

## PLANNING APPLICATION NUMBER:P08/1691

Type of approval sought	Full Planning Permission
Ward	LYE & WOLLESCOTE
Applicant	Dudley MBC
Location:	<b>PETERS HILL PRIMARY SCHOOL, PETERS HILL ROAD, QUARRY BANK, BRIERLEY HILL, DY5 2QH</b>
Proposal	<b>CONSTRUCTION OF NEW CHILDRENS CENTRE &amp; NURSERY BUILDING, EXTENSION OF EXISTING CAR PARK, CONSTRUCTION OF NEW PLAY AREAS, PATHS AND NATURE AREA. ERECTION OF SECURITY FENCING TO ENCLOSE EXISTING CAR PARK AND SITE BOUNDARY. INSTALLATION OF EXTERNAL LIGHTING.</b>
Recommendation Summary:	<b>APPROVE SUBJECT TO CONDITIONS</b>

### SITE AND SURROUNDINGS

1. The application site is a Primary School set within a residential area occupying a plot of 1.93 hectares. The application site is accessed by vehicles from Peters Hill Road to a small car park and frontage drop off for students. The perimeter of the site is bound using 2.4m high 'expamet' fencing finished in green. The school site currently has a nursery unit which is housed in a mobile classroom.
2. The main school building is sited to the west of the site with playing fields and playground to the east. The existing car park associated with the school is to the north west. The perimeter of the site to the north east has an area of planting which softens the school site within this residential setting. To the north of the site is a public footpath which links Peters Hill Road to Broomehill Close to the east.

### PROPOSAL

3. This application seeks approval for a new building which would provide a children's centre, nursery and community building. The children's centre is to be provided as part of the central governments 'Sure Start' programme. The centre would provide integrated provision for under 5's as part of the existing school. The centre would

provide a variety of services, for example support for parents with the aim being to provide a degree of wrap around care. The nursery element would replace the existing nursery which is housed in a mobile classroom and provide facilities for 45 children. The school would also utilise the space created by this building for school activities within the core hours and out of school clubs. It would be a flexible building that can also be used by the local community. The building would be sited to the north of the existing school site and would provide a floor area of approximately 320m<sup>2</sup>. It would be of an innovative design and finished with a green roof. The roof would be planted with 'Sedum' a hardy plant with water storing leaves. The existing mobile which houses the nursery unit would be removed after the proposed building is completed.

A new area of fencing would be installed along the public footpath to the north of the site. This would be 2.4m high and match the design of the existing 'expamet' fencing. As part of the proposal the existing car park associated with the school would be extended. It would increase the size of the existing car park by 9 spaces to include 2 disabled parking bays and a turning zone.

## HISTORY

4.

APPLICATION No.	PROPOSAL	DECISION	DATE
DB/72/10140	ERECTION OF COUNTY PRIMARY SCHOOL	Approved with Conditions	24/07/72
82/52319	EXTENSION TO SCHOOL (PHASE 3)	Approved with Conditions	21/02/83
85/51425	SITING OF ONE SINGLE AND ONE DOUBLE MOBILE CLASSROOM UNIT.	Approved with Conditions	22/08/85

86/51289	SITING OF 3 DOUBLE SIZE MOBILE CLASSROOMS.	Approved with Conditions	11/09/86
88/51371	EXTENSION TO PROVIDE CLASSROOM HALL AND STAFF	Approved with Conditions	28/07/88
88/51267	APPLICATION FOR DEEMED CONSENT UNDER REGULATION 4 FOR RESITING OF 6 MOBILES.	Approved with Conditions	07/07/88
87/51296	SITING OF 1 NO. DOUBLE MOBILE CLASSROOM UNIT.	Approved with Conditions	30/07/87
94/50952	POSITIONING OF MOBILE BUILDING TO PROVIDE 3 NO. ADDITIONAL CLASSROOMS. (REGULATION 3)	Approved with Conditions	11/08/94
94/50993	RE-SITING OF TWO MOBILE CLASSROOMS (RENEWAL OF TEMPORARY PERMISSION). (REGULATION 3).	Approved with Conditions	11/08/94
P00/50663	RETENTION OF 2 EXISTING MOBILE CLASSROOMS (RENEWAL OF 94/50993).	Approved with Conditions	06/06/00
P03/0198	TAKE DOWN EXISTING CHAIN LINK FENCE AND ERECT 2M HIGH VERTICAL BAR FENCING	Approved with Conditions	28/02/03
P04/1665	Construction of single storey classroom building car park alterations and access improvements.	Approved with Conditions	08/11/2004
P08/0751	Erection of new boundary fence	Approved with Conditions	22/07/2008
P08/1240	Erection of two canopies to create covered play area and covered pedestrian link	Approved with Conditions	08/10/2008

## **PUBLIC CONSULTATION**

5. No objections received

## **OTHER CONSULTATION**

6. Group Engineer (Development): No objections subject to planning gain contributions, levelling surfacing and grading of the proposed car park and removal of the mobile classroom after completion of the proposed scheme.
7. Head of Environmental Protection: No objections
8. Planning Policy (Conservation Officer): – No objections subject to mitigation plan being submitted with regard to the removal of the mobile classroom and the protection of nesting birds.
9. Arboculturist: No objections subject to the submission of a landscaping scheme related to the trees to be retained and proposed species to be planted as well as standard conditions related to tree protection for retained trees on the site.

