

# REGULATORY SERVICES COMMITTEE

26 June 2014

# REPORT

**Subject Heading:**

P0482.14 – Wykeham Primary School,  
Rainsford Way, Hornchurch –  
Proposed new demountable nursery  
building to the playing field (received  
23/4/14)

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

Ensuring a clean, safe and green borough	[ ]
Championing education and learning for all	[x]
Providing economic, social and cultural activity in thriving towns and villages	[x]
Valuing and enhancing the lives of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[ ]

**SUMMARY**

This matter is brought before committee as the application site is Council owned. The application seeks planning permission for a demountable nursery building to the

playing field at Wykeham Primary School. Staff conclude the proposal to be acceptable. The application is recommended for approval 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. Materials – The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this decision notice approved by the Local Planning Authority.

**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. Hours of use – The demountable building and the associated play area shall not be used for the pre-school nursery hereby permitted other than between the hours of 08:00 and 18:00 on Mondays to Fridays and not at all on Saturdays, Sundays, 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, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. Restricted use - Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the demountable building hereby permitted shall be used for a pre-school nursery only and shall be used for no

other purpose(s) whatsoever including any other use in Class D1 and D2 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

## INFORMATIVE

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.

<b>REPORT DETAIL</b>
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1. **Site Description:**

- 1.1 The application site is Wykeham Primary School, which is accessed from Rainsford Way and Barton Avenue. The site is bounded by a mixture of single and two storey detached, terraced and semi-detached residential properties with associated rear gardens. The demountable building and associated play area would be adjacent to the rear gardens of neighbouring properties in Barton Road, Saunton Road and Mansard Close.

2. **Description of development:**

- 2.1 The application seeks permission for a demountable nursery building to the playing field at Wykeham School. The building would have a width of 6.2 metres, a depth of 15.8 metres and a height of 2.2 metres. The space created would provide a store, kitchen, toilets, office and a play area. The building would be located approximately 2.6 and 11.2 metres from the eastern and southern boundaries respectively. The proposal includes a play area for the nursery, which abuts the eastern and southern boundaries of the site. The agent has advised that the pre-school would be accessed from Barton Road.
- 2.2 The pre-school currently occupies two classrooms in Wykeham Primary School, but as these classrooms are required to support increasing primary pupil numbers, the pre-school has been given notice by the Local Authority to terminate their licence at the end of the Summer Term 2014. It is proposed to relocate the pre-school to the demountable building. The opening hours for the pre-school are between 8am and 6pm Monday to Friday. The nursery is intended to provide spaces for up to 60 children.

### **3. Relevant History:**

3.1 There is extensive history, the most recent is listed as follows:

P0332.10 – Single storey children’s centre, incorporating general office multi-function/counselling rooms, crèche area, medical room, toilet facilities and secure fenced off external soft and hard landscaped areas – Withdrawn.

P0117.10 – Proposed external canopy/shade – Approved.

P1528.09 - Canopy/shelter in reception shelter – Approved.

P0983.09 – Canopy/shelter in reception playgroup – Approved.

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

3.1 The occupiers of 119 neighbouring properties were notified of this proposal. 30 letters of support were received. Eight letters of objection were received with detailed comments that have been summarised as follows:

- Traffic and congestion.
- Access.
- Flooding from the playing fields.
- Sewage.
- The proposal would increase the numbers of pupils at Wykeham Primary School.
- Highway and pedestrian safety.
- Disruption.
- Pollution.
- Parking.
- Queried the provision of a traffic analysis for the existing level of use of the school.
- Access for refuse and emergency vehicles.
- Litter.
- Noise.
- Loss of views.
- The proposal reduces the children’s playing area further.
- Noise and disruption during construction works.
- Proximity of toilet facilities to neighbouring gardens.

3.2 In response to the above, comments regarding loss of views are not material planning considerations. The remaining issues will be addressed in the following sections of this report.

3.3 Childcare Services supports this application as there is a need to maintain and increase the number of childcare places in the area.

3.4 The Fire Brigade is satisfied with the proposal.

3.5 Highway Authority – No objection.

## **5. Relevant policies:**

- 5.1 Policies CP8 (Community needs), CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car parking), DC34 (Walking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC62 (Access) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.18 (Educational facilities), 3.6 (Children and young people's play and informal recreation facilities), 6.13 (Parking) and 7.4 (Local character) of the London Plan and Chapters 4 (Promoting sustainable transport), 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

## **6. Staff Comments**

- 6.1 This proposal is put before the Committee owing to the land being Council owned and objections being received. The issues arising in respect of this application are the impact on the streetscene, amenity issues and parking and highways implications.

