

<b>Application Number:</b>	P/FUL/2021/03912		
<b>Webpage:</b>	<a href="https://dorsetforyou.com (dorsetcouncil.gov.uk)"><u>Planning application: P/FUL/2021/03912 - dorsetforyou.com (dorsetcouncil.gov.uk)</u></a>		
<b>Site address:</b>	Hayeswood First School, Cutlers Place, Colehill, Wimborne BH21 2HN		
<b>Proposal:</b>	Formation of a new vehicle entrance, relocate existing pedestrian entrance and reformation of the car park and car park spaces. New access ramp, fencing and gates.		
<b>Applicant name:</b>	Lisa Nethercott, Dorset Council		
<b>Case Officer:</b>	Ellie Lee		
<b>Ward Member(s):</b>	Councillor Dover and Councillor Roe		
<b>Publicity expiry date:</b>	13 December 2021	<b>Officer site visit date:</b>	Photos provided
<b>Decision due date:</b>	24 March 2022	<b>Ext(s) of time:</b>	Yes

1.0 This application is before the Planning Committee for consideration as the Applicant is Dorset Council.

2.0 **Summary of recommendation:**

Grant, subject to conditions.

3.0 **Reason for the recommendation:** as set out in paras 15 & 16 at end of this report.

- The proposal will be of public benefit as it re-routes the accessible pedestrian route away from vehicle routes into and out of the school site.
- The location is considered to be sustainable and the proposal is acceptable in terms of its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity, landscape or highway safety
- There are no material considerations which would warrant refusal of this application.

#### 4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable
Scale, design, impact on character and appearance	Acceptable- in accordance with Local Plan policy HE2.
Impact on amenity	Acceptable- in accordance with Local Plan policy HE2.
Impact on landscape and trees	Acceptable- in accordance with Local Plan policies HE2 and HE3.
Access and Parking	Acceptable- in accordance with Local Plan policies KS11 and KS12.

#### 5.0 Description of Site:

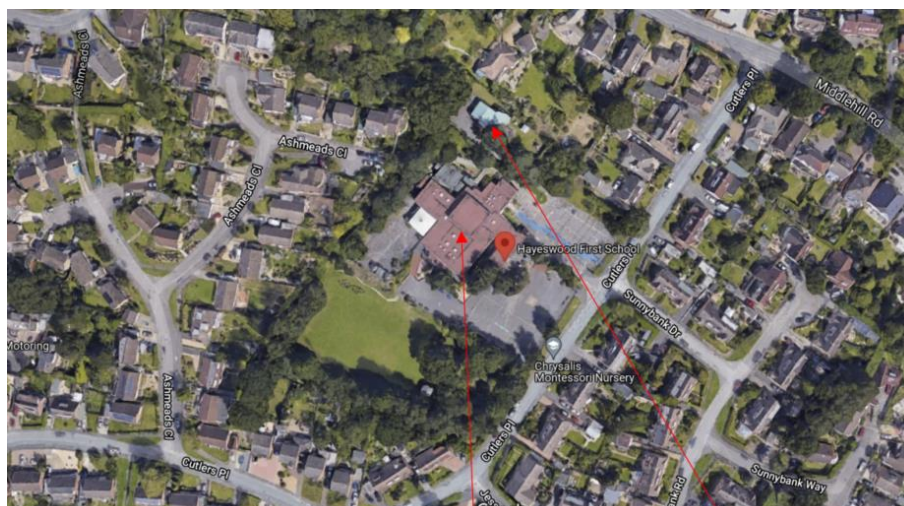
- 5.1 Hayeswood First School is an established educational facility, located to the north-western side of Cutlers Place, within the urban area of Colehill (within the red line boundary), located approximately 80 metres south of Middlehill Road.
- 5.2 The application site is largely rectangular, and the size of the red line site boundary is approx. 12,600m<sup>2</sup> / 1.26 hectares (ha).
- 5.3 The size of the red line and blue line site boundaries combined is approximately 13,860m<sup>2</sup> / 1.39 ha.



*Extract from submitted Block Plan (above)*

- 5.4 The existing school is set back from the street, and the land levels on the site rise to the north & north-east. The site lies opposite semi-detached chalet bungalow which are located within Cutlers Place and Sunnybank Drive.

