

Planning Committee

01 December 2010

Reference:
APP/10/01193

Area Team:
North Team

Case Officer:
Mr K Spilsbury

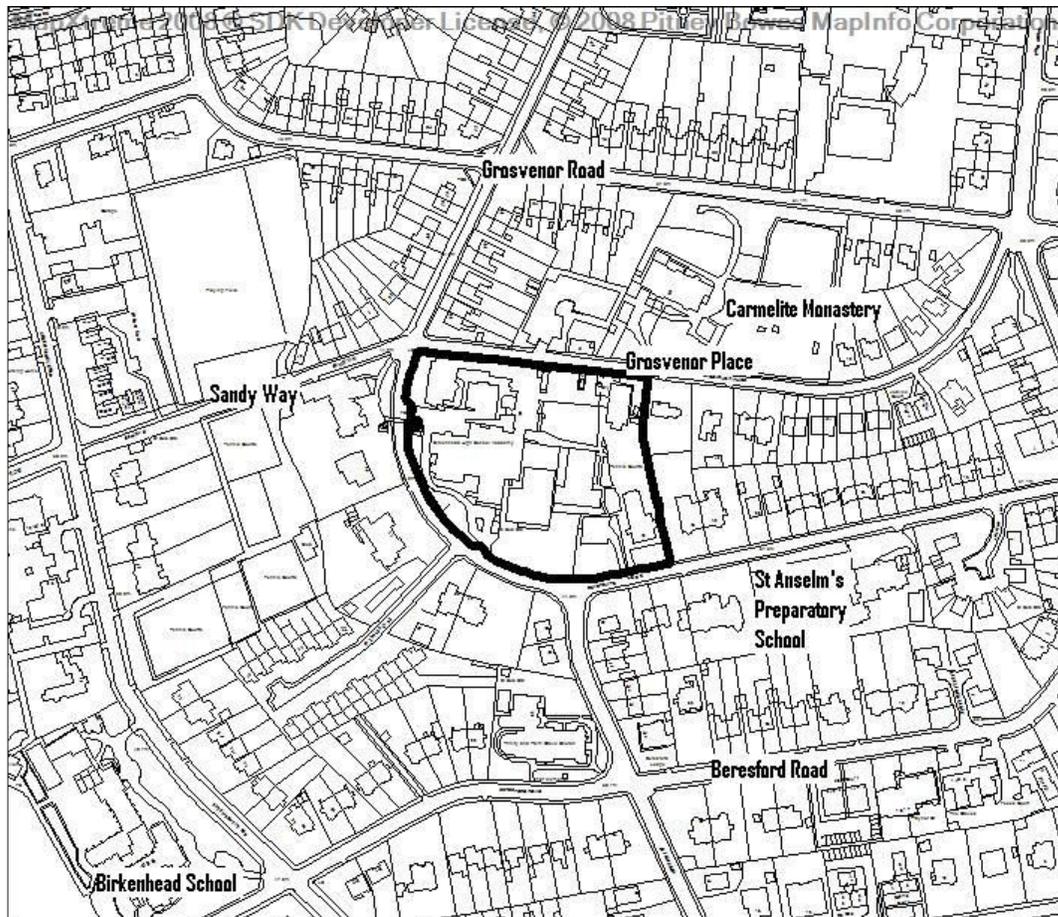
Ward:
Oxton

Location: Birkenhead High School, 86 DEVONSHIRE PLACE, OXTON, CH43 1TY

Proposal: The erection of a new hall and dining and associated teaching areas for the secondary school and the erection of a new hall and class spaces for the infants/junior school. The construction and laying out of associated landscape, parking, sports areas and community areas. The erection of a new entrance to the sixth form building, and the creation of an accessible access to the sixth form science areas. The proposal involves demolition of the exiting secondary hall, boiler chimney and junior hall.

Applicant: Willmott Dixon Construction Ltd
Agent : Ms A Balasubramanian

Site Plan:



Development Plan allocation and policies:

Primarily Residential Area
Density and Design Guidelines Area

Planning History:

There have been numerous planning applications on this site dating back to 1975

The last planning application on the site was: APP/2001/07221 for improvements to the main entrance and erection of 3.0 metre high chain link fencing which was approved on 11/01/2002

Summary Of Representations and Consultations Received:**REPRESENTATIONS**

A site notice was posted outside the site and 277 individual letters of notification were sent to neighbouring properties.