### **6.2 Principle of Development**

- 6.2.1 The development would be subject to aspects of DPD policies DC26 and DC61, which provide, in combination, that new development, including the provision of community facilities, should not have a significant adverse effect on residential character and amenity. This will be assessed in the following sections of this report. Nurseries are accepted as being 'community facilities', where there is a requirement for places within the borough.
- 6.2.2 As a Local Authority, Havering is duty-bound to deliver Section 13 of the Childcare Act 2006 and the Childcare Sufficiency Assessment (CSA) highlights areas of need within the borough. The CSA 2011 supports the evidence that there is a fundamental shortage of childcare provision in the Hyland Ward and the latest population projections show an increase in the Under 5s population of over 8% between 2014 and 2020. Staff are advised that the introduction of the statutory Early Education Entitlement offer for qualifying 2 year olds has increased pressure on Early Years places and the number of 2 year olds qualifying for this offer from September 2014 is expected to double, as the statutory criteria is being extended from this date. There is, therefore, an identified need to maintain and increase the number of childcare places in the area. It is considered that the proposal for a demountable nursery building to the playing field at Wykeham Primary School is acceptable in principle and complies with LDF Policy DC26.

### **6.3 Design/impact on street/Garden scene**

- 6.3.1 It is considered the demountable building would not be harmful to the streetscene, as it is single storey and relatively low in height at 2.2 metres with a flat roof, which minimises its bulk. In addition, the building would be located approximately 2.6 and 11.2 metres from the eastern and southern

boundaries of the application site respectively and largely screened by the adjacent neighbouring properties and their rear gardens, which would help to mitigate its impact. Overall, it is considered that the demountable building would integrate satisfactorily with the existing school building and would have no material impact on the wider streetscene.

### **6.3 Impact on amenity**

- 6.3.1 It is considered that the demountable nursery building would not be harmful to residential amenity, as it is single storey, has a flat roof with a height of 2.2 metres and would be approximately 2.6 and 11.2 metres from the eastern and southern boundaries of the application site respectively. It is recognised that relocating the pre-school from within two classrooms in Wykeham Primary School to a demountable building and play area in the site would increase the potential for noise and disturbance, although this would be balanced against pupils of the school utilising the whole of the school site. In the context of the school site as a whole it is not considered this proposal would materially increase noise and activity over the existing levels.
- 6.3.2 It is noted that the use of nursery building and associated play area would give rise to some additional noise and disturbance as it will be used year round and not just at term time. It is considered that the nursery building and associated play area would not result in a significant loss of amenity (including overlooking) to neighbouring properties, as there would be a separation distance of between approximately 9 and 20 metres between the eastern and southern boundaries of the application site and the rear elevation of neighbouring properties in Saunton Road, Barton Road and Mansard Close. It is considered that the fencing, trees and soft landscaping on the boundaries of the site would help to buffer the noise from the nursery building and the associated play area and provide some screening.
- 6.3.3 The opening hours for the pre-school are from 08:00 to 18:00 Monday to Friday. It is considered that the opening hours are deemed to be acceptable, as they are concentrated during the day time, (as opposed to very early morning or late evening) and would comprise solely of week days and not at all on Saturdays, Sundays, Bank or Public holidays, which can be secured by condition.
- 6.3.4 Consideration has been given as to whether the use of the pre-school in the demountable building would result in noise and disturbance from cars manoeuvring, car doors slamming, additional pedestrian movements and cars starting and moving off. It is considered that the use of the pre-school would not result in a significant loss of amenity in terms of vehicular movements, traffic, noise, disturbance and fumes over and above existing conditions, given that the proposal involves relocating the existing pre-school from within two classrooms within the school building to a demountable building. Staff consider that the proposal would not create any additional overlooking or loss of privacy over and above existing conditions. Overall, it is considered that there are no reasonable grounds to base a refusal on harm to residential amenity.

## 6.4 Highway/parking issues

6.4.1 The agent has advised that the pre-school would be accessed from Barton Road. The Highway Authority has no objection to the proposals, as the proposal involves relocating the existing pre-school from two classrooms within the school building to a demountable building on the application site. The numbers of staff for the pre-school would remain the same as existing (four full time and two part time staff). There are 35 car parking spaces within the application site which serve Wykeham Primary School. The pre-school itself will not change the pattern of arrivals and departures and on that basis; it is considered that there are not significant highway issues from the proposal. It is considered that the proposal would not create any highway or parking issues.

## 7. Conclusion

7.1 Staff are of the view that the proposed demountable nursery building to the playing field at Wykeham Primary School is acceptable, would not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. It is considered that the proposal would not create any highway or parking issues. 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 owner of the site.

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

None.

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

The Council's planning policies are implemented with regard to Equalities and Diversity. The proposal enables the continued provision of a nursery facility on the site, which benefits the wider community.

## **BACKGROUND PAPERS**

Application forms and plans received 23/4/2014.