



REGULATORY SERVICES COMMITTEE

29 January 2015

REPORT

Subject Heading:

P1383.14 The R J Mitchell Primary School
Tangmere Crescent, Hornchurch

Ward

1 Form of entry expansion to school
including new classroom block, internal
alterations, school hall extension, and
extended staff car parking provisions

Elm Park

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Policy context:

Local Development Framework
Development Control Policies
Development Plan Document

National Planning Policy Framework

London Plan

Financial summary:

Not applicable

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Value and enhance the life of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application is referred to the committee because it involves Council owned land and there has been a third party objection. The application concerns proposals to provide additional accommodation and parking at the school. The development is considered acceptable in terms of the impact on adjoining residents, the appearance of the area and in highway terms. The expansion of school facilities on existing sites is supported by LDF policies and the NPPF. However, the also seeks to protect the loss of playing fields to other development. There is a holding objection from Sport England over the loss of playing field and if not withdrawn the Secretary of State must be consulted to see if he wishes to call-in the application should members wish to grant planning permission. Staff consider that the loss is small and that on balance the development should be permitted.

RECOMMENDATIONS

1. That subject to the Secretary of State deciding not to call-in the application under the provisions of the Town and Country Planning (Consultation) (England) Directive 2009 on the expiration of 21 days from effective consultation that the Head of Regulatory Services be authorised to grant planning permission subject to the conditions set out below:

1. *Time Limit* - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. *Matching materials* - The single storey extension to the school hereby approved shall be externally finished in materials as set out in the planning application form and submitted details. The materials to be used in the hall extension and entrance alterations shall be in materials to match those of the existing building. The external materials shall then be retained as such thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

3. *Landscaping* - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of

development. The scheme shall provide for the planting of the boundary with Hawkinge Way. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC6.

4. *Accordance with plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. *Contaminated land* - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority:

a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To ensure the safety of the occupants of the development hereby permitted and the public generally, and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC54.

6. *Hours of construction* - No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. *Cycle storage* - Prior to completion of the works hereby permitted, cycle storage to replace that to be lost through the development of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

8. *Construction methodology* - Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

9. *Secured by design* - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

10. *Travel plan* - Prior to the occupation of the development hereby permitted, a revision to the existing Travel Plan which reflects the increase in pupil numbers shall be submitted to and approved in writing by the Local Planning Authority. The revised Travel Plan shall include a review of walking routes and conditions in the area around the school and measures to reduce private vehicular trips and proposals for monitoring and reporting progress to the Local Planning Authority and include a timetable for its implementation and review. The approved Travel Plan as revised shall remain in force permanently and implemented in accordance with the agreed details.

Reason: To help bring about a reduction in private car journeys, to minimise the potential for increased on street parking in the area, to mitigate the impact of increased private car journeys at peak times and to accord with Policy DC32. To ensure the interests of pedestrians and address desire lines and to accord with Policy DC34.

11. *Car parking review* - Within 18 months of the development being brought into use a review of parking restrictions around the school entrance shall be carried out and submitted to and approved by the Local Planning Authority. The review shall be aimed at reducing the impact of parent parking near the school entrance and to ensure that pedestrian desire lines across local junctions are not unduly impeded.

Reason: To ensure the interests of highway safety and amenity and to accord with Policy DC 32 and to ensure the interests of pedestrians and address desire lines and to accord with Policy DC 34.

12. *Traffic signal review* - Within 18 months of the development being brought into use a review of signal optimisation to the Airfield Way/ South End Road junction shall be carried out and submitted to and approved by the Local Planning Authority. The review shall be aimed at providing additional junction capacity to mitigate the development.

Reason: To ensure the interests of highway safety and amenity and to accord with Policy DC 32.

13. *Wheel cleaning* - No development shall take place until a scheme of vehicle cleansing has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, which shall be retained during the construction period of the development.

The submitted scheme will provide the following details:

a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.

b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.

c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.

d) A description of how vehicles will be cleaned.

e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. In aiming to satisfy condition 9 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA

are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

3. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
4. The developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site lies within the grounds of the RJ Mitchell Primary School and comprises mainly playing field, but also includes a demountable classroom and other structures. The school site lies between South End Road and Tangmere Crescent from which it takes access. There are residential properties adjoining the northern and eastern boundaries of the site. To the south is the First Step children's facility which also takes access from Tangmere Crescent and on the South End Road frontage is a children's nursery. The existing school building consists of two sections:-a single storey, flat roofed structure and an attached two-storey building containing the classrooms.

