



Strategic Planning Board Report

Planning Reference No:	7/2009/CCC/4
Application Address:	Brine Leas High School, Audlem Road, Nantwich,
Proposal:	New Post 16 Centre incorporating 3 storey L-shaped building with external social space and general improvements to the site including parking and floodlighting to tennis courts
Applicant:	Cheshire East Borough Council
Application Type:	Full Planning Application
Grid Reference:	656 512
Ward:	Nantwich
Earliest Determination Date:	27 th May 2009
Expiry Date:	9 th June 2009
Date of Officer's Site Visit:	20 th April 2009
Date Report Prepared:	15 th May 2009
Constraints:	Playing Fields, RT1

SUMMARY RECOMMENDATION:

Authority be delegated to the Head of Planning and Policy to consider any further representations and consultation responses resulting from the amended plans and subject to no objections from consultees, approve with conditions

MAIN ISSUES:

The impact of the development on:

- The character and appearance of the area
- The loss of an area of playing fields and redevelopment for tennis courts,
- Neighbouring Residential amenity due to the impact of the building, lighting, noise and security
- Highways due to an increase in student and staff numbers
- Protected species due to the proximity of the development to a pond
- Floodlighting to car park, tennis courts and the building.

1. REASON FOR REFERRAL

The application has been referred to the Strategic Planning Board as the application site is 3.65 hectares

1. DESCRIPTION OF SITE AND CONTEXT

The application site is an existing school known as Brine Leas High School and is located within the settlement boundary of Nantwich. The site is situated to the South of Nantwich Town Centre, and is encompassed by residential properties to the North, East and West, with agricultural land to the South. The school playing fields are located to the South and South West of the school complex, and are allocated as RT1 land in the Borough of Crewe and Nantwich Replacement Local Plan which refers to open spaces with recreational or amenity value.

The topography of the site is relatively flat with the school buildings set back from the frontage along Audlem Road. To the North East and East, the site also benefits from the presence of well established trees which assist in screening the school, some of which are within the application site whereas others are in private ownership offsite.

Weaver Primary School neighbours the application site to the West where a pond is located within the school grounds. The pond is known to contain a medium population of Great Crested Newts and is within close proximity to the proposed works. The two schools are separated by a footpath which is lined with a continuous length of hedgerow.

The application has been made by Cheshire East Borough Council to seek planning permission for a Post 16 centre (and other improvements) at Brine Leas High School which will accommodate an additional 300 students aged 16-19 for Applied Learning.

2. DETAILS OF PROPOSAL

The proposed development includes the provision of a Post 16 centre to be located on an existing hard-standing play area to the East of the existing three storey main school building. The L-shaped design of the proposed building lends to the development of a courtyard which will be used as social / work space for the sixth form students, and will incorporate three distinctive areas providing a choice of active or passive uses. A new parking area to the East of the site is proposed which will replace the existing tennis courts which will be relocated to the Western boundary of the site where other existing sports facilities are located. The existing school car park will be turned into a playground and the majority of parking spaces will be provided in the new parking area to the east. The proposed car park will accommodate 103 parking spaces with an additional 35 spaces provided off the new access road and 10 spaces to the front of the school. This includes provision for 8 visitor spaces, 7 disabled spaces and 8 motorcycle spaces. The proposal also includes 36 additional cycle spaces and 4 spaces for buses / coaches.

The proposal will incorporate a lighting scheme for the proposed building, main car park, new access road and floodlighting to the tennis courts. CCTV will operate on the main car park.

3. RELEVANT HISTORY

7/2006/CCC/18 – Provision of new lift in new 3 storey external tower (delegated approval with conditions)

7/P05/1539 – Refurbishment of existing sports hall, including provision of new store, new entrance and external painting (delegated approval with conditions)

7/P00/0469 - Mobile classroom, double unit and single units and extension to an existing playground in tarmac (delegated approval with conditions)

7/P99/1007 – Proposed new Art block and proposed new changing accommodation to existing sports centre (delegated approval with conditions)

7/P99/0936 – Single storey food technology room extension to existing block (delegated approval with conditions)

7/P92/0462 – Extension on dining room (delegated approval with conditions)

