(4) Application No: PAP/2019/0498

Polesworth High School, Dordon Road, Polesworth, Warwickshire, B78 1QT

Demolition of five existing school buildings, erection of replacement teaching block, associated landscaping and provision of a Multi Use Games Area, for

G F Tomlinson Building Ltd

Introduction

This application was reported to the February Board meeting but determination was deferred so that Members could visit the site and to await the outcome of ongoing discussions between the School and Community groups who presently use the buildings proposed to be demolished.

For convenience the previous report is attached at Appendix A.

The visit has been arranged after the time by which this report had to be circulated. A Supplementary Report will thus be forwarded to Members before the Board meeting. It will provide a note of the visit as well as an update on the discussions between the School and the community group.

Recommendation

That the report be noted and a supplementary report be circulated as advised.

General Development Applications

(1) Application No: PAP/2019/0498

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Demolition of five existing school buildings, erection of replacement teaching block, associated landscaping and provision of a Multi Use Games Area, for

G F Tomlinson Building Ltd

Introduction

The application is reported to the Board as the recommendation is contrary to the consultation response of Sport England thus resulting in the referral of the case to the Secretary of State should it be agreed, under the 2009 Direction.

The Site

The School is located on the west side of Dordon Road with a frontage to that road and also set back behind it. In total the site amounts to just over 12 hectares in area, most of which is playing fields extending well to the south.

The existing range of school buildings is concentrated at the northern end of the site with a frontage to the Dordon Road. These comprise a mix of single, two and three storey heights with a wide range of building dates and thus appearances – ranging from the Victorian ones along that frontage through to the mid-20th century with the most recent dating from 2011.

The overall site is illustrated at Appendix A.

The Proposals

The proposals brought to the Board in this report are amendments to those originally submitted. However the overall proposal is still to demolish five of the existing buildings and to replace them with one new purpose built classroom block in the same location as originally proposed.

The five to be demolished are at three different locations on site and have all been audited by the DfE and shown to be in such a poor physical condition that there is no case for repair or refurbishment. They are also not appropriate for modern day education accommodation being of temporary construction. The proposal is thus part of the DfE's Schools Investment programme to address urgent requirements. The new block would be a three storey building located at the far western end of the campus next to a similar building – the one dating from 2011 referred to above. It would house areas specifically for the teaching of science together with design and technology. It would be constructed in red brickwork with grey render and green coloured panels. The areas arising from the demolitions will now all be used for extra parking and as amenity space.

The original submission included the re-use of one of the sites where buildings are to be demolished as a small flood lit Multi Use Games Area (MUGA) to be used both during and after school hours. This has been removed from the latest plans. It is now proposed to enhance the existing larger MUGA in the north-west of the campus. This presently is

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marked out for tennis and netball courts. The enhancements include providing a new porous macadam surface; replacing the existing fencing with a new three metre high weld mesh perimeter fence, adding flood lighting and entering into a community use agreement for the facility.

The gross internal floor area to be demolished is 2056 square metres and the new block would be 2475 (but with a footprint of 825 square metres).

There would be no increase in pupil or staff numbers.

The location of the buildings to be demolished is at Appendix B. The location of the new building is at Appendix C. Its appearance is at Appendix D. The enhancements to the existing MUGA are at Appendix E.

The application is accompanied by a number of supporting documents.

A Ground Conditions report recommends that conventional foundations would be appropriate but that but they should incorporate measures to reduce gas emissions into the building.

The Arboricultural report indicates the removal of a small number of trees as a consequence of the demolitions, but with new planting in the vicinity of the new building.

An Ecology report recommends good practice in respect of mitigation measures to protect retained features and that survey work did not reveal the presence of bats.

The Flood Risk Assessment concludes that the surface water is not considered to be a significant flood risk here and that foul water discharge is unlikely to be any greater than at present. Sustainable drainage systems can be employed to drain the site.

The Planning Statement together with its Addendum covering the amendment draws the submission together in a full planning policy context.

Consultations

Warwickshire County Council as Lead Local Flood Authority – It has submitted a "holding objection" because it requires more detail.

Warwickshire County Council as Highway Authority – It had concerns about the potential for increased traffic generation, but following confirmation that the development would not increase staff or pupil numbers, there is no objection subject to conditions.

Environmental Health Officer - No objection subject to standard conditions.

