

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	26 May 2010
Title:	Applicant: Hampshire County Council Create a new pedestrian access into the school linking from Rookery Avenue to an existing path located to the side of the existing play court at Whiteley County Primary School, Gull Coppice, Whiteley, near Fareham (Application No. P/10/0278/CC) (County Council Ref: FAE 021)
Reference:	1629
Report From:	Head of Planning and Development

Contact name: Martin Leeds

Tel: 01962 846733 **Email:** martin.leeds@hants.gov.uk

1. Executive Summary

- 1.1. The popular existing Primary School at Whiteley, near Fareham, shares a car park with the adjoining local shops and there are parking problems from parent vehicles at peak times in the front of the school. To help the problem it has been decided to provide a new boardwalk footpath from Rookery Avenue to the school grounds (Application No. P/10/0278/CC). A Traffic Regulation Order to limit parking in the area of the school is being dealt with by Fareham Borough Council. Planning permission is being sought for the new footpath link from Rookery Avenue.
- 1.2. Issues: Compliance with the adopted Local Plan, effect of the development, consultees' views and objections from residents.
- 1.3. Reason for decision: It is considered the proposal would be in accordance with Policies C16 (Sites of Importance for Nature Conservation), DG3 (Impact on the Surrounding Area), DG4 (Site Characteristics) and DG5 (Design) of the adopted development plan (summary attached in Integral Appendix C) in that provision of the footpath particularly is of a high standard of design and, appropriately, incorporates materials and design elements sympathetic to local character, also providing a safe access for pedestrians and does not detract from the natural landform of the site. It retains areas and features of landscape or nature conservation value. Taking into account all

considerations, on balance, there is no substantive reason to withhold planning permission.

2. Site and proposal

- 2.1. The existing school site (see attached location plan) is divided into three separate areas; the main school building with its ancillary space takes up the northern third, a hard play court/sports pitch is situated in the lower third, while the south-eastern third is existing woodland. The southern boundary adjoins Rookery Avenue, which has been designed and built to be a distributor road but is incomplete and only acts as a local access road currently serving a residential area which is a series of cul-de-sacs. From the western roundabout this will serve a business park once it is developed. The link forming the remainder of the distributor road from Rookery Avenue through to Botley Road in the west has never been completed although it is a proposal in the adopted Borough Local Plan.
- 2.2. There are houses approximately 50 metres to the west of the proposed footpath but these properties are screened by woodland. South of Rookery Avenue is more woodland and there are no dwellings.
- 2.3. The proposed raised timber boardwalk footpath would be approximately 70 metres long and extend from Rookery Avenue to the edge of the existing school footpath which connects with the school's play court. The boardwalk would be 2.18 metres wide with galvanised weldmesh side panels 1.1 metres high surmounted with wooden handrails. The timber floorboards will have carborundum strips to reduce foot slippage. The height from ground level to the underside level of the boardwalk will vary due to the uneven ground of the woodland route the footpath will cover, but the gradient of the footpath would not exceed 1:21 which is compliant with the Disability Discrimination Act (DDA). Two lockable gates, each 1.1 metre high and one metre wide, will be provided at the footpath entrance with Rookery Avenue where there will be a splayed apron of bitmac to reduce pedestrian congestion on the footpath and there will also be a pedestrian traffic barrier to prevent overspill on to the road.
- 2.4. Forest Stewardship Council (FSC) rated timber has been specified making the construction process more sustainable than a bitmac alternative. Much of the preparation of the construction material will be carried out off-site, minimising on-site construction time and impact.
- 2.5. In order to minimise the impact of constructing the path on the site, the raised boardwalk above the ground will mean that movement of wildlife across the woodland floor will not be disrupted. The foundation posts would be set in to individual concreted holes. The site has a number of mature and semi-mature trees but it is not envisaged these would be affected.

