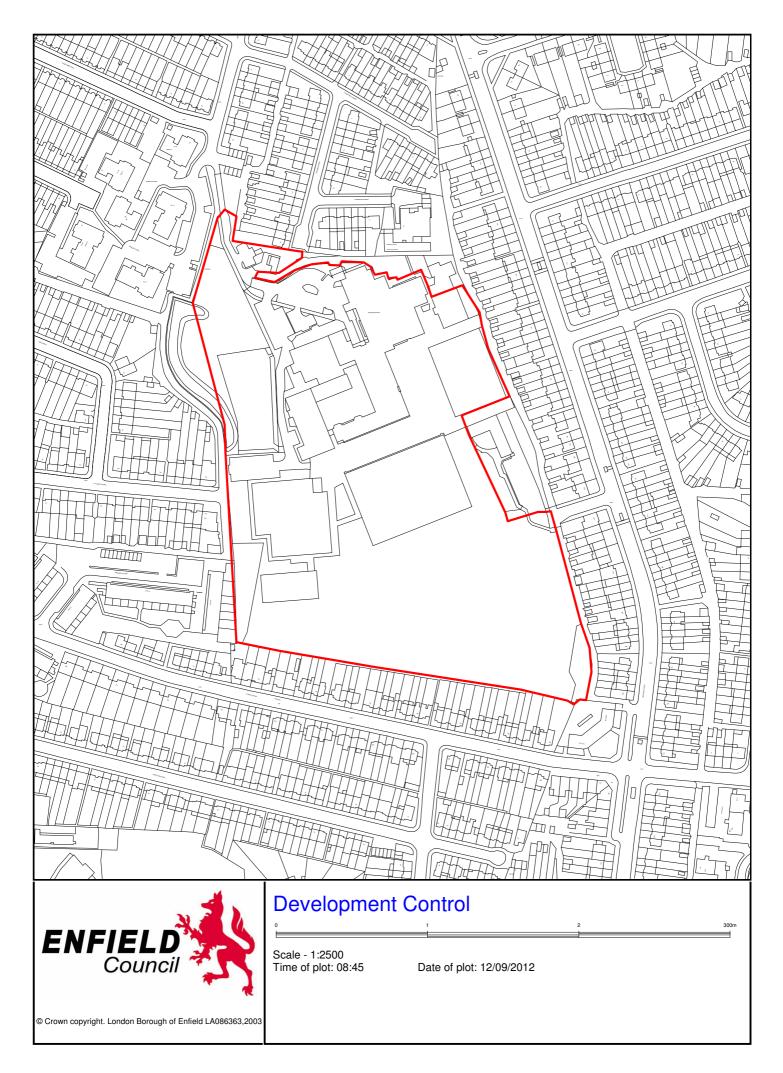
PLANNING COMMITTEE		Date: 25 th September 2012	
Report of Assistant Director, Planning & Environmental Protection	Contact Officer: Aled Richards Tel: Andy Higham Tel: Mr R.W. Laws Tel:	020 8379 3848	Ward: Jubilee
Application Number: P12-01255PLA		Category: Other Development	
door to north east elevation; co and new visitors entrance to no Centre comprising new glazing classrooms, construction of lift windows to north east elevation	rth west elevation; a and cladding, mezza and stair tower with a as of main building a	Ident entrance to s Iterations to Learni anine floor compris air handling unit to nd adjacent studer	outh east elevation ing Resource sing 2 additional roof; replacement at entrance; erection
door to north east elevation; co and new visitors entrance to no Centre comprising new glazing classrooms, construction of lift	nstruction of new stu rth west elevation; a and cladding, mezza and stair tower with as of main building an th of main building; s pitch; provision of a Turin Road, extension together with alterat boath with lighting acr ay ground area within s Road and alteration rear boundary backing es; also the provision s to the west of the s	Ident entrance to s Iterations to Learni anine floor compris air handling unit to nd adjacent studer construction of enc additional new car on of car parking al ion to layout of nor oss open space are n open space area ns to access on Ni ng onto properties n of a replacement sports hall stretchir	outh east elevation ing Resource sing 2 additional roof; replacement at entrance; erection closed floodlit (10 parking spaces rea across eastern th and south car ea; continued use ; new pedestrian ightingale Road as in St. Marys Road, area of open ig down to the back

