promoting Healthy and Safe Communities) of the NPPF states that *‘the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.’* Going on to specify planning authorities should take a *‘proactive, positive and collaborative approach to meeting this requirement’*. They should:
- a) *‘give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
 - b) *work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*
- 6.20 Paragraph 124-127 within Chapter 12 (Achieving Well Designed Places) of the NPPF states that local and neighbourhood plans should develop robust and comprehensive policies that set out a clear design vision and expectations of development that will be expected for the area. Such policies should be based on stated objectives and designed with local communities, so they reflect their local aspirations, and are grounded in an understanding and evaluation of each areas defining characteristics. Planning policies and decisions should aim to ensure that developments:
- a) *‘will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visits*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*

6.21 Paragraph 130 within Chapter 12 (Achieving Well Designed Places) of the NPPF states that *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'*

6.22 Paragraph 180 within Chapter 15 (Conserving and Enhancing the Natural Environment) of the NPPF states that *'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

- a) *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*

National Planning Practice Guidance (PPG) (2014)

6.23 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a *Written Ministerial Statement* which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Design

6.24 This states how good design is essential to sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also *'reflect an areas function, history, culture and its potential need for change.'* Ensuring a development can:

- deliver a wide range of planning objectives.
- enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.
- address the need for different uses sympathetically.

6.25 It is noted within the guidance that good quality design is considered to be ‘*an integral part of sustainable development.*’ To assist in the assessment of the design of a new development, it is noted that the following considerations be taken into account:

- *Layout – the way in which buildings and spaces relate to each other;*
- *Form – the shape of buildings;*
- *Scale – the size of buildings;*
- *Detailing – the important smaller elements of building and spaces;*
- *Materials – what a building is made from.’*

Light Pollution

6.26 Light intrusion occurs when the light ‘spills’ beyond the boundary of the area being lit. For example, light spill can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems (e.g. plants, animals, insects, aquatic life). It can usually be completely avoided with careful lamp design selection and positioning:

- Lighting near or above the horizontal is usually to be avoided to reduce glare and sky glow (the brightening of the night sky).
- Good design, correct installation and ongoing maintenance are essential to the effectiveness of lighting schemes.

6.27 Lighting only when the light is required can have a number of benefits, including minimising light pollution, reducing harm to wildlife and improving people’s ability to enjoy the night-sky:

- Lighting schemes could be turned off when not needed (‘part-night lighting’) to reduce any potential adverse effects e.g. when a business is closed or, in outdoor areas, switching-off at quiet times between midnight and 5am or 6am. Planning conditions could potentially require this.
- Impact on sensitive wildlife receptors throughout the year, or at particular times (e.g. on migration routes), may be mitigated by the design of the lighting or by turning it off or down at sensitive times.

Noise

6.28 This states how noise needs to be considered when new developments would be sensitive to the prevailing acoustic environment. The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. Local planning authorities’ plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

6.29 It also states that ‘*neither the Noise Policy Statement for England nor the National Planning Policy Framework (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.*’

6.30 In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. As noise is a complex technical issue, it may be appropriate to seek experienced specialist assistance when applying this policy.

Open space, sports and recreation facilities, public rights of way and local green space

- 6.31 This states how all open space of public value should be taken into account in planning for a new development. This can take many forms and have many benefits including health and wellbeing, ecological and contribute to green infrastructure. It is also important in achieving sustainable development. It is for local authorities to access the need for provision in their local areas but are required to consult Sport England in certain cases affecting playing fields. This also states public rights of way form an important component of sustainable transport links and should be protected or enhanced.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the *Development Plan* unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are summarised under the following headings:

Principle of the proposed development

- 7.2 The applicant states in the Design & Access Statement (Ref. 18010 Rev. P10, dated 11 July 2019) that the proposed development is required due to the *'need to amalgamate the existing Infant and Junior schools onto a single site to create an all-through primary school and to allow the current Moorside Infants site to be repurpose.'*
- 7.3 The proposal seeks to amalgamate the existing Infant School with the Junior School onto single, which is currently the Junior School site only. The current Moorside Infant School site would then be used as a satellite of Mowbray School. It is considered that under the Town and Country Planning (Use Classes) Order 1987 (as amended), both the amalgamation of the Infant & Junior School and the existing Infant site to be used as satellite of Mowbray School, fall under the same use classification 'D1 – Non-Residential Institutions', and as such planning permission is not required for this amalgamation as no change of use is proposed.
- 7.4 It is considered that the remaining elements of the proposed development (the single storey classroom extensions, erection of glazed walkway canopy, demolition of existing corridors, area and vehicle pick up and drop off area with extended car parking, installation of 1.8 m green weld mesh site security perimeter fencing, 1.8 m high gates, widening of access road, creation of footpaths, erection of 10 No. 6 m high lighting columns, 6 No. 4 m high lighting columns, 3 No. 1 m high lighting bollards, 16 No. external fixed mounted lighting, removal of trees and hard and soft landscaping) all require planning permission.
- 7.5 It is considered that the proposal seeks to create and enhance community facilities in terms of health, education and security, whilst enabling access by less able-bodied people. It is considered that the development will both protect the existing community services offered by the existing Moorside School, but also the amalgamation of the Junior & Infant School into one site will create additional service as the existing Infant School will be used as satellite of Mowbray School.
- 7.6 It is acknowledged that the development will result in the loss of the existing Infant School teaching space provision, however this is outweighed by the proposed extensions and associated works, and the continued use of the existing Infant site by Mowbray School for education provision. Furthermore no objections have been received in relation to the loss of the teaching space, and therefore it is considered that this is insufficient reason to refuse the application. Additionally, the principle of improving school facilities receives support within the NPPF in both ensuring

sustainable development, whilst supporting the need to alter and/or enhance existing school infrastructure. It is therefore considered that the proposed development is consistent with the NPPF, in that the proposal will facilitate social interaction and promote a conclusive community. Further support for the development is received within Policy C1 of the Harrogate District Core Strategy which seeks to create inclusive communities through developing education facilities. It is therefore considered the proposal accords with Policy C1 of the Harrogate District Core Strategy as the development will enhance existing and provide new community facilities. Therefore, the development is considered acceptable in principle, subject to consideration of other matters.

Design & Visual Amenity

Proposed Extensions and Glazed Walkway Canopy and External Fixed Mounted Lighting

- 7.7 The proposed single storey classroom extensions to Junior School are considered to be acceptable in terms of design, scale and appearance. This element of the proposal will occupy the position towards the central area of the existing Junior School building within the area and as such it will not be readily visible from the street scene. Furthermore it will be screened by the existing boundary treatment. The proposed extensions will have a similar design to the existing building and as such it will be in keeping and sympathetic addition to the original building. Additionally it will appear subservient to its host as it will have a lower ridge height than the existing building and proportionate to the main building. The extensions are proposed to be constructed of matching materials which is appropriate in appearance terms. Due to the scale and design, the proposed extensions will be seen in context of its host building. It is therefore considered that the proposed extensions will not have an adverse impact upon the visual amenity of the local area.
- 7.8 The proposed glazed walkway canopy is also considered to be acceptable in terms of design, scale and appearance. The proposed canopy will be situated to the northern elevation of the existing Junior School building and due to the topography and boundary treatment, the proposal will not be readily visible from the street scene. It is considered that the scale and external finish of the proposed canopy is sympathetic to the existing school site. Additionally the design is well formed with mostly glazing applied on all sides to reduce the impact of solid brick. It is considered that the structure with respect to its style and appearance will achieve a satisfactory match with the main body of the existing building. Overall, in design and visual amenity terms, the proposed canopy is therefore considered to be acceptable.
- 7.9 The proposed single storey extensions and glazed walkway canopy will not conflict with the existing school building and is not inappropriate for a school site. Additionally the external fixed mounted lighting proposed within the perimeter of the proposed extensions and glazed canopy and existing Junior School building is considered acceptable. This element of external lighting is not considered to have an adverse impact on the visual amenity. Therefore it is considered that the design and scale of the proposal is acceptable and consistent with Paragraph 124-127 of the NPPF and PPG guidance in terms of design because of it being of an appropriate design, optimising the use of the site and an enhancement to the school sites general amenity.
- 7.10 Additionally, the proposal is considered compliant with the Harrogate District Core Strategy Policy SG4 and Harrogate District Local Plan 'saved' Policy HD20 which states that the scale, density, layout and design should make the most efficient use of land and being proportionate to the context of the site.

