

**Application Recommended for Approval with
Conditions
Rosegrove with Lowerhouse**

FUL/2022/0697

Town and Country Planning Act 1990

Improvements to access arrangements to front and rear of the school and modifications to the existing car park

Broadfield Specialist School, (Former Hameldon Community College), Coal Clough Lane, Burnley BB11 5BT

Background:

The premises was originally a mainstream school, closed in 2019 and now a special educational needs facility. It is located within an urban area to the South-west of Burnley town centre. There are existing points of vehicular access from Rossendale Road and Coal Clough Lane, with Coal Clough Lane the primary access for staff and visitors. The site is within the development boundary of Burnley, as identified within the adopted Local Plan.

The application is presented to committee due to the number of objections which have been received.

Proposal:

To undertake minor external works to facilitate more effective use as a special educational needs facility. The work is to be undertaken in two distinct areas (detailed schedule of works in submitted Design & Access Statement) and can be summarised thus:

Front car park

Reconfiguration of the existing car park to facilitate parking and drop off area for special needs buses and minibuses with short length of new tarmac pavement to connect to adjacent pedestrian routes. The net effect upon parking provision will be the loss of two mini-bus spaces plus three car spaces according to the submitted plans. Please note that the application form states a loss of two mini-bus spaces plus six car spaces, however three of the spaces shown on the submitted plans are indicated as 'Taxi' spaces, so this would account for the difference.

Area to rear (north) of main school building

Widening of existing footpath and reconfiguration of external area to assist wheelchair access.

Visuals:



Coal Clough Lane access plus existing bus stops



Existing layout



Proposed layout



Proposed areas of works (identified in red)



Proposed carpark layout



Relevant Policies:

Burnley's Local Plan 2018

- SP1 – Achieving Sustainable Development
- SP4 – Development Strategy
- SP5 – Development Quality and Sustainability
- CC4 - Development and Flood Risk
- CC5 – Surface Water Management and Sustainable Drainage Systems
- IC3 – Car Parking Standards

NPPF 2021

Site History:

None of relevance.

Consultation Responses:

Highways – no objection, however would like to see the existing bus stops on Coal Clough Lane removed and replaced with one single bus stop to current standards, either via a s.106 or s.278 Agreement, with the cost estimated at £25,000 payable by the applicant.

The Case Officer has discussed this with the applicant. The applicant does not wish to remove the bus stops.

Objections:

Eight including a County Councillor. The main point of objection is on-street car parking and its negative impact upon highway safety and access for buses. Objectors state that teachers park on the public highway in front of houses and in the vicinity of junctions, thus causing a hazard.

Article 35 Statement:

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

Planning and Environmental Considerations:

Principle:

The site is located within the development boundary of Burnley as identified within the adopted Local Plan, in which appropriate development is supported. The site is within existing school premises, therefore the proposal complies with SP4.

Design and Appearance:

The physical works proposed are minimal in visual terms and are all contained within the school grounds, therefore no implication in visual terms. The works proposed are:

- Increased fillet to kerb to improve turning circle for wheelchair minibuses.
- Remove indicated grass verge and tree.
- Straighten roadworks and paving to allow improved flow to buses car park. New Kerb locally.
- Add 2 wheelchair minibus parking (Total 5).
- Burn off old white lining, remove grass verge and replace with matching tarmac.
- New wheelchair minibus parking exit road. Alter grass verge, add drainage and new kerb to both sides.
- Removed corduroy paving to replace with matching tarmac. Level for wheelchairs.
- Renew tarmac path to minibus dropoff.
- Remove broken metal grated flooring and replace with matching paving flags.
- Tarmac to doors on north side to be levelled to assist wheelchair access/egress.
- Adjust flower bed areas to allow 1500mm min wheelchair access, infill shale gravel with tarmac.
- Remove any timber posts impeding access route.
- Damaged patches relaid with matching tarmac.
- 2 existing picnic benches removed (or repositioned) to create wider access route (min 1500mm) /emergency egress.
- Omit cobbles & relay with Tarmac.
- Remove raised planter, make good / level and replace to matching tarmac flooring.
- Remove the gravel grass, replace with tarmac.
- Remove gates
- Remove 2 raised planters, make good surface underneath and renew with matching tarmac.
- Join path with matching tarmac.
- Retaining kerb for where planter was removed.
- Proposed Light post.
- Road mark ' NO ENTRY', and arrow line.
- Proposed Removable Bollard.
- Proposed Timber Gate.

