

**AGENDA MANAGEMENT SHEET**

**Name of Committee**

**Regulatory Committee**

**Date of Committee**

**7th September 2006**

**Report Title**

**Thomas Jolyffe Primary School,  
Stratford-upon-Avon - Creation of Hard Play  
Area for Infant School**

**Summary**

This report recommends the grant of planning permission for the creation of hard play area for the Infant School at Thomas Jolyffe Primary School, Clopton Road, Stratford-upon-Avon.

**For further information  
please contact**

Richard Forbes  
Planning Officer  
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richardforbes@warwickshire.gov.uk

**Would the recommended  
decision be contrary to the  
Budget and Policy  
Framework?**

Yes/No

**Background Papers**

Email from Mr Phillips received 24th July 2006.  
Letter from Sport England received 3rd August 2006.  
Letter from A and A J Harwood received 3rd August 2006.  
Letter from Mr and Mrs Leadbeater received  
7th August 2006.  
Response from Stratford-upon-Avon Town Council  
received 7th August 2006.  
2 emails from Maureen Morrey received 9th August 2006  
5 emails from the applicant dated 3rd, 7th, 8th, 8th and  
10th August 2006.

**CONSULTATION ALREADY UNDERTAKEN:-**

*Details to be specified*

Other Committees

.....

Local Member(s)

(With brief comments, if appropriate)

Councillor Mrs J Dill-Russell - No comments  
received as at 23rd August 2006.

Other Elected Members

.....

Cabinet Member

(Reports to The Cabinet, to be cleared with  
appropriate Cabinet Member)

.....

- Chief Executive  .....
- Legal  I Marriott – comments incorporated.
- Finance  .....
- Other Chief Officers  .....
- District Councils  Stratford on Avon District Council – No comments received as of 23rd August 2006.
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  See paragraphs 2 and 3.

**FINAL DECISION**                      **YES/NO**      *(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  .....
- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Regulatory Committee - 7th September 2006**

**Thomas Jolyffe Primary School, Stratford-upon-Avon  
Creation of Hard Play Area for the Infant School**

**Report of the Strategic Director for  
Environment and Economy**

**Recommendation**

That the Regulatory Committee authorises the grant of planning permission for the creation of hard play area for the Infant School at Thomas Jolyffe Primary School, Clopton Road, Stratford-upon-Avon, subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No : S63/06CC023

Submitted by : The Strategic Director of Resources on behalf of Cabinet.

Received by : The Strategic Director for Environment and Economy on:  
13th July 2006.

Advertised Date : 20th July 2006.

The Proposal : Creation of Hard Play Area for Infant School. [submitted under Regulation 3 of the Town and Country Planning Regulations 1992.].

Site & Location : 4 Ha.of Land at Thomas Jolyffe Primary School, Clopton Road Stratford-upon-Avon, Warwickshire [Grid ref: 200.560].

See plan in **Appendix A.**

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## 1. Application Details

- 1.1 The application seeks consent for a hard play area at Thomas Jolyffe Primary School. Such development is required to extend the current limited hard play provision for the infant element of the primary school.
- 1.2 The proposal is effectively an extension to the existing hard play area. The surface area of the main body of the proposed hard play area would be approximately 30 metres long by 15 metres wide in a roughly rectangular shape. An additional path and extension to the existing hard area would link the proposed and existing hard play surfaces. The new hard play area would be sited 3 metres from the rear boundaries of the nearest houses fronting onto Blue Cap Road and Clopton Road. The main back walls of these properties are located between 25 and 30 metres from their rear boundaries.
- 1.3 As part of the proposal, small landscaped bunds are to be provided to the south and the east of the area. This reflects the existing landscaped bunds that occupy the land immediately to the west. These bunds would help provide interest and break up the hard surfaced area and surrounding playing fields. The hard play area would have markings laid out to enable the teaching of court games, including netball and basketball.

## 2. Consultations

- 2.1 **Stratford on Avon District Council** - No comments received as at 23rd August 2006.
- 2.2 **Stratford-upon-Avon Town Council** - No objection.
- 2.3 **Stratford on Avon District Council, Environmental Health** - No comments received as of 23rd August 2006.
- 2.4 **Sport England** – No objection, condition requested marking out the area for sports use.
- 2.5 **Councillor Mrs J Dill-Russell** - No comments received as of 23rd August 2006.

