KEY INFORMATION

Ward

Claverhouse

Proposal

Erection of primary school and associated facilities

Address

Land North of Findcastle Terrace, Dundee

Applicant

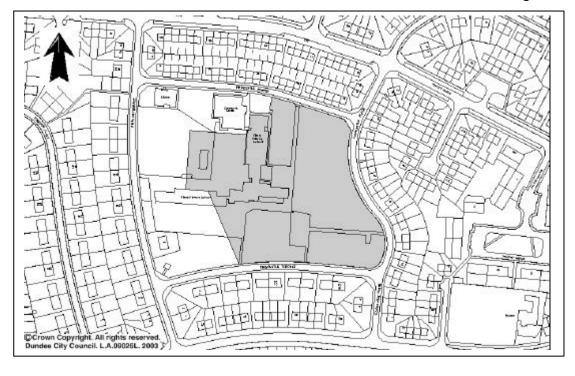
Robertson Construction Lomond Court Castle Business Park Stirling FK9 4TU

Agent

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Registered 10 Nov 2005

Case Officer lain Ross



Proposed New Primary School in Findcastle Terrace

The erection of primary school and associated facilities is **RECOMMENDED FOR APROVAL subject to conditions.** Report by Director of Planning and Transportation

RECOMMENDATION

The proposed development is considered to be in compliance with the provisions of the development plan and there are no material considerations which indicate that an exceptional refusal of planning permission is warranted. The application is therefore recommended for APPROVAL subject to conditions.

SUMMARY OF REPORT

- Planning permission is sought for the construction of a new primary school with community use elements, pedestrian and vehicular access arrangements, external play areas recreation pitch, environmental garden and associated incidental open spaces and landscaping on land north of Findcastle Terrace.
- Planning permission in outline was granted in 2002 for a similar proposal at this location.
- In terms of the development plan there are no Structure Plan policies of relevance. However the application falls to be judged against Policies 1, 68, 72 and 56 of the Dundee Local Plan 2005. This plan was adopted by the Council in August 2005. For the reasons specified in the report it is considered that the proposals comply with the provisions of the development plan.
- Turning to other material considerations issues of appropriateness of land use; the provisions
 of the approved site planning brief; layout, design and the use of materials; drainage; tree
 protection and landscaping; noise and air quality; access and parking and the views of
 consultees and the general public (7 letters of objection) have been considered as outlined in
 the report. Fintry Community Council has made representations.
- It is considered that a primary school and the facilities proposed is an appropriate land use for
 this site and having taken all the material considerations together none of them indicates that
 an exceptional refusal is merited in the face of the proposals compliance with the development
 plan.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the construction of a primary school comprising: nursery, infant, primary and SEN departments; games hall and ancillary internal facilities; a grassed pitch environmental garden; external surfaced play areas; incidental open spaces; car parking on land within the existing school grounds, west of Findcastle Place.

proposed school accommodation to provide facilities for a school role of 75nursery age children; 444 primary age children and 24 pupils with Special Educational Needs. It is intended that Fintry Nursery School presently located on a site at Fintry Road would merge into the proposed school. Community facilities are provided allowing the opportunity for school facilities to be enjoyed by the local community in accordance with the Council's policy on letting of school property. The applicants have confirmed that the grassed pitch will not be available for community use and that no floodlighting of this facility is involved.

The proposals consist of 4901m2 of internal accommodation. The application site occupies the eastern portion of a larger site which obtained outline planning permission for a similar, but slightly larger capacity school, in 2002 (see Planning History below)

The submitted plans indicate the formation of a new vehicle access to the drop off areas (for infant and SEN pupils only) and car parking off Findcastle Terrace with a secondary service access off Findcastle Place. Pedestrian access/egress is taken from Findcastle Terrace and Findcastle Street. 28 staff and visitor parking spaces are provided with an additional 20 overflow parking spaces being made available within the playground area should these be exceptionally required for events outwith normal school hours. Cycle racks are to be provided.