4. POLICIES

Regional Spatial Strategy

Policy DP1 Spatial Principles

Policy DP2 Promote Sustainable Communities

Borough of Crewe & Nantwich Replacement Local Plan Policy

TRAN 3 Pedestrians

TRAN 5 Provision for Cyclists

TRAN6 Cycle Routes

TRAN9 Car Parking Standards

NE9 Protected Species

BE1 Amenity

BE2 Design Standards

BE3 Access and Parking

BE4 Drainage Utilities and Resources

BE5 Infrastructure

RT1 Protection of Open Space with Recreational or Amenity Value

RT17 Increasing Opportunities for Sport

CF2 Community Facilities

Other Material Considerations

PPS 1 Delivering Sustainable Development

PPS 9 Biodiversity and Geological Conservation

PPG 13 Transport

PPG 17 Planning for Open Space, Sport and Recreation

5. CONSULTATIONS (External to Planning)

18 Highways: Highways have requested a financial contribution to the following improvements:

1) New bus stops outside / opposite the school main entrance, including a pedestrian crossing and one bus shelter.

Reason – It is anticipated that after school activities for both the school and users of the school will require a local bus service and that service should be accessible near to the school. The nearest official bus stop to Brine Leas is currently opposite St Anne's Primary School which is too far away and on the wrong side of Park Road.

2) Improved cycling facilities between Brine Leas and Shrewbridge Road

Reason – the existing pedestrian route between Brine Leas and Shrewbridge Road and the Town Centre has been highlighted as a direct route suitable for cyclists and pedestrians, linking Brine Leas to Nantwich Town Centre. The development would increase cycle movements, but without a safer route in place there will be an increased risk of collisions and accidents. A footway / cycleway with dropped crossings, associated signage and a controlled crossing facility at or near to Park road will be required.

3) Toucan crossing at the junction with Audlem Road, Wellington Road / Park Road

Reason – As this forms part of a safe route to school, it automatically qualifies for a crossing

4) Extension of existing school keep-clear markings during the construction phase to prevent on street parking at the pedestrian entrance / exit

5) Construction vehicles to operate under restricted hours of working, to use the same entrance as the school with their route in and out of the site segregated from other school traffic and users at all times

6) No queuing of construction vehicles to be near the school

7) For a set route for construction traffic to be agreed with the highways authority prior to construction.

Environmental Protection: No objections to the amended proposals subject to appropriate conditions in relation to a review after completion concerning lighting, noise and security with regards to nearby residencies. More detailed comments to be provided by update.

Landscape Officer (Backford Hall): No objection

Landscape Officer (Crewe): Views awaited at time of writing report

Ecology: No objections subject to an appropriate condition to ensure that the development proceeds in accordance with the submitted amphibian mitigation strategy (May 2009).

No tree, scrub or hedgerow felling, management and/or cutting operations should take place during the period 1st March to 31st August inclusive to protect breeding birds, unless otherwise agreed in writing with the Local Planning Authority.

In order to improve the contribution of the proposed development to biodiversity in line with the requirements of PPS9, it is advised that bird nesting boxes and bat boxes are erected on those mature trees which are to be retained on site. Advice on the correct number and siting of the boxes should be sought from an experienced ecologist.

Public Rights Of Way: No objection

Safer Routes to Schools: Safer Routes to Schools have commented that the travel plan is currently in the process of being assessed by the school travel team, however an initial examination suggests that the travel plan is a robust plan and is likely to meet criteria with only minor amendments.

Additional comments include that the number of parking spaces is excessive and that parent's cars should be prevented from entering the grounds in order to discourage driving to school and also to improve on-site safety for pedestrians and cyclists.

Safer Routes to Schools have also made suggestions to highways regarding highway improvements.

Environment Agency: No objection to the proposed development. Initial consultation with the Environment Agency at pre-app stage recommended that the proposal would not require a flood risk assessment.

Sport England: Sport England originally objected to the proposal on the grounds that the development would lead to the permanent loss of part of the existing playing field; and that the application does not provide any justification for this in terms of meeting one of the five exceptions of Sport England's Playing Fields Policy.

In order to meet exception five of the above policy, Sport England have requested a number of qualitative improvements to the site which would allow them to withdraw their objection. These improvements include the following: (i) the replacement tennis courts to be finished with a polymeric surface and pitch markings for additional sports (ii) floodlighting to be provided to allow for evening use (iii) rebound fencing (iv) replacement cricket wicket on adjacent playing field (v) drainage improvements to 3 football pitches on adjacent playing field (vi) existing community use of sports facilities to be formalised through a Community Use Agreement.

