

Regulatory Committee – 8 December 2020

**Change of use of existing disused car park to form
school external recreational space and car park.
Land adjoining Stratford High School, Alcester Road,
Stratford-upon-Avon. CV37 9NH**

SDC/20CC006

Application No.: SDC/20CC006

Advertised date: 7 October 2020

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Registered by: The Strategic Director for Communities on 5 October
2020

Proposal: Change of use of existing disused car park to form
school external recreational space and car park.

Site & location: Land adjoining Stratford High School, Alcester Road,
Stratford-upon-Avon. CV37 9NH [Grid Ref: 419347
255204]

See plan in Appendix A

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the proposed change of use of the existing disused car park to form a school external recreational space and car park, subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

1. Site and Surroundings

- 1.1 The application site is located on the south side of the Alcester Road A422, approximately one third of a mile west of the town centre, and immediately east of Stratford High School. It is currently owned by Stratford-upon-Avon College, and is due to be purchased by the County Council for use by the High School, subject to planning permission for this proposed development.
- 1.2 The application site area is 6,375 square metres. It is an inverted L-shape with its short boundary alongside Alcester Road extending to the Alcester Road/Willows Drive North roundabout. Willows Drive North is a vehicular cul-de-sac that forms the longer eastern boundary of the application site. From North to South the site is approximately 180 metres, and from East to West it varies from approximately 80 metres alongside Alcester Road, where the car parking is proposed, to approximately 40 metres across the area of the proposed sports courts.
- 1.3 The Holy Trinity C of E Primary School (formerly The Willows C of E Primary School) is immediately south of the site, and Stratford-upon-Avon College is on the opposite side of Willows Drive North. There are vacant government offices on the opposite side of Alcester Road. Both the primary school and the college have accesses in Willows Drive North, as does the application site. There are residential properties further along the A422 Alcester Road, the nearest being approximately 65 metres from the proposed car park.
- 1.4 The site was previously used as a car park by the college, with spaces for approximately 115 cars. The car park was closed in October 2019 due to being surplus to requirements, caused by a reduction in vehicle movements on the college site and alternative arrangements for buses and pick-ups/drop offs. The decision to close the car park was taken following agreement with Stratford-on-Avon District Council.
- 1.5 There is a bus layby and national cycle route in Alcester Road alongside the northern boundary of the site. A short spur off this cycle route crosses the application site from Alcester Road to Willows Drive North where it ends. This spur does not continue in alongside Willows Drive North.

- 1.6 There is a narrow and secluded footpath immediately within the eastern boundary of the site, at the back of the High School. This links into Alcester Road.
- 1.7 Severn Trent Water Authority owns a small triangle of land fronting Alcester Road, immediately adjacent to the site. This contains an underground pumping station, pipes from which cross below the application site in a north-south direction. There is an electrical substation on-site, adjacent the existing northern access into the site from Willows Drive North.
- 1.8 There are currently two vehicular accesses into the site from Willows Drive North. Both are closed by metal barriers. There is a mature hedgerow within the site alongside Willows Drive North

2. Application Details

- 2.1 The Design Objectives for the application site are:
 - * Provide additional hard landscape recreational spaces to the High School.
 - * Maintain the visual appearance of this area, maintaining foliage and landscaping around the site.
 - * Provide a secure enclosure to the new spaces whilst including this new area within the overall High School site.
 - * Maintain access to third party authority services and maintain the national cycleway across the site.
- 2.2 The reason for the proposal is to improve the facilities at the High School, which are also available for hire by the community. It also in part anticipates an increase in numbers of pupils attending the school. A planning application for the extension of the school buildings is expected shortly.
- 2.3 The majority of the site would be used for sports courts, at the back of the existing High School. These would comprise two dual-use tennis/netball courts in the central and southern area of the site. There would be 4.1 metres high weld-mesh sports fencing on the Willows Drive North side, and on the northern and southern extents of the sports courts area, and between the two courts.
- 2.4 The northern area of the site would be car parking for 45 cars, using the existing northern access into the disused car park. 35 of these car park spaces would be fenced off with 1.5 metres high bow top metal railings to match the existing fencing alongside Alcester Road.