It is proposed that wastewater be drained to the existing combined sewer on Findcastle Terrace and that surface water will drain to the Dighty Burn via a new outfall to the south of the site subject to on site below ground attenuation.

The Design Statement submitted by comprehensively applicants provides a detailed description of the proposals, the design philosophy adopted in response to the Council's brief which related educational and community requirements to the most efficient and effective design of internal and external landscaping, access and parking. The proposed buildings are located closely adjacent to the Findcastle Place frontage, to the east of the existing school buildings which are to be demolished. The siting and form of the building reflects its role as a focal point for the community. The site planning creates a clear division between semi public space, secure playgrounds and the public frontage to Findcastle Terrace. The design process has been educationally led ensuring that internal and external spaces interact sand provide for an attractive, welcoming, functional and secure entrance point to the building. proposed grass pitch, environmental garden and enhanced landscaping is to be located to the west and north of the school buildings respectively. The proposed building plan is to have three wings: a 'community wing' to include games hall, changing rooms, dining / assembly area and various rooms for shared community use on a ground floor level with function dictating its appearance as a two storey building; a smaller nursery school wing providing classrooms on a single storey with access to secured and covered external spaces; infant/primary/SEN classroom wing on two levels.

The materials proposed to be used are:

Walls: Mostly white smooth render with various coloured render elements (white, orange, yellow, blue and grey)introduced to distinguish the various functional elements of the building; high level cladding in PPC or equivalent finish (final colours to be agreed)

Windows: Glazing in PPC aluminium has a vertical emphasis on both storeys punctuated by grey render.

Roofs: Standing seam, stucco embossed mill finish aluminium sheeting.

External Surfaced areas: PCC slabs with coloured aggregate and coloured asphalt.

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Boundary fences: The perimeter fencing will be 2m in height open mesh supported by steel posts. Inner security fencing will be of similar construction but 1.5m in height.

Trees and landscaping: The applicants have submitted a tree survey which indicates the need to remove six existing trees in view of their condition. However to facilitate the proposals additional trees will require to be removed. A proposed landscaping plan has been submitted with a schedule of proposed species.

The applicants indicate that the existing primary school will continue to operate on the site during the construction of the new school. The existing school will be demolished to allow the completion of the final phase of new build.

The applicants have supported their application with the following information:

- a Design Statement which outlines factual information about the proposal, the philosophy which guided the approach to the design of the building and external spaces
- b A School Access Strategy and School Travel Plan Framework which together address issues of traffic generation, access for pedestrians and vehicles, parking/dropping off and proposals for the encouragement of pupils and staff to walk, cycle, car share or use public transport.
- C A Tree Survey and proposed Landscaping Plan which together indicate the location and condition of trees to be retained and where trees are to be removed proposals for replacement planting and other landscaping works.
- d A Public Art Strategy which outlines proposals for meeting the Council's commitment to encouraging public art.
- e Drainage and Flood Impact
 Assessments which outline in
 detail how the site is proposed to
 be drained and whether there are
 any flood impact mitigation
 measures necessary.
- f A general lighting and CCTV location plan.

SITE DESCRIPTION

The application site is located to the north of Findcastle Terrace; to the east of the existing school buildings on the site; to the south of Findcastle Street and the existing Community Centre; and to the west of Findcastle Place. The application site extends to approximately 1.99hectares which presently accommodates Primary School and associated play space and car parking. The existing vehicular accesses to the school (servicing and staff parking) are off Findcastle Street and the main pedestrian access for pupils is taken from Finavon Terrace. The school is presently operational. The proposal is located in a predominately residential are comprised mainly of terraced

family housing and four-in-a-block flats. The site is bounded by local distributor roads and footways with housing beyond. The surrounding streets are lit. 20mph speed restrictions are proposed on Findcastle Street and Findcastle Terrace. The site is generally level with a gentle rise across the site from East to West. Trees are a feature of the site particularly to the south of the existing school buildings.