Sport England have requested that the floodlighting scheme should be submitted upfront, to the satisfaction of Sport England whereas the other details can be addressed by condition. The applicant has submitted revised details in light of the above comments and if Sport England are satisfied with the amended proposals, they will withdraw their objection.

¹⁸ Views of Sport England in relation to the amended details are awaited at the time of writing this report and will be reported verbally.

6. VIEWS OF THE PARISH / TOWN COUNCIL:

Views of Nantwich Town Council awaited at the time of writing this report

7. OTHER REPRESENTATIONS:

Representations have been received from residents at 1 and 4 The Coppice, Audlem Road; 46 Audlem Road and 106 Audlem Road. The planning grounds of objection can be summarised as follows:-

- Loss of light due to the height of the building and proximity
- Amount of noise from students and vehicles
- Increased volume of traffic and level of CO2 emissions
- Overlooking of properties known as The Coppice
- Object to the change of use of existing tennis courts to parking area
- Privacy – it will take time for proposed planting to mature and users of the car park will be able to see directly into the gardens of properties along the eastern boundary
- Noise and pollution associated with the car park

Comment - A better location for the proposed building could be found on site

Any further representations made as a result of the re-consultation process due to amendments to the application will be reported verbally.

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement (Prepared by Aedas 2/3/09)

The main points are:

- The 3 storey building will minimise the impact on amenity spaces and servicing areas
- Staff, pupil and parent input was sought, including open day events and leaflet drops
- The building is an L-shaped design, three storeys high, with a total area of 1969m²
- The building was designed to have a strong presence on site to ensure that it is visible from the main entrance on Audlem Road
- Other improvements to the site include entrance remodelling, school bus parking provision, new vehicular access route, car parking with turning area, existing car park to be converted to a playground to compensate for the loss of hard standing play area by the new building, relocation of tennis courts, courtyard area to provide social space
- Materials have been selected so that the palette is limited to a small number of different products which include a through colour render system, fibre cement panels, timber boarding, aluminium windows / curtain walling and single ply roof membrane

- ¹⁸ - Finish of materials are arranged to give solid corners to the building to create an aesthetic link with the existing school buildings. These will be broken by full height glazed curtain walling to the triple height lightwells
- The building is elongated by linear cladding, render and ribbon windows to reflect the scale of the existing school building
 - The large canopy to the south and east elevations face onto the social space courtyard and will provide solar shading

Landscape Statement (Prepared by Aedas 2/3/09)

- The proposed building wraps around a large south facing courtyard which has been divided into clearly defined zones with different characters and potential uses
- Pale coloured paving will be used
- There will be three zones providing a choice of passive or active uses. These include: (i) Sunny seating area adjacent to the dining hall (ii) Passive social area with casual seating (iii) Active area incorporating basket ball hoop, table tennis tables and spectator seating
- The zones will be connected visually by common elements such as treatment of materials and floorscape
- Tree planting along the southern boundary of the courtyard to screen the area from the existing school building to the south

Sustainability Statement (Prepared by Aedas 2/3/09)

- Brine Leas High School Post 16 Centre has been designed to meet a high standard for an educational facility but with as small environmental footprint as possible
- Striving to achieve a 'very good' BREEAM rating at the design and procurement stage – an early assessment has shown that this target will be achievable
- Most of the sustainability features have been intended to be used for raising awareness and educational purposes for pupils, staff and the wider community on environmental sustainability
- The building has been orientated to benefit from passive heating in winter but without excessive heat gain in summer
- The south facing canopy is designed to stop high angled sun in summer but allowing low angled sun in winter
- The L-shape was derived from careful consideration of daylight, natural ventilation, views out and ease of movement
- Environmentally responsible and durable materials have been chosen
- Increased insulation and thermal mass will prevent unwanted heat losses and gains, and create a stable, comfortable indoor temperature throughout the year. This will ensure that heating energy will be reduced and the cooling load will be diminished to discourage the use of air conditioning
- The school has a combined waste and recycling scheme in operation
- The school has prepared a school travel plan to encourage sustainable modes of transport
- The school landscape plays an important role in pupils educational and recreational needs and can reduce the school's environmental footprint