## **RELEVANT PLANNING POLICY**

10. Adopted UDP
  - Policy DD1 – Urban Design
  - Policy DD4 – Development in Residential Areas
  - Policy DD6 – Access and Infrastructure
  - CS3 - Community Facilities
  - Policy NC6 – Wildlife Species
  - Policy NC10 – The Urban Forrest
11. Supplementary Planning Documents
  - Nature Conservation

### 12. Key Issues

- Principle
- Design
- Residential Amenity
- Highway Safety
- Nature Conservation
- Trees
- Planning Gain

#### Principle

13. The principle of the proposed Children's Centre and Nursery is acceptable within this location as it is within the curtilage of an existing school site. There would be no loss of playing fields or of valuable green space as a result of the proposed development and the line of the public footpath would not be affected. The use of this building for the community would be appropriate within this location. In this regard the proposed development would be in accordance with the requirements of Policies DD1 – Urban Design and CS3 - Community Facilities of the adopted UDP (October 2005).

#### Design

14. The design of the proposed building is considered to be innovative and contemporary with the use of green 'Sedum' roof. The main school building is a relatively modern structure so the proposed building would not look out of context. The use of modern design concepts and ideas is deemed to be appropriate and indeed to be encouraged for buildings associated with children and the wider community as they provide attractive spaces for people to use and enjoy. In this regard the proposed building is in accordance with the requirements of Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the Adopted UDP (October 2005).
15. The proposed fencing would be sited to the rear of the site and would be of the same design and height as the existing fencing in situ. The proposed fencing therefore

complies with the requirements of Policies DD1 – Urban Design and DD4 – Development in Residential Areas of the Adopted UDP (October 2005).

#### Residential Amenity

16. The proposed Children's Centre and Nursery and car park extension would be sited in excess of 30m and 80m respectively from the nearest residential property, number 26 Broomehill Close. No objections have been received from the Head of Environmental Protection and it is therefore considered that there would be no issue of noise from the new building or car park. In this regard the proposal is in accordance with the requirements of Policy DD4 – Development in Residential Areas of the Adopted UDP (October 2005).

#### Highway Safety

17. The proposed building would be accessed in the main by pedestrians. There is however a car park extension proposed that would allow any extra traffic flow from the development to park on site. The Group Engineer(Development) has raised no objections to these proposals, subject to conditions, and the development is therefore considered to be in accordance with Policy DD6 – Access and Infrastructure of the Adopted UDP (October 2005).

#### Nature Conservation

18. As part of the planning application a protected species survey has been submitted. The Conservation Officer has reviewed the survey and subject to conditions is happy with the recommendations. In this regard, subject to conditions related to the removal of the existing mobile classroom and nesting birds, the proposed development is in accordance with the requirements of Policy NC6 – Wildlife Species of the Adopted UDP (October 2005) and Supplementary Planning Document – Protected Species (September 2006).

#### Trees

19. As part of the proposed development 13 existing trees would be removed. A tree survey and strategy has been provided indicating the location of the proposed trees to be lost and proposed replacements. The council's Arboculturist has stated 'the

proposal requires the removal of various trees, but I am happy that the proposed replacements will sufficiently mitigate against any loss of amenity'. In this regard, subject to further information being provided as to the location and species of the trees to be replaced as well as protection measures for the trees to be retained the proposed scheme is in accordance with the requirements of Policy NC10 – The Urban Forest of the Adopted UDP (October 2005).

#### Planning Gain

20. As part of the application process the applicants have agreed to make off and on site contributions for Transport Infrastructure Improvements and on site public art by the following means:

- Transport Infrastructure Improvements: Internal Transfer of £4119
- Public Art: Artwork to be incorporated into fence panelling opposite the public footpath.

The contribution for public art can be instated during the construction process whereas the Transport Infrastructure Improvements monies should be transferred prior to commencement of the development.

#### CONCLUSION

21. The proposed development would make a positive contribution to the school site and surrounding area by way of innovative design and range of potential uses. There would be not negative impact on residential amenity, highway safety or the ecology of the site caused by the proposed development.

#### RECOMMENDATION

22. It is recommended that the proposed development be approved subject to the following conditions:

#### Reason for Approval:

The proposed development would make a positive contribution to the school site and surrounding area by way of innovative design and range of potential uses. There would be not negative impact on residential amenity, highway safety or the ecology of the site caused by the proposed development.

The decision to grant planning permission has been taken with regard to the policies and proposals in the Dudley Unitary Development Plan and to all relevant material considerations including supplementary planning guidance.

The above is a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

#### Note for Applicant

*The development hereby permitted shall be in accordance with the details received on the plans numbered AMPH406 P01, P02, P03 revision B, P04, P05, P06, P07, THL/JW9 revision 1 and LD/L984/01A unless otherwise agreed in writing by the local planning authority.*

#### Informative

The monies agreed for off site Transport Infrastructure Improvements (£4119) should be paid to the relevant council department prior to the commencement of the works hereby approved.

#### Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.
3. The building[s] shall not be occupied until the area shown for car parking on the plan numbered AMPH P03 revision B has been graded, levelled, surfaced, drained and marked out in accordance with the agreed scheme and that area shall not thereafter



be used for any other purpose unless otherwise agreed in writing with the local planning authority.