RECOMMENDATION:

That subject to the completion of a Section 106 legal agreement regarding the provision of an equal sized area of open space within the Academy site being provided to compensate for the extension of the car parking area in to the open space being agreed in accordance with appropriate details, together with its long term management, means of enclosure, landscaping and access to it, together with details regarding the management and long term maintenance of the new footpath, & lighting, as well as providing community access to the temporary playground area within the open space after school hours, the Head Development Management/Planning Decisions Manager be authorised to **GRANT** Planning Permission subject to conditions.

Application No:- P12-01255PLA



1.0 Site and Surroundings

- 1.1 Nightingale Academy (formerly Turin Grove School). is bounded by residential properties on all sides with Nightingale Road to the east, St Mary's Road to the south and St Joseph's Road and Ellsworth close to the west. In addition, Bowes Primary school annex which is a new facility is also located to the east of the site; with access off Nightingale Road. To the west of the site is Turin Open space.
- 1.2 At present the main existing vehicle and pedestrian access in to the site is from Turin Road, this access into the Academy site also provides a right of access to a separate gated access within the site which serves key worker flats. The access off Nightingale Road is also used by students as well as providing emergency access.
- 1.3 The capacity of the academy is 1,100 students inclusive of the sixth form.

2. Proposal

- 2.1 The application seeks permission for a variety of works comprising the construction of a new sports café, a new student entrance, a new visitor entrance, three new external canopies, refurbishment of the Learning Resource Centre (LRC) including the construction of a lift and stair tower with air handling unit to roof, replacement windows to north east elevations of main building and adjacent to student entrance.
- 2.2 In addition, the proposal involves
 - a) a new full size synthetic football pitch with ten 12m high floodlighting columns and 3m enclosure
 - a new 3m high perimeter security fencing along the southern boundary backing on to the rear of properties in St Mary's Road
 - c) an improved and reconfigured student entrance onto Nightingale Road
 - d) a new pedestrian access for students in to the Academy off to St Josephs Road
 - e) ten new additional car parking spaces along the site access leading from Turin Road for staff and visitors.
 - f) a revised car parking layout that increases provision in the north car park so that the provision in the south car park is reduced to avoid vehicle movements crossing student occupied areas during school hours.
 - g) the continued retention of part of Turin Open Space area as a temporary playground,
 - h) an enlargement of the car parking area (65m in length by 6m in depth) into the Public Open Space area.
 - i) a new tarmac path with lighting running through the Public Open Space west of the site linking into the new student pedestrian entrance off St Josephs Road
- 2.3 In order to off set the loss of part of the open space area to car parking, the London Academies Enterprise Trust has agreed to transfer an equivalent area of land to become public open space within the school grounds the precise area to be agreed. A strip of land to the side of the sports hall along

the western boundary has been identified stretching down to the bottom of rear gardens in St Mary road.

3.0 Relevant Planning Decisions

- 3.1 LBE//09/0022- Installation of 3m high powder coated fencing to east boundary, together with two 4m wide access gates and 3m high fence with pedestrian gates. Planning Permission granted 6th August 2009.
- 3.2 LBE/08/0025- Change of use of public open space to provide temporary play ground to south of school building involving new chain link fence, hard surfacing and security gates- Planning Permission Granted 18th December 2008- Permission granted for a 3year temporary period.
- 3.3 LBE/07/0005- Use of public open space to provide temporary playground to south of school building involving new chain link fencing, hard surfacing and security gates. Deemed consent granted for a 15Month Temporary period expiring on June 2007.
- 3.4 LBE/06/0032- New sports hall, multi games area, flood lighting columns and a five a side pitch, together with parking Deemed consent Granted November 2007.
- 3.5 LBE/06/0033- Three storey extensions and refurbishment of existing teaching block to allow increase of 140 pupils. Deemed consent Granted December 2006.

