

**Application No:** 2008/0677

**Application Type:** Full

**Proposal:** Erection of new community primary school, including covered stand area for parents, bin store/recycling area, two wind turbines, car/cycle parking, external play areas, and hard & soft landscaping

**Location:** Land south of Booth Road, Waterfoot.

**Report of:** Planning Unit Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 19/11/08

**Applicant:** Lancashire County Council

**Determination Expiry Date:**  
17/10/08

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Reason for Call-In:

**More than 3 objections received**

Other (please state)

Potentially contentious

**HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

**Article 8**

The right to respect for private and family life, home and correspondence.

**Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

**APPLICATION DETAILS**

**1. The Site**

The application site, measuring approximately 6.7ha in area, is located to the south of residential properties fronting Booth Road and Wolfenden Green and to the east of the complex at Bacup & Rawtenstall Grammar School.

Although the site includes part of Bacup & Rawtenstall Grammar School's playing fields, the majority of it is poor quality grassland. Whilst the north-western quarter of the site lies within the Urban Boundary of Waterfoot and is relatively flat, the rest of the site lies within the Green Belt and slopes down to the south and east. A public footpath (FP237) runs from the end of Wolfenden Green through the application site in an easterly direction, connecting with another public footpath that runs from Booth Road to Newchurch Road (FP23/FP24).

## **2. Relevant Planning History**

None

## **3. The Current Proposal**

The proposal involves the construction of a replacement school for existing primary schools at Thornfield Avenue, Waterfoot and Peel Street, Cloughfold. The proposed building will have a floor-area of approximately 1,850sq m and be of single-storey construction. It will possess 11 classrooms and will have the capacity to accommodate 315 pupils between the ages of 4 and 11 years. The proposed development also includes the provision of a car parking area for 32 vehicles including 3 spaces for disabled persons, covered cycle parking stands for staff and pupils, 2 outdoor playground areas, an all-weather sports pitch and outdoor classroom space/amphitheatre and two wind turbines.

The new school building would be located in the north-western quarter of the site, approximately between 80m to 85m away from the rear of the residential properties 57-85 Booth Road.

Whilst the central portion of the new building (containing the main hall) will face north and have a flat-roof of 7.3m in height, the building is for the most part of no more than 5.5m in height (containing classrooms that face south). The front elevation of the main hall will be glazed from floor to ceiling, other parts of the central portion of the building a mix of artificial stone/cedar-boarding/render. The classrooms will have glazed fronts from floor to ceiling, with other elevations largely of artificial stone. Water collected on the flat-roofed main hall will discharge on to the lower roofs to support the sedum planted on them.

The intervening land between the school building and residential properties on Booth Road would be utilised to provide a habitat area comprising trees and shrub planting, parking area for service vehicles and disabled persons and general hardstanding service area incorporating a bin store/recycling compound. It is proposed that this area would be served via a gyratory access road leading from Wolfenden Green.

The proposed staff car park comprising 28 parking spaces would be located on the western side of the new school building. Due to the levels of the site, the parking area would be provided at a split level. Vehicular access to this parking area would be via Glen Road through the Grammar School site.

Two 6kW wind turbines, on 15m high columns, are proposed as part of the proposed development. One turbine would be located to the north-east of the school building and the other to the south-west of it.

It is proposed that two outdoor playground areas and an all-weather sports pitch would be provided on the southern side of the new school. The proposed all-weather sports pitch would be used jointly with the Bacup & Rawtenstall Grammar School.

The proposed development would result in the closure of Public Footpath 237.

The application is accompanied with a Transport Assessment Report and a Protected Species Habitat Investigation Report.

#### **4. Policy Context**

##### **National**

- PPS1 - Sustainable Development
- PPG13 - Transport
- PPG17 - Sport & Recreation
- PPS 22 - Renewable Energy
- PPS 23 - Planning and Pollution Control
- PPG 24 - Noise
- PPG25 - Flood Risk

##### **Development Plan**

###### **Regional Spatial Strategy for the North West (2008)**

- Policy DP1 - Spatial Principles
- Policy DP2 - Promote Sustainable Communities
- Policy RDF4 - Green Belts
- Policy DP7 - Promote Environment Quality
- Policy RT9 - Walking and Cycling

###### **Rossendale District Local Plan (1995)**

- DS1 - Urban Boundary
- DS3 - Green Belt
- DS6 - Community Uses
- DC1 - Development Control
- DC4 - Materials

##### **Other Material Planning Considerations**

LCC Parking Standards

#### **5. REPRESENTATIONS**

Lancashire County Council has carried out neighbour consultation in respect of this application.