Hard standing area, vehicle pickup and drop off area with extended car parking, widening of access road and creation of footpaths

- 7.11 This element of the proposal has been amended as it was considered to have an adverse impact on the visual amenity, in particular the renovated infant site car park. The Principal Landscape Architect and Arboricultural Officer, both objected to the original scheme on the grounds of impact on visual amenity and loss of trees. The scheme has been amended to address the issues by retaining two of the trees, reconfiguring the layout of the car park and soft landscaping and tree replacement scheme proposed.
- 7.12 It is acknowledged that the existing boundary treatment consisting of mature trees and hedgerow at the frontage of the site and the retention of two trees within the infant site car park area will provide partial screening to the access and car parking surface. However it was considered that the proposed car parking area to the infant site, will have some impact upon the visual amenity of the area, albeit of a revised scheme. It was therefore considered that additional changes to the revised car park layout together with the additional landscaping will be required to further mitigate the visual impact of the hard standing.
- 7.13 The Principal Landscape Architect requested further changes to the revised scheme in particular adding soft landscaping within the proposed Infant site car park in order to soften the impact of hard standing. The agent was made aware of this requirement and have submitted a further revised car parking layout for the infant site, providing additional soft landscaping to minimise the visual impact of the hard standing. The Principal Landscape Architect was consulted on the revised layout and he is satisfied with the overall design and layout of the scheme subject to the submission of the temporary trees protection measures and a detailed landscaping scheme. Additionally the Arboricultural Officer has been consulted on the amended scheme, although he has not objected to the revised tree removals, however have requested tree protection measures to be provided.
- 7.14 It is noted that whilst the revised car parking layout of the infant site and the proposed landscape scheme has addressed the objections, it is considered that the inclusion of planning conditions on any grant of planning permission is reasonable. Therefore a condition requiring the details of tree protection measures and a detailed landscaping scheme is to be submitted and approved to ensure that a suitable landscaping is in place to mitigate the impact of the development on the visual amenity of the area.
- 7.15 Overall the amended car parking layout has resulted in better design as two of the trees will be retained and additional landscaping is proposed to mitigate the visual impact. Therefore, the proposal is considered to be consistent with the aims of good design as outlined in both the NPPF (2019) and PPG (2014) for design and accords with 'saved' Policy C2 of the Harrogate District Local Plan which states that development should protect existing landscape character and opportunities should be taken to reintroduce landscape features.

External Lighting Columns

- 7.16 The proposed development further seeks to erect in total 19 external lighting columns (10 No. 6m high lighting columns, 6 No. 4m high lighting columns and 3 No. 1m high lighting bollards) to the north and east of the application site. This is to illuminate the new pick up and drop off area with associated car park (infant site), existing access road with new pedestrian footpath and extended Junior School car park, to make them safe outside of daylight hours. The original scheme has been amended by reducing the height of two of the lighting columns to 4m in order to address some of the objections raised.