Sport England – It objected to the original proposal on the grounds that there would be a loss of part of an existing playing field particularly in reducing the opportunity to upgrade that pitch with new drainage measures; reducing the ability to rotate and reposition it together with other existing pitches and because the proposed MUGA by way of mitigation for the loss of playing field was not seen as appropriate due to its size which would limit the range of possible activities. It still retains its objection as a consequence of the amended proposal. This is because the location of the new classroom remains unchanged. However it does recognise the opportunity provided for extended community use of the enhanced MUGA and that provision is far more in line

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with local needs than the original proposal. As such it has indicated that if the Council considers that the overall benefits of the proposal outweigh the objection, it would support a condition requiring community use of the new enhanced MUGA.

Director of Leisure and Community Development – There was an objection too to the original proposals as the small MUGA would not meet recognised community needs. The amended proposal however is welcomed as it would allow an opportunity to use the enhanced area for recognised needs and extended opportunities for community use of the facility is an added benefit. This amended proposal is supported.

Representations

Polesworth Parish Council – It objects as it says that two of the buildings to be demolished are presently are used for community use and no alternative accommodation has been offered.

Five objections were received at the time of the original submission, with three of these directed at the new multi-use games area (MUGA) proposed on the site of one of the buildings to be demolished. These were amenity concerns because of the potential for adverse noise and light pollution immediately at the rear of existing rear gardens backing onto that part of the site. The distance of the new pitch from rear elevations would have been around 30 metres at its closest. A further objection repeats the matter raised by the Parish Council and the fifth objection was concerned that there was no additional car parking proposed. Following the removal of the new MUGA from the application and the alternative of enhancement to an existing playing field, there have been no objections received. However there is concern about the introduction of car parking in lieu of the original MUGA because of potential disturbance.

So representations received relevant to the plans to be determined relate to:

- · The loss of community use of the buildings to be demolished
- The disturbance arising from a new car park and
- the lack of any additional car parking on site

Development Plan

The North Warwickshire Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW10 (Development Considerations), NW12 (Quality of Development) and NW19 (Polesworth and Dordon) Saved Policies of the North Warwickshire Local Plan 2006 – ENV12 (Urban Design) and ENV13 (Building Design)

Other Material Planning Considerations

The National Planning Policy Framework

Playing Fields Policy and Guidance - Sport England 2018

The Submitted Local Plan 2018 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP5 (Meaningful Gap), LP31 (Development Considerations) and LP32 (Built Form)

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NWBC Playing Pitch Strategy 2017

The Town and Country Planning (Consultation) (England) Direction 2009

Observations

a) Introduction

There is no objection in principle to the general approach taken here in order to replace inappropriate and inadequate education accommodation with a better equipped and more sustainable building. There are however two significant issues which will impact on the final outcome of this report. The first relates to the actual site of the new building as it is outside of Dordon's settlement boundary and thus in the Meaningful Gap as described in the Core Strategy and the emerging Local Plan. The second is to consider the objection from Sport England.

b) The Meaningful Gap

Policy NW2 of the Core Strategy states that new development will be permitted within or adjacent to the development boundary of Polesworth with Dordon. This is the case here with the site of the new building being adjacent to that boundary – see Appendix B. However this means that the site is inside the Meaningful Gap. Members will be aware that Policy NW19 of the Core Strategy draws attention for the need to retain the separate identities of Polesworth and Dordon by retaining a meaningful gap between them and the edge of Tamworth to the west. As defined by Policy NW2 the site of the new building is outside of the settlement boundary of Dordon and thus in that Gap. The boundary runs at the rear of the range of buildings on the school site, but the recent 2011 building referred to above, is outside of that boundary and is thus already in the Gap – see Appendix B. The Submitted Regulation 19 Local Plan set out to define this Gap more explicitly and Policy LP5 does so. The new building remains in the Gap under that policy.

Full weight should not be given to Policy LP5 as the extent of the Gap was the subject of representations at the recent Examination in Public and there are no Modifications published at this time. However it is clear that the site is located between Polesworth and Tamworth and thus the impact of Policy NW19 carries full weight as it is in the adopted Development Plan. This Policy asks for the separate identities of Polesworth, Dordon and Tamworth to be respected. The proposal therefore has to be assessed against that criterion alone.

It is not considered that this criterion is materially affected for the following three reasons.

