

DILL ROAD, TILLYDRONE

EXTENSION TO RIVERBANK PRIMARY SCHOOL TO PROVIDE AN ADDITIONAL 4 CLASSROOMS, TOILETS AND GYM HALL.

For: Aberdeen City Council

Application Type : Detailed planning permission
Application Ref. : P130118
Application Date : 04/02/2013
Officer : Lucy Greene
Ward: Tillydrone/Seaton/Old Aberdeen (J Noble/R Milne/R Grant)

Advert :
Advertised on :
Committee Date : 21 March 2013
Community Council : No comments received



RECOMMENDATION: Approve subject to conditions

DESCRIPTION

The application site consists of part of the school grounds of Riverbank Primary School. The area is to the south of the school building and consists of hard surfaced area next to the school buildings, a car park accessed from Dill Road and a grassed area.

To the west is Dill Road, to the north the existing school, to the west lie the remainder of the school grounds, some of which are laid out as pitches and to the south are the rear gardens of houses and an industrial yard which front onto Hayton Road.

There are several trees close to the southern boundary of the site – which is the edge of the school grounds.

To the north of the school site is a community centre, and a large area of grassed open space for community use.

HISTORY

No recent or relevant planning history.

PROPOSAL

The application proposal is for an extension to the school, comprising a gym hall, four classrooms with toilet facilities and a new waiting room for the existing nursery.

The gym hall would be linked to the existing school by a short corridor, this corridor would form the new public entrance to the school. The gym hall would be just under 8m in height elevated in dark grey cladding panels, with some glazing, mostly at high level and a shallow monopitched roof in metal cladding. The classrooms would lie behind the gym hall and these would link up the rear part of the existing school buildings, thus enclosing an existing external area to form a courtyard around which the school buildings would be arranged. A new entrance to the nursery would be formed within the proposed extension and this would be on the southern elevation of the building.

The classrooms, and other facilities, would be contained within a single storey building, clad in white panels and horizontal cedar finish. There would be full height glazing to the classrooms and a flat metal clad roof.

The proposed building would be approximately 5m, at its closest point, from the southern boundary of the school grounds. This area of the proposed extension would be the pupil entrance. The nearest house would be approximately 15m from this southern tip of the proposed extension.

The elevations of the proposed extension would not run parallel to the rear gardens, nor rear elevations of houses on Hayton Road, with the long elevation of the proposed extension being at an angle of approximately 50 degrees to the housing.

Supporting Documents

All drawings relating to this application can be viewed on the Council's website at – <http://planning.aberdeencity.gov.uk/PlanningDetail.asp?ref=130118>.

On accepting the disclaimer enter the application reference quoted on the first page of this report.”

REASON FOR REFERRAL TO SUB-COMMITTEE

The application has been referred to the Sub-committee because the Council is the applicant. Accordingly, the application falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

Roads Project Team – Request conditions relating to cycle and motorcycle parking and access arrangements for pupil/pedestrians being separated from vehicles.

Environmental Health – No observations.

Enterprise, Planning & Infrastructure (Flooding) – No observations

Education, Culture & Sport (Archaeology) – No conditions needed.

Scottish Water – No objection.

Community Council – No comments received.

REPRESENTATIONS

No representations received.

PLANNING POLICY

Aberdeen Local Development Plan 2012 (LDP)

Policy D1 – Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration to its context and make a positive contribution to its setting.

Policy H1 – Residential Areas

Within existing residential areas (H1 on the Proposals Map), proposals for non-residential uses will be refused unless: they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity.

Policy CF1 – Existing Community Sites and Facilities

This policy also applies to education facilities within LDP zonings other than CF1. Existing school land shall be used for mainly educational purposes and proposals for extensions will be supported in principle.

Policy NE3 – Urban Green Space

Permission will not be granted to use or redevelop areas of urban green space for any use other than recreation or sport, unless an equivalent and equally convenient and accessible area for public access is laid out and made available in the locality by the applicant for urban green space purposes. In all cases, development will only be acceptable provided that:

1. There is no significant loss to the landscape character and amenity of the site and adjoining areas;
2. Public access is either maintained or enhanced;
3. The site is of no significant wildlife or heritage value;
4. There is no loss of established or mature trees;

5. replacement green space of similar or better quality is located in or immediately adjacent to the same community, providing similar or improved benefits to the replaced area and is as accessible to that community, taking into account public transport, walking and cycling networks and barriers such as major roads.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

Principle of use in this area

The application proposal consists of an extension to an existing school within a residential area. Use as a school is complementary to residential use and this use is already established. The proposed use therefore complies with Policy H1 and CF1 in the LDP.

Residential Amenity

The extension would be located at a sufficient distance from existing residential properties so as not to cause any problem with over looking. This is a single storey extension and there would be a minimum of 18m between classroom windows and the rear elevation of residential properties, and these would be at an acute angle, rather than directly facing each other.