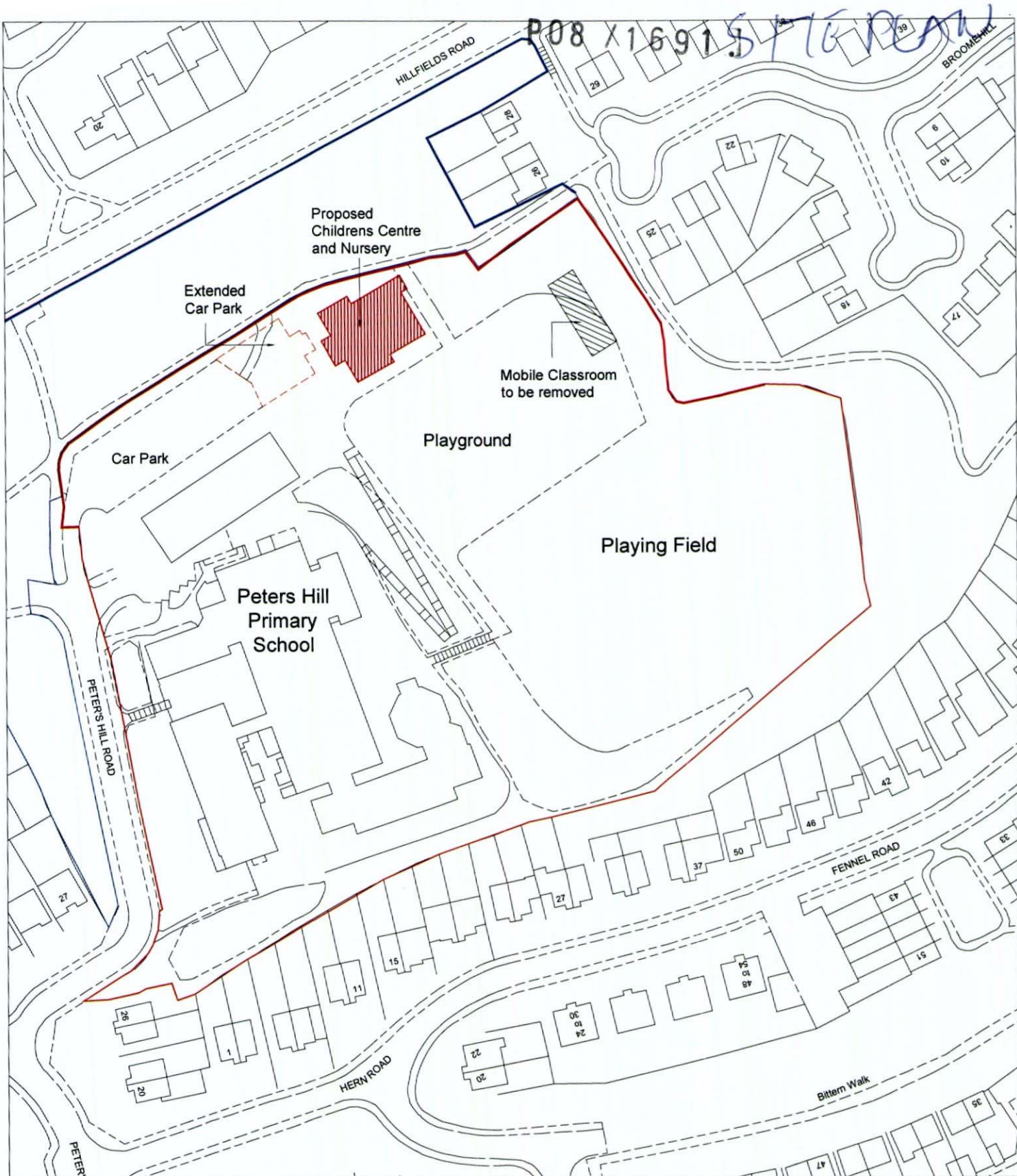
4. Prior to the commencement of development, details of the landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details before the end of the first planting season following initial occupation of the development.
5. Prior to commencement of the scheme hereby approved a comprehensive mitigation strategy should be submitted to the Local Planning Authority outlining retention and retention and protection measures for the mobile classroom during the construction process. This should include the proposed time scale for its removal. Works shall be carried out strictly in accordance with the strategy submitted and approved.
6. The trees outlined for removal shall not be taken down between the bird nesting season (March to September).
7. No development shall take place until there has been submitted, and approved in writing by the local planning authority details of the tree protection measures on site. The details shall include:

- A plan showing the location and identification (with reference to a survey schedule if necessary) of all trees on, or directly adjacent to the development site, that are to be retained during construction. These trees are to be marked with a continuous outline.

- A plan showing the location and identification (with reference to a survey schedule if necessary) of all the trees on, or directly adjacent to the development site that are to be removed prior to, or during development. These trees are to be marked with a dashed outline.

- A plan showing the extent of the Root Protection Area, which is to be protected by physical barriers during development. The extent of the area that is to be protected will be calculated in accordance with Clause 5.2 of British Standard BS: 5837 – 2005 'Trees in Relation to Construction – Recommendations'.

