

APPLICATION NO	PA/2009/0915
APPLICANT	North Lincolnshire Council
DEVELOPMENT	Planning permission to carry out alterations and extensions in connection with combining infant and junior schools (re-submission of PA/2009/0304) and install an external lighting scheme
LOCATION	Messingham Primary Infant School, Briggate Drive, Messingham
PARISH	MESSINGHAM
WARD	Ridge
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: The site is located within Messingham which is identified as a medium growth settlement under policy ST2 (Settlement Hierarchy). The site lies within the settlement development limit which is allocated through policy ST3 (Development Limits) which states that development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.</p> <p>Policy C1 (Educational Facilities) allocates new and extended school and college facilities on five sites and states that where major new housing proposals result in an increased demand for education facilities, which cannot be met by existing schools and colleges, the developer may be required to enter into a planning obligation under Section 106 of the Town and Country Planning Act in order to secure the provision of or contribution towards new or extended facilities.</p> <p>Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly</p>

designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area;
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform;
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing;
- (iv) amenity open space should be retained where possible;
- (v) no pollution of water, air or land should result.

CONSULTATIONS

Highways: No objections subject to a condition relating to the production of a construction-phase traffic management plan.

Environment Agency: No response received.

Severn Trent Water: No objections subject to conditions.

PARISH COUNCIL

Object on the following grounds:

- The increased volume of traffic in this specific area at specific times is potentially unsafe, particularly at the junction of Briggate Drive and Wendover Road which has limited visibility.
- The construction traffic, including large heavy lorries, would be potentially hazardous to all road users in Messingham and disruptive to neighbouring residents.
- The residential areas around the site would suffer from severe congestion at school opening and closing times and emergency services would be denied access at such times.
- The residents of Briggate Drive, School Drive and neighbouring streets would be adversely affected by increased traffic movements and parking.
- Lack of security for the scheme would encourage youths to congregate and to test their driving skills.

- The close proximity of the new classrooms, and particularly the boiler room, to Briggate Drive would cause noise disturbance to residents.
- The traffic impact assessment undertaken is not accurate given that the survey work was undertaken during 'walk to school week', and data was collected during the month of May when the weather is more appropriate for walking, resulting in the conclusions being biased and one-sided.
- The travel plan conducted would not be a solution to the problems because the initial parent consultation in May 2007 indicates that the existing level of car use would continue despite the travel plan.
- The parish council recognises the need for a single site school in Messingham but feels that the Briggate Drive site is wholly inappropriate for the amalgamation of the infant and junior schools because residents around the school would have their quality of life affected for the reasons outlined above.

PUBLICITY

Properties surrounding the school have been notified and a site notice posted. More than 20 letters have been received raising the following objections:

- The amount of traffic already visiting the school is a major problem so doubling the size of the school would worsen existing parking congestion.
- The width of the roads surrounding the school on Briggate Drive and School Drive are very narrow and when vehicles are parked it would make bus use impossible.
- The only turning area, which is the circle, is being removed and replaced by a car park. The only way that vehicles would be able to turn would be by using private driveways.
- Extra vehicles visiting the school at an optimistic additional 55 cars (more likely 75) would make it impossible for emergency vehicles and refuse collection vehicles to access surrounding roads which would have a direct effect upon the health of local residents.
- Why don't parents walk their children to school instead of driving? The majority of parents commute to work

after dropping their children off instead of getting up earlier and walking to school.

- The increase in the numbers of pupils would increase vehicle activity, particularly service and delivery vans.
- Many of the residents who live around the school are elderly and have lived there for more than ten years, and parking has not always been a problem.
- Irresponsible parent parking has often resulted in confrontations on the street due to driveways being blocked and residents' requests either being ignored or resulting in verbal abuse.
- If more housing is approved in Messingham the extended school won't be large enough.
- On sports day the area was totally gridlocked and the weather was sunny so how bad would it be on a typical winter's day.
- The proposed walking bus scheme will not work because parents do not walk.
- The traffic impact assessment states that 222 surveys were sent out and 86 responses received. Therefore it is not fully representative.
- Consideration should be given to the following measures:
 - residents' only parking on Briggate Drive, School Drive and West Green
 - the creation of a footpath in front of a school parking area for the safety of children
 - policing of parking by the council
 - fencing the school parking area off to prevent access after school hours
 - speed limits of 20 miles per hour
 - manned school crossings
 - a CCTV on Briggate Drive, Benson Close, Green Tree Snicket and other areas
 - a permanent local neighbourhood police officer for Messingham