3. **Development plan**

- 3.1. Fareham Borough Local Plan Review (June 2000) (adopted March 2000) shows the site with the school building within the defined Urban Area and also within a Site of Importance for Nature Conservation (SINC). The relevant Policies are C16 (Sites of Importance for Nature Conservation), DG3 (Impact on the Surrounding Area), DG4 (Site Characteristics) and DG5 (Design).

4. **Consultations**

- 4.1. **Fareham Borough Council** has no objection to the development (no planning conditions were requested).
- 4.2. **The local Member, Councillor Woodward**, supports the application.
- 4.3. The **Highway Authority** advises the existing access to the school from Gull Coppice including the immediate area for the shops and community facilities, can become extremely congested at peak times. The proposed footpath would prove an alternative for pedestrians. It is noted that the provision of the footway exiting onto Rookery Avenue may lead to parents parking along the carriageway at the start and end of the school day in order to use the new footpath. Whilst in normal terms this is undesirable, this section of Rookery Avenue is straight, provides good visibility, and is relatively wide with roundabouts at either end for turning. Given that the parking occurring would be for a short period of the day, it would be difficult to justify a refusal on highway grounds.
- 4.4. **Environment Agency** has assessed this application as having a low environmental risk.
- 4.5. **Ecology Adviser (Hampshire County Council)** is satisfied that the ecological issues have been addressed. The scale and nature of the proposals, along with appropriate design, location and working methodologies, should minimise any potential impacts upon the woodland habitat and the species it supports. A watching brief by the Ecology Group would be carried out during the works.

5. **Representations**

- 5.1. A petition of objection with 20 signatures has been received from residents in the area, although only three of the addresses are from Arabian Gardens which is approximately 50 metres away from the school site; the other signatories are from addresses at least 500 metres away to the north-west. In addition, six further letters of objection have been received. The grounds of concern/objections are:
- (i) the ancient woodland is a habitat with many species of flora and fauna and should not be disturbed or encroached upon;

- (ii) there is no need for another entrance into the school as it is already well served with footpaths and a “park and stroll scheme”;
- (iii) new footpath will encourage public to walk through the school and there are “concerns regarding children’s safety due to accessing school facilities by undesirables having views of children playing without being seen”;
- (iv) the new entrance is too remote from the school building and with no provision for Closed Circuit Television (CCTV) – the existing entrance has CCTV coverage;
- (v) Rookery Avenue is a 40 miles per hour (mph) distributor road with planning for a new business park and is not safe for small children;
- (vi) Rookery Avenue is already used as a parking area and with the proposed footpath will lead to further issues of parking with parents and their vehicles.

6. **Commentary**

6.1. The Primary School is an established development within a partly woodland setting. However, it is acknowledged that the area of parking and nearby roads at the front of the school can become extremely congested at peak drop-off and collection times with parents/guardians’ vehicles vying for a place to park.

6.2. In response to the objections:

- (i) woodland habitat – the County Council’s ecologist has been closely involved with this application and is satisfied that the ecological issues regarding the provision/construction of the new footpath have been properly addressed. In addition, it is considered the elevated boardwalk will benefit wildlife as it would allow movement of wildlife to continue across the woodland floor without being disrupted;
- (ii) no need for another footpath as plenty in the area – the need for the footpath has arisen because of the current congestion that occurs at the front of the school with parents/guardians and their vehicles. By providing an alternative footpath into the school grounds from a different location should help relieve the congestion in addition to providing a safe access point;
- (iii) new footpath will encourage people to walk through the school – at the Rookery Avenue end of the new footpath will be two lockable gates which would only be open for a short period during the arrival and departure of the pupils. At other times the gates would be locked and visitors to the school would have to use the main entrance;

- (iv) new entrance too remote from the school and there is no CCTV – although noted, the school plans no CCTV for this new entrance;
- (v) Rookery Avenue is a 40 mph distributor road and not safe for small children – this part of Rookery Avenue functions as a local access road and there is a proposed development for a business park on land served from the existing roundabout at the western end of Rookery Avenue. However, the Highway Authority has no objection in principle to the provision of the new footpath onto this road;
- (vi) Rookery Avenue already used for parking, proposed footpath will lead to further parking issues – the Highway Authority consider that as this short section of the road is straight, provides good visibility and has a facility for turning at the western end with the roundabout that will facilitate parking on the north side of Rookery Avenue.