- 5.5 Tree Protection Orders (TPOs) are located towards the front of the site (ref: CO/15, group A3).
- 5.6 The existing car parking on site provides space for 24 vehicles.
- 5.7 The existing boundary treatment is a mix of brick and timber fencing to the front and side boundaries.
- 5.8 A children's residential care facility is located adjacent beyond the north-eastern red line site boundary (within the blue line boundary). This facility is also owned by Dorset Council.
- 5.9 The land levels increase in height from the existing car park level up to the north-east side boundary with a bank sloping upwards. To the side of the north-east red line site boundary (at the front of the site), is a detached chalet bungalow dwellinghouse (8 Cutlers Place), which is separated by timber fencing.



Overhead view of Hayeswood First School

Main School site

Residential care facility

**Aerial Plan - Extract from submitted Planning Statement (above)**

## 6.0 Description of Development:

6.1 This is a full planning application for the following proposed works:

- New boundary fencing and gates at 1.8 metres high, to secure the perimeter (timber in a post and rail style, with powder coated metal gates set on brickwork piers)
- Formation of a new relocated separate pedestrian entrance from Cutlers Place into the school site (located to the north-westerly part of the front boundary), with an accessible ramp (red engineering brickwork to the perimeter and steel powder coated handrails with soft touch coatings).
- Re-formation of the car park & parking spaces, to improve vehicle circulation space.

- Vehicle entrance to the school (marked out with tarmacadam with white and blue markings) in a similar located to the existing vehicular entrance.
- New fencing and gates to the front and side boundaries to the school.
- New separate access route will be formed into the residential care facility, which will be separated from the school site by the proposed fencing.
- Existing trees will be pruned where required to allow for proposed access routes, and one tree will be removed as per the submitted drawings.
- The Planning Statement sets out that ‘A ramp may be formed from the pavement to the new pedestrian route.’

#### 7.0 Relevant Planning History:

Application No.	Proposal	Decision	Date
3/19/0862/FUL	Change of use of redundant family centre (D1) into childrens residential care facility and office space (mixed C3/D1).	Granted	02/12/2020
	<i>Note: The existing building at 10 Cutlers Place is currently the detached residential care facility to the north of the school. (See Aerial Plan within the submitted Planning Statement). This is located within the blue line site boundary.</i>		
3/16/0819/TTPO	Sgl/1 (T1) Rowan - Fell. Sgl/8 (T2) Lime - Remove base suckers and epicormic growth. Sgl/76 (T3) English Oak - Crown reduction by 3m.	Split decision	08/07/2016
03/98/0426/FUL	Increase height of wall with fencing & provide gate new a1 size school entrance sign	Granted	26/06/1998
03/97/0488/FUL	1.5m chain link fencing to part front boundary & part side boundary.	No objection	27/08/1997
03/93/1085/FUL	Erect portable outbuilding to provide nursery facility on school campus,	Granted	02/02/1994

#### 8.0 List of Relevant Constraints:

- Within urban area of Wimborne and Colehill
- Tree Protection Orders (TPOs): CO/15, group A3 towards the front & north-east side of site
- Dorset Environmental Record Centre - Wildlife species: Eurasian Badger
- Nearby streets are Class D
- Heathland 5 km zone consultation area

## 9.0 Consultations:

All consultee responses can be viewed in full on the website.

### Consultees

#### 1. DC - Highways

No objection, subject to following conditions (received 29/11/2021)

Conditions suggested by the Highways Officer relate to turning, parking and the set back of gates. These conditions would ensure that highways safety is not adversely impacted upon, that vehicles can be safely parked clear of the public highway and prevent the interruption to the flow of traffic.

#### 2. DC - Trees (Team C)

No objection (received 26/01/2022)

*Generally comfortable with the approach being taken. While there are some lesser trees affected, I feel that the scheme is reasonable on tree grounds and as such I have No Objection to the scheme.*

#### 3. Colehill Parish Council

No objection (received 24/11/2021)

*We fully support this application.*

### Representations received

A Site Notice was displayed in situ on 22 November 2021 and no responses were received during the consultation period.

No letters of representation from third parties have been received.