## 3. Representations

- 3.1 One letter from the occupants of No. 4 Blue Cap Road, who have their rear boundary directly adjacent to the proposed area, have no objection to the principle of development but object strongly to any possibility of the existing belt of trees being removed and a high fence being erected.
- 3.2 One letter of objection from the occupants of 164 Clopton Road, who have their rear boundary 4 to 5 metres away from both the existing play area and the proposed play area extension.
  - (i) Thomas Jolyffe and Welcombe Hills School sites have been subject to development incursions into grass areas over recent years.

- (ii) There is ample provision of hard play courts at the adjacent junior school. Shared use could be timetabled.
  - (iii) Concerns regarding the loss of the copse of trees along the boundary, that are not shown on the site plan. These are well established and contain nesting birds.
  - (iv) As much grassed area should be retained to ensure that infants have areas to run about during playtimes.
- 3.3 One email requesting further information regarding hours of usage, and the use of floodlights.
- 3.4 One email from the occupants of No. 6 Blue Cap Road, who have their rear boundary directly adjacent to the proposed area, objected strongly to the planning application.
- (i) There is plenty of room within the School to construct a hard play area without it affecting local housing;
  - (ii) There are existing problems with balls and children from the Welcombe Hills School hard court, floodlights, bad language, making it unpleasant to sit in the garden;
  - (iii) There may be out of school hours usage including floodlighting; parking problems have been caused by schools in the area; additional development would be unacceptable.

## **4. Observations**

### **Site and Situation**

- 4.1 Thomas Jolyffe Primary School lies within a spacious larger school campus also containing the adjacent Welcombe Hills School. It is located within a largely residential area, and is bounded by residential properties or public highway.
- 4.2 The proposed play area is sited 3 metres away from the rear boundaries of residential properties along Blue Cap Road. This boundary is characterised by a hedgerow made up of trees up to 5 metres in height, except for the rear boundaries of three houses closest to the Welcombe Hills School to the east of the site. This particular part of the boundary is more sparsely vegetated and there are sections where the rear boundary fencing (1.8m feather edged wooden fencing) is exposed.

### **Impacts on Neighbours' Amenity**

- 4.3 The proposal would have an insignificant impact on views from the public domain. Therefore, the main issues relate to the impact of the proposal on the amenities of residential properties along Blue Cap Road.

- 4.4 It is intended that the trees and hedging forming the existing boundary treatment are to be retained and this has been confirmed by the applicant. This tree belt provides an effective and robust screen to the existing and some of the proposed playing area. It can be further supplemented by additional soft landscaping.
- 4.5 When assessing the impact on neighbouring properties, the existing relationship between areas used for play and residential properties can be considered. Firstly, the existing hard play area is sited adjacent to the boundary with residential properties along Clopton Road, which demonstrates a similar, common relationship to that proposed, albeit with a denser tree belt along the boundary. Secondly, the site area is currently used for school play purposes especially during the summer months. Making the area into a hard play area would formalise this play use.
- 4.6 It has also been confirmed that the area will only be used during daylight hours and for school purposes. This would ensure that some of the problems associated with the Welcombe Hill School Play Area, which one of the objectors has commented upon, would not occur in this case.
- 4.7 To ensure that the use of the area is limited to reasonable hours and school usage only bespoke planning conditions could be attached to any permission. Using the facility outside such hours and by a wider range of users could have an unacceptable impact on neighbours' amenity.
- 4.8 One objector has also questioned the positioning of the proposed play area on the site so close to a residential boundary. Part of the reason for the proposed location of the play area is to connect to the existing hard play area. Projecting further into the centre of the school site may also lead to the loss of grassed playing field and an objection from Sport England.

## **5. Policy**

- 5.1 Policy DEV1 of the Stratford on Avon Local Plan requires proposals to have consideration to a number of principles, a number of principles are relevant including the following:
- (i) The effect of the development on the surrounding area in terms of its position, shape, size and height.
  - (ii) The provision of appropriate standards of amenity within the development and the extent to which the general amenity of adjoining properties is protected.
  - (iii) The extent to which important existing features on the site are retained or incorporated into the development.
- 5.2 The scheme would have negligible impact on amenity and would retain the existing trees. Therefore, the proposal would accord with policy DEV1.

