

**6 DCNE2007/3842/F - PROVISION OF NEW SPORTS HALL FACILITY INCORPORATING CLASSROOMS, PARKING, LANDSCAPING AND HIGHWAY IMPROVEMENTS TO THE JUNCTION OF BROCKHILL ROAD AND CHURCH ROAD AT THE DOWNS SCHOOL, BROCKHILL ROAD, MALVERN, HEREFORDSHIRE, WR13 6EY**

**For: The Downs School GL Hearn The Malt House  
Sydney Buildings Bath BA2 6BZ**

**Date Received:**  
14th December 2007

**Ward:**  
Hope End

**Grid Ref:**  
75805, 42979

**Expiry Date:**  
14th March 2008

Local Members: Councillor RV Stockton & Councillor R Mills

**1. Site Description and Proposal**

- 1.1 The application site lies on the western side of Brockhill Road and forms part of the grounds of The Downs School. The full planning application is to erect a new indoor sports facility together with classrooms, provision of associated car parking, landscaping and improvements to the junction of Brockhill Road, Old Church Road and Walwyn Road. Members will be aware that the existing Downs School is merging with the Malvern College Preparatory School upon this site. The aim of this project is to enhance and expand the on-site sporting and classroom facilities.
- 1.2 The proposed new sports hall would be set back from Brockhill Road by some 32.5 metres. It would be sited south-west of Brockwood House and north of the playing field to the south, which is allocated in the Unitary Development Plan for housing development. The building would be set at a lower level than Brockhill Road. The main sports hall would measure 33.2 metres in length and some 18.9 metres in width. The building would have a curved aluminium profiled roof. It would have a maximum height from floor level to roof ridge of 10.57 metres. The lower part the buildings elevations would be faced in brick and the upper half clad in cedar boarding. Stainless steel cross-bracing would be apparent.
- 1.3 The sports hall building is proposed to be extended to the north and west to incorporate the changing rooms at ground floor level and a further four classrooms at first floor level.
- 1.4 The existing vehicular means of access onto Brockhill Road would be widened.
- 1.5 A further twelve car parking spaces would be provided on the site together with 5 uncovered cycle stands and 10 covered cycle stands.

- 1.6 The applicant has recognised that the additional traffic generated by the proposed development does generate a need to improve the existing junction arrangements at the junction of Brockhill Road, Old Church Road and Walwyn Road. It is proposed to achieve this by implementing a one-way system whereby motor vehicles enter Old Church Road from the southern side of the village green and enter Walwyn Road from the north side of the village green. This one-way system involves detailed works to the highway including minor widening, the provision of dropped kerbs, minor extension of the village green and road markings/signage.
- 1.7 The applicant proposes traffic management works in the highway lying between the two school sites. This is to discourage parking, and slow down vehicular traffic at two places where there are significant numbers of pupils crossing Brockhill Road. Also proposed is an informal turning area, so parents dropping/collecting children do not have to pass through the traffic managed area. As there is very little non-school traffic passing through this area, the effect on public users of the highway will be minimal, whilst significantly enhancing pupil safety.
- 1.8 The application site lies within a conservation area and the site straddles the northern boundary of the defined village settlement. The site also lies within the Malvern Hills Area of Outstanding Natural Beauty. There is a significant Deodar Cedar tree of amenity value upon the site frontage.

## **2. Policies**

### **2.1 Herefordshire Unitary Development Plan 2007**

S1 - Sustainable Development  
S2 - Development Requirements  
S7 - Natural and historic heritage  
S8 - Recreation, Sport and Tourism  
DR1 - Design  
DR2 - Land Use and Activity  
T7 - Cycling  
T11 - Parking Provision  
LA1 - Areas of Outstanding Natural Beauty  
LA2 - Landscape Character and areas least resilient to change  
LA5 - Protection of trees, woodlands and hedgerows  
HBA6 - New development within conservation areas  
RST1 - Criteria for recreation, sport and tourism development  
RST2 - Recreation, sport and tourism development within Areas of Outstanding Natural Beauty  
CF5 - New community facilities

## **3. Planning History**

DCNE2006/1272/F - Single storey classroom to replace timber classrooms - Permitted - 9th June 2006

DCNE2007/3033/F - Junior Classrooms and library and highway works - Permitted - 3rd December 2007

DCNE2007/3364/C - Demolition of three temporary classroom huts to provide site for new sports hall facility - Permitted 18th December 2007

#### **4. Consultation Summary**

##### Statutory Consultations

- 4.1 Sport England has no objections to the proposal subject to the community use of the Sports Hall being secured.