At the time of writing this report 37 letters of objection have been received from the occupiers of 12, (flat 1, 8, 15) - 13, 15, 17, (flat 10) - 25, 36 Devonshire Place, 19, 20, 23, 29, 31, 36, 41 Foxdale Close, 20, 21, 22, 83, 87 Beresford Road, 10 Sandyway, 28A, 30, 32, 34, 65, 67 Alton Road, 79, 140 Grosvenor Road.

The objections can be summarised as follows:

1. Concerns over traffic increase and congestion during peak times (8am - 9:15am and 3pm - 4:30pm)
2. Concerns of excessive noise during construction
3. Football pitch will have the appearance of a concentration camp
4. Light pollution from flood lights
5. Worries of shouting and bad language outside school hours
6. Removal of trees will change character of the area
7. Football pitch will attract boys of a certain age and certain social sector (anti-social behaviour)
8. Trouble from outsiders (people not from the neighbourhood) including burglars

CONSULTATIONS

Natural England - Further Bat Surveys required

Merseyside Environmental Advisory Service - No Objection subject to conditions

Director of Law, HR and asset management - Environmental Protection - No Objection

Director of Technical Services - No Objection subject to conditions

MEAS - No Objection subject to conditions

Environment Agency - No Objection subject to conditions

Director's Comments:**INTRODUCTION**

The proposed development is for the erection of a new hall and dining and associated teaching areas for the secondary school and the erection of a new hall and class spaces for the infants/junior school. The construction and laying out of associated landscape, parking, sports areas and community areas. The erection of a new entrance to the sixth form building, and the creation of an accessible access to the sixth form science areas. The proposal involves demolition of the existing secondary hall, boiler chimney and junior hall.

PRINCIPLE OF DEVELOPMENT

The site is located within a primarily residential area as allocated within Wirral's Unitary Development Plan and is acceptable in principle subject to the relevant national and local planning policies.

The proposed scheme aims to make efficient use of this site to provide a new and improved Academy in line with the Council's aspirations to deliver a high quality educational environment that helps inspire both students, staff and the wider community.

SITE AND SURROUNDINGS

The site comprises the Birkenhead High School Academy for girls and is split into three distinct areas. A central area comprising the senior school buildings including car parking and hard play, to the west there are tarmac/synthetic tennis courts with two multi storey blocks used for junior and senior pupils and in the north west an all weather astro turf pitch with an area of playing field. The existing academy site contains a diverse mix of existing buildings each with different structural forms including a number of Victorian residential properties.

The surrounding area is primarily residential in nature. There are a number of high quality villa type dwellings located within the vicinity as well as 1910-1930 suburban domestic houses.

POLICY CONTEXT

National Policies:

PPS1 Delivering Sustainable Development, PPG13 Transport and PPG 17 Planning for Open Space

Wirral Unitary Development Plan

Policies HS15 - Non Residential Development within Primarily Residential Areas, URN1 - Development and Urban Regeneration, REC1 - Principles for Sport and Recreation, RE8 - Criteria for artificial playing pitches, RE10 - Criteria for Community Centres and Facilities, GR5 - Landscaping and New Development, TR9 - Requirements for off street parking, TR12 - Requirements for Cycle Parking and REN1 Principles for Renewable Energy of the adopted Unitary Development Plan are all relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The scale, massing, height and design of the development has been influenced by its context but also takes the opportunity to create buildings which have a distinctive civic character and presence. The school design is partially determined by the constraints of the site and will comprise, generally two/three storeys of teaching and administrative accommodation. A shadow cast analysis has been undertaken to understand the effects of shadows cast by the new building massing and to ensure that it did not have a detrimental effect upon the existing classrooms within the site and to the surrounding residential properties.

The development will include improved external landscaping design to integrate the multifunction spaces proposed into the site. There will be improved public realm spaces for students to congregate, a new art terrace, sports zones as well as ecological zones, performance area and a science garden.

Sports facilities play an important role within the scheme and have been designed to not only benefit the students but the local community offering a five a side football pitch, hockey pitch, multi use games area and basketball court. There are also further areas for open play and training.

It is considered that the design of the scheme will help tie the existing teaching, administrative and sporting facilities together through the use of modern buildings that integrate the old with the new. The facilities proposed will be cutting edge and will help elevate the status of the school.

ECOLOGY

The submitted bat survey report accompanying the application dated January 2010 concluded that further bat surveys should be conducted prior to submission of the planning application. The planning application documentation did not include any further bat survey reports. Therefore, Natural England's recommendation was that further bat surveys should be conducted prior to a planning decision being made. However, following consultation with the agent Aedas Architects a decision was taken not to carry out further bat surveys since it is considered that there is a very low risk of bats roosting in those buildings to be demolished.