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- The sustainable landscape strategy retains as many existing natural features as possible with additional planting to provide more habitats for wildlife
 - The proposal for a post 16 centre at Brine Leas will give added benefits to the community well-being and educational needs

Amphibian Mitigation Strategy: (Prepared by TEP 14/5/09)

- An assessment of the site identified two ponds. Pond 1 is approximately 20m west of the boundary (in grounds of Weaver Primary School) and Pond 2 is 300m to the south of the site.
- A medium population of Great Crested Newts were found in Pond 1
- No Great Crested Newts were found in Pond 2 and during the survey period the pond became dry
- Although not directly linked to other water-bodies, the ponds lie adjacent to a dense hedge that could provide an amphibian dispersal / migration route to the wider area
- The conservation status of the Great Crested Newt population in Pond 1 is considered to be vulnerable to disturbance from site development activities
- The development has the potential to impact upon the Great Crested Newt population and therefore a robust mitigation strategy is proposed
- Mitigation will include the following:
 - (i) Maintain the site in its current condition, keeping amenity grassland areas shortly mown
 - (ii) Use the survey information to inform an application to Natural England for development in respect of Great Crested Newts
 - (iii) Install a one-way amphibian fence as a deflection barrier along the hedge at the edge of the development near the pond and/or ring-fence and trap out the tennis court development
 - (iv) Translocate any recovered amphibians to the pond area
 - (v) Provide terrestrial habitat enhancement to ensure no net loss of core foraging habitats
- Through the construction of the tennis courts there is likely to be no loss of breeding, hibernation or sheltering habitats, but some loss of ranging and foraging habitat. No long term impacts on the Great Crested Newt population and no wider impacts predicted of fragmentation of habitats. The hedgerow will remain intact providing connectivity to the wider area

9. OFFICER APPRAISAL

Principle of Development

The site is located within the Nantwich settlement boundary and is an existing established school and is therefore compliant with Policy CF2 of the Borough of Crewe and Nantwich Replacement Local Plan

Design

The proposed building is an L-shaped three storey design which is located adjacent to the existing three storey main school building. The shape of the

building was derived from careful consideration of daylight, natural ventilation and views from the building. The positioning of the building creates a strong presence on site, especially from the main entrance on Audlem Road where the full length of the building is visible. The entrance to the building is clearly defined by the overhang canopy and use of the full height glazed curtain walling.

The layout of the building creates a 'courtyard' area which will provide an outdoor social/work space for users of the facility. This area will be landscaped to create three distinct zones which will allow for passive / active uses which are currently lacking on the site.

The scale of the proposed building is appropriate in the context of the site and in particular the existing main school building which is of a similar height and scale. The new building is reflective of the existing building style with the use of glazing and solid corners, but utilises more modern materials and design features making the building distinct from the rest of the school. The palette of materials and use of full height curtain walling in sections of the building creates a modern design which is relevant to its function as a post 16 educational facility. The appearance of the building is such that it would not have an adverse impact on the character of the locality, and should permission be granted a condition would be attached requiring the submission and approval of materials.

Drainage

Drainage details have been submitted with the application and the Environment Agency has raised no objection.

Lighting

The lighting scheme for the site includes lighting to the proposed building, new access road, parking area and tennis courts. Floodlighting to the tennis courts is an amendment to the application which has been added more recently in light of comments from Sport England. Due to this the application has been sent out to re-consultation for 14 days which is currently on-going.

A revised lighting scheme which incorporates a reduction in the amount of lighting proposed on the building and in the car park has been submitted, and now meets the satisfaction of the Environmental Protection Officer, subject to review and appropriate conditions. Lighting to the main parking area to the east of the site was also amended as a result of changes to the parking layout and a reduction in parking provision.

The main car park lighting scheme will now incorporate twelve 6 metre high lighting columns in addition to two columns around the turning circle and three columns where parking is provided off the new access road. Two 6 metre high CCTV columns will also be provided to the main car park for security purposes.

The new building will be illuminated on all elevations, with 'boxed style' lighting to the front and sides mounted at 5 metres, and more general lighting to the rear of the building mounted beneath the canopy.