I have received 5 letters raising objection to the proposed development. The points raised are:

- The school should be sited elsewhere - its construction would result in loss of a valuable open space/closure of a public footpath which are very well used by the local community and would change the character of the area from rural to urban.
- The development would be a prominent and intrusive feature in the area.
- Wind turbines have no relevance with the school and should be the subject of a separate application.
- A fence around the whole site would make it look like a prison camp.
- The wildlife in the area would be disturbed.
- The proposed street lights would intrude into the houses and damage a rural environment which hosts a variety of wildlife.
- The proposed car parking areas would completely dominate and overlook neighbouring houses and gardens by reason of elevation in relation to them, result in noise and visual disturbance from headlights and their formation would adversely affect underground springs and cause flooding for adjacent properties.
- Will exacerbate traffic problems as many parents prefer to drive their children to/from school instead of walking or allow them to use public transport.
- Vehicular access through Wolfenden Green is unacceptable and will lead to traffic chaos/danger and increased pedestrian access through Wolfenden Green would result in loss of privacy and amenity for the residents.

## 6. Planning issues

This application is to be determined by the County Council. The main issues to be considered in deciding whether or not to comment on this application are as follows :

1. Principle
2. Visual Amenity
3. Neighbour Amenity
4. Traffic

### Principle

The proposed building, wind turbines and associated car park/hardstandings are to be located on that part of the application site within the Urban Boundary, whilst play/recreation areas will be within the Green Belt as delineated in the adopted Rossendale District Local Plan. In the Local Plan the northern half of the site is specifically reserved by Policy DS6 for construction of a primary school.

Whilst the proposal accords with Policy DS6 development, its acceptability in terms of the Green Belt needs to be tested against the national and development plan Green Belt policies. Policy DS3 of the Local Plan and Policy RDF4 of the Regional Spatial Strategy accord with Government guidance in PPG2.

Paragraph 3.19 of PPG2 states that *“in all cases (in the Green Belt), the layout, design and landscaping of the scheme must preserve, so far as possible, the openness and visual amenity of the Green Belt”*. Furthermore Paragraph 3.15 states that *“the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the*

*purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials and design”.*

I am satisfied that the built-development proposed though undoubtedly visible from within the Green Belt, will not detract to a greater extent than was envisaged when the site was allocated for a primary school in the Local Plan (except in respect of the proposed wind turbines, of which more is said in the following paragraph). Only an all-weather sports pitch and two outdoor playground areas to the south of the new school building are proposed within the Green Belt. Thus the essentially open character of the Green Belt will be maintained.

#### Visual Amenity

The new school building is of significant size, and is of modern design and a mixture of facing materials. The scheme as a whole incorporates features for energy saving/generation and sustainable drainage, etc.

The central portion of the building, though single-storey, is quite high. However, I do not consider the building as a whole will appear unduly prominent or intrusive as viewed from any public vantage point. The erection of 15m wind turbines for the purpose of on-site electricity generation has previously been permitted within rural parts of the borough. However, I am not aware of such a proposal having been permitted to date within the Urban Boundary. It is this element of the proposed development that may be said to raise new issues / be contentious. Government guidance and RSS policy encourages energy generation by renewable means, though recognising the need to balance this with the need to protect visual and neighbour amenity, etc. The siting and size of the proposed turbines is such that they will to a degree erode the character and appearance of the area in general and that of the Green Belt.