Firstly, there is already built school development outside of the boundary in the immediate vicinity of the application building. Certainly this would extend that development but it would run parallel with the boundary and visually and spatially it would be read as part of the school's existing campus. It is not a new isolated structure. It could be seen as an extension to existing buildings.

Secondly, the criterion is explicit in its reference to the identity of the named settlements. It is not a blanket refusal for all new development. The conclusion from above strongly points to the building works not changing the identity of any of the named settlements. It can be absorbed visually and spatially within the current identity of Polesworth and Dordon and certainly doesn't impact on Tamworth.

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Thirdly, a range of alternative locations does not exist. The sites vacated by the temporary buildings are themselves of insufficient size to accommodate replacement education space expected at the present time. Providing an additional classroom on each site is also inefficient and will require time to transfer staff and pupils. Moreover any construction work on two or three sites within the main campus would have health and safety as well as logistical issues. Different locations for a new block were also explored – one much further to the north and having two smaller buildings – one on the present site and one to the north. These were rejected because of significant ground level changes to the north; greater impact on the meaningful gap criterion, achieving access for construction and logistical issues of retaining a working school with afterhours community use. Given all of these matters, it is agreed with the applicant that in this case, the proposal does represent the most reasonable solution.

It is in all of these circumstances therefore, that it is not considered that there is a breach of policy NW19.

c) Sport England

The objection here stems from the loss of playing field space. It is not actually part of a pitch but it is still classed as "playing field" by Sport England. Members can see from the plans that this is a small area and it essentially acts as a "buffer" area around the closest pitch. However it still is a "loss". Its loss also as referred to above, may restrict opportunities to reposition and upgrade the larger area covered by all the playing fields in overall terms. The original proposal included a new small MUGA by way of compensation as is required by the NPPF. However this too drew an objection from Sport England as it was seen as being too small to cater for a range of sporting activities, including those which the Council's own Playing Pitch Strategy identifies as being deficient in Polesworth and Dordon. It was not therefore an "appropriate" replacement.

In order to overcome these concerns, the School reviewed the proposed inclusion of the MUGA and now instead, proposes enhancements to an existing MUGA to the north of the site. These were described above and would enable the introduction of community use for a wider range of sporting activity – particularly to meet an identified deficiency in the Council's Playing Pitch Strategy – namely an Under 11 football facility. Sport England as seen from above, still maintains its objection in principle, but suggests that if the Council consider that the benefits of the overall proposal are of such weight so as to support that proposal, then a condition ensuring community use would be the way forward. This approach is welcomed by appropriate officers of the Council. This position will therefore need to be addressed when the Board assesses the final planning balance.

d) Other Matters

It can be seen from the consultation section above that provided the Lead Local Flood Authority is satisfied there are no technical objections to the revised scheme subject to standard planning conditions. In respect of the Highway Authority's concerns then there would be no increased traffic generated during school hours. However if there is support for the community use of the enhanced MUGA then there would be. However this would be outside of normal school and peak hour traffic flows. It is not considered that this would not have an adverse impact.

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As can be seen there were objections received from local residents whose properties backed onto the site of the originally proposed new MUGA. That issue has now been removed. There have been no objections received from other residents in Birchmoor Road who would be close to the site of the new proposed enhancements. The distance between those enhancements and the rear elevations of property in Birchmoor Road is around 80 metres. However the use of the former MUGA as a car parking area could cause some disturbance and thus if the overall proposal is to be supported than conditions can be attached so as require no site lighting and that boundary treatments are agreed prior to use. With this in mind, on balance it is considered that the additional parking would be a benefit to both school and community use.

The other issue was that the loss of the buildings would also result in their loss to the community. They are actively used after school hours. The applicant has responded by confirming that the School would "honour" the continued use of its site for these activities, but clearly in alternative accommodation. This is very welcome and can be resolved through planning condition.

e) The Planning Balance

The Board has to assess the balance between all of these issues. It can be seen above that there is little in the way of adverse demonstrable harm arising from the proposals as a consequence of highway, drainage, arboricultural, environmental or residential amenity impacts. The use of planning conditions can assist here. There to, is no identified material harm to the overriding spatial planning policy here – that of NW19 of the Core Strategy. There are also sporting/community benefits through the upgrading of the existing MUGA for both the school and for the wider community that accord with the Council's Playing Pitch Strategy as is fully supported by the Council's Director of Leisure. Against these matters is the genuine objection of Sport England that whilst recognising the benefits above, the proposed location of the new building prejudices the future re-organisation of the existing playing fields as a whole for wider school and community use, as well as physically reducing open space around the perimeter of one playing area.