##### Internal Council Advice

- 4.2 The Conservation Officer considers the proposed building to be acceptable and welcomes the fact that the village green is not eroded.
- 4.3 The Transportation Section considers the proposed development, including the revised junction arrangements to be acceptable.
- 4.4 The Leisure and Countryside Recreation Officer has no objections to the proposal subject to the community use of the Sports Hall being secured.

#### **5. Representations**

- 5.1 Malvern Hills Conservators have no objections to the proposed development
- 5.2 Malvern Hills Area of Outstanding Natural Beauty - No objections. They wish a Travel Plan to be produced and the amount of highway signage to be minimised.
- 5.3 The Colwall Parish Council supports the proposed built development but object to the proposed highway works. They express specific concern as to the access to the property at 'Homeleigh'.
- 5.4 Occupiers of seven dwellings in the vicinity do not object to the development itself but do object to the proposed highway works on the following summarised grounds: -
- a) A 20mph speed limit should be imposed;
  - b) There should be a mechanism put in place preventing the development of the allocated housing site along Brockhill Road;
  - c) Access to Brockhill Road should be via Picton's Nursery;
  - d) Concern as to overrunning of grass island and / or verges;
  - e) The access into the property known as Homeleigh would be unreasonably difficult;
  - f) The proposal would increase traffic passing New Court but no improvement to the visibility to the right from this property is proposed; and
  - g) Inadequate car parking provision.
- 5.5 The full text of these letters can be inspected at Northern Planning Services, Garrick House, Widemarsh Street, Hereford and prior to the Sub-Committee meeting.

#### **6. Officer's Appraisal**

- 6.1 The application site lies within the confines of the grounds of the existing school. The previous planning approval (DCNE2007/3033/F) involved the provision of new classrooms on the site of the historic sub-standard gym. The proposal is to provide a replacement and enhanced facility indoor sports facility together with additional classrooms. The provision of such as facility within the existing curtilage of the school is acceptable in principle.

- 6.2 The proposal does in itself involve the loss of an area of tennis courts. This factor, together with good practice, leads to a requirement for the new indoor sports facility to be made available for community use. The school has agreed to do this and this is welcomed. The availability of such a facility by the wider public represents a significant benefit to the local community.
- 6.3 In terms of the layout and design of the proposed building, the main objective in negotiations has been to ensure that the building is set back from the road and sufficiently distant from Brockhill House to ensure that the southern façade of that building is still readily apparent in the view from Brockhill Road to the south-east. The proposal will not only ensure that the southern façade of Brockhill House remains open to view but also ensures a degree of physical separation.
- 6.4 An indoor sports hall will by its very nature be a building with a large span. The precise site levels and the use of a curved roof ensure that its height is restricted and will be materially lower than Brockhill House.
- 6.5 The precise materials and their colour would be secured by way of a planning condition.
- 6.6 The car parking provision when considered with that previously secured on the remainder of the school site is considered to be satisfactory. In addition to the twelve car parking spaces proposed, under planning permission DCNE/2007/3489/F fourteen car parking spaces were created in addition to the twenty six on-street parking spaces. In addition there are areas within the campus used for staff parking which remain unchanged. For events, in excess of eighty spaces can be made available on a temporary basis on a games court. In addition, the submitted Travel Plan is considered to be satisfactory.
- 6.7 The submitted plans include details of tree protection in accordance of the relevant British Standard. This will ensure that the Deodar Cedar of significant amenity value is adequately safeguarded.
- 6.8 The main issue raised by local residents has been the proposed junction arrangements at the junction of Brockhill Road, Walwyn Road and Old Church Road. The first matter to stress is that the existing junction arrangements are a result of historic development and that “the green” makes a valuable contribution to the character and appearance of the conservation area. The existing junction arrangements, even without the proposed development, are sub-standard by today’s highway design guidelines. The problems associated with the existing junction arrangements are summarised as follows: -
- There are a proliferation of routes leading to multiple potential conflict areas;
  - The visibility from the southern arm exiting Old Church Road southbound onto Walwyn Road is sub-standard;
  - There is poor speed restraint at this confusing junction;
  - There are no dropped kerbs to assist disabled pedestrians, parents with push-chairs, or wheelchairs crossing any arm of the junction, or to the post box; and
  - There is potential confusion for vulnerable road users, because of multiple possible vehicle routes.
- 6.9 The proposed development will increase traffic through the junction, despite measures in the submitted Travel Plan, to reduce reliance upon the private motor vehicle, due to the increase in pupil numbers and the community use of the indoor sports hall.

