



**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 March 2012

Subject Heading:	P1762.11 – The Chafford School, Lambs Lane, South Rainham – Canopy structure (received 24 November 2011)
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Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
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	[x]
Value and enhance the life of every individual	[x]
High customer satisfaction and a stable council tax	[]

SUMMARY

The proposal relates to an application for a canopy structure to enable greater use of the outdoor areas at the school. The site is Council-owned and in the Metropolitan Green Belt. Staff consider that the proposal would accord with Green Belt, community and environmental policies contained in the Local Development

Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. SC04 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 Act 1990.

2. NSC01 The development shall be built in accordance with the external materials details identified in the application.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

3. SC32 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.

4. SC11 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

INFORMATIVES

1. INF23 Reason for approval:
The proposal accords with Policies DC26, DC29, DC33, and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policies 3.18 and 7.16 of the London Plan (2010) and PPG2: Green Belts and DC45 insofar as the very special circumstances submitted are judged to be sufficient to allow the development.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The site currently comprises The Chafford School. To the rear of the 1- and 2- storey main building adjacent to the refectory is a large area of hardstanding with some tree planting and picnic tables/benches. This area is mainly used in connection with the refectory as an outdoor eating area. There is a large playing field area to the north east of the application site, beyond the existing building group. The site is within the Metropolitan Green Belt.
- 1.2 With the exception of the R J Mitchell school itself and the adjoining Brady Primary School, the surrounding area mainly consists of 2-storey residential properties to Lambs Lane South and Wennington Road.

2. Description of Proposal

- 2.1 The proposal is to provide a separate canopy located adjacent to the rear of the one-storey refectory section. It would be 11.8m deep and 17m wide, extending to just inside the return buildings either side and would have a roof which slopes slightly away from the refectory such that it would be just over 3m high closest to the building and 2.65m at its furthest extent.
- 2.2 The materials would be metal alloy uprights and roof "beams" and a translucent glass polyester profiled sheeting with ultra violet filter.
- 2.3 It is proposed that the canopy structure would enable greater use of the outdoor eating area during both inclement weather and during higher temperatures. Some trees would need to be removed and it was indicated at

the site visit that it is intended to provide replacements as necessary beyond the edge of the canopy.

3. History

3.1 None relevant

4. Consultation/Representations

4.1 58 neighbouring and nearby properties were notified of the application, a press notice was published and a site notice was posted. No replies have been received.

5. Staff Comments

5.1 The issues in this case are the principle of the development, the impact on the open character of the green belt, the impact of the development in the street scene, impact on the amenities of nearby residential occupiers and highways/parking. Policies DC26, DC29, DC33, DC36, DC45, DC55 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant. Also relevant are London Plan Policies 3.18 and 7.16 and PPG2: Green Belts.

Principle of development

5.2 The proposal is for a canopy covering 200 sq.m of existing hardstanding in an existing courtyard area.

5.3 Policy DC29 indicates that educational premises should be of a suitable quality to meet the needs of residents. It is considered that the provision of a canopy within the school grounds would improve the facility for pupils and that this would accord with this policy in principle.

5.4 Policy DC45 indicates that new buildings in the green belt are inappropriate in principle if they do not relate to an appropriate use. Schools are not of themselves an appropriate use within the Metropolitan Green Belt. The proposal would therefore be for development which is inappropriate in principle. Before considering any very special circumstances, it is necessary to consider whether any other harm would arise from the proposal.

Open Character of the Green Belt

5.5 The proposed canopy, while relatively large at over 200 sq. m., would span between the existing buildings within the courtyard area and would not be visible due to its limited depth in relation to the buildings to either side and as other buildings surround the existing enclosed outdoor seating area. Whilst the canopy would not be visible from public viewpoints, the proposal would increase the built form within the green belt. Staff nonetheless consider that, since the development would not extend outside the existing

group of school buildings, it would not result in harm to the open character of the Metropolitan Green Belt. As a result it is considered that this represents very special circumstances which would outweigh the in principle harm to the Green Belt.

Impact in the Street Scene

- 5.6 The proposed canopy would be located behind existing school buildings such that it would not be visible from either Lambs Lane South or Wennington Road. It is considered that there would be no impact on visual amenity in the streetscene.

Impact on Residential Amenity

- 5.7 There would be no increase in the number of children at the school in relation to the provision of the canopy over the existing outdoor seating area. Staff do not therefore consider that there would be any impact on residential amenity.

Highways

- 5.8 The proposal is for an outdoor canopy ancillary to the existing use of the school.
- 5.9 Annex 5 of the LDF Core Strategy and Development Control Policies DPD indicates that 1 space would be required for each staff member. It is not proposed for there to be any increase in the number of children or staff at the school due specifically to the provision of the canopy. Staff do not consider that any additional parking spaces are necessary.

Special Circumstances Case

- 6.1 The school have identified that there is a need for the provision of a cover over an existing outdoor seating/hardstanding area which is used currently in connection with the refectory. The provision of the canopy would also enable out door lessons and other outdoor activities both in inclement weather and during periods of higher temperatures. The canopy would provide an outdoor learning opportunity which would be in accordance with OFSTED requirements that outdoor learning takes place on a day to day basis to enable the delivery of the national curriculum.
- 6.2 Staff recognise that canopies have been provided at many schools in the Borough, including the adjoining Brady Primary School which is also within the Green Belt, and that Chafford School is among the last to provide what will be a multi-purpose canopy. Together with the very limited resultant impact upon the openness of the Green Belt, Staff consider that this would comprise the very special circumstances required to warrant an exception from policy.

6.3 Members may agree that the demonstrated need for such a sheltered facility amounts to the very special circumstances required.

7. **Conclusions**

7.1 Staff consider that the proposal would be inappropriate development in the green belt. In line with PPG2 Green Belts, very special circumstances must be demonstrated which outweigh the presumption against inappropriate development. The proposal would not result in any harm to the open character of the green belt or any harm to any other area of planning significance.

6.2 The proposal would accord with Policy DC29 in relation to providing a quality school environment. Staff therefore recommend that planning permission is granted.

IMPLICATIONS AND RISKS

7. **Financial Implications and risks:**

7.1 None

8. **Legal Implications and risks:**

8.1 This application is considered on its merits independently of the Council's interest as owner of the site.

9. **Human Resource Implications:**

9.1 None

10. **Equalities and Social Inclusion Implications:**

10.1 The Council's planning policies are implemented with regard to Equalities and Diversity. In particular, in providing a covered outdoor space in the existing school grounds, this would be to the benefit of local school children.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.

4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.