The Board is asked to refer back to the original reason for this application - namely the immediate need to replace "unfit" classroom space. That has been recognised by the DfE and the works now proposed are included within a funding regime. The alternative would be to replace the temporary classrooms with new temporary buildings. The Board has always sought permanent solutions where-ever possible and in this case it is considered that the education requirement and the accompanying community benefit outweigh the harm identified by Sport England. This is because there would be an additional community benefit arising here which meets the Council's objectives; the timing of any re-organisation of the existing playing field provision is unknown and uncosted and those improvements would need to be accompanied by similar unknown works to the standard of the ancillary accommodation - for both pupils and for the community as a whole - and the actual loss of playing field area and space is small, with Sport England not saying that it would prevent or restrict use of the nearest pitch. If the Board agrees, then as indicated in the introduction, the case would have to be referred to the Secretary of State as a "playing field development" under the 2009 Direction to see if he wishes to call-in the application for his own determination. The Board can refuse planning permission without the need for referral.

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Recommendation

That subject to there being no objection from the Lead Local Flood Authority that cannot be overcome by conditions, the Council is minded to support the application subject to the conditions set out below and that as a consequence, the case is referred to the Secretary of State under the 2009 Direction, to see if he wishes to call the application in for his own determination. If this is not the case then planning permission be granted subject to the conditions.

Standard Conditions

- 1. Standard Three year Condition
- Standard Plan numbers condition TPS/BBA/00/XX/DR/A/1001/PO3; 1003/P02, TPS/DHL/ZO/Z0/DR/L/0101/PO4, 0009/PO3, 0008/PO3, 0007/PO6, 0001/PO5, 0104/PO3, TPS/BBA/00/ZZ/DR/A/3001/PO3, TPS/BSP/ZZ/ZZ/DR/C/0260/PO3, 0240/PO4.

Defining Conditions

3. Within twelve months of the Local Planning Authority's written approval of the satisfactory completion of the enhancements to the Multi Use Games Area hereby approved, the enhanced Area shall be made available for after school hours community use as set out within an Agreement that shall be first agreed in writing by the Local Planning Authority. That Agreement shall describe the facilities to be so used; hours of use, access by non-educational users, management responsibilities and a mechanism for review. The terms of that Agreement shall be adhered to at all times.

REASON

In order to enhance community use of the new facility in line with the Local Panning Authority's Recreation and Community facility objectives.

 Community uses and activities presently using the buildings to be demolished shall continue on the school campus under the terms set out in condition (13) below

REASON

In order to retain community uses and benefits on site.

Pre-Commencement Conditions

- 5. No development shall commence on site until a Construction Management Plan has first been submitted to and approved in writing by the Local Planning Authority. This plan shall include details of:
 - a) Details of the phasing of the whole development including demolitions and any temporary access provisions/arrangements

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- b) Details of the routing of construction traffic including escorts for abnormal loads and the management of junctions to and crossings of the public highway
- c) Hours of Construction Work
- d) Hours of delivery of goods and materials
- e) Details of the location of on-site compounds including provision for the turning of HG vehicles and parking arrangements
- f) Wheel washing measures
- g) Measures to control the emission of dust
- h) Noise control measures
- i) Site lighting details
- j) Details of the contact for any local concerns with construction activities on the site

The development shall only proceed in accordance with the approved Plan which shall be adhered to at all times.

REASON

In the interests of highway safety and the residential amenity of neighbouring occupiers.

6. No development shall commence on site until a preliminary assessment for contaminated land has been undertaken and this has been submitted to the Local Planning Authority. If this identifies potential contamination, a further detailed investigation shall be carried out and details of remediation measures shall be proposed. The development shall only proceed following the written approval of the Local Planning Authority.

REASON

In the interests of reducing the risk of pollution.

7. In the event that contamination is found whilst carrying out development that was not previously identified under condition (4) it must be reported in writing to the Local Planning Authority immediately. An investigation and risk assessment shall also be undertaken and where remediation is necessary, a remediation strategy must be prepared and development may then only proceed in accordance with the approved strategy.

REASON

In the interests of reducing the risk of pollution

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8. No development shall commence on site until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented only in accordance with the approved measures.