- 2.5 The existing cycle route through the site would be maintained. The existing electrical substation would remain. This requires unrestricted access and is located within the remaining 10 space car park area that would have 1.8 metres high bow top metal railings erected on the western side, and alongside the existing High School boundary, to provide High School security.
- 2.6 An existing pedestrian access to the Primary School, within the southern boundary of the site, would be retained. The narrow footpath within the site boundary next to the High School would be closed for High School security reasons. There would be three CCTV cameras mounted on 4-metre-high poles, but no floodlighting. These cameras would be located in the northern, central and southern parts of the application site.
- 2.7 The sports courts area could be used informally by High School students during lunchtime and other breaks. It could also be used as an overflow car park for occasional special events such as parent evenings.
- 2.8 There would be no changes in levels, except for surface renovations. Existing trees and bushes would be retained, except for an 18 metres length of bushes where there would be pedestrian access from the existing High School into the centre of the sports courts area.

3. Consultee Responses

3.1 Stratford District Council – Planning

No reply received.

3.2 Stratford District Council – Environmental Health

No reply received.

3.3 Stratford Town Council

No reply received

3.4 Councillor Jenny Fradgley

No objection. Has concerns however about the existing traffic situation in Willows Drive North, in relation to the safety of children attending Holy Trinity Church of England Primary School to the immediate south of the application site.

The WCC Safety Engineering Team in the Traffic and Road Safety Group, has responded advising that school keep clear markings, railings, bollards, renewing vehicle protection markings and renewing double yellow lines, are being considered.

3.5 Councillor Dominic Skinner

No reply received

3.6 WCC Fire Officer

No reply received.

3.7 **WCC Highways**

WCC Transport Planning was concerned that if the existing national cycle route across the application site is closed, then a replacement would be needed in Willows Drive North from the roundabout with Alcester Road. It also requested that a short section of land parallel to the bus layby in Alcester Road, be made available to widen the existing cycle route in Alcester Road. The Rights of Way Team confirmed that there are no recorded public rights of way crossing the site, and has no objection to the proposals.

4. **Representations (Neighbours)**

4.1 Two site notices were posted on 7 October 2020

4.2 55 nearest properties were individually notified on 5 October 2020. These included all immediately adjacent properties and all nearby housing.

4.3 No representation has been received.

5. **Planning Policy**

5.1 Paragraph 11 of the National Planning Policy Framework (NPPF) February 2019 explains that there is a presumption in favour of sustainable development and what that means. What the presumption means in relation to a planning application is that proposals which accord with the development plan should be approved without delay and, where the development plan is absent, silent or relevant policies are out-of-date, then permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in the NPPF indicate development should be restricted.

Paragraph 12 goes on to explain that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

- 5.2 In this case, there is a development plan in place which has relevant policies that are considered to be up to date so far as they relate to this proposal. Therefore, the application should be determined (as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004) in accordance with those policies unless material considerations indicate otherwise. The Development Plan relevant to the proposal consists of the Stratford-on-Avon District Council Core Strategy (Adopted July 2016)
- 5.3 The courts have made it clear that for the purposes of Section 36 (6) it is enough that the proposal accords with the development plan considered as a whole. It does not have to accord with each and every policy in the plan. It is a matter of judgement for your Committee whether the proposal accords with the plan, considered as a whole, bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach.

National Planning Policy

- 5.4 The National Planning Policy Framework (NPPF) states that the planning system has three overarching objectives; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 5.5 **Paragraph 94** of the NPPF states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 5.6 **Paragraph 108** of the NPPF states that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 5.7 **Paragraph 109** of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.8 **Paragraph 127** of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive, sympathetic to local character and create places that are safe, inclusive and accessible.
- 5.9 **Paragraph 163** of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 5.10 **Paragraph 170** states that planning decisions should contribute to and enhance the natural and local environment by means including minimising impacts on and providing net gains for biodiversity.

Stratford-on-Avon District Council Core Strategy (Adopted July 2016)

- 5.11 **Policy CS1 Sustainable Development:** states that the Council supports and will apply the principle that planning to secure a high-quality environment, managed economic growth and social equity are of equal importance. All development proposals should contribute towards the character and quality of the District and to the well-being of those who live and work in and visit the District. Development should be located and designed so that it contributes towards the maintenance of sustainable communities within the District.
- 5.12 **Policy CS.4 Water Environment and Flood Risk** – states that all development proposals will take into account, dependent on their scale, use and location, the predicted impact of climate change on the District's water environment. Measures will include sustainable use of water resources, minimising water consumption, protecting and improving water quality, and minimising flood risk from all sources, as set out in the most up-to-date Strategic Flood Risk Assessment (SFRA).