#### Neighbour Amenity

The new school building would be located 70m or more from the party-boundary with the residential properties on Booth Road and Wolfenden Green. Along the party-boundary a 1.8m high weldmesh fence and native-species hedge are proposed. Immediately to the rear of 59-63 Booth Road a wildlife habitat area is to be provided, further separating the residents gardens from the school building and the mobility parking spaces, service area and a gyratory access road proposed to the north side of the building. Due to the separation distance, and intervening planting, it is considered that there would not be an unduly adverse impact on the amenities of the neighbouring properties on Booth Road and Wolfenden Green by reason of the school building or the on-site activity associated with it.

The proposed wind turbines will stand sufficiently far from the residential properties noise disturbance should not arise, but they would be visible from these properties.

The staff car park to stand nearest to the residential properties fronting Wolfenden Green will be approximately 18m away from the party-boundary. It is proposed that the land here be excavated to allow the car park to be accessed via Glen Road. Accordingly, the staff car park ought not to detract to an unacceptable by reason of its use or appearance.

Of greater concern to me is the likelihood of noise/disturbance/ inconvenience for neighbours as a result of pedestrian and vehicular traffic movements to and from the site; this matter is addressed in the paragraph below.

### Traffic

The vehicular access to the proposed staff car parking areas is to be via Glen Road and would be controlled by gated barriers, with a new footway formed along side this roadway to provide a safe route for pupils/pedestrians up to the new school from Millar Barn Lane.

Whilst Wolfenden Green will provide access to 3 parking spaces for use by disabled people and for delivery/emergency vehicles (with the facility for them to turn around within the site), the intention is not to provide the facilities that will encourage parents to drop-off/pick-up their children by car. In the vicinity of the junction of Wolfenden Green with Booth Road double-yellow lines and a “no access” sign are proposed and re-location of a bus stop is being reviewed. Consideration is being given to parking restrictions and footway improvements on Wolfenden Green. For Booth Road a controlled pedestrian-crossing and vehicle-activated speed-indicator sign are proposed.

Whether the scheme proposed for the site, and the associated traffic measures, will be adequate to avoid obstruction of the highway or inconvenience/disturbance for neighbours on/in the vicinity of Wolfenden Green is of great concern to me.

The need to close the Public Footpath running through the site is to be regretted. So long as FP23/FP24 is in good condition there will remain a route from Booth Road to Newchurch Road that can still be used by walkers.

## **7. CONCLUSION**

The application site was recognised in the Rossendale District Local Plan (adopted 1995) as an appropriate location on which to erect a primary school. The County Council has more recently given consideration to alternative sites within Waterfoot and consulted with the public and other appropriate bodies in respect of sites for the replacement of the existing schools at Thornfield Avenue and Peel Street. It remains of the view that this is the most appropriate site to consolidate the two schools upon given their catchment areas and I do not have reason to doubt this.

I therefore consider the proposed development is acceptable in principle and, in most respects, what is proposed for the site will not itself cause unacceptable detriment in terms of visual and neighbour amenity. However, I do have certain concerns about how the proposed wind turbines will impact upon visual and neighbour amenity. I am also of the view that before the development commences further consideration needs to be given to the off-site traffic measures needed on/in the vicinity of Wolfenden Green if obstruction of the highway and inconvenience/disturbance of neighbours is to be avoided.

## **8. RECOMMENDATION**

That Lancashire County Council be informed that this Council raises no objection in principle to the application. Indeed, it would wish to support the provision of the proposed primary school on this site.

However, it would ask that :

1. Before permission is granted further consideration be given to the siting/size of the proposed wind turbines and the impact they will have upon the character and appearance of the Green Belt and area and upon the amenities of occupiers of nearby residential properties.
2. Before development commences a joint meeting(s) of County Councillors/Borough Councillors be convened to give further consideration to the off-site traffic measures needed on/in the vicinity of Wolfenden Green if obstruction of the highway and inconvenience/disturbance of neighbours is to be avoided during the period of construction and subsequently.
3. Following completion of the proposed school the adequacy of the on-site parking facilities and off-site traffic measures be monitored and this reported to joint meetings of County Councillors/Borough Councillors convened midway through the first school term and again midway through the second school term, in order that any problems remaining/arising in respect of school-related traffic/on-street parking can be further considered and addressed.

<b>Contact Officer</b>	
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