

**6 DCCW2004/3917/F - CHANGE OF USE TO SMALL SCHOOL FOR PUPILS 11-16 YEARS AT TRINITY HOUSE, 31 BARRICOMBE DRIVE, HEREFORD, HR4 0NU****For: Clifford House, Eyecote, Luston, Leominster, Herefordshire, HR6 0AS****Date Received: 9th November 2004    Ward: Three Elms    Grid Ref: 49204, 41193****Expiry Date: 4th January 2005**

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

Members will recall that this planning application was deferred pending a meeting with the applicant, residents, school and local Members. The outcome of this meeting will be reported verbally since at the time of writing it had not been convened.

The report has been updated to include additional representations received.

**1. Site Description and Proposal**

- 1.1 The site comprises the former office building known as Trinity House including car parking area to the front of the building and is accessed via a private drive which also serves two detached dwellings. This drive runs along the boundary with Trinity County Primary School.
- 1.2 The building is two storey constructed of brick under a tile roof. The front area is laid out as a car park and can accommodate approximately 16 vehicles. The remainder of the curtilage is grassed.
- 1.3 Planning permission is sought to change the use of the premises to a small school for 15 children aged between 11 and 16 years. The accommodation will be divided into three classrooms, staff room, kitchen, boiler room, w.c. and hall on the ground floor with three classrooms, two offices and w.c. on the first floor. The application is for a change of use and does not involve any external alterations.

**2. Policies****2.1 Hereford and Worcester County Structure Plan:**

Policy CTC9    -    Development Requirements

**2.2 Hereford Local Plan:**

Policy ENV14    -    Design  
Policy H12       -    Established Residential Areas – Character and Amenity  
Policy H21       -    Compatibility of Non-residential Uses  
Policy SC6       -    Permanent Educational Accommodation

## 2.3 Herefordshire Unitary Development Plan (Proposed Revised Draft):

Policy T11	-	Parking Provision
Policy T14	-	School Travel

**3. Planning History**

- 3.1 P/25024 Residential development and provision of an access drive for four dwellings. Approved 10th June 1982.
- 3.2 P/28214 Proposed 8 bed medium stay childrens home. Approved 20th June 1986.
- 3.3 HC890564JZ Change of use from residential childrens home to therapeutic and office use. Approved 30th October 1989.
- 3.4 HC950432PF/W Change of use from offices. Approved 19th December 1995.
- 3.5 HC970528PF/W Conversion and extension of existing building to provide accommodation for mental health rehabilitation unit. Refused 19th February 1998.
- 3.6 DCCW2004/1006/F Change of use from office to residential. Approved 14th May 2004.

**4. Consultation Summary**Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 The Traffic Manager has no objection. Parking is exactly in accordance with Herefordshire Council standards. Access from the adopted highway is acceptable. Extant use for offices is likely to be a higher overall generation of traffic over a working day.
- 4.3 Environmental Health and Trading Standards - no comments.
- 4.4 Head of Education - Trinity House is served by the same cul-de-sac that also provides access to Trinity Primary School. There are already concerns regarding congestion in the area and in particular there would be great concern over any increase in the number of minibuses and cars that would be required to both drop off the children and collect them again from the school should this application be approved.

**5. Representations**

- 5.1 Hereford City Council - recommend refusal. Access to site considered to be substandard for other than domestic use for which building was designed. Considered to be an incompatible use for a residential area.
- 5.2 Governors of Trinity School – “The Governors of Trinity School wish to make a representation regarding the above planned change of usage at Trinity House.

The site is adjacent to Trinity Primary School and both sites are served by Barricombe Drive, which is a cul-de-sac, requiring traffic both up and down for access/egress. There is also parking permitted on one side of Barricombe Drive, which means that traffic cannot flow in both directions at once any way. The existing congestion is already a problem, and access at key times is very difficult.

The residents and school are already working closely together on formulating travel plans to ease congestion in the entire Moor Farm area.

With the siting of Whitecross High School adjacent to Trinity Primary School across the Three Elms Road, this would concentrate three schools in very close proximity. The problems of access would be further complicated.

The age range of the two schools either side of this primary school would be the same (11-16) and would place our young, vulnerable children in the middle of a potential clash between students from the other two schools. The students travelling to and from school would share the same access routes and the potential rivalry would spill over into the community, and be witnessed by our primary pupils.

This area has had recent, serious trouble in the community involving youths and residents, culminating in the death of a resident at 29 Barricombe Drive (next door to both Trinity House and Trinity School).

As governors of Trinity Primary School and neighbours in this community, we strongly object to the creation of a further school in this cul-de-sac, for reasons of congestion and increasing the number of youths moving through the area with the potential for conflict this could bring.”