B. Surface Water Runoff and Sustainable Urban Drainage Systems – states that all development proposals should ensure there is no increase in the rate of surface water runoff from the site as a result of development and, where possible, should seek to reduce the rate of surface water runoff generated from the development to the equivalent Greenfield runoff rates.

Sustainable Urban Drainage Systems (SUDS) will be proportionately incorporated in all scales of development, supported by a groundwater risk assessment. Infiltration SUDS will be promoted where it is practical. Where evidence is supplied to demonstrate that infiltration SUDS are not applicable, the SUDS hierarchy will be followed. Where SUDS are proposed, arrangements will be put in place for their whole life management and maintenance. Making space for water should be incorporated into the design layout to allow for a full range of SUDS measures.

5.13 **Policy CS.6 Natural Environment:**

A. Biodiversity states that proposals will be expected to minimise impacts on biodiversity and, where possible, secure a net gain in biodiversity by safeguarding and, where possible, enhancing existing habitats.

Where a development will have a negative impact on a biodiversity asset, mitigation will be sought in line with the mitigation hierarchy. Impacts should be avoided and, if this is not possible mitigated. Where there would be a residual impact on a habitat or species and mitigation cannot be provided on site in an effective manner, developers will be required to offset the loss by contributing to appropriate biodiversity projects elsewhere in the area. Where an impact cannot be fully mitigated or, as a last resort, compensated for, then planning permission will be refused.

5.14 **Policy CS.9 Design and Distinctiveness:**

B. Ensuring High Quality Design – states that high quality design will be achieved by ensuring that all development is:

1. Attractive: Proposals will be of a high-quality architectural design and include appropriate landscaping.
2. Sensitive: Proposals, including layout and orientation, will be sensitive to the setting, existing built form, neighbouring uses, landscape character and topography of the site and locality.
5. Environmentally Sustainable: Proposals will respond to climate change. Measures should include energy efficiency technologies, low carbon and renewable energy sources, the use of local materials where possible, effective water management and flood protection, and appropriate landscaping.
8. Healthy: Proposals will ensure a good standard of space and amenity for occupiers. Occupants of new and neighbouring buildings will be protected from unacceptable levels of noise, contamination and pollution, loss of daylight and privacy, and adverse surroundings.

6. Previous Planning History

SDC/20/004 Stratford-upon-Avon High School, Dining Hall and Kitchen Extension. Approved 3 November 2020
No previous records are currently available.

7. Assessment and Observations

Site and Surroundings

- 7.1 The site is currently a derelict car park that is owned by Stratford-upon-Avon College, but is surplus to the college's requirements as a car park. The proposal is essentially for a change of use of part of the site to two dual-use tennis/netball courts, and associated fencing. It does not include the construction of any buildings.
- 7.2 Only two issues have been raised by consultees. The first relates to the existing short national cycle route spur that crosses the site from Alcester Road to Willows Drive North, where it terminates. Following discussions, it is proposed to maintain this spur in its present location, and to allow unrestricted access to electricity and water services in the vicinity of this cycle route.
- 7.3 The proposal would provide additional outdoor sports facilities for both the High School and for community use, as well as additional car parking for the High School, and a recreation area during school breaks. It would replace a derelict use and would have no adverse impacts. As such it accords with Policy CS.1: Sustainable Development.

Amenity Issues

- 7.4 There would be no floodlighting for the sports courts or car parking. The main visual impact would be the proposed dark green fencing. In the northern part of the site this would match existing fencing alongside Alcester Road, in both colour and height. The proposed higher fencing around the sports courts would also be dark green and would help prevent tennis balls and netballs escaping into Willows Drive North. This 4.1 metres high fencing would be overlooked by Stratford College buildings on the opposite side of Willows Drive North and is an appropriate use in an educational area. Foliage and landscaping around the site would be maintained, and a Condition for an Ecology and Landscaping Scheme to be approved prior to occupation is recommended.