- daily policing and hefty fines implemented
- an age restriction on use of the playing field
- The school has always been a focal point for youths to congregate. Under-age drinking at night leaves areas of broken glass which is dangerous for children, children climb on the roof, and graffiti is a problem. Since the installation of six foot high gates problems have been reduced but the proposal at the school for a 36-space car park has no security measures and there is therefore a need to seal off the proposed car park with a fence or gate.
- loss of amenity due to the existing grassed area being dug up
- location of the power-house/generator creating noise disturbance
- loss of view of the field replaced by a brick wall of the extension
- impacts on health?
- noise and pollution
- loss of peaceful enjoyment of property
- loss of privacy
- general adverse impact upon residents' quality of life
- comments upon the development process
 - why did the council not consult and discuss with local residents prior to submission of the application?
 - what other sites were considered?
 - No thought has been given to local residents for the twelve months' construction period and all the noise, dust and chaos created.
 - The resubmitted planning application does not address any of residents' parking concerns, only additional lighting details.
 - Totally disillusioned as informed by school that trees and hedge were to be retained.

- Fear that objectors will be ignored and the council will go ahead in any case.
- Additional comments:
 - The 2005/1066 planning application was designed better with a more appropriate roof.
 - The plant rooms should be moved so that they are not facing residents.
 - The school should be restricted to 315 pupils and litter containers should be included.
 - The air quality needs to be measured.
 - What about use of the playing fields at weekends?
 - What kind of water tank will it be?
 - The bicycle sheds will become a meeting place for youths.
 - Reconsideration must be given to the location of the works access.
 - The council is urged to open Benson Close linking Briggate Drive to Wendover Road to ease congestion.

Objections and a petition of 24 signatures received since the previous Planning Committee can be summarised as:

- the location of the construction access needs to be reconsidered
- the amount of cars parked on footpaths and verges is disgusting
- over-development
- there is plenty of building land around Messingham

Letters of support have been received raising the following points:

- If the existing two sites become one, the children will benefit hugely – the conditions for children at the junior school are not acceptable because:
 - the existing huts require lots of repairs and have no heating

- there are no disabled facilities
 - the children have to go to the main building for the toilet
 - the classrooms are overcrowded
 - the head teacher cannot be in two places at once
 - families have to rush to drop-off or pick-up children
 - children at the junior school are taught in classes of 40 due to insufficient space
 - roofs leak, walls are mouldy, buckets have to be placed on desks
 - no other sites within Messingham that North Lincolnshire Council are prepared to pay for
 - why should children's welfare, education and quality of life be jeopardised by a small influential minority
- If granted, parking will become less of a problem because parents would not have to rush to get to the other site.
 - The school only has until early December to get sorted otherwise funding will be lost.

ASSESSMENT

Planning permission is sought to extend and alter the existing infant school site at Briggate Drive, Messingham to enable an amalgamation of the junior and infant school on one site. The extensions proposed involve a 6m x 24m extension to the eastern elevation and a 64m x 13m extension to the western elevation. The alterations to the front of the existing site layout include removal of the green turning circle and other landscaped areas, replacing it with a 35-space staff car park with two spaces for disabled parking and a bus drop-off zone. Additional alterations include provision of a sprinkler storage tank and cycle stand/shelter.

The application was deferred at the last Planning Committee and this report has therefore been updated. The application is a resubmission of the proposal following the withdrawal of the previous planning application (PA/2009/0304). The application was withdrawn in an attempt to address the highway officer's concerns.