6.10 The proposed junction improvements introduce a one-way system around the existing junction and include a series of minor works. This scheme will achieve the following: -

- It will reduce conflict areas by reducing the number of possible routes;
- All traffic along Old Church Road would enter Walwyn Road along the northern-arm of the junction which has much better visibility than the southern arm;
- The junction would reduce the speed of traffic turning into Brockhill Road;
- The provision of dropped kerbs and the simplification of vehicle routes will enhance the safety and attractiveness of the junction for vulnerable road users;
- The triangular green would be retained;
- No traffic lights would be required. This reduces the need for both on-going maintenance and energy consumption. Furthermore the fact that no traffic lights are required would ensure that the character and appearance of the triangular green area is retained.

6.11 The Transportation Manager considers the design of the proposal to be acceptable and makes the point that detailed design would be the subject of a Section 278 Agreement. It is considered that the objections raised by local residents cannot be substantiated and it is considered that the relatively minor issues that they raise could adequately be dealt with in the detailed design stage under the Section 278 Agreement.

6.12 I therefore recommend that full conditional planning permission be granted.

#### **RECOMMENDATION**

**That planning permission be granted subject to the following conditions:**

**1 - A01 (Time limit for commencement (full permission) )**

**Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.**

**2 - No development shall commence until an arrangement, through an appropriate legal mechanism, has been made to secure the community use of the indoor sports hall and associated changing rooms hereby permitted.**

**Reason: To ensure satisfactory quantity, quality and accessibility of compensatory provision, which secures community, use in accordance with Planning Policy Guidance Note 17.**

**3 - Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval: -**

- **Written details and samples of all external materials**
- **Written details and samples of all surfacing materials in relation to the vehicular means of access, turning / manoeuvring areas and car parking areas**

**The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved details and thereafter maintained as such.**

**Reason:** To ensure a satisfactory appearance to the development within the Conservation Area and the Area of Outstanding Natural Beauty in accordance with policies DR1, LA1 and HBA6 of the Herefordshire Unitary Development Plan 2007.

- 4 - **Prior to commencement of the development hereby permitted full written details of the proposed boundary treatments (if any) shall be submitted to the Local Planning Authority for their written approval. The approved boundary treatments shall be fully implemented prior to the first use of the building hereby permitted and thereafter maintained as such.**

**Reason:** - To ensure a satisfactory appearance to the development within the Conservation Area and the Area of Outstanding Natural Beauty in accordance with policies DR1, LA1 and HBA6 of the Herefordshire Unitary Development Plan 2007.

- 5 - **No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping using indigenous species. The submitted scheme of landscaping must detail the location of all planting, the species, their size and the density of planting.**

**Reason:** To ensure that the development is satisfactorily integrated into the locality in accordance with policies LA1 and HBA6 of the Herefordshire Unitary Development Plan 2007.

- 6 - **All planting, seeding and turfing in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first use of the building hereby permitted or the completion of the development (whichever is the sooner). Any trees or plants which within a period of five years from the first use of the building or completion of the development (whichever is the sooner), die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**

**Reason:** To ensure that the development is satisfactorily integrated into the locality in accordance with policies LA1 and HBA6 of the Herefordshire Unitary Development Plan 2007.

- 7 - **Prior to the first use of the building hereby permitted or completion of the development (whichever is the sooner) the highway works detailed upon drawing number 207479/34a (Scale 1:500) received 12th February 2008 and the traffic management measures shown in drawing number 207479/22a within the Transport Assessment received 6<sup>th</sup> December 2007 shall be fully implemented.**

**Reason:** - To ensure that the highway design is satisfactory to cater with the additional traffic generated by the proposed development.

- 8 - **Prior to the first use of the building hereby permitted the motor vehicle parking, turning and manoeuvring areas and secure cycle parking facilities together with the refuse storage facilities shown upon the approved documents shall be fully implemented. Thereafter these areas and facilities shall be kept available for such use.**

**Reason: - In the interests of highway safety and to encourage the use of modes of transport other than the private motor vehicle.**

- 9 - Prior to commencement of the development hereby permitted full written details of all external lighting (if any) shall be submitted to the Local Planning Authority for their written approval. The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in strict accordance with the approved details and thereafter no other external lighting shall be installed without the prior written consent of the Local Planning Authority.**

**Reason: To safeguard the character and appearance of the Conservation Area and the Area of Outstanding Natural Beauty in accordance with policies LA1 and HBA6 of the Herefordshire Unitary Development Plan 2007.**