The pupil entrance would be approximately 12m from the garden of the house at 2 Dill Road. It should be noted that the gardens currently back on to the school grounds and users of the gardens would currently hear noise from pupils at break and lunchtimes.

The school extension would be to the north west of houses and would not impact upon sunlight or daylight.

In terms of the impact on residential amenity, the proposal is acceptable.

Urban Green Space

This area of the school grounds is grassed and would appear to be used for informal recreation rather than as pitches, by school pupils,. The proposed extension would include indoor sports facilities within the gym hall, allowing for more intensive use. There would also be a large area of grassed open space remaining within the school grounds, as well as the public area of open space to the north of the school.

In terms of Policy NE3:

- there would be no alternative area of urban green space made available, however, the application proposal would provide, amongst other things, a gym hall, which would provide for more intensive sports use.
- There would be no significant loss to landscape character and amenity, due to the nature of the site and as a large grassed area would remain.
- Public access would remain the same – there is no formal public access to the school grounds. The application development would help to prevent vandalism at the school by enclosing within a courtyard an area that is currently not visible from the street.

- The site is of no significant wildlife or heritage value.
- There would be no loss of trees and a condition would be attached relating to tree planting close to the boundary.
- No replacement area would be provided, however, as noted above a large area of open space would remain on site and on adjacent land.

The proposal has some tension with Policy NE3 in the LDP.

Design and visual amenity

The proposed extension consists of two distinct elements: the double storey height, dark grey clad gym hall; and the single storey classroom wing, clad in white panels and timber. The existing school is of no particular architectural merit. The gym hall would be the most visible element of the extension as it is closest to the public road. However, it would be set at an angle and would not be overly dominant as it is only marginally higher than the existing school buildings. Both elements of the proposal are simple and contemporary in style and would be entirely appropriate within the context of the surroundings.

The proposal would comply with Policy D1 in the LDP.

Transport and roads

A condition is recommended to be attached to any consent granted, relating to cycle parking.

Conclusion

The proposal would be acceptable in terms of it being an extension to an existing use that is complementary to residential use. The specific nature of the proposal is such that it would have no significant impact on residential amenity. Although there is some tension with LDP Policy NE3 on urban green space, it is considered that the remaining open space on site and nearby, together with the benefits to the school community of the sports hall and additional classrooms, outweigh the loss of the area of green space.

Tesco Stores Ltd has submitted an appeal to the Supreme Court against the decision of the Inner House of the Court of Session to refuse its application to quash the Aberdeen Local Development Plan. Tesco has been unsuccessful regarding both an interim suspension and a full appeal in front of three judges in the Inner House and the Council has received robust advice from Counsel that the reasoning of the Inner House is sound and there are strong grounds to resist the appeal.

Planning applications continue to be determined in line with the Aberdeen Local Development Plan but the appeal is a material consideration and the Council has to take into account the basis for the legal challenge when determining applications. It should also be pointed out that the Court indicated that, even if Tesco's arguments had found favour, it would have been inclined to quash the plan only in so far as it related to Issue 64 (Allocated Sites: Woodend...Summerhill... etc.) and that it would be disproportionate to quash the whole plan.

This evaluation has had regard to and taken into account the legal challenge. None of the policies or material considerations which apply to this application

would be affected by the terms of Tesco's challenge. The recommendation would be the same if the application were to be considered in terms of the 2008 Aberdeen Local Plan.

RECOMMENDATION: Approve subject to conditions

REASONS FOR RECOMMENDATION

The proposal would be acceptable in terms of it being an extension to an existing use that is complementary to residential use. The specific nature of the proposal is such that it would have no significant impact on residential amenity. Although there is some tension with the Aberdeen Local Development Plan Policy NE3 on urban green space, it is considered that the remaining open space on site and nearby, together with the benefits to the school community of the sports hall and additional classrooms outweigh the loss of the area of green space. The complies with Policies D1, H1 and CF1 and the overall aims of the Aberdeen Local Development Plan 2012.

CONDITIONS

it is recommended that approval is granted subject to the following conditions:-

(1) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(2) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(3) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays, except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

(4) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, details of cycle parking in the form of sheltered short stay Sheffield style stands positioned close to the main entrance of the school to be provided for staff and pupils. The development proposal shall not be used unless the cycle parking as so agreed has been provided on site and is available for use, unless otherwise agreed in writing with the planning authority – in the interests of encouraging sustainable modes of transport.

(5) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, details of motorcycle parking to be provided for staff. The development proposal shall not be used unless the motorcycle parking as so agreed has been provided on site and is available for use, unless otherwise agreed in writing with the planning authority – in the interests of encouraging sustainable modes of transport.

(6) That development shall not take place unless there has been submitted to, and approved in writing by, the planning authority, a layout plan showing access arrangements for pupils/pedestrians being separated from vehicles. The access arrangements shall be implemented on site in complete accordance with the plans as so approved prior to the extension being brought into use – in the interests of public safety.

Dr Margaret Bochel

Head of Planning and Sustainable Development.