The key issues in determining this proposal are whether it would adversely affect highway safety or road users and pedestrians, and whether the levels of congestion at drop-off and collection times would adversely affect the residential amenity of occupants of properties adjacent to the school.

A significant number of representations have been received, the majority of which object on reasons relating to highway matters.

Highways

The previous planning application was withdrawn to enable negotiations between the applicants and the highways department in an attempt to remedy highway officer concerns resulting from inadequacies within the traffic impact assessment. Upon receipt of the resubmitted planning application, the highways department were reconsulted and continued to raise concerns that the Traffic Impact Assessment (TIA) required further work. Highways have now removed their objection subject to the imposition of a condition requiring details of a construction-phase traffic management plan to be submitted to and approved in writing by the local planning authority. The following comment was also made in the consultation response:

'Highways are unable to object on highway grounds as the site is in an ideal and extremely sustainable location, with the majority of the village within a ten-minute walk of the school. However, experience would suggest that considerable effort will be required to persuade parents to walk or cycle to school rather than taking the car. Indeed the level of parking within the school appears excessive and no incentive to encourage modal shift by staff members has been considered. It should be noted that, as is the case with many schools, particularly at leaving times, it is anticipated there will be a large number of parked vehicles in the vicinity of the school and whilst that is not necessarily creating a safety hazard, it will cause significant disruption to the local network. It is important that members consider the cumulative impact that will be caused by combining the school.'

Therefore the issues of highway safety have been given thorough and detailed consideration throughout the processing of both planning applications and whilst accepting that the proposal would add to existing congestion problems, the highways authority does not

consider this to be an unacceptable situation such that a refusal of planning permission would be appropriate.

At the previous Planning Committee meeting members made reference to the details within the traffic impact assessment of the catchment area of where pupils live. These details have been included at the end of the report.

Residential amenity

Objections received regarding residential amenity include loss of privacy, loss of view of the field, loss of the peaceful enjoyment of property and noise pollution. With regard to the issue of loss of privacy, this cannot be supported because the proposed extensions do not provide first-floor accommodation that would overlook any private rear amenity areas of surrounding dwellings. Whilst the extensions to the existing school do have pitched roofs, and whilst the flat roofs of the existing school remain, the extensions are single-storey only and the roofs are hipped away from residential properties. Therefore, given the adequate distance between residential properties and the school extensions, there would be no adverse loss of amenity from the extensions to be constructed. Loss of view is not a material planning consideration.

On the issue of noise, an additional 300 pupils attending a school that is surrounded by residential properties would undoubtedly increase the level of activity and noise emanating from the site, particularly at peak times of the day, for instance before and after school and at play times. The council's Environmental Protection team have been consulted and raise no objections subject to the imposition of a planning condition regarding hours of operation of the floodlights which should be controlled to prevent them being switched on before 6.30am or after 10pm, whilst on Saturdays and Sundays the external lighting would only be used between sunset and 10pm. Therefore the objections regarding loss of amenity are not supported by the Environmental Protection team.

Many of the objections received are based on the impact the proposal would have on neighbouring residents in terms of impact on their living conditions, inconvenience of their daily lives and overall disturbance and disruption, both during the construction phase and in the operation phase of the extended school. Such objections cannot be considered as highway safety issues and equally cannot be considered to be residential amenity issues. However, increased congestion would undoubtedly affect local

residents to varying degrees. Many suggestions have been received which are aimed at trying to find a solution to the problems, for example, the opening of Benson Close to link Briggate Drive to Wendover Road; the implementation of a 'no parking' restriction between 8.30am and 4pm; resident only parking; speed limits of 20mph; CCTV installed at Briggate Drive, Benson Close and Green Tree Snicket; a permanent local neighbourhood police officer for Messingham; an age restriction for the use of playing field; a restriction to 315 pupils; a restriction on the use of the playing field at weekends. None of these suggestions form part of the planning application and local planning authorities must determine planning applications on their merits. A decision must therefore be made on what is contained within the application. However the council, as local highway authority, as well as education authority, should give further consideration to these off-site issues.