4.0 Consultations

- 4.1 <u>Statutory and non Statutory Consultees</u>
- 4.1.1 Environment Agency

No objections are raised subject to a condition that any piling or any other foundations designs using penetrative methods shall not be permitted unless otherwise agreed for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

4.1.2 Education Asset Management

The London Academies Enterprise Trust (LAET) and Nightingale Academy have developed the proposed scheme in consultation with the Director of Schools and Children Services. The school suffers from poor access arrangements at both the main entrance onto Turin Road and the pedestrian entrance at Nightingale Road. Both entrances are poorly laid out. At the Turin Road entrance, students, visitors, cars and school deliveries and the key worker housing units all use the restricted entrance. This has implications in terms of both site security and safety of pedestrians. Once inside the school gates, there is no obvious entrance route to the school. The main office is hidden from view and pedestrians have to cross the car park to reach the office.

The scheme seeks to relocate the main entrance and improve the pedestrian access. This will provide a much better external environment, a clear pedestrian route for visitors and improved security as visitors will not become

lost in the site. The school is seeking to further develop its links with the local community that it serves. These developments will be assisted by an improved approach to the school buildings. It is acknowledged that relocating some of the car parking will lead to the loss of part of the open space, but there are considerable benefits to the Academy in terms of safety of staff and students and the overall environment of both the school site and Turin Road Open space will be improved. The LAET has agreed that an equivalent area of land will be made available as public open space within the existing school site. The precise boundary of this land will need to be agreed.

At the Nightingale Road Entrance, LAET are proposing to provide an improved pedestrian route. The first section of this route will be shared with Bowes Primary school annexe and will provide an improved environment at the entrance to the Primary School. This building has recently been enlarged and was the subject of a previous planning application.

4.1.3 Arboricultural Officer

Subject to the submission and assessment of a tree protection plan, the arboriculture documents appear acceptable and there should not be too much disturbance around trees to be retained.

- 4.2 <u>Public</u>
- 4.2.1 Consultation letters were sent to 658 neighbouring properties. In addition, notices were also displayed at the site. In response, 5 letters were received raising the following points:
 - Access to key worker flats from Turin Road not shown and this must be maintained
 - Concern that St Andrew's road will be used
 - Concern regarding loss of open space which council tax payers have an interest in
 - Salisbury Lower school doesn't exist now Nightingale Academy
 - Roads cant cope roads already clogged up by parents parking
 - Increase litter and noise

5. Relevant Policy

5.1 Local Plan – Core Strategy

- CP8 Education
- CP11 Recreation, Leisure Culture and Arts
- CP20 Sustainable Energy use and energy infrastructure
- CP25 Pedestrians and Cyclists
- CP28 Managing Flood Risk through Development
- CP30 Maintaining and improving the quality of the built environment
- CP34 Parks, Playing fields and other open spaces
- CP 36 Biodiversity
- 5.2 <u>Saved UDP Policies</u>
 - (II)GD3Aesthetic & Functional Design(II)GD6Traffic generation
 - (II)GD8 Site access & Servicing

5.3 <u>The London Plan</u>

- 3.18 Education facilities
- 3.19 Sports facilities
- 5.3 Sustainable design and construction
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.4 Local Character
- 7.18 Protecting local open space & addressing local deficiency

