

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 12/00703/PP

Planning Hierarchy: Local Development

Applicant: Argyll and Bute Council

Proposal: Erection of Single Storey Extension and Formation of Secure Play Area

Site Address: Park Primary School, Kerrera Terrace, Oban

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of single storey extension
- Formation of secure play area

(ii) Other specified operations

- Alterations to existing internal layout
 - Connection to public water main
 - Connection to public drainage system
-

(B) RECOMMENDATION:

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted as a 'minor departure' to the provisions of the development plan, subject to the conditions and reasons appended to this report.

(C) HISTORY:

No recent relevant history.

(D) CONSULTATIONS:

Area Roads Manager

Report dated 15/05/12 advising no objection to the proposed development.

Scottish Water

Letter dated 15/05/12 advising no objection to the proposed development but providing advisory comments for the applicant.

Environmental Health Unit

Memo dated 22/05/12 raising no objection but advising they have contacted the applicant directly regarding further details required for their purposes regarding food safety etc for the proposed kitchen facilities within the pre-five unit.

(E) PUBLICITY:

The proposal has been advertised in terms of Regulation 20 procedures, closing date 31/05/12.

(F) REPRESENTATIONS:

No representations have been received regarding the proposed development.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- | | |
|---|----|
| (i) Environmental Statement: | No |
| (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994: | No |
| (iii) A design or design/access statement: | No |
| (iv) A report on the impact of the proposed development e.g. retail impact, transport impact, noise impact, flood risk, drainage impact etc: | No |
-

(H) PLANNING OBLIGATIONS

- | | |
|--|----|
| (i) Is a Section 75 agreement required: | No |
|--|----|
-

- | | |
|---|----|
| (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: | No |
|---|----|
-

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

- | | |
|---|--|
| (i) List of all Development Plan Policy considerations taken into account in assessment of the application | |
|---|--|

Argyll and Bute Structure Plan 2002

STRAT DC 1 – Development within the Settlements

Argyll and Bute Local Plan 2009

LP ENV 1 – Impact on the General Environment

LP ENV 19 – Development Setting, Layout and Design

LP COM 1 – Community Facility Development

LP REC 2 – Safeguarding of Recreational Land and Important Open Spaces

Appendix A – Sustainable Siting and Design Principles

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.

Argyll & Bute Sustainable Design Guidance (2006)

The Town & Country Planning Act (Scotland) 1997

The Planning etc. (Scotland) Act, 2006

SPP, Scottish Planning Policy, 2010

(K)	Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:	No
------------	---	----

(L)	Has the application been the subject of statutory pre-application consultation (PAC):	No
------------	--	----

(M)	Has a sustainability check list been submitted:	No
------------	--	----

(N)	Does the Council have an interest in the site:	Yes
------------	---	-----

The school is in the ownership of Argyll and Bute Council.

(O)	Requirement for a hearing:	No
------------	-----------------------------------	----

(P) Assessment and summary of determining issues and material considerations

This application seeks planning permission for the erection of an extension to the rear elevation of Park Primary School, Oban.

In terms of the adopted 'Argyll and Bute Local Plan' the site is located within the Settlement Zone of Oban where Policy STRAT DC 1 of the approved 'Argyll and Bute Structure Plan' gives encouragement within the main towns to development serving a wide community of interest.

The proposal involves the erection of a single storey extension to the north elevation of the school with a floor area of approximately 125 square metres. The extension will provide a pre-five unit with secure play area and one additional classroom. The extension is a simple flat roofed structure finished in vertical timber cladding with a single ply membrane roof. It is considered that the proposed extension is of a suitable scale and design which will not detract from the character of the existing school building and will not be prominent when viewed from any public vantage point. In order to accommodate the proposed extension, minor changes to the internal layout, are proposed.

As the site is in long term educational use incorporating associated sports facilities, part of the site has been designated by the local plan as an Open Space Protection Area where physical development is generally resisted by virtue of the effect of Policy LP REC 2, except where the development of part of a designated site would not compromise its sporting potential or its amenity value.