Antisocial behaviour

Residents have raised concerns regarding issues of antisocial behaviour which they have witnessed from parents, youths and children. Whilst issues regarding under-age drinking, graffiti, vandalism, gangs of youths, verbal abuse from parents, and general safety and security for residents would all undoubtedly have an impact upon quality of life, antisocial behaviour is a wider problem within society generally. Section 17 of the Crime and Disorder Act requires local authorities to have regard to the prevention of crime and disorder in administering their functions. However, as this proposal is for a school, withholding consent on the basis of a potential increase of a wider problem in society could not be justified. Comments have also been received regarding the need to enclose the proposed car park with steel fencing to prevent its use at unsocial hours. The issue of security has obviously been considered by the applicants and it is considered that the erection of fencing along the northern boundary of the school would further restrict vehicles using Briggate Drive. Additionally, on the issue of security, fencing is proposed inside the site to prevent access and improve security at the site.

Ecology

Objections have been received regarding the loss of 200 year old hedges and trees and also the loss of the green circle which is visually attractive for residents. The plans illustrate that the green circle is to be removed from the site to make way for the proposed staff car park, the

mature willow tree in the north-eastern corner of the site is to be retained as is the existing hawthorn hedge on the northern boundary with Briggate Drive and the eastern boundary with School Drive. Some hedgerows within the school grounds would be removed to allow the extensions and parking areas. A planning condition is recommended whereby landscaping details shall be submitted to the planning authority prior to any works commencing on site and shall include details of additional planting at the school to compensate for any shrubs and hedgerows which are to be lost as a result of this proposal. Questions were raised by residents during the consultation period regarding the lack of details regarding the sprinkler storage tank and the cycle stands and shelter. the dimensions of the cycle shelter are L8.0m x W2.0m x H2.15m. Such details have now been submitted by the applicants and are available for inspection.

In conclusion, it is anticipated that the amalgamation of Messingham junior and infant schools would increase the level of activity at the school site and upon the adjacent highway network, but no planning reasons exist to withhold permission.

RECOMMENDATION

Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

No development shall take place until details of a construction-phase traffic management plan have been submitted to and approved in writing by the local planning authority. Once approved the plan shall be implemented and updated as required.

Reason

In the interests of reducing disturbance to local residents and the highway network during the construction phase.

3.

The external lighting shall not be switched on before 6.30am or after 10pm Monday to Friday and shall only be switched on between sunset and 10pm on Saturdays and Sundays.

Reason

In the interests of protecting the residential amenity of occupants of adjacent residential properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