- 7.17 The proposed lighting has been designed to ensure that there is minimal glare or light intrusion in accordance with Planning Practice Guidance for lighting (2014). The applicant states in the Design & Access Statement (Ref. 18010 Rev. P10, dated 11 July 2019) that the lighting will be controlled via a digital time clock where the lights on and lights off period can be set, to ensure that the car park is not illuminated at any time overnight. The applicant also states that *'each of the column heads shall incorporate SmartScan Technology by Thorlux Lighting (or equal), which have a built-in daylight sensor along with motion detection. This ensures that the luminaires are only illuminated whilst people or vehicles are within the car park area.'*
- 7.18 Whilst it could be argued that the lighting columns add further visual clutter it is considered that when viewed against the backdrop of adjacent school complex they would not have any significant visual impact on the area. This is supported by Planning Practice Guidance for light pollution and consistent with NPPF paragraph 180 which both state through careful design, correct installation and ongoing maintenance the effects of lighting can be limited.
- 7.19 However given its proximity to the rear of residential properties on Wendy Avenue, the agent/applicant has been made aware of this and have revised the scheme by reducing the height of the lighting columns to 4m high within the junior car park and 1m high lighting bollards within the pedestrian footpath area instead of 6m high lighting columns. An option for the complete omission of lighting within the proposed junior car parking area was also suggested to the agent, however the agent has affirmed that the school have concerns to the complete omission of the lighting due to the health and safety of their staff using the car park in winter months. It is acknowledged that the school's concerns are reasonable and therefore some form of lighting would be required.
- 7.20 The proposal has been subject to consultation with Harrogate Borough Council (Planning and Environmental Health Officers). No response has been received from the Planning Officer. A response from Harrogate Borough Council Environmental Health Officer raised no objection to the scheme, however requested an informative to be added on any grant of planning permission in regards to the external lighting complying with the Institution of Lighting Professionals Guidance Note.
- 1.8 m green weld mesh site security perimeter fencing, 1.8 m high gates
- 7.21 The proposed fencing and gates are considered to be acceptable in terms of design and appearance. It is not considered that the weld mesh fencing will have a detrimental impact upon the openness of the site and visual amenity of the surrounding area given that it is transparent and lightweight and not a solid visual barrier. Furthermore there is already similar mesh fencing that exists within the site and as such the proposal is considered to blend in with the existing fencing. Additionally the proposed colour finish is suitable, hence limiting the visual impact of the development and would be in keeping with the existing weld mesh fencing.
- 7.22 Whilst the application has received an objection on the grounds of visual impact, from a residence adjoining the site on the corner of the south-east boundary, the applicant has affirmed that the fence would not be higher than the existing hedge. Additionally, the proposed fence to the corner of south-east boundary of the site, will not be adjacent to highway, therefore the fall back position is that section of fencing can be erected under the permitted development rights as it does not exceed 2 metres in height.
- 7.23 The Principal Landscape Architect raised concern to a section of proposed fencing to the infant site car park (eastern elevation), at the frontage of the site facing Harrogate Road. It is acknowledged that the fencing is required to provide security to the site, however a small section of the fencing within the car park area (eastern elevation) is not considered necessary given that the site will be secured by the proposed fence to the southern elevation of the car park. It is considered that this would unbalance the

existing boundary treatment as a small section of fencing will stand out. The proposed fencing has been amended to address these issues. The Principal Landscape Architect has been consulted on the revised proposed fencing and he is satisfied with the amended scheme.

Local Amenity (Noise and Light)

- 7.24 It is acknowledged that the site is bounded by residential properties, hence the potential impact of the proposed development upon local amenity is an important consideration in the determination of this application. Furthermore, concerns have been raised to the proposed scheme having impact upon residential amenity in terms of noise, lighting and potential increase in vehicle movements arising from the proposal.

Proposed Extensions and Glazed Walkway Canopy and External Fixed Mounted Lighting

- 7.25 This element of the proposal is not considered to detrimentally impact the residential amenity of the neighbouring properties due to its siting, separation distance and boundary treatment.
- 7.26 The nearest residential properties are along Highfield Road, which are located at a distance of approx. 28 metres west of the proposal. It is therefore considered that due to the separation distance and siting, it would be unlikely that the proposal would have a detrimental impact on the amenity of these properties.
- 7.27 Therefore it is considered this aspect of the proposed scheme is in compliance with Policy SG4 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan. It is also consistent with the NPPF because the residential amenity of current or future occupants is unlikely to be detrimentally affected due to the boundary treatment and separation distance between the school and the residential properties.
- 7.28 It is acknowledged that during construction of the extension there is the potential for some impacts in terms of noise and so it is recommended that a condition be applied to restrict the hours of construction for the benefit of the amenity of the area. It is also though acknowledged that the Environmental Health Officer did not offer any objections to the proposed scheme in terms of noise.

Hard standing area, vehicle pickup and drop off area with extended car parking, widening of access road and creation of footpaths

- 7.29 The effect of the new extended car parking and the new pickup and drop off area would have on residential amenity is something that has been considered as an important issue in the determination of this planning application. It is further noted, that objections have been received to the potential impact of the proposal upon their amenity in terms of increase in car noise, lighting, air pollution from running engine and increase on traffic.
- 7.30 It is further acknowledged that the extended Junior School car parking area will be located on the north eastern boundary along the rear of the residential properties of Wendy Avenue. Whilst the proximity of the Junior School car park is near an existing boundary shared with residential properties, there is a substantial deciduous hedge along the boundary. The agent has affirmed that the hedge row is 2.0 metres high and predominantly agricultural and Hawthorn variety. It is considered that the existing boundary treatment will aid in screening this aspect of the proposal from nearby residential properties.