In this case, the proposed extension is required to support the expansion of the school to provide a pre-five unit with secure play area and one additional classroom. The extension is to be located to the rear of the existing school building where it will result in the loss of a small area of ground currently used as playground facilities, but will not impact on the sports pitch.

In support of the application, Community Services have advised that the school currently has 6340 square metres of available playground which will reduce to 6215 square metres as a result of the proposed extension. They further advise that the design capacity for the school is 264 pupils with the new roll (including pre-5 intake) proposing 258 pupils. The Education Department has advised that there is no policy in place setting the level of playground space which should be provided to serve the school.

Given the requirements of the school to make provision for pre-five education facilities, and the minimal area of playground that will be lost to the proposed extension, it is considered that the proposal can be supported as a 'minor departure' to Policy LP REC 2, in order to help the adaptation of the school to meet the needs of the wider community. This conclusion has regard to the fact will be no material detriment to the availability of external areas to serve the operational needs of the school and that there will be no adverse amenity consequences as a result of what will be a minor incursion of development into the area of protected open space.

The application indicates water and drainage via connection to the public systems to which Scottish Water has raised no objection. The proposal is therefore acceptable under Policy LP ENV 1 which seeks to ensure the availability of suitable infrastructure to serve proposed developments.

(Q)	Is the proposal consistent with the Development Plan:	Yes
------------	--	------------

(R) Reasons why planning permission should be granted

It is considered that the proposed extension is of a suitable scale, form and design which will not detract from the setting of the existing school building and there are no infrastructure constraints which would preclude the proposed development.

The proposal accords with Policies STRAT DC 1 of the approved Argyll and Bute Structure Plan and Policies LP COM 1, LP ENV 1, LP ENV 19 and can be justified as a 'minor departure' from Policy LP REC 2 as the loss of a small part of a playground

included will not be of material detriment to the availability of external areas to serve the operational needs of the school and there will be no adverse amenity consequences as a result of what will be a minor incursion of development into the area of protected open space

(S) Reasoned justification for a departure to the provisions of the Development Plan

The proposed extension is required to allow the school to make provision for pre-five education facilities to help support the local community. Given the minimal area of playground that will be lost to the proposed extension, and given that there is no suitable alternative location for the proposed extension, it is considered that the wider community benefits in the adaptation of the school facilities to meet current needs outweighs the incursion into an open space protection area, and accordingly the proposal may be accepted 'minor departure' to the effect of policy LP REC 2 of the 'Argyll and Bute Local Plan' (2009).

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Fiona Scott **Date:** 31/05/12

Reviewing Officer: Richard Kerr **Date:** 31/05/12

Angus Gilmour
Head of Planning and Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REFERENCE 12/00703/PP

1. No development shall commence on site until full details of all external finishing materials have been submitted and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the duly approved details.

Reason: In the interests of visual amenity to ensure the proposed extension integrates with its surroundings.

2. The development shall be implemented in accordance with the details specified on the application form dated 28/03/12 and the approved drawing reference numbers:

Plan 1 of 7 (Drawing Number L(00)001)
Plan 2 of 7 (Drawing Number L(00)002)
Plan 3 of 7 (Drawing Number L(00)003)
Plan 4 of 7 (Drawing Number L(00)003)
Plan 5 of 7 (Drawing Number L(00)004)
Plan 6 of 7 (Drawing Number L(00)005)
Plan 7 of 7 (Drawing Number D(9-)001)

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

NOTE TO APPLICANT

- **Length of this planning permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)].
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.

APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application 12/00703/PP

- (A) Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No

- (B) Has the application been the subject of any non-material amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No

- (C) The reason why planning permission has been approved.

It is considered that the proposed extension is of a suitable scale, form and design which will not detract from the setting of the existing school building and furthermore there are no infrastructural constraints which would preclude the proposed development.

The proposal accords with Policies STRAT DC 1 of the approved Argyll and Bute Structure Plan and Policies LP COM 1, LP ENV 1, LP ENV 19 and can be justified as a 'minor departure' from Policy LP REC 2 as the loss of playground is a small part of a wider proposal to support the ongoing growth and needs of the school.