- Design details of the proposed protective barriers to be erected around the trees during development. Any protection barriers should be designed and constructed in accordance with the provisions set out in section 9.2 of British Standard BS:5837 – 2005 'Trees in Relation to Construction – Recommendations'.



Title

**Peters Hill Primary School  
Childrens Centre and Nursery  
Location Plan**



Scale

**1:1250**

Date

**Oct 08**

Drawn

Job Number

**AMPH406**

Dwg. no.

**176  
P01**

Rev.

**Dudley Property Consultancy**

3, St. James's Road, Dudley, West Midlands DY1 1HZ

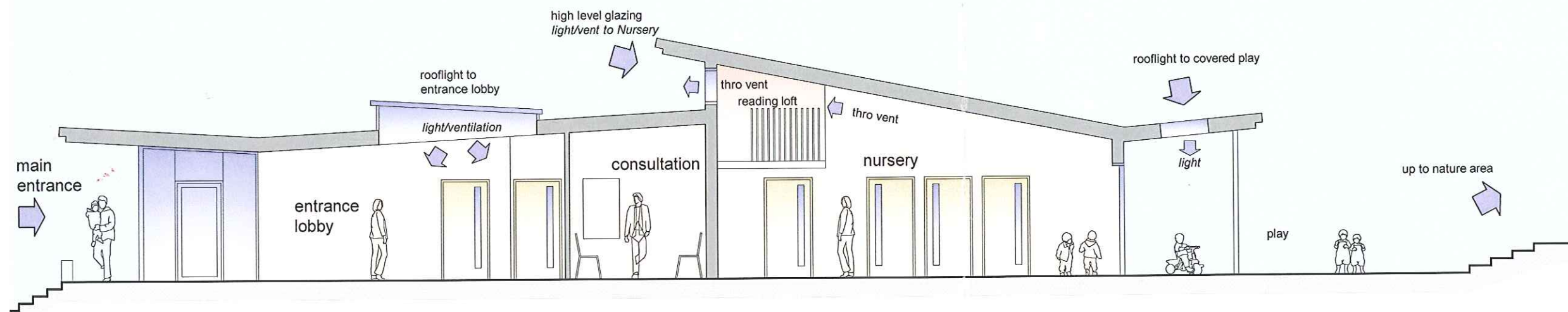
A Division of Legal and Property Department  
Dudley Metropolitan Borough

Chief Legal & Property Officer  
J. Polychronakis, L.L.B Solicitor

Head of Dudley Property Consultancy  
B. Gordon, B.Comm., Dip.M., M.B.A.

Ordnance Survey H.M.S.O.  
Licence Number LA 076171.

NOTES



Typical Section Through



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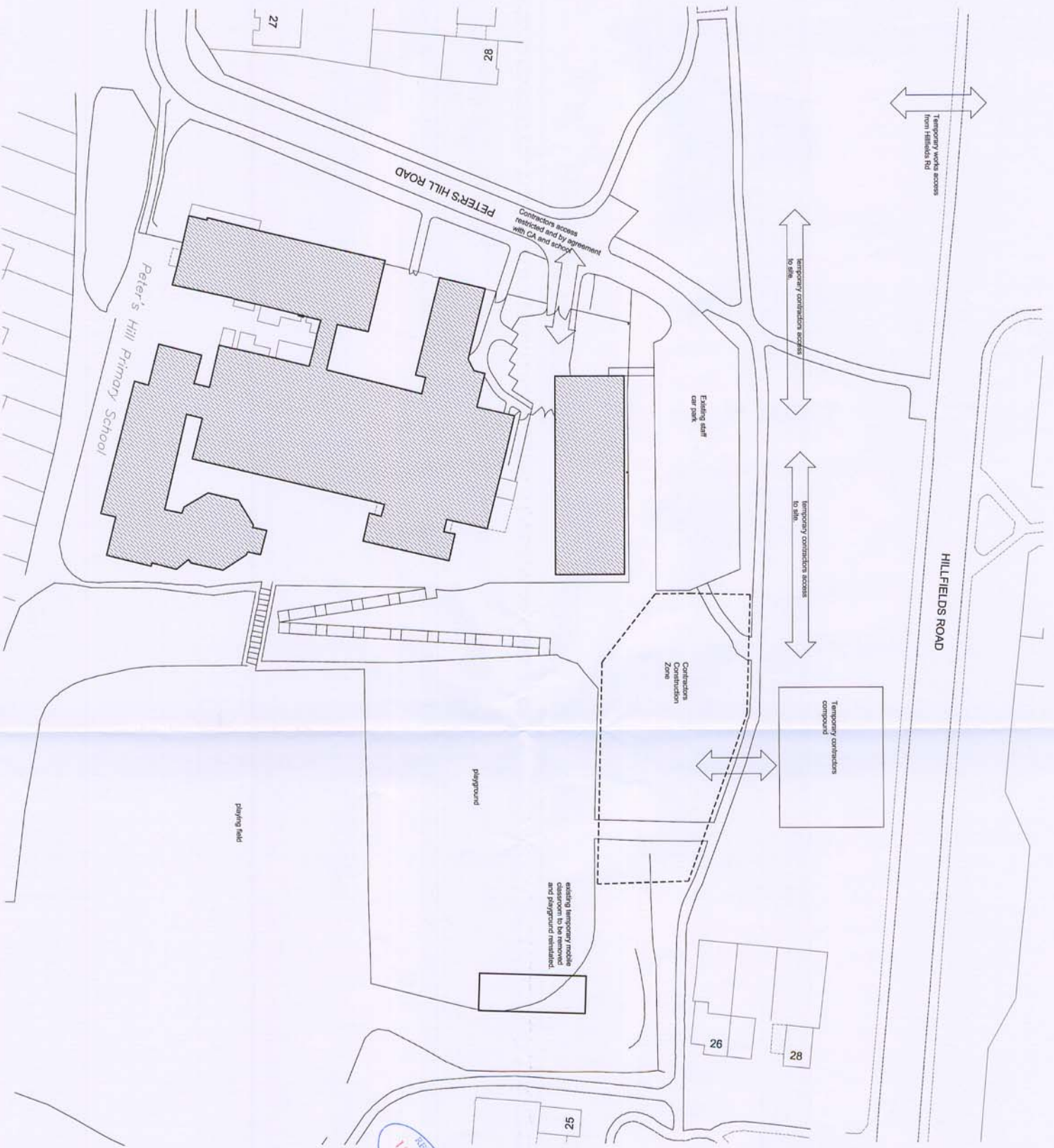
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PROJECT  
**Peters Hill Primary School**  
**Childrens Centre and Nursery**