This decision not to carry out further surveys must be taken by the applicant in consultation with their ecologist who should use their judgement, experience and knowledge of the site and the likely presence of protected species. Consequently if members are minded to approve the planning application the applicant will be made aware that if construction begins and the species are subsequently found to be present, all work must stop immediately and they may be subject to a criminal prosecution under the Wildlife and Countryside Act 1981, given that the possibility of them being present was suspected.

SEPARATION DISTANCES

It is considered that the proposed buildings are sited a sufficient distance away from residential properties in the area and therefore maintain a good level of privacy for neighbouring residents. If members are minded to approve the proposed application a condition can be imposed to ensure landscaping details are submitted to and agreed in writing with the local planning authority to ensure screening of the development helps to further protect residents amenity.

The Director of Law, HR and Asset Management - Pollution Control have raised no objection to the proposed scheme and therefore the proposed facilities including the new multi uses games area and associated floodlights are deemed acceptable.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposed development includes the provision of improved internal pedestrian routes, improved cycle parking facilities, off street parking provision and student drop off facilities.

A dedicated off street drop off point and delivery area with access from Devonshire place is also to be provided at the south of the site.

A Transport Statement and Framework Travel Plan accompanies the application and has been considered by Technical Services Department -Traffic Management Division.

The proposal is not expected to generate significant additional vehicle movements during school start and finish times as student numbers will remain broadly the same as existing levels.

It is intended, however, that there will be community use of the new school sports facilities outside of the normal school operating hours. This together with local concerns of high vehicle speed in Devonshire Place outside of school hours justifies the inclusion of a condition to provide speed reduction measures in Devonshire Place and Manor Hill, between Egerton Road and Palm Grove.

To manage potential conflict between vehicles dropping and collecting children from the proposed new academy and nearby Redcourt Preparatory School, it is suggested that a condition be attached for appropriate signing within the proposal site to encourage drivers to turn right when exiting onto Devonshire Place.

Proposed off street parking provision is for 96 cars including 5. No disabled spaces. This is 2 more spaces than the existing school provision and is the maximum number of spaces allowable in accordance with the Councils Supplementary Planning Document SPD4. There will also be provision of 20 covered cycle parking spaces.

Subject to conditions there are no traffic or highway safety reasons why the proposal should not proceed.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The applicant has carried out an environmental strategy assessing the sustainability issues relating to the design of the proposed refurbishment and partial reconstruction of the school. A large number of sustainable features will be included in the proposal including:

- Improved thermal insulation levels
- Heat recovery
- Improved natural lighting will reduce the need for artificial lighting
- Good solar control through the use of glazing and shading
- The use of low energy lighting

- High efficiency gas boilers
- The transport assessment to reduce car dependency, pollution and congestion
- cycle storage spaces
- CFC free materials will be used
- Building materials whenever possible will be sourced locally and responsibly
- A ratings from BRE Green Guide to Specification will be used where ever possible
- Recycling facilities will be provided
- Water use will be minimised
- The construction site will be environmentally sound.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

This application is for a series of buildings of both architectural and educational significance. The design has been developed jointly with the both the school and Wirral Borough Council to ensure that the new facilities enhance the standard of the pupils education and engage with the local community. It is considered that the proposed development is of a nature and scale appropriate to the character and design of its setting and adequate provision has been made to preserve and enhance the existing architectural features. There would be no detrimental change in the character of the surrounding area or any loss of amenity to surrounding residential properties. The scheme is therefore acceptable in terms of policies HS15 - Non Residential Development within Primarily Residential Areas, URN1 - Development and Urban Regeneration, REC1 - Principles for Sport and Recreation, RE8 - Criteria for artificial playing pitches, RE10 - Criteria for Community Centres and Facilities, GR5 - Landscaping and New Development, TR9 - Requirements for off street parking, TR12 - Requirements for Cycle Parking and REN1 Principles for Renewable Energy of the adopted Unitary Development Plan.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

This application is for a series of buildings of both architectural and educational significance. The design has been developed jointly with the both the school and Wirral Borough Council to ensure that the new facilities enhance the standard of the pupils education and engage with the local community. It is considered that the proposed development is of a nature and scale appropriate to the character and design of its setting and adequate provision has been made to preserve and enhance the existing architectural features. There would be no detrimental change in the character of the surrounding area or any loss of amenity to surrounding residential properties. The scheme is therefore acceptable in terms of policies HS15 - None Residential Development within Primarily Residential Areas, URN1 - Development and Urban Regeneration, REC1 - Principles for Sport and Recreation, RE8 - Criteria for artificial playing pitches, RE10 - Criteria for Community Centres and Facilities, GR5 - Landscaping and New Development, TR9 - Requirements for off street parking, TR12 - Requirements for Cycle Parking and REN1 Principles for Renewable Energy of the adopted Unitary Development Plan.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS15 of the Wirral Unitary Development Plan.