## 10.0 Relevant Policies

### 10.1 Adopted Christchurch and East Dorset Local Plan: Local Plan

The following policies are of relevance in this case:

KS1	Presumption in favour of sustainable development
KS2	Settlement Hierarchy
HE2	Design of new development
HE3	Landscape Quality
KS11	Transport and Development
KS12	Parking Provision

10.2 Neighbourhood Plans  
N/A

10.2 Supplementary Planning Guidance  
N/A

**10.3 Other Material Conservations:**

10.4 National Planning Policy Framework (NPPF) 2021

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Relevant NPPF sections include:

- Section 4. Decision taking: Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that:
- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

10.5 National Planning Policy Guidance (NPPG)

## 11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## 12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

- The proposed access ramp ensures that people with disabilities or mobility impairments and those pushing buggies are accommodated with the off-road footpath link through the north-east side of the school car park.

## 13.0 Financial benefits

N/A

## 14.0 Climate Implications

14.1 There will be some climate implication from the construction work, but this would only be for the duration of the works, prior to completion.

14.2 The proposals will help to future proof the existing school as an educational facility, in terms of accessibility, capacity and safety, serving the local community. The proposals are small in scale and sustainable in terms of both the construction and the location. For these reasons the proposal is not considered to have a significant impact upon climate change, once the development is complete.

## 15.0 Planning Assessment

The main issues concerning this application are :

- Principle of development
- Scale, design, impact on character and appearance
- Impact on amenity
- Impact on landscaping and trees
- Access and Parking

These points will be discussed as well as other material considerations under the headings below

### Principle of Development

- 15.1 Paragraph 11 of the NPPF (2021) and Local Plan Policy KS1 both place a presumption in favour of sustainable development.
- 15.2 As the site falls within the main urban area of Colehill, as identified in Local Policy KS2 of the Local Plan, it is in a sustainable, suitable and appropriate location where such development is supported.

### Scale, design, impact on character and appearance

- 15.3 The proposed fencing would be 1.8 metres high to the front boundary and also to the side north-east side of the proposed pedestrian access to the side of the car park. The fencing would separate the school site and the access to the residential care facility and is proposed to be twin wire welded mesh panels. The gates to the main entrance and the new pedestrian route are proposed to match the proposed fencing.
- 15.4 The proposed accessible ramp forming part of the new pedestrian route comprises of red engineering brickwork and steel powder coated handrails with soft touch coatings, which will form part of the new pedestrian entrance through the school site from the existing pavement to Cutlers Place.
- 15.5 The vehicle entrance to the school (which will be in the same location as the existing vehicle entrance to the car park) will be constructed with tarmac and marked with white and blue markings.
- 15.6 To the north-east side of the school's new pedestrian access, is the proposed new independent access route into the residential care facility lead. The residential care facility is located within the blue line boundary.
- 15.7 Any proposed fencing which overlaps the red and blue line boundary far into the site (to the rear of the car park) would be permitted development.
- 15.8 Whilst the proposed fencing, gates, vehicle access, pedestrian access and the ramp would be visible within the street scene and the public realm, there would not be a



resultant harmful visual impact upon the appearance of the site or its location, due to the design and the nature of the proposals.

- 15.9 The proposed fencing and gates would be of an appropriate scale, form, design and materials, in relation to the existing buildings, landscaping and surrounding area. Therefore, the proposal would accord with Policy HE2 of the Local Plan and also with section 12 of the NPPF (2021).

#### Impact on amenity

- 15.10 No representations have been received from third parties and Colehill Parish Council supports the proposals with no objections.
- 15.11 The location, siting, scale and form of the proposed works will not result in any increased harm to neighbouring amenity in terms of noise disturbance, privacy or overlooking, than existing.
- 15.12 The proposed works are typical for schools within Dorset and would not result in a harmful visual impact and would not appear intrusive to nearby occupants.
- 15.13 The proposals would not change the opening hours to the school and the separation distances to neighbouring occupants are sufficient to avoid harmful impacts to neighbouring amenity for nearby occupants, in terms of noise disturbance.
- 15.14 Therefore, the proposals are considered to be acceptable and it is not anticipated that there would be a harmful increase of noise or disturbance to the occupants of neighbouring residential properties. As such, the proposals would accord with Policy HE2 of the Local Plan and with section 12 of the NPPF (2021).

#### Impact on landscaping and trees

- 15.15 The submitted Planning Statement sets out that existing trees will be pruned where required to allow for proposed access routes, and one tree will be removed as per the submitted drawings.
- 15.16 The Council's Tree Officer considers that whilst some lesser trees may be affected by the proposals, the proposed works are acceptable, and has no objection to the scheme.
- 15.17 The proposal would accord with Policy HE3 of the Local Plan as it would not negatively impact on the landscape.