DRAWING  
**Typical Section**

Scale <b>1:100</b>	Date <b>Nov 08</b>	Drawn <b>DCQ</b>
Job Number <b>AMPH406</b>	Drawing Number <b>P06</b>	Revision Plot Sheet size A3





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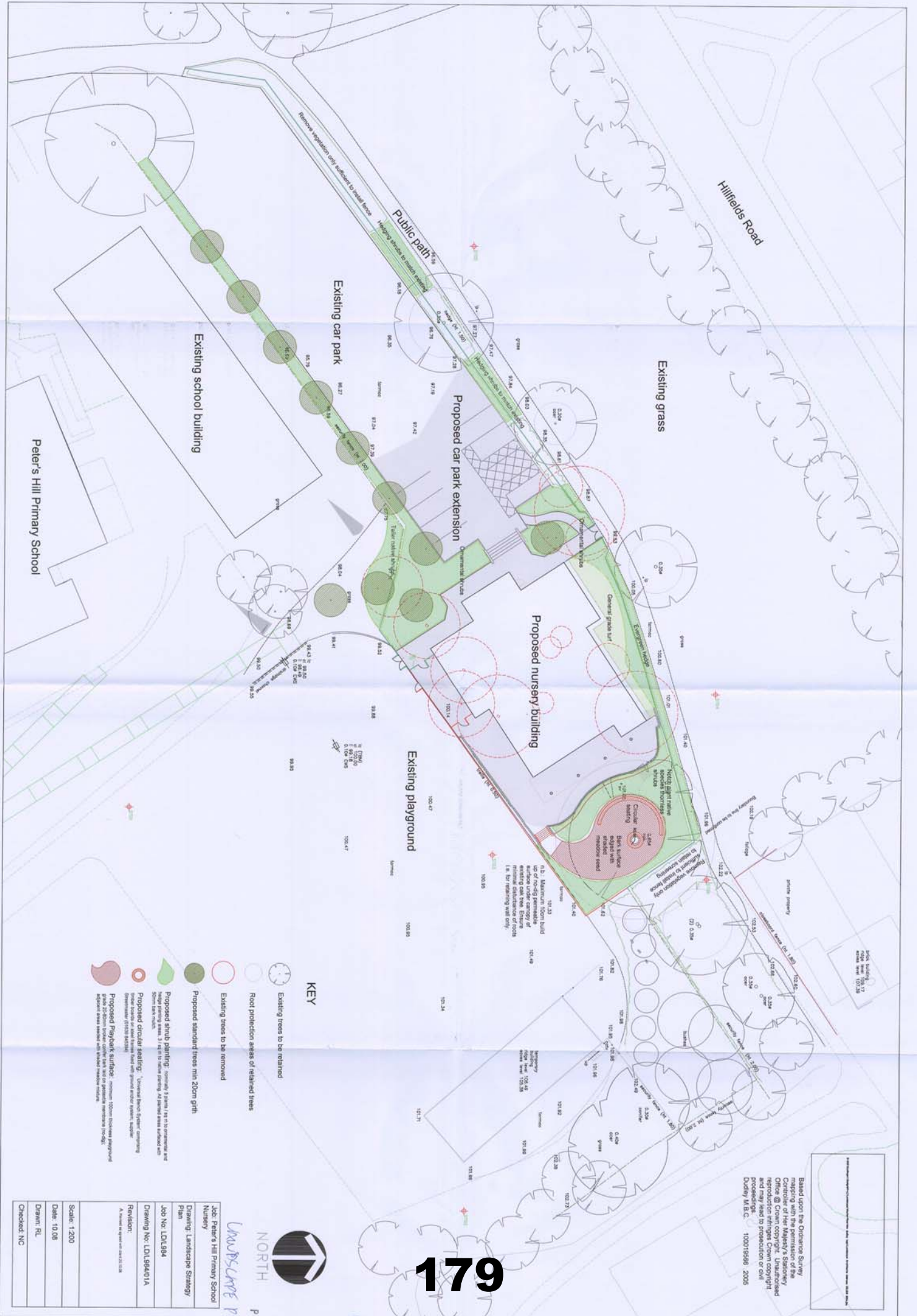
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**PROJECT**  
Peters Hill Primary School  
Childrens Centre and Nursery  
**DRAWING**  
Proposed Contractors Access Route

