

## **APPLICATION NO: 15/4286M**

**LOCATION:** Kings School Pavilion, Alderley Road, Prestbury

**PROPOSAL:** Construction of a new school comprising classrooms, libraries and supporting facilities together with additional playing fields and various associated outbuildings, infrastructure, car parking and access

## **APPLICANTS SUBMISSION**

A letter (dated: 13/05/2016) in respect of applications **15/4285M**, **15/4286M** and **15/4287M** received prepared by DAC Beechcroft LLP raises the following issues:

- The school has requested that the applications are deferred to a future meeting
- The reports have failed to take into account material considerations in particular 'enabling development' the letter references case law *Northumberland CC v Secretary of State for the Environment 1989* and *Wansdyke DC v Secretary of State for the Environment 1992* where an enabling development argument was successful which was unrelated to heritage assets.
- No reference in the reports of para 140 of the Framework or balancing the benefits of the school relocation against the policy discounts that are proposed.
- Green Belt test – the reports do not explain the Green Belt test to committee or analyse the Green Belt correctly and amounts to misdirection of the committee. Reports should recite paragraph 88 of the NPPF.
- Not all material considerations have been taken into account.
- The applicant has offered to provide more information in regard to the 'do nothing' approach, should the school remain as is.

## **CONSULTATIONS**

### **Ecologist**

Additional Sustainable Drainage Scheme (SUDS) information was received following consultation:

If a SUDS scheme could be developed that replicates the existing run-off from the site then that would be acceptable. If consent is granted please attach a condition be attached requiring the SUDS for the scheme to mimic the existing hydrological regime and for the design of the SUDS to be submitted to and agreed with the LPA. My other consultation comments on badgers, bats, barn owl etc. still stand.

### **Highways**

In response to the highway comments made on this application, the applicant has provided a number of additional submissions on the operation of the proposed new signal junction at Priory Lane/ Macclesfield Road/Alderley Road.

In regard to the operational capacity of the junction, the proposed signal scheme will not operate within capacity on implementation of the signals and there will be queues on all arms of the junction, it is agreed that the introduction of a signal scheme will

reduce traffic queues on the Priory Lane and Macclesfield Road approach to the junction.

Overall, it is considered that there is no public benefit arising from the introduction of the development, this scheme would add significant delay to the highway network that is not currently present. There are peak hour problems on the minor arms that this scheme would benefit although there are no congestion issues at the junction outside peak hours, the introduction of signals will add delay at the junction throughout the course of the day.

Current policy requires Authorities to decide whether the development will have a severe impact and this is difficult given there is no reference point for what is deemed severe. In regard to this application, the extent of the queues and delays forecast with the development in place are significant and on balance does represent a reason for refusal.

## **REPRESENTATIONS**

### Additional representations from Prestbury Golf Club

In the absence of a fully detailed landscape mitigation scheme I remain extremely concerned about the visual impact on the golf club. Furthermore, I do not think the application can be properly considered by the Council in the absence of such information. The scheme should provide:

- Minimum 20m depth screen planting along the boundary to the practice area
- Bunding, with landscaping atop, inside the existing tree-line boundary to the practice area to compensate for the higher floor level and height of the school buildings
- More detailed sections through the boundary with the practice area – including a section through the part of the school building which is located closest to the boundary, with dimensions labelled.
- Details of species/depth/density/height of landscaping as planted, including use of evergreens to provide all-year round screening
- Photomontages to show the likely impact of screen planting after 1/10/15 year intervals

## **OFFICER COMMENT**

In response to the applicant's letter, it is considered that the proposals for enabling development and the viability of the scheme have been considered. The balancing exercise has been carried out and is demonstrated in the reports. The requirement for very special circumstances in paragraph 88 has been made clear in the Green Belt reports.

With regard to the 'do nothing' approach, and the impact this would have on the school, the Council has not been provided with the full information to assess this aspect of the proposals to date, the applicant has stated that the timescale to provide this information would be around 2 months. Should the committee consider that this issue is fundamental in the determination of the applications and that decisions could not be reached without it, then the committee may wish to defer the applications for a considerable time until additional information has been received.

The comments on behalf of the Golf Club are noted. The particular issue is not considered to raise a concern on the application. Landscaping in general would be subject to condition if any approval was granted.

The outstanding comments in respect of ecology matters remain and therefore in the absence of their resolution must remain as a reason for refusal at this time.

Highways continue to maintain an objection on the scheme due to concerns over the potential for capacity at the signalled junction and the queue length that would be created causing significant delay at peak times.

**The reasons for refusal are therefore maintained as in the main report.**