5.4 Other Relevant Considerations

National Planning Policy Framework

6. Analysis

- 6.1 <u>Principle</u>
- 6.1.1 The principle of re-organising and enhancing the existing Academy site and buildings to improve the facilities that it offers is consistent with London Plan Policy 3.18 "Education Facilities" and Core Strategy Policy CP 8 "Education". As one of the first "Mayoral Academies" in London, Nightingale Academy's vision is to create an environment that will facilitate to develop pupils who will be healthy, stay safe, achieve economic wellbeing and make a positive contribution, and an Academy that will serve as the learning hub for the whole community. The overall design Strategy for the new Academy seeks to improve the appearance and operation of the school, providing a more flexible and functional space.
- 6.2 Extension and Alterations to Academy Buildings
- 6.2.1 The proposals to create a new visitor and student entrance are considered acceptable and will have no adverse impact on the appearance of the school. A small extension to the sports hall building on its northeast corner to provide a new sports café/ reception/ curriculum space beneath the existing canopy is also proposed is also acceptable in design terms. Furthermore, there are no objections to the installation of replacement windows to the general teaching block, or the three external free stranding canopy areas located within the playground.
- 6.2.2 The Learning Resource Centre is also proposed to have a large glass façade facing the northern car park that will showcase its activities to visitors as they enter the site. Two new classrooms are provided on a new mezzanine within the space and a new stair and lift to provide access to them; these are located on the east of the LRC. The additional classrooms do not cater for any additional students to the Academy. In terms of design and appearance therefore, these element are considered acceptable having regard to Policy CP 30 of the Core Strategy and (II) GD3 of the UDP.
- 6.3 Reorganisation of Student Site Entrances and Car Parking
- 6.3.1 Improving the student entrances and their safety and security is one of the key objectives of the Academy. The site access arrangements are to be

reorganised with dedicated east and west pedestrian entrances from St Josephs Road and Nightingale Road. A new pedestrian entrance in to the Academy off St Joseph's road is created as well as an improved and reconfigured existing student entrance off Nightingale Road. The existing entrance form Turin Grove is to be used for visitors and staff vehicle entrance and late arriving students. This entrance would also continue to provide access to the key worker flats as existing. Those students arriving from Turin Road will be diverted before entering the academy site via a new paved and lit footpath leading through the open space to a new pedestrian entrance at the end of St Josephs Road.

- 6.3.2 The new pedestrian access into the academy off St Joseph's Road is considered acceptable subject to a mitigation plan to improve pedestrian safety at this entrance. There would be no vehicular access at this point and although potentially there could be increased vehicular movement son St Josephs Road, it is considered that the new pedestrian access would not adversely impact on the residential amenities of properties in the vicinity. There are no objections to the improved and reconfigured existing access off Nightingale Road in terms accessibility.
- 6.3.3 The safety concerns arising from cars and pedestrians mixing in the road link between the northern and southern car park has been addressed by reducing the size of the southern car park thereby preventing a mix of students and vehicles during school hours. The capacity of the northern car park area has been increased by creating 10 new parking spaces and the siting of these spaces is considered acceptable in terms of their layout having regard to Policy (II) GD8 of the UDP. In addition it is also proposed to extend the car park into part of the open space which is dealt with later in the section below. It is though noted that as a result of the extension of the existing car park six trees would be lost, although as part of a replacement landscaping scheme appropriate new replacement planting can be provided.

6.4 Proposed Artificial Sports Pitch and Means of Enclosure

- 6.4.1 The pitch would be 90m x 48m and would be enclosed by 3m high fencing. In addition, there would be ten, 12 metre high floodlight columns. The pitch would be positioned to the south of the existing synthetic pitch on the academy playing fields and although the pitch would be closer to the residential boundaries that the existing school buildings, it use would not adversely impact on the residential amenities of surrounding residents. IT would also provide a valuable improved overall sporting facilities for the academy. In addition, the grass pitches are to be repaired, levelled and reseeded.
- 6.4.2 With regards to the ten flood lighting columns, the nearest is approximately 21m away from the rear gardens of properties in St Mary Road. Moreover, due to the angled orientation of the new sports pitch, it is considered that the siting of the floodlights is of sufficient distance away so as not to adversely impact on residential amenity in terms of light spillage or light pollution. An appropriate condition will be imposed regarding the use of the floodlights so as to protect residential amenity.
- 6.4.3 On the southern boundary of the site backing on the rear of properties in St Mary's Road the existing fencing is to removed and replaced by a 3m high weld mesh fence. This would improve the security of the Academy and it is

considered that subject to an appropriate colour fencing (e.g. green) that the height of the fencing would not adversely impact on the residential amenities of properties in St Mary's Road.