Floodlighting is now proposed on the tennis courts which will be relocated to the west of the site. The lighting scheme will incorporate fourteen 12 metre high lighting columns, six of which will have double light fittings. Detailed information regarding lighting levels and spillage has been provided which shows that the level of illuminance to Weaver Primary School and immediately adjacent properties will be relatively low. Furthermore, when the tennis courts are in use during the evenings, the lighting will be switched off at 10.30pm at the latest but could be further controlled by condition to be switched off at an earlier time. This detail will be reported to the Strategic Planning Board by the additional information update report

The proposed floodlighting to the tennis courts would increase the number of hours sports can be played and maximise the use of the facility for Brine Leas, sports clubs and the local community. Policy RT17 (Increasing Opportunities for Sport) of the local plan is supportive of floodlighting where they would increase the use and availability of outdoor sports and recreation provision provided that they will not result in an adverse impact upon the adjacent land uses. The lighting is considered to be acceptable subject to appropriate conditions requiring additional screening and review once the development is operational in order to ensure that any impacts on the amenity of adjacent properties have been adequately mitigated.

Lighting on site will be controlled by means of time clock and photocell with remote override facility. When the light level decreases to a set level where the lighting is required, the lighting will be turned on via the photocell. All floodlighting will be switched off at 10.30pm using the time clock, in line with the hours of use of the facilities provided on site. The hours of use of the lighting on the building and parking area are considered to be acceptable given the use of the site by the local community and sports groups during the evenings.

Parking

The proposed development includes the provision of a car park to the rear of the site along the eastern boundary. The location of the car park will replace the existing tennis courts which will be relocated to the west of the site where the majority of the school's sports facilities are located. The application originally proposed 175 parking spaces in total, 138 of which would be provided within the new parking area. The number of spaces to be provided was based on the maximum car parking standards for 'schools and other educational establishments' as set out in the Borough of Crewe and Nantwich Local Plan (appendix 8.1). These standards however, refer to maximum standards and it was considered that the number of spaces provided was excessive for the site and was not in line with the aims of the school travel plan or guidance contained in PPG 13 'Transport'. Additionally, the original size of the car park meant that the development encroached on to the school playing field which is protected under policy RT1 (Protection of open spaces with recreational or amenity value) of the Borough of Crewe and Nantwich

Replacement Local Plan. The revised plans have now shown a reduction in the number of parking spaces and also an amendment to the parking layout, avoiding encroachment on to the playing field. Parking provision has now been reduced to 150 across the site, with 103 provided within the main car park. This provision also includes 7 disabled parking spaces and 8 motorcycle spaces. 36 additional cycle parking spaces will be provided, bringing the total of cycle provision to 106. Due to changes in the parking layout it was felt that additional consultation was necessary so that any additional representations relevant to planning can be raised and taken into consideration.

The location of the car park to the east of the site segregates vehicles from pedestrian areas, meaning that the majority of parking and vehicle movements will be confined to one main part of the site. This will improve safety on site and reduce the potential for vehicle / pedestrian conflict. The location of the car park is also dictated by site constraints, particularly as most of the land to the rear of the school is protected under policy RT1. Furthermore PPG 17 'Planning for open space, sport and recreation' and Sport England's Playing Fields policy is also relevant. The revised layout of the car park no longer raises any concerns with regards to policy RT1.

Amenity

Concern has been raised by local residents about the issues of privacy, noise and security associated with the replacement of the tennis courts with parking area. Screening will be provided in the form of landscaping and planting, in addition to a solid fence along the eastern boundary between the school and properties along Audlem Road. Given the existing boundary treatment in this area and the recognition that the planting proposed in the landscaping scheme will take time to mature, the provision of a solid fence would instantly overcome the issue of privacy and light pollution from car headlights arising from the car park. Once the planting has matured this would provide further screening and 'greening' to this area and would be sufficient to mitigate against the adverse impacts of the development on residential amenity.

The school is an established site and it is not considered that the proposed development would lead to significantly higher levels of noise or pollution from vehicles using the car park. Although the location of the car park would intensify this use to the east of the site, the new car park will regularise existing indiscriminate parking which currently occurs across the site, and will provide a more legible and practical site layout. Taking into account the number of existing 'official' and 'unofficial' parking spaces, the additional parking provision is not significant enough to generate excessive noise and pollution to warrant refusal on these grounds. Furthermore, an objective of the school travel plan is to discourage use of the car and to encourage more sustainable modes of transport, such as walking, cycling and public transport.