- 7.31 Furthermore it was noted from the site visit that the grassed area is currently being used for parking as there were cars parked within the proposed junior car parking area, hence the proposal is simply creating a designated parking area and therefore it is not considered to exacerbate the existing situation. Additionally the use of the car park would likely be transient unlike a building that would be occupied by staff or pupils for a period of time or a garage repairing cars. It is therefore considered that the proposed junior car parking would not have an adverse impact on the residential amenities.
- 7.32 Additionally the application does not propose change of school hours and the use of the extended car park will remain as existing and will provide parking only for the staff as indicated within the application documents.
- 7.33 In regards to noise arising as a result of the proposed car parking area, whilst it is accepted that there will be some noise generated from the vehicles visiting the school, it is not considered that the levels would have a significant adverse impact upon local amenity given the far more transient nature of use of the car park and for the reasons refereed in paragraph 7.31 above. Furthermore the Environmental Health Officer has been consulted on the scheme and has not raised objections to the proposal. It is therefore considered that this aspect of the proposal is acceptable and consistent with the principles of the NPPF in relation to noise, as outlined within paragraph 180 of the Framework, which seeks to ensure that developments do not result in, or generate unacceptable noise levels which would adversely impact upon local amenity or quality of life significantly, adding further weight in support of this application.
- 7.34 It is acknowledged that during the construction phase of the development, amenity would likely be affected to some degree but once constructed the school would function as it does now. Notwithstanding this, the proximity of residential properties is acknowledged. For this reason, it is considered appropriate to restrict the permitted hours of construction to avoid any such works taking place at unsociable hours, which would be secured and controlled through condition in the event that planning permission is granted for the development. This approach is considered to be consistent with the principles of the NPPF as outlined within paragraph 180 of the Framework, which advocates the use of conditions to further mitigate against the potential negative impacts of noise and to ensure appropriate protection of residential amenity. Furthermore the proposal is considered compliant with the Policy SG4 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan.
- 7.35 The proposed extended Junior School car parking area and the renovated Infant site car park with additional parking is not considered to be a significant loss of land. It is considered that the proposed parking will be more beneficial for the amenity of the area if the school had the provision to allow staff parking as well as visitor parking on site, as opposed to parking within the immediate surrounding area. It is noted that concerns have been raised in regards to an increase in traffic movement, however given the school would be able to provide adequate provision for staff and visitor parking, it is considered that the proposal would help to ensure no undue pressure upon the surrounding local highway network. Additionally the Highway Authority has been consulted on the scheme and they have raised no objection to the proposed development. The proposal is therefore considered to be consistent with the NPPF and PPG and accords with Policy TRA3 of the Harrogate District Core Strategy which aims to improve accessibility to jobs, shops, services and facilities.

- 7.36 There have been concerns raised in regards to air pollution from car engine kept running within the proposed pickup and drop off area and having an impact upon environment and pupil's health. However this would need to be monitored by the school to ensure engines are switched off. Furthermore, it has been noted that the Environmental Health Officer has offered no Environmental Protection objections in relation to this application. Additionally, Design and Access Statement submitted with application states *'The school will undertake a managed regime at these times such that vehicles will arrive and park in their respective positions with engines off before students are released. Loading of vehicles will then be completed with all students and passengers secured in their respective vehicles before drivers are allowed to make any vehicle movements.'*