5.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

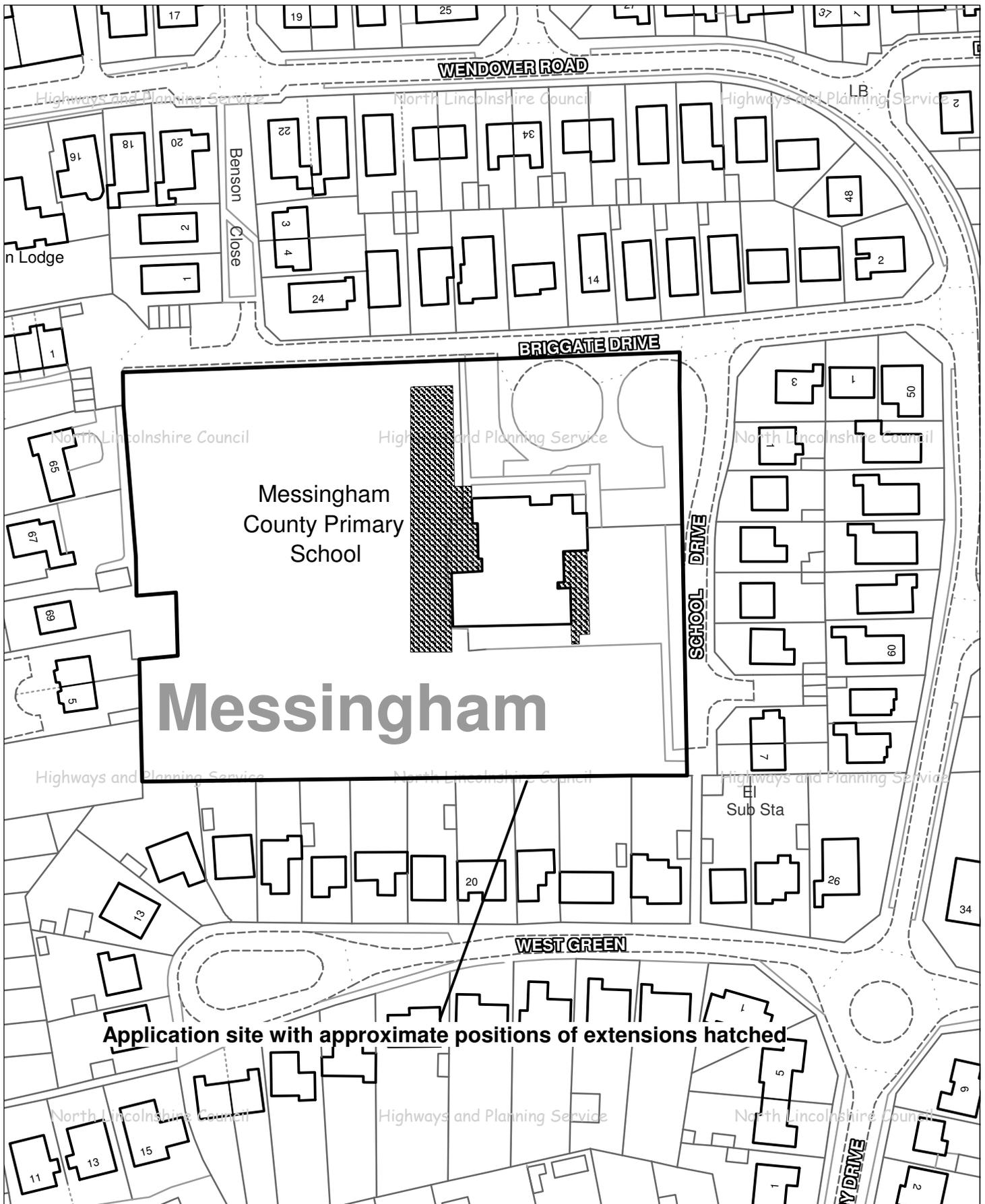
To enhance the appearance of the development in the interests of amenity.

6.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.



Application site with approximate positions of extensions hatched

Drawing Title: 2009/0915

OS Grid Ref: SE89510439

Drawn by: KC

Scale: 1:1250

Date: 26/10/2009



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NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



Highways and Planning Service

Service Director,
G Pople

Table 5.1: Demographics of Messingham Primary School September 2007

Street Name	Number of Pupils
A159 Northfield Road	8
High Grove	4
A159 High Street	8
Cross Tree Road	7
Butterwick Road	6
West View Drive	6
Manor Estate	65
Meadow Estate	24
Brigg Road	24
East Field	24
Knightsbridge	6
East Green	8
Kealholme Road	16
Danby Road	2
Aysgarth road	6
Leaburn Road	2
Ingleby Road	1
Wendover Road	12
School Drive	1
Benson Close	1
Bottesford and Scunthorpe	18
South of Messingham	13
East Butterwick	11
Scotter Road	2
Well Street	2
Park Street	3
New Row	3
Church Street	3
Temoerance Avenue	2
Holme Lane	2
Calder Green	3

5.2.2 Table 5.2 shows that there are 42 pupils that live out of Messingham Village. Of these 11 are from East Butterwick, 13 live south of the village and 18 live north of the village. Children travelling from East Butterwick use the school bus and children travelling from the north or south of the village travel by car. A plan showing the locations of where pupils live can be found in Appendix B.

5.2.3 Walk time isochrones for each of the sites have been constructed. A walk speed of 3mph has been used. Walk time isochrones have been constructed for one to

five minutes in increments of one minute. These are shown in Figures 5.4 and 5.5.