The proposed car park is unlikely to worsen issues of security expressed by a local resident. The car park will be illuminated until 10.30pm in line with the hours of use of the facilities on site and will also be monitored by a CCTV system.

The proposed location of the building has also been raised as a comment from a local resident. This was considered at the design stage and due to limitations of the site which is bound by residential properties to the west, north and east, and school playing fields to the south, the proposed location was considered to be the most appropriate. Various options were also explored in relation to the size of the building and its layout, and the three storey L-shaped proposal was found to be the most feasible in order to meet the school's requirements and maintain valuable amenity space on site.

The issue of the height of the building and potential overlooking and loss of light to properties known as 'The Coppice' has been considered. These properties are located in a corner plot to the north east of the site, along Audlem Road. The nearest of these properties is situated 15 metres from the proposed building, set at an angle. Most of the properties which bound the application site to the north east are screened from the school by existing well established trees and vegetation, however in relation to property number 4 The Coppice, screening is poor here due to a gap in the existing planting scheme. The location of the building however, is offset at an angle to this property and will not be directly in front of the dwelling. Planting is also proposed to fill in the current vegetation 'gap' which will provide screening to this property. Although the proposed building will extend the built form of the site, bringing it closer to properties along the north east / eastern boundary, the combination of existing boundary treatment and proposed landscaping will provide sufficient screening to minimise the effects of the building in relation to overlooking.

The impact of the proposed development on the amenity of residential properties is not considered to be of a level of significance that would warrant refusal of the application, and any impacts can be mitigated by condition. Overall, it is considered that the issues raised by letters of representation have been adequately addressed and/or would be mitigated to an acceptable level.

Ecology

The Amphibian Mitigation Strategy which was submitted by the applicant contains survey information which identified a medium population of Great Crested Newts in the pond located in the grounds of Weaver Primary School, to the west of the site. The second pond which is located in an agricultural field 300m to the south of the site was not found to contain any Great Crested Newts, and had dried up during the survey period.

The development of the relocated tennis courts to the west of the site will bring the developable area in relatively close proximity to the breeding pond. However, the Amphibian Mitigation Strategy proposes robust mitigation measures to protect Great Crested newts and to ensure that there is no long-term loss to important habitat for amphibians. The strategy also recommends the planting of species-rich grassland between the existing boundary hedge and new tennis courts which would increase the habitat value of the site for Great Crested Newt foraging and refuge.

It is considered that as long as the development proceeds in accordance with the mitigation strategy, there will be no adverse impacts on the Great Crested Newt population as a result of the development.

Highways

The Highways Officer has requested a number of highways improvements due to the poor accessibility of Brine Leas to Nantwich Town Centre as well as the safety implications of school users during the construction phase. The highways officer considers that if these improvements were not undertaken, the development would be unacceptable in highways terms and would therefore recommend refusal.

The Highways Officer has requested a financial contribution to a number of highways improvements in relation to the development which will significantly increase the number of students and staff attending the site. The school is required to contribute to off-site works which are fairly and reasonably related in scale and kind to the development to be permitted. It is considered that the highways improvements are directly related to the development and therefore a financial contribution will be required and will be proportionate to the increase in numbers, for example an additional 300 students and 36 members of staff.

(1) New bus stops outside / opposite the school main entrance

Highways require a financial contribution to two new bus stops outside the school, linked by a pedestrian crossing facility and a shelter at one of them. The financial contribution arising from the development needs to be related in scale to the development for which planning permission is sought. This should be included in the form of a Memorandum of Understanding which will require a financial contribution to be made for a number of works.

The requirement of a bus stop / bus stops should also be incorporated into the school's travel plan. The travel plan which has been submitted with the application contains the results of a survey with four aims / targets. These aims include increasing the number of students cycling to school, decreasing the number of students arriving by car and also discouraging car use by staff, and also to continue monitoring the number of students and staff who use buses to travel to and from school. This will need to be updated regularly as student numbers increase.