Scale	Date	Drawn	
1:500	Nov 08		
Job Number	Drawing Number	Revision	Plot Sheet size A2
AMPH406	P07		

178

P08 / 16911, LOWTHERS  
SUSSEX COUNTY



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Job: Peter's Hill Primary School Nursery	Scale: 1:200
Drawing: Landscape Strategy Plan	Date: 10/08
Job No: LCL884	Drawn: RL
Drawing No: LCL9401A	Checked: NC
Revision:	
A: Revised and approved 10/10/08	

LANDSCAPE PLAN  
P08 / 11



Phosphor  
1291A71 Clus.

P08 / 1691

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PROJECT  
Peters Hill Primary School  
Childrens Centre and Nursery  
DRAWING  
Proposed Elevations

Scale <b>1:100</b>	Date <b>Oct 08</b>	Drawn <b>DCQ</b>
Job Number <b>AMPH406</b>	Drawing Number <b>P04</b>	Plot Sheet size A1





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Project  
Brierley Hill Campus

Library Entrance Perspective  
P081663

LIBRARY ENTRANCE  
PERSPECTIVE

## Graphs

## PLANNING ISSUE

Scale	Drawn	Date
N/A	DW	23.10.08
Job number	Drawing number	Revision
25170	A-CGI-004	P1

Original size 100mm @ A2 Copyright Broadway Marquee Limited





DEY (LAND)

[illegible]

only found in a total of 400 700 across land on multiple roads on playground

Sharon  
P.K.W.

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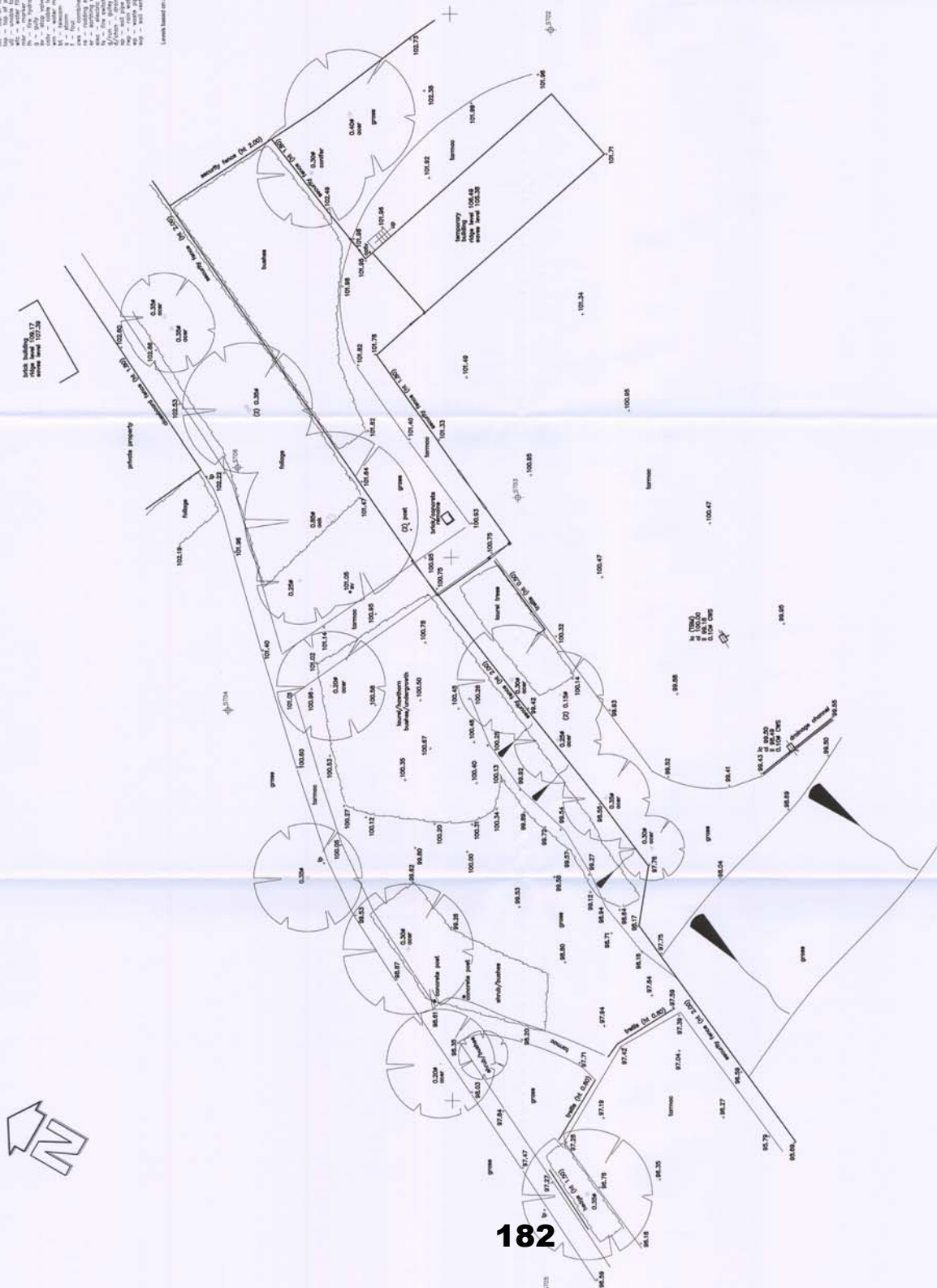
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PROJECT