External Lighting Columns

- 7.37 The proposed development further seeks to erect in total 19 external lighting columns (10 No. 6m high lighting columns, 6 No. 4m high lighting columns and 3 No. 1m high lighting bollards) to the north and east of the application site. This is to illuminate the new pick up and drop off area with associated car park (infant site), existing access road with new pedestrian footpath and extended Junior School car park, to make them safe outside of daylight hours. The original scheme has initially been amended by reducing the height of only two of the lighting columns along the western boundary of the Junior School car park to 4 metre high and positioned close to the tall boundary hedge row in order to address some of the objections raised.
- 7.38 It is noted from the submitted information that the proposed lighting has been designed to not emit light in an upward direction and the light heads will be fitted with shrouds, hence preventing direct views of the light source itself from the nearby residential properties. Additionally the proposed lighting will be controlled by daylight sensors, time clocks where the lights on and lights off period will be set and motion detectors to ensure it is only illuminated when it detects presence of people and vehicles within the car park area. Furthermore the brightness will reduce down to 20% of the full lighting brightness when the presence of people or vehicle movement is not detected. This will ensure whilst providing the required lighting, it will be less intrusive to the neighbouring amenities.
- 7.39 The potential for light pollution from the proposed lighting columns has been considered carefully and several options discussed during the course of the application, in particular its proximity to the rear of residential properties on Wendy Avenue. Whilst the design of the lighting columns is considered acceptable, however due to the proximity of the residential properties to the proposed junior car park and the pedestrian footpath, low level lighting is considered to be appropriate in order to safeguard the residential amenities. Furthermore it is noted that there have been concerns raised over the possibility of lighting pollution having a negative impact upon residential amenities. Therefore in order to address these concerns, the agent/applicant has been advised to consider an option for low level (1m high) bollard style lighting within the pedestrian footpath and 4 metre high lighting columns within the junior car park. The agent/applicant has agreed to the suggested option and have further revised the proposed lighting scheme as recommended by the Case Officer in order to protect the residential amenities of neighbouring properties.
- 7.40 The proposed lighting has raised objections from members of public, however it is noted that the Harrogate Borough Council Environmental Health Officer has raised no objections/concerns in relation to the proposed lighting. Therefore it is not considered necessary to condition further shielding or limit the hours of use and operation of the proposed lighting given that the car park will be lit for limited hours during winter months and will be controlled as detailed in paragraph 7.38 above.

- 7.41 It is acknowledged that lighting is required to the proposed car park due to the health and safety concerns, hence the provision of lighting columns creates a safe environment in the new car park. Therefore the proposed lighting scheme in its amended form is considered unlikely to have an adverse impact upon local amenity. Additionally the lights will be completely switched off after 8:30pm, hence it will avoid impacting upon local amenity through light disturbance late at night. Furthermore the proposed lighting columns are a standard car park specification which are considered appropriate in this context and are comparable to street/car park lighting within the vicinity rather than floodlights which are used to illuminate sports pitches. Additionally the height of the lighting columns within the junior car park, being lower than existing street lighting columns will ensure that their impact upon the visual amenity is minimal.
- 7.42 Overall it is considered that the proposed development would not have a significant adverse impact on the local amenity and as such accords with Policy SG4 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan.

Highways

- 7.43 Consideration has been given to the impact of the proposed development on the public highway. The Highway Authority has been consulted and not objected to the scheme however has recommended conditions to be imposed on the grant of any permission.
- 7.44 It is considered that the proposal will not have an adverse impact on the highway network, given that adequate parking provision will be provided on site. Furthermore the proposal will improve the access to the site by providing suitable access for vehicles anticipated to be used by the satellite Mowbray School. Therefore with the controls suggested by the Highway Authority and the reasons stated above it is considered that the proposed development would be consistent with the NPPF and compliant with Policy TRA3 of the Harrogate District Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan as the proposal will not have adverse impact on highway traffic and safety.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this application for the erection of single storey classroom extension (280 sq. metres), erection of glazed walkway canopy (43 sq. metres), demolition of existing corridors (64 sq. metres), hard standing area and vehicle pick up and drop off area with extended car parking (1433 sq. metres) installation of 1.8 m green weld mesh site security perimeter fencing, and 1.8 m high gates, widening of access road, creation of footpaths, erection of 10 No. 6 m high lighting columns, 6 No. 4 m high lighting columns, 3 No. 1 m high lighting bollards, 16 No. external fixed mounted lighting, removal of trees and hard and soft landscaping.
- 8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

- 9.1 For the following reason(s):
- i. it is considered that the proposed development will not adversely affect the character of the local area or the local highway network;
 - ii. it is considered that the proposed development would not adversely impact upon local amenity; and

- iii. it is considered that the proposed development is in accordance with NPPF (2019), NPPG (2014), Policies SG4, C1 and TRA3 of the Harrogate Core Strategy (2009) and 'saved' Policies HD20 and C2 of the Harrogate Local Plan (2001).