5.3 Nine letters of objection have been received together with a petition signed by 141 people. The main points raised are:

1. This is a predominantly residential area and the addition of a non-residential development of this size will add to the traffic problems already affecting the area.
2. The nature of the pupils who will attend the school are likely to have an adverse effect upon the local established residents. There is already a Public Order issue in the area and this will exacerbate the problem.
3. Trinity School is at the bottom of the drive leading to Trinity House and these pupils should not have to be confronted by disorderly or even violent senior students.
4. Adjacent residential property would have their amenity and privacy impacted upon due to overlooking.
5. The premises are too small for activity equipment to be placed outside.

5.4 Letter of objection from Herefordshire Housing as follows.

“I have been instructed by the Board of Herefordshire Housing to write and express its concerns regarding the above application.

Trinity House is located next to a primary school in the middle of a highly-populated housing estate containing some fairly vulnerable social housing tenants.

The type of young persons accommodated by Clifford House potentially represents a serious risk to the local community which could be avoided by accommodating these young people in a more appropriate location.

There are already a range of social issues being experienced on the Moor Farm Estate and this application will do nothing to improve that situation.

The board understands that, whilst initially built as a special school by the former Hereford and Worcester County Council, it has never been used as such – mainly because of the unsuitability of its location.”

5.5 Letter of objection from Paul Keetch, MP as follows.

“The concerns of local residents, councillors, police and others have been raised with me in connection with the proposals for the above development.

I feel that the intended use for this site is wholly inappropriate for this particular residential area and would therefore ask you to note my opposition thereof.”

5.6 The applicants have submitted the following letter in support of the proposal.

“Thank you for your letter dated 3rd December 2004 with reference to Trinity House. You request some extra information, which we are of course happy to supply.

Setting up a school is a long involved process and set out in a statutory instrument and examined by the DFES. It will be our intention to extend registration of our current school to include this site as soon as possible if consent is granted.

We have two other schools, The Larches, Coningsby Road, Leominster, HR6 8LL and Northwall House in the city of Worcester at 11 The Butts, Worcester, WR1 3PA. To date to my knowledge neither of these establishments have caused any difficulty to the local community.

It is our expectation that the school would operate Monday to Friday from 9am to 3.30pm. Evenings and weekends would be free as of course 'normal' holiday arrangements. We envisage that about 15 pupils would attend.

The teaching ratio (all qualified teachers) will be 2:1 normally but the largest class size would be set at four pupils. We also employ classroom assistants to assist in the delivery of the educational experiences. The school would be managed by a senior teacher who would take day-to-day charge and control and be based on site.

Education is a vital component of the Looked After System and we place a great emphasis on a quality learning experience, all our pupils are expected to take public examinations.

As you will be aware the property has the benefit of a large parking area, much used by Herefordshire Council, latterly as an occupational therapy unit.

We would expect that children would be transported to school in a people type vehicle carrier at the beginning and end of the educational day. This in effect would be a taxi type arrangement, which is administered by our residential staff. On this site two or three vehicles could easily transport the pupils to daily school.

In my experience these type of applications always seem to produce more 'heat' than light. We would be more than happy to extend a welcome for any of your ward representatives to visit our 'Larches' school in Leominster. I would hope they would be pleasantly surprised.

If you require any more information or indeed if you wish to visit our school in Leominster to get a flavour of our educational delivery then please feel free to get in touch."

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

## **6. Officers Appraisal**

6.1 In assessing this application consideration must be given to

1. The impact on residential amenity.
2. Access and parking.

### The Impact on Residential Amenity

6.2 The site is located in essentially a residential area with Trinity School located immediately to the north. Members will note the previous permissions granted for the building which have been allowed in the knowledge of the site's location. The school will run at similar times to the adjoining Trinity School and therefore the impact of the use is not considered to be detrimental to the amenities of nearby residents.

### Access and Parking

6.3 Access to the site is via the private drive near the entrance to Trinity School. This has been inspected by the Traffic Manager and in view of the previous uses he considers that access and parking provision is acceptable.

### Conclusion

6.4 The application has evoked considerable disquiet from local residents and the Governors of Trinity School. However in planning terms the use of the premises for only 15 pupils is considered acceptable particularly taking into account the previous permission granted. The access and parking provisions have been thoroughly assessed by the Traffic Manager who raises no objection. The proposal is therefore considered to be acceptable.

## **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. **A06 (Development in accordance with approved plans).**

**Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.**

- 3. **The premises shall be used for up to 15 pupils.**

**Reason: In order to clarify the terms of the permission and in accordance with the applicant's letter dated 8th December 2004.**

**Informative:**

- 1. **N15 - Reason(s) for the Grant of PP/LBC/CAC.**

Decision: .....

Notes: .....

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**Background Papers**

Internal departmental consultation replies.