

Development Management Sub Committee

Wednesday 11 March 2015

**Application for Planning Permission 14/04748/FUL
At Fox Covert Primary School, 12A Clerwood Terrace,
Edinburgh
Erection of single storey standalone nursery for City of
Edinburgh Council, within grounds of existing Fox Covert
Primary Schools. The nursery is for 70 children aged 3-5,
plus 15 children under 3 years old.**

Item number	6.1
Report number	
Wards	A03 - Drum Brae/Gyle

Summary

The proposal is for the siting of a free-standing single storey building to provide additional nursery facilities within the grounds of the existing school. By reason of the position, size, form and design of the proposal it complies with the relevant provisions of the development plan and associated guidelines. With the imposition of appropriate conditions it represents an acceptable form of development.

Links

<u>Policies and guidance for this application</u>	LPC, CITCO3, CITD3, CITD1, CITE12, CITE17, NSG, NSGD02,
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Report

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Primary Schools. The nursery is for 70 children aged 3-5,
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Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The site is located within the grounds of the existing Fox Covert Primary School in Clermiston. The grounds of the existing primary school extend to approximately hectares in area.

The existing school is three storeys in height (at its maximum) and overlooks two grass sports pitches. The site slopes downwards from east to west.

The surrounding area is predominantly residential in character, with established residential areas located to the north, south and west. Open space lies to the east. There is existing robust mature landscaping on the eastern boundary adjacent to Clermiston Road. There is also some mature tree planting on the western boundary.

The site is currently accessed via Clerwood Terrace to the south. There is an additional access to the north via Rannoch Road, although this is restricted.

2.2 Site History

The development proposal results from a report to Education, Children and Families Committee on 9 October 2012, entitled: 'Primary School Estate Rising Rolls: Implications for 2013/14 Session', item No 8. A subsequent report to Education, Children and Families on 14 March 2014 "Primary School Estate Rising Rolls" Item 7.4 identified schools facing pressure and identified solutions.

The proposed building is to be constructed in a single phase and is required to be completed by August 2015.

Main report

3.1 Description Of The Proposal

The application is for the erection of a single storey building containing two nursery classrooms, as well as class space for children under three years of age. The nursery shall accommodate 70 children for both morning and afternoon as well as provision for 15 under 3's in each session. In addition, multi purpose space and ancillary accommodation is proposed to be provided.

The proposed location of the new building is to the southwest of the main primary school building and will result in the loss of one of the grass playing pitches.

The proposed building has overall dimensions of approximately 42.7 metres in length by 12.1 metres in width with the height of the building sloping from the west elevation to the east elevation from 4.1 metres to 3.2 metres. The building has been designed to be fully accessible throughout with a level access entrance from the playground frontage. The main entrance, located on the eastern facade, provides direct access from the existing school gate.

The proposed materials are primarily a dark grey cement cladding on the north south and east elevation, a three colour cladding panel for the west elevation and window reveals, aluminium framed double glazed windows (including four rooflights) and doors.

The applicant has submitted a Design and Access Statement, a School Travel Plan, a Flood Risk Assessment and a Method Statement for Protected Species Surveys. These documents are available to view via Planning and Building Standards online services.

3.2 Determining Issues

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the proposal is acceptable in principle;
- b) the proposal has an adverse impact on protected open space and trees;
- c) the proposal will be of a suitable quality in terms of design;
- d) the proposal will result in an unreasonable loss of privacy, amenity or natural light to neighbouring properties;

- e) the proposals affect road safety and car parking;
- f) the proposal will have any detrimental impact on equalities and human rights;
- g) the proposal raises any flooding issues; and
- h) comments raised have been addressed.

a) Principle

The site lies within the defined urban area and will continue to provide accommodation for the school within the existing site. Edinburgh City Local Plan Policy Com 3 supports the provision of new school development on existing school sites where the site is easily and safely accessible on foot, by cycle and public transport. The proposal is therefore acceptable in principle, subject to compliance with other relevant Local Plan policies.

b) Protected Open Space and Trees

The existing playing field in the south west of the site is designated as protected open space under Local Plan Policy Os 1. This area of open space is currently utilised as two grass playing pitches and the siting of the new nursery building will result in the loss of an area of this open space and one of the playing pitches. The open space which will be lost equates to approximately 27% (2500 square metres) of the total designated area.