9.2 It is recommended that, **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

Conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

Reason: To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application details dated 01 March 2019 (amended 12 July 2019) and the following approved documents and drawings:

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
18010-A-001 Rev. P4	02/07/19	Site Location Plan
18010-A-070 Rev. P3	02/07/19	Proposed Site Block Plan
18010-A-40 Rev. P6	02/07/19	Proposed Junior & Infant School Block Plan
18010-A-050 Rev. P7	21/06/19	Proposed Site & Block Plan of Infants School
18010-A-060 Rev. P4	26/06/19	Proposed Site & Block Plan of Junior School
18010-A-102 Rev. P1	21/02/19	Existing Junior School Plan (inc Demo Works)
18010-A-101 Rev. P1	21/02/19	Existing Junior School GA Plan
18010-A-120 Rev. P3	18/06/19	Proposed Junior School Plan
18010-A-110 Rev. P1	22/02/19	Existing Junior GA Roof Plan
18010-A-130 Rev. P1	22/02/19	Proposed Junior School Roof Plan
18010-A-201 Rev. P1	21/02/19	Junior School Elevations as Existing (sht 1 of 2)
18010-A-201 Rev. P1	21/02/19	Junior School Elevations as Existing (sht 2 of 2)
18010-A-221 Rev. P3	18/06/19	Junior School Elevations as Proposed (sht 1 of 2)
18010-A-222 Rev. P3	18/06/19	Junior School Elevations as Proposed (sht 2 of 2)
18010-A-781 Rev.P1	28/03/19	Proposed External Surfacing Plan
18010/E/607 Rev. P6	July 19	Electrical Building Services Proposed Car Park Lighting Layout – 4m columns
18010-A-080 Rev. P3	21/06/19	Contractor Site Compound Access & Phasing Plan
18010-A-090 Rev. P1	14/03/19	Proposed Site Fencing & Gate Details
18010 Rev. P10	11/07/19	Design & Access Statement
APP-18-17 Rev. R1	Nov 18	Ecological Impact Assessment
BA8063	03/12/18	Tree Survey

Reason: To ensure that the development is carried out in accordance with the application details.

3. No construction, demolition or any other works shall take place except between the following times:
- 08:00 – 18:00 Mondays to Fridays
08:30 – 13:00 Saturdays
- and at no time on Sundays and Bank (or Public) Holidays.
- Reason: In the general interest of residential amenity.*
4. Prior to commencement of development a Tree Protection Plan (TPP) in accordance with BS5837:2012 Trees in relation to Design, Demolition & Construction, shall be submitted to and approved in writing by the County Planning Authority. The TPP shall provide details of location, alignment and design of tree protective measures on site, taking into account any realignment for phasing of construction. Thereafter, the fencing shall be retained intact for the full duration of the works and there shall be no access, storage, ground disturbance or contamination within the fenced area without the prior written approval of the County Planning Authority.
- Reason: This is a pre-commencement condition and considered warranted given the particular circumstances in the absence of the requisite information accompanying the application and imposed to ensure protection during construction works of trees and hedges which are to be retained on or near the site in order to ensure that the character and visual amenity of the area is not impaired.*
5. Prior to commencement of development details of the temporary access road and surface finish shall be submitted to the County Planning Authority for approval in writing in consultation with the Highway Authority. The temporary access shall be constructed in accordance with the approved details. Any damage to the existing adopted highway occurring during use of the access until the completion of all the construction works shall be repaired immediately. Before the development is first brought into use the highway verge/footway on Lead Lane shall be fully reinstated in accordance with the scheme approved in writing by the County Planning Authority.
- Reason: This is a pre-commencement condition and considered warranted given the particular circumstances in the absence of the requisite information accompanying the application and imposed in the interests of highway safety and visual amenity.*
6. Once the temporary access has been created only vehicles associated with on-site construction works are permitted to access the site via the approved temporary access as shown on Drawing No. 18010-A-080 Rev. P3, with the temporary access only to be used by vehicles associated with the construction works. Upon completion of the construction works the temporary access road and access point off Lead Lane shall be removed and the land reinstated to its previous condition, including any hedge planting as replacements following removal to create the access of Lead Lane.
- Reason: In the interests of highway safety and visual amenity.*
7. Within three months of the date of this decision notice, a detailed scheme of landscaping shall be submitted to and approved in writing by the County Planning Authority. These details shall include all planting, species, density of planting and aftercare and maintenance proposals. Thereafter, the landscaping shall be implemented in strict accordance with the approved scheme within the first available planting season. Any failures within the first five years of being planted shall be

