

# REGULATORY SERVICES COMMITTEE

# REPORT

4 August 2011

Subject Heading:

P0886.11 – Dycorts School, Settle Road, Harold Hill

Demolition of existing mini-bus garage and erection of new mini bus garage

Report Author and contact details:

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Policy context:

Local Development Framework  
London Plan  
National Planning Policy

Financial summary:

None

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

Clean, safe and green borough	[X]
Excellence in education and learning	[X]
Opportunities for all through economic, social and cultural activity	[ ]
Value and enhance the life of every individual	[ ]
High customer satisfaction and a stable council tax	[ ]

## SUMMARY

This application relates to the demolition of existing mini-bus garage and construction of new mini-bus garage. Existing mini-bus garage measures 31sq m. proposed new mini-bus garage will be 82sq m. it will be located in the same place as the existing garage. The planning issues are set out in the report below and principally focus on the impact of the proposal on the Green Belt. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

## RECOMMENDATIONS

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

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. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Ancillary use to school - The use of the garage hereby permitted shall remain ancillary and subservient to the host property, and shall not be subdivided, separated or altered in any way so as to create separate units.

Reason: To restrict the use to one compatible with a residential area, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

## INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies CP17, DC29, DC45 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site is located on the western side of Settle Road within the grounds of Dycorts School. The school site is characterised by single storey building, play areas, car parking and landscaping. To the north of the site is a public open space. Proposed garage is adjacent to the main entrance and the car park. The site is designated in the Local Development Framework as Metropolitan Green Belt.

### **2. Description of Proposal**

- 2.1 This application seeks full planning permission for the demolition of exiting mini bus garage covering 31 sq m and erection of new larger mini bus garage and storage covering 82 sq m. The proposed garage will be located adjacent to the main entrance and the car park. The proposed garage would be finished in concrete panels with cream 'plastisol' coated sheets above door/ window height. Roller shutter doors and pedestrian doors will be dark brown.

Measurements:

Height: 2.8m at eaves level and 4.2m at ridge level

Depth: 10.7m

Width: 7.7m.

### **3. Relevant History**

- 3.1 P1551.09 – single storey metal storage container. Withdrawn on 11<sup>th</sup> February 2010.

### **4. Consultations/Representations**

- 4.1 The application was advertised and notification letters were sent to adjacent addresses with no letters of representation being received.

### **5. Relevant Policies**

- 5.1 Policies CP17 (design), DC29 (educational premises), DC45 (green belt) and DC61 (urban design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations.
- 5.2 Policies 3D.8 (green belt) and 4B.1 (design principles) of the London Plan are relevant.

- 5.3 National policy guidance set out in Planning Policy Guidance Note 2 “Green Belts” is also relevant.

## **6. Staff Comments**

- 6.1 This proposal is put before the Committee due to the application being submitted by, and for, land in Council ownership. The main issues to be considered by Members in this case are the principle of development; impact on the Green Belt; design/street scene issues; amenity implications and parking and highways issues.

## **6.2 Background**

- 6.3 Dycorts School is a small is a school for disabled children, covering the Key Stages 1 – 4 (4-16 year old) age group with moderate to severe learning disabilities, including autism, and a number of other medical conditions.
- 6.4 A majority of the pupils require transportation to and from the school. This usually involved parents driving their children to school or using the LA Transport Services. Any additional transport requirements such as educational visits, transport for special services such as hydrotherapy is carried out by the school’s own minibus, which is kept on site. The garage which stores the minibuses is considerably old and in poor condition, which has led to many security concerns. The proposal relates to the reconstruction of the garage to ensure it has better security and has better storage facilities.

## **7 Principle of development**

- 7.1.1 The application site currently forms part of a wider site which is in educational use with schools and associated hard surfaced areas and green open space including playing fields. The application site and adjoining land is designated in the Local Development Framework as Metropolitan Green Belt. National policy contained in PPG2, 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 proposal will replace the existing garage with larger garage, which will also include storage space. The floor area will increase by 51 sq m. The proposal is not one of the specified developments within PPG2 as being acceptable in principle and as such is, by definition, inappropriate. PPG2 provides that where inappropriate development is proposed within the Green Belt planning permission should not be granted unless the applicant can demonstrate very special circumstances that outweigh the harm resulting from the development.
- 7.1.2 Before discussing the very special circumstances which are being promoted here, it is necessary to consider what other harm may result from the development

7.1.3 Staff are of the view the proposal would not materially harm the character of this part of the green belt as the proposal will be constructed in the same location as the existing garage, the use of the development will be the same as the existing garage. It will however be slightly bigger in size than the existing garage. (From 31 sq m to 82 sq m). The garage will fill the existing area with no loss of open space. The proposed garage will be 73m from the main road and views of the garage will be screened from the north by the school building. All of these factors would suggest there is no material harm to the surrounding area.

7.1.4 Staff are of the view the proposal would not materially harm the character of this part of the Green Belt and that this weighs in favour of the proposal when considering the very special circumstances case.

## **8 Design/Impact on Street scene**

8.1.1 The proposal is similar to existing garage and it is in keeping with the character of the surrounding area. Whilst it is acknowledged that the floor area will be increased, staff do not consider that material harm to the character and openness of the Green Belt will arise from the proposal. Furthermore, the proposal would be largely screened from view by the existing buildings on this site. The proposal would not represent a significant addition to the street scene and it has acceptable design and appearance. The proposal is in accordance with Policy DC61.

## **9 Impact on Amenity**

9.1.1 No neighbours would be materially affected by the proposal. The proposal would be a sufficient distance from any neighbouring property to prevent the proposal from resulting in any loss of amenity.

## **10. Highway/parking issues**

10.1.1 Staff are of the view that the proposal would pose no adverse effect on the function of the highway and no parking issues are raised.

## **11 Very Special Circumstances**

11.1.1 The very special circumstances put forward by the applicant are as follows. Pupils require transportation to and from the school as well as school trips. A large number of pupils are transported by LA Transport Services. Any additional transport requirements during the school day are met by the school's own minibus. The existing garage has become derelict due to constant use and there are security concerns. The redevelopment of the garage will be built with modern and weather-tight materials. This will better protect the minibuses from poor weather and ensure better security for the mini busses. The size of the garage has been increased to allow larger minibuses for the use of school pupils.

11.1.2 The applicant's reasons of very special circumstances are acceptable as the mini-bus is required for educational purpose and there needs to be a safe and secure area to store the mini-buses. The redevelopment of the mini-bus garage will ensure it has good security and it is better protected from poor weather.

## **12 Conclusion**

12.1.1 The proposal is not considered to be a significant material departure from LDF policies relating to the Green Belt or PPG2 and it is not considered that referral to the Secretary of State is necessary in this case.

12.1.2 Members may agree that the erection of new mini bus garage and associated benefits this would bring, amount to very special circumstances that outweigh the degree of harm that the proposed development would cause to the Green Belt.

12.1.3 Staff are of the view that the proposal would not be harmful to the character and appearance of the Green Belt, the street scene or residential amenity. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

This application is considered on its own merits and independently from the Council's interest as applicant and owner of the site.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

Applications are considered in the context of the relevant equalities legislation. The proposal is to provide better facilities for pupils with medical conditions in education. As such, the proposal is considered to be in accordance with the aims and objectives of LDF Policies, CP17, DC29, DC45 and DC61 and approval is recommended accordingly.

## **BACKGROUND PAPERS**

Application form

Plan No: S2946/3; S2946/2; S2946/1

Design and Access Statement received on 9<sup>th</sup> June 2011.