

8 DCCW2003/2113/O - SITE FOR CONSTRUCTION OF NEW HIGH SCHOOL AND ASSOCIATED PLAYING FIELDS AT LAND OFF THREE ELMS ROAD AND TO THE REAR OF BONINGTON DRIVE, HEREFORD

**For: Herefordshire Council per Property Services,
Herefordshire Council, Franklin House, 4 Commercial
Road, Hereford, HR1 2BB**

Date Received: 25th July 2003

Ward: Three Elms

Grid Ref: 48841, 41417

Expiry Date: 14th November 2003

Local Members: Councillors Mrs. P.A. Andrews, Mrs. S.P.A. Daniels and Ms. A.M. Toon

1. Site Description and Proposal

- 1.1 The application site is 6.75 ha. area of open field lying on the western side of Three Elms Road. To the east and north is countryside partly bounded by Yazor Brook. To the south is the established residential area of Bonington Drive.
- 1.2 The proposal, which has been submitted in outline form, is for the construction of a new High School and associated playing fields. All matters, external appearance, means of access, siting, design and landscaping are reserved for future consideration.
- 1.3 The application is accompanied by an Environmental Statement, preliminary Flood Risk Assessment, Transport Assessment and Planning Statement.

2. Policies

2.1 Planning Policy Guidance:

- PPG1 - General Policy and Principles
PPG7 - The Countryside - Environmental Quality and Economic and Social Development

2.2 Hereford and Worcester County Structure Plan:

- Policy CTC9 - Development Requirements
Policy M2 - Mineral Reserves
Policy LR5 - Public Rights of Way
Policy A1 - Development on Agricultural Land

2.3 Hereford Local Plan:

- Policy SC6 - Permanent Education Accommodation
Policy CAL4 - Agricultural Land
Policy ENV2 - Flood Storage Areas
Policy ENV14 - Design
Policy ENV15 - Access for All
Policy T11 - Pedestrian Provision

Policy T12	-	Cyclist Provision
Policy H21	-	Compatibility of Non-residential Uses
Policy NC6	-	Criteria for Development Proposals
Policy NC7	-	Development Proposals – Habitat Creation and Enhancement
Policy NC8	-	Protected Species
Policy NC9	-	Infrastructure Works

2.4 Herefordshire Unitary Development (Deposit Draft):

Policy CF8	-	School Proposals
Policy M5	-	Safeguarding Mineral Reserves

3. Planning History

- 3.1 CW2002/3051/O Site for the construction of new high school and associated playing fields. Withdrawn 4th June 2003.

4. Consultation Summary

Statutory and Non-Statutory Consultations

- 4.1 Environment Agency having regard to the Flood Risk Assessment recommend conditions be added.
- 4.2 Welsh Water in revised advice no longer object to the proposal subject to conditions.
- 4.3 The Countryside Agency have decided not to make any formal representation.
- 4.4 English Nature have not commented other than to support the mitigation and habitat creation/enhancement proposals set out in the Environmental Statement.
- 4.5 Herefordshire Nature Trust has no formal objection.
- 4.6 Open Spaces Society are concerned that an outline planning application does not provide enough information. The proposal affects public footpath HER38 and refers to non registered footpaths crossing the site that could well have public rights. Reference is also made to their response to the earlier (withdrawn) application which called for separate footway and cycling track with adequate lighting.

Internal Council advice

- 4.7 Chief Forward Planning Officer confirms, in respect of Hereford Local Plan that the site is adjacent to but outside the built up area and so is in an area of countryside. Normal policies of constraint in such locations are balanced by a specific policy for educational provision. The draft UDP has a specific land allocation for this proposal, although concerns are raised about flooding.
- 4.8 Minerals and Waste Officer advises most of the site falls within 200 metres of a settlement. Within this distance it would not be normal to permit new mineral workings.

4.9 Chief Conservation Officer in respect of:

- (i) Archaeological interest states there are recorded earthworks on the site and advises a standard condition be included on any permission granted
- (ii) Ecology, supports the proposals set out in the Environmental Statement and puts forward further advice.

4.10 Head of Engineering and Transportation confirms there are no objections to the proposal in principle, but further information will be required. A further Transport Assessment - Addendum Report was received on 21st October 2003. Any further response will be reported to the meeting.