replaced with species of the same size and maturity as previously specified in the approved scheme.

Reason: To safeguard and enhance the appearance of the development in the interests of visual amenity of the area.

8. There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- a. The details of the access shall have been approved in writing by the County Planning Authority in consultation with the Highway Authority.
 - b. The existing access shall be improved to give a minimum carriageway width of 6.5m for a distance of 20m into the site and shall be constructed in accordance with Standard Detail E7.
 - c. Any gates or barriers shall be erected a minimum distance of 15 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - d. That part of the access extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 30.
 - e. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
 - f. Provision of tactile paving in accordance with the current Government guidance.

All works shall accord with the approved details unless otherwise agreed in writing by the County Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

9. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of altering the site access) until splays are provided giving clear visibility of 33 measured along both channel lines of the major road Harrogate Road from a point measured 2.4m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.6m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of road safety.

10. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved:
- a. have been constructed in accordance with the submitted drawing 18010-A-050 and 18010-A-060
 - b. are available for use unless otherwise approved in writing by the County Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

11. Prior to the development being brought into use, a Travel Plan for both Schools shall have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority. This shall include:
- a. the appointment of a travel co-ordinator

- b. a partnership approach to influence travel behaviour
- c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- d. provision of up-to-date details of public transport services
- e. continual appraisal of travel patterns and measures provided through the travel plan
- f. improved safety for vulnerable road users
- g. a reduction in all vehicle trips and mileage
- h. a programme for the implementation of such measures and any proposed physical works
- i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

12. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the County Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

- a. the parking of vehicles of site operatives and visitors
- b. loading and unloading of plant and materials
- c. storage of plant and materials used in constructing the development
- d. wheel washing facilities
- e. measures to control the emission of dust and dirt during construction
- f. HGV routing and scheduling to avoid school open and closing times

Reason: To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

13. The development hereby approved, shall, at all times, be carried out in accordance with the recommendations set out in section 5.1 of the Ecological Impact Assessment (Naturally Wild Consultants Limited, ref. APP-18-17, dated November 2018).

Reason: In the interests of protecting wildlife and their habitats.

14. Any excavation works adjacent to any trees and hedges within the site shall utilise hand dig methods to avoid excessive damage to the tree and hedge roots.

Reason: To ensure that the trees and hedges within the area of proposed development are not damaged during construction works in order to ensure that the character and visual amenity of the area is not impaired.

15. Any tree removals, pruning or crown lifting works shall be carried out prior to works commencing and shall be carried out in accordance with BS 3998 (2010): British Standard Recommendations for Tree Work, using a suitably qualified and insured arboricultural contractor.

Reason: To ensure protection during construction works of trees which are to be retained on and near the site and in the interests of visual amenity.

Informatives:

1. Any trees, shrubbery or other dense vegetation should be removed outside the bird nesting season (March to August inclusive for most species), or after a competent

person has confirmed that no nesting birds are present. If an occupied nest is found, work will need to be delayed until after young have fledged.

Explanation: Conservation of wildlife and to ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

2. The external lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.
3. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the details constructional specification referred to Condition 9.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

DAVID BOWE
Corporate Director, Business and Environmental Services

Author of report: Sukaina Devraj

Background Documents to this Report:

1. Planning Application Ref Number: C6/19/01378/CMA (NY/2019/0043/FUL) registered as valid on 15 March 2019. Application documents can be found on the County Council's Online Planning Register by using the following web link:
<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppDisp.aspx?recno=10787>
2. Consultation responses received.
3. Representations received.