PROJECT  
Peters Hill Primary School  
Childrens Centre and Nursery  
DRAWING  
Existing Site Survey Plan

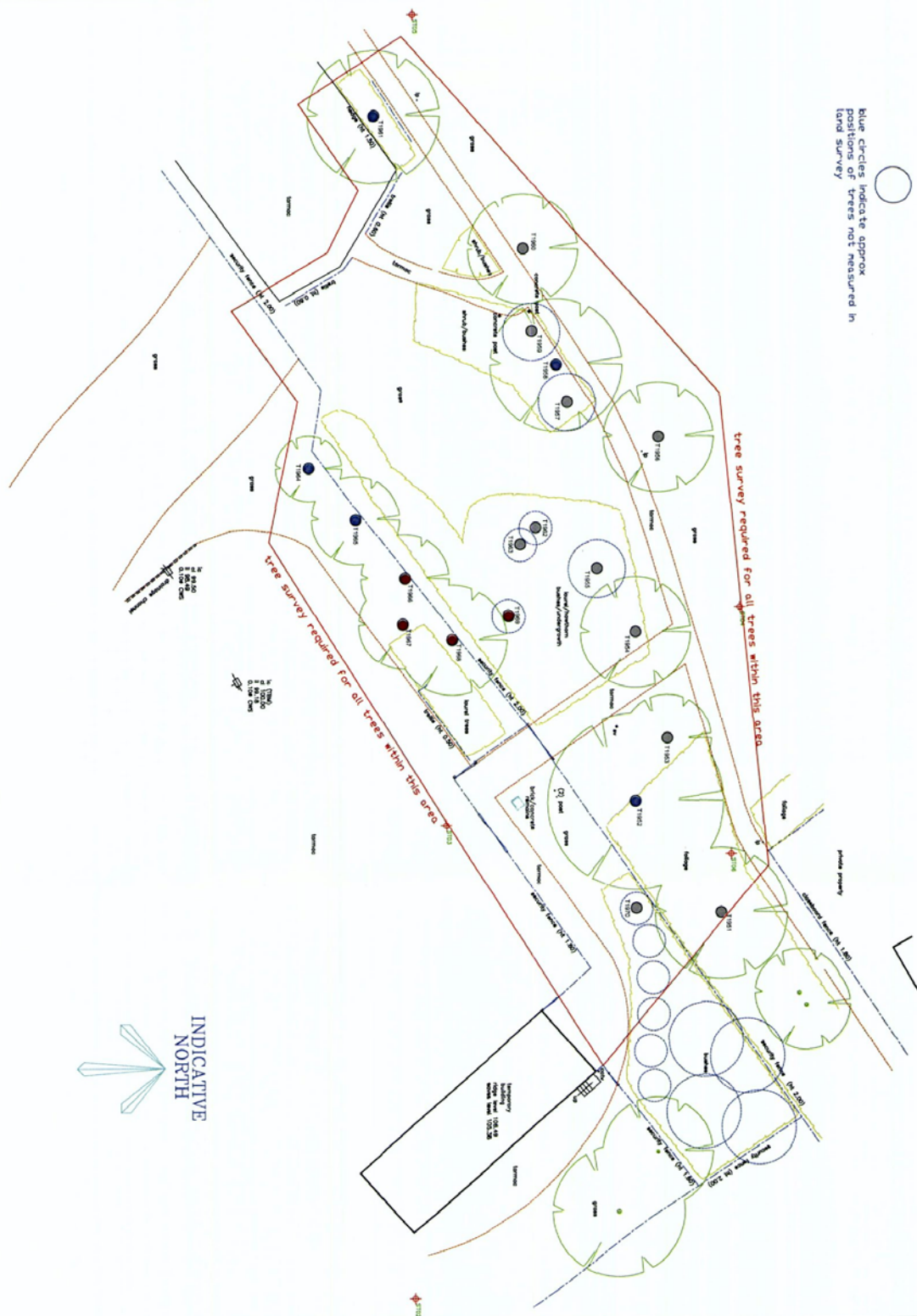
Scale	Date	Drawn
1:200	Oct 08	DCQ
Job Number	Drawing Number	Revision
AMPH406	P02	First Sheet, size A1





P08 / 1691 Tree Plan

Blue circles indicate approximate positions of trees not measured in land survey



INDICATIVE  
NORTH

Notes:  
1. Do not scale off this drawing.

