

Application Number: 14/11498 Full Planning Permission

Site: BRANSGORE PRIMARY SCHOOL, RINGWOOD ROAD,
BRANSGORE BH23 8JH

Development: 2 all weather sports pitches; 3m high fence; seating area

Applicant: Bransgore Primary School

Target Date: 26/01/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
Education Recreational Land

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS2: Design Criteria
CS3: Protecting and enhancing our special environment
CS7: Open spaces, sport and recreation
CS8: Community services and infrastructure
CS10: The spatial strategy

Local Plan Part 2 Sites and Development Management Development Plan Document

DM8: Protection of public open space, private playing fields and sports grounds and school playing fields

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None

6 RELEVANT PLANNING HISTORY

The planning history of the site is limited to applications related to extension to the main school building and the siting of temporary classrooms and buildings within the school grounds. There have been no applications related to developments on the school playing fields or playground to the rear. No pre-application advice was sought from the Planning Authority on the development proposed.

7 PARISH / TOWN COUNCIL COMMENTS

BRANSGORE PARISH COUNCIL recommend REFUSAL as the scale of development is inappropriate and likely to affect the amenities of the nearby residential properties. The proposal would significantly reduce the size of the existing school playground and the surface drainage appears to be inadequate. There is insufficient detail to allay the concerns regarding the impact of the proposal on the nearby residential properties and the provision of adequate parking arrangements.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Tree Officer - No tree objections subject to condition requiring the submission and approval of a tree protection plan:
- 9.2 Land Drainage Section – Recommend approval subject to surface water condition.
- 9.3 Environmental Health Section (Pollution) – Comments made following receipt of the community use statement. The application requests installation of 2 all weather sports pitches at the site, and no lighting is proposed. The location is very close to nearby residential properties, which border the site on 3 sides. Concern is raised that this change of use will result in an intensification of the current use and result in a significant adverse impact on the nearby residential properties unless suitably controlled. The most appropriate way to control such a use is by controlling hours of use to prevent use late into the evenings, and minimise disturbance to residential properties. It is therefore advised that conditions to control the hours of operation and floodlighting be applied to any granted planning permission for the site.
- 9.4 Hampshire County Council Highway Engineer - States: The multi-modal trips that would be associated with the proposed MUGA already exist and on this basis an objection based upon an adverse impact upon highway safety due to an increase in multi-modal movements, specifically vehicular, would be neither appropriate nor sustainable.

10 REPRESENTATIONS RECEIVED

Nine representations have been received from notified parties, objecting to the proposal on the following grounds:

- Increased noise and disturbance to adjoining occupiers;
- Inadequate drainage arrangements;
- Inadequate access, egress and parking arrangements;
- Increased traffic congestion in the locality;
- Potential for light pollution if floodlighting is required;
- Loss of security to rear gardens of adjoining properties;
- Loss of privacy posed by proposed seating area and vegetation removal;
- Loss of property value;
- Adverse impact on trees and wildlife;
- Overdevelopment of site;

- Infringement of human rights;
- The necessity for the facility is queried

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application.

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case no pre-application advice was sought from the Planning Authority on the form of development proposed. However, the concerns of the case officer, consultees and notified parties were made known to the applicant during the determination process and additional plans and documents were submitted to clarify the potential impacts of the development on protected trees and upon adjoining residential amenity, which have satisfied the concerns of Officers.

14 ASSESSMENT

- 14.1 The proposal relates to the curtilage of Bransgore Primary School, within the built up area of Bransgore. The main building fronts onto the main road and has its playing field and hardstanding area to the rear. There is a church and a car parking area adjacent to the school. The application relates to the school playing fields to the rear of the site, which are bound by residential properties with trees protected by a Tree Preservation Order bounding the north eastern side of the site.
- 14.2 This planning application proposes 2 no. multi use games areas (MUGAs) over much of the school's playing field to the rear of the site. The MUGAs would be bound by a 3m high ball stop fence and a seating area would be provided on the eastern side of the pitches. The proposal entails some cut and fill operation in order to achieve a level playing surface. The proposal is required in order to provide an all weather outdoor play facility for the school. The Design and Access Statement suggests the facility will be used for out of hours community use, but the applicant has subsequently confirmed that it would only be used for school related activities, for after school clubs until 6pm at the latest and by Bransgore Youth Football Club on Saturday mornings during the winter. No floodlighting is proposed. The existing off-street car parking arrangements to the north west of the school building would serve the facility.
- 14.3 The relevant issues to take into consideration are the impact upon the character and appearance of the area, tree impacts and the amenities of the neighbouring properties, in light of the guidance offered by Policies CS2 and CS3. Policies CS7 and CS8 support proposals for community related use and the proposal would accord with the general thrust of these policies, although the potential implications of intensified use on the amenity of adjoining residents must be carefully assessed.
- 14.4 The proposal would be sited to the rear of the main school building and would not be readily viewed from public areas. The potential impact of the proposal upon protected trees was initially uncertain, as no tree survey was submitted. However, following the submission of a tree survey, the Council's Tree Officer does not raise any concerns, subject to a tree protection condition being imposed. The applicant has demonstrated that the development would not threaten the retention of important trees that contribute to local amenity. In the interests of visual amenity, it would be prudent to landscape the western and northern boundaries of the MUGA, to assist with screening the 3m fencing, which would be solid to a height of 1.8m. To this effect a landscaping condition should be applied to any approval. It is considered that the development would not be detrimental to the character and appearance of the area, subject to tree retention and sensitive landscaping treatment in accordance with Policies CS2 and CS3 of the Core Strategy.
- 14.5 With regard to residential amenity, the proposed development would be sited quite close to existing residential properties. Its scale is unlikely to have any significant adverse effect on the living conditions of these neighbours, in terms of overbearing impact or light loss. With regard to privacy impacts, the raised seating area is sufficiently far away from the curtilages of dwellings opposite not to have a significant impact on privacy, although the applicant has confirmed the fencing will be solid to