5. Representations

5.1 Hereford City Council declined to comment in the absence of the promised Flood Risk Assessment.

5.2 Letters of objection and concern have been received from Nos. 8, 9, 22, 24, 30, 35, 36, 42, 44, 48, 50, 65 Bonington Drive; also Nos. 136 and 138 Three Elms Road and 13 Haston Close (undersigned by Nos. 7, 9, 15, 11). A letter was also received from Thompson Land and Property on behalf of 119 Three Elms Road. These letters raised concerns which have been summarised as follows:

- Access from Three Elms Road is dangerous with poor visibility and traffic is heavy and often travelling at the speed limit. Traffic turning into the school will block the road.
- Increased vehicular traffic through Bonington Drive causing concern with regards to car parking, congestion, highway safety, pedestrian safety and repair of road. Traffic calming measures should be considered.
- That the provision of two pedestrian access points from Bonington Drive is excessive causing parents to drop off and pick up in this location. This could be problematic for traffic congestion and loss of parking spaces for local residents. Alternative pedestrian accesses should be considered.
- Use of site for school would lead to a loss of privacy, and that noise, disturbance, disruption, lighting would cause nuisance and affect local residents. Also concerns about security, vandalism, litter and damage to personal property that may occur.
- Loss of field that is currently used safely by children for playing etc.
- Concern regarding maintenance of boundary fences.
- Close proximity of cycle/footpath to trees cover by a Tree Preservation Order.
- Concern over fact that the site is a flood storage area and repercussions of this.
- Concern over the pipelines carrying mains water and mains sewers which runs through the site.

- Concern regarding the potential height and scale of the building and visual effects and impact on residential amenity it may have.

5.3 Accompanying the application is a Planning Statement which sets out the Education Directorate case for a new high school.

It is evident that the existing building is in poor condition and out of date in respect of educational needs. A new school building will aid educational improvements. The new school will be designed to accommodate 900 students and will afford opportunity to improve security, access and car parking and hard play areas. Other benefits will be improved disabled access and an ability to meet current standards of fire precautions. The Planning Statement advances wider community benefits of social inclusion that will flow from a new building on the proposed site including lifelong learning and early years provision. The Statement advises the new school will be built with environmental considerations as a priority to ensure sustainability.

One of the most important aspects of the report is the options appraisal. These range from do nothing to closing the school and to make provision elsewhere. It is clear that options to do nothing or repair the existing are expensive and would not overcome known failings associated with the existing building, access and other issues already highlighted. The existing site is not large enough to meet standard needs or space standards.

A site search to find the most suitable site to meet all of the specified needs resulted in identification of the application site which is identified in the draft Unitary Development Plan for the purpose.

The full text of these letters and the Planning Statement can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The current development plan, Hereford Local Plan, defines the site as countryside. As such this proposal is a departure from the Development Plan. It is considered the proposal is not so significant that it should not be considered until the Unitary Development Plan has been adopted. In addition given there is support in policy terms (SC6) for educational provision within Hereford Local Plan and that the site adjoins the settlement boundary, the proposal is not considered so significant in terms of scale that it should be referred to the Secretary of State.

6.2 The main issues to consider concern the suitability of the site for the proposed use. Issues that contribute to that consideration relate to flooding, access and transportation, biodiversity, impact on landscape and capacity of the local foul drainage system to serve the development.

6.3 The Principle of the Proposal

Hereford Local Plan:

1. Hereford Local Plan seeks to restrict any further expansion of the urban area of Hereford. The application site is within land identified as countryside where a number of policies apply. The Plan contains no specific policy that would address a new school within a countryside location. However, Policy SC6 does

permit development for educational provision where proposals are in accordance with other policies of the Plan.

2. Herefordshire Unitary Development Plan (Deposit Draft):

Has considered the need for a replacement school and has identified the application site as a Plan proposal. In so doing, initial consultations as a 'Preferred Proposal' raised some public comments but no major constraints from consulted bodies. One of the main attributes of the site was its ability to link into the adjacent cycleway/pedestrian network, thus offering a safer route to school. Flooding was identified as a major issue resulting in a requirement for a Flood Risk Assessment. Given the Environment Agency has withdrawn their objection then substantial weight can be placed by the Committee on this draft UDP policy.

6.4 Impact of Flooding

Policy ENV2 of Hereford Local Plan restricts development proposals likely to impact on the Yazor Brook system unless acceptable mitigation is proposed.