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Rev	Date	Status/Comments	By

- Key:
- Category A Tree
  - Category B Tree
  - Category C Tree
  - Category R Tree

P08 / 1691

**Tree Heritage**  
Arbicultural Contractors and Consultants  
Established 1982

Tree Heritage Ltd, 100 North Street, Leek,  
Staffordshire, ST13 8DQ  
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E: treeheritageltd@btconnect.com  
W: www.treeheritage.co.uk

Client:  
Dudley MBC Landscape & Urban Design

Project:  
Peter's Hill Primary School

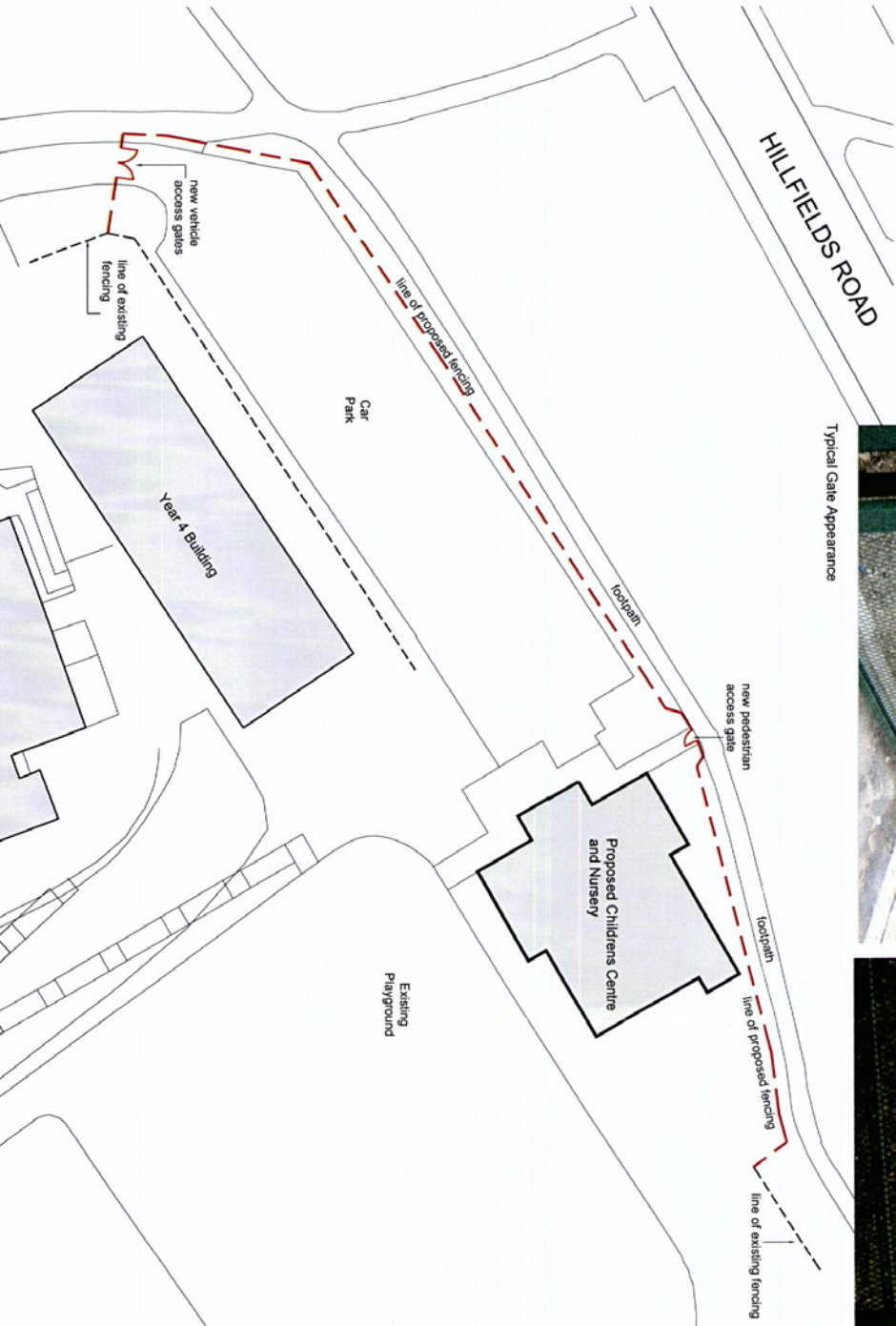
Drawing Title:  
Tree Survey

Scale: 1:200	Paper Size: A1	Date Created: 14/10/08
Drawing Number: TH/LW9		Drawing Revision: 1



Typical Gate Appearance

Typical Fence Appearance



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NOTES

**Proposed Perimeter Fencing and Gates**  
2400mm high fencing and gates formed in Expamet 4095 powder coated mesh, rails and support posts

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10 NOV 2008  
184

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**PROJECT**  
Peters Hill Primary School  
Children's Centre and Nursery  
**DRAWING**  
Proposed Perimeter Fencing

Scale	Date	Drawn
1:250	Oct 08	DCQ
Job Number	Drawing Number	Revision
AMPH406	P05	Sheet size A3



NOTES

0 99.999 = existing level  
+ 99.999 = proposed level

note - level based on level of 100,000 manhole cover level on playground

185

PRELIMINARY DRAWING  
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**AMENDED PLAN**

REV	DATE	DESCRIPTION	BY
3	Jan 09	macadam access path to nature area added	DCQ
1	Dec 08	fence line change, gate to nature area, public art added	DCQ

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PROJECT  
Peters Hill Primary School  
Childrens Centre and Nursery  
DRAWING  
Proposed General Arrangement Plan

code	code	Drawn	Drawn
1:100	Oct 08	DCQ	
Job Number	Drawing Number	Revision	Plot Sheet size A1
AMPH406	P03	B	