6.3. There are no objections from Fareham Borough Council, the Highway Authority, Environment Agency, and, the County Council's Ecology Adviser; the Local Member supports the proposed footpath. Therefore, taking into account all considerations, there is on balance, no substantive reason to withhold planning permission.

7. Recommendation

7.1. That planning permission to create a new pedestrian access into the school linking from Rookery Avenue to an existing path located to the side of the existing play court at Whiteley County Primary School, Gull Coppice, Whiteley, near Fareham (Application No. P/10/0278/CC), be granted subject to the planning conditions in Integral Appendix B.

Links to the Corporate Strategy

Hampshire safer and more secure for all:	Yes
Maximising well-being:	Yes
Enhancing our quality of place:	Yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Create a new pedestrian access into the school linking from Rookery Avenue to an existing path located to the side of the existing play court at Whiteley County Primary School, Gull Coppice, Whiteley, near Fareham
(Application No. P/10/0278/CC)
(County Council Ref: FAE 021)

Location

Environment Department
Elizabeth II Court West (first floor)
Hampshire County Council
Winchester.

CONDITIONS

Time Limits

1. The development hereby permitted shall be begun before the expiration of three years from the date on which this planning permission was granted.

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

Highways

2. Before construction on the development is commenced, details of any contractor's compound or works area that, for the duration of the works, is contained on the public highway (Rookery Avenue), shall be submitted in writing to, and approved by, the Local Planning Authority. At the end of the works, the area covered by such a compound, or similar, shall be completely removed and the road surface fully reinstated.

Reason: In the interest of highway safety.

3. Measures shall be taken to ensure that mud and spoil from the site shall not be deposited on the highway. In the event this occurs, it shall be cleaned off on each day of working.

Reason: In the interest of highway safety.

Tree Protection

4. Measures shall be taken to ensure during the construction works for the new footpath that damage is not caused to those trees nearest the site. Such measures shall be retained for the duration of the works.

Reason: To retain the natural features of the site.

Hours of Working

5. Construction works within the site shall only take place between the hours of 0800 and 1800 on Monday to Saturday with no working on Sunday or public holidays.

Reason: To protect the amenities of neighbouring properties.

*Annexe to Reason for Conditions
(as required by Article 22 of the Town and Country Planning
(General Procedure) Order 1995 - as amended)*

FAREHAM BOROUGH LOCAL PLAN REVIEW (JUNE 2000) (Adopted March 2000)

Policy C16 (Sites of Importance for Nature Conservation)

Development will not be permitted where it would adversely affect Sites of Importance for Nature Conservation unless the need for the development outweighs the nature conservation value of the site.

Where appropriate, a permission will be conditioned to ensure the provision of preventative measures sought to secure:

- a) long term management of the site; and/or
- b) the replacement of habitats or features lost to development.

Policy DG3 (Impact on the Surrounding Area)

Development will be permitted provided that it:

- a) does not detract from the existing landscape, streetscene, skyline and building line;
- b) is in keeping with the character of the surrounding area in terms of scale, layout, density, form, height, mass and space around and between buildings;
- c) does not conflict with adjoining land uses or result in a volume of traffic which would adversely affect the amenity of the surrounding area.

Policy DG4 (Site Characteristics)

Development will be permitted, provided that it;

- a) retains any historic features on the site;
- b) does not detract from the natural landform of the site;
- c) retains areas or features of landscape or nature conservation value;
- d) respects views into and out of the site.

Policy DG5 (Design)

Development will be permitted provided that it (*inter-alia*):

- a) is of a high standard of design and where appropriate, incorporates materials and design elements sympathetic to local character;
- b) provides safe access for pedestrians.