- 7.5 The sports courts, as are other High School facilities, are available for community use, and are an appropriate amenity to replace the derelict car park. Without floodlighting, the sports courts would not be used after dusk. There would be no adverse impact on nearby residential properties, the nearest of which is on the opposite side of the A422 Alcester Road approximately 65 metres from the proposed car park. The proposal meets the requirements of Policy CS.9: Design and Distinctiveness.

Ecology

- 7.6 The submitted Preliminary Ecological Appraisal found no evidence of European Protected Species, and that no further species-specific surveys are deemed necessary. It concluded that the site's greatest assets are its trees and shrubs. No observations have been received from the Ecology Team. It is however required practice to seek biodiversity gain in new developments, and a Condition on the permission to require a pre-occupation ecology and landscaping scheme to be approved is recommended. This accords with Policy CS.6: Natural Environment.

Flood Risk and Drainage

- 7.7 No significant changes are proposed to the hard and soft surface areas of the site. Severn Trent Water Authority owns a small triangle of land fronting Alcester Road, immediately adjacent to the site. This contains an underground pumping station, pipes from which cross below the application site in a north-south direction. These existing flood prevention measures are sufficient for the proposed development as no changes are proposed that would affect the situation. There would be no increase in the rate of surface water runoff from the site as a result of development, and the proposal meets Policy CS.4: Water Environment and Flood in this regard.

Access and Highway Issues

- 7.8 The second issue raised by consultees is the safety of children attending Holy Trinity C of E Primary School to the immediate south of the application site. The proposal would however result in less vehicular traffic in Willows Drive North, a cul-de-sac, than was the case when the site was used as a car park by the college, and following Councillor Jenny Fradgley's instigation, the WCC Safety Engineering Team in the Traffic and Road Safety Group, is considering installing school keep clear markings, railings, bollards, renewing vehicle protection markings, and renewing double yellow lines, in Willows Drive North.

- 7.9 The two existing access locations into the site from Willows Drive North would be maintained. The access to the sports courts area would be replaced by 6 metres wide double gates within the proposed 4 metres high sports fencing. The existing 6 metres wide vehicle barrier at the northern access would be retained. Gates and barrier would be operated by a key fob supplied to authorised users. There would be much less use by vehicles than was the case when the site was fully used as a car park.
- 7.10 Security at the High School is also a current issue, following recent break-ins. The present narrow and secluded footpath next to the High School complex, and within the application site, is proposed to be closed, and three CCTV cameras installed within the application site. This should help ensure better security for both the High School, and for children using the remaining footpath in the south of the application site which gives access to a side gate to the Primary School, and which is visible from within the Primary School site, unlike the secluded length to the rear of the High School which would be closed..
- 7.11 The Rights of Way Team has confirmed that there are no recorded public rights of way crossing the site, and has no objection to the proposals. The request that a short section of land parallel to the bus layby in Alcester Road, be made available to widen the existing cycle route in Alcester Road, is a matter that can be pursued once the site is within County Council ownership.
- 7.12 There is no specific proposal for disabled car park spaces. Such spaces exist in more convenient locations at the front of the High School building.
- 7.13 As the application in part anticipates an increase in numbers of pupils attending the school, and a planning application for the extension of the school buildings is expected shortly, a full transport assessment will be required then. This should include pupil and staff numbers, policies on sustainable travel, planning standards, disabled provision, cycle provision, traffic impacts and any amelioration measures necessary.
- 7.14 Although the application anticipates a future expansion, approval will not pre-empt a decision on any future application, and the proposal is recommended on its own merits as an improvement to the facilities and in the security of the High School, as well as improvement in the access arrangements to the Primary School.

8. Conclusions

- 8.1 The proposal would provide additional outdoor sports facilities for both the High School and for community use, as well as additional car parking for the High School, and a recreation area during school breaks. It would replace a derelict use and would have no adverse impacts.

- 8.2 There have been no consultation objections and no representations from members of the public. The proposal accords with development plan policies, given in Appendix B, and with the National Planning Policy Framework February 2019.
- 8.3 The proposal is recommended for approval, subject to Conditions related to:
1. Three-year time limit for commencement.
 2. Approved documents.
 3. Pre-occupation approval of an ecological and landscaping scheme.

9. **Supporting Documents**

- 9.1 Submitted Planning Application – Planning reference SDC/20CC006
- 9.2 Appendix A – Map of site and location.
- 9.3 Appendix B – Planning Conditions.

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