## **6. Conclusion**

- 6.1 In view of the existing use of the site, the distance from neighbouring dwellings, the existing screening on site and the provision of further soft landscaping, the impact on neighbours' amenity would be acceptable. Therefore the proposal would accord with policy DEV.1 of the Local Plan with regards to the protection of amenity.

## **7. Environmental Implications**

- 7.1 The proposal would be seen from a number of residential properties. However, the existing trees do help reduce the neighbour impacts and together with the hard landscaped bunds reduce the impacts on the surrounding environment.

JOHN DEEGAN  
Strategic Director for Environment and Economy  
Shire Hall,  
Warwick

21st August 2006



Scale 1: 1645

Ref No. S63/06CC023

Drawn Richard Forbes

Regulatory Committee - 7th September 2006

Subject

**Thomas Jolyffe School - Proposed Hard Play Area**



John Deegan  
Strategic Director for  
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**Thomas Jolyffe Primary School Stratford-upon-Avon  
Creation of Hard Play Area for Infant School**

**Regulatory Committee - 7th September 2006**

**Application No: S63/06CC023**

1. The development hereby approved shall be commenced no later than 3 years from the date of this permission.

**Reason:** To comply with the provisions of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out other than in accordance with the submitted application ref: S63/06CC023, the 1:500 site plan and 1:1250 location plan, unless otherwise agreed in writing by the County Planning Authority.

**Reason:** To ensure development is carried out in accordance with the planning permission hereby granted.

3. No development shall take place until full details of soft landscape proposals have been submitted to and approved in writing by the County Planning Authority. These details should include a planting plan, written specifications, schedules of plants noting plant species, sizes and proposed numbers/densities where appropriate.

**Reason:** To ensure a satisfactory standard of development in the interest of the visual amenities of the area.

4. The landscaping scheme approved pursuant to condition 3 shall be implemented in the first planting season following the completion of the development hereby approved, unless otherwise agreed in writing by the County Planning Authority. Should any trees die, be removed, become damaged or seriously diseased within five years of the initial planting, they shall be replaced in the next planting season with others of a similar size and species.

**Reason:** To ensure a satisfactory standard of development in the interest of the visual amenities of the area.

5. No trees located to the north of the approved play area, nor any trees which overhang the site shall be lopped, topped, pruned or felled, nor shall any roots be removed or pruned without the written consent of the County Planning Authority.

**Reason:** In order to protect trees on the site which are of amenity value.

6. The total root area of the trees to be retained shall be protected by 1.2 metre chestnut pale fencing (conforming to BS:1722) to be erected at a distance of 1 metre beyond the tree canopy and staked to the ground, for the duration of the development. No development shall take place until tree protection barriers have been erected; the barriers shall remain in situ and maintained to the satisfaction of the County Planning Authority for the duration of the works.

**Reason:** In order to protect trees on the site which are of amenity value.

7. No storage of materials, chemicals, fuel, machinery the lighting of fires nor the movement of vehicles shall take place under the tree canopies.

**Reason:** In order to protect trees on the site which are of amenity value.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no lighting to be used to directly light the hard play area, hereby approved, shall be erected on site.

**Reason:** To protect the amenities of neighbouring residents.

9. Prior to the first use of the area hereby approved, the area shall be marked out for sports purposes.

**Reason:** To ensure that the approved hard play area can be used for sports purposes.

10. The hard play area hereby approved shall only be used by the school and for such other purposes as have been approved in writing by the County Planning Authority.

**Reason:** To protect the amenities of neighbouring residents.

11. The hard play area hereby approved shall only be used between the hours of 0830 and 1800, Monday to Friday and at no time on Saturdays and Sundays.

**Reason:** To protect the amenities of neighbouring residents.

## **Development Plan Policies And Proposals Relevant To The Decision To Grant Permission**

Stratford-on-Avon Local Plan 2006-2011, Adopted July 2006

- (i) DEV1 Layout and design

## **Reasons For The Decision To Grant Permission**

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to require refusal.