2. **Description of Proposal**

- 2.1 The main part of the application is the extension of the existing school building to accommodate further classrooms. The main extension would project northwards from the existing building. It would be single storey with a pitched roof. It would accommodate eight new classrooms, a staff room, a multi-purpose room and other facilities. There would be a new entrance and link between the extension and main school buildings. The materials to be used would comprise stock brick, composite cladding panels, powder coated aluminium windows and sheet metal roof covering. It is also proposed to extend the assembly hall southwards and to modify and extend the southern entrance.

2.2 The main extension would have overall dimensions of 41 metres by 23 metres, with the hall extension being 3.9 metres by 11.3 metres. The main extension would be 6.9 metres high to the ridge.

2.3 It is also proposed to provide an extended staff car parking area on the eastern side of the site adjacent to the boundary with Hawkinge Way.

3. **Relevant History**

3.1 P0294.14 -To provide a demountable single classroom building for a period of 1 year to accommodate a bulge class for the 2014/15 School year. The unit shall be sited upon the existing playground - withdrawn.

3.2 P1437.10 - Modular building at R.J. Mitchell School for the purpose of a Pre-school - approved

3.3 P2347.07 - Single storey children's centre, building incorporating an office, counselling room, disabled W.C., multi-function room, staff room, reception, buggy park, services and store. Building to be positioned to side of school fronting South End Road - approved.

4. **Consultations/Representations**

4.1 78 neighbour notification letters were sent and two representations received in response raising the following issues:

* Potential adverse impact on privacy and overlooking;

* Highway safety concerns arising from parking outside the site entrance, in particular buses and large lorries which is already a problem, due to the corner location.

4.2 Thames Water- no objections

4.3 Sport England – holding objection to loss of playing field.

4.4 Public Protection-recommends contaminated land conditions.

4.5 London Fire and Emergency Planning Authority - recommends further details of fire appliance access.

4.6 Streetcare (Highways) - The development would have some adverse impact on the Airfield Way/South End Road junction, however, no objection subject to conditions covering review of parking restrictions after 18 months; travel plan revisions, review of signal optimisation at the Airfield Way/South End Road junction, wheel cleaning facilities.

5. **Relevant Policies**

- 5.1 Policies CP8 - Community Facilities; CP9 - Reducing the need to travel; DC18 - protection of Public Open Space, Recreation, Sports and Leisure; DC26 - Location of Community Facilities; DC29 - Educational Premises; DC32 - The Road Network; DC33 - Car Parking; DC34 – Walking; DC35 – Cycling of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.
- 5.2 Policies 3.18 - Education facilities; and 8.3 - Community infrastructure Levy of the London Plan and the provisions of the National Planning Policy Framework and the National Planning Policy Guidance are also relevant.

6. **Staff Comments**

- 6.1 This application is referred to the committee because it involves Council owned land and there has been a third party objection. The issues arising from this application are the principle of development, the loss of playing field, the impact of the development on the amenity of adjoining residential occupiers, impact on the streetscene and parking and highway issues.

Principle of the development

- 6.2 The additional accommodation is required to meet the demand for additional school spaces in the locality. LDF Policy DC29 seeks to ensure that demand for increased school places is met within existing sites. Policy DC26 sets criteria for new community facilities, which includes those for education purposes. The criteria include accessibility and impact from any on-street parking on pedestrian and highway safety. The development would involve the loss of some playing field. Policy DC18 seeks to protect existing playing fields, but allows alternative uses where it would be surplus to requirements and there is no conflict with other policies. The NPPF states that playing fields should not be built on unless there are shown to be surplus or would be replaced by other facilities. There has been a holding objection from Sport England to the loss of playing field arising from the development. If this is not resolved the application would need to be referred to the Secretary of State as detailed later in the report.
- 6.3 The NPPF also states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Authorities should give great weight to the need to create, expand or alter schools. In view of the LDF policies and the guidance in the NPPF the loss of playing field needs to be balanced against the need for additional school places on site. Subject to the judgement being in favour of the extension to the school the development is considered acceptable in principle.

Design/impact on the streetscene

- 6.4 The proposed extensions would be set well back from the school's highway boundaries and would be seen at a distance from the street within the context of the existing school buildings. The main extension would be single storey and the other extensions would be small in scale. In these circumstances staff consider that there would be no material impact on the street scene or on the character and appearance of the area.

Impact on amenity

- 6.5 The proposed building lies within an existing school site and there are residential properties in close proximity to the school. LDF Policy DC61 requires that new development does not harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking and other impacts. The proposed extended classroom block would be over 40 metres from the rear boundary of properties to the north. As the extension would be single storey there would be no overlooking issues or significant impact on the outlook from these properties. The properties to the east would be further away and again there would be no material adverse impacts from the proposed extensions.
- 6.6 The proposed car park lies adjacent to the site boundary close to no.25 Hawkinge Way. However, it would be mainly set forward of the property and given the likely level of usage staff consider that there would be no material adverse impact on the amenities of occupants of the property. Landscaping along the boundary would limit any visual impact when viewed from Hawkinge Way. Overall staff consider that the development would have an acceptable impact on the amenities of adjoining occupiers.