(2 & 3) Improved cycling facilities between Brine Leas and Shrewbridge Road & Toucan crossing at the junction with Audlem Road, Wellington Road / Park Road

A financial contribution to the provision of improved pedestrian / cycle crossing facilities between Brine Leas School and the pedestrian / cycle links on Shrewbridge Road is required. A survey completed this year has shown that pupils from Brine Leas use this route to and from school and this provides a safer route to the town centre than along Wellington road. Therefore a financial contribution to improve this link to promote greater use for cycling should be required. This is supported by Policy TRAN 3 (for pedestrians) and TRAN 5 (for cyclists) of the Borough of Crewe and Nantwich Local Plan.

Improvements to this link would fit in well with the School Travel plan and should also be included within the plan to demonstrate commitment to these provision (in conjunction with Cheshire East Council) and to monitoring the use of cycling as a means of transport to and from school for students and also staff.

(4) Extension of existing school keep clear markings during the construction phase to prevent on street parking at the pedestrian entrance / exit

Due to the location of the site there is no feasible option for adding a separate access for construction vehicles. Highways have raised concern about how students will arrive and depart from school safely during the construction period. A number of measures are required including the extension of keep clear markings on the school road frontage on Audlem Road in order to achieve safe access for students during construction. Since Policy TRAN 3 includes reference to safe routes to schools, it is considered that a contribution to the cost of the Traffic Regulation Order to provide these markings should also be including in the Memorandum of Understanding.

(5 and 6) Construction vehicles to operate under restricted hours of working, to use the same entrance as the school with their route in and out of the site segregated from other school traffic and users at all times and no queuing of construction vehicles to be near the school

The Highways Officer is of the view that construction vehicles should only arrive and depart at certain times so as to avoid conflict with the peak times for pupils and staff arriving and departing, and that there should be segregation between construction traffic and school traffic. In addition there should be no queuing of construction vehicles outside the school. In view of the fact that Policy TRAN 3 supports safe routes to school, and the reason for these requirements is to achieve safety for pupils and staff arriving and departing at the school, it is considered that these matters should be in a Construction Management Plan. The Construction Management Plan will be subject to condition for submission and approval.

(7) For a set route for construction traffic to be agreed with Cheshire East Council (highways) prior to construction.

Highways also require a set route to be agreed for construction vehicles prior to the commencement of development. However, Circular 11/95 entitled 'The Use of Conditions on Planning Permissions' indicates that this should not be a matter for condition on a planning permission since this can be controlled through the Road Traffic Regulation Act 1984.

To summarise, a condition will be attached to any permission for an updated School Travel Plan to be submitted and approved before the new development is first occupied. The Travel Plan should also include measures for the provision of items 1, 2 and 3 above, including the monitoring of the staff and pupils who walk, cycle and use the bus to travel to and from school, in addition to incentives to increase these modes of travel and to reduce the number of car journeys to and from the site.

¹⁸ A separate condition will also be attached requiring a Construction Management Plan to be submitted and approved prior to the commencement of development, in relation to the segregation of school traffic and construction traffic, hours of construction deliveries to the site, and also measure to avoid construction traffic queuing on the highway including the extension of the keep clear markings on the Audlem Road frontage.

Playing Fields

The school playing field to the south of the site is protected under policy RT1 of the local plan. The policy states that 'development will not be permitted which would result in the loss of open space (which includes playing fields) shown on the proposals map, which has recreational or amenity value'. This policy also contains five exceptions.

In relocating the tennis courts to the west of the site this would involve development on the school playing field. The parcel of land where the courts are proposed is underutilised and does not form part of the playing pitch. As the tennis courts are a sporting / recreational facility it is considered that the second exception of policy RT1 can be demonstrated in order to justify development in the playing field. That is to say that the 'proposed development is ancillary to the principal use of the site as a playing field or open space and does not affect the quantity and quality of pitches or adversely affect their use'.

The tennis courts will be marked out in accordance with Sport England's guidance on multi use games areas (MUGAs) which means that the tennis courts can be used for a variety of sports. Indeed it is considered that the development will enhance the recreational value of this part of the playing field by making it a more usable and functional space for the purposes of sport and recreation, for the school and the wider community. Therefore it is considered that the loss of part of the playing field would be outweighed by the benefits associated with the development, and in view of the second exception of policy RT1 the tennis courts can be reasonably justified in accordance with this policy of the Local Plan.