POLICY BACKGROUND

The development plan comprises the Dundee and Angus Structure Plan 2001-2016 (approved by Scottish Ministers with amendments in October 2002) and the Dundee Local Plan Review(adopted in August 2005)

Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 1 : Vibrant and Sustainable Communities

This policy indicates that the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies of the plan and seek

to minimise any effect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 68: Dual Use of Open Space within School Grounds

This policy recognises that school grounds can provide opportunities for both formal sports and informal community recreational activities outwith school time.

Policy 72: Trees and Urban Woodland

This policy indicates that new developments must have regard to existing healthy trees and where appropriate development proposals must be accompanied by a tree planting and landscaping scheme.



Policy 56: Public Art

This policy indicates that the Council will support and promote public art in new construction projects.

Scottish Planning Policies, Planning Advice Notes and Circulars

The following statements of Government policy are relevant to the determination of this application :

- a Designing Places: A Policy Statement for Scotland which promotes excellence and best practice in the design of buildings and the spaces around buildings and includes reference to the preparation of Design Statements by applicants for planning permission.
- b NPPG 11 : Sport, Physical Recreation and Open Space (1996) : This policy document advises against the redevelopment of playing fields and sports pitches unless it can be demonstrated that alternative

- provision is to be made or that in terms of a long term strategy there is excess provision which justifies the loss.
- c NPPG 17: Transport and Planning (1999). This policy document promotes an integrated approach to land use, economic development, transport and the environment.
- d SPP 17 Addendum "Transport and Planning: Maximum Parking Standards" (2003). This document encourages Councils to adopt maximum car parking standards for certain categories of development to facilitate the use of alternative modes of transport to the car in the interests of sustainable development.

Non Statutory Statements of Council Policy

Reference is made to the decisions of the Council in May and December 2003 in respect of a consultation exercise which was undertaken into draft site planning briefs for each of the proposed PPP school sites. This exercise subsequently informed the design process which followed. Reports 320-2003 and 655-2003 are relevant.

LOCAL AGENDA 21

Key Theme 4 is of relevance and seeks to ensure that local needs are met locally. The theme seeks to encourage the use of school buildings for community uses.

Key Theme 7 is also relevant and seeks to ensure that access to facilities, services, goods and people is not achieved at the expense of the environment and are accessible to all.

The replacement primary school, nursery school and the provision of community facilities will maintain and improve existing facilities for residents in the surrounding area.

Key Theme 12 is also relevant and seeks to ensure that opportunities for culture, leisure and recreation are readily available to all. The incorporation of community provision in the proposals will meet the aims of this key theme.

SITE HISTORY

Conditional planning permission in outline for a replacement 460 place primary school with community facilities and a 90 place 05 nursery, demolition of the existing school and the formation of a 7-a-side playing field, external play area and parking was granted on 30 April 2002 (application 02/00166/OUT refers).

This permission has now lapsed. The present planning application relates to a different site boundary to that previously approved in outline. The application now before the Council is a full planning application requiring the discharge of the principle of the land use proposed and comprehensive details of the development as a whole.

PUBLIC PARTICIPATION

The applicant has carried out the statutory notification of neighbours. 7 valid objections have been received from residents on Findcastle Terrace. Copies may be viewed in the Member's Lounges. Objectors have raised the following issues which are discussed in the "Observation" Section below:

- a traffic generation, parking and access concerns have been raised by residents along Findcastle Terrace;
- b likely noise from the proposed parking area off Findcastle Terrace; and
- the likely adverse visual impact of the proposed school building.

CONSULTATIONS

The following consultations were undertaken and the following comments were received:

- a Fintry Community Council has made representations concerning traffic, access and on street parking issues.
- b Scottish Water. No objections received. The organisation has been involved with the applicants in addressing drainage issues and supports the proposals contained in the submitted drainage and flood impact assessments.
- c Scottish Environmental Protection Agency. No objections received.