Highway/Parking issues

- 6.7 The proposed increase in classrooms would increase the number of pupils attending the school and the amount of traffic at peak times. The site has a Public Transport Accessibility Level (PTAL) of 1b which is very poor. As a result trips would either be by foot for those within easy walking distance or by car. The increase in staff from 42 FTE to 54 FTE would be catered for in the new car parking area which would increase the spaces from 19 to 31. Annex 5 of the LDF suggests that safe and convenient dropping/off collection areas should also be provided for parents' cars and coaches/school buses. No specific provision is made and local streets would be used for this purpose. One of the objectors who lives opposite the entrance is particularly concerned about this as congestion already occurs. The transport assessment submitted with the application suggests that there is capacity in adjoining streets, although in practice parents would normally attempt to park as close as possible to the school entrance.
- 6.8 Concerns have also been raised by Streetcare (Highways) about the impact on the Airfield Way South End Road traffic lights. The junction already operates close to the accepted saturation ceiling. The development at the school and that proposed at Scotts Primary School could result in saturation being reached

at peak times. A number of measures are proposed to address these issues, including an updated travel plan, demand management measures and parking restrictions.

- 6.9 Streetcare has not objected on highway grounds but request conditions covering i) a review of parking restriction within 18 months; ii) a revision of the travel plan prior to occupation, and iii) a review of signal optimisation at the traffic light junction within 18 months. Similar conditions have been applied for other school developments. A wheel cleaning condition covering the construction period is also requested. Subject to these conditions the development is considered acceptable in highway terms.
- 6.10 A temporary access is proposed from South End Road for the construction works. This would provide a suitable alternative that avoids the main access in Tangmere Crescent and minimises the impact on adjoining residential areas during construction.

Loss of playing field

- 6.11 At the time of drafting this report the holding objection raised by Sport England to the loss of playing field had not been resolved. A detailed response is still outstanding. Sport England has referred to the guidance at paragraph 74 of the NPPF against which it must assess proposals. This states that playing fields should not be built on unless the relevant criteria are met, which include the provision of replacement space or that the area to be lost is surplus to requirements.
- 6.12 Discussions with the case officer at Sport England have indicated that whilst there are no details to show that these criteria have been met, given the relatively small amount of playing field involved a pragmatic approach is being considered. Should the objection be confirmed then if members are minded to grant planning permission the application will need to be referred to the Secretary of State under the Town and Country Planning (Consultation) Directive 2009. The recommendation is set out in these terms. An update will be given at the meeting should the position change.

Trees

- 6.13 It is proposed to remove three trees to accommodate the development. One for the access for the construction works, one for the main extension and one for the proposed car park. There is a tree preservation order covering many of the trees on the site and one of the trees proposed to be removed to accommodate the car park could be covered by the order. Given the need to locate the parking as close as possible to the access the loss of the tree is considered acceptable. There is an opportunity for landscaping along the boundary with Hawkinge Way adjacent to the car park which would provide a screen and allow for a replacement tree. Subject to a condition the development is considered acceptable in terms of its impacts on existing trees.

Mayor's Community Infrastructure Levy (CIL)

- 6.14 The new building is for educational purposes so no CIL requirement arises.

Key issues/Conclusions

- 6.15 Staff consider that the development would be acceptable in terms of its impact on the character of the school and surrounding area and on the residential amenity of neighbouring residential occupants. The main issues in this case are the highway impacts and the loss of part of the school playing field. The highways impacts are considered acceptable subject to the conditions recommended by Streetcare. With regard to open space the objection from Sport England carries some weight. However, the area for the redevelopment already includes a demountable building and other structures. The area that would be lost to the development is small. Whilst the guidance in the NPPF seeks to protect open space this needs to be balanced against educational needs. The guidance in the NPPF, supported by LDF Policy DC29, is that weight should be given to the need to create, expand or alter schools to meet the needs of local communities.
- 6.16 Staff consider that in light of this the need for school facilities carries greater weight and on balance the development is considered acceptable. However, should Sport England maintain its objection and members are minded to grant planning permission then consultation would need to take place with the Secretary of State to see if he wishes to call-in the application. Approval is recommended subject to the consultation procedures outlined.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

None

Human Resources implications and risks:

None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application and plans received on 8th October 2014