3. The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for the provision of:

- 1) a speed reduction measures in Devonshire Place and Manor Hill, between Egerton Road and Palm Grove.

- 2) advisory signing indicating 'right turn only' at the exit to the drop-off area to the south of the development site.

- 3) 'School Keep Clear' markings at the appropriate school accesses on Devonshire Place including associated signing and traffic regulation orders.

The occupation of the development shall not begin until those works have been completed in accordance with the Local Planning Authorities approval and have been certified as complete by or on behalf of the local planning authority unless otherwise agreed in writing with the Local Planning Authority.

4. No part of the development shall be brought into use until space and facilities for cycle parking of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority have been provided and these facilities shall be permanently retained thereafter.

Reason: In the interests of highway safety and to accord with Policy TR12 in the Wirral Unitary Development Plan

5. Prior to the first occupation of the development a School Travel Plan shall be submitted to and approved in by the local planning authority. The provisions of the School Travel Plan shall be implemented in accordance with the programme contained therein and shall not be varied other than through agreement with the local planning authority. A review of the Travel Plan should be submitted to the local planning authority on an annual basis which, for the avoidance of doubt, should include:

- An updated action plan;
- A progress report; and
- Monitoring report including data from the latest travel surveys.

Reason: In accordance with PPG13 paragraph .89 the Government considers that travel plans should be submitted alongside planning applications, which are likely to have significant transport implications, including those for new and expanded school facilities which should be accompanied by a school travel plan which promotes safe cycle and walking routes, restricts parking and car access at and around schools, and includes on-site changing and cycle storage facilities.

6. Prior to first commencement of the development details of all vehicle crossings and tactile

paving shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the approved plans and retained as such thereafter unless agreed in writing with the Local Planning Authority. For information tactile paving to be provided at crossing positions and at radii at junctions of Devonshire Place and Sandyway and Grosvenor Place.

Reason: In the interest of highway safety.

7. No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS59837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include [include those that are pertinent]:
- A; the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule.
 - B; a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.
 - C; the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).
 - D; the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - E; the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).
 - F; the details of any special engineering required to accommodate the protection of retained trees (section 10 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
 - G; the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees.
 - H; the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction.
 - I; the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.
 - J; the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
 - K; the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 9.2.3 of BS5837).
 - L; the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).
 - M; the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To protect trees which are of significant amenity value to the area in accordance with Policy GR7 of Wirral's Unitary Development Plan

8. All excavations within the crown spreads of existing trees, situated on or off site, shall be undertaken manually by hand with the use of hand tools and only upon the prior written approval of the local authority shall the use of a mechanical digger be permitted within the crown spreads of trees. Severance of tree roots is to be avoided and under no circumstances shall roots of a diameter 25mm or greater be removed, severed or damaged.

Reason: To ensure that existing trees are not damaged through the loss of roots. Which

will maintain the visual and environmental quality of the site and surrounding area.

9. The following activities must not be carried out under any circumstances:
- a, No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - b, No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - c, No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
 - d, No mixing of cement or use of other materials or substances shall take place within a RPA, or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA
 - e, No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.
 - f, No mechanical digging or scraping shall be carried out within a root protection area or within areas cordoned off by protective barrier fencing.

Reason: To protect trees which are of significant amenity value to the area in accordance with Policy GR7 of Wirral's Unitary Development Plan

10. Prior to the first occupation of the new Academy a Community use scheme for all indoor and outdoor sports facilities shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved scheme shall be implemented in full upon commencement of use and retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of sport and recreation

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

Reason: To ensure landscape features are properly considered and protected and to accord with Policy HS15 of the Wirral Unitary Development Plan.

12. Prior to the commencement of development details, including the number and the location of bird nesting boxes and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The boxes shall be erected in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard conservation of species/habitats and to comply with Policy NC7 of the Wirral Unitary Development Plan.

13. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive.

Reason: To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

14. The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Note - The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. If surface water is to discharge to mains sewer, United Utilities Plc should be contacted for confirmation of the acceptable discharge rate. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure any risks posed to the principal aquifer from unsuspected land contamination are appropriately assessed and mitigated.

16. The development hereby approved shall be carried out in accordance with the details shown the plans received by the Local Planning Authority on 02/11/2010

Reason: For the avoidance of doubt.

Further Notes for Committee:

Last Comments By: 11/11/2010 12:03:42
Expiry Date: 05/01/2011