REASON

In the interests of reducing the risk of flooding.

9. No development shall commence on site until full details of all of the facing materials to be used in the construction of the new building have first been approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area.

10. No development shall commence on site until full details of all the new landscaping to be provided on site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be carried out on site.

REASON

In the interests of the visual amenities of the area.

11.No development shall commence on site until such time as full specifications of the treatments to be implemented on the areas of the buildings hereby approved for demolition, have first been agreed in writing by the Local Planning Authority. These shall include details of surfacing materials and boundary treatments. For the avoidance of doubt there shall be no lighting installed in or on these areas.

Only the approved specifications shall then be implemented on site.

REASON

In the interests of the visual amenities of the area.

12. No development shall commence on the enhancements to the Multi Use Games Area hereby approved, until such time as full details of the lighting to be installed together with an assessment of its impact on the residential amenity of neighbouring occupiers, have first been submitted to and approved in writing by the Local Planning Authority. The use of the Area shall only commence after the installation of the approved details.

REASON

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In the interests of the residential amenity of neighbouring occupiers.

13. No development shall commence on site until such time as full details of the alternative accommodation to be provided on the existing school campus, for the non-school community uses and activities that currently use the buildings to be demolished, have first been submitted to and approved in writing by the Local Planning Authority. Those details shall include the dates on which such alternative accommodation is available for such use.

REASON

In the interests of maintaining full community use of the buildings to be demolished both during and after demolition.

14. No development shall commence on site until a Green Travel Plan to promote sustainable transport choices to the site has first been submitted to and approved in writing by the Local Panning Authority. The measures shall include the setting of targets for the proportion of employees travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport; the method of monitoring and review of these targets and the identification of a person who has responsibility for the plan and its monitoring. The approved Plan shall be adhered to at all times and will come into effect upon occupation of the school block hereby approved.

REASON

In the interests of promoting sustainable transport.

Pre-Occupation Conditions

15. Where remediation works have been carried out in pursuance of conditions (6) and (7) a post remediation verification report shall be submitted in writing to the Local Planning Authority. There shall be no occupation of the building hereby approved for education purposes until such time as the written approval of that Verification Report has been made by the Local Planning Authority

REASON

In the interests of reducing the risk of pollution.

16. There shall be no occupation of the building hereby approved for education purposes until a detailed maintenance plan, which has first been agreed in writing by the Local Planning Authority, has been put in place to show how the surface water systems approved under condition (8) are to be maintained and managed in perpetuity.

REASON

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In the interests of reducing the risk of flooding.

17. There shall be no occupation of the building hereby approved for education purposes until such time as the enhancements to the existing multi use games area hereby approved, have been fully completed to the written satisfaction of the Local Planning Authority.

REASON

In order to ensure timely delivery of the multi-use games area in recognition of its importance to the grant of this planning permission.

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BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	30/8/19
2	Resident	Objection	11/9/19
3	Resident	Objection	12/9/19
4	Resident	Objection	21/9/19
5	Resident	Objection	26/9/19
6	Resident	Objection	2/10/19
7	Resident	Objection	7/10/19
8	Polesworth Parish Council	Objection	14/10/19
9	Resident	Representation	23/10/19
10	Sport England	Consultation	30/9/19
11	WCC Flooding	Consultation	22/10/19
12	Environmental Health Officer	Consultation	21/10/19
13	WCC Highways	Objection	24/10/19
14	Applicant	E-mail	19/12/19
15	Sport England	Consultation	15/1/20
16	WCC Highways	Consultation	15/1/20
17	Environmental Health Officer	Consultation	15/1/20
18	WCC Flooding	Consultation	14/1/20
19	NWBC Director L and Cd	Consultation	21/1/20