#### Access and Parking

- 15.18 The aim of the scheme is to improve pedestrian access and make the existing car park safer. The proposed vehicular layout would be one-way and would be generally separated from the pedestrian routes. In addition, the proposed fencing to the north-east of the proposed pedestrian access to the school would separate the school site from the proposed vehicle access to the residential care facility.

- 15.19 The proposal would result in a total of 21 parking spaces, which would be an overall loss of 5 parking spaces from existing car park provision of 26 spaces, but it is acknowledged that the former family centre previously used 2 of these spaces. At present, the residential care facility (within the current blue line boundary) has 4 designated on-plot parking spaces which were approved under planning application 3/19/0862/FUL for the '*Change of use of redundant family centre (D1) into childrens residential care facility and office space (mixed C3/D1).*'
- 15.20 The proposal under consideration would therefore result in a net loss of 3 parking spaces for the school (24 – 3, excluding the 2 spaces previously used by the former family care centre), with a total of 21 proposed car parking spaces. Dorset Council's Non-Residential Parking Guidance sets out that schools should provide 1 parking space per 2 full time staff, plus 1 visitor and 1 accessible space.
- 15.21 The Agent provided the following information regarding the numbers of current employees at the school:
- 3 full time
  - 27 part time staff - 10 FTE, working at 37% of full time hours (27 x 37% = 10)
- 15.22 As the mix of full time and part time staff would be equivalent to 13 full time employees (3 + 10), and as there are 21 parking spaces proposed, this would be 8 parking spaces above the minimum required within Dorset Council's Non-Residential Parking Guidance (plus additional spaces for visitors and also for accessible parking). The proposed 21 parking spaces is therefore appropriate.
- 15.23 Despite the loss of parking spaces within the school car park, the proposal provides a safer, more accessible layout for pedestrians accessing the site and it is also acknowledged that there are other sustainable options for employees and visitors to travel to and from the school. As such, the overall benefits of the proposal including improved pedestrian access and the option of more sustainable modes of transport would outweigh the minimal loss of parking provision within the school car park.
- 15.24 The Council's Highways Officer has no objection to the proposals, subject to the imposition of a turning and parking condition as well as a condition requiring gates to be set back, which would ensure that there are no adverse impacts with regards to highway safety.
- 15.25 Therefore, subject to conditions to secure the parking layout (no. 4) and ensure any gates are appropriately located (no. 5), the proposal would be acceptable and would generally accord with Local Policies KS11 and KS12.

## 16.0 **Conclusion**

- 16.1 Further to the considerations set out above, the proposals are found to accord with both local and national planning policies and guidance.

## 17.0 Recommendation

Grant subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

467-P-101 Site Location Plan

497-P-102 Block Plan

497-P-103 Existing & Proposed Plans, revision A

497-P-104 Proposed Plan with Overlay of Existing Layout, revision A

Sections 4 (Proposed Materials), 4.1 (Fencing Type), 4.2 (Gates), 4.3 (Ramp) and 5 (Trees) of the submitted Planning Statement by Coomber Associates Ltd.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The external materials to be used for the fencing, gates, ramp, vehicular routes and the pedestrian routes shall be similar in colour and texture to the materials set out in the sections 4 (Proposed Materials), 4.1 (Fencing Type), 4.2 (Gates) and 4.3 (Ramp) of the submitted Planning Statement by Coomber Associates Ltd.

Reason: To ensure a satisfactory visual appearance of the development.

4. Before the development hereby approved is utilised the turning and parking shown on Drawing Number 467-P-103 (revision A) must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

5. Any entrance gates must be set back a minimum distance of 5.00 metres from the edge of the carriageway and hung so that the gates can only open inwards.

Reason: To enable a vehicle to be parked clear of the public highway whilst the gates are opened or closed, preventing possible interruption to the free flow of traffic.

**Informative Notes:**

1. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.

2. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

3. The applicant(s) is (are) advised that the proposed development is situated in close proximity to the property boundary and "The Party Wall etc. Act 1996" is therefore likely to apply.

**Background Documents:**

Case Officer: Ellie Lee

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the Council's website.