- d Sportscotland has indicated that it has no objection to the proposals. However it has asked that consideration be given to the use of synthetic material as opposed to grass for the pitch to accommodate a full range of physical education and Active Schools Use throughout the year.
- The Director of Environmental Health and Trading Standards has indicated that as it has not been possible for the applicant to specify the precise design of plant and machinery it is appropriate to apply a condition, should planning permission be granted, to control noise output. The applicants have agreed to this approach. The Director is also satisfied that as the proposed pitches are to be confined to school use only noise breakout sufficient to disturb the amenity of neighbours should not be an issue.
- f The Director of Contract Services has no objection but supports the imposition of a condition concerning the submission of supplementary landscaping information.

OBSERVATIONS

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations

The Development Plan

The provisions of the development plan relevant to the determination of this application are specified in the Policy Background section above.

It is considered that the proposals comply with the provisions of the development plan as follows:

Policy 1: The proposal will result in a new and improved education facility being provided at an appropriate location within the Fintry Community adjacent to existing community facilities (Community Centre and Library). The proposals also allow for the integration of Fintry Nursery

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The proposals incorporate facilities for community use. Planning permission was granted in outline in 2002 for a similar scale of proposal and therefore the principal of the continued use of the site for education and community use purposes has been established and there have been no material change circumstances since that date which would lead to a different view being adopted. As indicated in greater detail below it is considered that the proposals are satisfactory in terms of their location on the site, their design and relationship with neighbouring land uses. In terms of the proposal's likely impact on neighbours because of perceived traffic related problems, the School Access Strategy has been assessed. As discussed in greater detail below, subject to the retention of an existing pedestrian access to the site off Finavon Terrace the proposals are considered to be satisfactory subject to the imposition of a suitably worded condition relating to implementation of the terms of the Strategy, should Members be minded to approve the application. Again, as indicated below, the proposals give no cause for concern in terms of noise generation or issues of air quality. Accordingly it is concluded that the proposals are compliant with the terms of this policy.

Policy 68: The proposals incorporate facilities which are intended for use by the local community subject to the letting policies of the Council as Education Authority. The Council's approved Pitch Strategy 2005-2011 considered the balance between supply and demand across a variety for pitches within and outwith school grounds across a variety of sports. The potential availability for dual use of the proposed pitch was not included in that assessment. Accordingly, whilst Policy 68 continues to have general application, it is not appropriate to enforce its provisions in respect of this application.

Accordingly, it is concluded that the proposals are compliant with the terms of this policy.

Policy 72: The applicants have provided a tree survey and landscaping plan to complement their proposals. As indicated on the schedules accompanying these plans approximately seventy mature and semi mature trees are present on the site with nine requiring to be removed

because of their condition. However further trees will require to be removed to facilitate the development. The landscaping plans submitted by the applicants indicate new and replacement planting and that an environmental garden is developed. Given the scale of the proposals, the necessary orientation of the new school building it is considered that reasonable attempts have been made to safeguard as many existing health trees as is practicably possible. planting will compensate for the loss of existing trees. Accordingly it is concluded that the proposals are compliant with the terms of this policy.

Policy 56: The applicants have submitted a public art strategy in support of their application. proposes the dedication of a specified financial contribution for the provision and development of public art within each of the new school projects including Fintry. In addition, for the PPP project as a whole the applicant has agreed to finance the employment of an artist to work with the school communities to promote the strategy proposed. Given the scale of each individual project it is considered that, although the 1% for art criterion specified in the policy is not met, it is considered that the proposed strategy is imaginative in educational terms and will develop into the future as the school becomes established in the community. Accordingly it is concluded that the proposals are acceptable as a justifiable compromise solution within the broad objectives of the policy.

It is concluded from the foregoing that the proposals comply with the provisions of the development plan.

Consequently, the application falls to be considered in terms of other material considerations to determine whether an exceptional refusal of planning permission is merited.