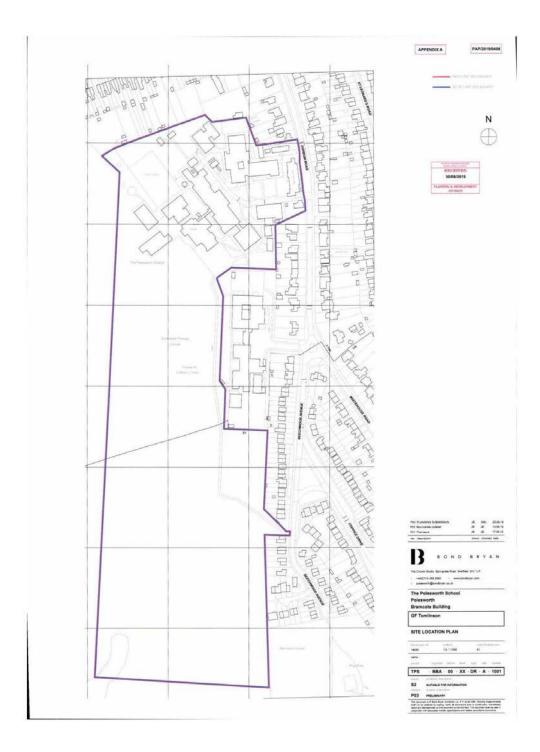
Planning Application No: PAP/2019/0498

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

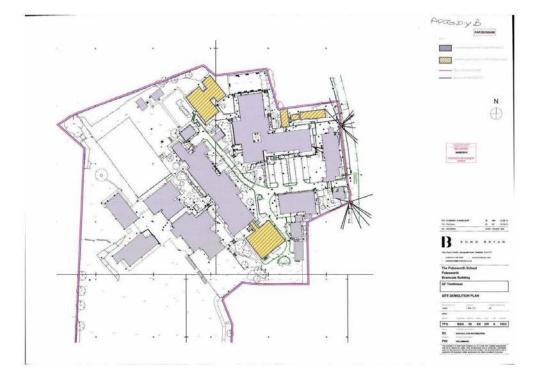
A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

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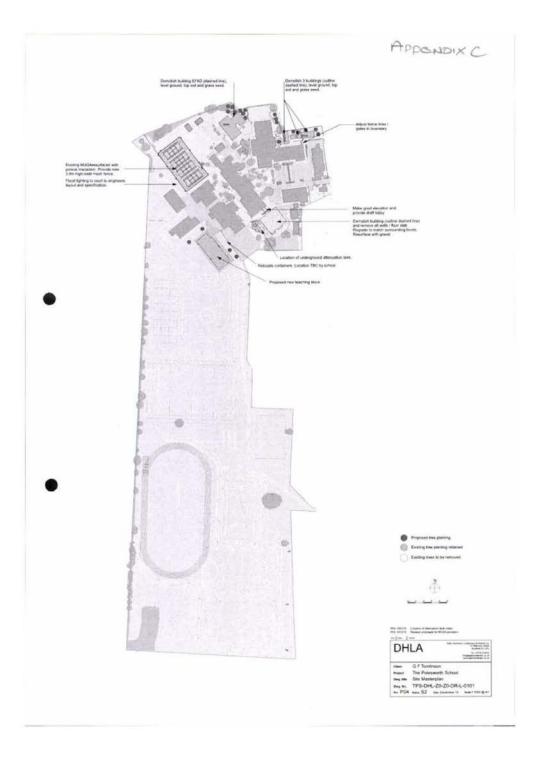
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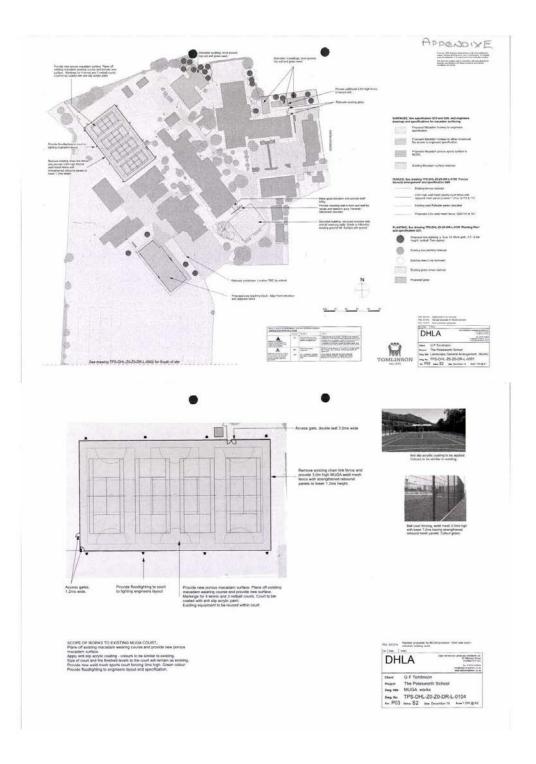
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