Sport England has raised an initial objection to the application on the grounds that the development would lead to the permanent loss of part of the playing field and that justification in accordance with one of their five exceptions has not been provided. During the planning application process the applicant has liaised in detail with Sport England and have demonstrated that the proposal is able to meet exception five of Sport England's Playing Fields Policy. Meeting the exception is subject to the provision of floodlighting on the tennis courts of which a scheme has been submitted and other improvements to the site which can be secured by condition. Where exception five is met, this provides justification for the development as the policy entails that 'the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport so as to outweigh the detriment caused by the loss of the playing field'.

In relation to Sport England Playing Fields Policy it is considered that the proposal for tennis courts on part of the playing field provides more

opportunities and benefits for sports participation than if the land were to remain undeveloped and continue in use as an underutilised part of the playing field.

In light of the provision of floodlighting on the tennis courts, further views of Sport England are awaited at the time of writing this report and will be reported in the additional information report.

10. CONCLUSIONS

The proposed development comprises of a new Post 16 centre at Brine Leas High School with other site works including the provision of a car park and relocation of tennis courts incorporating floodlighting. The new building is necessary for the school to deliver the post 16 curriculum as the existing school complex does not have the capacity to accommodate an additional 300 students. The scheme will mean that the site as a whole will benefit from improved facilities in addition to contributing to the educational needs of the wider area.

The tennis courts will involve development on the school playing field, which has been discussed in detail above in consideration of local plan policy and Sport England's Playing Fields Policy. The design and location of the proposed building and ancillary works such as parking, are considered to be acceptable and in accordance with policies BE1 (Amenity) and BE2 (Design Standards) of the local plan. It is considered that any impacts arising as a result of the development can be mitigated to an appropriate level through the use of conditions, therefore making the proposal acceptable.

The site is currently accessible by a wide range of sustainable modes of transport, however the development will help to deliver important highways improvements which will further improve opportunities for green travel. The school is required to make a financial contribution for these improvements which have been identified as a direct result of the development and will have a positive impact on encouraging students and staff to engage sustainable transport, contributing to the success of the school travel plan which will be required to be continually updated and monitored.

Amendments have been made to the application in order to address the issues raised by consultees and in order to comply with specific policies of the Local Plan, particularly policy RT1 and also Sport England's Playing Fields Policy which reflects national guidance contained in PPG 17 'Planning for Open Space, Sport and Recreation'. Amendments to the scheme have been considered in this report and it is regarded that the amendments to the car park, the lighting scheme, and provision of floodlighting are acceptable in principle and that any adverse impact on residential amenity as a result of the development and amendments to the scheme can be mitigated to an acceptable level. However, the amendments are also seen to be of such significance that the application has undergone an additional period of consultation so that any further issues can be identified and taken into consideration. The re-consultation period began on the 15th May and will continue for the duration of 14 days. This will provide sufficient time for consultees to make any representations in light of the changes to the

¹⁸ proposal. In order to allow for this appropriate consultation, the Committee is invited to resolve that Authority be delegated to the Head of Planning And Policy to approve the application with conditions subject to (i) no objections being raised in the consultation response from Sport England and (ii) consideration of any new material planning matters raised in representations as a result of the amended plans.

11. RECOMMENDATIONS

The Committee is invited to resolve that Authority be delegated to the Head of Planning and Policy to approve the application with conditions subject to (i) no objections being raised in the consultation response from Sport England and (ii) consideration of any new material planning matters raised in representations as a result of the amended plans

APPROVE subject to the following conditions:-

1. Standard timescale
2. In accordance with approved drawings
3. Materials
4. Submission of a revised landscaping scheme to account for the revised parking layout and floodlighting to tennis courts
5. Implementation and maintenance of landscaping
6. Construction Management Plan
7. Review of lighting when operational
8. Hours of Working
9. Update, implementation and monitoring of School Travel Plan
10. To comply with Amphibian Mitigation Strategy
11. To Comply with Tree Survey
12. Provision of bird / bat boxes
13. Provision of car parking
14. Provision of Cycle parking
15. Details of covered and secure cycle parking to be submitted and implemented
16. Provision of motorcycle parking
17. Provision of tennis courts / MUGA facility
18. Drainage works to be implemented
19. Provision of Highway Improvement works

LOCATION PLAN:

