



# REGULATORY SERVICES COMMITTEE

12 March 2015

# REPORT

**Subject Heading:**

P1653.14 – Harold Hill Learning Village,  
Settle Road, Harold Hill

Extension of the period of time for submission of reserved matters and implementation of planning permission P0682.09 (Outline planning permission for the phased redevelopment of existing buildings and associated development for the purpose of a new Learning Village) in order to allow for the implementation of phases 2-4 of the proposal.

**Ward:**

Gooshays

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

## SUMMARY

Outline planning permission for the Harold Hill Learning Village was granted in December 2009, with a condition that details of the development, to be developed in phases, be submitted within 5 years. Only one phase has been completed and the present application seeks to extend the time for reserved matters applications to be submitted.

In accordance with government guidance, applications for renewal should assess the extent, if any, of change in planning policy or other material considerations since the original grant of planning permission and whether these should lead to any different recommendation.

It is considered that the changes in planning policy since 2009 add weight in favour of the development which would provide enhance educational facilities in the area. The possibility that Pyrgo Priory Primary School may remain in place is not considered to be such a significant change in circumstances to lead to a different recommendation.

It is recommended that the outline planning permission be renewed subject to referral to Secretary of State and Mayor for London and a deed of variation to an existing legal agreement.

## RECOMMENDATIONS

That the proposal is unacceptable as it stands, but would be acceptable subject to:

- a) no direction to the contrary from the Mayor for London,
- b) no call-in following referral of the application to the Secretary of State as a departure from the development plan,
- c) Havering College (as joint applicant), and all others (other than the Council) having an interest in the land, entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended) to secure the following:
  - that on securing an interest in part of the Learning Village site that they will enter into a further deed, the terms of which will be same as this agreement, which will be binding on successors in title to that land
  - that should they secure an interest in part of the Learning Village land and implement the college part of the planning permission then the Quarles College building will be vacated within 3 years of occupation unless the buildings on the Quarles site are demolished
  - at the Quarles Campus site, demolition to include removal of all footings, slabs, services capped at site boundary etc and an

environmental scheme to return the land to top-soiled and planted/grassed parkland condition

That Staff be authorised to enter into a legal agreement and upon completion of that agreement, grant planning permission subject to the conditions set out below;

1. Approval of details - The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved in writing by the Local Planning Authority, showing the layout, scale, appearance and landscaping as defined in the Town and Country Planning (General Development Procedure) Order 1995 (herein after called 'the reserved matters').

Reason: The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

2. Time limit for details - Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within five years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Time limit for commencement - The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Phases of Development to be Identified for Condition Submission – The development shall not commence and no reserved matters submissions or submissions of details to comply with conditions shall be made until a Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required by condition submissions shall subsequently be made. No phase of the development shall commence until all relevant reserved matters and details prior to commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of the relevant phase of the development are submitted for approval.

5. Reserved Matters for Each Phase to be Submitted at the Same Time – All reserved matters in relation to any phase of the development (as identified in accordance with Condition 4) shall be submitted at the same time.

Reason: Given the sensitive nature of the site within the Metropolitan Green Belt, it is important that all aspects of the development are considered together.

6. The College Development - The further education college hereby approved shall only be first occupied by the controlling owner of Quarles Campus at Tring Gardens.

Reason - The proposed further education college is inappropriate development in the Green Belt. The very special circumstances put forward are particular to Havering College as the controlling owner of the Quarles campus and therefore no other institute should occupy the new building until the Quarles Campus has been vacated and the site cleared.

7. Community Use of Sports Facilities - No phase of the development (as identified in accordance with Condition 4) shall be occupied until full details of the community use of the sports facilities, including a Community Use Scheme has been submitted to and approved in writing by the Local Planning Authority in respect of that phase. The Scheme shall include access policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of that phase of the development.

Reason: In order to ensure adequate mitigation for the loss of sports pitches, in accordance with Sport England comments.

8. In Accordance with Parameters - The development (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the development parameters as detailed in Section 5.2 of the Design and Access Statement and Drawing No's:

P1700	Parameter Plan - Footprints
P1701	Parameter Plan – Building Heights

No application for approval of reserved matters (or other matters submitted for approval pursuant to the planning conditions) which would entail any significant deviation from the parameters and plans shall be made unless otherwise provided for by conditions elsewhere within this permission.

Reason: To ensure that the development is carried out in accordance with the plans and parameters that form the basis for the consideration of the scheme.

9. Boundary Treatment - No phase of the development (as identified in accordance with Condition 4) shall commence until details of the boundary treatment to that phase of development, demonstrating compliance with an overall site strategy, are submitted to and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until boundary treatment for that phase has been provided in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and in the interests of creating safer places.

10. Maximum Parking Provision – The total number of parking spaces on the site shall not exceed 506.

Reason: To ensure that the total parking provided does not exceed the maximum standard, in accordance with Policy DC33 of the LDF.

11. Cycle Parking – No phase of the development (as identified in accordance with Condition 4) shall be occupied until cycle parking is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority in respect of that phase. Such cycle parking shall thereafter be retained.

Reason: To ensure the development takes account on the needs of cyclists, in accordance with Policy DC33 of the LDF.

12. Design statement - Any application for reserved matters shall be accompanied by a comprehensive design statement which demonstrates how the development responds to the guidance set out in paragraph 032 of National Planning Policy Guidance.

Reason: To ensure the ongoing provision of high quality design, in accordance with Policy DC61 of the LDF.

13. Access statement - Any application for reserved matters shall be accompanied by an access statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase of the site (as identified in accordance with Condition 4). The statement shall demonstrate that all parts of the relevant phase of development, including the car parks and all external public areas, shall be designed to be accessible for all, including people with disabilities. Such details to include:

How the layouts, including entrances, internal and external circulation spaces, car parking areas, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties or visual impairments.

Such provision to make the development fully accessible shall be carried out in accordance with the approved details and made available before each phase of the development is first occupied and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of future users and visitors in accordance with the Councils policies and practice for access for people with disabilities and in accordance with the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policy 7.2 of the London Plan.

14. Sustainability statement - Any application for reserved matters shall be accompanied by a sustainability statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase (as identified in accordance with Condition 4). The statement shall outline how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in Policy 5.3 of the London Plan and shall be required to demonstrate that the development will achieve Building Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' rating, or better depending on the prevailing requirement at time of submission. Prior to the commencement of any relevant phase of the development (as identified in accordance with Condition 4) a Design Stage Certificate shall be submitted to the local planning authority. The relevant phase of the development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. On completion of the relevant phase of the development a Post Construction Review under the appropriate BREEAM scheme shall be submitted.

Reason: In the interests of energy efficiency and sustainability in accordance with the Policy DC49 of the LDF, the Council's Sustainable Design and Construction SPD Adopted April 2009 and London Plan Policies.

15. Energy statement - Any application for reserved matters shall be accompanied by an Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to commencement of development of any relevant phase thereof (as identified in accordance with Condition 4). The statement shall incorporate an energy demand assessment and shall detail the energy efficiency design measures and renewable energy technology to be incorporated into the final design of the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 20% of carbon dioxide emissions, beyond Building Regulations requirements. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority in consultation with the Mayor for London.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF, the Council's Sustainable Design and Construction SPD Adopted April 2009 and London Plan policies.

16. Secured by Design Scheme - Prior to the commencement of any relevant phase of the development (as identified in accordance with Condition 4), a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing

by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the relevant phase of the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH Core Strategy DPD) and DC63 'DELIVERING SAFER PLACES' LBH Development Control Policies DPD, and Policy 7.3 of the London Plan.

17. CCTV - Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme showing the details of a CCTV system to be installed for the safety of users and the prevention of crime, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor. No relevant phase of the development shall be occupied or used before the scheme is implemented as agreed.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH Core Strategy DPD) and DC63 'DELIVERING SAFER PLACES' LBH Development Control Policies DPD, and Policy 7.3 of the London Plan.

18. Car Park Security - Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme shall be submitted in writing providing details of how the parking provided shall comply with Secured by Design standards. Once approved in writing by the LPA in consultation with the Crime Prevention Design Advisor, the relevant phase of the development shall be carried out in full accordance with the agreed details

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH Core Strategy DPD) and DC63 'DELIVERING SAFER PLACES' LBH Development Control Policies DPD, and Policy 7.3 of the London Plan.

19. Lighting Scheme – Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme shall be submitted in writing providing details of all external lighting to that phase, demonstrating compliance with an overall site strategy, and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until lighting for that phase has been provided in accordance with the approved details.

Reason: In the interests of residential and visual amenity, security and biodiversity.

20. Details of Plant and Machinery – Prior to the occupation of the relevant phase of the development (as identified in accordance with Condition 4), details shall be submitted of all external plant and machinery to that phase, including details

of external appearance and noise information. All external plant and machinery shall be installed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and in order to minimise noise disturbance.

21. Details of Extract Ventilation – No cooking of food shall take place, within a phase of development (as identified in accordance with Condition 4), unless extract ventilation equipment is installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise smell nuisance, in the interest of users of the site and nearby residential amenity.

22. Hours of Use of Floodlit Sports Areas – The playing fields and multi use games areas hereby approved shall not be used and any floodlighting switched off other than between the hours of 09.00 to 21.00 hours Mondays to Saturdays and 09.00 to 18.00 hours on Sundays and Bank or Public Holidays without the prior consent in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control in the interests of amenity.

23. Landscape Management Plan – Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4), a landscape management plan for that phase, demonstrating compliance with an overall site strategy and including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented in accordance with the agreed details.

Reason: In order to ensure a satisfactory design, layout and external appearance of the development.

24. Ecological Mitigation and Management – Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4), a scheme for the ecological enhancement and management of suitable open areas within that phase, demonstrating compliance with an overall site strategy, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the proposed details.

Reason: In order to ensure protection and enhancement of biodiversity, in accordance with Policy DC58 of the LDF.

25. Bat Mitigation – Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4), a scheme for the conservation of bats and mitigation against the impacts of the development



shall be submitted to and agreed in writing by the Local Planning Authority. Such details as are agreed shall be implemented in full.

Reason: In order to ensure protection and enhancement of biodiversity, in accordance with Policy DC58 of the LDF.

26. Car Park Management Strategy – Prior to the first occupation of the relevant phase of the development (as identified in accordance with Condition 4), a parking management and allocation scheme for that phase shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of ensuring adequate provision of parking for the whole development, in accordance with Policy DC33 of the LDF.

27. Surface Water Drainage – No phase of development (as identified in accordance with Condition 4) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity.

28. Archaeology – No individual phase of development (as identified in accordance with Condition 4) shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

29. Archaeology - No development on the relevant phase of the site (as identified in accordance with Condition 4) shall take place on the site until fencing has been erected, in a manner to be agreed in writing with the Local Planning Authority, to protect the ditch along the site's northern perimeter that is associated with the Scheduled Ancient Monument. No works shall take place north of that fence without the written agreement of the Local Planning Authority.

Reason: Significant archaeological remains are known to exist along northern boundary of the site. The planning authority therefore wishes to ensure that these important remains are not impacted on by development works.

30. Construction Method Statement - No relevant phase of the development (as identified in accordance with Condition 4) shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the relevant construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v. wheel washing facilities
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of residential amenity and highway safety.

31. Contamination - Prior to the commencement of any relevant phase of the development (as identified in accordance with Condition 4), the developer shall submit for the written approval of the Local Planning Authority:
- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
  - b) A Phase II (Site Investigation) Report if the Phase I Report confirms with 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's ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
  - c) 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:
    - o Part A – Remediation Statement 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.
    - o 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.
  - d) 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

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.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

32. Travel Plans – No individual phase of development (as identified in accordance with Condition 4) shall be occupied unless a Travel Plan for that phase has been submitted to and agreed in writing by the Local Planning Authority. The plan shall include measures to reduce private vehicular trips and proposals for monitoring progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain on force permanently and implemented in accordance with the agreed details.

Reason: To help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area

33. Servicing Arrangements - No individual phase of development (as identified in accordance with Condition 4) shall take place until details of the servicing (deliveries and refuse collection) of that phase are submitted to and approved in writing by the Local Planning Authority. Servicing shall take place in accordance with the approved details.

Reason: To ensure a satisfactory layout and in the interests of highway safety.

34. Protection of Trees – No individual phase of development (as identified in accordance with Condition 4) shall take place until a scheme for the retention and protection of trees during construction of that phase is submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and /or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site.

35. Hours of Construction - All building operations in connection with demolition, the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

36. Green Roofs/Walls – No individual phase of development (as identified in accordance with Condition 4) shall take place until details of green roofs and walls for that phase are submitted to and approved in writing by the Local Planning Authority. Green roofs/walls shall be provided in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity.

37. Signage and Wayfinding Strategy – No individual phase of development (as identified in accordance with Condition 4) shall be occupied until a scheme for signage and wayfinding for that phase, demonstrating compliance with an overall site strategy, is submitted to and approved in writing by the Local Planning Authority. The scheme, as approved, shall be implemented prior to the occupation of that phase of the development.

Reason: In order to achieve a satisfactory layout for users of the site.

#### **INFORMATIVES:**

1. In relation to Condition 28 – The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.
2. Details required in relation to biomass application: Where the use of biomass is proposed, the biomass boiler must be certified as an exempt appliance in accordance with the Clear Act 1993. A list of exempt appliances can be found at: <http://www.uksmokecontrolareas.co.uk/appliances.php>  
Efforts should be made to ensure the biomass boiler be one of the lowest emitting models available on the Government's Exempt Appliance list at the time of installation. The following information should also be provided:
  - The make, model and thermal capacity of the biomass boiler and details of the additional abatement technology that has been investigated for fitment to reduce air pollution emissions. What reductions in emissions will this produce?
  - The type, height and location of the chimney
  - Information on the fuel, fuel feed system, the fuel supply chain and the arrangements that have been investigated to secure fuel
  - A breakdown of emissions factors for NOX, particulates and any other harmful from the biomass boiler.
  - An assessment of the impact of the emissions to ground level concentrations and any additional impact to surrounding

buildings/structures. It would be most helpful if the results of dispersion modelling were presented on a map

3. 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.

## REPORT DETAIL

### 1. **Background**

- 1.1 The application has been called in by Councillor Webb on the basis that he has received a lot of queries from parents and residents in regard to the proposals.
- 1.2 On 23 December 2009, outline planning permission was granted for the redevelopment of the sites east and west of Settle Road, Harold Hill, to provide a learning village for 4 educational establishments. The site was to provide a redeveloped secondary school, a primary school, a special educational needs school and a further education college. Condition 2 attached to the planning permission required that reserved matters be submitted within five years of the permission. To date, only the secondary school (Drapers Academy) has been constructed (Reserved matters granted 27 August 2010, Ref P0817.10) and no detailed reserved matters applications have been made for the remainder of the Learning Village. The present application, submitted before the expiry of the 5 year reserved matters submission period, seeks to extend the period for submitting details for the remainder of the development.
- 1.3 The ability for this type of application to be made is limited. Such an application in effect seeks a new planning permission/consent with a new time limit or limits. The original permission will continue to exist whatever the outcome of this application. It is not possible to use this procedure where the permission or consent has already expired at the time of application, or where the permission/consent was granted after 1 October 2010. In such cases, a new application would have to be made. In most circumstances it is not possible to use this procedure where development has already commenced. The only exception to this is where the original permission was submitted in outline and implemented in phases, and one or more of the phases has begun. Under these circumstances, the procedures apply as long as the development was required or expressly permitted to be implemented in phases when the outline permission was originally granted by the local planning authority – this applies in this case.
- 1.4 Government advice on such applications is that local planning authorities should, in making their decisions, focus their attention on development plan

policies and other material considerations which may have changed significantly since the original grant of permission. Therefore this report summarises the main issues considered as part of the original outline planning application, outlines whether any changes to planning policy have occurred in relation to that issue and where necessary includes an assessment against the changed policy.

- 1.5 The planning permission granted in 2009, was subject to two legal agreements, one between the Council as local planning authority and Havering College to ensure that the Quarles Campus buildings be demolished. The other agreement was between the Council as landowner and TfL, enabling TfL to seek a contribution toward increasing bus service should assessments (defined in the Agreement as a Travel Survey) undertaken on occupation of the replaced Kings Wood School (Drapers Academy) show that bus services have a shortfall in capacity. No such Travel Survey was undertaken by TfL on occupation of the Drapers Academy. A Travel Survey would now have no legal affect and therefore there is no need or requirement to carry this obligation forward to a new planning permission.

## 2. **Site Description**

- 2.1 The application relates to a large area of land, totalling 17.3 hectares, north of Dagnam Park Drive in Harold Hill. The site currently comprises three schools and associated grounds as well as Settle Road, which provides vehicular and pedestrian access to the schools as well as to Dagnam Park to the north. Nearby land at the Quarles Campus site in Tring Gardens (occupied by Havering College) is also relevant to the application for the reasons set out later in this report.
- 2.2 Pyrgo Priory Primary School occupies the south west part of the site, west of Settle Road. The school comprises a long, primarily single storey building located to the rear of residential properties at 150-168 Dagnam Park Drive and running toward the centre of the site. The building fronts onto a large open space which is used as playing pitches, but also contains a number of mature trees, bounding onto Dagnam Park Drive and Settle Road. To the rear is a hard play area, bounding residential properties in Sedgefield Crescent and several mature trees bounding on to Cockerells Moat which is a Scheduled Ancient Monument. The site also includes a single storey building which is used as a children's centre. The parking area for the school is situated off Settle Road. The main school building was built in the 1950's.
- 2.3 Dycorts School occupies the north west part of the site, west of Settle Road. It is a single storey building occupying an area between Cockerells and Settle Road. To the rear of the building is a hard play area, whilst to the front is a parking area. The site is bounded to the north by Dagnam Park.
- 2.4 Drapers Academy occupies the north east part of the site. It comprises a recently completed brick finished building up to three storeys in height. To the rear are sports pitches including an all weather pitch.

- 2.5 The south east part of the site is vacant having been occupied by part of the previous Kings Wood School.
- 2.6 The site is designated in the Havering Local Development Framework as Metropolitan Green Belt and part is within the Havering Ridge of Special Character. There are no other land-use policy designations affecting the site, although it adjoins a Scheduled Ancient Monument and Sites of Importance for Nature Conservation.
- 2.7 The surrounding area is residential in character to the south and west with terraces and semi-detached housing typical of the post-war development of the Harold Hill Estate. To the east and north the area is of open character with Dagnam Park and Maylands Golf Course providing recreational facilities, Duck Wood and other areas of trees providing character and open countryside to the M25 in the valley.

### 3. **Description of Proposal**

- 3.1 The Outline Planning Permission proposed a phased development resulting in the eventual demolition of all buildings on the site and redevelopment to provide a Learning Village. Development was to be carried out in phases. Only one phase has been completed – the Drapers Academy. The present application seeks to extend the period for the submission of Reserved Matters for the remainder of the Learning Village.
- 3.2 The application sets out that the Learning Village would comprise the following:
- An academy providing education for 11-18 year olds – a replacement for King's Wood School previously on the site – this has been built.
  - A higher education college – a replacement for that currently at the Quarles Campus, Tring Gardens, Harold Hill.
  - A primary school, nursery and children's centre.
  - A special school.
  - New vehicular access off Dagnam Park Drive.
  - Internal access roads, drop off areas and car parking areas.
  - A public central area between the buildings on Settle Road (civic heart)
  - Provision of sports facilities including a gymnasium/sports hall, playing fields, multi use games courts and hard pitches.
  - Associated landscaping.
- 3.3 All matters, except access, are reserved for further submission and consideration. However, the following parameters are set:
- The maximum footprint of the proposed buildings (18,010 sq m) and their approximate location;
  - The maximum floorspace of the buildings (26, 381 sq m);
  - The maximum height of each of the buildings (College up to 3 storeys, Primary School up to 2 storeys, Special School up to 2 storeys and Gymnasium/Sports Hall up to 2 storeys) ;

- Maximum number of parking spaces (506) and approximate position of parking areas.
- 3.4 The college building is proposed to be located to the front of the site, in the open area currently used as a playing pitch by Pyrigo Priory Primary School. The building is indicated as having a curved “J” shaped footprint with a frontage length of approximately 200 metres. The building would be set back from the corner of Dagnam Park Drive and Settle Road by at least 70 metres, leaving a large area of open space. Behind the college building would be a ‘dropping off’ and parking area. A larger parking area for the college would be provided on the site of the current Pyrigo Priory Primary School building, accessed off the new road.
  - 3.5 The proposed special school would be on the opposite side of Settle Road to the Drapers Academy building. It would have a frontage width of 40 to 50 metres and a depth of about 65 metres. To the north of the building would be a hard playing area and a small playing field. Parking for the special school would be to the west of the new access road, close to the boundary with Cockerells Moat.
  - 3.6 The proposed primary school would be located to the south of Drapers Academy, on the site of the demolished south block of King’s Wood School. The building would have an overall width of 70 metres, a frontage width of 40 metres and a depth of between 43 to 50 metres. Parking for the school would be located to the south of the building, accessed from Sheffield Drive – similar to the previous parking for King’s Wood School. To the west of the building would be hard play areas, playing fields and a multi use games area.
  - 3.7 As part of the application, the applicants have offered a “transfer” of the existing Quarles site footprint to the Learning Village site, with the Quarles site reverting to appropriate Green Belt uses to be ensured by way of legal agreement in order to ensure that the overall impact of the development ‘footprint’ on this part of the Green Belt is acceptable.

#### 4. **Relevant Planning History**

- 4.1 P0575.06 – King’s Wood Site – Provision of synthetic sports pitch with floodlighting, fencing, access and extended car park - Approved
- 4.2 P0668.07 – Pyrigo Site – Single storey detached building for children’s centre – Approved
- 4.3 P0384.09 – Pyrigo Site – New hard surface to provide external play area – Approved
- 4.4 P0682.09 – Learning Village – outline approval for Learning Village
- 4.5 P0817.10 – Drapers Academy – Reserved matters for academy building - Approved



- 4.6 P0886.11 – Dycorts Site – Garage for mini-bus - Approved
- 4.7 P0978.13 – Pyrgo Site – Demountable building – Approved
- 4.8 P0853.14 – Pyrgo Site – Single storey extension - Approved

5. **Consultation/Representations**

- 5.1 A total of 162 notification letters were sent to properties in the vicinity of the site. The application was also advertised by way of site and press notice.
- 5.2 210 representations have been received, raising objections to the application. The objections can be summarised as follows:
- The new primary school will no longer be for Pyrgo school
  - Two primary schools will lead to traffic problems in the area
  - The playing fields to the front of the site are used by Pyrgo school for a variety of sporting activities and will be lost
  - Proposal results in loss of openness
  - Increase in noise
  - Not appropriate to mix pupils and students of different ages
  - Loss of habitat for deer
  - Loss of trees
  - Loss of privacy from new buildings
  - Increase in litter
  - Buildings will not be attractive
  - Parking problems
  - Disruption during construction period
  - Impact on wildlife
  - Loss of outlook, daylight and sunlight
  - Four storey building would have significant visual impact
  - Pyrgo would be overshadowed by new buildings
- 5.3 A petition, signed by 824 people has been submitted entitled:
- “SAVE OUR PYRGO PRIORY SCHOOL FIELD. The Council have plans to build on our schools playing field. This would be a massive loss to the school and pupils who use the field for various activities.”
- 5.4 The Greater London Authority have been consulted on the proposal at Stage 1 of the referral process – their response is awaited.
- 5.5 Sport England – state that they commented on the original application back in 2009, raising no objection and confirming that the scheme complied with E4 of the Sport England policy to protect playing fields. The response states that Sport England does not object to the application which merely seeks to extend the life of the original permission.

5.6 Environment Agency – no objections subject to condition requiring details of Sustainable Urban Drainage.

5.7 Brentwood Borough Council – no objections

5.8 English Heritage – No comments

## 6. **Staff Comments**

6.1 The main issues in this case are whether there has been any significant change in circumstances (planning policy or other material considerations) since outline planning permission was granted in 2009 and, if so, whether these would lead to a different recommendation.

6.2 In 2009, the principle issues with the proposal were considered to be the principle of the development in land use terms, with particular reference to the Green Belt status of the land, loss of playing fields, site layout and visual impact, impact upon existing neighbouring occupiers, highways and parking, heritage, security/safer places, sustainability, ecology and flood risk. There are not considered to be any additional considerations as part of the renewal application.

6.3 In terms of the Council's own local policies, the Local Development Framework, adopted 2008 continues to apply and the policy considerations are the same. Policies CP8 (Community Facilities), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage) of the Local Development Framework Core Strategy are considered relevant.

6.4 Policies DC18 (Protection of Public Open Space, Recreation, Sports and Leisure Facilities), DC26 (Location of Community Facilities), DC28 (Dual Use of School Facilities), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC45 (Appropriate Development in the Green Belt), DC46 (Major Developed Sites), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees and Woodland), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), DC69 (Other Areas of Special Townscape or Landscape Character), DC70 (Archaeology and Ancient Monuments), DC71 (Other Historic Landscapes) and DC72 (Planning Obligations) of Local Development Framework Development Control Policies Development Plan Document are also considered to be relevant.

6.5 Since December 2009, the Council has adopted the Heritage SPD which is considered relevant.

- 6.6 Since 2009, the London Plan 2008 has been replaced by the London Plan 2011 and Revised Early Minor Alterations to the London Plan October 2013. Policies 3.1 (Ensuring Equal Life Chances for All), 3.18 (Education facilities), 3.19 (Sports Facilities), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.9 (Overheating and Cooling), 5.11 (Green Roofs and Development Site Environs), 5.13 (Sustainable Drainage), 6.9 (Cycling), 6.10 (walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (An Inclusive Environment), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.14 (Air Quality), 7.16 (Green Belt), 7.19 (Biodiversity and Access to Nature) are further material considerations
- 6.7 Since the grant of outline permission in 2009 previous national policy has been replaced by the National Planning Policy Framework (NPPF).

### **The principle of the development**

- 6.8 The site is currently in educational use with schools and associated hard surfaced areas and green open space including playing fields. The proposal would not change the use of the land – it would remain in educational use. Retaining community facilities (which includes education) is supported by Core Policy CP8 of the LDF. Furthermore, since 2009 there has been changes in policy that weigh further in favour of the proposal - Policy in the NPPF states that Local Planning Authorities should give great weight to the need to create, expand or alter schools (para 72). Policy 3.18 of the London Plan states that Development proposals which enhance education and skills provision will be supported; proposals for new schools should be given positive consideration; multiple use of educational facilities for community or recreational use should be encouraged and proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer. Staff therefore consider that the proposed development of the site for educational purposes would be acceptable in land use terms.
- 6.9 The main consideration in terms of the principle of the development relates to the Green Belt allocation of the site. National policy contained in the NPPF, reflected in LDF Policy DC45, states that the construction of new buildings inside the Green Belt is inappropriate unless it is for specified purposes. The proposed educational buildings are not within one of the specified purposes within the NPPF. Therefore the proposed development is inappropriate development, harmful to the Green Belt and is considered to be a departure from the development plan. This was also the conclusion in 2009.
- 6.10 As with previous Green Belt Policy, the NPPF states that inappropriate development should not be approved, except in very special circumstances. It for the applicant to show why permission should be granted.
- 6.11 In 2009 the following very special circumstances were considered to outweigh the in principle harm to the Green Belt through inappropriateness:

- The proposal to co-locate learning establishments from pre-school to further and higher education on a single, unified site was considered to have significant regenerative benefits, addressing wider issues in the area such as educational attainment, social mix and inclusivity. The siting of the buildings around a central heart space was considered to provide a significant and identifiable centre for learning in the area, fulfilling both the Councils Living Ambition for the Borough and specific programme for Harold Hill.
- There was a lack of alternative sites for the development. Locating the Learning Village at this site is a more sustainable form of development which should be supported.
- The proposal, although having some impact on the openness of the green belt, nonetheless it would not conflict with the purposes of including the land in the Green Belt. Furthermore, it was considered that the proposal would not have a harmful impact on the character of the Havering Ridge Area.
- A “footprint transfer” with the Havering College Quarles Campus being transferred to the Settle Road site with all buildings removed, to be secured by legal agreement, would result in a significant improvement to the Green Belt in the immediate area.

6.12 Staff consider that the policy position has not significantly changed and that the very special circumstances still apply such that the harm to the Green Belt is outweighed in this particular case – in addition to this, national and London Plan policies suggest a more favourable consideration for new educational facilities than was the case in 2009. This policy change adds to the very special circumstances case.

### **Loss of Playing Fields**

6.13 The proposed College building would be sited on open land in front of the current Pyrgo Priory Primary School. In 2009, this was used for mini and junior football and was defined by legislation as a playing field. The playing field is also used by Pyrgo Priory School for a number of sporting and outdoor activities. National policy in 2009 has been carried forward to the NPPF stating that playing fields should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location (para 74).

6.14 The proposal includes the following sports provision:

- Retention of existing floodlit artificial turf pitch
- Retention of and improvements to existing 3 turf pitches
- Provision of three new Multi Use Games Areas
- Provision of two new turf pitches
- Provision of two new indoor sports halls

6.15 In 2009, Sport England commented that as long as the sports facilities are available for community use, then they consider that the proposal would meet

its exceptions (improvement to sporting facilities) and raise no objection. Sport England have been consulted on the present application and have raised no objections. The community use of the sports facilities can be secured by way of condition. Staff therefore consider that the loss of playing field is suitably mitigated by the proposal and complies with national policy and Policy DC18 of the LDF.

6.16 A number of objections have been received on the grounds that the proposal would result in the loss of the open space in front of Pyrigo School and that this is used by the school for sporting activities. Objections are that the loss of this open space would be detrimental to the school if it is to remain on the site in its present buildings, which objectors say would be likely as the school is now an academy. If Pyrigo were to remain in situ, this would be a change in circumstance since permission was originally granted in 2009. However, the following factors should be taken into account indicating that the proposal, in its outline form, is acceptable:

- If Pyrigo School were to remain in their current buildings, that part of the Learning Village development covering this part of the site and the open space, the college building and associated parking and access road, could not be implemented. Any alternative proposal for a college on this site would necessarily have a different footprint and access arrangement and have to be subject to a separate new planning application where the relationship to the retained Pyrigo school and proposed provision of open space/playing field would need to be assessed (as well as other issues including Green Belt impact).
- The proposal includes a range of playing fields and sporting facilities which are an overall enhancement on what was and is currently available across the whole site. London Plan policy 3.18 encourages multiple use and co-location of facilities. A condition is recommended seeking community use of all the sporting facilities of the Learning Village – such community use would include use by any school on the site such that the sports field offer across the Learning Village is an improvement over existing and benefits Pyrigo School.

6.17 In the circumstances, it is considered that the change in circumstances, is not so significant to recommend refusal of the proposal.

### **Site Layout and Visual Impact**

6.18 In 2009, it was concluded that the parameter plans sufficiently demonstrate that a high quality design can be achieved across the site and therefore would accord with LDF Policy DC61. There has been no significant change in policy to come to a different conclusion.

### **Heritage**

6.19 Part of the site is within an Archaeological Priority Area and the site adjoins the Cockerells Moat which is a Scheduled Ancient Monument. The NPPF requires protection of heritage assets, but the policies are not significantly different to

2009 where it was concluded that subject to conditions requiring further archaeological investigation and protection of the Scheduled Ancient Monument during construction, the proposal is considered acceptable in Heritage terms.

### **Impact on Neighbouring Occupiers**

- 6.20 There is considered to be no policy or other significant changes since 2009 in regard to assessment of impact on neighbours. The considerations at the time were as follows
- 6.21 As a result of the proposal, properties in Settle Road would be at least 40 metres and those in Dagnam Park Drive at least 55 metres from the proposed maximum 2 storey section of college building, properties in Sheffield Drive would be at least 40 metres from the proposed maximum 2 storey section of the primary school, properties in Sedgefield Crescent would be at least 130 metres away from any buildings. At these distances there would not be any loss of daylight or sunlight to these properties, nor would the proposed buildings appear unduly dominating in views or result in overlooking problems.
- 6.22 Parking areas are proposed close to residential boundaries, particularly the college car park proposed in the southwest corner of the site, which would be, at its closest point, about 3 metres from the boundary with properties in Dagnam Park Drive and Sedgefield Crescent. Given that this distance should enable a decent level of landscaping, that this part of the site is currently a school playground and that activity would be likely to be concentrated during the day, it is considered by Staff that there would not be undue noise and disturbance to residents by parking. The other proposed parking area in close proximity to residents would be the primary school parking opposite properties in Sheffield Drive. As this area was previously used as parking area for King's Wood School and therefore no new issues are considered by staff to arise.
- 6.23 In terms of levels of activity associated with the site, there is no doubt that there will be an increase, primarily due to the additional establishment moving to the site (the college). The current college campus at Tring Gardens is located further to the west off Dagnam Park Drive. There will be a corresponding decrease in levels of activity along Tring Gardens which is poorly suited to providing access to an important, and busy, educational facility. Staff consider that the location of the application site is preferable for the concentration of activity and that any inconvenience to residents would be within acceptable limits.
- 6.24 Play areas for the proposed schools would be sufficiently distant from residential properties to minimise noise disturbance. A number of the outdoor sports facilities would be floodlit. Again these are some distance (at least 90 metres) from residential properties, although conditions should be imposed to control light spillage and the hours that the facilities can be used. Conditions would be attached to ensure that noise and disturbance is minimised during what is likely to be a long construction period.

## **Highways and Parking**

- 6.25 In terms of parking spaces, a total of 506 spaces are proposed, allocated as 292 for the College, 100 for the Academy, 53 for the Primary School, 55 for the Special School and 6 for the children's centre (part of primary school). Annex 5 of the LDF specifies maximum numbers of parking spaces for developments, stating that for schools, 1 space per teaching staff be provided and for colleges of further education, 1 space per 2 staff plus 1 space per 15 students. Based upon the anticipated staff, pupil and student levels at the Learning Village, this would equate to a maximum requirement of 504 spaces (excluding the children's centre). There has been no significant change in parking standards since 2009 and it is therefore considered that the level of parking proposed is acceptable, complying with Policy DC32 of the LDF.
- 6.26 There has been no significant change in the capacity of the road network since 2009. The Council's Highways engineers have raised no objections to the proposals including proposed changes to the existing road layout and accesses.
- 6.27 The 2009 permission includes a legal agreement between TfL and the Council, enabling TfL to seek a contribution toward increasing bus service should assessments (defined in the Agreement as a Travel Survey) undertaken on occupation of the replaced Kings Wood School (Drapers Academy) show that bus services have a shortfall in capacity. No such Travel Survey was undertaken by TfL on occupation of the Drapers Academy. A Travel Survey would now have no legal affect and therefore there is no need or requirement to carry this obligation forward to the new planning permission.

## **Security/Safer Places**

- 6.28 There have been no significant policy changes since 2009. Subject to a condition requiring details of the secure by design measures to be implemented, it is considered that the proposed village would be a safe attractive place, in accordance with Policy DC63 of the LDF.

## **Sustainability and Energy**

- 6.29 There have been no significant policy changes since 2009. Due to the outline nature of the proposal, precise details of the energy saving and renewable measures cannot be confirmed at this stage. However, a suitable condition could ensure that the development provides suitable measures to comply with Policy DC49 of the LDF and appropriate Supplementary Planning Document.

## **Ecology**

- 6.30 There have been no significant policy changes since 2009. Suitable conditions are suggested in relation to ecology.

## **Flood Risk**

6.31 There have been no significant policy changes since 2009 – the site is in Flood Zone 1. The Environment Agency have made no objections subject to a condition requiring details of drainage for the site.

## 7. Conclusion

7.1 Although there have been some changes to planning policy since outline planning permission was granted in 2009, in particular national and London Plan policies, none of these changes result in a fundamentally different assessment of the merits of the proposal. If anything, national and London Plan policies are more favourable of new educational development and this adds to the previous very special circumstances case which was previously considered to outweigh the harm to the Green Belt.

7.2 There is now a likely possibility that the Pyrgo Priory Primary School may not move, with the effect that the outline proposal could not be implemented in full – but the ability to fully implement an outline planning permission is not normally a material planning consideration. Furthermore, the proposal provides for enhance sporting facilities for all establishments across the site.

7.3 It is therefore recommended that outline planning permission be granted, subject to a deed of variation to the S106 agreement to ensure the demolition of buildings on the Quarles site.

7.4 As the application is a departure from the development plan, it would need to be referred to the Secretary of State to give the opportunity for the application to be called in. Furthermore, Stage 2 referral of the application is required to the Mayor of London, who has the power to either direct refusal of the proposal should it be considered contrary to strategic policies for London or take on the application for his own determination..

## IMPLICATIONS AND RISKS

**Financial implications and risks:** None

**Legal implications and risks:** The Council will need to prepare deeds of variation to the legal agreement with TfL and S106 agreement between the Council and Havering College. This will involve legal resources.

**Human Resources implications and risks:** None

**Equalities implications and risks:** The creation of a Learning Village would bring direct benefits to the Harold Hill area and aid social inclusion in the area.





## **BACKGROUND PAPERS**

1. Application form, plans and supporting documentation.