a height of 1.8m, so use of the facility would not introduce any overlooking into rear gardens. If minded to approve the proposal, a landscaping condition could be imposed to ensure suitable planting along the west and north Multi Use Games Area, fences, to soften the appearance of the fencing when viewed from the rear of properties on Ringwood Road and Poplar Lane. Notwithstanding the fact that the use of the land would be unchanged, as it would still be used for children's play, the intensity of use may be increased by its all weather status, which may have implications for adjoining amenity. The Environmental Health Section raised initial concerns over the potential intensification of use and noise implications of the proposal, The applicant subsequently provided a Community Use Statement to clarify how the facility would be used. It was also confirmed that floodlighting does not form any part of the proposed development. Subject to the imposition of conditions to limit the hours of operation and floodlighting of the pitches, the Environmental Health Section are satisfied with the proposal, in respect of increased noise and disturbance. Consequently, the proposal is considered to be acceptable in relation to the amenity related provisions of Policy CS2.

- 14.6 While some representations object to the proposal on the grounds that it would result in the loss of school playing fields, a refusal could not be sustained on this basis, as the proposal would in fact result in an enhanced facility for use by the school. The proposal to provide an enhanced facility for the school and community complies with the main thrust of Policies CS7, CS8 and DM8.
- 14.7 Concerns have been raised over the drainage of the pitches, although the Land Drainage Section raise no concerns in this regard, subject to the imposition of a surface water drainage condition. It is likely that a sustainable urban drainage scheme would be required, which would enhance drainage conditions at the site, full details of which would be required by condition.
- 14.8 Objections are raised in relation to traffic generation and parking problems posed by the proposal, although in the light of the information provided within the Community Use Statement, it is unlikely the proposal would result in any significant intensification of traffic visiting the site. This is a view supported by the Highway Authority.
- 14.9 With regard to the loss of security to rear gardens of adjoining properties, the proposal does not entail any additional hours of use compared to the use of the current playing field and by no additional users to the school and Bransgore Youth Team. Loss of property value is not a material planning consideration.
- 14.10 In conclusion, the benefits of the proposal in relation to school and community use are acknowledged and uncertainties surrounding the ~~impacts on protected trees and adjoining amenity have been clarified.~~ Consequently, the proposal is recommended for approval.
- 14.11 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the

like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans: P001 Rev A, P003 Rev B and P004 Rev B

Reason: To ensure satisfactory provision of the development.

3. Before erection of any new boundary treatment associated with the development, samples or exact details of the fencing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a method statement detailing timing of events, all changes of existing surfaces and plans showing the protective fencing or other measures required for the avoidance of damage to retained trees all in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". Such fencing shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The tree protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing without the prior written agreement with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park. A pre commencement condition is necessary in order to ensure adequate tree protection measures are installed prior to works starting on the site.

5. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS6 of the Core Strategy of the New Forest District Local Plan First Alteration and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks. A pre-commencement condition is necessary in order to ensure appropriate drainage measures are agreed prior to works commencing and to facilitate implementation of the agreed drainage scheme at the earliest opportunity.

6. The all weather sport pitches hereby approved shall only be permitted for use between the hours of 08:00hrs and 18:00hrs Monday to Friday (by the school only) and 09:00hrs and 13:00hrs on Saturdays during term time. There shall be no use of the all weather sports pitches on Sundays and Bank Holidays. During school holidays the all weather sports pitches shall be permitted for use between the hours of 09:00hrs and 13:00hrs on Saturdays only. The all weather sports pitches shall not be permitted for use at any other time during school holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

7. No flood lighting shall be provided to the all weather sports pitches unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

8. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park. A pre-commencement condition is required in order to ensure details of a landscaping scheme are agreed prior to commencement of works on site.

Notes for inclusion on certificate:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case no pre-application advice was sought from the Planning Authority on the form of development proposed. However, the concerns of the case officer, consultees and notified parties were made known to the applicant during the determination process and additional plans and documents were submitted to clarify the potential impacts of the development on protected trees and upon adjoining residential amenity, which satisfied the concerns of Officers.

2. The Council's Land Drainage Section advise that during the construction of a sports field/pitch it is usually desirable to improve the drainage of the area (which usually means an increase in the rate of run off) but this must be done in a sustainable manner. If surface water from the improved drainage areas and/or buildings is to be passed to any watercourse or ditch system it will need to be balanced so that the flow from the site after development does not exceed that which existed prior to development for storms up to 1 in 100 years + climate change. If this method of surface water disposal is proposed full calculations must be submitted to the Head of Development Control for approval prior to construction. Sufficient information/calculations must be submitted to show that the rate of runoff from the applicants land/field to adjacent land/field will not be increased from what is current for up to a 1 in 100 years storm + climate change. Any soakaways are to be designed in accordance with BRE365 (Building Research Establishment) (latest revision).

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



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DISTRICT COUNCIL

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**Planning Development
Control Committee**
June 2015

Item No: 3a

Bransgore Primary School
Ringwood Road
Bransgore
14/11498
SZ1897

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