- 10 - The School Travel Plan prepared by Boreham Consulting Engineers Ltd (Ref: - R/207479SM Sep 07) as amended by the letter dated 27<sup>th</sup> February 2008 from Waterman Boreham Transport Planning shall be fully implemented.**

**Reason: To encourage the use of modes of transport other than the private motor vehicle.**

- 11 - Prior to commencement of the development hereby permitted the Deodar Cedar upon the site frontage shall be protected by fencing of at least 1.2 metres in height comprising vertical and horizontal framework of scaffolding (well braced to withstand impacts) supporting either chestnut cleft fencing or chain link fencing in accordance with figure 2 on page 13 of BS5837: 2005. This protective fencing shall be erected in the position shown upon drawing number NPA/10256 D 001 Rev C received 12 February 2008. Once these protective measures have been erected but prior to commencement of the development a suitably qualified arboricultural consultant shall inspect the site and write to the Local Planning Authority to confirm that the protective measures are in-situ. Upon confirmation of receipt of that letter by the Local Planning Authority the development may commence but the tree protection measures must remain in-situ until completion of the development.**

**Reason: To safeguard the Deodar Cedar upon the site frontage that makes a significant visual contribution to the Conservation Area in accordance with policies LA5 and HBA6 of the Herefordshire Unitary Development Plan 2007.**

- 12 - Prior to commencement of the development hereby permitted a Sports Development Plan/Programme (including timescales for its implementation) shall be submitted to the Local Planning Authority for their written approval. The development shall not commence until the Local Planning Authority has given such written approval. The Sports Development Plan/Programme shall be fully implemented in accordance with the approved details.**

**Reason: To secure sufficient benefits to the development of sport and to accord with Planning Policy Guidance Note 17.**

**Informative(s):**

- 1 - With regard the provisions of condition 2 above, the applicant is informed that, in the opinion of the Local Planning Authority, the most appropriate legal**

mechanism would be the subject of a Community Use Legal Agreement as detailed at: -

[http://www.sportengland.org/kitbag\\_cua.doc](http://www.sportengland.org/kitbag_cua.doc)

2 - The highway works required by way of condition 7 will; require the completion of a Section 278 Agreement under the Highways Act that shall assess the detailed design of these works. There is a design check fee associated with the Agreement.

3 - N15 - Reason(s) for the Grant of PP/LBC/CAC

4 - N19 - Avoidance of doubt

For the avoidance of any doubt the plans for the development hereby approved are as follows:-

- Topographical Survey - Drawing number SSL: 11485-3:200:1:1 (Scale 1:200) received 21st September 2007;
- External Realm Design - Drawing number NPA/10256 D 002 (Scale 1:200) received 12th February 2008;
- Existing Site and Location Plan - Drawing number A-5-001 (Scales 1:1250 & 1:200) received 6th December 2007;
- Ground Floor Plan - Drawing number A-5-020 (Scale 1:100) received 6th December 2007;
- First Floor Plan - Drawing number A-05-021 (Scale 1:100) received 6th December 2007;
- Roof Plan - Drawing number A-05-022 (Scale 1:100) received 6th December 2007;
- Sections - Drawing number A-05-40 (Scale 1:100) received 6th December 2007;
- Clerestory Window Plan - Drawing number A-05-023 (Scale 1:100) received 14th December 2007;
- Elevations Sheet 1 - Drawing number A-05-30 (Scale 1:100) received 6th December 2007;
- Elevations Sheet 2 - Drawing number A-05-31 (Scale 1:100) received 6th December 2007;
- Context Elevations Sheet 1 - Drawing number A-5-35 (Scale 1:150) received 6th December 2007;
- Context Elevations and Section Sheet 2 - Drawing number A-05-36 (Scale 1:150) received 6th December 2007;
- Tree Removal & Protection Plan - Drawing number NPA/10256 D 001 Rev C received 12th February 2008;
- Amended Junction Layout - Drawing number 207479/34a (Scale 1:500) received 12th February 2008;
- One Way Option: AutoTrack of a Refuse Vehicle Accessing Brockhill Road - Drawing number 207479/34b (Scale 1:500) received 12th February 21008;
- One Way Option: AutoTrack of a Coach Accessing Brockhill Road - Drawing number 207479/34c (Scale 1: 500) received 12th February 2008;
- Proposed Cycle Shelter - Drawing number NPA/10256D 003 received 12th February 2008;
- School Travel Plan prepared by Boreham Consulting Engineers Ltd (Ref: - R/207479SM Sep 07) as amended by the letter dated 27<sup>th</sup> February 2008 Waterman Boreham Transport Planning.