It has been confirmed by the Head of Children and Families that it is proposed to improve the existing sports amenity by providing a synthetic 60 metre by 40 metre 7 a side pitch which will improve the overall facilities available for the children and can be used all year round. This proposal will be subject to a separate planning application.

In accord with Local Plan Policy Os 1, there will be a local benefit and community purpose in allowing the development because it will accommodate nursery children to respond to the rising roll and provide upgraded facilities within the site. This benefit outweighs the loss of this small area of open space, particularly given that its primary use as a playing field will be maintained.

Local Plan Policy Os 2 sets out additional requirements which specifically relate to playing fields. The proposal complements the principal use of the open space as a playing field and will provide additional overlooking. The loss of part of the ancillary area around the pitch would not adversely affect its usability. Sports Scotland have withdrawn their previous objection to the loss of the sports pitch.

c) Design, Form, Materials and Positioning

The location of the proposed building is influenced by the position of the existing school entrance and the need to maintain the usability of the existing playing field and playground. The spatial character of the surrounding area is varied, and the proposal will be in keeping with its setting.

The proposal is of a contemporary and functional one storey design, and is of a style and scale which will complement the character of the existing modern school building. The materials proposed reflect the contemporary character of the proposal and will create interest within this part of the school grounds. A condition will be added for the submission of samples of the external materials prior to the commencement of the development to ensure a suitable finish.

The proposal complies with Policy Des 1 and Des 3 of the Edinburgh City Local Plan.

d) Amenity

The closest residential property is approximately 4.6 metres to the south of the proposed nursery building, and direct views are screened by existing boundary fencing. The building is single storey and there are three windows proposed on the gable, whilst these windows do not meet the required 18 metres to the boundary, they are at ground floor level and as there is adequate screening to the properties on Clerwood Terrace a relaxation to this is justified.

The proposed building will not have any adverse impact on the daylight or sunlight experienced by surrounding properties as it is set at a sufficient distance away to meet the requirements set out in the Council's non-statutory guidance.

With respect to noise and disturbance, no objections have been received from Environmental Assessment. Given the juxtaposition of the existing residential properties to the school it is not considered that their amenity will be affected in any greater a degree from the nursery building than the existing use.

The proposal will not have any detrimental impact on neighbouring amenity and is considered acceptable in terms of Policy Des 1 and Des 3.

e) Road Safety

Representations have been received which raise concern regarding additional traffic and parking of cars generated as a result of the proposal.

The Council has a statutory requirement to accommodate children of school age within the relevant school catchment area. Consequently, the Council's options are limited in how to accommodate those children within the relevant school premises.

The application has been accompanied by a School Travel Plan that sets out the course of action being taken by the school to reduce car use and increase other more sustainable modes of how children travel to school. However, this document is out of date so an informative has been added advising that an updated Travel Plan should be submitted for approval. Transportation raises no objections to the proposal.

f) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

g) Flooding

Flood Prevention raise no objections to the proposed development.

h) Public Comments

The material points raised were:

- loss of the playing fields - addressed in section 3.3 (b);
- Drainage - addressed in section 3.3 (g);
- Noise - addressed in section 3.3 (d); and
- Increase in traffic and parking to the area - addressed in section 3.3 (e).

Community Council

- no comments were received.

Conclusion

The proposal complies with the development plan and the Council's non-statutory guidelines. The proposal is acceptable in principle, is of suitable quality in terms of design and form, choice of materials and positioning. The proposal will not result in any unreasonable loss of privacy or natural light to neighbouring properties, and will not have any detrimental impact on neighbourhood character or amenity. No impact on equalities and human rights was identified.