Impact upon Amenity:

The works are all to take place within the existing grounds. The proposed use remains the same. The Agent confirms that the school was built originally for 750 students and roughly 100 staff, whereas the SEN facility has 190 pupils around 120 staff. Therefore the potential for a reduction in amenity for nearby residents is less than would have existed prior to 2019.

Drainage:

The proposed works include an additional 232sq.m of potentially impermeable hard surfacing. The planning application form states that surface water will drain to both the public sewer and a soakaway, however no further information is given. Given the amount of grass at the facility it is likely that additional impermeable surface can drain to earth. A condition requiring details of drainage to be submitted, approved and implemented in accordance with the hierarchy of drainage options in National Planning Practice Guidance is recommended which will adequately deal with the drainage issues.

Parking:

The school was built to accommodate 750 students plus approx. 100 staff. The Agent states that the SEN facility has 190 pupils and approx. 120 staff. Currently the facility has 78 car plus 7 mini-bus spaces. The proposal would reduce this to 75 car plus 5 mini-bus spaces according to the submitted plan.

IC3 requires one space per two staff plus one space per 10 students and doesn't differentiate between community college and SEN uses.

Under IC3, the Community College would have required (75 & 50) 125 spaces, so a shortfall of 47 car spaces existed in 2019. The SEN use requires (19 & 60) 79 spaces, so a proposed shortfall of 4 car spaces will exist, however if the 5 mini-bus spaces are included as car parking spaces, the proposed parking provision will exceed IC3 by 1 space.

The Highway consultee's desire to see the existing bus stops on Coal Clough Lane reduced from 5 to 1 is understood and appreciated. Doing so would also provide more on-street parking adjacent to the school, which would be to the benefit of objectors. However, given that the proposal is to improve the functioning of a use that meets IC3 and that the current use is far better in IC3 terms than the previous Community College, on balance it is not considered that a reason for refusal based upon the retention of bus stops would be reasonable.

It is appreciated that some residents have objected on grounds of on-street parking. However it is not considered that this application can be refused for this reason as the proposed parking provision meets IC3.

Conclusion:

This planning application is for minor external works to an existing school. The only issue raised by objectors is that of on-street parking.

When applying the parking standards stated within the adopted Local Plan the difference between the amount of parking required for the previous use and that required for the current use is significant.

The rationalisation of bus stops would be desirable and beneficial for residents, however as the proposal accords with IC3 in terms of parking provision it is not required to make the application acceptable in planning terms. It would not meet the tests for planning conditions set out in the NPPF and would be unreasonable to impose this requirement.

Recommendation: Approve subject to conditions

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

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2. The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

- Drawing No. 217105-AFL-XX-00-A-00002 C3 – existing site plan, received 29.11.2022
- Drawing No. 217105-AFL-XX-00-A-00003 C4 – demolitions plan, received 29.11.2022
- Drawing No. 217105-AFL-XX-00-A-00004 C5 – proposed site plan, received 29.11.2022
- Drawing No. 217105-AFL-XX-00-A-00005 C4 – proposed car park plan, received 29.11.2022
- Design & Access Statement, received 20.11.2022

3. Notwithstanding details shown within the approved application, details of surface water drainage shall be submitted to, approved in writing and duly implemented prior to creation of additional impermeable surfacing.

Reason: In the interests of proper drainage of the site and to accord with the provisions of the NPPF.