6.5 <u>Works in Turin Road Open Space</u>

- 6.5.1 An existing playing area already exists in part of the open space (measuring approx 65m length x30m width) surrounded by 3.5 metre high fencing. This has been subject to a series of temporary planning permissions with the last permission (LBE/08/0025) expiring on 31st December 2011. It is proposed to continue the use of this area as a playground for a further 3 years particularly during the period of the works as its continued availability would assist in addressing the unavailability of sports and recreation space that will be caused by the works.
- 6.5.2 The Academy is seeking to continue its use during the school core hours and fully support that the court is available to the community at other times.
- 6.5.3 The area is designated as Amenity Green Open Space within the Core Strategy and Policy CP 34 is relevant. Given that the principle of a series of temporary permissions have previously been granted for this area it is not considered that that a further temporary permission as a playground would detract from the open character of the area or impact on the long-term aspiration to secure wider community use of the land. Subject to this area still being available for community use after academy hours if required then a further temporary permission for use is considered acceptable.
- 6.5.4 The proposal also involves the provision of a new footpath with lighting across the open space area providing access from Turin Road to the new pedestrian access in to the Academy site off St Josephs Road. At present the open space area is fairly overgrown and the new footpath and lighting would help to improve the area and its accessibility whilst still maintaining its open character. The provision of the footpath therefore would represent an improvement to the open space by increasing access to it having regard to Policy CP34.
- 6.5.5 The proposal also involves the enlargement of the existing car parking area in to part of the Turin open space. The enlarged car park would encroach on to the open space by an area of 65m in length by 6m deep and would normally be resisted unless robust justification exists. In this instance, the incursion would facilitate improvements to the access and parking arrangements. In particular, the Academy currently shares their vehicle entrance with the adjacent key worker housing accessed off Turin Road, resulting in restrictions on how the Academy is able to manage and secure access into their site. The existing access from Turin Grove is also narrow and shared by both vehicles and pedestrians.
- 6.5.6 The Academy have therefore advised that the loss of the strip of land that is currently part of the Turin Open Space forms an integral part of the proposals to improve access to the Academy and to allow the separation of vehicles and pedestrians at the entrance to the Academy and therefore reduce the health and safety risk in this area. In order to offset this loss, an area of land equivalent to that lost, with be transferred for public open space within the school grounds. An indicative strip of land adjacent the sports building

running along the western boundary to rear of properties 13-26 Elmsworth close (3 storey flats) down to the rear of properties in St Marys Road has been identified as a possible area to compensate, although the precise area and the format and nature of the open space together with is management will need to be agreed and secured by a Section 106 agreement.

6.5.7 Overall the proposals seek to improve the quality and security of Turin Road open space by introducing a new footpath and associated lighting. The Academy is also committed to continued community access to its sports and other facilities. These elements are seen as an overall positive benefit.

.7. Conclusion

- 7.1 In light of the above, the proposal is considered acceptable for the following reasons:
 - 1. The construction of a new sports café, new student entrance, three external canopies, refurbishment of learning Resource Centre including construction of a lift and stair tower, replacement windows, improved and reconfigured student entrance onto Nightingale Road, new pedestrian access for students on to St Josephs road, ten new additional parking spaces as well as reconfiguration of parking layout would help to improve facilities for the school as well as not adversely impacting on the residential amenities of adjoining occupiers having regard to Policies 3.19 of the London Plan and CP 8 and CP 30 of the Local Plan.
 - 2. The proposed extension of part of the car parking area into the open space subject to the provision of a satisfactory replacement area of open space within the academy site to compensate for its loss would not adversely impact on the character and appearance of the area having regard to Policies CP 30 and CP 34 of the Local Plan.
 - 3. The continued use of part of Turin Open space as a temporary playground for a further period of 3 years does not impact on the character and appearance or the amenities of neighbouring and nearby residential properties as well as providing an additional important facility for the academy having regard to Policies CP 30 and CP 34 as well as London Plan Policy 3.19.
 - 4. The proposed new pedestrian footpath as well as lighting through the open space would help to improve pedestrian linkages as well as accessibility and would not adversely impact on the character an appearance of the open space having regard to Policies CP30 and CP34 of the Local Plan.
 - 5. The siting of the new artificial sports pitch together with floodlighting columns would have appropriate regard to its surroundings as well as enhancing the schools sporting facilities and would not adversely impact on the amenities of adjoining residents having regard to Policies 3.19 of the London Plan and CP 8, CP 11 and CP 30 of the Local Plan.
 - 6. The proposed new 3m high fencing on the south boundary to the rear of properties in St Mary's Road would not adversely impact on the