As the application relates to the Council's Education portfolio, a Committee decision is required.

It is recommended that this application be Granted subject to the details below.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

4. Fox Covert Primary School has a Travel Plan dated 2007. The school should submit an updated Travel Plan for approval. The updated Travel Plan should include the proposed nursery.
5. Within 1 year of the receipt of planning permission an application for the provision of a new synthetic pitch to the Evolution XQ60 standard shall be submitted. The pitch shall be completed on site within 2 years of the nursery opening.

Financial impact

4.1 The financial impact has been assessed as follows:

All financial implications of this Council project are matters for consideration by Education, Children and Families Committee.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Following neighbour notification, a total of twenty letters of representation were received. The main grounds of objection are as follows:

- Increase in traffic and parking to the area;
- Loss of the playing fields;
- Noise; and
- Drainage.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development Plan Provision

Edinburgh City Local Plan - The site is located within the Urban Area and partially designated as protected open space.

Date registered

14 November 2014

Drawing numbers/Scheme

01A,02,03B,04-06,07A,08-09,

Scheme 2

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Com 3 (School Development) sets criteria for assessing sites for new school development.

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

Appendix 1

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Consultations

Sports Scotland

SPP para 226 states that outdoor sports facilities, including pitches, should not be redeveloped except where:

- o the proposed development is ancillary to the principal use of the site as a playing field,*
- o the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,*
- o the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area, or*
- o a playing field strategy prepared in consultation with sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.*

The first 2 caveats do not apply since one of the 2 pitches on site would be lost, and there is not an excess of provision. In order to comply with SPP therefore some form of compensation should be provided for the loss of the grass pitch. I note the architect's suggestion of slightly extending the remaining grass pitch however this would not comprise suitable compensation. Compensation could entail for example resurfacing a grass pitch to synthetic, or upgrading another pitch to enhance playing capacity. This is subject to local conditions so I wonder for example if a pitch nearby which is currently used by the soccer 7s could be upgraded (if needed).

These comments are on the basis of the SPP policy, and also sportscotland school guidance (as set out in previous emails), and the suggestion from the email trail below that there may be occasions where the loss of one grass pitch will impact on the soccer 7s fixtures.

Based on the information and proposal at present I do not consider that the proposal is acceptable in terms of providing sports facilities for current and likely future demand. If

any suggested form of compensation per SPP can be proposed then we can reconsider this position.

Further comments :

I can confirm that the undertaking provided by the Council to deliver a 3G surfaced, 60mx40m pitch (or an improved grass pitch if planning permission is not obtained) is in our view compensation for the loss of some of the existing pitch area.

As such, I confirm that sportscotland withdraws its objection to the planning application.

Transport Planning

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Fox Covert Primary School has a Travel Plan dated 2007. The school should submit an updated Travel Plan for approval. The updated Travel Plan should include the proposed nursery.

Note:

- o The school is not part of the "rising rolls" project;*
- o The school did not apply to be in the school streets pilot;*
- o The school's Travel Plan highlighted cars driving too fast, parked cars, dangerous junctions, busy roads used as rat runs and school crossing patrol having trouble stopping motorists as problems encountered walking to school;*
- o Current Council car parking standards for Nursery facilities within this area (Zone 3c) require a minimum of 0 spaces and a maximum of 1 space per 3 staff. Therefore the proposed application for the new nursery facility with zero parking is considered acceptable.*

Flooding

The proposals are deemed acceptable by CEC Flood Prevention and we have no further comment to make on the application

Environmental Services

The applicant proposes the erection of a nursery building within the grounds of the existing Fox Covert primary school. The new building will be adjacent to the southern boundary of the school grounds, approximately 20m from dwellings in Clerwood Terrace.

Environmental Assessment notes that this proposal will increase the capacity for nursery aged children at the site which may increase noise levels. However, as there is no history of complaints from neighbouring dwellings, it is unlikely that this new building will have a negative effect on amenity; Environmental Assessment has no objection to this proposed development.

Location Plan



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