Other Material Considerations

The other material considerations to be taken into account are as follows:

- a Is the establishment of an educational use on the application site acceptable in principle?
- b Is the layout of the building(s) and other facilities on the site acceptable taking into account surrounding land uses and their proximity and is the design and

- appearance of the school building acceptable?
- c Are the vehicular/pedestrian access arrangements and on site car parking satisfactory in the context of the School Access Strategy and the School Travel Plan Framework for the development?
- d Does the proposal comply with the approved Site Planning Brief?
- e Are the proposals for the retention of any existing trees and landscaping appropriate?
- f Are the proposals for foul and surface water drainage acceptable?
- g Are there any issues relating to noise or air quality?
- h Are there any issues raised by statutory consultees, notifiable neighbours and the general public which indicate that planning permission ought to be refused?

Each issue is considered in turn below:

- The principle of educational use. The present use of the site is for educational purposes. The principle of establishing a new school of an equivalent size on this site was established by the grant of an outline planning permission in 2002. Although this permission has lapsed there has been no change in circumstances which would indicate that education use on this site is no longer appropriate. It is therefore considered that this land use issue is discharged.
- Layout and design of the building(s) and exterior spaces and the use of materials. Pre application discussions took place with the applicants, and their agents across a range of matters of detail. The layout of the buildings on the site, their design and the materials to be used are in summary described above and in greater detail in the submitted Design Statement. The distribution of uses on the site is appropriate given the location of adjacent housing and the likely impact of the development when viewed from perimeter roads. The site is not located in a conservation area. Nor are any listed buildings present which

might have influenced design matters. In the light of the design approach summarised above and outlined in greater detail in the submitted Design Statement it is considered that the design of the school buildings is satisfactory in this context. The use of colour and the application of a varied palette of materials, to be confirmed through application of a condition, will ensure the appropriate presentation of the building's elevations. Although the details supplied concerning perimeter security fencing appear acceptable in principle it is appropriate to apply a suitable condition to cover all maters of detail to discharge the concerns of objectors.

- vehicular/pedestrian access arrangements and on site car parking. Fintry Community Council raised the following representations:
 - i concern at the width of the streets at public and service access points;
 - ii safety aspects of the proposed service access location:
 - iii a car park as drop off point is suggested to the west of the proposed school buildings;
 - iv a one way system is suggested to relieve anticipated congestion.

Individual letters of objection were received from residents on Findcastle Terrace. These objections relate to:

- i Findcastle Terrace is too narrow for the proposed vehicular access point and anticipated dropping off activities on street;
- ii noise is likely to be generated due to the location of the proposed car park off Findcastle Terrace and the community use of the facilities; and
- iii the proposed building height will disrupt existing views.

The submitted School Access Strategy and School Travel Plan

Access Strategy recommendations.

- Compliance with the approved d Site Planning Brief. The function and relevance of the brief is outlined above. The client and architect had reference to the approved brief (following community consultation) bringing forward detailed proposals. Therefore it is not to be expected that the final proposals natch the brief in all detail and in this instance the broad term of reference of the brief are compatible with the application proposals.
- Existing trees and landscaping. As indicated earlier details have been provided and the Director of Contract Services has commented (see above). This aspect of the proposals is considered to be satisfactory subject to the imposition of a condition requiring the submission of additional information. The applicant is agreeable to this course of action.
- Foul and surface water drainage. The submitted drainage and flood impact assessments confirm that wastewater be drained to the existing combined sewer on Findcastle Terrace and that surface water will drain to the Dighty Burn via a new outfall to the south of the site subject to on site below ground attenuation. The Council has assessed both statements and found their provisions to be satisfactory. Neither Scottish Water nor SEPA have objected to the proposals. However it is appropriate for a suitably worded condition to be applied to ensure compliance with the submitted details.
- g Noise or air quality issues. The proposals are considered to have no air quality implications and provided a standard condition is attached concerning any noise breakout there may be from plant and machinery the head of Environmental Health and Consumer Protection has no objections to the proposals.
- h Issues raised by statutory consultees, notifiable neighbours and the general public. No objections have been raised by statutory consultees. The nature

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of the representations of Fintry Community Council objections by neighbours in relation to a variety of transportation matters has been considered and discharged above. The objection by the member of the public concerning the visual impact of the school and the interruption of views responded to as follows. It is inevitable that due to its scale there will be a degree of additional visual impact residents resulting from development. In particular the proposed buildings will be closer to the properties on Findcastle Terrace than the existing school buildings. However this impact is not considered to be so adverse as to justify the refusal of planning permission.

