

# REGULATORY SERVICES COMMITTEE

8 January 2015

# REPORT

**Subject Heading:**

P1439.14 – Wykeham Primary School,  
Rainsford Way, Hornchurch

Demountable nursery building to the  
playing field at Wykeham Primary School  
- Retrospective (received 17/10/14)

**Report Author and contact details:**

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**Ward**

Hylands

**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 retrospective 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. 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.

2. 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.

3. 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.

## REPORT DETAIL

### 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 are located 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 retrospective planning permission for a demountable nursery building to the playing field at Wykeham Primary School. The building has a width of 12.3 metres, a depth of 23.4 metres and a height of 2.8 metres. The space created provides three classrooms, toilets, store and an office. The building is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary. There is a play area for the nursery, which is approximately 3.6 metres from the eastern boundary and abuts the southern boundary of the site. The pre-school is accessed from Barton Road and Mansard Close. The opening hours for the pre-school are between 8am and 6pm Monday to Friday. The nursery provides spaces for up to 60 children. There is a green shipping container located adjacent to two sheds and to the north of the building, which has a width of 2.4 metres and a depth of 6 metres.

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

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

P0482.14 – Proposed new demountable nursery building to the playing field at Wykeham Primary School – Approved.

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 48 neighbouring properties were notified of this proposal. One letter of objection was received with detailed comments that have been summarised as follows:
- Access and parking.
  - Litter.
  - Access for emergency vehicles.
- 3.2 English Heritage – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.
- 3.4 The Fire Brigade is satisfied with the proposal provided that the gateway from Barton Road is made available and has a minimum clear opening of 3.1m and the playground can support a pump appliance with a minimum carrying capacity of 14 tonnes.
- 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 an objection being received. Planning permission was granted at the Regulatory Services Committee meeting on 26<sup>th</sup> June 2014 under application P0482.14 for a new demountable nursery building. There was a discrepancy regarding the dimensions of the demountable building referred to in the report for application P0482.14. Also, the demountable building that was sourced has a front canopy and different dimensions to that previously approved. In this case, the width of the building has increased from 9.8 metres to 12.3 metres and its height has increased from 2.2 to 2.8 metres. The issues arising in respect of this application are the principle of development, impact on the streetscene, amenity issues and parking and highways implications.

## 6.2 **Principle of Development**

- 6.2.1 The development is 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. The principle of development was deemed to be acceptable for application P0482.14. It is considered that the 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 increased width and height of the building has not adversely affected the streetscene, given its relatively modest increase in proportions. Furthermore, the building is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary and is largely screened by the adjacent neighbouring properties and their rear gardens, which helps to mitigate its impact. In addition, the building is single storey and remains relatively low in height at 2.8 metres with a flat roof, which minimises its bulk. Overall, it is considered that the demountable building integrates satisfactorily with the existing school building and has no material impact on the wider streetscene. Staff consider that the shipping container does not appear visually intrusive in the streetscene, as it is largely screened by two sheds and the northern elevation of the demountable building, its green colour minimises its prominence and its proportions are relatively modest.

### **6.3 Impact on amenity**

6.3.1 It is considered that the increased width and height of the demountable nursery building compared to that previously approved is not harmful to residential amenity, as the increase in its proportions is relatively modest, it is single storey, has a flat roof that minimises its bulk and is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary. It is considered that the building does not result in any increased noise and disturbance compared to the previous approval, as the number of children for the nursery remains unchanged. The opening hours for the pre-school are from 08:00 to 18:00 Monday to Friday and are deemed to be acceptable as they remain the same as those previously approved.

6.3.2 It is considered that the nursery building and associated play area do not result in a significant loss of amenity (including overlooking) to neighbouring properties, as there is a separation distance of between approximately 13 and 30 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 help to buffer the noise from the nursery building and the associated play area and provide some screening.

6.3.3 Staff consider that the shipping container does not adversely impact on residential amenity, as it is set off the eastern boundary by approximately 3.8

metres, is largely screened by timber fencing, two sheds and the northern elevation of the demountable building, its green colour minimises its prominence and its proportions are relatively modest. 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 pre-school is accessed from Barton Road and Mansard Close. The Highway Authority has no objection to the proposals, as the number of children remain the same as that previously approved under application P0482.14. The numbers of staff for the pre-school remain unchanged with 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 does not change the pattern of arrivals and departures and on that basis; it is considered that the nursery does not result in any highway or parking issues.

#### **7. Conclusion**

7.1 Staff are of the view that the demountable nursery building to the playing field at Wykeham Primary School and the shipping container are acceptable, do not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. It is considered that the nursery does not create any highway or parking issues. The demountable building and shipping container are considered to be acceptable in all other respects and it is therefore recommended that retrospective 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 17/10/2014.