- **Transport Assessment prepared by Boreham Consulting Engineers Ltd received 6<sup>th</sup> December 2007.**

**5. - Advice with regard to Sports Development Plans/Programmes is available on the Sport England website.**

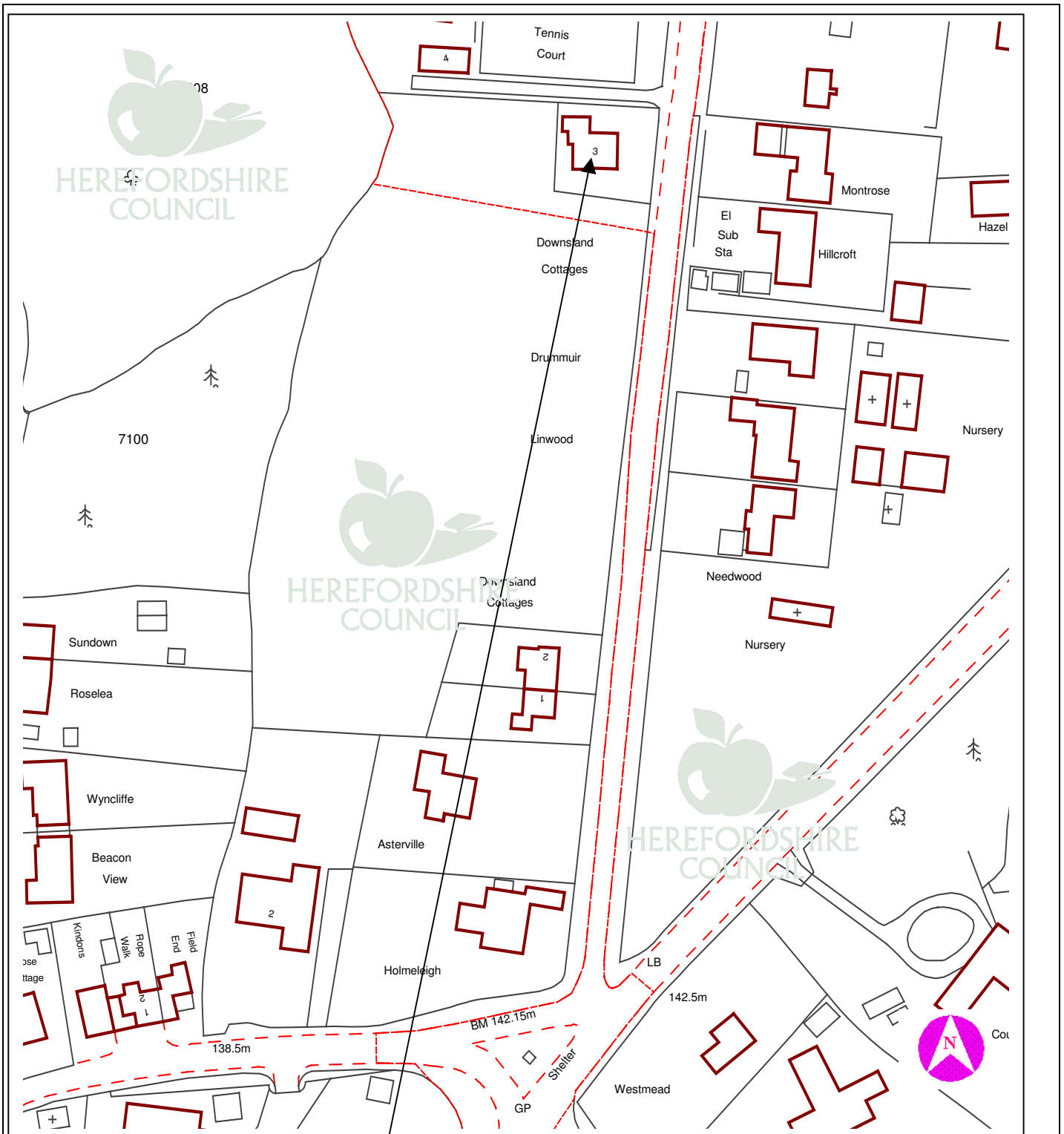
Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.



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**APPLICATION NO:** DCNE2007/3842/F

**SCALE :** 1 : 1250

**SITE ADDRESS :** The Downs School, Brockhill Road, Malvern, Herefordshire, WR13 6EY

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