residential amenities of the adjoining properties having regard to Policy CP 30 of the London Plan.

7. The proposal provides for a satisfactory level of on site parking and cycle provision having regard to London Plan Policy 6.13.

8. Recommendation

8.1 That subject to the completion of a Section 106 legal agreement regarding the provision of an equal sized area of open space within the Academy site being provided to compensate for the extension of the car parking area in to the open space being agreed in accordance with appropriate details, together with its long term management, means of enclosure, landscaping and access to it, together with details regarding the management and long term maintenance of the new footpath, & lighting, as well as providing community access to the temporary playground area within the open space after school hours, the Head Development Management/Planning Decisions Manager be authorised to GRANT Planning Permission subject to the following conditions:

1. C60- Approved plans

2. C8- Material to match

3. Details of the design specification of the proposed new foot pathway including levels, surfacing materials as well as details of the lighting columns through the open space shall be submitted to and approve in writing by the LPA prior to the their installation on site.

Reason: To ensure that satisfactory details are provided in terms of its construction and appearance.

4. The proposed floodlights for the new artificial sports pitch shall not be use after 9.30Pm in the evening.

Reason: In order to protect the amenities of surrounding residents from light pollution.

5. C59- Cycle Parking spaces

6. Details of the design, colour, height and appearance of the proposed 10 floodlighting columns for the new artificial sports pitch as well as details regarding any light spillage and any protective measures required as a result shall be submitted to and approved in writing by the LPA prior to installation.

Reason: In order to ensure the submission of satisfactory details as well as to protect the amenities of surrounding properties from any adverse light spillage

7. The continued use of the area as a temporary playing ground within part of the open space area shall expire on the 30th September 2015 when the hard surfaced play area, chain link fencing and gates shall be removed and the area reseed with grass. Provision shall, also be made for community access and use of this area after school hours in accordance with details to be submitted to and approved in writing by the LPA.

Reason: To ensure that the area of land remains as an open area and in the interests of residential and visual amenity of the area.

8. Details regarding a landscaping scheme which shall include tree planting within the extended car parking area in the open space shall be submitted to and approved in writing by the LPA. The landscape planting shall be provided at the first available planting season and thereafter maintained within any planting dying in 5 years being replaced.

Reason: In the Interest of visual amenity as well as to help compensate for the loss of some of the existing trees in the car park as a result of the proposal.

9. C8- Details of Hard surfacing

10. The proposed new 3m fencing on the southern boundary shall be coloured green.

Reason: In the interest of visual amenity.

11. For the duration of the construction period details regarding satisfactory tree protection measures for those trees to be retained in accordance with best arboriculture practice shall be submitted to and approved in writing by the LPA and there after implemented during construction.

Reason: In order to ensure satisfactory tree retention.

12. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to ground water. The development shall be carried out in accordance with the approved details.

Reason: To protect ground water, the site sits above Turin Fields Historic landfill. Pilling can create new pathways for pollutants and introduce new contaminants into the subsurface.

13. Works shall not commence on the new pedestrian access off St Josephs road into the academy until details of a mitigation plan to improve pedestrian safety at the western entrance have been submitted to and approved in writing by the LPA and thereafter implemented

Reason: In the interests of general pedestrian safety .

14. C51A- Time Limit