It is concluded from the foregoing that insufficient weight can be accorded to any of the material considerations such as to justify the refusal of planning permission contrary to the provisions of the development plan.

It is therefore recommended that planning permission be granted with conditions relating to the submission of construction materials, fencing and landscaping details; the protection of existing trees to be retained; compliance with the School Travel Plan Framework; the recommendations of the School Access Strategy and Public Art Strategy; noise limitations for plant and machinery; drainage details; and additional pedestrian access matters.

Design

The content of the Design Statement and the other information submitted by the applicant has been considered as outlined above and it is considered that the design of the buildings and external spaces and the use of materials are appropriate for their function and setting in the local community.

CONCLUSION

It is concluded that the proposal complies with the provisions of the development plan. The principal of locating a primary school and all the related facilities proposed on this site is acceptable in land use terms subject to the application of a range of condition.

implementation of the School

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission.
- 2 Samples of the finishing materials proposed to be used shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved details.
- 3 Details and samples of all boundary treatments shall be submitted to the Council for approval and if approved the development shall be carried out only in accordance with such approved details.
- 4 Development shall not begin until a scheme of landscaping has been submitted to and approved in writing by the Council. Details of the scheme shall include:
 - a an indication of existing trees, shrubs and hedges to be retained and removed;
 - b arrangements for the protection, during construction works, of trees, shrubs and hedges to be retained in accordance with revised BS 5837, 2005;
 - c the location of proposed new trees, shrubs and hedges keyed to a schedule of species, plant sizes and density/numbers;
 - d a programme for the undertaking of the landscaping works and arrangements for subsequent maintenance.

For the avoidance of doubt all landscaping works shall be carried out in accordance with the scheme to be approved in writing by the Council.

5 The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR35 when measured 1 metre from the facade of any residential property.

- A School Travel Plan shall be prepared and submitted in writing to the Council for approval in accordance with the details contained in the submitted School Travel Plan Framework submitted to the Council by the applicant under cover of their letter of 16 November 2005.
- 7 The Public Art Strategy for the proposed school shall be implemented in accordance with the provisions of the strategy received by the Council on 22 December 2005.
- Surface and foul drainage arrangements shall accordance with the terms of the Flood and Drainage Impact Assessments submitted to the Council on 28 December 2005. For the avoidance of doubt full drainage details shall be submitted for the written approval of the Council in consultation with Scottish Water and the Scottish Environmental Protection Agency prior to the commencement of the development hereby approved. If proposed approved the arrangements shall be carried out only in full accordance with such approved details.
- 9 The grass pitch indicated on the approved plans shall be for school use only and shall at no time be made available for shared community use.
- The existing pedestrian access to the existing school on Finavon Terrace shall be retained and made available for pedestrian access to the proposed school A detailed scheme illustrating the proposed means of access between Finavon Terrace and the proposed school buildings shall be submitted in writing for approval by the If approved, the Council. proposed arrangements shall be carried out only in accordance with such approved details and be implemented prior first use of development hereby permitted.
- 11 The Access Strategy for the proposed school shall be implemented in accordance with the findings and recommendations of the strategy

document received by the Council on 6 January 2006.

Reasons

- To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 3 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
- 4 To ensure the retention of existing landscaping worthy of protection and to ensure the satisfactory appearance of the development in the interests of the amenity of the area.
- 5 In the interests of residential amenity.
- To encourage alternative travel options to reduce the number of vehicle trips to the school and to raise awareness about travel issues such as air pollution and road safety.
- 7 In support of Policy 56 of the Dundee Local Plan Review 2005
- 8 In order to ensure the proper drainage of the site.
- 9 In the interests of the amenity of nearby residents.
- To comply with the provisions of the School Access Strategy and in the interests of vehicular and pedestrian safety.
- 11 In the interests of pedestrian and traffic safety and residential amenity.