Environment Agency's (EA) initial response on this application was to object on the grounds that the site is located within the Agency's Indicative Floodplain. This response indicated the applicant could submit a Flood Risk Assessment to ascertain the extent of the flood risk. Comments on Preliminary Flood Risk Assessment received from the Environment Agency are cautious of the information but make recommendations in the form of conditions to secure development outside the floodplain outline responds to these recommendations.

6.5 Access and Transportation

Site layout should have regard to access for all and the relationship between buildings, parking and public access (Policy ENV15). Any development should enhance pedestrian and cycle safety and convenience in accordance with Policies T11 and T12. In addition Policy H21 states that development adjacent to residential areas should be compatible and not have an adverse effect upon the character and amenity of an area.

The Transport Assessment considered the likely impact of the proposal on nearby road junctions, compared likely trips route generation for the new school compared to the generation for the new school compared to the current situation and undertaken an accident safety analysis of the surrounding road system. In addition the implications of proposed residential development of the current school site on the road system is considered as is the availability and potential for improvement of local public transport. The findings have been assessed and further information requested in respect of car and bus parking, the relocation of bus stops, a new cycle route and other issues including a formal Travel Plan. These further issues have been addressed in the Transport Assessment – Addendum Report.

6.6 Biodiversity

Nature conservation Policies NC6-9 variously seek to ensure that relevant nature conservation interests have been surveyed and that proposals preserve features of value or provide new habitats in part compensation. They also seek to create new areas of nature conservation interest, protect important species and ensure that the impact of proposed infrastructure works is fully assessed and minimised. The Environmental Statement sets out that appropriate Habitat and Species surveys have

been completed. It identifies the area of highest nature conservation value to be that immediately adjacent to the Yazor Brook. All hedgerows are to be retained except that lost to provide access to the site. New areas of planting are proposed to mitigate this loss. Secondary impacts on Yazor Brook will be reduced or negated by keeping development away from the banks and by a dense shrub belt. Mitigation measures to increase the site's nature conservation value include wild flower grasslands, creation of a pond and the installation of bat and bird boxes. Supporting these proposals the Chief Conservation Officer has advised on other measures aimed at improving the ecological value of the site.

6.7 Impact on Landscape

Members are reminded this application is in outline form with all matters reserved. Consequently judgement on impact on landscape can only be properly assessed at the reserved matters stage. Policy guidance on design is also set out in Policy DR1 Design in the Draft Unitary Development Plan which fully addresses the issue of impact of a proposal.

6.8 Foul Drainage

Draft Unitary Development Plan Policy CF2, Foul drainage, requires developments to make satisfactory arrangements for foul drainage. Initially Welsh Water Authority objected to this proposal on grounds that there was insufficient capacity in the existing system to cater for this new development. Further information has been provided to Welsh Water Authority confirming foul discharge could be accepted to the public system. Revised comments withdrawing the earlier objection and recommending appropriate conditions have been received.

6.9 Other Issues

The Environmental Statement considers other issues such as socio-economic effects, ground conditions and contamination and water resources. In addition noise, air quality and cultural heritage are considered.

These issues have been individually addressed with positive benefits identified in the socio-economic study but little impact on the remaining. In respect of archaeology the site has been identified, as an area of interest and any permission should be subject to the normal investigative condition.

6.10 Conclusion

In policy terms this application precedes consideration of this land allocation through the Unitary Development Plan provision. It is for Members to balance the need for this development against current adopted policy set out in Hereford Local Plan and the information provided in the Environmental Statement and accompanying documents.

On the main issues particularly flooding it is clear the development can be achieved subject to observance of advice. In respect of other issues policies of the Hereford Local Plan and the Unitary Development Plan where quoted are shown to be complied with.

Objections to this development mainly concern issues around traffic and that a school in this location will be disruptive to local amenity. Other issues of flooding have been dealt with in the report. Issues in respect of traffic, in the widest sense, have been

addressed satisfactorily as have the issue of noise. However it is thought unlikely that the proposal will affect living conditions of nearby residents to any marked degree other than for the short duration of break times or the movement of buses.

On balance it is advised that the identified need for a new high school on the application site outweighs other considerations subject to the development being carried out in accordance with the Environmental Statement and accompanying documents.

RECOMMENDATION

That

- (i) it be recorded that the Environmental Statement and associated documents, and consultations on and responses to the Environmental Statement and associated documents, have been taken into account in the making of the decision; and**
- (ii) Outline planning permission be granted subject to conditions considered necessary by Officers.**

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.